

Judgment to be certified to the court below: its consequences.

ment of the said Justices the party convicted ought not to have been convicted, or to arrest the judgment, or order judgment to be given thereon at some other session of Oyer and Terminer or Gaol Delivery, or other Sessions of the Peace, if no judgment shall have been before that 5 time given, as they shall be advised, or to make such other order as justice may require; and such judgment and order, if any, of the said Justices shall be certified under the hand of the Chief Justice or Senior Justice of such Court to the Clerk of Assize, or to the Clerk of the Peace, 10 or Recorder's Clerk, as the case may be, who shall enter the same on the original record in proper form, and a certificate of such entry, under the hand of the Clerk of Assize or the Clerk of the Peace, or the Recorder's Clerk, as the case may be, in the form as near as may be, or to 15 the effect mentioned in the Schedule annexed to this Act, with the necessary alterations to adapt it to the circumstances of the case, shall be delivered or transmitted by him to the Sheriff or Gaoler in whose custody the person convicted shall be, and the said certificate shall be a sufficient warrant to such Sheriff or Gaoler, and all other 20 persons, for the execution of the judgment, as the same shall have been so certified to have been affirmed or amended, and execution shall thereupon be executed on such judgment, or for the discharge of the person con- 25 victed from further imprisonment, if the judgment be reversed, avoided or arrested, and in that case such Sheriff or Gaoler shall forthwith discharge him, and also the next Court of Oyer and Terminer or Gaol Delivery, or Sessions of the Peace, shall vacate the recognizance 30 of bail, if any; and if the Court of Oyer and Terminer or Gaol Delivery, or Sessions of the Peace, shall be directed to give judgment, the said Court shall proceed to give judgment at the next session.

How the judgment of the superior court shall be delivered.

III. And be it enacted, That the judgment or judgment 35 of the said Justices of the said Superior Courts shall be delivered in open Court, after hearing Counsel or the parties, in case the prosecutor or person convicted shall think it fit that the case shall be argued, in like manner as the judgments of the said Superior Courts are 40 now delivered.

Case may be sent back for amendment.

IV. And be it enacted, That the said Justices of the said Superior Courts, when a case has been reserved for their opinion, shall have power, if they think fit, to cause the case or certificate to be sent back for amendment, and 45 thereupon the same shall be amended accordingly, and judgment shall be delivered after it shall have been amended.

What judgment may be pronounced by a Court of Error.

V. And be it enacted, That whenever any writ of error shall be brought upon any judgment or any indictment, 50 information, presentment or inquisition in any criminal