

it shall be the business of the creditor to cause the same to be served, either on the defendant personally, or by leaving the same at his domicile, without observing the delay at present required in the service of writs of summons; but on complaint being made that the delay given is not sufficient, such Court or Judge may, if it appear desirable in order to the attainment of justice, grant to the person summoned a further delay, in order that he may prepare his defence and produce his witnesses, and in such case the person summoned shall give good and sufficient security that he will not leave that part of the Province of Canada which formerly constituted the Province of Lower Canada. 5 10

Term of imprisonment, &c.

IV. And be it enacted, That on proof of the facts alleged, or on the confession of the party summoned, such person so charged with having wasted, or caused to be wasted in manner herein before mentioned and described, any real estate or hereditament so hypothecated may, on the order of such Court or of such Judge, be imprisoned and kept in prison during a period not less than *twelve months*, and not exceeding *five years*, and shall moreover be condemned to pay all costs of such summons and proceedings, in case judgment be given against him on the said complaint, and such costs may be recovered by execution against his moveable or real property according to the usual course of procedure. 15 20

Act not to take away any existing remedy.

V. Provided always, and be it enacted, That this Act shall not deprive the party complaining of any legal action or remedy, nor take away any recourse against the person or the property of his debtor, or of the person complained of as aforesaid, to which he would have been entitled if this Act had not been passed. 25

Extent of Act.

VI. And be it enacted, That this Act shall be in force in Lower Canada only. 30