

offender may be held to bail.

The Rum to be forfeited.

Limitation:

be found, by virtue of which process, the said offender shall be held to bail for his appearance at the return of the process, to answer the matters charged in such information, and the said Rum or other distilled Spirituous Liquors, shall be forfeited and proceeded against in like manner as is directed in and by the said third Section of the said herein before recited Act for raising a Revenue in this Province.

VII. *And be it further enacted*, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and twenty-four, and no longer.

CAP. XXX.

An ACT to provide for calling in the Arms issued to the Militia of this Province.

Passed the 27th March, 1823.

Preamble.

WHEREAS it is deemed expedient to make some provision for the more effectually enforcing the return of such Arms and Accoutrements as have been, or may hereafter be, issued from His Majesty's stores for the use of the Militia in this Province, when and so often as the same may be called in---

Upon order of the Commander in Chief, notified by Captains of the Militia, for the calling in of Arms issued from His Majesty's Stores,

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly*, That when any order shall be hereafter given, by or under the direction of the Commander in Chief of this Province, for the time being, for the calling in the Arms and Accoutrements, or any of them, which have been or may hereafter be issued from His Majesty's stores, for the use of the Militia, in any part of

of this Province, and public notice thereof given by the Captains of the Companies of the respective Battalions to which such order may extend, it shall be the duty of every person or persons having in their possession such Arms and Accoutrements, forthwith to return all such Arms and Accoutrements, complete, to the Quarter-Masters of their respective Battalions in the district where they may reside, who shall give to such person or persons a receipt for the same; and if any person or persons having in their possession such Arms or Accoutrements as aforesaid, shall refuse or neglect to return the same complete, to the Quarter-Master of the Battalion in the district where such person or persons may reside, within ten days after such public notice as aforesaid, of calling in the same shall have been given, such person or persons so offending, and also every person or persons persuading, exciting, or endeavouring in any way wilfully to induce any other person so to offend, shall for each and every such offence, forfeit and pay the sum of Five Pounds, to be recovered upon conviction before any one Justice of the Peace, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's goods, rendering the overplus, if any, after deducting the costs and charges of such conviction, distress, and sale, to the offender, which penalty shall be paid to the Quarter-Master of the Battalion in the district where such person or persons may reside, to be by him accounted for to the Commanding Officer of such

persons having such Arms in possession, shall deliver them to the Quarter-Master of the Battalion, who shall give a receipt.

Offenders against the provisions of this Act, and persons inducing others to offend, to forfeit £5.

To be recovered before a Justice, and levied by distress and sale of goods.

Penalty to be paid to the Quarter-Master for the use of the Battalion.

For want of goods, offender to be imprisoned.

No conviction to be unless at the instance of the Quarter-Master or Commanding Officer of Battalion to which the Arms belong.

Limitation.

such Battalion, and applied to the contingent expenses of such Battalion; and for want of effects whereupon to levy the said fine of Five Pounds, such offender shall be imprisoned not exceeding twenty days nor less than ten days. *Provided always*, that no such conviction shall take place for any such offence, except at the instance and prosecution of the Quarter-Master or Commanding Officer of the Battalion to which such Arms or Accoutrements shall belong.

II. *And be it further enacted*, That this Act shall continue and be in force for three years, and thence to the end of the then next Session of the General Assembly.

CAP. XXXI.

An ACT to appropriate a part of the Public Revenue, to provide for the ordinary services of the Province.

Passed the 27th March, 1823.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That there be allowed out of the Treasury of the Province, for the services herein after named, the following sums, to wit,

To His Excellency the Lieutenant-Governor, for the encouragement of Schools; the sum of three thousand pounds, agreeably to a Law of this Province.

To His Excellency the Lieutenant-Governor, a sum not exceeding three thousand pounds, to be paid for the encouragement of the Cod Fisheries of this Province, for the year one thousand eight hundred and twenty-three, agreeably to Law.

To His Excellency the Lieutenant-Governor, a sum not exceeding three thousand pounds,

1823.

Series.

Recd. Cont.