

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Monday the 2<sup>nd</sup> day of October, 1758, in the 32<sup>nd</sup> year of His Majesty's Reign, and there continued by Prorogation until Wednesday the first day of August 1759, in the 33<sup>rd</sup> Year of His Majesty's Reign.*

33 George II – Chapter 1 (Session 1)

**An Act for regulating and maintaining an House of Correction or Work-House within the Town of Halifax, and for binding out Poor Children.**

Whereas by an act of the General Assembly of this province intituled An Act for erecting an House of Correction or Work-House within the town of Halifax, made and passed at their session begun and holden at Halifax the second day of October, one thousand seven hundred and fifty eight; the sum of five hundred pounds of the monies then in the treasury of the province, collected for the duties on spirituous liquors, was appropriated for erecting an house of correction or Work-House within the Town of Halifax.

Be it enacted by His excellency the Governor, Council, and Assembly, and by the authority of the same it is hereby enacted, that the overseers of the poor of the town of Halifax be, and accordingly they hereby are authorized and impowered, when and so soon as the said house of correction shall be built and finished, to agree with some discreet and fit persons to be the master and keeper, and needfull assistants for the care of the same; and to provide, as there shall be occasion, suitable materials, tools, and implements, necessary and convenient for keeping to work such persons as may be committed to the said house; and generally, to inspect and direct the affairs of the said house; and from time to time, to make such rules and orders as they shall judge best for the good government thereof.

And be it further enacted, that it shall and may be lawfull for the justices of the peace in their general sessions, or for any one justice of the peace out of court, to send and commit to the said house of correction, to be kept, governed, and punished according to the rules and orders thereof, all disorderly and idle persons, and such who shall be found begging, or practising any unlawfull games, or pretending to fortune-telling, common drunkards, persons of lewd behaviour, vagabonds, runaways, stubborn servants and children, and persons who notoriously mispend their time to the neglect and prejudice of their own or their family's Support; upon due conviction of any of the said offences or disorders.

And be it further enacted, that the master or keeper of the said house of correction, shall have power and authority to set all such persons as shall be duly sent or committed to his custody, to work and labour, if they be able, for such time as they shall continue and remain in the said house; and to punish them by putting fetters and shackles upon them, if necessary, and by moderate whipping, not exceeding ten stripes at once, which (unless the warrant of commitment shall otherwise direct) shall be inflicted at their first coming in, and from time to time afterwards, at his discretion, in case of their being stubborn or idle, and

neglecting to perform such reasonable tasks as shall be assigned them, and to abridge them of their food, as the case may require, until they be reduced to better Behaviour.

And be it further enacted, that no person committed to the said house of correction, shall be chargeable to the government for any allowance, either at going in or coming out, or during the time of their abode there: but shall be maintained out of their earnings, and the remainder thereof shall be accounted for, by the master or keeper of the said house, who shall keep an exact account thereof, and render the same upon oath, if required, to the said overseers when demanded.

And be it further enacted, that if any person or persons committed to the said house of correction be idiots, or lunatic, or sick and weak, and unable to work, they shall be taken care of and relieved by the master or keeper of the said house, who shall keep an exact account of what charges he shall necessarily be at therein; to be rendered to the said overseers, upon Oath, if demanded.

And be it further enacted, that the pay of the master or keeper of the said house of correction, and the charge for any materials, tools, or implements purchased as beforementioned, or arising by the relief of persons unable to work, and other necessary expences of the said house, shall be defrayed out of the surplus of the earnings of the labour done in the said House, if the same shall be sufficient therefor; or otherwise, shall be advanced out of money in the treasury of the province, to be issued by warrant under the hand and seal of the governor or commander in chief for the time being, and His Majesty's council of this province; to be reimbursed to the said treasury out of such profits as may afterwards arise as aforesaid.

And be it further enacted, That the said overseers of the poor shall take order from time to time, by and with the consent of two or more justices of the peace for the county of Halifax, for setting to work the children of all such, whose parents shall not, by the said overseers, or the greater Part of them, be thought able to keep or maintain them, or any poor orphans; or by indenture to bind any such children or orphans as aforesaid, to be apprentices, where they shall see convenient, till such man child shall come to the age of twenty one years, and such woman child to the age of eighteen years, or the time of her marriage; the same to be as effectual to all purposes as if such child were of full age, and by indenture of covenant had bound him or herself. Provided always, that one of the conditions of said indentures shall be, that if the said master or mistress of said apprentice or other person to whom said indenture may be assigned, shall transport or carry said apprentice out of this province, to reside or dwell in any other colony or plantation, that then the said indenture shall be void and of none effect, and the said apprentice shall thenceforth be discharged from any further service to his said master, mistress or assigns. Provided also, that the children maintained and supported in the orphan-house at the expence of the crown, shall remain and be under the direction of the governor as heretofore, and bound out in such manner as he shall order and direct.