

whose possession such game may be found, to some Justice of the Peace, having jurisdiction over the district within which such proceedings shall have taken place.

XIII. All penalties incurred under this Act shall be recoverable with costs as aforesaid, by summary proceeding before any stipendiary or other Magistrate, upon the oath or affirmation of at least one credible witness, other than the prosecutor, or of the prosecutor, alone if he renounces all claim to any share of the penalty,—or upon view had of any such offence by any Justice of the Peace; and a prosecution under this Act may be commenced at any time within twelve months after the commission of the offence.

Proceedings under this Act to be summary.

XIV. One third of every fine levied by virtue of this Act shall be paid to Her Majesty, to be applied for the public uses of the Province, and the remaining two-thirds thereof shall be paid to the prosecutor, together with costs taxed to him for attendance as a witness, or otherwise, unless the prosecutor has been examined as a witness, and has renounced his share of the penalty, in which case he shall have his costs only, and the whole penalty shall belong to the Crown for the uses aforesaid.

Appropriation of fines.

XV. Complaints under this Act may be in the form A. Summonses in the form B. Warrants to arrest Defendant in the form C. Subpoenas in the form D. Convictions in the form E, and Warrants to commit in the form F, G and H, of the Schedule hereunto annexed.

Forms for proceedings under this Act.

XVI. If a witness so summoned shall refuse or neglect to attend in obedience thereto, any such Stipendiary or other Magistrate (on proof of due service and the lapse of such reasonable time as fixed by the said Summons) may thereupon issue a Warrant, in the form G of the Schedule hereto annexed, returnable immediately, to compel the attendance of such witness to give evidence in the premises, under pain of committal to the common gaol during eight successive days, for the contempt.

In case witness refuse to attend warrant may be issued.

XVII. When any person or persons shall be charged upon oath, or otherwise in writing, before any Justice of the Peace with any offence against the provisions of this Act, the said Justice shall forthwith summon the person so charged to appear before him at a reasonable time and place to be named in such Summons according to the discretion of the Magistrate issuing the same; and if such person or persons shall fail or neglect to appear accordingly, then, upon proof of the personal service of such summons, or the exercise of due diligence to effect a service of the Summons, (either personally in view of such Justice, or by delivering or leaving a copy thereof at the Defendant's usual place of abode or of common resort, or by reading the same to the defendant in person) the said Justice may either proceed therewith *ex parte*, or issue his Warrant, (in the form C of the Schedule hereto annexed) for apprehending such person or persons and bringing him or them before himself, or some other Justice of the Peace within the Province in which last mentioned case such other Justice shall thereupon proceed to hear and determine the case as if he had himself proceeded therein *ab initio*.

Summons and summary procedure under this Act.

Warrant if summons is not obeyed.