

In the Parish of Hopewell, at or near the site of the new Court House ;  
 In the Parish of Coverdale, at or near the house of Lazarus Colpits ;  
 In the Parish of Hillsborough, at or near the house of John Beatty ;  
 In the Parish of Harvey, at or near the house of John Read, of Germantown.

## CAP. XXIII.

An Act relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert.

*Passed 11th April 1846.*

Preamble.

**6** WHEREAS the County of Albert is formed of certain Districts, which, ' before the erection of the said County of Albert, constituted part of ' the County of Westmorland, and doubts have arisen whether certain Acts of ' the General Assembly of this Province made and passed before the erection of ' the said County of Albert, to regulate the Fencing, Occupation and Grazing of ' the several Marshes, Low Lands and Meadows in the said County of West- ' morland, are to be deemed and taken to be in force and effect in the County of ' Albert ; for remedy whereof,'

Provisions of Acts  
6 W. 4, c. 21, and  
7 V. c. 11, extended  
to Albert County.

I. Be it therefore enacted and declared by the Lieutenant Governor, Legislative Council and Assembly, That the provisions of an Act of the General Assembly of this Province made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland*, and also the provisions of another Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to amend an Act, intituled " An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland,"* be and the same are hereby extended to and in all respects made applicable to the said County of Albert.

Powers, &c. of Jus-  
tices of Westmor-  
land under said  
Acts extended to  
those for Albert.

II. Provided always, and be it further enacted, That from and after the passing of this Act, the several powers given and granted to and the duties imposed upon the Justices of the Peace of the County of Westmorland in and by the said recited Acts, are hereby given and granted to and imposed upon Her Majesty's Justices of the Peace of the said County of Albert, in their General Sessions, so far as the same may in any wise relate to the County of Albert, any thing in the said recited Acts contained to the contrary notwithstanding.

## CAP XXIV.

An Act to facilitate the carrying into effect conditional Pardons granted by the Crown.

*Passed 11th April 1846.*

Preamble.

**6** WHEREAS it is expedient to make further provision for carrying into ' effect conditional Pardons of capital offences ;'

The Court (or any  
Judge of the Su-  
preme Court) to  
which a pardon,  
conditional on im-  
prisonment to hard  
labor in the Provin-  
cial Penitentiary,  
may be communi-  
cated, to make an  
order for the im-  
prisonment of the of-  
fender on the pre-  
scribed conditions.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if Her Majesty shall be pleased to extend mercy to any offender convicted of any crime punishable with death, upon condition of imprisonment to hard labour in the Provincial Penitentiary, either for the term of life or for any number of years, and such intention of mercy shall be signified by the Lieutenant Governor or Administrator of the Government for the time being to the Court before which such offender hath been or shall be convicted, or any subsequent Court with the like authority, such Court shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender, under and upon the terms and conditions therein expressed ; and in

case

case such intention of mercy shall be so signified to any Judge of the Supreme Court, such Judge shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender to hard labour in the Provincial Penitentiary, in the same manner as if such intention of mercy had been signified to any such Court, as aforesaid; and such allowance and order shall be considered as an allowance and order made by the Court before which such offender was convicted, and shall be entered on the Records of the same Court by the proper Officer thereof, and shall be as effectual, to all intents and purposes, and have the same consequences as if such allowance and order had been made by the same Court during the continuance thereof; and every such order shall subject the offender to be conveyed to the Provincial Penitentiary, and there kept to hard labour during the term of imprisonment mentioned therein, in like manner as if such imprisonment had been imposed as a punishment by the sentence of any Court.

Order to have the effect of a sentence by a Court.

### CAP XXV.

An Act relating to the crime of Manslaughter.

*Passed 11th April 1846.*

‘ **W**HEREAS by the fifth section of an Act of the General Assembly made ‘ and passed in the ninth and tenth years of the Reign of His 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*, it is enacted, that every person convicted of Manslaughter shall be liable ‘ to be imprisoned with or without hard labour in the Common Gaol or House of ‘ Correction for any term not exceeding three years, or to pay such fine as the ‘ Court shall award, or to be both fined and imprisoned, if the Court so award;’

Preamble.

9 and 10 G. 4, c. 21.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said fifth section of the said Act be and the same is hereby repealed.

9 and 10 G. 4, c. 21, s. 5, repealed.

II. And be it further enacted, That from and after the passing of this Act, every person convicted of Manslaughter shall be liable to be imprisoned in the Common Gaol or the Public Penitentiary for any term not exceeding fourteen years, as the Court shall award.

Manslaughter made punishable by imprisonment for 14 years.

### CAP. XXVI.

An Act in amendment of the Law relating to the appointment of Sheriffs.

*Passed 11th April 1846.*

‘ **W**HEREAS in and by an Act made and passed in the sixth year of the ‘ Reign of His late Majesty King William the Fourth, intituled *An ‘ Act for the better regulating of the Office of Sheriff in this Province*, it was ‘ provided that the annual appointment of Sheriffs should be made on the first ‘ Tuesday in April in each year; and by another Act made and passed in the first ‘ year of the Reign of Her present Majesty, intituled *An Act to alter the times ‘ for the appointment of Sheriffs and Supervisors of Great Roads*, it is provided, ‘ that such Sheriffs (except for the City and County of Saint John) should be ap- ‘ pointed on the first Tuesday in March in each and every year: And whereas ‘ the time for such appointment is found to be inconvenient;’

Preamble.

6 W. 4, c. 1.

1 V. c. 15.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said recited Acts as requires the Sheriffs of the several Counties in this Province (except the Sheriff for the City and County of Saint John) to be appointed either on the first Tuesday of March or April,

Acts 6 W. 4, c. 1, and 1 V. c. 15, in part repealed.