

of title is involved in any such case, or that the value of the premises possession whereof is sought to be recovered is above the ordinary or extended jurisdiction of such Court or Magistrate.

(2.) If upon the hearing of such plaint the defendant does not appear, or appears but fails to establish in himself an absolute right and title to the possession of such land, or if upon such hearing it is shown to the satisfaction of the Court that the title under which the defendant claims has, as between himself and the Crown, expired or become liable to forfeiture or cancellation, the Court shall declare such title to be extinguished, and may order that possession of the said land be given by the defendant to the plaintiff, either forthwith or on or before such day as the Court thinks fit to name, and that the defendant do pay the costs.

(3.) If delivery of the land is not made in pursuance of such order, the Court or Magistrate, or any Justice of the Peace, may issue a warrant authorising and requiring the bailiff of the Court or any constable to give possession of such land to the plaintiff.

(4.) The provisions of sections one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-six, and one hundred and eighty-seven of "The Magistrates' Courts Act, 1893," shall, so far as they are not repugnant to or inconsistent with the same, apply to any proceedings taken under this section.

Penalty for obstructing workmen or destroying fences, marks, &c.
1894, No. 42, sec. 283

276. Every person who wilfully obstructs any engineer, overseer, workman, or other person in the performance of any duty, or in doing any work which he has lawful authority to do under the provisions of this Act, or wilfully and unlawfully cuts down, breaks, removes, or destroys any fence, in or upon any land taken under the provisions of this Act shall be liable to a fine not exceeding fifty pounds for every such offence.

Penalty for destroying buildings or bridges.
Ibid, sec. 284

277. Every person who wilfully and unlawfully cuts down, breaks, removes, or destroys any building or bridge in or upon any land taken under the provisions of this Act shall be liable to be imprisoned for any term not exceeding two years with or without hard labour.

Fines recoverable in a summary way.

278. All fines recoverable under the provisions of this Act may be recovered before any two Justices of the Peace in a summary way.

Ibid, sec. 285

Powers of Magistrate.

279. Where anything may be done by two Justices under this Act, the same may be done by any Magistrate.

Ibid, sec. 286

Making by-laws by local authority.

280. Any power conferred by this Act upon a local authority to make by-laws upon any subject shall be exercised in manner provided for the making of by-laws in the particular Act regulating the administration of the local affairs of the district of such authority.

Ibid, sec. 287

Validation of Orders in Council and Proclamations.
Ibid, sec. 288

281. (1.) All Orders in Council and Proclamations made and issued, or purporting to be made and issued, under the authority of any Act or Provincial Ordinance repealed by "The Public Works Act, 1894," or by any Act of a like tenor at any time theretofore in force, are hereby declared to be and to have been, as from the respective times of making and issuing thereof, good, valid, and effectual to all intents and purposes whatsoever, and shall be final and conclusive with respect to the existence of all requisites thereto and the performance of all conditions precedent or subsequent to the issue thereof, and shall not be impeached or disturbed at law or in equity or otherwise on any ground whatsoever.