

costs, if non-suited, to prosecute the Trustees, or any two or more of them appointed to superintend the repairs of the said Road, before the Court of King's Bench for the District of Montreal, who are hereby authorised and required to here and determine the same in a summary manner, without awaiting the course of the Roll, and upon finding the said Road or any part thereof, not to be in proper repair the said Trustees may and shall be obliged to have the same amended and repaired, in a proper manner within the space to be limited by the said Court, who shall adjudge full expences of suit to the Prosecutor or Prosecutors against such Trustees, who shall pay the same at their own private cost. Provided always, that there shall, at the time of the commencement of such Prosecution, be funds levied under this act, remaining undischarged sufficient for such repair, but if such prosecution shall upon Trial be found to be vexatious and groundless, the Prosecutor or Prosecutors shall be liable to *triple Costs*.

XXVI. And be it further enacted by the authority aforesaid, that all the Tolls and Rates, Penalties and forfeitures, by this Act imposed, shall be paid and taken in current money of this Province, and the same, (when not otherwise herein-before directed,) shall be levied by seizure and sale of the offender's goods and chattels, by warrant, under the hands and seals of any two or more Justices of the Peace for the District of Montreal, upon proof before them made of the default, by the oath of one or more credible Witness or Witnesses, other than the prosecutor; and the person or persons authorised by such Warrant to seize such goods and chattels is and are hereby authorized to sell the same, returning the overplus money (if any there be,) upon demand, to the owner of such goods and chattels, after such Tolls, Rates, Penalties and forfeitures, with the reasonable charges of prosecution and of seizure and sale, shall be deducted and paid.

XXVII. And be it further enacted by the authority aforesaid, that if any person or persons shall think himself, herself or themselves, aggrieved by any order or other proceeding of the said Justices, it shall and may be lawful, for him, her or them to appeal to the Justices at their General Quarter Sessions of the Peace for the District, first paying or giving security for the amount of the order or judgment complained of, if of a pecuniary nature, who are hereby authorised to hear and finally determine the matter in dispute.

XXVIII. And be it further enacted by the authority aforesaid, that all persons offending