

Neglecting to
make Returns
of Battalions or
Companies.

II. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That if any Colonel, or other officer commanding a Regiment or Battalion, shall neglect to make the Return in the said Section directed, he shall, for every such neglect, forfeit and pay a fine of twenty pounds.

Captain neg-
lecting to
make Returns.

And if any Captain or other Officer commanding a Company, shall neglect to make the Return in the said Section directed, he shall forfeit and pay a Fine of Five Pounds for every such neglect.

Removal of
Officers.

III. *And be it further enacted,* That if any Officer shall remove out of the limits within which the Regiment or Battalion to which he belongs is comprised, and shall not perform any Militia Duty in the said Regiment or Battalion for the space of one year, he shall, upon his return, be considered and held to be the Junior Officer of his Rank.

Supernumerary
Officers.

IV. *And be it further enacted,* That all supernumerary Militia Officers, who shall be resident within the District or Limits of any Battalion of Militia, and are not attached to the same by any Regimental Order, or shall not do duty therein, shall be liable to the payment of the same sum per day for each and every day's Muster or Training, as persons exempt from duty are liable to by the twenty-first section of the Militia Act, passed in the fifty-third year of His Majesty's reign, of which this is an amendment, except such supernumerary Militia Officers shall be excused by the Commander in Chief of the Militia of this Province.

CAP. XIII.

An ACT for altering the time appointed for holding the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of King's County, in the Spring of the Year.

Preamble.

WHEREAS, *the time for holding the Courts of Common Pleas, and General Sessions of the Peace, at Horton, in the County of King's County, on the second Tuesday of April, has been found very inconvenient :*

Sitting of Court

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the Court of Common Pleas, and General Sessions of the Peace, for the County of King's County, shall be annually held at Horton, in said County, on the third Tuesday of May, and second Tuesday of October—any law, usage or custom, to the contrary notwithstanding.

CAP. XIV.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licensed to keep public Houses or Shops for the Retail of Spirituous Liquors.

Continuation.

BE it enacted, *by the Lieutenant Governor, Council and Assembly,* That the Act, made in the thirty-ninth year of His present Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter

to be licensed to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses or Shops. Also, the several Acts made in the fortieth, forty-first, forty-sixth, and forty-eighth years of His Majesty's reign, for reviving, altering, continuing, adding to, and amending, the said Act, shall be continued, and the same are hereby continued in force until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fifteen, and no longer.

II. *And be it further enacted*, That it shall and may be lawful for the County Treasurer to pay to the Clerk of the Peace out of the monies received under and by virtue of the said Acts hereby continued, all such sums of money as the Clerk of the Peace shall be entitled to under and by virtue of an Act, passed the present Sessions of the General Assembly, entitled, "An Act to enable the Justices of Halifax to pay the Clerk of the Peace for his services in transacting Corwn business:" any thing in the said Acts hereby continued to the contrary notwithstanding.

Application of
Revenue.

CAP XV.

An ACT for protecting Justices of the Peace in the execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants; and also for apprehending persons in any County or Place, upon Warrants, granted by Justices of the Peace in any other County or Place.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That if any action shall hereafter be brought against any Justice of the Peace, for any thing by him done by virtue of his Office, such action shall be laid in the County or District where the fact complained of was committed; and the Justice or Justices may plead the general issue to such action, and give the special matter in evidence.

Action against
Justice of the
Peace.

II. *And be it further enacted*, That no writ shall be sued out, nor any summons or process at the suit of a subject shall be served on any Justice of the Peace for any thing done by him in the execution of his office, until notice of such intended writ, summons, or process, shall have been delivered to him or left at his usual place of abode, at least one calendar month before the suing out or serving the same, in which notice shall be plainly expressed the cause of action, which such party has, or claims to have against such Justice, and the party or his attorney shall affix his name and place of abode to the said notice.

One month's
notice to be given.

III. *And be it further enacted*, That it shall and may be lawful for such Justice, at any time within one calendar month after such notice, given as aforesaid, to tender amends to the party complaining or his attorney, and in case the same is not accepted, to plead such tender in bar to any action, to be brought against him grounded on any such writ, summons or process, together with the plea of not guilty, and any other plea, with leave of the Court; and if upon issue joined the jury shall find the amends to tendered to have been sufficient, then they shall give a verdict for the defendant; and in such case, or if the plaintiff shall become nonsuit, or shall discontinue his action, or in case judgment shall be given for the defendant or defendants, on demurrer, such Justice shall be entitled to the like costs as if he had pleaded the general

Justice may
tender amends.

Verdict may be
given for the
defendant.