

Judges of the Supreme Court empowered to make Rules relative to the mode and time of payment of fees by Attornies, &c.

IV. And be it enacted, That the Judges of the Supreme Court, or any three of them, shall have power from time to time to make such Rules and Regulations as they may deem advisable, as to the mode and time of payment of such Fees by the respective Attornies and Officers of the said Court and all other persons, having respect in such Rules to the amount of such Fees and the state of the Province.

£400 per annum to be paid to the present Clerk in addition to the salary of office.

V. And be it enacted, That there shall be hereafter paid to the Honorable George Shore, the present Clerk of the Pleas, during his incumbency of the said Office, the sum of four hundred pounds per annum, in quarterly payments, in addition to the Salary fixed by the first Section of this Act for the Clerk of the Pleas.

Money to be paid by Warrant on the Treasury.

VI. And be it enacted, That the several and respective sums of money herein before mentioned, shall be paid by the Treasurer by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury or as payment may be made at the same.

Clerk of the Pleas to be a Barrister, and not to practice during incumbency of office.

VII. And be it enacted, That any Clerk of the Pleas hereafter appointed shall be a Barrister of the Supreme Court of this Province, and shall not be allowed to practice in any Court in this Province during his incumbency of the said Office.

Act may be amended.

VIII. And be it enacted, That this Act may be amended during this Session of the Legislature.

Commencement of Act.

IX. And be it enacted, That this Act shall come into operation and take effect on the first day of October next, and all Fees payable for any service performed or act done by such Clerk, on or after that day shall be paid over to the Treasurer of the Province.

CAP. XXVII.

An Act to continue an Act, intituled *An Act to extend the Jurisdiction of the Corporation of the City of Saint John for the regulation of the rates of Pilotage beyond the limits now prescribed by Charter.*

Passed 11th April 1843.

3 V. c. 70, continued to 1st April, 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to extend the Jurisdiction of the Corporation of the City of Saint John for the regulation of the rates of Pilotage beyond the limits now prescribed by Charter*, be and the same is hereby continued and declared to be in full force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty eight.

CAP. XXVIII.

An Act in further amendment of the Criminal Law.

Passed 11th April 1843.

Preamble.

‘ WHEREAS the practice of Defendants who are indicted for misdemeanors ‘ at any Court of Oyer and Terminer traversing, without cause shewn ‘ therefor, to a following Court, is found from the length of time intervening between the several Courts, and the difficulty of securing the attendance of Witnesses to obstruct the due administration of Justice ;’

Right of traverse by persons indicted of misdemeanors abolished.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the right of traverse now claimed and exercised by persons indicted of any misdemeanor or misdemeanors at any Court or Sessions of Oyer and Terminer appointed to be holden by any Act of Assembly, or by any Commission issued under the Great Seal of this Province, shall be, and the same is hereby taken away and abolished ; and that hereafter every Indictment against any person or persons for any misdemeanor or misdemeanors shall be heard, tried and finally determined at the same Court of Oyer and Terminer, at which such Indictment shall have been preferred, unless the Court shall think proper upon cause shewn to adjourn the same to the next or any subsequent Court of Oyer and Terminer.

Indictments for misdemeanors to be tried at the Court where preferred, unless the Court adjourn the same.

Judge presiding at Oyer and Terminer may issue special precept for summoning Jurors for Trial of persons convicted of any Capital Felony.

II. ‘ And whereas it may occasionally be necessary for the trial of any person ‘ or persons indicted of any Capital Felony that more than the ordinary number ‘ of Jurors shall be summoned, and that a special precept or venire should issue ‘ in such case ;’ Be it further enacted, that it shall and may be lawful whenever the same shall appear to be necessary for the Judges of the Supreme Court or any one of them who may preside at any Court of Oyer and Terminer or General