

THE CRIMINAL LAWS.

demand him to pay a fine not exceeding, with the costs in the case, one hundred dollars, or to both fine and imprisonment, not exceeding the said period and sum; and such fine may be levied by warrant and distress under the hand and seal of the Magistrate, or the party convicted may be condemned (in addition to any other imprisonment on the same conviction) to be committed to the common gaol or other place of confinement, for a further period not exceeding six months, unless such fine be sooner paid.

18.—Whenever the nature of the case requires it, the forms given at the end of this Act shall be altered by omitting the words stating the consent of the party to be tried before the Magistrate, and by adding the requisite words stating the fine imposed (if any) and the imprisonment (if any) to which the party convicted is to be subjected if the fine be not sooner paid.

19.—When any person is charged before any Justice or Justices of the Peace with any offence mentioned in this Act, and in the opinion of such Justice or Justices, the case is proper to be disposed of by a competent Magistrate, as herein provided, the Justice or Justices before whom such person is so charged, may, if he or they see fit, remand such person for further examination before the nearest competent Magistrate, in like manner in all respects as a Justice or Justices are authorized to remand a party accused for trial at any Court, under any general Act respecting the duties of Justices of the Peace out of Sessions, in like cases.

20.—No Justice or Justices of the Peace in any Province shall so remand any person for further examination or trial before any such Magistrate in any other Province.

21.—Any person so remanded for further examination before a competent Magistrate in any city, may be examined and dealt with by any other competent Magistrate in the same city.

22.—If any person suffered to go at large upon entering into such recognizance as the Justice or Justices are authorized under any such Act as last mentioned to take, on the remand of a party accused, conditioned for his appearance before a competent Magistrate under the preceding section of this Act, does not afterwards appear pursuant to such recognizance, then the Magistrate before whom he ought to have appeared, shall certify (under his hand on the back of the recognizance) to the Clerk of the Peace of the District, County or place (as the case may be) the fact of such non-appearance, and such recognizance shall be proceeded upon in like manner as other recognizances, and such certificate shall be deemed sufficient *prima facie* evidence of such non-appearance.

23.—The Magistrate adjudicating under this Act shall transmit the conviction, or a duplicate of a certificate of dismissal, with the written charge, the deposition of witnesses for

the prosecution and for the defence, and the statement of the accused, to the next Court of General or Quarter Sessions of the Peace, or to the Court discharging the functions of a Court of General or Quarter Sessions of the Peace, for the District, County or place, there to be kept by the proper officer among the Records of the Court.

24.—A copy of such conviction, or of such certificate of dismissal, certified by the proper officer of the Court, or proved to be a true copy, shall be sufficient evidence to prove a conviction or dismissal for the offence mentioned therein, in any legal proceedings whatever.

25.—The Magistrate, by whom any person has been convicted under this Act, may order restitution of the property stolen, or taken, or obtained by false pretences, in those cases in which the Court before whom the person convicted would have been tried but for this Act, might by law order restitution.

26.—Every Court, held by a competent Magistrate for the purposes of this Act, shall be an open public Court, and a written or printed notice of the day and hour for holding such Court, shall be posted or affixed by the Clerk of the Court upon the outside of some conspicuous part of the building or place where the same is held.

27.—The provisions of the *Act respecting the duties of Justices of the Peace out of Sessions*, in relation to summary convictions and orders, and the provisions of the *Act respecting the duties of Justices of the Peace out of Sessions in relation to persons charged with indictable offences*, shall not be construed as applying to any proceeding under this Act, except as mentioned in section nineteen.

28.—Every conviction by a competent Magistrate under this Act shall have the same effect as a conviction upon indictment for the same offence would have had, save that no conviction under this Act shall be attended with forfeiture beyond the penalty (if any) imposed in the case.

29.—Every person who obtains a certificate of dismissal or is convicted under this Act, shall be released from all further or other criminal proceedings for the same cause.

30.—No conviction, sentence or proceeding under this Act shall be quashed for want of form; and no warrant of commitment upon a conviction shall be held void by reason of any defect therein, if it be therein alleged that the offender has been convicted, and there be a good and valid conviction to sustain the same.

31.—Nothing in this Act shall affect the provisions of the *Act respecting the Trial and Punishment of Juvenile Offenders*; and this Act shall not extend to persons punishable under that Act, so far as regards offences for which such persons may be punished thereunder.

32.—Every fine imposed under the authority of this Act shall be paid to the Magistrate, who has imposed the same, or to the Clerk of