

Penalty.

dible witness before any one of his majesty's justices of the peace, he shall forfeit and pay for every such offence the sum of ten pounds, one half of which shall be paid to the informer, and the other half into the hands of his majesty's receiver general, to and for the public uses of this province, and the support of the government thereof.

Search warrant to be granted on affidavit.

X. And in order to prevent fraud in the matters aforesaid, Be it enacted by the authority aforesaid, That it shall and may be lawful for any of his majesty's justices of the peace, upon oath first to be made by any credible person, that such person has good reason to believe that the still or stills employed by any licenced person does or do contain a greater number of gallons in the body or bodies thereof, than what is specified in his requisition or licence, to grant a search warrant to a peace officer; taking with him the party making oath as aforesaid, and any other person for the purpose of examining the still house or other place where any still or stills may be set up, and of measuring or guaging the bodies thereof; Provided always, that no such warrant be executed before sun rise, or after sun set.

Distillers not to retail, nor to be licenced to retail.

XI. And be it further enacted by the authority aforesaid, That it shall not be lawful for any person working any licenced still or stills as aforesaid, to sell or barter any quantity of such distilled liquor less than three gallons, nor shall it be lawful for the secretary of the province or any of his agents, to grant a licence for the purpose of distilling spirituous liquors to any person or persons, licenced at the same time to retail spirituous liquors, or to grant a licence for retailing spirituous liquors, to any person or persons licenced at the same time to distill spirituous liquors.

Payment of the monies into the hands of the receiver general.

XII. And be it further enacted by the authority aforesaid, That all monies which shall be received by the secretary of the province or his agents, under and by virtue of this act, for licences, to commence on the fifth day of September next, shall be paid by the secretary into the hands of the receiver general of this province, on or before the twentieth day of May and that all monies hereafter to be received by virtue of this act, for licences, to commence on the sixth day of April, shall be paid in to the said receiver general on or before the twenty-first day of June next ensuing, and that all monies that may be received by virtue of this act after the said twenty-first day of June in each and every year successively, be paid in to the receiver general, on or before the fifth day of April next ensuing.

Foundage of the receiver general.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the receiver general, as treasurer of this province, to deduct from and out of the several sums of money to him paid by the secretary of the province, under and by virtue of this act, the sum of three pounds, for every hundred by him received as aforesaid.

Accounting of monies.

XIV. And be it further enacted by the authority aforesaid, That all the fines, forfeitures and penalties that shall be incurred under this act, shall be accounted for to his majesty, through the commissioners of his majesty's treasury for the time being, in such manner and form as his majesty shall direct.

C H A P. XII.

An ACT for regulating the manner of licencing Public Houses, and for the more easy convicting of Persons selling spirituous Liquors, without Licence.

Preamble.

WHEREAS the provisions contained in a certain ordinance of the late province of Quebec, passed in the twenty-eighth year of his majesty's reign, entitled, "An act or ordinance for the better security of the revenue arising on the retail of wine, brandy, rum or spirituous liquors, have been found inconvenient; and whereas it is expedient to make other and more easy regulations respecting licences to houses of public entertainment; Be it enacted by the king's most excellent majesty, by and with the advice and consent of the

Recital of an ordinance passed 23 Geo. 3.