

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, and continued by several Prorogations to the Twelfth Day of March, Anno Domini 1795, in the Thirty-Fifth Year of the Reign of Our Sovereign Lord George The Third of Great-Britain, France, and Ireland, being the Third Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

35 George III – Chapter 5

An Act to prevent the harbouring Deserters from His Majesty's Army, and the Sale of Arms, Accoutrements and Clothing, belonging to His Majesty.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that if any person shall harbour, conceal or assist, any deserter from His Majesty's service, knowing him to be such, the person so offending shall forfeit for every such offence the sum of five pounds; or if any person shall knowingly detain, buy or exchange, or otherwise receive any arms, clothes, caps, or other furniture belonging to the King, from any soldier or deserter, or any other person, upon any account or pretence whatsoever; or any hats, shoes, shirts or stockings, or other articles generally deemed regimental necessities, according to the custom of the army, provided for such soldier or deserter, by his captain, or other officer commanding the company to which he belongs, and paid for by deductions out of his pay, without leave in writing, from such captain or officer, or cause the colour of such clothes to be changed, the person so offending shall forfeit for every such offence the sum of five pounds; and, upon conviction by the oath of one or more credible witness or witnesses before any two of His Majesty's justices of the peace, the said respective penalties of five pounds, and five pounds, shall be levied by warrant under the hands of the justices of the peace, by distress and sale of the goods and chattels of the offender: one moiety of the said first mentioned penalty of five pounds, to be paid to the informer by whose means such deserter shall be apprehended: and one moiety of the said last mentioned penalty of five pounds to be paid to the informer, and the residue of the said respective penalties to be paid to the officer to whom any such deserter or soldier did belong. And in case any such offender who shall be convicted as aforesaid, or assisting any such deserters, of harbouring, or having knowingly received any arms, clothes, caps, or other furniture, belonging to the King; or any hats, shoes, shirts, stockings or other regimental necessities provided and paid for as aforesaid, without leave in writing as aforesaid; or having caused the colour of such clothes to be changed, contrary to the intent of this act, shall not have sufficient goods and chattels, whereon distress may be made, to the value of the penalties recovered against him for such offence, or shall not pay such penalties within four days after such conviction, then, and in such case, such justices may, by warrant under their hands and seals, commit such offender to the common jail, there to remain without bail or mainprize for the space of three months, or cause such offender to be publicly whipped at the discretion of such justices. Provided always, that no commission officer shall break open any house to search for deserters without a warrant from a justice of the peace, obtained upon oath made of a desertion,

from the regiment to which he belongs, and that there is reason to believe that such deserter or deserters be concealed in the dwelling or out-house in which it is proposed to search for him or them, and into which he the said officer, has been refused admittance. And that every commission officer, who shall without warrant from one or more of His Majesty's justices of the peace, (which said warrant the said justice or justices are hereby empowered to grant) forcibly enter into, or break open the dwelling-house, or out-house, of any person whatsoever, under pretence of searching for deserters, shall, upon due proof thereof, forfeit the sum of twenty pounds.