

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on the Twentieth day of February, Anno Domini, 1800, and continued by several Prorogations to Wednesday the First day of June, 1803; in the Forty-third year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. being the Fourth Session of the Eighth General Assembly, convened in the said Province.*

* In the time of Sir John Wentworth, Baronet, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; (during part of this Session, Alexander Croke, Dr. of Law and Judge of the Admiralty Court, acted as President of Council) R. J. Uniacke, Speaker of the Assembly; James Gautier, Secretary of Council; and James B. Franklin, Clerk of Assembly.

CAP. I.

An ACT in amendment of an Act, passed in the Thirty-fifth year of His Majesty's reign, entitled, an Act to prevent the harbouring Deserters from His Majesty's Army, and the sale of arms, accoutrements and cloathing, belonging to His Majesty.

WHEREAS *the penalty of five pounds, prescribed by the above recited Act, for persons harbouring Deserters, is found insufficient for preventing that offence, and it is necessary to provide for the easier reception of Deserters into the jails, in the several counties in this Province:*

Preamble.

I. *Be it enacted, by the Lieutenant Governor, Council and Assembly, and it is hereby enacted, That from and after the publication of this Act, any person harbouring a deserter, knowing him to be such, shall, instead of the penalty of five pounds, prescribed by the said recited Act, be liable to the penalty of twenty pounds, to be recovered by the ways and means, and applied to the purposes, directed in and by the said Act, any thing therein contained to the contrary notwithstanding.*

Persons harbor-
ing Deserters to
pay 20l.

II. *And be it further enacted, That it shall and may be lawful for the Sheriff of the county, or his deputy, or for any constable of the town or place, where any person who may be reasonably suspected to be a deserter shall be found, or for any officer or soldier in His Majesty's service, to apprehend, or cause such suspected person to be apprehended, and to bring, or cause him to be brought, before any Justice of the Peace, living in or near such town or place, who hath hereby power to examine such suspected person; and if, by his confession, or the testimony of one or more witnesses or witnessess, upon oath, or by the knowledge of such Justice of the Peace, it shall appear, or be found, that such suspected person is a listed soldier, and ought to be with the troop or company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the jail of the county, or the house of correction, in such town or place, where such deserter shall be apprehended, and shall transmit an account thereof to the Governor,*

Sheriff, Constable, &c. authorized to apprehend a person suspected of being a deserter, and to carry him before a Justice of the Peace;

upon testimony of his being a deserter, the Justice to commit him to Jail, and

Governor,

send notice thereof to the Governor.

The keeper of the jail to receive the full subsistence of said deserter, but neither fee or reward.

Governor, or Lieutenant-Governor, of the Province, or to the commanding officer of the district, to the end that such person may be removed, and proceeded against according to law: and the Sheriff of the county, the keeper of every jail, house of correction, or prison, in which such deserter shall at any time be confined, shall receive the full subsistence of such deserter, during the time he shall continue in his custody, for the maintenance of such deserter, but shall not be entitled to any fee or reward, on account of the imprisonment of such deserter; and the keeper of every jail, house of correction, or other prison, shall, and he is hereby required to, receive and confine such deserter while on the road from the place where he was apprehended, to the place to which he is to be conveyed, either by warrant of the said Justice, or by order of the Governor, Lieutenant-Governor, or commanding officer of the district; and shall not be entitled to any fee or reward, on account of the imprisonment of the said deserter; any law, or usage, to the contrary notwithstanding.

CAP. II.

An ACT in addition to, and amendment of, an Act, passed in the Fortieth year of His Majesty's reign, entitled, An Act for the better regulating the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Annapolis.

Preamble.

WHEREAS it is expedient that a Court or Session House should be erected in the western district of the county of Annapolis, in which to hold the Courts of our Lord the King, appointed to be held in that part of the county of Annapolis:

Grand Jury authorized to make presentment of such sum of money as may be necessary for building or repairing a Court House. To be levied under the Act of the 5th Geo. 3d.

1. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall be lawful for the Grand Jury, for the county of Annapolis, at the Court of Assize held for the said county, to make presentment of such sum or sums of money as may be expedient to be raised for the building or repairing a Court or Sessions House, in such part of said district as the Grand Jury for the said county shall appoint; which sum or sums of money so presented, shall be assessed, raised, levied, proportioned and paid, in manner as is prescribed by an Act, passed in the fifth year of His present Majesty's reign, entitled, "An Act for raising money by presentment, on the several counties of this Province, for the defraying certain county charges there-mentioned."

Money to be applied to that purpose only.

II. And be it further enacted, That such money shall be applied for and towards the purpose for which the same is presented, in such manner, by such person or persons, and under such regulations, as the said Court shall order in that behalf.

Court of Sessions for the County of Annapolis, to be held at Digby on the second Tuesday of June, annually.

III. And whereas, it is found inconvenient to hold the Summer Sessions of the Inferior Court of Common Pleas and General Sessions of the Peace, of the County of Annapolis, at Digby, on the third Tuesday of June: Be it enacted by the authority aforesaid, That, from and after the passing of this Act, the said Court and General Sessions shall be held, annually, on the second Tuesday of June, and not on the third Tuesday of June, as heretofore accustomed.