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LAWS OF PRINCE EDWARD ISLAND.

CAP. III.

An Act to prevent the Concealment of Arms or Munitions of War, intended for unlawful purposes.

[Passed May 11, 1866.]

BE it enacted by the Lieutenant Governor, Council and Assembly, as follows:—

I. When and as often as it shall appear, by any information, on Oath, laid before any one or more of Her Majesty's Justices of the Peace, that there is sufficient reason to suspect (and of which suspicion such Justice or Justices shall be the judge or judges,) that there are concealed in the possession, actual or constructive, of any person or persons, being within the jurisdiction of, or belonging to or residing within, this Colony, any Arms or other Munitions of War, capable of being used with danger to the persons of any of Her Majesty's subjects, it shall be lawful for such Justice or Justices, by warrant, under his or their hand and seal, or hands and seals, to authorize any number of Constables, or other Peace Officers, or any private persons, to search for, and after demand and refusal of admission, to break open any doors, and enter any house or building, and take and retain possession of such arms, until an order shall be made by the Lieutenant Governor, for the time being, for the restoration or other disposition of such arms; and, in the event of its being made to appear to the said Lieutenant Governor, after due investigation, conducted before such person or persons, and at such time or times, as he shall, for that purpose, appoint, that such arms or other munitions, as aforesaid, were intended to be used for any treasonable purpose, or for subverting, overawing, or disturbing the Government of Her Majesty the Queen of England, or the Government of this Island, or for or with any intent to endanger the lives of any of Her Majesty's subjects, which, by the laws either of this Colony or of Great Britain, would be a felonious intent, all such arms shall be finally disposed of in such manner as the said Lieutenant Governor shall order and direct; and all parties who shall have unlawfully used any such arms or munitions, or shall have intended to make use thereof, for any such unlawful purpose, as aforesaid, shall be dealt with as the law directs.

II. Every person who shall have concealed, or

assisted in concealing, any arms or munitions, as aforesaid, knowing that the same were intended to be used for any such unlawful purpose as hereinbefore expressed, shall be deemed guilty of felony, and, being convicted thereof, shall be liable to suffer imprisonment for any term not exceeding two years, with or without hard labour, during the whole or such part of the time of his imprisonment, as the Supreme Court of Judicature shall direct.

III. The *onus probandi*, that any such arms or munitions, concealed as aforesaid, were concealed, manufactured, or imported, to be used for a lawful, and not for an unlawful purpose, shall lie on the person or persons claiming the same.

CAP. IV.

An Act for the purpose of transferring the Fund raised by the Sale of the Military Barracks in Charlottetown, to the purposes therein mentioned.

[Passed May 11, 1866.]

WHEREAS in and by an Act passed in the Twenty-Sixth year of Her Majesty's Reign, intituled "An Act to authorize the Government to sell the Military Barracks in Charlottetown," it is amongst other things enacted "that all moneys to arise from the sale or sales of the said Lands, after defraying the expenses attending the same, shall be paid into the Treasury of this Island, to form a Fund, the annual Interest of which shall be applied and appropriated exclusively for and towards the maintenance and support of the Volunteer Force of this Colony, or other military purposes."

And whereas, since the passing of the said recited Act, it became necessary to purchase Land, and erect Barracks and other Buildings for the accommodation of Her Majesty's Troops in this Island, and it is deemed expedient that the said Fund, arising from the sale of the Military Barracks in Charlottetown, should be appropriated towards the re-payment of the moneys advanced by the Government for the erection of the said Barracks, and other Buildings connected therewith;

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, that the Fourth Section of the said hereinbefore recited Act, of the Twenty-Sixth Victoria, Chapter Eight, be, and the same is hereby repealed.