

Naval and Victualling Stores Ordinance.

Victualling Stores, takes out, destroys or obliterates wholly or in part any such mark as aforesaid, he shall be guilty of Felony, and shall be liable, in the discretion of the Court, to be kept in Penal Servitude for any term not exceeding Four Years, or to be imprisoned for any term not exceeding Two Years, with or without hard labour.

Knowingly receiving
&c., marked Stores
a Misdemeanor.

IV. If any Person without lawful authority (proof of which authority shall lie on the party accused) receives, possesses, keeps, sells, or delivers any Naval or victualling Stores bearing any such mark as aforesaid, knowing them to bear such mark, he shall be guilty of a Misdemeanor, and shall be liable to be imprisoned for any term not exceeding One Year, with or without hard labour.

Knowledge of Stores
being marked, pre-
sumed against Deal-
ers, &c.

V. Where the Person charged with such a Misdemeanor as last aforesaid, was at the time at which the offence is charged to have been committed a Dealer in Marine Stores, or a Dealer in Old Metals, or in Her Majesty's Service, knowledge on his part that the Stores to which the charge relates bore such mark as aforesaid shall be presumed until the contrary is shewn.

Offenders may be
summarily convicted
in certain cases.

VI. Any Person charged with such a Misdemeanor as last aforesaid, in relation to Stores, the value of which does not exceed One Hundred Dollars, shall be liable on summary conviction before a Justice of the Peace, to a Penalty not exceeding Two Hundred Dollars, or in the discretion of the Justice to be imprisoned for any term not exceeding Six Calendar Months, with or without hard labour.

Dealer convicted un-
der this Ordinance
liable to future in-
spection of Police.

VII. After any Dealer in Marine Stores, or a Dealer in Old Metals shall be convicted of any Offence, Felony, or Misdemeanor under this Ordinance, it shall be lawful for the Justice or Court so convicting to make and enforce such order and direction for the registration and keeping such offender under the supervision and inspection of the Police for such period, and for the keeping and maintenance by him of such fairly written and kept Books of Account of such offender, at such place or places, and in such Forms with such and so many Returns of transactions, at such times and under such regulations, and when and so often as to the Justice or Court so convicting shall seem meet.

Penalty on offences
by Dealer under su-
pervision of Police.

VIII. For any act or default contrary to any order, direction, or regulation made under the VII. Section of this Ordinance done or made by any Dealer in Old Metals, or any Dealer in Marine Stores, during the period in which any such order or regulation of the Justice or Court so convicting as aforesaid shall be in force, he shall incur a penalty of not less than Five Dollars, and not exceeding Fifty Dollars; and for every subsequent offence a penalty of not less than Fifty Dollars, and not exceeding One Hundred Dollars.

Persons not Dealers
in Marine Stores, &c,
found in possession
of Naval or Victual-
ling Stores, and not
satisfactorily ac-
counting for the
same liable to
penalty.

IX. In order to prevent a failure of justice in some cases, by reason of the difficulty of proving knowledge of the fact that Stores bore such a mark as aforesaid, if any Naval or Victualling Stores bearing any such mark are found in the possession of any Person not being a Dealer in Marine Stores, or a Dealer in Old Metals, and not being in Her Majesty's Service, and such Person when taken or summoned before a Justice of the Peace does not satisfy the Justice that he came by the Stores so found lawfully, he shall be liable on conviction by the Justice to a penalty not exceeding One Hundred Dollars; and if any Person satisfies the Justice that he came by the Stores so found lawfully, the Justice, at his discretion, as the evidence given and the circumstances of the case require, may summon before him every Person through whose hands such Stores appear to have passed; and if any such Person as last aforesaid, who has had possession thereof, does not satisfy the Justice that he came by the same lawfully, he shall be liable on conviction by the Justice to a penalty not exceeding One Hundred Dollars.

Criminal possession
explained.

X. For the purposes of this Ordinance, Stores shall be deemed to be in the possession or keeping of any Person if he knowingly ^{has}