

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1819.* Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1819.

59 George III – Chapter 15

**An Act to prevent Deserting from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters. Passed the 24th of March, 1819.**

Whereas Soldiers stationed within this Province for the defence of the same, have been frequently found to desert, or absent themselves from the Head-Quarters of their respective Regiments or Detachments, without leave, to the great injury of His Majesty's service,

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That if any person or persons shall harbour, conceal or assist any Deserter from His Majesty's service, knowing him to be such, every such person so offending, shall for every offence, on conviction, forfeit the sum of twenty pounds.

II. And be it further enacted, that if any person shall buy, exchange or detain, or otherwise receive from any Soldier or Deserter, upon any account whatever, any arms, clothing, caps, or other furniture belonging to the King, or any such articles belonging to any Soldier or Deserter as are generally deemed Regimental Necessaries, according to the custom of the Army, or shall exchange, buy, or receive from any Soldier, any provisions, unless by consent of the Officer commanding the Regiment or Detachment to which such Soldier shall belong, every person so offending shall incur the penalty of five pounds.

III. And be it further enacted, that the first mentioned penalty shall and may be recovered before any two Justices of the Peace, and the last mentioned penalty before any one Justice of the Peace, in the County where such offences may be committed, upon conviction on the oath of one or more credible witness or witnesses, to be levied by warrant of distress and sale of the goods and chattels of the offender; one moiety of which penalties shall be paid into the Province Treasury, for the purpose of encouraging the apprehension of Deserters, the other moiety to such person who shall prosecute the same offences to conviction; and in case no sufficient goods or chattels can be found whereon to levy such distress, every offender shall, by such Justice or Justices, be committed to the Common Gaol in such County, there to remain without bail or main-prize, for a term not exceeding three months, nor less than one month.

IV. And be it further enacted, that any person or persons who shall apprehend any Deserter or Deserters from His Majesty's Forces, and deliver up such Deserter or Deserters to any Officer commanding any military post in this Province, shall for each and every Deserter so apprehended and delivered up, receive a reward of five pounds, on producing a certificate of such apprehension and delivery, specifying the name or names of such Deserter or Deserters, and to what regiment or corps he or they belong, signed by such Commanding Officer, and one Justice of the Peace for the County or District, before whom such Deserter or Deserters shall be brought. Provided always,

that the rewards so to be given out of the Province Treasury, shall not in any one year exceed one Hundred Pounds.

V. And be it further enacted, that it shall be the duty of all Keepers of His Majesty's Gaols on the road between the place or places where such Deserter or Deserters may be apprehended, and the place of his or their final destination, to receive such Deserter or Deserters into their custody without any fee or reward, whether such Deserter or Deserters be conveyed by virtue of a warrant from any Justice of the Peace, or under military escort, by an order of the Commanding Officer of His Majesty's Forces in this Province.

VI. And be it further enacted, that the rewards so to be paid under and by virtue of this Act, shall be by warrant under the hand and seal of the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, directed to the Province Treasurer: Provided, the same do not exceed the sum of One Hundred Pounds limited as aforesaid.

VII. And be it further enacted, that this Act shall continue and be in force for five years, and from thence to the end of the next Session of the General Assembly.

VIII. And be it further enacted, that the operation of an Act, made and passed in the thirty-third Year of His Majesty's Reign, intituled "An Act for apprehending Deserters from His Majesty's Service, and for punishing unlawful dealings with Soldiers or Deserters," shall be, and the same is hereby suspended for and during the continuance of this Act.