

to answer and pay the costs occasioned by such claim, and in default of giving such security such thing shall be adjudged to be forfeited, and shall be condemned.

XVIII. *And be it further enacted,* That all Certificates and Copies of Official Papers, being duly certified under the hand and seal of any of the principal Officers of His Majesty's Customs, or of any Collector of the Colonial or Provincial Revenues or Duties, in any of the British Possessions in America or the West Indies, or under the hand and seal of the principal Officers of His Majesty's Customs in the United Kingdom, or other the British Possessions, or under the hand and seal of any British Consul or Vice Consul in a Foreign Country, and all Certificates and Copies of Official Papers, made or required to be made, pursuant to any Act relating to the Colonial Revenue, shall be received as evidence on the trial of any Suit or Prosecution carried on under the authority of, or with respect to any matter contained in any Act relating to the Colonial Revenue.

Certificates and
Official Papers
received as
evidence

XIX. *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 Colonial 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 the Action, 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 such 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.

Notice of Pro-
secution of Re-
venue Officer

XX. *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 Place or District where the facts were committed, and the Defendant may plead the general issue, and give the special matter in evidence; and if the Plaintiff shall become non-suited, 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 remedy for the same as any Defendant can have in any other cases where Costs are given by Law.

Actions to be
brought within
Three Months

XXI. *And be it further enacted,* That in case any Information or Suit shall be brought to Trial, on account of any seizure made under this Act, and a Verdict shall be found for the Claimant thereof, and the Judge or Court before whom the Cause shall have been tried shall certify on the Record that there was probable cause of seizure, the Claimant shall not be entitled to any Costs of Suit, nor shall the person who made such seizure be liable to any Action, Indictment or other Suit or Prosecution, on account of such seizure; and if any Action, Indictment or other Suit or Prosecution, shall be brought to Trial against any person, on account of such seizure, wherein a Verdict shall be given against the Defendant, the Plaintiff, besides the thing seized or the value thereof, shall not be entitled to more than two-pence damages, nor to any costs of Suit, nor shall the Defendant in such Prosecution be fined more than One Shilling.

Claimants not
entitled to
costs where
there was prob-
able cause of
seizure

XXII. *And be it further enacted,* That it shall be lawful for such Officer, within one Calendar Month after such Notice, to tender amends to the party complaining or his agent, and to plead such tender in bar to any Action, together with other pleas; and if the Jury shall find the amends sufficient they shall give a verdict for the Defendant; and in such case, or in case the Plaintiff shall become nonsuited, or shall discontinue his Action, or Judgment shall be given for the Defendant upon demurrer, then such Defendant shall be entitled to the like costs as he would have been in case he had pleaded the general issue only: *Provided always,* that it shall be lawful for such Defendant, by leave of the Court where such Action shall be brought, at any time, before issue joined, to pay money into Court as in other Actions.

Tender of a-
mends

XXIII. *And be it further enacted,* That in any such Action, if the Judge or Court before whom such Action shall be tried, shall certify upon the Record, that the Defend-

Damages in
cases where
there was prob-
able cause for
seizure