

demnation, such owner or owners, person or persons intrusted as aforesaid, shall recover the possession of all such goods so seized.

Commandants of posts, not being commissioners of the peace, shall send all seizures to the nearest commissioners of the peace to be proceeded against.

All commandants of posts, not being commissioners of the peace, are hereby required to send such security, together with all informations and papers relative to such seizure, and for want of such security to send the goods, wares, merchandizes, provisions, boats, battoes, canoes or other carriages so seized, together with a certificate of the cause of seizure, to the commissioners of the peace residing nearest the place where such seizure shall be made, who shall proceed therein in manner herein before mentioned.

Appeal to the governor and council,

VI. If any person or persons shall think him or themselves aggrieved by the judgment or determination of the said commissioners of the peace, it shall and may be lawful for such person or persons to appeal therefrom, at any time within twelve months from the time of giving such judgment or determination, to the Governor and Council of this province, any five or more of whom (the commissioners of the peace who shall have given such judgment or determination only excepted) with the Governor, Lieutenant governor or chief justice, shall constitute a court of appeals for that purpose; who are hereby authorized fully to examine into the grounds and nature of the appeal, and the judgment or determination of the said commissioners of the peace to reverse, or affirm, according to the opinion of the major part of the said court of appeals:—and in case the same shall be reversed, the appellant shall be restored to all that he has lost by such seizure and condemnation, and be allowed such costs and charges as the said court shall award and adjudge.

Upon giving security,

But no person shall be intitled to such appeal, unless he shall have first given good and sufficient security for prosecuting the same, and paying all such condemnation money and costs, as shall be awarded by the court of appeals, in case the judgment and determination of the commissioners of the peace shall be affirmed.

Execution suspended until the determination of the appeal.

Upon such security so given, the levying of the penalty, and the sale of the goods, wares, merchandizes, boats, battoes, canoes, or other carriages seized, shall be suspended, and be made to abide the final determination and judgment of the court of appeals.

Distribution of the forfeitures.

VII. All penalties and forfeitures recovered by virtue of this ordinance, shall be divided and applied in the manner following, that is to say, after deducting the charges of prosecution from the gross produce thereof, one moiety of the net proceeds shall be paid into the hands of the receiver general of this province, for the use of the King's Majesty, and the other moiety to the person or persons who shall seize, inform and sue for the same.

GUY CARLETON.

*Ordained and enacted by the authority aforesaid, and passed in Council under the Great Seal of the province, at the Council chamber in the castle of St. Lewis, in the city of Quebec, the twenty-ninth day of March, in the seventeenth year of the reign of our sovereign Lord GEORGE the Third, by the grace of God of Great-Britain, France, and Ireland, King, defender of the faith, and so forth, and in the year of our LORD one thousand seven hundred and seventy-seven.*

By His Excellency's Command,

J. WILLIAMS, C. L. C.