

the City, Town, District or County, in which such Justice has jurisdiction, there to be kept for the space of time not exceeding one calendar month unless such penalty shall be sooner paid.

XII. All pecuniary penalties which shall be recovered before any Justice of the Peace under the provisions of this Act shall respectively be divided, paid, and distributed in the following manner (that is to say) : one moiety thereof to the Application of penalties. in which any of the officers aforesaid shall have been committed, to be by such applied in

10 Of sums awarded for damages., and the other moiety thereof, with full costs, to the person who shall inform and prosecute for the same, or to such other person as to such Justice shall seem fit and proper; and that all and every sum or sums of money which shall or may be ascertained, determined, adjudged, and ordered by any Justice of the Peace under the authority of this Act, to be paid as the amount of any damage or injury occasioned by the commission of any of the offences hereinbefore mentioned, shall be paid to the person who shall or may have sustained such damage or injury according to the order or determination and at the discretion of any such Justice.

20 XIII. Upon the hearing of any information or complaint exhibited or made under any of the provisions of this Act, any person giving or making such information or complaint, or other person, shall be deemed and is hereby declared to be a competent witness, notwithstanding he may be entitled to any part of the pecuniary penalty, on the conviction of 25 any offender, upon any such information or complaint as aforesaid. Complainant &c. to be a competent witness.

XIV. All actions and prosecutions which may be brought or commenced against any person for anything done in pursuance or under the authority of this Act, shall be commenced within one calendar month next after the fact committed, and not afterwards, and shall be brought and tried in the County or place where the cause of action shall arise, and not elsewhere; and notice in writing of any such action and specifying the cause thereof shall be given to the defendant fourteen clear days at least before the commencement of any such action; and the defendant in such action may plead the general issue, and give this Act 35 and any other matter or thing in evidence at any trial to be had thereupon; and if the cause of action shall appear to arise from or in respect of any matter or thing done in pursuance and by the authority of this Act, or if any such action shall be brought after the expiration of one calendar month, or shall be brought in any other County or place than 40 as aforesaid, or if notice of such action shall not have been given in manner aforesaid, or if tender of sufficient amends shall have been made before such action commenced, or if a sufficient sum of money shall have been paid into Court after such action commenced, by or on behalf of the defendant, the jury shall find a verdict (or if the case be not tried by 45 Jury, judgment shall be given) for the defendant; and if a verdict shall pass for the defendant, or if the plaintiff shall become non-suit, or shall discontinue any such action, or if on demurrer or otherwise judgment shall be given against him, the defendant shall recover his full costs of suit as between attorney and client, and shall have the like remedy 50 for the same as every defendant may have for costs of suit in other cases at law; and although a verdict be given (or judgment be rendered) for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Judge or Judges before whom the trial shall be As to suits brought for things done under this Act  
Notice.  
Pleading this Act &c.  
Tenders of Amends.  
As to costs in such suits.