

Sums of money payable to the Crown under this Act, how recoverable.

105. Every sum of money which any person or corporation is under this Act liable to pay or repay to the Crown, or which is equivalent to the damages done to any arms or other property of the Crown used for purposes of the Militia, shall be a debt due to the Crown, and may be recovered in any manner in which such debts may be recovered.

Protection of Officers, &c., in pursuance of this Act.

106. Every action and prosecution against any Officer or person, for any thing done in pursuance of this Act, shall be laid and tried in Lower Canada in the district, and in Upper Canada in the county, where the act complained of was done, and shall not be commenced after the end of six months from the doing of such act, nor until one month's notice in writing of the action and of the cause thereof has been given to the defendant;---And in any such action the defendant may plead the general issue and give this Act and the special matter in evidence at the trial;---And no plaintiff shall recover in any such action if a tender of sufficient amends was made before the action was brought, or if a sufficient sum of money has been paid into Court by the defendant after the action was brought.

If plaintiff be non-suit, &c.

107. If a verdict passes for the defendant in any action referred to in the next preceding section, or the plaintiff becomes non-suit or discontinues the action after issue joined, or if on demurrer or otherwise judgment is given against the plaintiff,---the defendant shall recover his full costs as between attorney and client, and shall have the same remedy therefor as any defendant hath in other cases;---And though a verdict is given for the plaintiff, he shall not have costs against the defendant, unless the Judge before whom the trial has been had certifies his approbation of the action and the verdict therein.

Payment of moneys under this Act.

108. All sums of money required to defray any expense authorized by this Act, may be paid out of the Consolidated Revenue Fund of this Province, upon warrant directed by the Governor to the Receiver General; and such warrants may be made in favour of the Adjutant-General of the Militia, to enable him to pay such expense, or in favour of the party directly entitled to the money; But no sum of money shall be so paid out of the Consolidated Revenue Fund until first approved of by resolution of the Legislative Assembly in the annual estimates.

Accounting to Parliament.

109. A detailed account of all moneys advanced or expended under this Act shall be laid before each Branch of the Provincial Parliament within fifteen days after the opening of the then next session thereof.