

Any subject levying war  
in this Province  
with foreigners;

Or entering the Province  
with foreigners with  
intent to levy war;

Or commit such felony as  
aforesaid;

Or joining persons who  
have entered the Province  
with intent to levy war;

Or to commit such felony;  
With intent to aid such  
persons;

May be tried and  
punished in like manner.

III. *And be it further enacted by the authority aforesaid,* That if any Subject of Her Majesty, Her Heirs or Successors, shall within this Province levy War against Her Majesty, Her Heirs or Successors, in company with any of the Subjects or Citizens of any Foreign State or Country then at peace with the United Kingdom of Great Britain and Ireland, or shall enter this Province in company with any such Subjects or Citizens of a Foreign State or Country at peace with the said United Kingdom, with intent to levy War on Her Majesty, or to commit any such act of Felony as aforesaid within this Province, or shall join himself to any person or persons whatsoever, whether Subjects or Aliens, who may have entered this Province with design or intent to levy War on Her Majesty, Her Heirs or Successors, or to commit any such Felony as aforesaid within the same, with the design or intent to aid and assist such last-mentioned person or persons to levy War, or to commit any such Act of Felony as aforesaid, then such Subject of Her Majesty, Her Heirs or Successors, shall be liable to be tried and punished by a Militia Court Martial, in like manner as any Citizen or Subject of a Foreign State or Country at peace with Her Majesty, Her Heirs or Successors, is liable under this Act to be tried and punished.

Any such foreigners may  
be tried before a Court of  
Oyer and Terminer.

IV. *And be it further enacted by the authority aforesaid,* That the Citizen or Subject of any Foreign State or Country offending against the provisions of this Act, shall be deemed guilty of Felony, and may, notwithstanding the provisions herein-before contained, be prosecuted and tried before any Court of Oyer and Terminer and General Gaol Delivery in and for any District of this Province, in the same manner as if the offence had been committed in such District, and upon conviction shall suffer death as in cases of Felony.

## CHAP. XIII.

*AN ACT to amend and make permanent an Act passed in the fifth year of His late Majesty's reign, entitled, "An Act to prevent the Sale of Spirituous Liquors to Indians."*

[Passed 10th February, 1840.]

Preamble.

WHEREAS an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to prevent the Sale of Spirituous Liquors to Indians," will shortly expire, and it is expedient