

9th. That in the year 1870, by 33rd Victoria, chapter 30, this exemption was repealed, subject to the provisions, that such repeal should not take effect in the case of one year convicts prior to the 1st day of May, 1873, and in the case of two year convicts prior to the 1st day of May, 1874.

10th. That in the year 1873, by the 36th Victoria, chapter 52, the periods last above named were further extended, that is to say, in the case of one year convicts to the 1st day of May, 1875, and in that of two year convicts, to the 1st day of May, 1876.

11th. That all the above cited Statutes apply equally to the Provinces of Nova Scotia and of New Brunswick, and that in none of them are recognized in any way the clear and inalienable right of the said City and County of St. John reserved as above mentioned by the said Acts of Assembly, and subject to which the said lands and buildings were originally transferred to the Provincial Government.

12th. That as your memorialists conceive, it is a matter of public faith, that the rights reserved to the said City and County should have been specially regarded and maintained by the Dominion Legislature and Government, as they doubtless would have been by the Assembly and Government of New Brunswick, had Confederation not taken place.

13th. That a reference to statistics of the said Penitentiary from its establishment, will show that fully 90 per cent. of all the convicts sent there, are from the city and County of St. John, and that of these, above 95 per cent. are under two year convicts. Your memorialists, therefore, pray that Your Excellency will cause the subject matter of this memorial to be enquired into, and if the statements therein set forth and contained, be found correct and true—and your memorialists believe that they cannot be gainsaid or disputed—direct such steps to be taken as will insure to your memorialists, and the said City and County of St. John, the continuation in perpetuity of the rights so reserved as aforesaid; or that such other provision for dealing with the class of convicts, which, under the existing law, will shortly be shut out from the said Penitentiary, may be made in the premises, as will relieve this City and County from the great loss and detriment to which it would otherwise be subject, and will also prevent the violation of the terms upon which the Institution and premises aforesaid passed out of the said Sessions, and subsequently became the property of the Dominion of Canada.

And, as in duty bound, your memorialists will ever pray. In testimony whereof, the said Justices have caused the seal of the said Sessions to be hereunto affixed, the 18th day of January, 1875.

A. CHIPMAN SMITH, *Mayor.*

[L.S.] Signed,
H. W. FRITH, Clerk of Peace.