

the Peace; and the School Trustees shall and they are hereby authorized to assess the owner of such property, at such value so returned, as a non-resident of the district.

10. Any person who may be assessed for District School rates in two or more districts, shall have the right to send his children to the School of any district in which he may be assessed, or part of them to the School of one district, and part to the School of another district as last aforesaid.

11. Any parent, master or guardian who pays District School rates in any School district, shall be entitled to send any child under his care, custody, or control, to the Schools of such district.

12. Persons assessed as the owner of real estate in the Parish Assessment List, shall, until the filing of the next Parish Assessment List, be deemed the owner thereof for purposes of District School assessment.

13. The amount for which a County Treasurer is required to give bonds, under the eighth Section of The Common Schools Amendment Act 1873, shall in no case exceed eight thousand dollars.

14. That no Clergyman, or any person of the age of sixty years or upwards, shall in respect of his poll be liable to be assessed in the specific sum directed to be imposed as a specific poll tax for District School purposes under the provisions of The Common Schools Act 1871, or The Common Schools Amendment Act 1873.

CAP. IX.

An Act relating to Trespasses to Lands and other Property of the Crown.

Sec.	Sec.
1 Act repealed.	10 Before demand of plea claimant to give bond for payment of costs.
2 Penalty for taking away lumber, minerals, &c.	11 When Judge may order officer to deliver up property to claimant on his giving bond.
3 Lumber, &c. cut and taken away may be seized by officer.	12 If property is not delivered to claimant, Judge on hearing may order its delivery.
4 Lumber, &c. seized to be sold unless claim be made. Notice of sale to be given. Percentage to officer.	13 When Judgment shall be entered up against claimant.
5 Claim to be made in writing, and on oath, for part or whole of property seized. Service of claim, how made.	14 When Seizing officer may sell property.
6 Service of Summons, how made.	15 When Judge may certify costs to claimant; costs, how paid.
7 Upon return of Summons, Judge to hear parties.	16 When action by claimant cannot be maintained against officer.
8 Judge to issue subpoena for witnesses.	17 Governor in Council may order release of property seized.
9 On hearing Judge may decide that case be tried by Jury.	18 Resistance to officer, penalty.
	19 Penalties, &c. how recovered.

Passed 10th April, 1875.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That Chapter 12, Part I, Title iii, of the Revised Statutes, 'Of Trespasses to Lands and other Property of the Crown,' be and the same is hereby repealed.

2. No person shall cut down any trees, lumber or wood of any description on any Crown Lands, or open any mine, or dig or raise any minerals belonging to the Crown, or take, use, remove or carry away from such Crown Lands any property thereon belonging to the Crown, without license from the Governor or other legal authority, under the penalty of not less than ten dollars nor more than one hundred dollars for each offence.

3. All trees, timber, wood or other lumber which shall or may, without such license as aforesaid, be cut upon or removed from any such Crown Lands, or any thing made therefrom, and all minerals which may be raised or removed from any mine or lands belonging to the Crown, or which shall

be taken, removed, used or carried from any Crown Land without such license as aforesaid, shall and may be seized and taken possession of by any Seizing officer duly appointed.

4. Any property which shall be seized as aforesaid, shall, unless claim therefor be made as hereinafter provided, be sold by the officer seizing the same at public auction to the highest bidder therefor, thirty days notice of the time and place of such sale having been first given by advertisement in some newspaper published in the County where the property so seized may have been situate at the time of such seizure, or if there be no newspaper so published, then by publication in the Royal Gazette or other papers for the like time, and also by public notices posted up in at least five public places in the Parish in which the thing so seized may be situate, at least twenty days before the time of sale; such sale shall be for cash payable at the time of the sale, and such Seizing officer shall forthwith transmit the net proceeds of such sale to the Receiver General; such Seizing officer may deduct from such proceeds all costs, charges and expenses attending such seizure and sale, and shall in addition thereto be allowed such sum, not exceeding ten per cent. of the proceeds of the sale, as to the Governor in Council shall seem just and reasonable.

5. The claim referred to in the last preceding Section shall be made by the claimant in writing, on oath, setting forth fully and specifically the nature of the ownership which such claimant has in the property so seized, or any part thereof, and if of a part specifying which part by giving the marks or number of pieces, or such other description as shall render the same easily distinguishable, and that he believes such property has been unjustly taken, seized and detained from him; and such claim shall be served by delivering a copy thereof to the Seizing officer, or by filing a copy thereof in the Crown Land Office within fourteen days after such seizure; and if the property so seized, or such part thereof as aforesaid, be not released within ten days after such service as aforesaid, either the claimant or the Seizing officer may make application on oath to a Judge of the County Court of the County in which the seizure is made, for a summons requiring the other party to appear before such Judge, at a time and place therein named, to shew cause, by affidavit or otherwise, why the property so seized should not be released or condemned as the case may be.

6. Such summons shall be served on the party against whom issued by delivering to him a copy thereof, together with a copy of the affidavits upon which it is granted, at least six days before the return thereof, and shall from the time of the service thereof operate as a stay of the sale of the said property if advertised as aforesaid.

7. Upon the return of the said summons the said Judge shall hear the parties and any evidence by affidavit or otherwise, and any witnesses they may produce, and determine the matter according to the very right thereof, and award costs to either party as he may think just, such costs to be taxed by the Clerk of the Court.

8. Subpœnas for the attendance of witnesses before the said Judge at the return of the said summons may be issued out of the said County Court, in like manner as subpœnas for the attendance of witnesses at the trial of causes in such County Court, and shall have the like force and effect.

9. If the Judge on such hearing shall be satisfied there is good cause why the right of the claimant or Seizing officer, as the case may be, should be tried by a jury, he may make