

it shall and may be lawful for the Magistrate or person who granted the same, or in case of his death, for the said Secretary, and is hereby required to grant such Alien, a fresh certificate, *gratis*, which shall be of the like force and effect as the certificate so lost, mislaid or destroyed.

In all questions, whether the person is, or is not an Alien, the *onus probandi* to lie upon the person in respect of whom the question arises.

XXII. And be it further enacted by the authority aforesaid, that in all cases concerning the execution of this Act, when any question shall arise, whether any person is or is not an Alien born, or not having obtained letters patent of denization, or not having been naturalized by Act of Parliament, or not being a subject of his Majesty, having become such by the conquest or cession of the Province of Canada, or whether such Alien did or did not arrive in this Province, on or before the first day of May, one thousand seven hundred and ninety-two, or is or is not such a domestic servant as is before mentioned, the proof of being a natural born subject of his Majesty, his Heirs, and Successors, or of being a denizen by letters patent or of naturalization, by Act of Parliament, or of being a subject of his Majesty, having become such by the conquest or cession of the Province of Canada, or of having arrived in this Province on or before the first day of May, one thousand seven hundred and ninety-two, or of being such a domestic servant as is herein mentioned, shall lie upon the person touching whom such question shall so arise.

Penalties to be levied on the offender's goods; &c for want thereof he may be imprisoned.

Appeal allowed to the Quarter Sessions.

And no *Certiorari* allowed.

XXIII. And be it further enacted by the authority aforesaid, that it shall and may be lawful, for any Justice of the Peace, before whom any pecuniary penalties shall be recovered in pursuance of this Act, in case the same shall not be forthwith paid, to award and issue warrants of distress, respectively, for the levying of such pecuniary penalties, upon the goods and chattels, of any offender or offenders, and to cause sale to be made of such goods and chattels, if they shall not be redeemed within fourteen days, rendering to such offender or offenders the overplus, (if any there be) and for want of sufficient distress, to imprison the party offending, till satisfaction is made: and that if either party think himself or themselves aggrieved, by any judgment or order, to be given or made, by any Justice of the Peace, acting in pursuance of this Act, touching any pecuniary penalty relating to the same, it shall and may be lawful to and for such person or persons to appeal from the same to the Justices assembled at the next General or Quarter Sessions to be holden for the district, where such judgment or decree shall have been made, who shall finally determine the same; and no writ of *Certiorari* shall be allowed to remove the proceedings of the said Justices, touching the pecuniary penalties aforesaid, unless they exceed ten pounds.

The party appealing, to give notice.

XXIV. Provided always and be it further enacted, that the party or parties so appealing as afore said, shall give notice in writing, within the space of six days at the least, next before such Sessions shall be holden as aforesaid, unto the other party or parties, of his, her or their intention to bring such appeal; and that it shall and may be lawful