

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1866. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1866.

29 Victoria – Chapter 9 (Session 2)

An Act respecting offences relating to the Army and Navy. Passed 9th July, 1866.

Section.

1. Penalty for enticing Soldiers, &c., to desert, or concealing deserters.
2. Penalty for receiving from Soldiers any accoutrement, clothing, &c.

Section.

3. Penalties, how recovered.
4. Cap. 143 of Revised Statutes, repealed.
5. This Act not to affect any offence already committed.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Whoever shall directly or indirectly solicit or procure any soldier, sailor, or marine, to desert the Queen's service, or shall aid or assist any deserter from such service, knowing him to be such, in deserting or concealing himself, shall for each offence pay a fine of twenty pounds, or be imprisoned in the Provincial Penitentiary for a term not exceeding three calendar months.

2. Whoever shall receive from any soldier, sailor, marine, or deserter, any accoutrement or any thing belonging to the Queen, or shall receive from any such soldier, sailor, or marine, any provisions or clothing, unless by the consent of the Officer commanding the Regiment, detachment or ship to which such soldier, sailor or marine shall belong, shall pay a penalty of ten pounds, or be imprisoned in the common gaol of the County where the offence may be committed, for a term not exceeding three calendar months.

3. The penalties in each of the above cases respectively may be recovered with costs in the name of any person who will sue therefor, before two Justices of the Peace in the County where the offence may have been committed, under the Chapter relating to Summary Convictions before Justices out of Sessions, the nature of the offence being briefly stated; one half the penalty in each case respectively shall be paid to the person suing therefor, and the other half to the Overseers of the Poor of the place where the offence was committed, for the use of the Poor.

4. Chapter 143, of the Revised Statutes, 'Of offences relating to the Army,' be and the same is hereby repealed, as hereinafter mentioned.

5. Nothing in this Act shall extend or be construed to extend to or affect any offence committed against the provisions of the said Chapter 143, of the Revised Statutes, 'Of offences relating to the Army,' before the passing of this Act, or any conviction therefor, but proceedings may be had, taken, and continued, and the punishment inflicted for all such offences under said Chapter, in the same manner in every respect as if this Act had not been passed.