

awarded by them be not forthwith paid upon conviction, to levy the same by distress and sale of the goods and chattels of the offender by warrant under their hands and seals, or the hands and seals of any two of them, and the penalty, when recovered, shall be paid over by such Justices, one-half to the person complaining, and one-half to the Treasurer of the Municipality, District or place where the offence shall have been committed; and in default of payment or sufficient distress, the offender may, by warrant signed and sealed as aforesaid, be imprisoned in the Common Gaol for a period not less than one day nor more than twenty days, at the discretion of such Justices, or any two of them, unless such penalty, costs, and the charges of commitment be sooner paid.

3. Any party aggrieved by such fraudulent conduct as aforesaid may at his or their election sue the offender in any Civil Court of competent jurisdiction and recover from him the amount of damages sustained, and levy the same with the costs according to the ordinary practice of the Court in which such suit shall be brought.

4. Provided always, that no Justice or Justices having any pecuniary interest in any such Butter or Cheese Manufactory, as aforesaid, shall hear or determine any such complaint.

5. In case of summary proceedings under this act, any person, complainant or defendant, shall have the right of appeal as provided in chapter one hundred and fourteen of the Consolidated Statutes of Upper Canada.



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