

the mode in which each has been employed during the year, and also a just and detailed account of all receipts and expenditures for and on account of the said House of Correction, to be filed with the Clerk of the Peace in and for the said City and County, for the information of the General Sessions of the Peace, (which said account shall be audited by a Committee of the said Court of Sessions,) and also shall at the same time submit an estimate of what sum or sums of money will be needful for the maintenance, support and employment of the persons therein and therewith connected, for the year then next ensuing; which sum and sums of money shall be assessed, levied, collected and paid in such proportions and in the same manner as any other County rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts which, at the time of making such assessments, may be in force in the Province, for the assessing, levying and collecting of rates for public charges, and shall be paid by the said Collector or Collectors to the said Commissioners.

the Sessions, and submit estimates for the ensuing year.

Money to be assessed as other County rates.

IV. And be it enacted, That the proceeds arising from any work or labour to be performed in the said House of Correction, 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 said House of Correction.

Proceeds of labor to be accounted for.

V. And be it enacted, That neither of the said Commissioners shall receive any compensation or allowance, directly or indirectly for his services as such, nor shall either of them be capable of holding any office, place or employment in, about, connected with, or arising from the said House of Correction, for or by means of which any salary, fee, emolument, compensation, or perquisite can be derived, nor shall any Commissioner be engaged or interested in any way whatever, either as security or otherwise, in any contract for or on account of the said House of Correction.

Commissioners to receive no compensation nor hold any office connected with the House having emolument attached to it.

VI. And be it enacted, That it shall and may be lawful for the Mayor, Recorder and Aldermen of the said City, and all Justices of the Peace for the said City and County for the time being, or either of them, to take up and arrest, or order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, within the said City and County, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, to be committed to the said House of Correction, there to remain and be kept to hard labour for any term not exceeding forty days.

Mayor, Recorder and Aldermen, and all Justices of the Peace may arrest rogues, &c., and commit them to the House of Correction.

VII. And be it enacted, That it shall and may be lawful for the said Justices of the Peace, in General or in Special Sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labour, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious and disorderly persons, at such time in confinement in the Common Gaol or Work House of the said City, to be removed to the said House of Correction, there to remain, and be kept to hard labour, until their several and respective terms of imprisonment shall expire.

Justices in Sessions may cause prisoners sentenced to imprisonment with hard labour to be removed to the House of Correction.

CAP. XXXI.

An Act in further amendment of the Criminal Law.

Passed 23d March 1839.

*Repealed by 5<sup>th</sup> Act  
C. 31*

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any person shall be charged with and convicted of any of the following offences as misdemeanors, that is to say, of any assault with intent to commit Felony, of any assault upon any Peace Officer, Officer of the Customs or Revenue

Persons guilty of certain misdemeanors may be sentenced to imprisonment with or without hard labour, and be

ined and required to find sureties for keeping the Peace.

Revenue Officer in the due execution of his duty, or upon any person acting in aid of such Officer, of any assault upon any person, with intent to resist or prevent the lawful apprehension or detainure of the party so assaulting, or of any other person, for any offence for which he or they may be liable by law to be apprehended or detained, or of any perjury, in any such case the Court may sentence the offender to be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, for any term not exceeding two years, and may also (if it shall so think fit) fine the Offender, and require him to find sureties for keeping the Peace, and being of good behaviour.

CAP. XXXII.

*Repealed by 13 W. Cap 48*

7 G. 4, c. 14.

An Act in amendment of an Act, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province."

*Passed 23d March 1839.*

Preamble.

**W**HEREAS the additional duty of one penny imposed upon every Ship or Vessel of the burthen of sixty tons or upwards, arriving at the Harbour of Saint John or Out Bays of the Port of Saint John, has been found to be more than sufficient to meet the objects contemplated by the said Act;

7 G. 4, c. 14, sec. 1, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first Section of the said Act, passed in the seventh year of the reign of His Majesty King George the Fourth, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province," be and the same is hereby repealed.

*il*  
Vessels of 60 Tons and upwards arriving at the Harbour of St. John and the Out Bays to pay one half penny per ton in addition to the penny per ton imposed by 60 G. 3, c. 15.

II. And be it further enacted; That from and after the passing of this Act, every Ship or Vessel that shall arrive at the said Harbour of Saint John, or the said Out Bays of the Port of Saint John, and shall be of the burthen of sixty tons or upwards, shall pay the sum of one halfpenny per ton in addition to the sum of one penny per ton, imposed by the first Section of an Act of the General Assembly, made and passed in the sixtieth year of the reign of His Majesty King George the Third, intituled "An Act to provide for sick and disabled Seamen, not being Paupers belonging to this Province," making in the whole one penny half penny per ton for every registered ton such Ship or Vessel shall be rated at, the same to be paid, recovered and received in the manner directed in and by the several Acts in force for providing for sick and disabled Seamen, and subject to the rules, regulations and restrictions therein contained.

CAP. XXXIII.

2 W. 4, c. 26.

An Act to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company."

*Passed 23d March 1839.*

Preamble.

2 W. 4, c. 26.

**W**HEREAS by an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," and by a certain other Act made and passed in the fourth year of the same reign, intituled "An Act to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company," authority was given to

4 W. 4, c. 40.