

sion of such child, or taking such child out of the possession of the person having the lawful charge thereof.

7. The term "imprisoned" in this Act shall mean and include imprisonment with or without hard labour, either in the Provincial Penitentiary or in the common gaol of the County where the offender may be tried, at the discretion of the Court before which the trial may be had.

CAP. XI.

An Act to amend the Revised Statutes, Title xxxvii, Chapter 137, 'Of the jurisdiction of Justices in Civil Suits.'

Section.

1. Payment by defendant into Court, if sufficient, bars further costs.
2. Defendant in custody may be brought before Justice; Sheriff not liable if he escape.
3. Defendant on Bail may render himself, or be rendered in certain cases.

Section.

4. When suit against Bail may be discontinued.
5. Where process (except a Subpœna) cannot be served.
6. Fees to Justice, Sheriff, or Gaoler.

Passed 23rd April 1862.

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

1. The defendant in a suit in a Justice's Court may pay to the Justice, at any time before the trial, a sum of money as compensation for the debt or damages claimed, which the plaintiff may accept in full, and may take judgment and issue execution for the costs incurred up to the time of such payment. If the plaintiff proceeds with the suit after notice of such payment, and does not recover a greater sum than the amount so paid, he shall not be entitled to any costs incurred after such notice; but such subsequent costs shall be paid by the plaintiff, and shall be deducted by the Justice out of such money, or out of the costs payable to the plaintiff.

2. Any defendant imprisoned for want of bail on a *capias* issued by a Justice, may be brought before the Justice to attend the trial in the said suit by an Order (A), and after the trial may be recommitted to prison; and no Sheriff or Gaoler acting in obedience to such order shall be liable to an action for an escape.

3. A defendant arrested, and having given bail, may render himself or be rendered in discharge of his bail to the gaol of the County where he may be, by an Order (B) of any Justice of the County, which order shall be delivered to the gaoler,