

PROSECUTIONS, ACTIONS AND PENALTIES.

- Complaints.** 7. Any purchaser of liquors which he believes to be adulterated, shall make a complaint in relation thereto, without delay, and shall thereupon seal the same, so that no person shall have access thereto.
- Proceedings on any such complaint.** 8. The Justice hearing the cause shall order such liquors to be examined and analysed by the Inspector and Analyst of the inspection district, who shall make a return and certificate of the result of his analysis, specifying whether such liquors are pure or adulterated, and whether they are so adulterated with deleterious ingredients as to be injurious to health; and such certificate shall, in the absence of any evidence to the contrary, be sufficient proof before such justice, or in any Court of Justice, of the truth of the matters therein certified; but if proof be ordered, it shall be competent to the defendant to declare, that he requires the attendance of the Inspector and Analyst to be cross-examined on such certificate, in which case the party prosecuting shall cause him to be summoned.
- Inspector's expenses, &c.** 2. The Inspector and Analyst shall be entitled to recover, from the party requiring his attendance, the full amount of his travelling expenses.
- Punishment of seller.** 9. All persons so selling, or retailing adulterated liquors containing ingredients injurious to health, shall, upon a complaint being made as aforesaid, be punishable by imprisonment for three months, and by a fine of fifty dollars.
- Adulterated Liquors to be destroyed.** 10. All adulterated liquors, the property of the seller or retailer, shall be seized and confiscated, and destroyed.
- Where destruction may take place.** 11. The Justice hearing the cause may also order that such destruction shall take place in front of the establishment or domicile of the party convicted.
- In case of repetition of offence.** 12. In case of a repetition of the offence, the Justice hearing the cause, may cause a copy of his judgment to be posted up in such places as he shall designate, and may cause the said judgment be inserted, in whole or in part, in such newspapers as he shall designate, the whole at the expense of the party convicted.
- Inspector shall receive a certain fee.** 13. Every Inspector and Analyst shall be entitled to receive for his services a sum of *twenty-five shillings*, more or less, in the discretion of the Justice, to be deemed costs, and paid by the party against whom judgment shall be given.
- Recovery and disposal of penalties.** 14. All penalties and forfeitures imposed by this Act shall be recovered summarily on the information of any person who will prosecute for the same, before any two Judges of the Peace near the place where the offence shall have been committed, and shall be payable, one half to the Prosecutor (who shall not be thereby rendered incompetent as a witness) with costs, and the other half to Her Majesty.
- Appeals from convictions under this other Act.** 15. Any person aggrieved by any conviction under this Act may appeal to the next General or Quarter Sessions of the Peace, to be held for the District or other Territorial Division wherein the same shall have been made, provided that eight days intervene between such conviction and the holding of such Sessions of the Peace next thereafter, and provided that within three clear days after the making of such conviction, exclusive of Sundays and Holydays, such Appellant shall enter into a recognizance with two sufficient sureties before any one Justice, condi-