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LAWS OF PRINCE EDWARD ISLAND.

CAP. VIII.

An Act to prevent the clandestine training of persons to the use of Arms, and to the practice of Military Evolutions.

[Passed May 11, 1866.]

WHEREAS the clandestine and unlawful assembling of men for the purpose of practising military training and exercise would create terror and alarm in the minds of Her Majesty's peaceable and loyal subjects, and endanger the public peace;

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that all Meetings and Assemblies of Persons, for the purpose of training or drilling themselves, or of being trained or drilled to the use of Arms, or for the purpose of practising Military Exercise, Movements or Evolutions, without any lawful authority from Her Majesty, or the Lieutenant Governor or Commander-in-Chief, or Two Justices of the Peace of any County, by Commission or otherwise, forso doing, shall be, and the same are hereby prohibited, as dangerous to the peace and security of Her Majesty's liege subjects, and of Her Government; and every person who shall be present at, or attend any such Meeting or Assembly, for the purpose of training and drilling any other person or persons to the use of Arms, or the practice of Military Exercise, Movements or Evolutions, or who shall train or drill any other person or persons to the use of arms, or the practice of Military Exercise, Movements or Evolutions, or who shall aid or assist therein, being legally convicted thereof, shall be liable to be punished by imprisonment, not exceeding three years; and every person who shall attend or be present at any such Meeting or Assembly, as aforesaid, for the purpose of being, or who shall, at any such Meeting or Assembly, be trained or drilled to the use of Arms, or the practice of Military Exercise, Movements or Evolutions, being legally convicted thereof, shall be liable to be punished by fine and imprisonment, not exceeding two years, at the discretion of the Court in which such conviction shall be had.

II. It shall be lawful for any Justice of the Peace, or for any Constable or Peace Officer, or for any other person acting in their aid or assistance, to disperse any such unlawful Meeting or Assembly, as

aforesaid, and to arrest and detain any person present at, or aiding, assisting, or abetting any such Assembly or Meeting, as aforesaid; and it shall be lawful for the Justice of the Peace who shall arrest any such person, or before whom 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 sufficient bail for his appearance at the next sitting of the Supreme Court of Judicature, to answer to any Indictment which may be preferred against him for any such offence against this Act.

III. Nothing in this Act contained shall extend to prevent any prosecution, by Indictment or otherwise, for anything which 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.

IV. Any action or suit, which shall be brought or commenced against any Justice of the Peace, Constable, Peace Officer, or other person, for anything done or acted in pursuance of this Act, shall be commenced within six calendar months next after the fact committed, and not afterwards; and the venue, in every such action or suit, shall be laid in the proper County where the fact was committed, and not elsewhere; and the Defendant, in every such action or suit, may plead the General Issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and if such action or suit shall be brought or commenced after the time limited for bringing the same, or the Venue shall be laid in any other place than as aforesaid, then the Jury shall find a verdict for the Defendant; and in such case, or if the Jury shall find a Verdict for the Defendant, upon the merits; or if the Plaintiff shall become nonsuit, or discontinue his action after appearance; or if, upon Demurrer, judgment shall be given against the Plaintiff, the Defendant shall have double costs, which he shall and may recover in such and the same manner as any Defendant can, by Law, in other cases.

V. No person shall be prosecuted, by virtue of this Act, for anything done or committed contrary to the provisions hereinbefore contained, unless such prosecution shall be commenced within six calendar months after the offence committed.