



# Malicious Damage Act 1861

1861 CHAPTER 97

*Other Matters*

**65 If a Person summarily convicted shall not pay, &c., the Justice may commit him.**

In every Case of a summary Conviction under this Act, where the Sum which shall be forfeited for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall, at the Time of the Conviction, appoint, the convicting Justice (unless where otherwise specially directed) may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Months, where the Amount of the Sum forfeited, or of the Penalty imposed, or of both (as the Case may be), together with the Costs, shall not exceed Five Pounds; and for any Term not exceeding Four Months where the Amount, with Costs, shall not exceed Ten Pounds; and for any Term not exceeding Six Months in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.