

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1846. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1846.

9 Victoria – Chapter 24

An Act to facilitate the carrying into effect conditional Pardons granted by the Crown. Passed 11th April 1846.

Whereas it is expedient to make further provision for carrying into effect conditional Pardons of capital offences;

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if Her Majesty shall be pleased to extend mercy to any offender convicted of any crime punishable with death, upon condition of imprisonment to hard labour in the Provincial Penitentiary, either for the term of life or for any number of years, and such intention of mercy shall be signified by the Lieutenant Governor or Administrator of the Government for the time being to the Court before which such offender hath been or shall be convicted, or any subsequent Court with the like authority, such Court shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender, under and upon the terms and conditions therein expressed; and in case such intention of mercy shall be so signified to any Judge of the Supreme Court, such Judge shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender to hard labour in the Provincial Penitentiary, in the same manner as if such intention of mercy had been signified to any such Court, as aforesaid; and such allowance and order shall be considered as an allowance and order made by the Court before which such offender was convicted, and shall be entered on the Records of the same Court by the proper Officer thereof, and shall be as effectual, to all intents and purposes, and have the same consequences as if such allowance and order had been made by the same Court during the continuance thereof; and every such order shall subject the offender to be conveyed to the Provincial Penitentiary, and there kept to hard labour during the term of imprisonment mentioned therein, in like manner as if such imprisonment had been imposed as a punishment by the sentence of any Court.