

costs immediately after conviction, the convicting magistrate or justice may in his discretion levy the same by distress and sale, or may commit the person so convicted and making default to any common gaol or house of correction or lock-up house for a period not exceeding six months, with or without hard labour, unless the said penalty and costs be sooner paid." 5

"10. And upon conviction for a second offence, the offender shall be liable to a penalty not less than two hundred and not exceeding four hundred dollars, payable and recoverable as provided in the next preceding subsection, and, in the discretion of the convicting magistrate or justice, to imprisonment with or without hard labour in any common gaol or house of correction or lock-up house for a further period not exceeding six months." 15