

Chapter 95 : An Act to Prevent and Punish Wrongs to Children.

[Revised Statutes, N. S., 5th Series, page 685.]

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

1. No minor under the age of sixteen years shall be admitted at any time to, or permitted to remain in, any saloon or place of entertainment where any spirituous liquors or wines or intoxicating or malt liquors are sold, exchanged, or given away, or in any of the places of amusement known as dance houses, billiard rooms, cippi rooms, dancing classes, clubs, or concert saloons, unless accompanied by his or her parent or guardian; nor into any bawdy house or house of ill fame under any circumstances whatever. No proprietor, keeper or manager of any such place, shall admit such minor to, or permit him or her to remain in any such place, unless under the condition hereinbefore mentioned; provided that in the case of dancing classes only, the written permission of the parent or guardian shall be sufficient authority for the proprietor, keeper or manager to allow or permit the attendance of such minor.

2. It shall be lawful for any justice of the peace, sheriff, constable or police officer, at all times to enter in and upon any of the premises mentioned in the previous clause, in order to ascertain if there be any minors under the age of sixteen therein; and if any such be found therein, to take them into custody and bring them before a justice of the peace for examination. All persons upon being required by any of the said officers, to open their said premises and grant free admission to the same, shall do so immediately, and any person or persons who shall refuse admission to his, her or their premises, or who shall obstruct any such officer in the performance of his duty, shall be guilty of an offence under this Act.

3. Whenever the parent or other person having the care and custody of a child within the age previously mentioned in this Act, is convicted before any court or magistrate with having assaulted, beaten, illused, abandoned or treated said child with habitual cruelty and neglect, or said child is suffered to grow up without salutary parental control, or in circumstances exposing him or her to lead an idle and dissolute life, and the court or magistrate before whom such conviction is had, deems it desirable for the welfare of such child that the person so convicted should be deprived of its custody thereafter, such court or magistrate may commit such child to an orphan asylum, charitable or other institution, or make such other disposition thereof as now is or hereafter may be provided by law in cases of vagrant, truant, disorderly, pauper or destitute children.

4. Whenever any person is charged with an offence against this Act in respect of a child, who, in the opinion of the court trying the case, is apparently of the age alleged by the informant, it shall lie on the person charged to prove that the child is not of that age.

5. Any person convicted of any offence against any of the provisions of this Act before any two or more justices of the peace for the district, county or place in which the offence has been committed, or before some magistrate or officer sitting alone or with others at some court or place appointed for the administration of justice within such district, county or place, and for the time being empowered to do alone any act authorized to be done by more than one justice of the peace, shall for every such offence forfeit and pay such sum of money, not exceeding one hundred dollars, nor less than twenty dollars, with full costs, as to such justices, magistrate or officer, shall seem fit.

6. The offender shall, in default of payment, be committed to the common goal, or other place of confinement for the district, county or place in which the offence was committed, there to be imprisoned for any time not exceeding ninety days, or less than thirty days.

7. All fines, penalties and forfeitures imposed and collected under the provisions of this and every Act passed or which may be passed relating to or affecting children, in any case where the prosecution is instituted by a society incorporated for the prevention of cruelty to children, or for the prevention of cruelty to animals, shall ensue to such society in aid of the purposes for which it is incorporated.

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