

Friendly
Power or arms
&c., may be
seized.

of Upper Canada, or of any County Attorney in Upper Canada, or of the Attorney General or Solicitor General of Lower Canada, in Lower Canada, (or for any Recorder of a City or Police Magistrate in this Province, or for any Judge of the Sessions of the Peace in Lower Canada, without such request,) to cause to be seized and detained any vessel manifestly built or arranged or fitted out for warlike purposes and about to depart this Province, of which the cargo shall principally consist of arms or munitions of war, when the number of men shipped on board or other circumstances, shall render it probable that such vessel is intended to be employed to cruise or commit hostilities upon the subjects, citizens or property of any Foreign State with which Her Majesty is at peace, and also to cause to be seized and detained any vessel or any arms or munitions of war, which may be provided or prepared for any military expedition, raid or enterprise against the territory or dominions of any Foreign State with which Her Majesty is at peace, and to retain possession of the same until the decision of the Governor be had thereon, or until the same shall be released as hereinafter directed.

Sheriffs, &c.,
required to seize
any vessel,
&c., and arms,
&c., about to
pass the Fron-
tier of Canada
for any place
within a For-
eign State,
where there is
probable cause
to believe that
such vessel,
arms, &c.,
are inten-
ded to be em-
ployed in car-
rying on a
military expe-
dition against
any Foreign
State, at Peace
with Her
Majesty, and
detain such
vessel, &c.

9. Any Sheriff, Collector of Customs, County Attorney, Police Magistrate, or Recorder of a City in this Province, any Judge of the Sessions of the Peace in Lower Canada, or any Field Officer or Captain of Her Majesty's Service, or any Field Officer or Captain of the Volunteer Militia Force, or of the Service Militia (such Field Officer or Captain of the Volunteer Militia Force or of the Service Militia being at the time on Actual Service,) or any other person specially empowered for the purpose by the Governor, shall be and he is hereby authorized and required to seize or cause to be seized any vessel or vehicle, and all arms or munitions of war about to pass the frontier of this Province for any place within any Foreign State, where the character of the vessel or vehicle and the quantity of arms and munitions of war or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms or munitions of war, are intended to be employed by the owner or owners thereof, or any other person or persons, in carrying on any military expedition, raid, enterprise or operations, within the territory or dominions of any Foreign State with whom Her Majesty is at peace, and detain the same until the decision of the Governor be had for the restoration of the same, or until such property shall be discharged by the judgment of a Court of competent jurisdiction; provided that in case such seizure shall be made by a Police Magistrate, Recorder of a City or Judge of the Sessions of the Peace, he shall, with due diligence, issue his warrant to justify the detention of the property so seized, on an oath or affirmation in the manner required by the next section of this Act.

Proviso.

Officer making
such seizures
shall apply to

10. It shall be the duty of any Officer, other than a Police Magistrate, Recorder of a City in this Province, or Judge of the
the