

(v) throws, or attempts to throw, anything at or upon His Majesty. 55-56 V., c. 29, s. 71.

5 & 6 V. c. 51 (Imp.) Not triable at quarter sessions, section 583. Special provisions, section 847. As to whipping, section 1060.

81. INCITING TO MUTINY.—Every one is guilty of an indictable offence and liable to imprisonment for life, who for any traitorous or mutinous purpose, endeavours to seduce any person serving in His Majesty's forces by sea or land from his duty and allegiance to His Majesty, or to incite or stir up any such person to commit any traitorous or mutinous practice. 55-56 V., c. 29, s. 72.

37 Geo. III. c. 10 (Imp.); 7 W. IV. & 1 V. c. 9 1 (Imp.). Not triable at quarter sessions, section 583. Special provisions, section 847: *R. v. Fuller*, 1 B. & P. 180; *Archbold*, 820; *R. v. Tierney*, R. & R. 74.

82. OFFENCE.—Every one is guilty of an offence punishable on indictment, or on summary conviction before two justices, who, not being an enlisted soldier in His Majesty's service, or a seaman in His Majesty's naval service,—

- (a) **PERSUADING TO DESERT**—by words or with money, or by any other means whatsoever, directly or indirectly, persuades or procures, or goes about or endeavours to persuade, prevail on or procure, any such seaman or soldier to desert from or leave His Majesty's military or naval service; or,
- (b) **CONCEALING DESERTER**—conceals, receives or assists any deserter from His Majesty's military or naval service, knowing him to be such deserter;

PENALTY—and is liable, on conviction under indictment, to fine and imprisonment in the discretion of the court, and on summary conviction before two justices, to a penalty not exceeding two hundred dollars, and not less than eighty dollars and costs, and in default of payment to imprisonment for any term not exceeding six months. 55-56 V., c. 29, s. 73.

Triable at quarter sessions. Section 847 applies, though through error. Penalty section, 1042. Arrest of suspected deserters, section 657.

A conviction under this section which follows the very words thereof, "conceal, receive, assist," is not bad for uncertainty. Nor is such a conviction bad because it provides that the penalty imposed thereby shall be "paid and applied according to law" (see sections