

SESSIONAL PAPER No. 18

Members shall be present, in case the Disturbance of the Peace in the said Province shall continue during the Space of two Months, or more, out of the said three months of suspension of the *Habeas Corpus* appointed by such first Ordinance, to pass a second Ordinance at the end of the said two Months, or more, to prolong the suspension of the said Writ of *Habeas Corpus* for a further Time, so that it shall continue for the Space of three Months from the Time of passing such second Ordinance ; and so on from Time to Time, at the Distance of two Months or more from the Time of passing any such Ordinance, it shall be Lawful to pass another Ordinance to prolong it's Operation for a further Space of Time, so that it shall continue for the Space of three Month's from the Time of passing every such preceeding Ordinance, so long as the Continuance of the Disturbance of the Peace of the Province shall make such Ordinances necessary.

The Governor of the said Province shall in no Case imprison any person by his own Warrant, or order.

AND IT IS FURTHER ENACTED by the Authority aforesaid, That from and after the said first Day of September next in the present Year of our Lord one thousand, seven hundred and eighty-five, it shall not be Lawful in any case for the Governour in Chief of the said Province, or, in Case of his Death or Absence from the said Province, for the Lieutenant-Governour, or the Commander in Chief, of the said Province, (who in such cases become invested with the Powers and Privileges of the Governour in Chief, and cannot be prosecuted criminally in the Courts of Justice in the Province,) to commit any Person whatsoever to Prison for any Offence, or Cause, whatsoever by his own Warrant, or Order: but all such Imprisonments shall be made, when necessary, by the Warrants, or Orders, of the Chief Justice of the said Province, or of the Judges of the King's Courts in the said Province, or by the Justices of the Peace, or Commissioners of the Peace, in the said Province, or other Magistrates having competent Jurisdiction in the said Province, by their Warrants, or Orders in Writing, in which the Offences, or Causes, for which such Imprisonments shall be made, shall be expressed.

And the said Warrants, or Orders in Writing, shall remain in the Hands of the Keepers of the Prisons to which such Offenders shall be committed, to the End that they may be produced by them as the Grounds of their Justification for having detained such Persons in Prison, either when they shall be required by the Chief Justice, or other Judges of the Province, by Means of a Writ of *Habeas Corpus ad Subjiciendum*, to bring up the Bodies of the Prisoners detained in their Custody, together with the Causes of their being so detained, before the said Chief Justice, or other Judges, or when they shall be sued in any of the Courts