

Proviso.

or exposed to sale, or found dead in the custody or possession of any person or persons whatsoever during the period before mentioned ; which penalty of ten shillings shall and may be recovered and applied as directed in the Act of which this is an amendment. *Provided always*, That any Indian, or poor and distressed Settler, who may kill any Partridge for their own use and necessary subsistence, and not for sale, shall not be subject to any penalty under this Act.

## CAP. XVIII.

An ACT to revive, alter and continue, the several Acts of the General Assembly now in force relating to a Militia.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the forty-eighth year of His Majesty's Reign, entitled, An Act to provide for the greater security of the Province, by a better Regulation of the Militia, and to repeal the Militia Laws now in force; and also, the several Acts, made in the forty-ninth, fifty-third, fifty-fourth, and fifty-fifth years of his Majesty's reign, for altering, continuing, and amending the said Act, be revived and continued, except so far as the same are hereby altered, and the same are hereby revived and continued, until the eighteenth day of March, which will be in the year of our Lord, one thousand eight hundred and eighteen, and from thence to the end of the next Session of the General Assembly.

II. *And be it further enacted*, That, so far as it relates to the Second Battalion of Militia, the Clerks of Companies shall make Returns to the Battalion Clerk, who shall report to the Adjutant, whose duty it shall be to prosecute for all fines and penalties incurred by this Act, to be applied to the use of the Battalion, when so ordered by a Board, consisting of the Commanding Officer, a Major and three Captains; the Adjutant to be allowed and paid one fourth of all fines and forfeitures, which he shall recover by virtue of this Act, as a remuneration for his trouble in doing the duty hereby enjoined, and the Clerks to be exempt from being drafted or balloted for actual service.

III. *And be it further enacted*, That all sums of money, when collected, shall forthwith be paid over to the Quarter-Master, who shall hold the same until required of him by the Board constituted as aforesaid.

IV. *And be it further enacted*, That, during the following year, there shall be but one Battalion Meeting, instead of two, any thing in the Acts hereby revived and continued to the contrary notwithstanding.

## CAP. XIX.

An ACT to regulate the Summary Trial of Actions in the Supreme Court, and Inferior Courts of Common Pleas.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Supreme Court, and Inferior Courts of Common Pleas, within this Province, be, and are hereby empowered

Militia Acts,  
48th, 49th, 53d,  
54th, and 55th,  
Geo. III. revived and continued.

Fines of 2d  
Battalion.

Fines to be  
paid over to the  
Quarter Master

Battalion  
Meetings.

Summary Trial  
of Actions in  
Supreme and  
Inferior Court.

powered in all causes of Actions brought before them, the sum total whereof shall exceed Ten Pounds, and shall not exceed Twenty Pounds, to proceed in a summary way, by the witnesses, to examine the merits of such causes, and make up judgment accordingly. *Provided always,* That when, in the examination of the witnesses, the matter of fact shall appear doubtful, or either of the Parties shall desire it, the Court shall order a Jury to try the same.

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II. *And be it further enacted,* That this Act shall continue, and be in force, for one year from the publication thereof, and from thence to the end of the next Session of the General Assembly, and no longer.

Continued.

## CAP. XX.

An ACT to regulate the manner of taking the Bonds of Sheriffs, Collectors of Impost and Excise, and of the Treasurer of the Province.

**W**HEREAS, many of the Collectors of Impost and Excise now hold their Office without having given Bonds as prescribed by Law, and some of the Sheriffs have received their Commissions without having given Security since their appointment to the Office. And whereas, also, it is necessary and highly expedient that all Bonds which shall be given, as well by Sheriffs, and Collectors of Impost and Excise, as other Public Officers, should be Registered, that in case of accident or loss of the Original Bonds, or Securities, the evidence of such Bonds or Securities may remain :

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That all such Collectors of Impost and Excise, as shall not, within two months from and after the publication hereof, give security for the faithful performance of their Office, pursuant to the provisions of the Act, passed in the forty-sixth year of his Majesty's Reign, entitled, An Act to regulate the appointment of Collectors of Impost and Excise, shall be considered as acting without authority; and it shall be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to appoint fit and proper persons to be Collectors of Impost and Excise, in the place and stead of the persons so failing to give security as aforesaid.

Collectors of Impost and Excise to give security within two months.

II. *And be it further enacted,* That the person who shall have acted as a Collector of Impost and Excise, and be superseded, shall forthwith, after such new appointment, deliver over to the new Collector for the District, all Bonds, and other Securities for Money, which may be in his hands, and shall immediately make up his Accounts, and render them to the Auditor of Public Accounts, and shall pay over to the Treasurer of the Province all such sum or sums of Money as shall remain in his hands, or shall be due from him as Collector aforesaid; and in case such Collector shall neglect or fail to account as aforesaid, or pay over the money in his hands, (if any), or such balance as may be due from him as aforesaid, for the space of three months thereafter, he shall be subject to a fine of two hundred pounds for such neglect, to be recovered by bill, plaint or information, in his Majesty's Supreme Court in the County or District, to be applied to the use of His Majesty's Government in this Province, and no transfer of the real or Personal Estate of such delinquent Collector, shall be good and valid, until such Collector shall have complied with the provisions

Collectors superseded—Money, Bonds and Securities in their hands.