

Taxed costs recoverable in the same manner as penalties.

**II. And be it further enacted by the authority aforesaid,** That when any Costs shall be taxed and awarded against any Defendant, they shall be levied and recovered in the same manner as is now by law provided for the levying any penalty adjudged to the Crown.

In what cases costs may be allowed to Defendants.

**III. And be it further enacted by the authority aforesaid,** That when a Verdict for the Defendant in any such Information shall be rendered, it shall be lawful for the Judge who tries the same, in his discretion, to certify that it is a proper case for the allowance of Costs to the Defendant, and further to certify, whether there was reasonable and probable cause for the prosecution; and in case the Judge shall so certify, then and in such case, the Costs shall be taxed, and the amount thereof paid by Warrant of the Lieutenant Governor on the Receiver General, out of the general revenues of this Province; and in case the Judge shall certify that it is a proper case for the allowance of Costs to the Defendant, but shall not certify that there was reasonable and probable cause for the prosecution, then such Costs shall be taxed, and shall be recovered from the Prosecutor, or person at whose instance such Information shall have been preferred, and filed by attachment, after demand duly made.

When payable by the Government.

When recoverable from person, at whose instance suit instituted.

Interlocutory costs.

**IV. And be it further enacted by the authority aforesaid,** That interlocutory Costs may, in like manner, be allowed to and recovered by either party, on any such information, in the discretion of the Court of King's Bench, or any Judge thereof in vacation.

Proceedings against persons intruding on Crown property, after Judgment, on information of intrusion.

**V. And be it further enacted by the authority aforesaid,** That if, after Judgment shall have been rendered in favour of the Crown in any Information of intrusion, and process of execution shall have been executed against the Defendant, such Defendant shall, without lawful authority, again intrude upon and take possession of the same Lands, Tenements and Hereditaments, from which he shall have been expelled and removed, it shall and may be lawful for the Court of King's Bench, or any Judge thereof, upon hearing the parties on affidavit, to order an Alias or Pluries Writ of Execution on the same Judgment, to issue against such Defendant; and to award such further Costs of the Writ and Application, as shall be, from time to time, regulated by the rules and orders of the said Court.

Crown Officers not authorised to receive fees under this Act.

**VI. Provided always, and be it further enacted by the authority aforesaid,** That nothing in this Act contained shall authorise, or be construed to authorise, Her Majesty's Attorney or Solicitor General, to receive any fee or fees for the personal services which they may at any time render under the authority of the provisions herein contained.