

against this Act may be immediately apprehended without a Warrant by any Peace Officer, or the Owner of the Property injured, or his Servant or any Person authorized by him, and forthwith taken before a Justice of the Peace, to be dealt with according to Law.

X. And be it enacted, That all the Provisions contained in the Twenty sixth Section of an Act of the present Session for consolidating and amending the Laws relative to Larceny and other Offences connected therewith, for the Protection of Persons acting in Execution of that Act, shall apply to, and be in Force and available for the Protection of Persons acting in Execution of this Act, in the same Manner as if the said Provisions were expressly contained in this Act.

Provision for the Protection of Persons acting under this Act.

## CAP. XVII.

An Act further to amend the Laws relative to Offences against the Person.

*Passed 25th March 1831.*

• **WHEREAS** an Act of Assembly of the Fifthieth Year of the Reign of King George the Third, relating to the destroying and murdering of Bastard Children, is repealed by an Act of the present Session for improving the Administration of Justice in Criminal Cases, which last mentioned Act is to commence on the First Day of October in the present Year ; and it is expedient to amend the Law relative to the Offence of concealing the Birth of Children by this Act, to take Effect at the same Time with the said Act for improving the Administration of Justice in Criminal Cases :

Preamble.

I. Be it therefore enacted by the President, Council, and Assembly, That if any Woman shall be delivered of a Child, and shall, by secret burying or otherwise disposing of the dead Body

A Woman secreting the dead Body of her Child, to conceal the Fact of its Birth, guilty of Misdemeanor.

of

of the said Child, endeavour to conceal the Birth thereof, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable to be imprisoned, with or without hard Labour, for any Term not exceeding Two Years ; and it shall not be necessary to prove whether the Child died before, at or after its Birth: Provided always, that if any Woman tried for the Murder of her Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict she shall be acquitted, to find, in case it shall so appear in Evidence, that she was delivered of a Child, and that she did, by secret burying or otherwise disposing of the dead Body of such Child, endeavour to conceal the Birth thereof, and thereupon the Court may pass such Sentence as if she had been convicted upon an Indictment for the Concealment of the Birth.

Proviso.

‘ II. And Whereas it is expedient to amend ‘ the Law in certain Cases of Attempt to kill or ‘ do bodily Harm ;’ Be it therefore enacted, That the Seventh Section of an Act of Assembly made and passed in the Ninth and Tenth Years of the Reign of his late Majesty King George the Fourth, intituled *An Act to amend the Statute Law relative to Offences against the Person, and to provide for the more effectual Punishment of such Offences,*\* be and the same is hereby repealed. II.

9 and 10 Geo.  
4. c. 21. s. 7.  
repealed.

\* The British Statutes declared to be repealed by this Act, are as follows :—

9 H. 3. c. 26.	5 H. 4. c. 6.
52 H. 3. c. 25.	2 H. 5. st. 1. c. 9.
3 Ed. 1. c. 11 & 13.	11 H. 6. c. 11.
4 Ed. 1. st. 3. c. 5.	3 H. 7. c. 2.
6 Ed. 1. c. 9.	3 H. 7. c. 14.
13 Ed. 1. st. 1. c. 29 and 34.	12 H. 7. c. 7.
9 Ed. 2. st. 1. c. 3.	24 H. 8. c. 5.
18 Ed. 3. st. 3. c. 2.	25 H. 8. c. 6.
25 Ed. 3. st. 5. Part of c. 2.	33 H. 8. c. 12. Part of s. 6. to
50 Ed. 3. c. 5.	38 H. 8. c. 23. [s. 18.
1 Rich. 2. c. 15.	1 Ed. 6. c. 12. s. 10, 13, 16 &
6 Rich. 2. st. 1. c. 6.	5 & 6 Ed. 6. c. 4. s. 3. [22.
5 H. 4. c. 5.	4 & 5 R. & M. c. 4.

III. And be it enacted, That if any Person unlawfully and maliciously shall administer or attempt to administer to any Person, or shall cause to be taken by any Person, any Poison, or other destructive Thing, or shall unlawfully and maliciously attempt to drown, suffocate or strangle any Person, or shall unlawfully and maliciously shoot at any Person, or shall by drawing a Trigger, or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall unlawfully and maliciously stab, cut or wound any Person, with Intent in any of the Cases aforesaid to kill such Person, or to maim, disfigure or disable such Person, or to do some other grievous bodily Harm to such Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of the Party so offending, or of any of his Accomplices, for any Offence for which he or they may respectively be liable by Law to be apprehended or detained, every such Offender, and every Person counselling, aiding or abetting such Offender, shall be guilty of Felony, and, being convicted thereof, shall be liable to the Punishment prescribed for Felony in the above recited Act of the present Session for improving the Administration of Justice in Criminal

Attempting to poison or drown, shooting at, stabbing, cutting or wounding any Person, with Intent to kill or maim, &c.

4 & 5 P. & M. c. 8.	25 G. 2. c. 37. except s. 9 & 10.
5 Eliz. c. 4. s. 21.	26 G. 2. c. 19. s. 11.
5 Eliz. c. 17.	30 G. 3. c. 48. (partially)
18 Eliz. c. 7.	33 G. 3. c. 67. s. 2.
39 Eliz. c. 9.	35 G. 3. c. 67.
1 J. 1. vulgo 2 J. 1. c. 8.	36 G. 3. c. 9. Part of s. 1 & 2.
1 J. 1. vulgo 2 J. 1. c. 11.	43 G. 3. c. 58.
22 & 23 Car. 2. c. 1.	43 G. 3. c. 113.
22 & 23 Car. 2. c. 11. s. 9.	54 G. 3. c. 101.
11 W. 3. vulgo 11 & 12 W. 3.	58 G. 3. c. 38. s. 1.
9 Ann. c. 14. s. 8. [c. 7. s. 18.]	1 G. 4. c. 90. s. 2.
9 Ann. c. 16.	1 G. 4. c. 115.
12 G. 1. c. 34. s. 6.	1 & 2 G. 4. c. 88. (partially)
2 G. 2. c. 21.	3 G. 4. c. 38.
11 G. 2. c. 22. Part of s. 1 & 2.	3 G. 4. c. 114. (partially)
22 G. 2. c. 27. Part of s. 12.	

Criminal Cases; and every Accessory after the Fact to any such Offence shall be liable to be punished in the Manner provided for Accessories after the Fact in the above recited Act of the Ninth and Tenth Years of the Reign of His late Majesty, for amending the Statute Law relative to Offences against the Person.

Commencement  
of this Act.

IV. And be it enacted, That this Act shall commence and take Effect on the First Day of October in the present Year, except as to Offences committed before or upon the last Day of September, which shall be dealt with and punished as if this Act had not been passed.

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### CAP. XVIII.

An Act to provide for setting and keeping to hard Labour Persons adjudged to that Punishment.

*Passed 25th March 1831.*

‘ **WHEREAS** it is expedient to make Provi-  
‘ sion for setting and keeping to hard Labour  
‘ Persons who may be adjudged to that Punish-  
‘ ment :’

Justices in Ses-  
sions to make  
Regulations for  
keeping to hard  
Labour Persons  
adjudged to that  
Punishment.

I. Be it therefore enacted by the President, Council, and Assembly, That the Justices of the Peace in the several Counties in this Province, at their General Sessions, or at any Special Sessions to be for that purpose expressly convened and holden, shall be and they are hereby required and empowered to make Orders, Rules and Regulations for setting and keeping to hard Labour all Persons who may be adjudged to hard Labour for any Offence, by any Court, or Justice or Justices of the Peace, having competent Jurisdiction therefor, and for securing, governing and managing such Persons while employed at such hard Labour ; and in all such Cases the Work shall be of such Kind as the said Justices shall prescribe, and may be performed at any Place with-  
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