

## CHAP. IX.

*An Act to enable the Commissioners of Gaol Delivery and Oyer and Terminer to Proceed, although the Court of King's Bench be sitting in the Home District, for which they are Commissioned.*

[Passed the 7th day of April, 1817.]

**W**HEREAS, by construction of Law without special Provision to the Contrary, the Meeting of the Court of King's Bench, in any District supersedes all Commissions of Oyer and Terminer, and Gaol Delivery; *And whereas*, it may so happen that the Business of the Spring Assize, in the Home District may not be concluded before the First Day of Easter Term; *Be it therefore enacted*, by the King's most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled, by virtue of, and under the Authority of an Act, passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of An Act, passed in the Fourteenth Year of His Majesty's Reign, entitled, An Act for making more effectual Provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province," and by the Authority of the same, that when any Session of Oyer and Terminer and Gaol Delivery for the Home District, shall have been begun to be holden before the First Day of any Term; that the said Session shall be continued to be holden and the Business thereof finally concluded, notwithstanding the Sitting of his Majesty's Court of King's Bench within the said District; and that all Trials and Proceedings as well as Judgments, had at such Session so continued to be holden, shall be good and effectual to all Intents and Purposes, as if the said Session of the Court of King's Bench had not been.

Preamble.

When any Session of Oyer and Terminer and Gaol delivery for the Home District, shall have been begun to be holden before the first day of any term—the said Session shall be continued to be holden and the business concluded, notwithstanding the sitting of the court of King's Bench.