

there be none, then in some neighbouring division, and by posting a copy thereof on the door of the church or of some court-house, mill, or other public place, in each Company Division in such District or Battalion Division.

5 **185.** The production of a commission or appointment, warrant or order in writing, purporting to be granted or made according to the provisions of this Act, shall be *prima facie* evidence of such commission or appointment, warrant or order, without proving the signature or seal thereto, or the authority
10 of the person granting or making such commission, appointment, warrant or order.

Evidence of Commissions, Warrants, &c.

186. Every bond to the Crown entered into by any person under the authority of this Act, or according to any General Order or Regulations made under it, or for the purpose of
15 securing the payment of any sum of money, or the performance of any duty or act hereby required or authorized, before any Judge or Justice of the Peace, or officer therein authorized to take the same, shall be valid and may be estreated or enforced accordingly.

Bonds entered into, in pursuance of this Act, to be valid.

20 **187.** Every sum of money which any person or corporation is under this Act liable to pay or repay to the Crown, or which is equivalent to the damages done to any arms or other property of the Crown used for Militia purposes, shall be a debt due to the Crown, and may be recovered in any manner
25 in which such debts may be recovered.

Sums of money payable to Crown under this Act, how recoverable.

188. Every action and prosecution against any Officer or person, for any thing done in pursuance of this Act, shall be laid and tried in Lower Canada in the district, and in Upper Canada in the county, where the act complained of was done,
30 and shall not be commenced after the end of six months from the doing of such act, nor until one month's notice in writing of the action and of the cause thereof has been given to the defendant;—And in any such action the defendant may plead the general issue and give this Act and the special
35 matter in evidence at the trial;—And no plaintiff shall recover in any such action if a tender of sufficient amends was made before the action was brought, or if a sufficient sum of money has been paid into Court by the defendant after the action was brought.

Protection of Officers, &c., in pursuance of Act;

Limitation.

Tender of amends.

40 **189.** If a verdict passes for the defendant in any action referred to in the next preceding Section, or the plaintiff becomes non-suit or discontinues the action after issue joined, or if on demurrer or otherwise judgment is given against the plaintiff,—the defendant shall recover his full costs as between
45 attorney and client, and shall have the same remedy therefor as any defendant hath in other cases;—And though a verdict is given for the plaintiff, he shall not have costs against the

If plaintiff be non-suit, &c.

No costs against defend-