

charged to have been committed, unless the offender shall within the said six months have departed and left the Province, in which case it shall and may be lawful to commence such prosecution at any time within six Calendar months next after such offender's return into the Province, and to carry on the same to conviction: But it is hereby declared, that the issuing any warrant for the apprehending of any person charged with any offence against this Act, by any one of his Majesty's Justices of the Peace for this Province, shall be held and deemed to be a commencement of a prosecution, within the true meaning of the provisions herein in that respect contained.

within six calendar months, unless offender shall leave the Province, then within 6 months after his return

Issuing warrant a commencement of prosecution within this Act.

IV. And be it Enacted by the Authority aforesaid, That in order the more effectually to prevent the escape of any such offender or offenders as aforesaid, it shall and may be lawful at any time from and after the passing of this Act, to and for any one or more of his Majesty's Justices of the Peace, on due proof upon oath being made before him or them, that any person has committed any one of the offences herein before described, to issue his or their warrant or warrants for the apprehension of such offender or offenders, or person or persons charged with such offence, and to cause such offender or offenders, or such person or persons so charged as aforesaid, to be brought before him or them, and upon the examination of such offender or offenders, and hearing the evidence, such Justice or Justices of the Peace shall discharge or commit to Prison, or shall Bail such offender or offenders, in like manner as by law any other person or persons charged criminally is or are dealt with; save and except, that if such Justice or Justices shall be satisfied with the evidence against such offender or offenders, such Justice or Justices shall commit such offender or offenders to the common Gaol of the District, or in case there shall be no Gaol in that District, to the common Gaol of any adjoining District, and such offender and offenders shall remain so committed until his, or her or their trial shall be brought on, unless such offender or offenders shall, with two good and sufficient sureties, to the satisfaction of the said Justice or Justices, become bound by recognizance to our Sovereign Lord the King, in manner hereinafter specified. (that is to say) if the said offender shall be charged with having committed any offence against the provisions in the first Section of this Act contained, then such offender or person so charged, shall become bound in the sum of two hundred pounds, and each of such sureties in the sum of one hundred pounds, and if such offender shall be charged with having committed any offence against the provisions in the second Section of this Act contained, then such offender or person so charged, shall become bound in the sum of forty pounds, and each of such sureties in the sum of twenty pounds, conditioned in each of such recognizances, for the appearance of such person so charged with any offence against this Act, at the then next Assizes, or Session of Oyer and Terminer and General Gaol Delivery, to be holden for the District where such offence shall be charged to be committed, or at such other or future Assizes or Session of Oyer and Terminer and General Gaol Delivery, to which the trial of such offender shall for just cause be adjourned.

Justices, to issue warrants,

and to commit

or Bail, &c.

V. Provided likewise, and be it further Enacted, That if it shall happen that any conviction under this Act shall take place in any District where there shall be no common Gaol at the time of such conviction, it shall and may be lawful to and for the Court or Judge before whom such conviction shall be had, to award, order and adjudge, that any such offender or offenders so to be convicted, shall be committed to the common Gaol of any adjoining District, in which there shall at that time be a Gaol, and also to order and adjudge, that any further punishment to be inflicted under the authority of this Act, shall be inflicted either in the District where such conviction shall take place, or in the District to the Gaol of which such offender shall be committed, as to such Judge or Court shall seem meet: And in case of any commitment by any Justice or Justices of the Peace before trial, or of any commitment by any such Court, or Judge or Judges as aforesaid after conviction, under the authority by this Act given, the Treasurer and Gaoler of the District to the Gaol of which such offender, or person charged with or convicted of any offence against this

Provision for cases in which there shall be no common gaol in the District.