

II

Article 2615^m of the Finnie Bill says that : “ the penalties imposed by this section shall be recoverable under the provisions of part XV of the Criminal Code respecting summary convictions.”

That provision of part XV of the Criminal Code, as amended by the Act 8-9 Ed. VII, chapter 9, is as follows :

“ 739. Whenever a conviction adjudges a pecuniary penalty or a compensation to be paid, or an order requires the payment of a sum of money whether the act or law authorizing such conviction or order does or does not provide a mode of raising or levying the penalty, compensation or sum of money, or of enforcing the payment thereof, the justice, by his conviction or order after adjudging payment of such penalty, compensation or sum of money, with or without costs, may order and adjudge,—

(a) That in default of payment thereof forthwith, or within a limited time, such penalty, compensation or sum of money and costs, if the conviction or order is made with costs, shall be levied by distress and sale of the goods and chattels of the defendant, and, if sufficient distress cannot be found, that the defendant be imprisoned in the manner and for the time directed by the act or law authorizing such conviction or order or by this act or for any period not exceeding three months, if the act or law