

His Majesty's Justices of the Peace in the said County, and levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) after deducting the Costs and Charges of such Prosecution and Sale to such Offender, and shall be applied, One Half to the Person who shall sue for the same, and the other Half to the Use of the Poor of such Parish in which the Offence shall have been committed.

V. And be it further enacted, That this Act shall continue and be in Force for Five Years. Limitation.

CAP. XXXVIII.

An Act to repeal the Act now in Force against the Profanation of the Lord's Day, commonly called *Sunday*, and for the Suppression of Immorality; and to make other Provisions in lieu thereof.

Passed 31st March 1831.

‘ **WHEREAS** the Act now in Force against the Profanation of the Lord's Day, and for the Suppression of Immorality, has been found insufficient for the Purposes intended:’ Preamble.

I. Be it therefore enacted by the President, Council, and Assembly, That an Act passed in the Twenty sixth Year of the Reign of His Majesty George the Third, intituled *An Act against the Profanation of the Lord's Day, commonly called 'Sunday,' and for the Suppression of Immorality*, be and the same is hereby repealed. 26 Geo. 3. c. 5.
repealed.

II. And be it further enacted, That from and after the passing of this Act all Persons within this Province, of what Description soever, who shall be convicted, either on View or by the Oath of One or more credible Witness or Witnesses, before any One of His Majesty's Justices of the Peace in any County within this Province, of shooting, gaming, sporting, playing, hunting, or frequenting Tippling-Houses, or of servile Labour (Works of Necessity and Mercy excepted), on the Lord's Shooting, gaming &c., on the Lord's Day, Drunkenness, or disturbing public Worship on that or any other Day.

Lord's Day, commonly called 'Sunday,' or who shall be convicted of Drunkenness or the Disturbance of the public Worship of God, either on that or any other Day, shall for every such Offence forfeit and pay a Sum not less than Five Shillings nor more than Twenty Shillings, at the Discretion of such Justice, to be levied by Distress and Sale of the Offender's Goods and Chattels at Public Auction, by Warrant under the Hand and Seal of any Justice of the Peace, the Overplus (if any) after deducting Costs of Prosecution to be returned to the Owner of such distrained Goods; and for Want of Goods and Chattels to satisfy such Forfeiture and Costs, such Offenders shall for every such Offence, by Warrant under the Hand and Seal of the Justice of the Peace before whom convicted, be committed to the common Gaol of such County, or the Lock-up-House of the Parish (having such a House) where the Offence was committed, and there kept in close Confinement for a Term not less than Twelve Hours nor more than Four Days, at the Discretion of the Justice before whom he or she shall have been so convicted; all Forfeitures incurred by virtue of this Act to be applied towards the Relief of the Poor of the Parish in which they shall respectively have been incurred: Provided always, that the Complaint shall be within Ten Days after the Commission of such Offence.

Penalty.

Mode of Recovery.

Application.

Complaint to be within Ten Days.

CAP. XXXIX.

An Act to incorporate sundry Persons by the Name of the *New-Brunswick Fire Insurance Company*.

Passed 31st March 1831.

Preamble.

‘**W**HEREAS it is thought that the Establishment of an Insurance Company against Fire would tend to the Increase of the Wealth of the City