

12. Whosoever shall by any false pretence, cause or procure any money to be paid, or any chattel or valuable security to be delivered to any other person for the use or benefit, or on account of the person making such false pretence, or of any other person, with intent to defraud, shall be guilty of a misdemeanor, and be imprisoned either in the Provincial Penitentiary with hard labour, or in the common gaol of the County where the offender may be tried, for any term not exceeding two years.

13. Any constable or peace officer may take into custody without warrant, any person whom he shall find lying or loitering in any highway, yard, or other place, during the night and whom he shall have good cause to suspect of having committed or being about to commit any felony against this Act, and shall take such person as soon as reasonably may be before a Justice of the Peace, to be dealt with according to law.

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## CAP. VII.

An Act in addition to Chapter 137, Title xxxvii, of the Revised Statutes, 'Of the jurisdiction of Justices in Civil Suits.'

Section.

1. New execution may issue after discharge of defendant from imprisonment.

Section.

2. Part of sec. 1, cap. 137, Title xxxvii, repealed.

*Passed 11th April, 1864.*

WHEREAS doubts have arisen whether the judgment be not wholly satisfied in law in all cases in the Justices' Courts where the defendant under execution or *capias* is detained in prison, one day for every two shillings of the debt, under the provisions of the fortieth Section of Chapter 137, Title xxxvii, of the Revised Statutes, 'Of the jurisdiction of Justices in Civil Suits;' for remedy whereof,—

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

1. That notwithstanding the discharge of the defendant under the provisions of the above recited Section, the judgment upon which such execution issued shall remain good against the property of the defendant, and a new execution may be issued against his property in like manner as if he had not been imprisoned, any thing in the above recited Act to the contrary thereof notwithstanding.