



Medical Act 1858

1858 CHAPTER 90

XLI Recovery of Penalties.

Any Penalty to which under this Act any Person is liable on summary Conviction of any Offence may be recovered as follows; (that is to say,) in *England*, in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, and in *Ireland* in manner directed by " The Petty Sessions (*Ireland*) Act, 1851," or any other Act for the Time being in force in *England* and *Ireland* respectively for the like Purposes ; and any such Penalty may in *Scotland* be recovered by the Procurator Fiscal of the County, or by any other Person before the Sheriff or Two Justices, who may proceed in a summary Way and grant Warrant for bringing the Party complained against before him or them, or issue an Order requiring such Party to appear on a Day and at a Time and Place to be named in such Order, and every such Order shall be served on the Party by delivering to him in Person or by leaving at his usual Place of Abode a Copy of such Order and of the Complaint whereupon the same has proceeded, and upon the Appearance or Default to appear of the Party, it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof on Oath or Confession of the Offence, the Sheriff or Justices shall without any written Pleadings or Record of Evidence commit the Offender and decern him to pay the Penalty named as well as such Expenses as the Sheriff or Justices shall think fit, and failing Payment shall grant Warrant for Recovery thereof by Pounding and Imprisonment, such Imprisonment to be for such Period as the Discretion of the Sheriff or Justices may direct, not exceeding Three Calendar Months, and to cease on Payment of the Penalty and Expenses.