

**An Act respecting prosecutions for the unlawful sale of intoxicating liquors.**

**WHEREAS**, doubts have arisen, respecting the right of District Revenue Inspectors to institute proceedings under By-laws of Municipal Councils, relating to the sale of intoxicating liquors. Preamble.

Therefore, Her Majesty, &c., enacts as follows :

5 **1.** Collectors of Inland Revenue, formerly called Revenue Inspectors, have and always have had the right of instituting prosecutions for infractions of By-laws of Municipal Councils in Lower Canada, respecting the sale of intoxicating liquors ; and no provision of the Lower Canada Consolidated Municipal Act, or of any Act amending it, by which the Right of Collectors of Inland Revenue as regards illegal sale of intoxicating liquors.  
10 right of instituting such prosecutions is extended to the Councils of Local Municipalities, shall be construed as in any wise affecting the rights and powers of the said Collectors of Inland Revenue.

**2.** The Justice of the Peace before whom such prosecution is instituted, may in his discretion, upon conviction of the offender enforce payment of the fine imposed and of the costs of suit, by any of the proceedings prescribed by the 37th, 38th, 39th, or 40th sections of chapter six of the Consolidated Statutes for Lower Canada, respecting Tavern Keepers and the sale of intoxicating Liquors, and may condemn such offender to the imprisonment prescribed by the said sections. Prosecution in such cases.

20 **3.** The time of imprisonment prescribed by the 40th section of the last cited Act, shall date from the day the offender is taken into custody, and not as heretofore from the date of conviction. Time of imprisonment.

**4.** Every fine recovered in virtue of this Act upon the prosecution of the Collector of Inland Revenue for the District in which the offence shall have been committed, shall belong to the Municipality, if there be no informer, and if there be an informer, one half of the said penalty shall belong to the informer, and the other half to the Municipality, and the Collector of Inland Revenue may be heard as a witness in all suits of this nature, and his sole evidence will suffice. To whom fines shall be paid.

30 **5.** And whereas, with the view of evading the law, certain vendors of intoxicating liquors frequently have recourse to subterfuges, such as the pretended loan of spirituous liquors, or the sale of certain articles, such as pipes, tobacco, cakes, or fruit, giving at the same time to the purchaser intoxicating liquors in the form of a present, or encouragement, or employ other means equally calculated to evade the law, therefore it is enacted: that any person who sells or gives any intoxicating liquors under the circumstances or upon the pretexts mentioned in this Section, shall be deemed to have sold intoxicating liquors without license, and upon conviction before any Justice of the Peace, shall be What shall be deemed a sale.  
40 liable to the fines and penalties prescribed for that offence.

**6.** This Act shall apply only to Lower Canada.

**Act limited to L. C.**