

so neglects or refuses under colour of a By-law illegally attempting to repeal such first mentioned By-law, or to alter the same so as to diminish the amount to be levied under it; such officer shall be guilty of a misdemeanor, and be punished by fine or imprisonment, or both, at the discretion of the Court whose duty it may be to pass sentence upon him.

by-laws, to be
misdemeanor.

208. In case an offence is committed against a By-law of a Council, for the prosecution of which offence no other provision is made, any Justice of the Peace, having jurisdiction in the locality where the offender resides, or where the offence was committed, whether the Justice is a member of the Council or not, may try and determine any prosecution for the offence.

Jurisdiction to
try offences
against.

Summary pro-
ceedings.

209. The Justice or other authority before whom a prosecution is had for an offence against a Municipal By-law, may convict the offender on the oath or affirmation of any credible witness, and shall award the whole or such part of the penalty or punishment imposed by the By-law, as he shall think fit with the costs of prosecution, and may, by warrant, under the hand and seal of the Justice or other authority, or in case two or more Justices act together therein, then under the hand and seal of one of them, cause any such pecuniary penalty and costs, or costs only, if not forthwith paid, to be levied by distress and sale of the goods and chattels of the offender.

Evidence.

Penalty and
costs;

How levied.

210. In case of there being no distress found, out of which the penalty can be levied, the Justice may commit the offender to the Common Gaol, house of correction, or nearest lock-up-house, for the term or some part thereof, specified in the By-law.

Commitment
in default of
distress.

211. When the pecuniary penalty has been levied, one moiety thereof shall go to the informer or prosecutor, and the other moiety to the Corporation, unless the prosecution is brought in the name of the Corporation, and in that case the whole of the pecuniary penalty shall be paid to the Corporation.

Fines how ap-
plied.

212. The Police Magistrate, or when there is no Police Magistrate, the Mayor of a Town or City, shall have jurisdiction in addition to his other powers, to try and determine all prosecutions for offences against the By-laws of the Town or City, and for penalties for refusing to accept office therein, or to make the necessary declarations of qualification and office.

Jurisdiction of
Mayors and
Police Magis-
trates over pe-
nal offences.

DEBENTURES, &c.,

HOW TO BE MADE.

213. All Debentures and other specialties duly authorized to be executed on behalf of a Municipal Corporation shall, unless otherwise specially authorized or provided, be sealed with the seal of the Corporation and be signed by the Head thereof,

Debentures,
bonds, &c.,
how to be exe-
cuted.