

on the oath of one credible witness other than the informer, before any Justice of the Peace, incur the penalty imposed for such offence by the said Act, passed in the sixth year of His late Majesty's Reign, that is to say, not exceeding ten pounds currency, whereof one moiety shall belong to Her Majesty and shall be paid into the hands of the Receiver General, and the other moiety shall belong to the informer; and the Justice of the Peace before whom such conviction shall take place, shall, (and he is hereby authorized) if such penalty be not forthwith paid, to commit the offender to the Common Gaol of the District, for a period not exceeding thirty days or until such penalty is paid.

XVI. And be it further Ordained and Enacted by the authority aforesaid, that it shall be the duty of each and every Serjeant of Militia, in the country parts of this Province, to prosecute each and every person whom he shall have reasonable cause to believe to have committed any offence whatever, for which a penalty is imposed by this Ordinance, within the Parish, Seignior, or Township, in which such Sergeant shall reside, and for each case in which it shall be proved by the oath of any one credible witness, that any such Sergeant has neglected so to prosecute for any such offence within fifteen days after sufficient information had been laid before him, to give him reasonable cause to believe that such offence had been committed; or after he had himself such personal knowledge as would amount to such reasonable cause; he shall, for such neglect, incur a penalty not exceeding forty shillings currency, to be sued for, recovered, and levied in the manner provided, with regard to the penalties imposed by this Ordinance; Provided always, that any Sergeant of Militia, who shall, under the requirements of this Ordinance, prosecute any offender, shall, if the offender be convicted, recover his necessary costs and disbursements actually incurred about such prosecution, but shall have no part of the penalty imposed on the offender, which penalty shall, in such case, belong exclusively to Her Majesty for the public use of this Province.

XVII. And be it further Ordained and Enacted by the authority aforesaid, that upon complaint before any two Justices of the Peace, residing within the Parish, Seignior or Township, of any offence against this Ordinance, such Justices may issue their summons under their hand and seal, enjoining the party complained of to appear before them, and answer such complaint; and, upon due proof of such offence, by the oath of any credible witness other than the informer, such Justices shall adjudge that the offender has forfeited a penalty equal in amount to that imposed on such offenders by the Act passed in the sixth year of His late Majesty's Reign and hereinbefore cited, that is to say, a penalty not exceeding ten pounds currency, one moiety thereof to Her Majesty, and the other to the informer with costs, and may levy such penalty and costs, by warrant of distress, to seize and sell the offender's goods and chattels; in satisfaction of the said Judgment, and for want of sufficient distress, may issue their warrant to cause the offender to be apprehended and conveyed to the Common Gaol of the District, there to remain in safe custody until the said penalty and costs shall have been paid: Provided always, that no person shall be detained in such custody longer than three months by virtue of any such warrant.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that no brewer of ale, beer, or other malt liquor, nor any distiller or vendor of spirits, brandy, or other spirituous liquors, shall act as a Justice of the Peace or Officer of Militia, or Church Warden, under this Ordinance, and any order, judgment, or other thing whatsoever, given or made by such person as a Justice of the Peace or Officer of Militia, or Church Warden, in or concerning any matter relative to this Ordinance, shall be void and of no effect; and any