

persons shall neglect or refuse to pay the same at the time and in manner required for that purpose, it shall be lawful for the said company of proprietors to sue for and recover the same in any Court of law having competent jurisdiction.

XXXVI. And be it further enacted by the authority aforesaid, that all fines and forfeitures inflicted by this Act, or which shall be inflicted by virtue of any rule, order, or bye-law, to be made in pursuance thereof (of which rule, order or bye-law, when produced, all Justices are hereby required to take notice) the levying and recovering of which fines and forfeitures are not particularly herein directed, shall upon proof of the offences respectively before any one or more Justice or Justices of the Place for the District of Montreal, either by the confession of the party or parties, or by the oath or affirmation of any one credible witness (which oath or affirmation such Justice or Justices are hereby empowered and required to administer without fee or reward) be levied by distress and sale of the offender's goods and chattels, by Warrant under the hand and seal, or hands and seals of such Justice or Justices; and all such respective fines, forfeitures or penalties by this Act imposed and inflicted, or authorized to be imposed and inflicted, the application whereof is not hereinbefore particularly directed, shall be paid into the hands of the Treasurer or Receiver of the moneys to be raised by virtue of this Act, and shall be applied and disposed of for the use of the said Rail-road or undertaking, and the overplus of the money raised by such distress and sale, after deducting the penalty and the expense of the levying and recovering thereof, shall be rendered to the owner of the goods so distrained and sold; and for want of sufficient goods and chattels whereof to levy the said penalty and expenses, the offender shall be sent to the House of Correction for the District of Montreal, there to remain without bail or mainprize for such term not exceeding months, nor less than months, as such Justice or Justices shall think proper, unless such penalty or forfeiture and all expenses attending the same shall be sooner paid and satisfied.

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