

If no distress found, offender may be committed for one month.

the payment thereof at the time of conviction by the Justice of the Peace before whom such conviction may have taken place, it shall and may be lawful for such Justice of the Peace to issue his Warrant directed to any Constable to levy the amount of such fine and costs within a certain time to be in the said Warrant expressed; and in case no distress sufficient to satisfy the amount shall be found, it shall and may be lawful for him to commit the offender to the common Gaol of the District wherein the offence was committed for any term not exceeding one month, unless the fine and costs shall be sooner paid.

Prosecutions under this Act to be within three months.

VIII. *And be it further enacted by the authority aforesaid*, That the prosecution for every offence punishable under this Act shall be commenced within three calendar months after the commission of the offence and not otherwise; and the evidence of the party aggrieved shall be admitted in proof of the offence, and also the evidence of any inhabitant of the County, District, Riding or Division, in which the offence shall have been committed, notwithstanding any forfeiture or penalty incurred by the offence may be payable to the general rate of such County, District, Riding or Division.

Party accused to be summoned.

IX. And for the more effectual prosecution of all offences punishable under this Act, *be it further enacted by the authority aforesaid*, That when any person shall be charged on the oath of one or more credible witness or witnesses before any Justice of the Peace with any offence against this Act, the Justice may summon the person charged to appear at a time and place to be named in such summons, and if he shall not appear accordingly then (upon proof of the due service of the summons upon such person by delivering the same to him personally) the Justice may either proceed to hear and determine the case *ex parte*, or issue his Warrant for apprehending such person and bringing him before himself or some other Justice of the Peace; or the Justice before whom the charge shall be made may, if he shall so think fit, without any previous summons, issue such Warrant, and the Justice before whom the person charged shall appear or be brought, shall proceed to hear and determine the case.

In case of non-appearance, Justice may proceed *ex parte*.

Person preferring frivolous charge to pay the costs, the Justice certifying.

X. *And be it further enacted by the authority aforesaid*, That if any Justice, upon hearing any complaint for offences against this Act, shall deem such alleged offence not to be proved, or shall find the Act complained of to have been justified, or to be of so trifling a nature as not to deserve punishment, and shall accordingly dismiss the complaint, such Justice shall, at the request of the party against whom the same shall be preferred, make out and deliver to him a Certificate under his hand, stating