

hard labour or solitary confinement or both.

shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labour in the Common Gaol or House of Correction, or the Provincial Penitentiary, and also to direct that the offender shall be kept in solitary confinement for any portion or portions of such imprisonment, or of such imprisonment with hard labour, not exceeding one month at any one time, and not exceeding three months in any one year, as to the Court in its discretion shall seem meet.

Commencement of the Act.

VII. And be enacted, That this Act shall commence and take effect on the first day of May one thousand eight hundred and forty two.

CAP. XXXIII.

An Act further to amend the Law relating to Offences against the Person.

Passed 4th April 1842.

Preamble.

‘**W**HEREAS it is expedient to amend the Law relating to offences against the Person by repealing the eighth Section of an Act passed in the Session of the General Assembly held in the Ninth and Tenth Years of the Reign of 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,*’ which relates to persons who shall use means to procure the miscarriage of Women and by making other provisions with regard to such offences.

9 & 10 G. 4, c. 21.

9 & 10 G. 4, c. 21, s. 8, repealed.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said eighth Section of the said recited Act shall continue in force until and throughout the thirtieth day of April, one thousand eight hundred and forty two, and shall from and after that day be repealed, except as to offences committed before or upon the said thirtieth day of April, which shall be dealt with and punished as if this Act had not been passed.

Punishment for trying to procure abortion.

II. And be it enacted, That whosoever with intent to procure the miscarriage of any Woman, shall unlawfully administer to her, or cause to be taken by her, any poison or other noxious thing, or shall unlawfully use any instrument or other means whatsoever with the like intent, shall be guilty of Felony, and being convicted thereof, shall be liable at the discretion of the Court, to be imprisoned for the term of the natural life of such offender, or for any term not less than three years.

Punishment for sending explosive substances or throwing destructive matter, with intent to do bodily harm.

III. And be it enacted, That whosoever shall unlawfully and maliciously send or deliver to, or cause to be taken or received by any person, any explosive substance, or any other dangerous or noxious thing, or shall cast or throw upon, or otherwise apply to any person, any corrosive fluid or other destructive matter with intent in any of the cases aforesaid to burn, maim, disfigure, or disable any person or to do some other grievous bodily harm to any person, and whereby in any of the cases aforesaid, any person shall be burnt, maimed, disfigured or disabled, or receive some other grievous bodily harm shall be guilty of Felony, and being convicted thereof, shall be liable at the discretion of the Court to be imprisoned for the term of the natural life of such offender, or for any term not less than three years.

Punishment of accessories.

IV. And be it enacted, That in the case of every Felony punishable under this Act, every principal in the second degree, and every accessory before the fact shall be punishable with death or otherwise, in the same manner as the principal in the first degree is by this Act punishable, and every accessory after the fact to any Felony punishable under this Act, shall on conviction be liable to be imprisoned for any term not exceeding two years.

V. And be it enacted, That on the trial of any person for any of the offences hereinbefore mentioned, or for any Felony whatever when the crime charged shall include an assault against the person, it shall be lawful for the Jury to acquit of the Felony, and to find a verdict of Guilty of Assault, against the person indicted, if the evidence shall warrant such finding; and when such verdict shall be found the Court shall have power to imprison the person so found guilty of an assault for any term not exceeding three years.

Court may imprison for three years in certain cases.

VI. And be it enacted, That when any person shall be convicted of any offence punishable under this Act, for which imprisonment may be awarded it shall be lawful for the Court to sentence the offender to be imprisoned or to be imprisoned and kept to hard labour in the Common Gaol or House of Correction, or the Provincial Penitentiary, and also to direct that the offender shall be kept in Solitary Confinement for any portion or portions of such imprisonment, or of such imprisonment with hard labour not exceeding one month at any one time, and not exceeding three months in any one year, as to the Court in its discretion shall seem meet.

Punishments by imprisonment may be varied by adding hard labor or solitary confinement, or both.

VII. And be it enacted, That this Act shall commence and take effect on the first day of May, one thousand eight hundred and forty two.

Commencement of the Act.

CAP. XXXIV.

An Act to amend the Law relating to Robbery.

Passed 4th April 1842.

‘ **W**HEREAS it is expedient to amend an Act passed in the first year of the ‘ Reign of His late Majesty King William the Fourth, intituled *An Act for consolidating and amending the Laws relative to Larceny and other offences connected therewith*, by repealing the fourth and fifth Sections of the said Act, which relate to the crime of Robbery, and to make other provisions on this subject;’

Preamble.

1 W. 4, c. 15,

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said fourth and fifth Sections of the said Act shall continue in force until and throughout the thirtieth day of April one thousand eight hundred and forty two, and shall from and after that day be repealed, except as to offences committed before or upon the said thirtieth day of April, which shall be dealt with and punished as if this Act had not been passed.

1 W. 4, c. 15, in part repealed.

II. And be it enacted, That whosoever shall rob any person, and at the time of, or immediately before or immediately after such robbery, shall stab, cut or wound any person, shall be guilty of Felony, and being convicted thereof shall suffer death.

Punishment of robbery, attended with cutting, &c.

III. And be it enacted, That whosoever shall, being armed with any offensive weapon or instrument, rob or assault with intent to rob any person, or shall together with one or more person or persons, rob, or assault with intent to rob any person, or shall rob any person, and at the time of, or immediately before or immediately after such robbery, shall beat, strike or use any other personal violence to any person shall be guilty of Felony, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned for the term of the natural life of such offender, or for any term not less than three years.

Of robbery attended with violence.

IV. And be it enacted, That whosoever shall accuse or threaten to accuse any person of the abominable crime of Buggery committed either with mankind or with beast, or of any assault with intent to commit the said abominable crime, or of any attempt or endeavour to commit the said abominable crime, or of making or offering any solicitation, persuasion, promise or threat to any person, whereby to

Punishment for obtaining property by threat of accusing of unnatural crimes