

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1851. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1851.

14 Victoria – Chapter 19

An Act to amend the Law relative to the administration of Criminal Justice. Passed 30th April 1851.

- I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the thirty sixth section of an Act made and passed in the twelfth year of the Reign of Her present Majesty, intituled *An Act to consolidate and improve the Laws relative to the administration of Criminal Justice*, be and the same is hereby repealed.
- II. And in order to prevent justice from being defeated by clerical or verbal inaccuracies in prosecutions for Forgery, Be it enacted, That in all informations or indictments for Forgery, or in any manner uttering any deed, writing, instrument, or other matter whatever, it shall not be necessary to set forth any copy or facsimile thereof, but it shall be sufficient to describe the same in such manner as would sustain an indictment for stealing the same, any law, usage or custom to the contrary notwithstanding.
- III. And be it enacted, That the certificate required by the sixty eighth section of the said recited Act to be signed and delivered or transmitted by the Clerk of the Circuits or his Deputy, as in the said section mentioned, shall be in the form as near as may be, or to the effect mentioned in the annexed Schedule, with the necessary alterations to adapt it to the circumstances; and that the same certificate shall have all the effect given in and by the said section to the certificate therein mentioned, in the same manner and to the same extent as if the said Schedule had been annexed to the said recited Act.

SCHEDULE.

Whereas at the Session of Oyer and Terminer and General Gaol Delivery held for the _____ of _____ on _____ before, among others, _____, one of the Justices of the Supreme Court, and Justices of Oyer and Terminer and General Gaol Delivery, [here name the Quorum Commissioners,] A. B., late of _____, Labourer, having been found guilty of Felony, and judgment thereupon given, that [state the substance,] the Court before whom he was tried reserved a certain question of law for the consideration of the Justices of the Supreme Court, and execution was thereupon respited in the meantime.

This is to certify, that it having been considered by the said Justices of the said Supreme Court, at Fredericton, in _____ Term, in the _____ year of the Reign of _____, that the Judgment aforesaid should be annulled, and an entry made on the Record that the said A. B. ought not, in the judgment of the said Justices, to have been convicted of the felony aforesaid, you are therefore hereby required forthwith to discharge the said A. B. from your custody.

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To the Sheriff or Gaoler of _____, and all others whom it may concern.
(Signed) E. F., Clerk of the Circuits for [as the case may be.]