

seizure shall have been made, who are hereby required and directed to keep a book of Record, in which they shall fairly enter all causes tried before them under this Act, together with the evidence taken before them upon such trial.

IX. And be it further enacted, That in case of the arrest, seizure and prosecution of any Timber or Logs, Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood under this Act, if judgment of condemnation shall not pass, and the Court in which such prosecution shall be instituted shall certify that there was probable cause of seizure, such certificate shall be taken and received as a good and sufficient defence against any action to be prosecuted by any person or persons in any Court within this Province, against the Officer who made such seizure, and any Officer so prosecuted, shall in all cases be at liberty to plead the general issue, and give any special matter in evidence, the same as if such matter had been specially pleaded and set forth.

Certificate of Court of probable cause of seizure to be a bar to actions against the seizing Officer.

X. And be it further enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fifty.

Limitation.

### CAP. LXXVIII.

An Act to amend an Act intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province." 56 G. 3, c. 7.

Passed 31st March 1840.

6 **W**HEREAS great inconvenience has arisen heretofore under the operation of the fifth Section of the Act to which this is an amendment; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth Section of an Act made and passed in the fifty sixth year of the Reign of His Majesty King George the Third, intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province," be and the same is hereby repealed; and in lieu thereof, 56 G. 3, c. 7, s. 5, repealed.

II. Be it enacted, That His Excellency the Lieutenant Governor or Commander in Chief for the time being, be and he is hereby authorised and empowered to appoint three or more Commissioners in each and every year to have the care and management of Government House, and the premises therewith connected, and to have the superintendence and control of any reparations and improvements to be from time to time made, under and by the authority of the General Assembly of this Province. Three or more Commissioners to be appointed to have the care and management of Government House, and to superintend repairs and improvements.

### CAP. LXXIX.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the Parish of Portland for the year one thousand eight hundred and thirty nine.

Passed 31st March 1840.

6 **W**HEREAS by the fourth section of an Act made and passed in the first year of the Reign of Our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver