

— No. 9. —

NEW BRUNSWICK.

ACT, CAP. LXIV. 1848.

AN ACT relating to Immigration, and the care and safe keeping of the Children and Property of Deceased Emigrants.—(Passed 30 March 1848.)

No. 9.

WHEREAS, in consequence of the great influx of diseased and pauper emigrants into this Province, not only have heavy burthens been brought on the community, but the emigrants themselves and their families have undergone much distress for want of any adequate provision being made for their necessity; for further remedy whereof.

Preamble.

I. Be it enacted, by the Lieutenant-governor, Legislative Council and Assembly, that the Treasurer of the Province, and Deputy Treasurers respectively, shall keep a separate account of all sums received by them respectively, as head-money or tax upon emigrants from Europe arriving in this Province; which sums so received, shall be applied, from time to time, towards relieving destitute and diseased passengers and emigrants, and in assisting them to reach their several places of destination, and shall be paid by warrant of the Lieutenant-governor or Administrator of the Government, for the time being.

Treasurer to keep a separate account of the Emigrant Head-Money;

which is to be applied towards their relief, and drawn by warrant.

II. And be it enacted, that the orphan or deserted children of such emigrants, or the children of such as may be paupers, may be bound out by the Overseers of the Poor of the parish, or Commissioners of Almshouses of the counties, as the case may be, where such children may be left orphans, or deserted, or be the children of paupers, as aforesaid, to any tradesman, farmer or other fit person engaged in any useful calling, until the age of 21, or in the case of girls, until the age of 18.

The orphan or deserted children of the Emigrants may be bound out to tradesmen, &c., by the overseers of the poor.

III. And be it enacted, that, in case of such binding out, there shall be regular indentures of apprenticeship, in two parts, one part to be filed with the Clerk of the Peace of the county or city and county, where the same may be made, between the said Overseers of the Poor, or any two of them, or the said Commissioners of Almshouses, or any three of them, on the part and behalf of the child or person to be bound, and the master or mistress (if an unmarried woman) which shall contain an agreement on the part of such master or mistress, as the case may be, that he or she shall teach or cause such child or person to be taught to read and write, and some of the general rules of arithmetic.

Indentures of apprenticeships to be entered into.

To contain an agreement that the child shall be taught to read.

IV. And be it enacted, that every such indenture of apprenticeship shall be executed in the presence and by the consent of the Mayor or Recorder of the city of St. John, or of one of the Justices of the Common Pleas of any of the counties of this Province, which consent shall be subscribed or endorsed on the said indenture.

Indentures to be executed in the presence and with consent of the Mayor of St. John, or a Justice of Common Pleas in other counties.

V. And be it enacted, that no such indenture shall be assigned without the consent of the said Mayor or Recorder, or Justice of the Common Pleas, subscribed to or endorsed on the said indenture, under their hands respectively.

Not to be assignable without the like consent.

VI. And be it enacted, that the said Overseers of the Poor or Commissioners of the Almshouse as aforesaid, and each and every of them, shall be, and they are hereby constituted guardians of every person so bound out as aforesaid, in their respective parishes or counties, to take care that the terms of the indentures are fulfilled, and to defend the child or person bound from all cruelty, neglect or breach of contract on the part of the master or mistress; and it shall be each of their special duty, and they and each of them are hereby required, to inquire into the treatment of every such child or person so bound as aforesaid, and redress every grievance sustained by them or any of them according to law.

Overseers of Poor or Commissioners of Almshouse made the guardian of the child bound.

VII. And be it enacted, that the province treasurer or deputy treasurer at any port or place where any passenger-vessel may arrive, shall be, and is hereby empowered to demand, sue for, and recover the money, property and effects of deceased emigrants, and keep a separate account of the same, which account shall be published in the Royal Gazette; and all monies so received by the said province treasurer, or any deputy treasurer, as the former property of a deceased emigrant, shall be deposited in one of the Savings Banks of the province, to the credit of the province treasurer, there to remain until claimed by some person or persons legally entitled thereto, when the same shall be paid over to such legal claimant.

Property of deceased emigrants to be received by the Treasurer at the port of arrival.

Publication to be made in the Royal Gazette, and money lodged in a savings bank.