

prosecution shall be brought may be levied by execution, or payment thereof may be enforced by *capias ad satisfaciendum* against the person of the Defendant under the same conditions, and in like manner.

Recital.

The Governor in Council may make regulations as to the passing of goods through the Provincial Canals, &c.

Forfeiture for contravention.

In what Courts penalties and forfeitures shall be recoverable.

And if the amount be under £50.

In whose name prosecutions may be brought.

Manner of conducting such prosecutions.

L. And whereas, it may frequently happen that goods are conveyed directly through the Provincial Canals, or otherwise by land or inland navigation, from one part of the frontier line between this Province and the United States to another, without any intention of unlading such goods in this Province, and that travellers may, in like manner, pass through a portion of this Province, or may come into it with their carriages, horses, or other cattle, drawing the same and personal baggage, with the intention of forthwith returning to the United States, or having gone to the United States from this Province may return to it with such articles, and, though the bringing of such goods and other articles into this Province be strictly an importation thereof, it may nevertheless be inexpedient that duties should be levied thereon: Be it therefore enacted, That with regard to all such cases as aforesaid, it shall be lawful for the Governor in Council, from time to time, and as occasion may require, to make such regulations as to him shall seem meet, and to direct under what circumstances such duty shall be or shall not be paid,—and on what conditions it shall be remitted or returned, and to cause such bonds or other security to be given, or such precautions taken at the expense of the importer (whether by placing Officers of the Customs on board any such vessel or otherwise) as to him shall seem meet; and on the refusal of such importer to comply with the regulations to be so made, the duty on the goods imported shall forthwith become payable; and all and every horse and carriage, vehicle or goods of any kind, brought into this Province by any traveller or travellers exempted from duty under such regulation or otherwise, shall, if sold or offered for sale, provided the duties thereon have not been previously paid, be held to have been illegally imported and shall be forfeited, together with the harness or tackle employed therewith, or in the conveyance thereof.

LI. And be it enacted, That all penalties and forfeitures, which may have been heretofore or may be hereafter incurred under this or any other Act relating to the Customs or to trade or navigation, shall and may be prosecuted, sued for and recovered in the Court of Queen's Bench or of Vice Admiralty having jurisdiction in that division of this Province where the cause of prosecution arises, or wherein the Defendant shall be served with process; and if the amount or value of any such penalty or forfeiture shall not exceed fifty pounds, the same may also be prosecuted, sued for and recovered in any District Court or Circuit Court having jurisdiction in the place where the cause of prosecution arises or the Defendant shall be served with process.

LII. And be it enacted, That all penalties and forfeitures imposed by this Act, or by any other Act relating to the Customs or to trade or navigation, shall and may, unless other provision be made for the recovery thereof, be sued for, prosecuted and recovered with costs by Her Majesty's Attorney General, or Solicitor General, or in the name or names of some officer or officers of the Customs, or other person or persons thereunto authorized by the Governor in Council, either expressly or by general regulation or order, and by no other party; and if the prosecution be brought before any District Court or Circuit Court, it shall be heard and determined in a summary manner upon information filed in such Court; and if the prosecution be brought before any Court of Queen's Bench or Court of Vice Admiralty, it shall be heard and determined

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