

CHAP. 105.

Trial of the case

SEC. 2. *And be it enacted*, That upon the appearance of the person accused, and of such witnesses as may be required on the part of the prosecution, and the accused before the said justice, or any other justice of the peace for the county, wherein the accused may be arrested, it shall be the duty of the said justice of the peace to try and decide upon the said charge or charges, contained in the body of the warrant, and any person so adjudged guilty of a violation of the provisions of the said act, to which this is a supplement, shall in addition to the forfeiture of the gun as therein prescribed, be fined by said justice of the peace, the sum of one hundred dollars for every such violation, and on his failure to pay the said sum to the said justice of the peace, shall be committed by said justice to the jail of the county where such conviction shall take place, there to remain until he shall pay or cause to be paid to the sheriff of such county the said fine, to be paid over by the said justice or sheriff, whichever may receive the same, to the levy court, if no levy court to the commissioners of the tax of said county, one half to be by them paid over to the informer, and the other half, after deducting the expenses of prosecution and imprisonment, to be paid over to the commissioners of the free schools fund for said county, to be applied by them as a part of said fund; *provided*, that the imprisonment of any person so convicted and refusing to pay as aforesaid, shall not be longer than sixty days.

Additional penalty of \$100 and commitment

Fine appropriated

Limit of imprisonment

Appeal provided

SEC. 3. *And be it enacted*, That if any person so accused as aforesaid, shall consider himself aggrieved by the judgment of the justice of the peace, he shall have the privilege of appeal from the judgment of said justice to the county court, at the next term succeeding said judgment, on entering into recognizance to the State, with such security as the justice may require, for his appearance at said term, and upon his appearance the said county court, unless there be good cause for continuance, shall take up and try the case at said term, and if the party so appearing before the said court shall be convicted of a violation of the act to which this is a supplement, the said court shall in all respects affirm the judgment of the justice of the peace, and the person convicted shall suffer accordingly.