

1347

shall, by himself or by the agency of any other person or persons, directly or indirectly enter into any contract or make any payment hereby declared illegal, shall for the first offence forfeit a sum not exceeding *ten pounds* nor less than *five pounds*, and for the second offence any sum not exceeding *twenty pounds* nor less than *ten pounds*, and in case of a third offence, any such employer shall be and be deemed guilty of a misdemeanor, and being thereof convicted shall be punished by fine only at the discretion of the Court, so that the fines shall not in any case exceed *one hundred pounds*.

contracts hereby declared illegal.

IX. And be it enacted, That all offences committed against this Act, and not hereinbefore declared a misdemeanor, shall be enquired of and determined, and that all fines and penalties for such offences shall be sued for and recovered by any person or persons who shall sue for the same before any two Justices of the Peace having jurisdiction within the County, Riding, City or Place in which the offence shall have been committed, and that the amount of the fines, penalties and other punishments to be inflicted upon any such offenders, shall, within the limits hereinbefore prescribed be in the discretion of such Justice, or, in cases of misdemeanor, of the Court before which the offence may be tried; and in case of a second offence against this Act, it shall be sufficient evidence of the previous conviction and offence if a certificate signed by the Clerk of the Peace, or other officer having the custody of the record of such previous conviction, shall be produced before the said Justices enquiring of such second offence, in which certificate shall be stated, in a compendious *form*, the general nature of the offence for which such previous conviction was had and the date of such previous conviction, and so in like manner upon the trial of any indictment or information for any such misdemeanor as aforesaid, it shall be sufficient evidence of such second conviction for a like offence, if a certificate thereof signed by the Clerk of the Peace, or other officer having the custody of the record of such second conviction in such form as aforesaid, be produced to the Court or Jury: Provided always, that no person shall be punished as for a second offence under this Act, unless *ten days* at the least shall have intervened between the conviction of such person for the first and the conviction of such person for the second offence, but each separate offence committed by any such person before the expiration of the said term of *ten days*, shall be punishable by a separate penalty, as though the same were a first offence; and that no person shall be convicted as for a third offence under this Act, unless *ten days* at the least shall have intervened between the conviction of such person for the second and the conviction of such person for the *third* offence, but each separate offence committed by any such person before the expiration of the said term of

Penalties how to be recovered.

Second offence

Proviso.