

sum beyond the sum of Two-pence as damages for such imprisonment, or any costs of suit whatsoever, if it shall be proved that he was actually guilty of the offence of which he was so convicted, or that he was liable by law to pay the sum he was so ordered to pay, and (with respect to such imprisonment) that he had undergone no greater punishment than that assigned by law for the offence of which he was so convicted, or for non-payment of the sum he was so ordered to pay.

10 XIII. And be it enacted, That if the Plaintiff in any such Action shall recover a verdict, or the Defendant shall allow judgment to pass against him by default, such plaintiff shall be entitled to costs in such manner as if this Act had not been passed ; or if in such case it be stated in the declaration, or in
15 the Summons and particulars in the Division Court if he sue in that Court, that the act complained of was done maliciously and without reasonable and probable cause, the Plaintiff, if he recover a verdict for any damages, or if the Defendant allow judgment to pass against him by default, shall be entitled to his full costs of suit, to be taxed as between Attorney and Client ; and in every action against a Justice of the Peace for any thing done by him in the execution of his Office the Defendant, if he obtain judgment upon verdict or otherwise, shall in all cases be entitled to his full costs in that behalf, to be
25 taxed as between Attorney and Client.

XIV. And be it enacted, That this Act shall commence and take effect on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ Commence-
ment of this
Act.

XV. And be it enacted, That from and after the time this Act shall so commence and take effect as aforesaid, the following Statute so far as relates to Actions against Justices of the Peace shall be and shall be deemed and taken to be repealed in so far as regards Upper Canada, that is to say : so much of an Act of the Parliament of this Province made and passed in
30 the session thereof held in the fourteenth and fifteenth years of Her Majesty's Reign, intituled, *An Act to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties*, and all other Act or Acts or parts of Acts which are inconsistent with the provisions of this
35 Act ; save and except so much of the said Acts as repeal any other Acts or parts of Acts, and also except as to proceedings now pending, to which the same or any of them may be applicable. Inconsistent
enactments
repealed.

14 & 15 V.
c. 54, as far
as regards U.
C.

XVI. And be it enacted, That this Act shall apply for the protection of all persons for any thing done in the execution of their Office, in all cases in which, by the provisions of any Act or Acts of Parliament, the several Statutes or parts of Act to apply
to persons pro-
tected by re-
pealed Acts,
&c.