

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of February 1800, and thence 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. being the Fourth Session of the Eighth 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.

43 George III – Chapter 1

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:

- 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.

- 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, 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 be 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, or Lieutenant-Governor, of the province, or to the commanding officer of the district, to the end that such person may be removed, and proceed against according to law: and the sheriff of the county, the keepers of every jail, house of correcting, 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, usage, to the contrary notwithstanding.