

such vessel or vehicle, together with all such sails, rigging, tackle, apparel, horses, harness, and all other appurtenances as shall at the time of such seizure belong to or be attached to such vessel or vehicle, with all goods and other things which shall be laden therein or thereon, and the same shall be forfeited; and it shall be lawful for such officer in the discharge of the said duty, to call in such lawful aid and assistance in the Queen's name, as may be necessary for securing and protecting such seized vessels, vehicles, or property; and if no such prohibited, forfeited or smuggled goods shall be found, such officer or person employed, having had reasonable cause to suspect that prohibited, forfeited or smuggled goods would be found therein, shall not be liable to any prosecution or action at law for any such search, detention or stoppage; and all masters or persons in charge of any such vessels, and all drivers or persons conducting or having charge of such vehicles or conveyances, refusing to stop when required to do so by such officer or person in the Queen's name, or any person being present at any such seizure or stoppage, and being called upon in the Queen's name by such officer or person to aid and assist him in a lawful way, and refusing so to do, shall forfeit and pay the sum of fifty pounds, which penalty shall be summarily recovered, on legal proof before any two Justices of the Peace in this Province, and in default of payment the offender shall be committed to any of Her Majesty's Jails in this Province, for a period not exceeding six months.

To call on persons to assist.

Reasonable cause of suspicion to be their justification.

Penalty for refusing to stop.

Or to assist. Mode of recovery.

XXXIX. And be it enacted, That if any person or persons whatsoever shall, under any pretence, either by actual assault, force or violence, or by threats of such assault, force or violence, in any way resist, oppose, molest or obstruct any officer of Customs, or any person acting in his aid or assistance, in the discharge of his or their duty under the authority of this Act, or any other Act of this Province relating to Customs, trade or navigation,—or shall wilfully or maliciously shoot at or attempt to destroy or damage any vessel, or boat belonging to Her Majesty, or in the service of the Province, or maim or wound any officer of the Army, Navy, Marine, or Customs, or any person acting in his aid or assistance, while duly employed for the prevention of smuggling, and in execution of his or their duty,—or if any person or persons shall be found with any goods liable to seizure or forfeiture, under this or any other Act relating to Customs, trade, or navigation, and carrying offensive arms or weapons, or in any way disguised,—or shall stave, break, or in any way destroy any such goods, before or after the actual seizure thereof,—or shall scuttle, sink, or cut adrift any vessel, or destroy or injure any vehicle, before or after such seizure,—or shall wilfully and maliciously destroy or injure by fire or otherwise any Custom-house, or any building whatsoever in which seized or forfeited goods are deposited or kept,—such person or persons being convicted thereof, shall be adjudged guilty of felony, and shall be punishable accordingly.

Punishment of persons obstructing, assaulting or resisting officers, &c.

Firing at H. M's vessels. Wounding persons in H. M's service.

Or having goods liable to seizure and being armed or disguised.

Or destroying vessels or goods.

Or any Custom house, &c.

Such offences to be felony.

XL. And be it enacted, That if any five or more persons in company be found together and they or any of them shall have any goods liable to forfeiture under this Act, every such person shall be guilty of misdemeanor and punishable accordingly.

Company of persons found with smuggled goods. Misdemeanor.

XLI. And be it enacted, That any person or persons who shall by any means procure or hire any person or persons, or who shall depute, authorize or direct any person or persons to assemble for the purpose of being concerned in the landing or unshipping or carrying or conveying any goods which are prohibited to be imported, or the duties for which have not been paid or secured, shall for every person so procured or hired forfeit the sum of twenty-five pounds.

Penalty for hiring persons to assist in smuggling.