

XLVII. And be it enacted, That if any such goods shall be stopped or taken by such Police Officer, on suspicion that the same have been feloniously stolen, such Officer shall carry the same to the Police Office to which the offender is taken, there to remain until, and in order to be produced at the trial of the said offender; and in such case, the Officer shall give notice in writing to the Collector, or principal officer of Her Majesty's Customs, at the port nearest to the place where such goods may have been detained, of his having so detained the said goods, with the particulars of the same; and immediately after the trial, all such goods shall be conveyed to and deposited in the Custom House, or other place appointed as aforesaid, and proceedings relative to the same shall be had according to Law; and in case any Police Officer making detention of such goods, shall neglect to convey the same to such warehouse, or to give such notice of having stopped the same as before described, such officer shall forfeit the sum of twenty-five pounds; and such penalty shall be recoverable in a summary way before any one or more Justices of the Peace, and in default of payment the party so offending shall be committed to any of Her Majesty's Jails, for a period not exceeding thirty days.

How smuggled goods stopped on suspicion of being stolen and taken to the Police Office shall be dealt with.

Penalty on any Police Officer neglecting to obey this section.

XLVIII. And be it enacted, That all vessels, vehicles, goods, and other things, which have been or may be seized as forfeited under this or any other Act relating to Customs, or to trade, or navigation, shall be deemed and taken to be condemned, and may be dealt with accordingly, unless the persons from whom they were seized, or the owners thereof, shall, within one calendar month from the day of seizure, give notice in writing to the seizing officer, or other chief officer of Customs at the nearest port, that they claim or intend to claim the same: Provided always, that it shall be lawful for any Judge, having competent jurisdiction to try and determine such seizure, with the consent of the Collector, at the place where such seized articles as aforesaid may be secured, to order the delivery thereof to the owner, on receiving security, by bond with two sufficient sureties, to be first approved by such Collector, to pay double the value, in case of condemnation,—which bonds shall be taken to Her Majesty's use in the Collector's name, and shall be delivered to and kept by such Collector; and in case such seized articles shall be condemned, the value thereof shall be forthwith paid to the Collector, and the bond cancelled—otherwise the penalty of such bond shall be enforced and recovered.

Things seized to be deemed condemned if not claimed within a certain time.

They may be delivered to the owner on due security being given.

Conditions of the Bonds.

XLIX. And be it enacted, That upon the exhibiting or filing of any information or other proceeding for the recovery of any penalty or forfeiture under the provisions of this Act, it shall be lawful for any Judge of the Court in which the prosecution shall be brought, upon affidavit filed by the officer or person bringing such prosecution, showing that there is reason to believe that the Defendant will leave this Province without satisfying such penalty, to issue a warrant under his hand and seal for the arrest and detention of such Defendant in the Common Jail of the District, until he shall have given security, (before and to the satisfaction of such Judge or some other Judge of the same Court) for the payment of such penalty with costs, in case he be convicted; and in every suit or proceeding brought under this Act for any penalty or forfeiture, or upon any bond given under it, or in any matter relating to the Customs, Her Majesty, or those who sue for such penalty or forfeiture, or upon such bond, shall, if they recover the same, be entitled also to recover full costs of suit: and all such penalties and costs, if not paid, may be levied on the goods and chattels, lands and tenements of the Defendant, in the same manner as sums recovered by judgment of the Court in which the prosecution

Defendant in cases under this Act may be required to give security for the penalty and costs, or imprisoned until he does so.

Those who sue for any penalty or forfeitures to recover full costs of suit.

How penalties and costs may be levied.