

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786. Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 59

An Act for the speedy Punishment and Release of such persons as Shall commit criminal offences under the degree of grand larceny.

I. Be it enacted by the Governor, Council and Assembly, That if any person or persons shall hereafter be guilty of any breach of the peace or other criminal offence under the degree of grand larceny and being committed to the common goal, shall not within forty eight hours, after such commitment give sufficient bail for his or their appearance at the next general quarter sessions of the peace for the county where such offence shall be committed then and there to answer for the same; it shall and may be lawful for any three of his Majesty's justices of the peace in each county (*quorum unus*) and if in the city of Saint John for the mayor, recorder and aldermen for the time being or any three of them, whereof the mayor or recorder shall be one, forthwith to hear and determine the offence committed by such offender or offenders as aforesaid, and on conviction by confession or the oath of one or more credible witness or witnesses, the said magistrates are hereby authorized to give judgment against such offender or offenders so committed, to have, and receive such corporal punishment (not extending to life or limb) as they in their discretion shall think fit, after which punishment said criminal or criminals if an inhabitant or inhabitants, of such county or city shall immediately be discharged without paying any fees, but if not an inhabitant or inhabitants, he or they shall immediately be ordered out of such county or city, to the place of his, her, or their former settlement or place of abode, or out of this province. And if any person or persons, having been so ordered out of such county or city shall remain in the same for the space of five days or return thereto within twelve months after such order the person or persons so remaining or returning shall be forthwith apprehended, and again receive such corporal punishment as said magistrates shall in their discretion order and direct (not extending to life or limb) as aforesaid.

II. And be it further enacted, That the charge of prosecuting and punishing such offender or offenders, shall be raised, levied, and paid in like manner, and at the same time, that money is raised in such county or city for paying the contingencies of the same; so as the whole charge for prosecuting and punishing each such offender shall not exceed the sum of fifteen shillings currency of this province.