
B I L L .

An Act for the further amendment of the administration of the Criminal Law.

WHEREAS it is expedient to provide a better mode Preamble.
than that now in use of deciding any difficult question of law which may arise in Criminal trials in any Court of Oyer and Terminer and Gaol Delivery, and to
5 make further amendments in the administration of the Criminal Law: Be it therefore enacted, &c.

That when any person shall have been convicted of any treason, felony or misdemeanor before any Court of Oyer and Terminer or Gaol Delivery, or Quarter Sessions, the
10 Judge, Recorder or Justices of the Peace before whom the case shall have been tried, may, in his or their discretion, reserve any question of law which shall have arisen on the trial for the consideration of the Justices of either of Her Majesty's Superior Courts of Common Law, and
15 thereupon shall have authority to respite execution of the judgment on such conviction or postpone the judgment, until such question shall have been considered and decided, as he or they may think fit; and in either case the Court, in its discretion, shall commit the person convicted to prison,
20 or shall take a recognizance of bail, with one or two sufficient sureties, and in such sum as the Court shall think fit, conditioned to appear at such time or times as the Court shall direct and receive judgment, or to render himself in execution, as the case may be.

25 **II.** And be it enacted, That the Judge, Recorder or Court of Quarter Sessions, shall thereupon state in a case to be signed by such Judge, Recorder or the Chairman of such Court, the question or questions of law which shall have been so reserved, with the special circumstances
30 upon which the same shall have arisen; and such case shall be transmitted by such Judge, Recorder or Court of Quarter Sessions to one or other of the said Superior Courts on or before the last day of the first week of the term of such Superior Court next after the time when
35 such trial shall have been had; and the Justices of either of the said Superior Courts shall thereupon have full power and authority to hear and finally determine the said questions, and thereupon to reverse, affirm or amend any judgment which shall have been given on the indictment or inquisition on the trial whereof such question or
40 questions have arisen, or to avoid such judgment, and to order an entry to be made on the record, that in the judg-

Any question of law may be reserved by certain courts for the opinion of one of the superior courts of law, &c.

Case to be stated and certified to such superior court.

Powers of the Judges of such superior court.