

- Imprisonment if his declaration prove false. concealment or fraud on the part of the Defendant, the Justice may imprison such Defendant until the judgment and costs be fully paid, or for a period not exceeding three months.
- Justices may fix day for payment and detain Defendant. IV. It shall also be lawful for such Justices, if they shall deem it expedient, in the event of such penalty and costs not being immediately paid, to appoint some future day for the payment thereof, and to order the offender to be detained in safe custody until the day so appointed, unless such offender shall give security to the satisfaction of such Justices for his or her appearance on such day; and such Justices are hereby empowered to take such security by way of recognizance or otherwise at their discretion; and if at the time so appointed such penalty shall not be paid, it shall be lawful for the same or any other Justice of the Peace, by Warrant under their hands and seals to commit the offender to the Common Gaol or House of Correction within their jurisdiction, there to remain for any time not exceeding three months, reckoned from the day of such adjudication; such imprisonment to cease on payment of the said penalty and costs. 5 10 15
- Or take security. Commitment on failure to pay. Evidence in cases under the said Act to be taken in writing and filed of record. V. In all prosecutions to be instituted after this Act shall have come into force, for any contraventions of the provisions of the above mentioned Act, and in all cases wherein the proof shall not have been commenced before that day, the depositions of the witnesses shall be reduced to writing by the Clerk of the Peace, or some one appointed by him, or in his absence, by the Justice trying the case, and shall be filed of record in the cause, in like manner as if the same had been taken in the Superior Court for Lower Canada. 20 25
- Appeal not allowed in case tried before two Justices, &c. VI. No appeal from any conviction or judgment for any offence against the said Act shall be hereafter allowed under the forty-fourth Section thereof, nor under any other Law or Statute whatever, in any case wherein the trial shall be had before, and the conviction made by two Justices of the Peace or by any Inspector and Superintendent of Police, or Stipendiary Magistrate and another Justice of the peace; nor any appeal according to the practice heretofore observed with respect to such appeals; but any party to the cause, whether complainant or defendant, aggrieved by any conviction or judgment made or rendered by one Justice of the Peace, may within eight days after the making or rendering thereof, and after two days' notice to the opposite party or his attorney, and after having complied, (if a defendant,) with the conditions of the said section, apply to any Justice of the Superior or Circuit Courts, by petition setting forth the grounds of his application, and praying to be permitted to appeal from such conviction or judgment, to the next Court of General Quarter Sessions; and thereupon such Judge if he see fit, may make an order directing the Justice or public officer having the legal custody of the record in such case, to 30 35 40 45
- Section 44, cited. Nor any appeal according to the present practice. New provision for appeal in such cases; either party may appeal. Permission of a Judge required.