

Who may convict and impose penalties and commit offenders.

28. If it in like manner, appears to the satisfaction of such Justices, that the person in whose possession such Coin or Tokens were found, knew the same to have been so illegally manufactured or imported, they may condemn the offender to pay the penalty aforesaid with costs, and may commit him to the Common Gaol of the District, County or place for a period not exceeding two monthis, if such penalty and costs are not forthwith paid, or until the same be paid. 4, 5 V. c. 17, s. 3.

When the owner and not the possessor incurs the penalty.

29. If it appears to the satisfaction of such Justices of the Peace, that the person in whose possession such Coins or Tokens were found, was not aware of their having been so illegally manufactured or imported, the penalty may, on the oath of any one credible witness other than the plaintiff, be recovered, from the owner thereof, by any person who sues for the same in any Court of competent Jurisdiction. 4, 5 V. c. 17, s. 4.

Officers of customs may seize, &c.

30. Any Officer of Her Majesty's Customs may seize any Coin or Tokens, imported or attempted to be imported, into this Province in contravention of this Act, and may detain the same as forfeited, to await the disposal of the Governor, for the public uses of the province. 4, 5 V. c. 17, s. 5.

The tender, &c., of foreign copper coin except American cents prohibited.

31. No person shall utter, tender or offer in payment any Copper or Brass Coin, other than the lawful Coin of the United Kingdom, or the Tokens of some one of the Chartered Banks of this Province, or of the *Banque du Peuple* at the City of Montreal, imported or manufactured before the twenty-first day of November, one thousand eight hundred and forty-one, under the sanction and authority of the Executive, or under and by virtue of the Ordinances of the late Province of Lower Canada heretofore repealed, or American cents, or such Coins or Tokens as have been lawfully imported into, or manufactured in this Province, according to the provisions of the Act 4, 5 V. c. 17, or of the Act respecting the currency, or of this Act, under a penalty of the forfeiture of double the nominal value thereof. 4, 5 V. c. 17, s. 7.—16 V. c. 158, s. 10.

How penalties may be recovered.

32. Such penalty may be recovered, with costs, in a summary manner, on the oath of one credible witness, other than the informer, before any Justice of the Peace, who, if such penalty and costs be not forthwith paid, may commit the offender to the Common Gaol of the District, County or place for a time not exceeding eight days, or until the same be paid, if sooner paid. 4, 5 V. c. 17, s. 7.

Application of penalties.

33. One moiety of all the penalties imposed by the twenty-sixth to the thirty-second sections of this Act, (but not the Coins or Tokens forfeited under the provisions thereof) shall go to the informer or person suing for the same, and the other moiety shall belong to Her Majesty, for the public uses of this Province. 4, 5 V. c. 17, s. 8. See *Gazette* 21st October, 1841.