

ARTICLE XL.

Fines and Forfeitures.

SEC. 1. All fines, penalties and forfeitures, where the law imposing them does not prescribe the mode of collecting or enforcing them, shall be collected as follows: if not exceeding one hundred dollars, by action of debt in the name of the State before a justice of the peace; if exceeding one hundred dollars, by action of debt in the name of the State in the Circuit Court for the county where the offence was committed; or if in the city of Baltimore, in the Court of Common Pleas, if it does not exceed five hundred dollars, and if it does, in the Superior Court of Baltimore city; or if the fine, penalty or forfeiture exceeds twenty dollars, the same may be collected and enforced by indictment in the court having criminal jurisdiction in the county or city where the offence was committed.

2. No person shall be liable to an action of debt and to an indictment for the same offence, but whichever proceeding is first instituted shall be prosecuted and the other abandoned.

3. All fines, penalties and forfeitures, when recovered, shall be paid to the county or city where the same may be imposed, unless directed to be paid otherwise by the law imposing them; but if there be an informer, he shall have half, unless otherwise provided; this section not to apply to fines or forfeitures for offences at common law.