

any person so arrested shall be brought, to commit such person for trial for such offence under the provisions of this Act, unless such person can and shall give bail for his appearance at the next assizes, if in Upper Canada, or at the next term or sitting of the Court of Queen's Bench in the exercise of its criminal jurisdiction, if in Lower Canada, to answer to any indictment which may be preferred against him for any such offence against this Act. 5

3. Provided always, that nothing in this Act contained shall extend to prevent any prosecution by indictment or otherwise, for any thing that shall be an offence within the intent and meaning of this Act, and which might have been so prosecuted if this Act had not been made, unless the offender shall have been prosecuted for such offence under this Act and convicted or acquitted of such offence. 10 15

4. And whereas arms and weapons of various sorts have, in some parts of this Province, been collected, and are kept for purposes dangerous to the public peace; and it is expedient that the Justices of the Peace should be authorized and empowered to seize and detain such arms and weapons, therefore it shall be lawful for any Justice of the Peace, upon information on oath of one or more credible witness or witnesses, that any pike, pike head or spear, is in possession of any person or persons, or in any house or place, or that any dirk, dagger, sword, pistol, gun, rifle or other weapon, gunpowder, lead cartridges, bullets or other ammunition or munitions of war, are for any purpose dangerous to the public peace, in the possession of any person, or in any house or place, to issue his warrant to any Constable or other Peace Officer, to search for and seize any such pike, pike head, spear, dirk, dagger, sword, pistol, gun, rifle or other weapon, gunpowder, lead, cartridges, bullets or other ammunition or munitions of war, being in the possession of any such person, or in any such house or place as aforesaid; and in case admission into such house or place be refused, or not obtained within a reasonable time after it shall have been first demanded, to enter by force, by day or by night, into every such house or place whatsoever, and to detain or cause to be detained in safe custody, in such place as the said Justice shall appoint and direct, the arms and weapons ammunition or munitions of war, so found or seized as aforesaid, unless the owner thereof shall prove, to the satisfaction of such Justice, that such arms or weapons ammunition or munitions of war, were not kept for any purpose dangerous to the public peace. 20 25 30 35 40

5. Provided always, that it shall be lawful for any person from whom any such arms or weapons, ammunition or munitions of war, shall be so taken as last aforesaid, in case the justice of the peace upon whose warrant the same shall have been taken, upon application made for that purpose, refuse to restore the same, to apply to the next General or Quarter Sessions 45