

a City or Town, under the penalty of twenty dollars for every offence in every case of sale.

27. In all incorporated Counties the licences to be granted and regulations to be made under the provisions of this Act, shall be so granted and made by the Warden and Council ; and the duties prescribed to be performed by Clerks of the Peace in reference thereto, shall in such Counties be performed by the Secretary-Treasurer thereof.

28. Any tavern keeper or inn keeper, or person having licence to sell spirituous liquors, who shall sell or give any spirituous liquors to any person while such person is intoxicated, shall incur a penalty of not more than twenty dollars nor less than four dollars.

29. That if any steward or other person shall sell any spirituous or malt liquors upon a steamboat or other vessel, without having a licence for that purpose from the Sessions of the County in which such spirituous or malt liquors are sold, the owner of such steamboat or vessel shall pay any fine, and be liable to any penalty or imprisonment provided by this Act for selling spirituous or malt liquors without licence.

30. That every person holding a licence for the sale of spirituous liquors shall close his shop, room or place in which he has exposed for sale spirituous liquors, at the hour of ten of the clock in the evening of each week-day, and shall keep the same closed from that time until six of the clock in the morning of the week-day following ; and for every offence against the provisions of this section by the holder of a licence, he shall incur a penalty of not less than eight dollars and not more than twenty dollars.

31. On all prosecutions under this Act had before Justices in General Sessions, the Forms of any process or conviction may be made conformable as near as may be to the forms prescribed by any Act now or hereafter in force relating to Summary Convictions before Justices of the Peace, and any such process may be issued and signed by the Clerk of said Court, either in Term or Vacation, and the costs of such prosecution shall be the same as are allowed in such Court for like or analagous services; and penalties under this Act incurred may be recovered before one Justice of the Peace, unless otherwise provided by this Act; and the Forms in the proceedings before Justices not in Sessions may be according to Forms (A) (B) (C) and (D) in the Schedule to this Act annexed, or to the like effect; and the said forms are hereby made a part of this Act; and the costs of such proceedings shall be the same as allowed before Justices of the Peace for like or analagous services.

32. Notwithstanding anything contained in this Act, the City Council of the City of Fredericton may in special cases, upon the approval of the Police Magistrate of the said City, or any Committee of enquiry appointed for the purpose by the City Council, grant licenses, tavern or wholesale, to persons not having on their premises the accommodation for travellers required in other cases: In other respects, tavern and wholesale licences may be granted in the said City by the City Council, according and subject to the terms of this Act.

33. Nothing in this Act shall affect the operation of any Act or Acts relating to the licencing and sale of spirituous liquors in the City and County of Saint John, whether here-

tofore passed, or which may be passed this Session, except so far as the licencing and sale of such liquors in said City and County should, before the passage hereof, have been regulated by any of the general laws of the Province relating to the licencing and sale of liquors, hereby repealed; but all such local laws in force in the City and County of Saint John, relating to such licencing and sale, shall be in force in said City and County as if this Act had not been passed.

34. All Acts and parts of Acts repugnant to or inconsistent with this Act are hereby repealed, except Section one of Chapter six, of an Act passed in the thirty fourth year of the Reign of Her present Majesty, which is not hereby repealed.

35. In all incorporated cities and towns heretofore enjoying or possessing the power of granting licences within the limits of such cities or towns, the power of granting licences within the limits of such cities or towns, and making regulations under this Act, shall be vested in the local authorities heretofore acting in that behalf, and not in the General Sessions of the Peace or County Council of the County in which such city or town may be situate, and all moneys payable for licences, or recovered for fines or fees for violation of the provisions of this Act, or the regulations made thereunder, within any city or incorporated town, shall be paid to the Treasurer or Chamberlain of such city or town for city or town purposes, and not to the County Treasurer; and in lieu of the recognizance mentioned in the seventh section, a bond shall be taken to the City or Town Corporation, or as provided by any local law in that behalf.

## SCHEDULE OF FORMS.

(A)

*Information, if in writing.*

to wit:—The complaint of \_\_\_\_\_ taken and sworn  
this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 18 \_\_\_\_\_, before me, who saith that  
\_\_\_\_\_ is (or he suspects that \_\_\_\_\_ is) selling liquor with-  
out licence, [or as the case may be, in the same general manner,  
specifying the time and place as near as may be.]

*J. P.*

(B)

*Warrant to apprehend.*

To any Constable of the County of .  
Bring before me, charged with selling liquor without licence, [*or as the case may be, specifying the time and place as near as may be,*] to answer thereto at suit of .

Dated the            day of            , A. D. 18    .

*J. P.*

(C)

*Conviction.*

On this       day of       , 18       , 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 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, he said       to be imprisoned in the common gaol of the County of       , for       days.—Dated, &c.

*J. P.*

*J. P.*