

No evidence admissible of any cause of action not contained in the notice.

V. *And be it further enacted*, That no evidence shall be permitted to be given by the Plaintiff on the trial of any such action as aforesaid, of any cause of action except such as is contained in the notice hereby directed to be given.

No action to be brought against any Constable or person acting by his order for any thing done in obedience to a warrant of a Justice, until demand made of the perusal and a copy of the warrant

and refused or neglected for six days thereafter.

After compliance with such demand if any action shall be brought against such Constable or other person without making the Justice who signed the warrant, defendant on proving such warrant, the jury shall give a verdict for the defendant.

If the action is brought jointly against the Justice and Constable, &c.

On proof of the warrant, the jury shall find for the Constable or other person, &c.

In case of a verdict against the Justice the plaintiff shall recover costs so as to include the costs he is liable to pay to the other defendant.

VI. *And be it further enacted*, By the authority aforesaid, That from and after the passing of this act, no action shall be brought against any Constable, or other officer, or against any person or persons acting by his order, and in his aid, for any thing done in obedience to any warrant under the hand or seal of any Justice of the Peace, until demand hath been made or left at the usual place of his abode by the party or parties intending to bring such action, or by his, her or their attorney or agent in writing signed by the party demanding the same of the perusal and copy of such Warrant, and the same hath been refused or neglected for the space of six days after such demand; and in case after such demand and compliance therewith by shewing the said Warrant to and permitting a copy to be taken thereof by the party demanding the same, any action shall be brought against such Constable, or other officer, or against such person or persons acting in his aid for any such cause as aforesaid without making the Justice or Justices who signed or sealed the said Warrant, Defendant or Defendants, that on producing or proving such Warrant at the trial of such action, the Jury shall give their verdict for the Defendant or Defendants, notwithstanding any defect of jurisdiction in such Justice or Justices, and if such action be brought jointly against such Justice or Justices, and also against such Constable or other officer, or person or persons acting in his or their aid as aforesaid, then on proof of such Warrant the Jury shall find for such Constable or other officer, and for such person or persons so acting as aforesaid, notwithstanding such defect of jurisdiction, as aforesaid; and if the verdict shall be given against the Justice or Justices, that in such case the Plaintiff or Plaintiffs shall recover his, her or their costs against him or them to be taxed in such manner by the proper officer as to include such costs as such Plaintiff or Plaintiffs are liable to pay to such Defendant or Defendants, for whom such verdict shall be found as aforesaid.

Where the plaintiff recovers against a Justice if the Judge certifies the injury to have been wilfully and maliciously committed, Plaintiff entitled to double costs.

VII. PROVIDED ALWAYS, That where the Plaintiff in any such action against any Justice of the Peace shall obtain a verdict, in case the Judge before whom the cause shall be tried, shall in open Court certify on the back of the Record that the injury for which such action was brought, was wilfully and maliciously committed, the Plaintiff shall be entitled to have and receive double costs of suit.

No action to be brought unless commenced within six months.

VIII. PROVIDED ALSO, *and be it enacted by the authority aforesaid*, That no action shall be brought against any Justice of the Peace for any thing done in the execution of his office, or against any Constable or other officer, or person acting as aforesaid, unless commenced within six Calendar months after the act committed.