

the Office of
the Peace.

Office of the Clerk of the Peace for the District, and be by the said Clerk filed among the records of the Sessions of the said District.

Clerks of the
Peace to deli-
ver on de-
mand an at-
tested Copy of
such Oath.

IV. And be it enacted, that every such Clerk of the Peace, shall upon demand for that purpose made, forthwith deliver a true and attested copy of the said Oath in writing to any person paying the sum of one shilling, and no more for the same; which copy being produced as evidence on trial of any issue in any action or suit brought upon this Act, shall have the same force and effect as the record of the said Oath would have, if so produced.

Penalty on
Justices of the
Peace acting
without hav-
ing taken the
Oath and not
being quali-
fied.

V. And be it enacted, that from and after the said first day of January, one thousand eight hundred and forty three, any person, who shall act as Justice of the Peace in and for any District in this Province, without having taken and subscribed the said Oath as aforesaid, or without being qualified according to the true intent and meaning of this Act, shall for every such offence forfeit the sum of twenty five pounds currency, one moiety to Her Majesty, and the other moiety to such person or persons as shall sue for the same, to be recovered, together with full costs of suit, by civil action, or by plaint or information, in any Court having competent jurisdiction in the District wherein the offence shall have been committed, and in every such action, suit or information, the proof of his qualification shall be upon the person against whom the suit shall be brought.

Manner of
proceeding in
actions where-
in the defend-
ant shall pre-
tend to found
his right upon
any lands not
specified in
the Oath, as
constituting
his qualifica-
tion to act as a
Justice of the
Peace.

VI. Provided always, and be it enacted, that if the Defendant in any such action, suit or information, shall intend to insist upon any lands, tenements or real estate, not mentioned in the oath aforesaid, as constituting the whole or any part of his qualification to act as a Justice of the Peace, at the time of the offence alleged against him, he shall at or before the time of his pleading, deliver to the plaintiff or informer, or to his Attorney, notice in writing, specifying such lands, tenements or real estate (other than those mentioned in the said oath) and the Township, Parish, Seignior, or place, and the County or Counties in which the same may be respectively situate, and if the plaintiff or informer in any such action, suit or information, shall think fit thereupon not to proceed any further, he may, with leave of the Court, discontinue such action, suit or information, on payment of such costs to the defendant, as such defendant may be entitled to, according to the course and practice of the Court.

The issue
joined, no lands
&c. not men-
tioned in such
Oath or notice,
to be insisted
upon by the
defendant.

VII. Provided always, and be it enacted, that upon the trial of any issue in any such action as aforesaid, no lands, tenements, or real estate which are not mentioned in such oath or notice as aforesaid, shall be insisted upon by the defendant as part of his said qualification.

VIII.