

place, directed to any Constable or Peace-Officer; and the overplus of money raised, after deducting the penalty and costs, shall be returned to the offender.

Offender not having goods sufficient to pay the Penalty and costs, may be committed to prison.

XXXV. And be it further enacted by the authority aforesaid, that in case the offender convicted shall not have sufficient goods or effects whereon to levy the penalty and costs, he shall, if the penalty in which he may have been condemned exceed ten pounds, be liable to be, and may be committed to Prison, for a term not exceeding thirty days; and in cases where the penalty shall not exceed that sum, for a term not exceeding fifteen days.

Information or complaint, and the summons to be in the form prescribed in the Appendix letters C. and D.

XXXVI. And be it further enacted by the authority aforesaid, that the Information or Complaint, and the Summons pursuant to the same, which may at any time be made to and issued by any Justice of the Peace, against any person offending against this Act, in the said Inferior District of Gaspé, County of Cornwallis or Northumberland, to the East of Cape Tourmente, shall be in the form prescribed in the Appendix to this Act, letters (C & D); and when the offence committed may be above the jurisdiction of a Justice of the Peace as by this Act provided, and cognizable in the aforesaid Provincial Court, or Court of General Sessions of the Peace, such Summons shall be according to the course and practice of the said Courts, respectively.

Certain number of days allowed for the service and summonses, &c.

XXXVII. And be it further enacted by the authority aforesaid, that between the service and return of every such Summons as aforesaid, there shall at least be three intermediate days, and one additional day for every five leagues there may be between the place of residence of the Justice of the Peace, or place where the Court may be held, and the usual residence or domicile of the Defendant.

In what cases Justices of the Peace may proceed in a summary manner.

XXXVIII. Provided always, and be it further enacted by the authority aforesaid, that in cases where the offender may not be resident in the said Inferior District, or of either of the said Counties wherein the offence may be committed, and circumstances may render it expedient to enforce, without delay, the penalties by this Act imposed, it shall be lawful for any Justice of the Peace before whom the plaint or information may have been lodged, to issue a Summons, returnable before him immediately after service thereof, or within such reasonable time as he shall by the said Summons appoint; and if, on the return of such summons, or at the time thereby appointed, the Defendant shall not appear to answer thereto, the Justice of the Peace who may have issued such Summons,