

ceeding ; but such his answers shall not be used against himself in any prosecution or criminal proceeding.

22. Any person who, either before or after the summons of any witness in any such case, tampers with such witness, or by any offer of money, or by threat or otherwise, directly or indirectly, induces or attempts to induce any such person to absent himself or herself, or to swear falsely, shall be liable to a penalty of *fifty dollars* for each such offence.

Penalty for tampering with witness-es.

23. Whenever judgment is rendered under the said seventh and ninth sections of this Act for the amount of any penalty and costs, the Justice, if he sees fit, may call on the Defendant to declare whether or not he possesses sufficient goods and chattels to satisfy the same, and if the answer be affirmative, may further examine him as to the sufficiency of such goods and chattels and as to their being or not being readily available for seizure under a warrant of distress ; and if the Defendant either answers in the negative, or refuses to answer, or fails to answer to the satisfaction of such Justice, he may be forthwith imprisoned under the warrant of such Justice, in the common gaol or house of correction of the district, for a period of not less than one nor more than three months ; and such imprisonment, when fully undergone, shall be taken as a satisfaction and discharge of such judgment.

Defendant may be examined as to his means of satisfying the judgment.

Imprisonment if his answers are not satisfactory.

24. If the Defendant be not present at the time of the rendering of such judgment, and it be made to appear to the satisfaction of the Justice, by affidavit, that the issue of a warrant of distress would be likely to fail of realising the full amount thereof, in penalty and costs, the Defendant may be forthwith imprisoned in such common gaol or house of correction under warrant of the Justice, for a period of not less than two nor more than six months ; but the Defendant, in that case, may at any time obtain his liberation from such imprisonment, by making full payment of such amount and of all subsequent costs.

Imprisonment if defendant is absent and does not appear to have goods to satisfy judgment.

25. If the Justice do not so interrogate the Defendant, being present,—or if the Defendant being interrogated shows that he possesses a sufficiency of available goods and chattels to satisfy the amount of the judgment, in penalty and costs,—or if in the absence of the Defendant it be not shown to the satisfaction of the Justice that the issue of a warrant of distress would be likely to fail of realising the full amount of the judgment, in penalty and costs,—then in default of immediate payment, such amount shall be levied by warrant of distress out of the goods and chattels of the Defendant ; and in default of such goods and chattels, or in case of their being insufficient, the Defendant shall be imprisoned in such common gaol or house of correction, under warrant of the Justice, for a period of not less than two nor more than six months ; and the Defendant, in that case, may at any time obtain his liberation from such imprisonment, by making full payment of such amount and of all subsequent costs.

Execution if defendant has sufficient goods.

In default of goods,—imprisonment.

Liberation on payment in full.

26. All such penalties shall be disposed of in the following manner, that is to say :—

Application of penalties.

If the prosecution was brought by or in the name of the municipality, or by or in the name of any person authorized by the Council thereof, two third parts shall belong to such municipality ; and the Council of the municipality may pay over one of such two third parts either to ~~such person, or to~~ any other person upon whose information the prosecution may have been instituted.

If prosecution is in the name of a municipality.