

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 18

An Act to provide for setting and keeping to hard Labour Persons adjudged to that Punishment. Passed 25th March 1831.

Whereas it is expedient to make Provision for setting and keeping to hard Labour Persons who may be adjudged to that Punishment:

I. Be it therefore enacted by the President, Council, and Assembly, That the Justices of the Peace in the several Counties in this Province, at their General Sessions, or at any Special Sessions to be for that purpose expressly convened and holden, shall be and they are hereby required and empowered to make Orders, Rules and Regulations for setting and keeping to hard Labour all Persons who may be adjudged to hard Labour for any Offence, by any Court, or Justice or Justices of the Peace, having competent Jurisdiction therefor, and for securing, governing and managing such Persons while employed at such hard Labour; and in all such Cases the Work shall be of such Kind as the said Justices shall prescribe, and may be performed at any Place within the County which the Justices may direct, as well without as within the Prison or House of Correction in which the Offender may be imprisoned; and the said Justices at such Sessions as aforesaid may from Time to Time appoint One or more fit Person or Persons to superintend and oversee all such Offenders so set to hard Labour, and may remove such Persons so appointed, and appoint others in their Stead; and may also revoke, alter and amend any such Orders, Rules and Regulations as Occasion may require: Provided always, that in Cases where it may be thought expedient that Offenders should be set to hard Labour within the Common Gaol of the County, the Concurrence of the Sheriff of the County shall be previously had to the Orders, Rules and Regulations of the Justices, and the Appointment of any such Overseer.

II. And be it enacted, That the Proceeds arising from the Work and Labour of all Offenders so adjudged to hard Labour, shall be applied by the said Justices at such Sessions as aforesaid, in the First Place to the Support and Clothing of such Offenders, and the Overplus (if any) shall be paid to the County Treasurer for the Use of the County.

III. And be it enacted, That if any Person so adjudged and set to hard Labour as aforesaid shall refuse to perform any Labour lawfully required of him, or shall be guilty of any Misbehaviour or disorderly Conduct, such Justices of the Peace, at any such General or Special Sessions as aforesaid, shall be and they are hereby authorized and empowered for any such Refusal or Misbehaviour, or disorderly Conduct, to order such Offender to be whipped, such Whipping not to exceed Thirty nine Stripes.

IV. And be it enacted, That this Act shall commence and take Effect on the First Day of October in the present Year.