

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1865. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1865.

28 Victoria – Chapter 51

An Act further to amend the Act to incorporate the City of Fredericton. Passed 8th June, 1865.

Section.

1. Cases which may be tried before Mayor and one Alderman.
2. Penalty for keeping bawdy or gambling house.
3. Person acting as master or mistress of such house, penalty.
4. Amount of Bond to be given by City Treasurer.

Section.

5. Mayor to be member of General Sessions.
6. Mayor or Alderman holding certain offices, penalty.
7. Section 25, 26th Victoria, repealed.
8. Mayor refusing to receive and proceed upon information, any Alderman may proceed to trial thereof.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Any offence committed within the County of York which, by any Law of this Province is required to be tried before two Justices of the Peace, or before the Mayor and one Alderman, or in case of the absence of the Mayor, before any two Aldermen of the said City, may be lawfully heard, tried and determined by and before the Mayor of the said City, or in case of his absence, refusal, or inability to attend, then before any two of the Aldermen of the said City, any law to the contrary notwithstanding.
2. Whoever shall keep a common gaming, bawdy, or other disorderly house, room or place within the City of Fredericton shall, on being convicted thereof before the Mayor of the said City, or before any two Aldermen as aforesaid, shall pay a fine not exceeding forty dollars, with costs, and in default of payment be imprisoned in the Provincial Penitentiary for any term not exceeding nine months, or be imprisoned for any such term at the discretion of the Court.
3. Any person who shall appear to act or behave as the master or mistress, or have the care or management of any such house, room, or place, or the owner or landlord letting the same for any such purpose, shall be deemed the keeper thereof, and be liable to the punishment mentioned in the preceding Section.
4. The Bonds to be given by the City Treasurer under the forty seventh Section of the Act made and passed in the twenty second year of Her Majesty's Reign, intituled *An Act to alter and amend the Act to incorporate the City of Fredericton*, shall be for the sum of twenty thousand dollars, instead of the sum mentioned in the said Section.
5. Notwithstanding any thing contained in the Act made and passed in the twenty second year of Her Majesty's Reign, intituled *An Act to alter and amend the Act to incorporate the City of*

Fredericton, and in the Act made and passed in the twenty sixth year of the Reign of Her Majesty, intituled *An Act in addition to and in amendment of an Act to alter and amend the Act to incorporate the City of Fredericton*, the Mayor of the said City shall be *ex officio* a member of the General Sessions of the Peace in and for the County of York, with the like powers and authority as if he had been named in the Commission of the Peace for the said County; and notwithstanding any thing contained in the sixteenth Section of the said last mentioned Act, the said Mayor shall have power to try, hear and determine all cases of information or complaint of offences committed within the County of York; and all Summonses and Warrants issued by the said Mayor upon any such information or complaint may be issued in any part of the said County.

6. Any Mayor or Alderman of the said City who shall accept or hold office contrary to the provisions of the eighth Section of an Act made and passed in the twenty second year of Her Majesty's Reign, intituled *An Act to alter and amend the Act to incorporate the City of Fredericton*, shall forfeit and pay the sum of forty dollars for every offence; and the acceptance of office by such Mayor or Alderman, and every day's continuance in office shall be deemed a substantive offence.

7. The twenty fifth Section of an Act made and passed in the twenty sixth year of Her Majesty's Reign, intituled *An Act in addition to and in amendment of an Act to alter and amend the Act to incorporate the City of Fredericton*, is hereby repealed.

8. Should the Mayor of the City of Fredericton refuse or neglect to receive or proceed upon any information offered to be given to him of any violation of law, or of any violation of any of the City bye laws of the said City of Fredericton, it shall and may be lawful for any one of the Aldermen of the said City of Fredericton to receive such information, and for any two of the said Aldermen to proceed to the hearing and trial thereof.