

Summary proceedings; Acts to apply.

Militia Officers &c., may be witnesses.

On whose complaint penalties may be sued for.

Evidence of authority to sue.

Limitation of time for such prosecutions.

Application of penalties.

Orders and notices need not be in writing; if given in person.

exceed twenty dollars, and before two Justices of the Peace if the amount exceeds that sum;—And to the recovery of such penalties all the provisions of any law then in force relative to the performance of the duties of Justices of the Peace out of sessions, with respect to summary convictions and orders, shall apply in so far as may not be inconsistent with this Act;—And any officer, non-commissioned officer or private of any Volunteer Militia Company shall be a competent witness in any such case, although the penalty is applicable to the purposes of such Company. *Ibid.*, s. 99.

111. No prosecution against an Officer of Militia for any penalty under this Act shall be brought except on the complaint of the Adjutant General;—And no such prosecution against any non-commissioned officer or private of the Sedentary Militia, shall be brought except on the complaint of the Commanding Officer or Adjutant of the Battalion or Captain of the Company to which such non-commissioned officer or private belongs;—And no such prosecution against any private or non-commissioned officer of a Volunteer Company, shall be brought except on complaint of the Captain or Commanding Officer thereof;—But the Adjutant General may authorize any officer of Militia to make such complaint in his name, and the authority of any such officer alleging himself to have been so authorized to make any complaint, shall not be controverted or called in question except by the Adjutant General. *Ibid.*, s. 100.

112. No such prosecution shall be commenced after the expiration of six months from the commission of the offence charged, unless it be for unlawfully buying, selling or having in possession arms or accoutrements delivered to the Militia. *Ibid.*, s. 101.

113. The penalty when recovered shall, if the offender belongs to the Active or Volunteer Militia, be paid over to the officer commanding the company, for the purposes thereof, and shall be applied by him to such purposes and accounted for by him to the Adjutant General; and if the offender belongs to the Sedentary Militia, then the same shall be paid over to the Assistant Adjutant General, who shall account for and pay it over to the Receiver General for the public uses of the Province, and it shall make part of the Consolidated Revenue Fund. *Ibid.*, s. 102.

MISCELLANEOUS PROVISIONS.

114. It shall not be necessary that any order or notice under this Act be in writing, unless it is herein required, that it shall be so, provided it be communicated to the person who is to obey or be bound by it in person, either directly by the officer or person making or giving it, or by some other by his order. *Ibid.*, s. 103.