

How summons
to be served.

If party sum-
moned do not
attend, Justice
may issue a
warrant to
compel attend-
ance.

No objection
allowed for
alleged defect
in form or sub-
stance.

Warrant to
apprehend
parties under
the hand and
seal of Justice.

How warrant
to be directed
and to whom.

issue such summons, or before such other Justice or Justices of the Peace for the same District as may then be there, to answer to the said charge, and to be further dealt with according to law; and every such summons shall be served by a Constable or other peace officer upon the person to whom it is so directed, by delivering the same to the party personally, or, if he cannot conveniently be met with, then by leaving the same for him with some person at his last or most usual place of abode; and the constable or other peace officer who shall have served the same in manner aforesaid, shall attend at the time and place, and before the Justices in the said summons mentioned, to depose, if necessary, to the service of such summons; and if the person so served shall not be and appear before such Justice or Justices, at the time and place mentioned in such summons, in obedience to the same, then it shall be lawful for such Justice or Justices to issue his or their warrant (D) for apprehending the party so summoned, and bringing him before such Justice or Justices, or before some other Justice or Justices for the same District, to answer the charge in the said information and complaint mentioned, and to be further dealt with according to law: Provided always, that no objection shall be taken or allowed to any such summons or warrant for any alleged defect therein in substance or in form, or for any variance between it and the evidence adduced on the part of the prosecutor before the Justice or Justices who shall take the examination of the witnesses in that behalf as hereinafter mentioned; but if any such variance shall appear to such Justice or Justices to be such that the party charged has been thereby deceived or misled, it shall be lawful for such Justice or Justices, at the request of the party so charged, to adjourn the hearing of the case to some future day, and in the meantime to remand the party so charged, or admit him to bail in manner hereinafter mentioned.

VI. And be it enacted, That every warrant (B) hereafter to be issued by any Justice or Justices of the Peace to apprehend any person charged with any indictable offence, shall be under the hand and seal, or hands and seals, of the Justice or Justices issuing the same, and may be directed to all or any of the Constables or other peace officers of the District within which the same is to be executed, or to such Constable and all other Constables or peace officers in the District within which the Justice or Justices issuing the same has or have jurisdiction, or generally to all the Constables or peace officers within such last mentioned District; and it shall state shortly the offence on which it is founded, and shall name or otherwise describe the offender; and it shall order the person or persons to whom it is directed to apprehend the offender, and bring him before the Justice or Justices issuing such warrant, or before some other Justice or Justices of