

Laws of Her Majesty's Province of Newfoundland, passed in the year 1853.

16 Victoria – Chapter 8

An Act to Remove Doubts respecting the Jurisdiction of the Circuit Courts of Newfoundland in Criminal Cases. (Passed 15th June, 1853.)

Whereas by an Act of the Imperial Parliament passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled “An Act for the Better Administration of Justice in Newfoundland, and for other purposes,” which said Act has been from time to time continued and is now in force, it was among other matters enacted that the Circuit Courts established by and under the said Act should be respectively Courts of Record, and should, within the District in which they might be holden, have and exercise all such and the same jurisdiction, powers and authority as were by the said Act vested in the Supreme Court of Newfoundland throughout the whole Colony of Newfoundland, saving and excepting the trying and determining of Treasons, and Misprisions of Treason, and Felonies not within the benefit of Clergy, and the hearing or determination of any Information, Suit, or Action, or the breach or violation of any Act of Parliament relating to the Trade and Revenue of the British Colonies in America, all which said Crimes and Offences, Information, Suits, and Actions, should be tried, inquired of, heard and determined, in the said Supreme Court of Newfoundland, and not elsewhere within the said Colony: And whereas by reason of alterations made in the Criminal Law since the passing of the said recited Act, doubts have arisen as to the extent of the jurisdiction of the said Circuit Courts in Criminal Cases:—

Be it therefore declared and enacted, by the Governor, Council and Assembly, in Legislative Session convened, that the said Circuit Courts respectively shall, within the Districts in which they may be holden, have and exercise all such and the same jurisdiction, powers and authority as in and by the said recited Act are vested in the said Supreme Court of Newfoundland throughout the whole of the said Colony, saving and excepting the trying and determining of Treasons, or Misprisions of Treason, and of all Felonies which at the time of the commission thereof shall, by any Law then in force in the said Colony, be punishable with death, and saving and excepting the hearing and determining of any information, suit or action for the breach or violation of any Act of Parliament relating to the Trade and Revenue of the British Colonies in America; all which said crimes and offences, information, suits and actions, shall be tried, inquired of, heard and determined, by the said Supreme Court of Newfoundland, and not elsewhere within the said Colony.