

so far as the same will extend, of the costs and expenses intended to be secured by such Recognizance.

CXLVIII. And be it enacted, That any person who has entered into any such Recognizance may, before the same has been estreated or otherwise proceeded upon as aforesaid, pay the sum of money for which he is bound by such Recognizance into the hands of the Chief Clerk of the Commons House of Legislative Assembly of this Province, to the credit of the said Speaker's account, and the Speaker, upon production to him of a receipt or certificate from the said Chief Clerk for the sum so paid in, shall endorse on the Recognizance in respect of which such money has been so paid in, a Memorandum of such payment, and thereupon such Recognizance shall, so far as regards the person by or on whose behalf such money has been so paid, be deemed to be vacated, and shall not afterwards be estreated or otherwise proceeded upon as aforesaid, as against him, but such Recognizance shall continue to be in force as regards any other person who has entered into the same.

Money may be paid in by any cognizor, in discharge of the recognizance.

CXLIX. And be it enacted, That in every case in which any money is paid into the hands of such Chief Clerk, to the credit of the said Speaker's account as hereinbefore provided, a receipt or certificate of the amount so paid in shall be delivered to the Speaker by the person paying in the same, and such money shall in the first place, and in such order of payment as the Speaker in his discretion may think fit, be applied in satisfaction of all the costs and expenses for securing payment of which such Recognizance was given, or so much thereof as can be thereby satisfied, and thereafter the residue (if any) shall be paid to the party by whom or on whose account the same was paid in.

Receipt for and application of money so paid in.

10. MISCELLANEOUS PROVISIONS.

CL. And be it enacted, That if any Sheriff or other Returning Officer shall wilfully delay, neglect or refuse duly to return any person who ought to be returned to serve in Parliament for any County, Riding, City, Town, Borough or place in this Province, such person may, in case it have been determined by a Select Committee appointed in the manner hereinbefore directed, that such person was entitled to have been returned, sue the Sheriff or other Officer having so wilfully delayed, neglected or refused duly to make such return at his Election, in any of Her Majesty's Superior Courts of Record of original jurisdiction for Lower or Upper Canada, and shall recover double the damages he has sustained by reason thereof, together with full costs of suit, provided such action be commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of any proceedings in the Commons House of Legislative Assembly relating to such Election.

Action against returning officer for not making return of person duly elected, or delaying such return, &c.

CLI. And be it enacted, That all pecuniary penalties in and by this Act imposed, shall and may be recovered, with full costs of suit, by any person or persons who shall sue for the same by action of debt in any Court in this Province having jurisdiction to the amount of such penalties respectively; and it shall be sufficient for the Plaintiff or Plaintiffs to declare that the Defendant or Defendants is or are indebted to him or them to the amount of the penalty sued for, by virtue of this Act.

Recovery of pecuniary penalties, under this act.

CLII. And be it enacted, That every indictment, information or action for any offence against this Act, or any forfeiture incurred under the same, shall be found, filed or commenced within one year after the commission of the fact on which such indictment, information or action shall be grounded, or within six months after the conclusion of the proceedings in the Commons House of Legislative Assembly, relating to the Election Petition on the trial of which such fact shall have arisen, and not afterwards.

Limitation of time for prosecuting offenders against this act.

CLIII. And be it enacted, That all Mayors and Aldermen of Cities, and all Mayors, Town Reeves and other Heads of any of the Municipal Corporations in this Province, and other the like persons, as well as all other persons having by Statute for the time being *ex officio* Magisterial power in any part of this Province, shall, within the limits of their jurisdiction in that respect, be and be held to be Justices of the Peace within the meaning of this Act.

Who shall be deemed a Justice of the Peace for the purposes of this Act.