

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1831.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 17

**An Act further to amend the Laws relative to Offences against the Person. Passed 15th March 1831.**

Whereas an Act of Assembly of the Fiftieth Year of the Reign of King George the Third, relating to the destroying and murdering of Bastard Children, is repealed by an Act of the present Session for improving the Administration of Justice in Criminal Cases, which last mentioned Act is to commence on the First Day of October in the present Year; and it is expedient to amend the Law relative to the Offence of concealing the Birth of Children by this Act, to take Effect at the same Time with the said Act for improving the Administration of Justice in Criminal Cases:

I. Be it therefore enacted by the President, Council, and Assembly, That if any Woman shall be delivered of a Child, and shall, by secret burying or otherwise disposing of the dead Body of the said Child, endeavour to conceal the Birth thereof, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable to be imprisoned, with or without hard Labour, for any Term not exceeding Two Years; and it shall not be necessary to prove whether the Child died before, at or after its Birth: Provided always, that if any Woman tried for the Murder of her Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict she shall be acquitted, to find, in case it shall so appear in Evidence, that she was delivered of a Child, and that she did, by secret burying or otherwise disposing of the dead Body of such Child, endeavour to conceal the Birth thereof, and thereupon the Court may pass such Sentence as if she had been convicted upon an Indictment for the Concealment of the Birth.

II. And Whereas it is expedient to amend the Law in certain Cases of Attempt to kill or do bodily Harm; Be it therefore enacted, That the Seventh Section of an Act of Assembly made and passed in the Ninth and Tenth Years of the Reign of his late 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against, the Person, and to provide for the more effectual Punishment of such Offences,\* be and the same is hereby repealed.

\*The British Statutes declared to be repealed by this Act, are as follows: –

9 H. 3. c. 26.	9 Ann. c. 14. s. 8.
52 H. 3. c. 25.	9 Ann. c. 16.
3 Ed. 1. c. 11 & 13.	12 G. 1. c. 34. s. 6.
4 Ed. 1. st. 3. c. 5.	2 G. 2. c. 21.
6 Ed. 1. c. 9.	11 G. 2. c. 22. Part of s. 1 & 2.
13 Ed. 1. st. 1. c. 29 and 34.	22 G 2. c. 27. Part of s. 12.
9 Ed. 2. st. 1. c. 3.	25 G. 2. c. 37. except s. 9 & 10
13 Ed. 3. st. 3. c. 2.	26 G. 2. c. 19. s. 11.
25 Ed. 3. st. 5. Part of c. 2.	30 G. 3. c. 48. (partially)
50 Ed. 3. c. 5.	33 G. 3. c. 67. s. 2.

1 Rich. 2. c. 15.	35 G. 3. c. 67.
6 Rich. 2. st. 1. c. 6.	36 G. 3. c. 9. Part of s. 1 & 2.
5 H. 4. c. 5.	43 G. 3. c. 58.
5 H. 4. c. 6.	43 G. 3. c. 113.
2 H. 5. st. 1. c. 9.	54 G. 3. c. 101.
11 H. 6. c. 11.	58 G. 3. c. 38. s. 1.
3 H. 7. c. 2.	1 G 4. c. 90. s. 3.
3 H. 7. c. 14.	1 G 4. c. 115.
12 H. 7. c. 7.	1 & 2 G. 4. c. 88. (partially)
24 H. 8. c. 5.	43 G. 3. c. 113.
25 H. 8. c. 6.	54 G. 3. c. 101.
33 H. 8. c.12. Part of s. 6. to s. 18.	58 G. 3. c. 38. s. 1.
38 H. 8. c.23.	1 G 4. c. 90. s. 3.
1 Ed. 6. c.12. s. 10, 13, 16 & 22.	1 G 4. c. 115.
5 & 6 Ed. 6. c. 4. s.3.	1 & 2 G. 4. c. 88. (partially)
4 & 5 P. & M. c. 4.	3 G. 4. c. 38.
4 & 5 P. & M. c. 8.	3 G. 4. c. 114. (partially)

III. And be it enacted, That if any Person unlawfully and maliciously shall administer or attempt to administer to any Person, or shall cause to be taken by any Person, any Poison, or other destructive Thing, or shall unlawfully and maliciously attempt to drown, suffocate or strangle any Person, or shall unlawfully and maliciously shoot at any Person, or shall by drawing a Trigger, or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall unlawfully and maliciously stab, cut or Wound any Person, with Intent in any of the Cases aforesaid to kill such Person, or to maim, disfigure or disable such Person, or to do some other grievous bodily Harm to such Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of the Party so offending, or of any of his Accomplices, for any Offence for which he or they may respectively be liable by Law to be apprehended or detained, every such Offender, and every Person counselling, aiding or abetting such Offender, shall be guilty of Felony, and, being convicted thereof, shall be liable to the Punishment prescribed for Felony in the above recited Act of the present Session for improving the Administration of Justice in Criminal Cases; and every Accessory after the Fact to any such Offence shall be liable to be punished in the Manner provided for Accessories after the Fact in the above recited Act of the Ninth and Tenth Years of the Reign of His late Majesty, for amending the Statute Law relative to Offences against the Person.

IV. And be it enacted, That this Act shall commence and take Effect on the First Day of October in the present Year, except as to Offences committed before or upon the last Day of September, which shall be dealt with and punished as if this Act had not been passed.