

mitted, 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 any such case of Assault and Battery, shall deem the offence not to be proved, or shall find the Assault and 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.

*Duty of Justices when complaint is dismissed, or trivial.*

III. And be it enacted, That any person to whom a Certificate shall have been given in manner aforesaid, or who having been convicted as aforesaid, shall have paid the Fine and Costs adjudged against him as aforesaid, or undergone in default thereof the imprisonment ordered in lieu thereof, shall be released from all further or other criminal proceedings for the same cause.

*What shall release party from any other criminal proceeding for same offence.*

IV. And be it enacted, That such Justices shall and may give costs to either Complainant or Defendant, or order each to pay his own, as they shall see fit.

*Justices' power as to costs.*

V. And be it enacted, That from and after the passing of this Act, in all cases of conviction, where the Defendant shall make default in payment of such Fine and Costs as shall be adjudged, and in consequence thereof undergo imprisonment, all Justices acting under the authority of this Act, shall on request, make out a certified statement of the expenses of such Witness or Witnesses as have been subpoenaed, and deemed by the Justices to have been necessary and material, and the cost of such Constable or Constables as shall be employed in serving Processes, Warrants, or Executions, on the part of the Prosecutor, or the reasonable expenses of any other person or persons lawfully employed in the cap-

*Provides for payment of costs of Constable and Witnesses on the part of prosecution, where party convicted has undergone imprisonment.*