

C A P. III.

An ACT for more effectually preventing the Desertion of Seamen and Soldiers from his Majesty's Navy and Army in this Province.

WHEREAS notwithstanding the Provision made by the Act of Parliament, and the Acts of the General Assembly of this Province, for preventing the Desertion of Seamen from his Majesty's Ships of War, and of Soldiers from his Majesty's Troops in this Province, many evil minded Persons do harbour, conceal, assist and even excite them to desert, to the great Detriment of his Majesty's Service; for Remedy whereof,

Preamble.

I. Be it Enacted, by the Lieutenant-Governor, Council and Assembly, That if any Person shall harbour or conceal any Stranger or idle wandering Person, who has not a Certificate or Pass from one of his Majesty's Justices of the Peace within this Province, or from an Officer commanding any of Majesty's Ships or Vessels, or from the commanding Officer of any Regiment, Troop or Company, to which they belong, which shall set forth from whence such Person shall have come, and the Place to which they are to pass, and shall not use his utmost Endeavour to apprehend, or cause such idle or wandering Person to be apprehended and conveyed before some Justices of Peace, such Person being thereof convicted before any two or more of his Majesty's Justices of Peace either on Confession on Oath of one credible Witness, shall forfeit a Sum not exceeding Twenty Pounds, nor less than Ten Pounds, one Half to the Informer or Prosecutor, and the other half to the Poor of the Township where the Offense shall be committed to be levied by Distress and Sale of the Offender's Goods and Chattles by Warrant from such Justices, and if sufficient Distress cannot be found, it shall be lawful for such Justices to commit the Person so offending to Goal, or to the House of Correction; there to be kept to hard Labour for any Time, not exceeding Four Months, nor less than two Months.

If any Person shall harbour or conceal any Stranger or wandering person who has not a Pass,

and shall not use his Endeavour to apprehend such Stranger & convey him before a Justice, on Conviction to forfeit not exceeding Twenty Pounds nor less than Ten Pounds.

II. And be it also Enacted, That if any Person shall advise or incite any Seaman or Soldier to desert, such Person so advising or inciting shall upon Conviction by the Oath of two or more credible Witnesses before two of his Majesty's Justices of the Peace be liable to a fine of Forty pounds, for the Use of the poor of the Township where the Offense shall be committed, and be levied and recovered as aforesaid, and in Failure of payment thereof, or where no sufficient Distress can be found, whereon to levy the same, such Person shall be committed to Goal or the House of Correction, there to be kept to hard Labour for Twelve Months.

Any Person advising or inciting any Seaman or Soldier to desert, shall on a Conviction be liable to a Fine of Forty Pounds.

committed.

III. Provided always that any Person who shall have been prosecuted and fined on the Act of Parliament for concealing or harbouring Deserters shall not be again prosecuted for the same offence on this Act.

Proviso.

IV. And