

of a misdemeanor, and shall be liable to the pains and penalties to which persons are liable for a misdemeanor.

LXIX. *And be it further enacted,* That no person so admitted shall be entitled to enter a claim to any thing seized in pursuance of this Act, and prosecuted in any of the British possessions in America, until sufficient security shall have been given in the Court where such seizure is prosecuted, in a penalty not exceeding Sixty Pounds, to answer and pay the costs occasioned by such claim; and in default of giving such security, such things shall be adjudged to be forfeited, and shall be condemned.

No person admitted to enter claim for thing seized, unless security be first given.

LXX. *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 Customs or Navy; 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 to 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.

A month's notice of action to be given to Officers.

LXXI. *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 demurer, 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 other cases where costs are given by law.

Actions to be brought within three months of the cause of them.

LXXII. *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

Judge may certify probable cause of seizure.