

such Defendant or Defendants in any Court having cognizance of the same; and if such Plaintiff or Plaintiffs shall recover any damages in such action, the Defendant or Defendants shall be liable to pay to such Plaintiff or Plaintiffs double costs; and on every such trial to be had for such trespass, the plea signed by such Defendant or Defendants shall be conclusive evidence that the Defendant or Defendants relied on his, her or their title to justify such trespass; and that every Justice to whom a plea of justification shall be tendered, shall, before he shall receive such plea, exact from the Defendant or Defendants, together with one sufficient surety, a Recognizance in the sum of *twenty pounds*, conditioned that if such Plaintiff or Plaintiffs shall commence a suit, before the next Court having cognizance thereof, for the recovery of such damages for such trespass, such Defendant or Defendants shall appear and put in Special Bail in such Court within *twenty days* after the *first day* of the then next term of the said Court; and that in every case, in which such plea shall be tendered and the Defendant or Defendants shall not forthwith enter such Recognizance, the Justice shall proceed in the same manner as if such plea had not been tendered.

and if he recover damages the Defendant to pay double costs.

The Justice, before plea is received, to exact Recognizance with surety in 20*l*.

and in case of refusal the Justice to proceed to tryal.

XI. *And be it further enacted*, That where, in any town or parish, no Constable or other proper officer shall be chosen or appointed, or the Constable or other proper officer be absent, or where a process shall be issued against such Constable or other proper officer of any town or parish, that, then and in such cases, the Justice, upon application made, shall and may direct the process or execution to the Constable or other proper officer of the next adjoining town or parish living nearest where the Defendant dwells or can be found who is hereby required to execute the same.

Where no constable shall be appointed he be absent, or where process be issued against him the Constable of the next parish to execute the same—

XII. *And be it further enacted*, That when any process shall be issued by any Justice, by virtue of this act, the Constable of the town or parish to whom such process shall be directed, shall proceed agreeable to this act and execute such process, in his own proper person, unless the Justice who issued such process shall (at the request of the Plaintiff) judge it expedient to depute some other proper person who will voluntarily undertake to execute the same without fee or reward; but no person shall be so deputed to impanel or summon a Jury.

The constable to execute process in person, unless the Justice, at the Plaintiff's request, depute some other person—

but no person to be deputed to impanel a Jury.

XIII. *And be it further enacted*, That no greater or other costs