

LICENSE FUND.

37.—(1) All sums received from duties on tavern and wholesale licenses, and for transfers and removals thereof, and received by the Inspector for fines and penalties, shall form the license fund of the license district for which the Board of License Commissioners has been appointed.

(2) The license fund shall be applied, under regulations of the Lieutenant-Governor in Council, firstly, for the payment of an allowance to the License Commissioners, also the payment of the salary and expenses of the Inspector, and for the expenses of the Board and officers, and otherwise in carrying the provisions of the law into effect; secondly, for the payment to the City, Town or Municipality of the district in which any fines or penalties have been received of an amount equal to two-thirds of such fines and penalties, and to the Provincial Treasury of the remaining one-third of such fines and penalties; and lastly of the residue, on the thirtieth day of June in each year, and at such other times as may be prescribed by the regulations of the Lieutenant-Governor in Council, as to Cities and Towns of over 5,000 of a population, one half of such residue shall be paid over by the Receiver General of the Province to the Treasurer of the City or Town in which the licensed premises are respectively situate; and as to other districts the apportionment shall be made by the Lieutenant-Governor in Council between the Receiver General and the City, Town or County in which such district is situate *pro rata* to the amount of License Duties collected from licenses in such districts under sections 35 and 36 respectively; and the amount retained by the Receiver General shall form part of the Consolidated Revenues of the Province; provided further that the Lieutenant-Governor in Council may, in the case of any such last named district so apportion the distribution of said license fund as to return to the Municipality the payment of the whole or any portion of the allowance to the Commissioners.

(3) In the County of Saint John the portion of the residue payable to the County as above provided, shall be paid and distributed to and among the several Highway Boards in the respective Parishes in which the license fees are received, and in proportion to such respective receipts.

(4) Cheques upon the license fund account shall be drawn by the Receiver General, subject to regulations of the Lieutenant-Governor in Council.

38.—(1) Any penalty in money recovered under this Act, in cases in which the Inspector is the prosecutor or complainant, shall be paid by the convicting Justice, Justices or Police Magistrate, to the Inspector, and paid in by him to the credit of the "License Fund Account."

(2) In case the whole amount of the penalty and costs is not recovered, the amount recovered shall be applied, first, to the payment of the costs, and the balance shall be paid into the License Fund.

(3) In any case where the Inspector has prosecuted and obtained a conviction, and has been unable to recover the amount of costs, the same shall be made good out of the said License Fund.

(4) In any case where the Inspector has prosecuted and failed to obtain a conviction, he shall be indemnified against all costs out of the license fund, should the Justice, Justices or Police Magistrate before whom the complaint is made, certify that such officer had reasonable and probable cause for preferring such prosecution or complaint.

REGULATIONS AND PROHIBITIONS

39. All licenses shall be constantly and conspicuously exposed in the warehouses and taverns to which the licenses respectively relate,