

... fined and imprisoned in the discretion of the judge or justice; and for the second offence he, she or they shall be fined not less than twenty-five nor more than one hundred dollars, and shall be imprisoned for not less than ten nor more than sixty days; and for the third offence he, she or they shall pay a fine of not less than fifty dollars and be imprisoned not less than thirty nor more than ninety days; or if any person shall resist any of the said officers in the discharge of any of the duties required of him or them by this act, he, she or they shall be considered guilty of misdemeanor and shall be fined and punished as hereinbefore provided, and in all cases of conviction the party convicted shall pay all the costs of prosecution.

SEC. 8. *And be it enacted*, That the one-half of all the fines recovered under and by virtue of this law shall be allowed to the informer, and the other half shall be paid to the treasurer of the public schools of the county for their support.

Fines—how applied.

SEC. 9. *And be it enacted*, That if either complainant or defendant shall feel himself or herself aggrieved by the judgment of any justice of the peace as hereinbefore provided, he or she shall have the right of appeal to the Circuit Court then next ensuing, unless there shall not be ten days intervening between the rendition of the said judgment and the sitting of the said court, in which case the said appeal shall stand ready for the trial at the next succeeding session of the said court, who shall proceed to hear and determine the same *de novo*; *Provided*, the party so as aforesaid appealing shall enter into good and sufficient recognizance before the said justice to prosecute with effect his said appeal, and upon conviction, such fines and punishment shall be imposed as are hereinbefore provided for.

May appeal.

Proviso.