

SMUGGLING.

Tender of amends
may be made and
pleaded.

Verdict and costs.

LIX. And be it enacted, That it shall be lawful for such Officer, within one calendar month after such notice, to tender amends to the party complaining, or his agent, and to plead such tender in bar to any action, together with other pleas, and if the Jury shall find the amends sufficient, they shall give a verdict for the defendant; and in such case, or in case the plaintiff shall become nonsuited, or shall discontinue his action, or judgment shall be given for the defendant upon demurrer, then such defendant shall be entitled to the like costs as he would have been entitled to in case he had pleaded the general issue only; provided always, that it shall be lawful for such defendant, by leave of the Court where such action shall be brought, at any time before issue joined, to pay money into Court as in other actions.

Damages and costs
when acting
upon probable
cause.

LX. And be it enacted, That in any such action, if the Judge or Court before whom such action shall be tried, shall certify upon the record that the defendant or defendants in such action acted upon probable cause, the plaintiff in such action shall not be entitled to more than two pence damages, nor to any costs of suit.

Liability of articles
to seizure limited
to two years from
importation.

LXI. And be it enacted, That the liability of any article or articles to seizure under and by virtue of this or any other Act relating to Revenue, shall be and continue for the term of two years from the time the same are imported or brought into the Province, and no longer.

Construction of
Act.

"Ship."

"Master."

"Queen's Warehouse."

"Oath."

"Month."

"This Act."

LXII. And be it enacted, That wherever the several terms or expressions following shall occur in this Act, the same shall be construed respectively in the manner hereinafter directed, that is to say: that the term "Ship," shall be construed to mean ship or vessel generally; that the terms "Master" or "Commander" of any ship, shall be construed to mean the person having or taking charge or command of such ship; that the term "Queen's Warehouse," shall be construed to mean any place provided by the Treasurer, Deputy Treasurer, or other authorized Officer, for lodging goods therein for security of Duties; and that the term "Oath," shall be construed to mean oath or affirmation in all cases where affirmations are allowed by law; that the word "Month," shall be construed to be calendar month; and that the words "this Act," shall be construed to mean this Act or any other Act that shall be passed relating to the collection or protection of the Revenue of this Province.

Act 9 Vic. cap. 2,
and 10 Vic. cap. 54,
repealed.

LXIII. And be it enacted, That an Act made and passed in the ninth year of Her Majesty's Reign, intituled *An Act for the collection of the Revenue of this Province*; and also an Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act relating to the Provincial Revenue*, be and the same are hereby repealed from and after the time of this Act coming into operation; provided always, that nothing in this Act contained shall extend to repeal the said recited Acts, so far as the said Acts may repeal any former Act or Acts, or so far as repeals any act, matter or thing heretofore done under and by virtue of the said recited Acts; and provided that every such act, matter or thing heretofore done under and by virtue of the said recited Acts, shall be and continue valid and effectual, and of the like force and effect, as if this Act had not been made and passed, and the right of recovering any Duties, penalties and forfeitures imposed, inflicted or incurred under the provisions of the said recited or any former Act or Acts relating to the collection of the Revenue of this Province, and all securities taken therefor, are hereby expressly saved in the same manner and to the same extent, as if this Act had not been made and passed.

Commencement of
this Act.

LXIV. And be it enacted, That this Act shall come into operation and be in force from and after the thirty first day of March next.

Act may be
amended during
present Session.

LXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of the General Assembly.

Limitation.

LXVI. And be it enacted, That this Act shall continue and be in force for ten years.

CAP. III.

An Act to provide for the necessities occasioned by the failure of the Potato and other Crops during the past year.

Passed 30th March 1848.

Preamble.

WHEREAS from the failure of the Potato and other Crops during the past year, and the stagnation of business usually carried on during the Winter season, much necessity and distress is found to be prevailing in various parts of this Province: And whereas it is deemed expedient to appropriate a part of the public money to relieve the same, and also to assist new Settlers and others to procure Seed the ensuing Spring;