

## OFFENCES AGAINST THIS ACT, HOW PUNISHED.

Forfeiture of  
liquor found  
in the hands  
of unlicensed  
persons.

**23.** All intoxicating liquor found in this Province, except in the possession or under the control of an officer of the law who has seized the same under this Act, or an Agent for the sale of such liquor or of a person duly authorized to manufacture the same, without having attached to the vessel containing such liquor, a written or printed card, label or mark as hereinbefore provided, and all liquor kept, used, or held for use, in violation of this Act, and the vessels, or casks, containing the same, are hereby declared to be forfeited to the Municipality in which the same are found, but such card, label or mark, being attached to the liquor, shall not be taken as proof that the same is not held, or intended for unlawful sale or use. 5 10

Warrant to  
search for li-  
quor unlaw-  
fully kept.

**24.** If any three municipal electors make oath or affirmation before any Justice of the Peace, that they have reason to believe, and do believe that intoxicating liquor, intended for sale or barter, or to be used in contravention of this Act, is kept or deposited in any house or place in the Municipality, or on any adjoining water, the said Justice of the Peace shall issue his warrant to any sheriff, police officer, bailiff or constable, requiring him forthwith to search for, seize such liquor if found, and the vessels or casks containing the same, and to arrest the owner or keeper thereof, and to convey the liquor and vessels or casks so seized to some proper place of security, there to be kept until final action thereon. 15 20

Forfeiture of  
liquor.

**25.** The owner or keeper so arrested shall be brought before such Justice, or some other Justice of the Peace, and if it be proved that the said liquor was kept or intended for sale or use contrary to the provisions of this Act, it shall be declared forfeited, together with the vessels or casks containing the same, and the owner or keeper of such liquor shall be deemed an offender against this Act. 25

Arrest of per-  
sons selling  
liquor in  
tents, huts,  
etc.

**26.** In case any Peace Officer, Policeman or Constable receives satisfactory information that any intoxicating liquor is kept for sale or use, or is sold or used contrary to this Act, in any tent, shanty, hut or place not being a dwelling house, or at any public fair, or on or near the ground of any cattle show, exhibition, militia or military muster, or on any public occasion of any kind, he is required to make diligent search at such place, and if he finds therein or thereat any intoxicating liquor, he shall seize the same with the vessels containing it and shall arrest the keeper of the place, or the owner or keeper of the liquor found as aforesaid, without warrant, and shall forthwith take him before any Justice of the Peace, having jurisdiction, with the liquor and vessels so seized. 30 35 40

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**27.** Upon proof that the said intoxicating liquor was found in the possession, or under the control of the accused, in any tent or shanty or other place as aforesaid, and was there kept to be sold, or in any way furnished to the persons there assembled, he shall be deemed an offender against this Act, and the liquor and vessels so seized shall be declared forfeited by the order of the said Justice, who shall award such costs as he shall deem just:—But should such prosecution fail, no officer making such seizure shall be condemned in costs unless it be proved that he was moved to make such seizure by malice. 45 50

Agents pun-  
ishable.

**28.** All Clerks, Agents and Servants shall be proceeded against as principals, and incur the same penalties for a violation of this Act.