

XXV. And be it enacted, That an Act made and passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to revive and continue the Acts relating to Parish Schools*, be and the same is hereby continued and declared to be in force until the first day of January which will be in the year of our Lord one thousand eight hundred and forty eight.

Act 6 V. c. 38.
continued till 1st
January, 1848.

XXVI. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

Act limited to 1st
May, 1850.

CAP. LVII.

An act to alter and amend an Act, intituled *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 14th April 1847.

WHEREAS in and by the sixth section of an Act made and passed in the first year of the Reign of Her present Majesty, intituled *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*, it is enacted, *inter alia*, that the 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, (meaning the Commissioners to be appointed under and by virtue of the second section of the said Act :) And whereas, at the time of making such enactment, the said Alm's House, together with the grounds and lands on which it was built, was vested in, and was owned by the Corporation of the said City, and was transferred, with the other property belonging to the said Corporation, in September one thousand eight hundred and forty two, to Trustees, for the benefit of the creditors of the said Corporation, as by reference to the Trust Deed then executed, will more fully and at large appear: And whereas such investment of the Alms House, by the said sixth section, was not warranted;

Preamble.

1 V. c. 17.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said sixth section of the hereinbefore recited Act, vesting the care, management and direction of the said Alms House in the Commissioners appointed or to be appointed under and by authority of the second section of the said Act, be and the same is hereby repealed.

Act 1 V. c. 17, s. 6.
so far as it vests the
management of the
Alms House to be
used as an Infir-
mary in certain
Commissioners,
repealed.

CAP. LVIII.

An Act to amend an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*.

Passed 14th April 1847.

WHEREAS by the first section of an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*, power is given to any two of Her Majesty's Justices of the Peace in the County where any Town or Parish lies, to impose a fine of forty shillings upon any Town or Parish Officer who shall neglect to qualify as therein stated, or having qualified for any Town or Parish Office, shall neglect or refuse to do his duty, or misbehave in the execution of his office, to be recovered and applied as is mentioned in the said Act: And whereas it is necessary to extend the power given to two Magistrates by the said in part recited Act, to the several Courts of General Sessions of the Peace in this Province;

Preamble.

26 G. 3, c. 28.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the same power given

Power to fine Pa-
rish Officers for ne-
glect of duty, con-

ferred on Courts of
General Sessions.

Fines imposed by
General Sessions
under this Act to
be levied by War-
rant of distress, &c.

Costs of prosecu-
tions to be regula-
ted by the Ordina-
nce of Fees.

given by the said hereinbefore in part recited Act, to two Magistrates, shall be and the same is hereby given to the several Courts of General Sessions of the Peace in the several Counties in this Province.

II. And be it enacted, That all fines or penalties imposed by the Justices in General Sessions by virtue of this Act, together with costs of prosecution, shall be levied by Warrant of distress and sale of the offender's goods and chattels, directed to the Sheriff of the County within which the offence shall have been committed, rendering the overplus, (if any) after deducting the costs and charges of such distress and sale, to the offender; and if no goods shall be found whereon to levy, it shall and may be lawful for such Sheriff to commit such offender to the Common Gaol of the County where such offence may be committed, there to remain without bail or mainprise, the period to be specified in such Warrant, not exceeding thirty days, unless such fine, costs and charges are sooner paid.

III. And be it enacted, That the costs of prosecution under this Act, had before the Justices in General Session of the Peace, shall be regulated by the Ordinance of Fees established in this Province.

CAP. LIX.

An Act to amend the Act repealing the Acts affording relief to persons unfortunate in business.

Passed 14th April 1847.

Proceedings refer-
red to in the provi-
so to Act 9 V. c. 58,
to be taken by the
debtor within six
months, or order
of the Master of
the Rolls, &c.
to be null.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases within the meaning of the proviso of an Act made and passed in the ninth year of Her present Majesty's Reign, intituled *An Act to repeal the Acts to afford relief to persons unfortunate in business*, the debtor or debtors obtaining the Order of the Master of the Rolls therein mentioned, shall take all the necessary proceedings required by the said recited Acts, for the purpose of bringing such Order, and the matter on which the same was granted, to final adjudication within six calendar months from the passing of this Act; and, in default thereof, such Order and all proceedings whatever had or to be had thereon, and all matters and things arising therefrom, shall and are hereby declared to be null and void, and no longer binding on any person or persons whomsoever; saving to Clerks of the Peace, and all other persons by whom any services may have been performed for such debtor or debtors, under the said recited Acts, their right to recover for the same against such debtor or debtors.

Right of recovery
for services per-
formed, reserved.

CAP. LX.

An Act for the further amendment of the Law and the better advancement of Justice.

Passed 14th April 1847.

Preamble.

7 W. 4, c. 14.

WHEREAS in and by the provisions of the twenty first and twenty second sections of an Act passed in the seventh year of the Reign of His late Majesty, intituled *An Act for the amendment of the Law and for the better advancement of Justice*, the Jury, Court or Judge are authorized to allow or give damages, in the nature of interest, in certain cases, as therein mentioned, and also in other cases interest is allowed and assessed: And whereas it frequently happens that the final judgment of the Court therein is delayed by reason of Rules Nisi, Demurrers, or otherwise, and it is considered just and advisable that the said Court should be empowered in its discretion to allow interest at a rate not exceeding six per cent. per annum, on the amount of the debt or damages found or assessed by the Jury, Court or Judge from the time the same were found or assessed, until the giving of final judgment;