

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Ninth day of February, 1815, in the Fifty-fifth year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Fifth Session of the Tenth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.

55 George III – Chapter 9

An Act for Establishing a Bridewell, or House of Correction, for the County of Halifax, and for the better and more effectual administration of the Office of a Justice of the Peace in the Township of Halifax, and for providing a Police Office in the said Town, with proper officers to attend the same.

Whereas, it is expedient for the suppression of vice, and the correction of disorderly persons within the township of Halifax, that a bridewell, or house of correction, should be established in the said township:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that it shall and may be lawful for the justices of the peace for the county of Halifax, at their next or any other general sessions of the peace to be holden for the said county, after the passing of this act, to build, buy, hire, or otherwise provide or agree for any house, building, lands, tenements, or hereditaments, within the said township of Halifax, which they the said justices so assembled in general sessions, shall adjudge necessary for the purpose of establishing a bridewell, or house of correction; and the said justices in sessions may make such orders as may be necessary for the building, repairing, sitting and accommodating the same as a bridewell, or house of correction, at such price or prices as to the said justices, so assembled, shall seem reasonable.

II. And be it further enacted, that in case the said justices may deem it expedient to purchase a situation for the purposes aforesaid, upon payment of the price or prices so agreed or contracted for the purchase of any such house, building, lands, tenements or hereditaments, to the party or parties concerned respectively, such house, building, lands, tenements, or hereditaments shall, from thenceforth, by virtue of this act, be used, employed, governed, and managed, as and for a public bridewell, or house of correction; and it shall and may be lawful for the said justices in general or special sessions of the peace, from time to time hereafter, to appoint a keeper of the said bridewell, or house of correction, which keeper shall have the powers and authorities, and be subject to the like regulations, as are given and provided for the keeper of a house of correction by virtue of an act of the thirty-third year of His late Majesty, entitled, "An Act for regulating and

maintaining an House of Correction or Work-House within the town of Halifax, and for binding out Poor Children.”

III. And be it further enacted, that the said justices in their general sessions of the peace, shall and may from session to session, depute such and so many justices as shall be found proper, to agree and contract with such keeper for the care of the said bridewell or house of correction, and for managing and directing the affairs of the same, in like manner as the overseers of the poor of the town of Halifax are authorised and empowered by virtue of the first clause of the afore-recited act, of the thirty-third year of his late Majesty.

IV. And be it further enacted, that it shall and may be lawful for the justices of the peace for the county of Halifax, in their General Sessions, or for any one or more of the said justices of the peace, at any time, to commit to the said bridewell or house of correction, there to be kept, governed and punished, according to the rules and orders thereof, and the provisions of the last mentioned act of the thirty-third year of his late Majesty’s reign, all disorderly and idle persons, and all persons who shall be found begging, or practicing any unlawful game, or preceding to fortune-telling, common drunkards, persons of lewd behaviour, vagabonds, runaways, stubborn servants, apprentices and children, and all persons who notoriously misspend their time to the neglect and prejudice of their own or their family’s support, upon due conviction of such person or persons of any of the said offences, or disorderly conduct.

V. And be it further enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty’s council, to appoint from amongst those who are or hereafter may be justices of the peace in and for the county of Halifax, three fit and proper persons, one of whom in his capacity as a justice of the peace for the said county, shall diligently attend daily, throughout the year during the hours mentioned and expressed in the appointment of such justices, (public holy-days only excepted) at a public office to be for that purpose fixed and established by the authority aforesaid, within the town of Halifax aforesaid; and such justice, so duly attending, shall and may, by himself, or in conjunction with any other of his Majesty’s said justices of the peace who may think proper to attend at said office, hear and determine all and every criminal offence or prosecution for any penalty or forfeiture now properly cognizable by a single justice of the peace, and shall and may do, perform and execute, each and every act, matter and thing, appertaining to the said office of a justice of the peace, necessary for the apprehension, committal, conviction, and punishment of criminal offenders, and for carrying into effect the laws now in force for the preservation of peace and good order.

And whereas the law may require two or more justices of the peace to hear and determine any criminal offence:—It shall be lawful for the said justice so attending at said office, to call to his assistance one or more of the said police justices, or any other of the justices of the peace for the said county, who shall and may attend and unite with said sitting justice to hear and determine any offence made cognizable by two or more of his Majesty’s justices of the peace. And it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty’s council, to

remove all or any of said justices after appointment as aforesaid, and to nominate another or others in his or their place or stead, and so from time to time upon any vacancy by death or otherwise, to appoint other fit and proper persons, being justices of the peace for the said county of Halifax, to execute the duties of said office in his or their place. Provided always, that nothing in this act shall extend, or be construed to extend to prevent all or any of the other justices of the peace for the said county of Halifax, from executing as heretofore all the powers and authorities given to him and them in and by the commission of the peace for said county.

VI. And be it further enacted, that the said justices, when so appointed as aforesaid, shall have power to chuse and select a fit and proper person, who shall attend each and every day during the hours to be appointed as aforesaid, in the said office, and there officiate under the direction of the sitting justice, as clerk to the said justices: and the person so to be appointed clerk as aforesaid shall, previous to his taking upon himself the said office, be sworn to the due and faithful performance of his duty therein, and shall, in all respects, conduct himself in the office of clerk aforesaid, under the directly of the said justices; and shall faithfully account with the justices in sessions, quarterly, for all penalties and forfeitures levied, received and paid, at said office; and shall pay over to the county treasurer the proceeds thereof. And it shall also be lawful for the said justices to nominate and appoint three fit and proper persons, who shall serve as constables in and for the said township of Halifax, who shall be respectively sworn to the faithful discharge of their duty, in the same manner, as constables are now sworn: and one of such constables shall daily attend upon the said justices at said office, at such times and in such manner as may by them be required and directed; and the said justices shall have power, when and so often as they shall think fit and proper, to remove the clerk or constables so by them chosen and appointed, and to appoint another or others in stead of the person so removed or discharged.

VII. And be it further enacted, that, from and after the passing of this act, it shall and may be lawful for the constables so to be appointed as aforesaid, and for all other constables and peace officers, belonging to the said township of Halifax, or any one of them, of his and their own authority, to apprehend, and immediately bring before the justice of the peace sitting at said office, or any other of His Majesty's justices of the peace for said county, all breakers of the peace, idle or disorderly persons, common beggars, sabbath breakers, gamblers, fortune tellers, common drunkards, men and women of lewd behaviour, vagabonds and runaways, or men and women found frequenting any disorderly house or houses of ill fame, so that such offenders may be dealt with according to law; and all persons, when called on by any one or more of said constables, or peace officers, to aid and assist him or them in executing the duties aforesaid, such person or persons are bound immediately to give them aid and assistance so required; and if any person or persons when called on as aforesaid, shall neglect or refuse to give his or their aid and assistance to such constable or peace officer as shall require the same, every person so refusing shall forfeit and pay for each and every offence, a fine or penalty not exceeding twenty shillings, nor under five shillings – the

same to be recovered in the common form before any one of His Majesty's justices of the peace, for the said county of Halifax.

VIII. And be it further enacted, that after paying all debts, dues, and all the costs and charges of keeping in repair the county court house, market houses, and buildings of every kind, appertaining to the said town of Halifax, the surplus and remainder of the rents, issues and profits thereof: and all fines, forfeitures and penalties, of every kind, levied and recovered on behalf of the King in the court of general sessions of the peace for said county, or before any one or more of the justices of the peace for said county, and such parts of the licence duties as are appropriated for that purpose, shall constitute and make a fund in the hands of the county treasurer, to defray the expense and charge of executing this act; and the treasurer of the said county shall pay the same agreeably to the orders of sessions from time to time made for that purpose; and shall deliver annually to His Majesty's council an exact and correct account, audited and certified by the said justices in session, of all receipts, payments and expenditures, of monies received and paid by him on account of said buildings, markets, and public property, and for fines and forfeitures, licence duties, or other funds of any kind, raised for and chargeable with the expenditures under and by virtue of this act.

IX. And be it further enacted, that all and every sum or sums of money that may be requisite and necessary, over and above the funds otherwise provided for paying and fully discharging all and every expence which may be incurred in the execution of this act, shall and may be raised by presentment of the grand jury of said county, at the next general sessions of the peace for the said county of Halifax, or at any future sessions for the said county; and the sum or sums of money, so from time to time presented as aforesaid, when such presentment or presentments shall have been confirmed and approved of by the justices in their said sessions, shall and may be assessed, levied and collected, upon and from the inhabitants of the said county of Halifax, in the same manner, and by the same means as the other county rates are now levied and collected, and, when collected, the same shall be paid agreeably to the orders and directions of the justices for the said county assembled in general sessions of the peace as aforesaid.

X. And be it further enacted, that there shall be allowed and paid to such one of the justices to be appointed as aforesaid, under and by virtue of this act, who shall daily attend at such office as aforesaid, for each and every day of his attendance as aforesaid, the sum of eleven shillings and eight pence.

XI. And be it further enacted, that the said clerk, and the said constables, shall be paid respectively such sum or sums of money for their daily attendance upon the duties to be performed under and by virtue of this act, as the said justices of the peace, in their general sessions of the county of Halifax, shall, by an annual table, regulate and appoint.

XII. And be it further enacted, that this act, and every matter, clause and thing, herein contained, shall be continued in force for three years from the publication thereof, and from thence to the end of the next session of the general assembly.