

to establish a House of Correction for the said City and County, separate and distinct from the Common Gaol there, and to contract and agree for the erection and completion thereof, and to locate the same either within the said City, or in either of the Parishes in the said County of Saint John adjoining to the said City, and the said Justices are also hereby empowered by the style and name of the Justices of the Peace for the City and County of Saint John, to purchase, take and hold any land for the site and purposes of such House of Correction.

Contract for its erection and purchase land for the site.

II. And be it further enacted, That the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same," and also of an Act made and passed in the seventh year of the reign of his said late Majesty, intituled "An Act in amendment of an Act, intituled 'An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same,'" be and the same are hereby extended to the erection and completion of the said House of Correction, except only so far as the same may be repugnant to this Act.

Provisions of the Acts 6 W. 4, C. 50, and 7 W. 4. C. 19, extended to the House of Correction.

III. And be it further enacted, That the several sums of money already granted to the said Justices, in aid, towards the erection of the said Gaol and House of Correction, may be applied and appropriated towards the erection and completion of the said House of Correction.

Money already granted to be applied to the House of Correction.

CAP. XVII.

*Amended by 4th Vic. c. 21
See Addition 7. Vic. c. 2
Further Am'd by 19.
c. 57. repealing 6*

An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John.

Passed 9th March 1838.

WHEREAS the mode pursued in the County of York of providing for the 'support of the Poor has been found by experience to be less expensive 'than the general system pursued throughout the Province, and to be productive 'of industrious, sober and moral habits among that class of people;'

Preamble. *See 1832
Cap. 100*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, in their General Sessions, be and they are hereby authorized and empowered to purchase a tract of land and agree for the erecting and finishing of a proper building for an Alms House and Work House thereon, in the vicinity of the City of Saint John, and to fix upon a certain sum of money for defraying the expense thereof; which sum of money shall be raised by an assessment upon the inhabitants of the City of Saint John, and the Parishes of Portland, Saint Martin and Lancaster in the said County, in the manner prescribed by the law now in force for assessing, collecting and levying County rates, or by any other law passed or to be passed for that purpose; provided that such assessment shall not exceed the sum of three thousand pounds.

Justices of Saint John authorised to purchase Land, erect an Alms and Work House, and assess for the expenses.

II. And be it enacted, That it shall and may be lawful for the said Lieutenant Governor or Commander in Chief of this Province, by warrant under his hand and seal, to be issued with the advice of Her Majesty's Executive Council, from time to time to appoint so many fit persons, not exceeding seven nor less than five, of whom two shall be Justices of the Peace for the said City and County, as he shall think

Governor to appoint Commissioners to manage the building.

Commissioners to set the poor to work; may compel beggars to reside within the house, and bind out poor children as apprentices.

think fit, to be Commissioners for superintending and managing the said building so to be erected for the purposes aforesaid and the said land so to be purchased; and that it shall and may be lawful for the said Commissioners from time to time to provide such materials and things as they shall judge necessary for the setting to work and employing such poor persons, of what age or sex soever they be, who may apply for relief and shall be capable to work; and the said Commissioners or any two or more of them shall have power and authority at their discretion to compel such idle or poor people, begging or seeking relief, as do not betake themselves to some lawful employment, or who do or shall hereafter seek and receive alms of the said City and of any of the said Parishes hereinbefore mentioned within the said County, or who may stand in need of relief from the said City or of any of the said Parishes, to dwell, inhabit, and to work in the said Alms House and Work House, and to do all such work as they shall think them able and fit for, and shall have the same powers to bind out poor children, apprentices, as are by the laws of this Province given to the Overseers of the Poor in the several Towns and Parishes.

Commissioners empowered to make regulations for the good government of the house, and punish for breaches;

III. And be it enacted, That the said Commissioners to be appointed as aforesaid, shall have power to make such rules, orders and regulations for the good government and management of the said Alms House and Work House as they shall find necessary, (such rules and regulations to be approved of by the Justices in their General Sessions,) and to inflict such correction and punishment, by solitary confinement or otherwise, from time to time, as to them shall seem reasonable, on any person or persons within the said Alms House and Work House who shall be so set to work and shall not conform to such rules, orders and regulations to be made as aforesaid, or shall misbehave in the same.

To account annually to the Justices in Sessions, and submit an estimate for the current year.

IV. And be it enacted, That the said Commissioners shall, at the first General Sessions of the Peace to be holden for the said City and County of Saint John, annually lay before the Justices in their said Sessions an account, to be audited by the said Justices, of the expenses incurred by them for the support and maintenance of the Poor of the said Alms House and Work House for the past year, together with an estimate of what sum or sums of money will be needful for the maintenance and employment of the Poor of the said House for the current year, in which estimate shall be stated the proportion that each City, Town or Parish within the said County ought to pay, to the intent that no other levy or assessment may be made for any other maintenance or allowance to or for any such Poor; which sum or sums of money after being audited and allowed by the said Justices shall be assessed, levied and raised in such manner and form as by the laws of this Province is or shall be appointed and directed, and when raised and received shall be paid to the said Commissioners for the uses aforesaid and no other.

Profit of work to be accounted for.

V. And be it enacted, That the profits of any work or labor to be performed under the direction of the said Commissioners, shall be duly accounted for by them, and shall be applied towards the support and maintenance of the persons inhabiting within the said Alms House and Work House.

When the building is completed the poor in the City Alms House to be removed thereto and the latter to be used as an infirmary under the management of the same Commissioners.

VI. And be it enacted, That when the said Alms House and Work House shall be in a fit state to receive the Poor who shall then be in the Alms House in the City of Saint John, and all the inmates of the said Alms House, except the sick and diseased, shall be removed to the said Alms House and Work House so to be erected, the said Alms House in the said City shall be used as and for a Public Infirmary, under the care, management and direction of the said Commissioners, for the reception of such of the poor persons of the said City and Parishes as may be sick or diseased, and from time to time may become so; and the said Commissioners shall also have power to make such rules, orders and regulations for the good

good government and management of the said Public Infirmary as they shall think necessary, (such rules, orders and regulations to be approved of by the said Justices in their General Sessions,) and to compel the due and proper observance thereof; and the support, maintenance and expenses of the said sick and diseased poor persons shall be accounted for, audited and estimated in the same manner and at the same time, as in the case of the inmates of the Alms House and Work House so to be erected as aforesaid, and levied, collected, raised and paid as hereinbefore directed for the said Alms House and Work House.

CAP. XVIII.

An Act more effectually to prevent the abuse of Banking Privileges.

Passed 9th March 1838.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall not be lawful for any Bank now incorporated, or which may hereafter be incorporated by the Legislature of this Province, or otherwise, to make, issue, re-issue or put in circulation any Bill, Note, Check, Draft or other evidence of debt, of a less amount or denomination than five shillings.

No incorporated Bank to issue Notes for less than five shillings.

II. And be it enacted, That it shall not be lawful for any Bank or Branch Bank, now or hereafter to be established in this Province, to make, issue, re-issue, or put in circulation any Bill, Note, Check, Draft or other evidence of debt, of a less amount or denomination than one pound, or of any fractional part of a pound or pounds, except of the amount or denomination of five, ten or fifteen shillings respectively: Provided always, that nothing herein contained shall extend, or be construed to extend, to authorize any Bank, or Branch Bank, now or hereafter to be established in this Province, to make, issue, re-issue, or put in circulation any Bill, Note, Check, Draft or other evidence of Debt, of a less amount or denomination than is limited or specified in their respective Charters or Acts of Incorporation.

No Bank to issue Notes of a less denomination than one pound, or of the fractional parts of a pound, other than five shillings, ten shillings or fifteen shillings.

III. And be it enacted, That if any banking corporation in this Province shall violate any of the provisions of this Act, it shall be liable to a penalty of twenty five pounds, to be recovered by action of debt, in any Court of competent jurisdiction, in the name of any person who may first sue for the same, one half to his own use, and the other half to the use of the Province; and if any other person or corporation shall receive any Bill, Note, Check, Draft or other evidence of debt herein prohibited to be made, issued or put in circulation, he or they shall forfeit and pay a sum equal to the amount of the nominal value of every Bill, Note, Check, Draft or other evidence of debt so received, for every such offence, to be recovered by an action of debt in any Court of competent jurisdiction, to the use of any person who may first sue for the same.

Penalties, recovery and application.

*See
16th Vic
ap 27
June 30 1837*

CAP. XIX.

An Act to provide for the erection of Fences with Gates across the Highways on Deer Island in the Parish of West Isles, in the County of Charlotte.

Passed 9th March 1839.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That when any proprietor or occupant of any lands in Deer Island, in the Parish

Justices in Session upon petitions for leave to erect