

Fines leviable
by distress.

XVI. And be it further enacted by the authority aforesaid, that the fines, penalties, and forfeitures by this Act imposed, or that may hereafter be imposed, in virtue of and under the authority of the same, and that may be incurred in the said Inferior District of Gaspé, shall, in case of non-payment, be levied by distress and sale of the goods and effects of the offender, in virtue of a warrant in the form prescribed in the Appendix to this Act letter (B.) under the hand of the Provincial Judge for the said Inferior District, or of the presiding Judge of the fourth division of the Court of Common Pleas, aforesaid, or of the Justices of the Peace, or of the senior Justice of the Court of General Sessions of the Peace, before whom or which the conviction may have taken place, directed to any Constable or Peace Officer, and the overplus of money raised, after deducting the penalty and costs, shall be returned to the offender.

Offender may
be imprisoned
for non-pay-
ment of fine.

XVII. And be it further enacted by the authority aforesaid, that in all cases not otherwise provided for, if the offender convicted shall not have sufficient goods or effects whereon to levy the penalty and costs, he shall, if the penalty in which he may have been condemned, exceed ten pounds, currency, be liable to be, and may be, committed to prison for a term not exceeding thirty days, and in cases where the penalty shall not exceed that sum for a term not exceeding fifteen days.

Forms of
proceedings.

XVIII. And be it further enacted by the authority aforesaid, that the information or plaint, and the summons pursuant to the same, which may at any time be made to, and issued by any Justice or Justices of the Peace against any person offending against this Act in the said Inferior District of Gaspé, shall be in the form prescribed in the Appendix to this Act, letters (C. and D.) and when the offence committed may be above the jurisdiction of two Justices of the Peace, as by this Act provided, and cognizable in the aforesaid Provincial Court, Court of Common Pleas, or Court of General Session of the Peace, such summons shall be according to the course and practice of the said Courts, respectively.

Interval al-
lowed between
service and re-
turn of sum-
mons.

XIX. And be it further enacted by the authority aforesaid, that between the service and return of every such summons, as aforesaid, there shall at least be three intermediate days for the first five leagues, and one additional day for every five leagues there may be between the place of residence of the Justice or Justices of the Peace, or place where the Court may be held, and the usual residence or domicile of the defendant.

In the case
of non-resi-
dents summons
may be made
immediately re-
turnable.

XX. Provided always, and be it further enacted by the authority aforesaid, that in case where the defendant may not be a resident in the said Inferior District, and circumstances may render it expedient to enforce, without delay, the penalties by this Act imposed, it shall be lawful for any Justice or Justices of the Peace before whom the plaint or information may have been lodged to issue a summons,
returnabl e