

an order authorizing the issuing of a summons out of such County Court as aforesaid against such claimant or Seizing officer, as the case may be, in like manner and in the same form as an action of trespass or trover, and thereupon the like proceedings shall be had as in actions of trespass or trover in the said Court, except as hereinafter provided, notwithstanding the value of the property seized shall exceed the sum over which the said Court has jurisdiction.

10. The claimant shall before demand of plea give a bond, with two sureties, to the Crown in the penal sum of one hundred dollars, to the satisfaction of the Clerk of the said Court, conditioned for the payment of costs to said Seizing officer.

11. If at any time after the issue of the summons mentioned in the ninth Section of this Act, the claimant shall file with the Clerk of such Court a bond to the Crown, with two sureties, to the satisfaction of such Clerk, conditioned that the said claimant shall prosecute his suit with effect, and that he will pay to the Crown such sum as the jury on the trial of the said cause may find to be the value of the property so seized, or any part thereof, with costs of the suit, any such Judge may make an order requiring the Seizing officer to deliver the said property to the claimant.

12. If the said Judge on the hearing as provided for in the seventh Section of this Act, or the jury on the trial of the said cause shall find the property, or any part thereof, to be in the claimant, such Judge shall, if the property seized be not already delivered over to him as provided in the eleventh Section of this Act, make an order requiring the Seizing officer to deliver to the claimant the property so found to be in him.

13. If the said property shall have been delivered to the claimant in obedience to an order made as provided in the eleventh Section of this Act, and the jury on the trial of such cause shall find that the property so seized as aforesaid, or any part thereof, is not in the claimant, they shall assess the value thereof and render their verdict for the amount so assessed, and thereupon judgment shall be entered up in such cause against the claimant for such amount, with costs of suit.

14. If the said Judge on the hearing provided for in the seventh Section, or the jury on the trial of the said cause, shall not find the property so seized as aforesaid, or some part thereof, to be in the claimant, and the same has not been delivered to him by the Seizing officer in obedience to the Judge's order granted as provided for in the twelfth Section of this Act, the said Seizing officer shall proceed to sell the said property, or such part thereof, as may by such finding be declared not to be in the claimant, by giving notice of the sale thereof in the manner provided in the fourth Section of this Act.

15. If on such hearing or trial as aforesaid, the property so seized or any part thereof, shall be found to be the property of the claimant, it shall be in the discretion of the said Judge to determine whether the said claimant shall be entitled to his costs of the said hearing, or in the said suit or any part thereof, which costs, when taxed, shall be paid by Warrant out of the Provincial Treasury.

16. If the Judge who tried the cause shall certify there was reasonable cause for making the seizure (even though the property shall have been found in the claimant), no action shall be maintained against any person concerned in the

seizure or prosecution thereof, and any such person may, (if an action be brought against him in respect of such seizure or the prosecution thereof,) plead the general issue, and give the special matter in evidence.

17. The Governor in Council may order the release of any property so seized as aforesaid, upon the payment of such sum not less than double the rates payable in case the same had been cut or carried away under license therefor duly obtained, and such other terms and conditions as to them shall seem just and reasonable.

18. Any person who shall assault or obstruct any Seizing officer in the execution of his duty, or any person in his aid, or shall wilfully remove, cut or set loose any thing seized as aforesaid, shall pay a fine to the Queen not exceeding four hundred dollars, nor less than ten dollars, at the discretion of the Court where prosecuted, and if not paid after conviction, such person shall be imprisoned not exceeding one year, nor less than ten days, at the like discretion.

19. All penalties and forfeitures under the provisions of this Chapter, may be prosecuted by information of the Attorney General, and where judgment shall be awarded therein, it shall be with costs against the offender, and the prosecution shall be commenced one year from the offence.

CAP. X.

An Act to amend Chapter 52, Title viii, of the Revised Statutes, 'Of Parish and County Officers.'

Sec.	Sec.
1 Powers and duties of Timber Drivers.	ver in next Parish may execute the duties.
2 In Parish where no Timber Driver has been elected or resides, Dri-	3 Acts repealed.
	4 Qualification of Parish Officers.

Passed 10th April, 1875.

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

1. That the Timber Drivers elected under the provisions of Title viii, Chapter fifty two, of the Revised Statutes, shall be and are hereafter empowered and authorized to exercise the duties of their office, in taking charge of any timber drive or drives, from the time any such Timber Driver shall so first take charge until he shall bring the said drive to market, to the boom limits, or to the rafting ground, or shall be otherwise legally relieved from the charge of such timber drive; notwithstanding that during such timber drive, the said Timber Driver shall have occasion to exercise the duties and powers of his office, out of and beyond the Parish or County for and in which he is appointed.

2. Where in any Parish, the election of a Timber Driver or Drivers, as provided in said Chapter fifty two of the Revised Statutes shall have been omitted, or no Lumber Driver shall reside in the district, it shall and may be lawful for any Timber Driver in any adjoining Parish, whether such adjoining Parish shall be in another County or not, to proceed and execute the duties of Timber Driver in the Parish where no such appointment has been made, with the same power and authority as if he had been regularly appointed Timber Driver for such Parish under the provisions of said Chapter fifty two of the Revised Statutes.

3. That any Act or parts of Acts inconsistent with the provisions of this Act, be and the same are hereby repealed.

4. That no person shall be eligible to be elected or appointed to any of the Town or Parish Officers mentioned in Chapter fifty two, Title viii, of the Revised Statutes, or any Acts in amendment thereof or having relation to Parish