

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1840. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1840.

3 Victoria – Chapter 64

An Act in addition to the Acts for the amendment of the Criminal Law. Passed 31st March 1840.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any person shall be charged with and convicted of any of the following offences as misdemeanors, that is to say, of any riot, falsely making or counterfeiting any coin, uttering any counterfeit coin knowing the same to same to be counterfeit, any subornation of perjury, keeping any bawdy house, gaming house or other disorderly house, or if any act of open lewdness or indecency, in any such case the Court may sentence the offender to be imprisoned with or without hard labour in the Common Gaol or House of Correction for any term not exceeding two years, and may also, if it shall so think fit, fine the offender and require him to find sureties for keeping the Peace and being of good behavior.

II. And whereas in and by the fourth, fifth, sixth and seventh sections respectively of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in Criminal cases," it is enacted that the Justice or Justices or Coroner, as the case may be, by whom any examinations, informations, evidence, inquisitions, bailments and recognizances which are in and by the said respective sections of the said Act required, shall be taken, shall deliver or transmit the same to the proper Officer of the Court in which the trial is to be, before or at the opening of the Court; and whereas great inconvenience and detriment to the course of public justice are found to arise from the delays which occur in such delivery or transmission: for remedy whereof, Be it enacted, That the Justice or Justices or Coroner, as the case may be, by or before whom shall be taken any such examinations, informations, evidence, inquisitions, bailments or recognizances as are in the said respective sections of the said Act required or mentioned, shall deliver or transmit the same to the proper Officer of the Court where the trial is to be, forthwith after the same shall be taken; any thing contained in the said recited Act notwithstanding, upon pain of being deemed guilty of a contempt of such Court.