

and County aforesaid, under the penalty of five pounds for every offence.

21. In all prosecutions for penalties under this Act, proof that any person has been found intoxicated on or coming out of any premises where liquors are permitted to be sold, shall throw the burden of proof on the party prosecuted.

22. All penalties under this Act shall be recovered, with costs, when the offences against this Act, or against the regulations made by virtue of the same, shall happen within the Parish of Portland, before the Police Magistrate there; and if within the City of Saint John, before the Police Magistrate in the City; and if in any of the other Parishes of the said County, before any Justice of the Peace of the Parish where such offences may be committed; and all proceedings therefor shall be according to the form and directions in the Schedule to this Act, B, C, D, E, or to the like effect; and the information or complaint for the same may be verbal or written, and, if written, according to Form B; all other proceedings shall be according to Chapter 138, of the Revised Statutes, 'Of Summary Convictions.'

SCHEDULE OF FORMS.

A.

We, the undermentioned Justices of the Peace, living nearest the place of the residence of _____, bearer hereof, being satisfied that he is a person of orderly and sober habits, and has the means of comfortably entertaining travellers, do recommend him as a proper person to keep a Tavern or Inn in the Parish of _____, and to have a Licence therefor. [If in a remote situation, add, And such person living in (describe the place) being a remote situation, he is to pay the sum of _____ therefor; and if to continue a house, the said _____ is to pay _____ for the remainder of the term of the Licence of _____.]

, J. P.

, J. P.

, J. P.

B.—Information, if in writing.

Saint John, to-wit:—The complaint of _____ taken and sworn this _____ day of _____ A. D. 186 _____, before me, who saith that _____ is (or he suspects that _____ is) selling Liquor without Licence, [or, as the case may be, in the same general manner.]

Police Magistrate, or J. P.

C.—Warrant to apprehend.

To any Constable of the City and County of Saint John.

Bring _____ before me, charged with selling Liquor without Licence, [or as the case may be,] to answer thereto at suit of _____, County Treasurer.—Dated the _____ day of _____ A. D. 186 _____.

, Police Magistrate, or J. P.

D.—Conviction.

On this _____ day of _____ 186 _____, A. B. is convicted before me the undersigned, for selling Liquor without Licence, [or as the case may be,] and I adjudge him to pay the sum of _____ to be paid and applied according to Law, with costs amounting to the sum of _____ to be paid to [the party prosecuting,] the whole to be levied by distress and sale of the goods and chattels of the said _____ with the costs of levying; or for want thereof, the said _____ to be

imprisoned in the Common Gaol of the City and County of Saint John for thirty days, [or for a less period, but not under ten days, as the Magistrate may here direct.]—Dated, &c.

P. M. or J. P.

E.—Warrant of Distress.

To any Constable of the City and County of Saint John.

Make distress of the goods and chattels of _____ for the sum of [penalty and costs,] ordered to be paid by him on conviction before me, and if the same be not paid, sell the said distress on six days notice, rendering the proceeds, if any, after deducting costs of such distress and sale, and after paying the sum of [the penalty] to the County Treasurer, and the sum of [the costs] to me, to the said _____, and for want of goods or chattels, take the body of the said _____, and commit him to the Common Gaol of the City and County of Saint John for thirty days, [or as in the conviction,] unless the amount aforesaid be sooner paid.—Dated, &c.

P. M. or J. P.

CAP. XXIV.

An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for defraying the expenses occasioned by the fitting up of the Court House of said City and County.

Section.

1. Authority to borrow \$2,000. Form and signature of certificates.
2. Certificates to be negotiable, and bear interest.

Section.

3. Assessments to be made.
4. Application of the assessments.
5. Remuneration of the County Treasurer.

Passed 12th April 1861.

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

1. The Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace holden for said City and County, shall borrow the sum of two thousand dollars for the purpose of defraying the expenses incurred by them in fitting up the Court House of the said City and County for a Reception Room, and afterwards in refitting the Court Room for the sittings of the Courts; to be paid off and discharged in the manner hereinafter mentioned; the sum to be taken in loans of not less than four hundred dollars; and that certificates or notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained:—

Number — .

City and County of Saint John, ss.

These are to certify that [here insert the name, residence, and addition of lender] hath lent and advanced to the Justices of the Peace for the City and County of Saint John the sum of four hundred dollars, which sum is payable to him or to his order, together with lawful interest, pursuant to an Act of Assembly passed in the twenty fourth year of Her present Majesty, intituled *An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for defraying the expenses occasioned by fitting up of the Court House of said City and County.*

Which certificates shall be signed by the Chairman of the Sessions or the Mayor, and countersigned by the Clerk of the Peace, and shall be respectively numbered according to the time when made and issued, and a memorandum thereof shall be duly entered by the Clerk in the minutes of the Sessions.

2. The said certificates or notes shall be negotiable in the