

determine such Offence; and the Offender, upon Conviction thereof before them, shall forfeit and pay such Fine as shall appear to them to be meet, not exceeding the sum of Five Pounds, together with Costs; which Fine shall be paid into His Majesty's Treasury, to and for the use of His Majesty's Government: And if such Fine as shall be awarded by the said Justices, together with Costs, if ordered, shall not be paid, either immediately after the Conviction, or within such period as the said Justices shall at the time of the Conviction appoint, it shall be lawful for them to commit the Offender to Jail, there to be imprisoned for any term not exceeding Two Months, unless such Fine and Costs be sooner paid: But if the Justices upon hearing of any such case of Assault or Battery, shall deem the Offence not to be proved, or shall find the Assault or Battery to have been justified, or so trifling as not to merit any Punishment, they shall accordingly dismiss the Complaint, and shall forthwith make out a Certificate under their hands, stating the fact of such Dismissal, and shall deliver such Certificate to the Party against whom the Complaint was preferred.

or to be committed to Jail for a term not exceeding two months.

Duty of Justices in cases of Assault, &c. being not proved, or trivial, or justified.

Costs.

IV. *And be it further enacted*, That the said Justices shall and may give Costs to either Complainant or Defendant, or compel each to pay their own, as they shall see fit.

Persons certified as discharged, or convicted and fined or imprisoned, not to be proceeded against a second time.

V. *And be it further enacted*, That if any Person against whom any such Complaint shall have been preferred for any Common Assault or Battery, shall have obtained such Certificate as aforesaid, or having been convicted, shall have paid the whole amount adjudged to have been paid under such Conviction, or shall have suffered the Imprisonment awarded for non-payment thereof, in every such case he or they shall be released from all further or other criminal proceedings for the same cause.

Proviso.

VI. *Provided always, and be it further enacted*, That in case the said Justices shall find the Assault