

Title to be in the Commissioners and their successors.

Lot not to be alienated, &c. without the authority of an Act of Assembly.

II. And be it further enacted, That the said lot of land when so purchased, shall be conveyed to the said Commissioners of the said Marine Hospital, to hold to them and their successors in office for ever for the purposes aforesaid.

III. And be it further enacted, That the said lot of land or any part thereof, shall not in any way or by any means whatever be alienated or granted or disposed of by the said Commissioners or their successors in office for any other purpose whatever than as hereinbefore stated, without an Act of the General Assembly authorizing the same.

### CAP. XLI.

4 W. 4, c. 33.

An Act to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes."

Passed 23d March 1839.

4 W. 4, c. 33, continued.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

### CAP. XLII.

An Act to amend the Law relating to Bastardy.

Passed 23d March 1839.

32 G. 3, c. 3, sec. 3, repealed.

Orders of affiliation or maintenance to be made by the Justices in Sessions.

Court on oath of the Mother may adjudge person charged the reputed father.

Court may postpone the order of affiliation or maintenance in certain cases, and thereupon person charged to enter into recognizance for appearance.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the third Section of an Act made and passed in the thirty second year of the Reign of King George the Third, intituled "An Act to provide for the maintenance of Bastard Children," be and the same is hereby repealed.

II. And be it enacted, That all orders of affiliation or maintenance to be made in pursuance of the said recited Act, shall be made by the Justices of the Peace in General Sessions.

III. And be it enacted, That in case any person appearing before such Court of General Sessions, charged with being the reputed father of a bastard child, likely to become chargeable to any Parish, shall traverse or deny the charge, such Court on the oath of the mother of such child, or such other testimony as may be offered to their satisfaction, may adjudge such person the reputed father as aforesaid.

IV. And be it enacted, That when the child with which the woman may be pregnant likely to be chargeable as aforesaid, may not be born at the time of any person appearing before such Court charged with being the reputed father of such child, or in any case where the said Court, either for the purpose of procuring further testimony or for other reasons, shall consider it necessary to put off the consideration of the charge, or the making of an order of affiliation or maintenance until the next Court of General Sessions to be held for such County, such Court shall be at liberty so to order and direct; and thereupon the persons so charged shall forthwith enter into recognizance with one or more sufficient sureties to the satisfaction of such Court for his appearance at the next General Sessions.