

**CAP. VIII.**

*An Act to continue an Act passed in the Twenty-seventh Year of the Reign of Her present Majesty, entitled "An Act for establishing the Standard Weight of Grain and Pulse, and to Regulate the Sale of Bread, Coals, and other Articles."*

[Passed 7th April, 1865.]

**W**HEREAS it is expedient to continue an Act passed in the Twenty-Seventh Year of the Reign of Her present Majesty, entitled "An Act for establishing the Standard Weight of Grain and Pulse, and to regulate the Sale of Bread, Coals, and other Articles :"

Preamble:

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, that the Act passed in the Twenty-seventh year of the Reign of Her present Majesty, entitled "An Act for establishing the Standard Weight of Grain and Pulse, and to Regulate the Sale of Bread, Coals and other Articles," shall be, and the same is hereby, continued, in full force, for One Year from the Thirtieth day of June next.

27 Vic., cap.  
14. continued.

**CAP. IX.**

*An Act to continue the Punishment of Banishment in certain cases.*

[Passed 7th April, 1865.]

**W**HEREAS by reason of recent changes in that part of the Criminal Law of England which relates to the Transportation of Convicts, the Laws of this Island on the subject of the Banishment of Crimi-

Preamble:

nal Offenders, have become, in a great degree, inoperative; and whereas it is expedient to continue the Punishment of Banishment in certain cases :

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows :

Offenders convicted may be banished.

I.—It shall be lawful for the Supreme and Circuit Courts of this Colony, when any Person shall be convicted, before them, of any Felony not a Capital Felony, if they shall think fit, to adjudge and sentence such Person to be Banished from this Colony and its Dependencies for life, or for a term of years.

Sentence to be carried into effect by Sheriff.

II.—Every such Judgment or Sentence shall be carried into effect by the Sheriff of the District in which, at the time of such Judgment being given, the Court pronouncing the same shall preside, or, in cases where the Offender shall be removed to the Central District, under the provisions hereinafter contained, by the Sheriff of the District last mentioned.

Banished offenders returning may be again banished, &c.

III.—If any Person upon whom such Judgment shall have been pronounced and carried into effect, shall, before the expiration of the time for which he shall have been Banished, return to this Colony or its Dependencies, his punishment in that behalf not having been lawfully remitted, such Person shall be guilty of Felony, and, upon conviction, shall be sentenced to be again Banished for the same term for which he was at first sentenced; and shall, in addition, prior to such second Banishment, be imprisoned, with hard labor, for any period not exceeding Twelve Months, or be otherwise dealt with as now by Law provided with respect to parties convicted for the second time of Felony; and such second sentence of Banishment shall be carried into effect in manner hereinbefore provided.

IV.—It shall be lawful for the Sheriffs of the Northern and Southern Districts of this Island, for the purpose of carrying into effect any sentence of Banishment adjudged in the Courts of the said Districts, and when deemed expedient, to remove the Person upon whom such sentence shall have been pronounced, to the Central District, and to deliver such Offender to the Sheriff of the Central District, by whom he shall be committed to Gaol in Saint John's until the sentence of Banishment can be carried into effect.

Offenders sentenced by the Northern and Southern Circ't. Courts to banishment may be removed to St. John's, &c.

**CAP. X.**

*An Act to make provision for the Recovery of Penalties becoming due upon the Forfeiture of certain Recognizances.*

[Passed 7th April, 1865.]

**W**HEREAS it is expedient to make provision for the Recovery of Penalties becoming due upon the Forfeiture of certain Recognizances. Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows :

I.—Whenever any Recognizance returned into or given to any one of the Superior Courts of this Colony shall become forfeited by breach of the condition thereof, it shall be lawful for such Court, by a Rule Nisi, to be made upon sufficient affidavits, shewing the execution and forfeiture of such Recognizance, and to be served upon such of the parties executing the same as shall be within the jurisdiction of the Court, to require such parties to shew cause why the said Recognizance should not be declared to be forfeited, and the

Rule nisi to declare Recognizances forfeited, and further proceedings.