

Verdict for defendant.

Tender of amends.

Certificate of acting upon probable cause.

Appointments and bonds of officers to continue in force.

Appointment of deputy Treasurer.

Securities.

lating to the revenue, 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 be fined more than one shilling.

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 entitled to 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.

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 defendant or defendants in such action acted upon probable cause, the plaintiff in such action shall not be entitled to more than two pence damages nor to any costs of suit.

XXIV. And be it further enacted, That all commissions, deputations and appointments granted to any officers of the revenue in force at the time of the commencement of this Act, shall continue in force as if the same had been afterwards granted and made under and by authority of this Act, and that all bonds which shall have been given by any such officers and their respective sureties for good conduct or otherwise, shall continue and remain in full force and effect.

XXV. And be it further enacted, That it shall be the duty of the Treasurer of the Province for the time being, in places where a deputy may be required for the due enforcement of this or any other Act relating to the revenue of this Province, to appoint fit persons to be approved of by the Lieutenant Governor and Commander in Chief, to be deputy Treasurers in such port or place; which persons so appointed and approved of shall give good and sufficient security by bond to His Majesty for the faithful discharge of their duties respectively, that is to say: the deputy Treasurer at Saint Andrews and Miramichi respectively in a sum not less than four thousand pounds; the deputy Treasurer at Dalhousie in a sum not less than three thousand pounds; the deputy Treasurer of Richibucto in the County of Kent in a sum not less than two thousand pounds; the deputy Treasurer of Bathurst in a sum not less than two thousand pounds; the deputy Treasurer at West Isles in a sum not less than one thousand pounds; and all other deputy Treasurers respectively in a sum not less than five hundred pounds; and all such bonds shall also be executed by at least two good and sufficient sureties to be approved of by the Treasurer, and shall be taken in the name of His Majesty, his heirs and successors; and the said deputy Treasurers now in office and all those who may hereafter be appointed shall be accountable to the Treasurer of the Province for the time being, when thereunto required, for all sums of money received