

may, if he shall so think fit, without any previous Summons, (unless when otherwise specially directed,) issue such Warrant, and the Justice, before whom the person charged shall appear or be brought, shall proceed to hear and determine the case.

And with regard to the application of all forfeitures and penalties upon summary conviction under this Act :

LVI. *Be it enacted*, That every sum of money which shall be forfeited for the value of any property stolen or taken, or for the amount of any injury done, (such value or amount to be assigned in each case by the convicting Justice,) shall be paid to the party aggrieved, if known, except where such party shall have been examined in proof of the offence, and in that case, or where the party aggrieved is unknown, such sum shall be applied in the same manner as a penalty ; and every sum which shall be imposed as a penalty by any Justice of the Peace, whether in addition to such value or amount or otherwise, shall be paid to some one of the Overseers of the Poor, (as the Justice may direct,) of the Parish, Township or Place in which the offence shall have been committed, to be by such Overseers paid over to the use of the Poor of such Parish, Township or Place ; *Provided always*, that where several persons shall join in the commission of the same offence, and shall, upon conviction thereof, each be adjudged to forfeit a sum equivalent to the value of the property, or to the amount of the injury, in every such case no further sum shall be paid to the party aggrieved than that which shall be forfeited by one of such offenders only, and the corresponding sum or sums forfeited by the other offender or offenders, shall be applied in the same manner as any penalty imposed by Justice of the Peace as is hereinbefore directed to be applied.

Application of
Forfeitures &
Penalties

Proviso

LVII. *And be it enacted*, That in every case of a summary conviction under this Act, where the sum, which shall be forfeited for the value of the property stolen or taken, or for the amount of the injury done, or which shall be imposed as a penalty by the Justice, shall not be paid either immediately after the conviction, or within such period as the Justice, shall, at the time of the conviction, appoint, it shall be lawful for the convicting Justice (unless where otherwise specially directed,) to commit the offender, who shall be liable to be imprisoned for any term not exceeding Two Calendar Months, where the amount of the sum forfeited, or of the penalty imposed, or of both, (as the case may be,) together with the costs, shall not exceed Five Pounds ; and for any term, not exceeding Four Calendar Months, where the amount, with costs, shall not exceed Ten Pounds ; and for any term, not exceeding Six Calendar Months, in any other case—the commitment to be determined in each of the cases aforesaid upon payment of the amount and costs.

If money not
paid the party
to be committed

LVIII. *Provided always, and be it enacted*, That where any person shall be summarily convicted before a Justice of the Peace of any offence against this Act, and it shall be a first conviction, it shall be lawful for the Justice, if he shall so think fit, to discharge the offender from his conviction, upon his making such satisfaction to the party aggrieved for damages and costs, or either of them, as shall be ascertained by the Justice.

Justice may
discharge the
party in cer-
tain cases

LIX. *And be it enacted*, That it shall be lawful for the Queen's Majesty to extend Her Royal Mercy to any person imprisoned by this Act, although he shall be imprisoned for non-payment of money to some party other than the Crown.

Pardon

LX. *And be it enacted*, That in case any person convicted of any offence, punishable upon summary conviction by virtue of this Act, shall have paid the sum adjudged to be paid, together with costs under such conviction, or shall have received a remission thereof from the Crown, or shall have suffered the imprisonment awarded for the non-payment thereof, or the imprisonment adjudged in the first instance, or shall have been discharged from his conviction in the manner aforesaid, in every such case he shall be released from all further or other proceedings for the same cause.

Conviction a
bar to other
proceedings

LXI. *And be it enacted*, That the Justice before whom any person shall be convicted of any offence against this Act, may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, as the case shall require, videlicet :

Form of con-
viction

Be it remembered, that on the _____ day of _____ in the Year of Our Lord _____ at _____ in the County of _____ A. O. is convicted before me J. P. one of Her Majesty's Justices of the Peace for the said County, for that he, the said A. O., did (specifying the offence and the time and place when and where the same was committed, as the case may be) and I, the said J. P., adjudge the said A. O., for his said offence, to be imprisoned in the _____