

- send the same immediately before him, together with a copy of the conviction according to the form in the said Act, and upon examining the same and hearing the parties, he may allow the said appeal or reject the said petition with costs to be taxed by him and entered in execution against the party
- 5 failing by the Justice or Justices who tried the case, or without costs in his discretion; and in the event of the Judge allowing the said appeal, he may order the said petition and record in the said cause to be returned and filed with the Clerk of the Court of Quarter Sessions, to be set down without
- 10 further formality for hearing on the first day next thereafter of the said Court, when the said appeal shall be heard, and shall be restricted to a mere revision of the proceedings, proof and judgment therein, without the admission of any other evidence or the adoption of any further proceedings whatever.
- 15 VII. The said Clerk of the Peace, or other Clerk officiating in this behalf, shall be entitled to charge and receive at the rate of six pence for each hundred words of the said evidence so reduced to writing, or of ten shillings per diem for the time during which he shall be so occupied, in the discretion of the
- 20 Justice trying the case, to be entered in taxation and paid by the party failing on such proceeding, if judgment be rendered therein against either party; and if no judgment be rendered therein within three months after the return of the Summons or Information, then the fees of such Clerk shall be paid equally
- 25 between the said parties.
- VIII. In all Informations and Plaints for the prosecution of offences against the said Act, several counts for the same offence, and several offences under the same section, similar in their nature and only constituting different categories of the
- 30 same offence, may be included, provided the time and place of the commission of each offence be alleged; and the form in Schedule D annexed to the said Act shall be altered in this particular; and the Information or Plaint may be amended before plea to the merits in any matter of form or substance,
- 35 upon motion in writing of the complainant, setting forth the required amendment, but without obliterating or altering the original pleading; and if the amendment be allowed, the Defendant, if he require it, may have a further delay to plead to the merits, or for plea and proof as it may be ordered; and if
- 40 the pleading, in the opinion of the Justice, be so defective either in form or substance, that a legal conviction cannot be based upon it, and be not amended or reformed, the Justice may dismiss the case, the whole with or without costs in his discretion.
- 45 IX. This Act shall come into force on, from and after the first day of July next, and not before.

Transmission of the record, &c.

Trial of the appeal.

Fees to the Clerk of the Peace or Justices' Clerks, &c.

How paid.

Informations may contain several counts.

Form in Schedule to Act of 1851 may be altered.

Amendment allowed.

Commencement of Act.