

Appropriation
of penalty.
Party so offend-
ing to be impris-
oned if penalty
is not paid.

in the discretion of the Court before whom such offender shall be tried, which fine shall be paid into the Treasury of this Island for the use of Her Majesty's Government, and in case such fine be not paid, such person shall be imprisoned for a time not exceeding Twelve months nor less than Three months, at the discretion of the Court.

No officer &c.
liable to action
for any thing
done in exercise
of his office until
after one month's
notice given &c.

Requisites of
such notice.

Proof of service
of notice to be
given by Plaintiff
on trial.

XII. And be it further enacted, That no Writ shall be sued out against, nor a copy of any process served upon any officer of the Provincial Revenue or other person as aforesaid, for any thing done in the exercise of his office, until One calendar month after notice in writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent of the party who intends to sue out such Writ or process, in which notice shall be clearly and explicitly contained, the cause of action, and the name and place of abode of the person who is to bring such action, and the name and place of abode of the Attorney or Agent, and no evidence of the cause of action shall be produced, except of such as shall be contained in such notice, and no verdict shall be given for the Plaintiff unless he shall prove on the trial that such notice was given, and in default of such proof, the Defendant shall receive in such action a verdict and costs.

Limits the time
for bringing such
actions.

Where triable.

What may be
pleaded by de-
fendant.

Defendant enti-
tled to treble
costs in certain
cases.

XIII. And be it further enacted, That every such action shall be brought within Three calendar months after the cause thereof, and shall be laid and tried in the County where the acts were committed, and the Defendant may plead the general issue and give the special matter in evidence, and if the Plaintiff shall become nonsuited or shall discontinue the action, or if upon a verdict or demurrer, Judgment shall be given against the Plaintiff, the Defendant shall receive treble costs and have such a remedy for the same as any Defendant can have in other cases where costs are given by law.