

## CAP. XXII.

An Act relating to French Paupers in the Parish of  
Dorchester, in the County of Westmorland.

Section.	Section.
1 Election of Assessors, Overseers, and Collector for French poor in Dorchester.	3. General Session may order assessment as in other cases.
2. Powers of such officers.	4. French inhabitants exempt from other poor rates.

*Passed 12th April 1861.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows :—

1. That three Assessors, three Overseers, and one Collector, for Poor Rate purposes for the French inhabitants of the Parish of Dorchester, in the County of Westmorland, shall be elected by the French inhabitants only, at the time and in the same manner as other Town or Parish Officers, who shall be subject to the same pains and penalties for neglect or refusal to act, or the non-performance of their duties, as other Town or Parish Officers; and when the said Town or Parish shall fail to elect, the Sessions shall appoint as in other cases.

2. That the said Assessors, Overseers, and Collector, shall have, as far as regards the Poor Rates, for support of the French Poor of the said Parish, all the powers incident to other similar officers respectively.

3. The General Sessions of the County shall have power to order an assessment upon the French inhabitants of the said Parish, for the support of French Paupers, as in other cases.

4. The French inhabitants of the said Parish shall not be liable for Poor Rates, except for the support of French Paupers as aforesaid.

## CAP. XXIII.

An Act to regulate the sale of Spirituous Liquors in the  
City and County of Saint John.

Section.	Section.
1. No person to sell liquors without licence.	12. For seducing soldiers to desert, &c.
2. General Sessions empowered to grant wholesale and retail licences: rate.	13. For harbouring articted seamen or apprentices.
3. Clerk of the Peace may issue licence in certain circumstances.	14. Lists of licensed persons to be sent to the Town Clerks, who shall inquire and report as to breaches.
4. Recognizances to be entered into.	15. Presentments of the Grand Jury, how to be dealt with.
5. No licence except to sober and orderly persons: sales by wholesale dealers limited.	16. Rate to be charged by the Mayor of the City for licences.
6. Penalty for selling without licence, &c. What shall be evidence.	17. Offences against Act to be given in charge to Grand Jury.
7. Licences restricted to places for which granted: residue of term.	18. Application of and prosecution for penalties.
8. No remedy to Inn Keepers selling liquors upon credit; securities and pawns voidable.	19. Definition of "liquor or liquors."
9. Penalty for selling liquors to apprentices, &c. or permitting them to remain drinking on premises;	20. Penalty for selling liquors in booths, &c.
10. For selling on Sunday; evidence of offence;	21. When burden of proof shall be on party prosecuted.
11. For selling, &c. liquors illegally imported;	22. Before whom penalties shall be recovered: form of proceedings. Schedule of Forms.

*Passed 12th April 1861.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows :—

1. No person shall directly or indirectly barter or sell any Liquors without License for that purpose first obtained as hereinafter provided.

2. The General Sessions of the Peace for the City and County of Saint John are hereby empowered to grant wholesale and Tavern Licences to such and so many persons of good character, as they in their discretion shall think proper, to sell Liquors by wholesale, or keep a Tavern within the said County, demanding and receiving for every such licence a sum not exceeding twenty five pounds nor less than five pounds, which shall be paid to the Clerk of the Peace for the said County, together with five shillings for his trouble in issuing such licence; but no wholesale or Tavern Licence shall be

in force for a longer period than one year; but the said Sessions may in their discretion grant Tavern Licences for the sum of forty shillings to persons residing in remote situations, when the same shall appear to such Court absolutely necessary for the accommodation of travellers.

3. The Clerk of the Peace may at any time issue a licence out of Sessions to any person who may bring a recommendation (A) for the same in writing, under the hands of any three of the Justices of the Peace for the City and County of Saint John, living nearest to the house where the Tavern is to be kept, or continued in case of death or removal of the original licensee, taking from the person so recommended the sum authorized in Sessions for such license, with his fees, and also a recognizance in the same manner as if done in Sessions, which shall have like force as if done there; such Licence to continue only to the March Sessions following the issuing thereof, and in no case to be longer than for one year: If the party applying lives in a remote situation, the said Justices shall state what sum is to be taken in their recommendation; the Clerk shall make a return to the next Sessions of the parties so licensed, and pay over the moneys to the County Treasurer as if the same had been received at the Sessions, together with any other moneys received at the Sessions for Licences, towards defraying the contingent expenses of the County.

4. Every person receiving a wholesale or Tavern Licence by the authority aforesaid, shall enter into a recognizance to Her Majesty in the sum of forty pounds, with two good sureties, conditioned to obey the provisions of this Act, and of all such regulations as may be made respecting the same in General Sessions; such regulations to be made under such penalties not exceeding for any one offence the sum of five pounds, nor to be less than twenty shillings.

5. No Licence to keep a Tavern or Inn shall be granted to any person unless he shall be of sober and orderly habits, and shall, if residing without the City of Saint John, have the means of comfortably entertaining travellers; and no person licensed to sell by wholesale any liquors under the provisions of this Act, shall sell any such liquors in any quantity less than one pint, nor shall any wholesale dealer permit any such liquors to be drunk on his premises.

6. If any person shall, directly or indirectly, sell or barter any liquors without licence, or if a licensed wholesale dealer shall sell any liquor in any quantity less than one pint, or shall allow any liquor to be drunk on his premises, such person so offending shall for each offence forfeit a sum not exceeding ten pounds, nor less than two pounds: Keeping a shop with liquors therein, or keeping such liquors in any part of any house or building apparently for sale, or any person being found drinking therein, or coming therefrom intoxicated, shall be evidence on any prosecution for any offence of selling or bartering any liquors without licence, and shall be sufficient proof of such offence, unless the party complained against shall prove to the satisfaction of the officer before whom the prosecution shall be conducted, either that he had a license or that there was no sale or barter of liquors as complained of.

7. No license granted under this Act shall entitle any person to keep any Tavern or Inn, or to sell liquor by wholesale in any other house or place than that for which his License may have been granted, but in case of the death or removal of the person licensed, before the expiration of his term, a