

Court, that any juror called is engaged in such importation, manufacture, or traffic, or that he is believed to be so engaged, the Court shall inquire of him with respect to his being so engaged, and no answer which he shall make shall be used against him in any case arising under this Act; but if he should answer falsely, he shall be incapable of serving on any jury; but he may decline to answer, in which case, or if he admit the truth of the information, he shall be discharged. Cases for trial under this law shall take precedence of other business, except criminal cases in which the parties are under arrest awaiting a trial. Nothing in this Act shall prevent any chemist, artist, or manufacturer from keeping at his place of business or residence, such reasonable quantity of distilled liquors as he may have occasion to use and require in his art or trade, but not for sale.

20. All payments or compensations for liquors sold in violation of this Act, whether in labour or money, shall be held and considered to have been received in violation of law, and without consideration, and against equity and a good conscience, and the amount or value thereof may be recovered back; and all sales, conveyances, transfers, mortgages, liens, pledges, and securities of every kind which either in whole or in part shall have been made or given for or on account of liquors sold in violation of this Act shall as between the seller and purchaser be void; and no action shall be maintained in whole or in part for the price of liquors sold in contravention of this Act; nor shall any action be had or maintained for the recovery or possession of liquors, or the value thereof, except such as are sold, purchased, or held in accordance with the provisions of this Act.

21. Such a reasonable quantity of liquors as are required for ship stores, found in any vessel arriving at any Port in the Province, shall be exempted from seizure under the provisions of this Act.

22. All liquors not imported for any County, Town, or City shall be contraband, and dealt with as smuggled goods, and the provisions of any law relating to the protection or collection of the Revenue in regard to smuggled goods shall apply thereto, and to all proceedings relative thereto; and all the officers of the Revenue are required to seize liquors and prosecute the person importing or transporting them from place to place, in the manner prescribed for smuggled goods in any Act relating to the protection or collection of the Revenue; and every officer acting under the authority of this Act shall be deemed a Revenue officer, and every thing done under this Act shall be deemed to be done in the execution of the laws relating to the protection or collection of the Revenue, and in every case the officers shall be entitled to all the privileges and immunities, and subject to all the duties provided in the laws relating to the protection or collection of the Revenue.

23. In the construction of this Act, the term "liquor" or "liquors" shall mean brandy, gin, whiskey, rum, wine, ale, porter, or any other alcoholic, spirituous, or intoxicating liquor; "package" shall mean any keg, jug, barrel, pipe, or thing whatever for carrying liquid; "vessel" shall mean any boat, ship, or other thing which floats on the water, and is propelled by steam, wind, or oars; "conveyance" shall mean horse, carriage, cart, wagon, sled, or other vehicle by which any thing is carried, drawn, or hauled; "Treasurer" shall mean the Treasurer, Deputy Treasurer, or other officers of the Revenue department in any port or place; "Peace Offi-

cer" shall mean Sheriff, Coroner, Deputy Sheriff, Constable, Policeman, or any authorized person to execute a Warrant; "imprisonment" or "imprisoned," when it is prescribed or mentioned as a punishment, shall mean imprisonment in the Common Gaol, or Provincial Penitentiary, with or without hard labour, at the discretion of the Court or Justice; when it is provided to be incurred until a fine is paid, it shall mean imprisonment in the common gaol of the County; "building" shall mean any dwelling house, shop, barn, warehouse, store, or shed.

24. Any liquors usually or commonly known as being alcoholic, spirituous, or intoxicating, shall be deemed and taken to be alcoholic, spirituous, and intoxicating, and no proof of their alcoholic or intoxicating quality shall be necessary in any proceeding under this Act; but the presumption of such their quality may be rebutted.

25. All penalties, forfeitures, and convictions to be had under and by virtue of this Act, may be tried and determined before any one or more Justices of the Peace in the County where the offence is committed.

26. All penalties or forfeitures shall be recovered with costs by warrant of distress and sale of the offender's goods and chattels, for want of goods and chattels imprisonment not exceeding three months.

27. In addition to the Fees now allowed by law for any proceeding before a Justice, or to any constable or other officer, the following shall be allowed on all proceedings under this Act, viz:—

*To the Justice.*

For taking any bond, the sum of five shillings.

For making any order for the destruction of liquors, two shillings and six pence.

For attending in person or by deputy, two shillings and six pence.

*To the Officer.*

For executing any warrant for the seizure or destruction of liquors, five shillings, besides travelling and other expenses by him incurred in the care, custody, or destruction of such liquors in pursuance of the warrant or order of the Justice, three pence per mile for actual travel in the execution of his duty in any proceeding under this Act.

*To the Attorney.*

Attending any proceeding before a Justice, a sum not exceeding two guineas, nor less than half a guinea for each attendance, at the discretion of the Justice.

28. The several Forms in the Schedule to this Act contained, or Forms to the like effect, shall be deemed good in law.

29. No licence or authority had or granted before or after the passing of this Act for the sale of spirituous, intoxicating, or malt liquors, shall be of any force or effect after the time appointed for this Act to come into operation.

30. This Act shall not come into operation until the first day of January in the year of our Lord one thousand eight hundred and fifty six.

#### SCHEDULE.

( A )

to wit:—This is to certify that \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ (Yeoman), having executed a Bond with sureties, pursuant to law, is hereby licenced to act as the Agent of the said County, for the Parish (or City) of \_\_\_\_\_ for the