

17. If any such prosecution is dismissed, the Justice, should he be of opinion that there was probable cause for the complaint, shall not award costs against the prosecutor. If there was probable cause.

18. Every summons or other process, proceeding, or paper, in any such case, may be served, and the service thereof certified, under his oath of office, by any bailiff, or by any constable or peace officer duly appointed for the locality wherein the same is pending. Service of process, &c.

19. In every such case, if the Justice so order, or if either party so require, the depositions of the witnesses shall be reduced to writing by the Justice, or by such clerk as the Justice may appoint to that end, and shall be filed of record in the cause. Such clerk shall be entitled to charge and receive at the rate of *ten cents* for each hundred words of evidence so reduced to writing, or of *two dollars per diem*, in the discretion of the Justice,—to be entered in taxation, and paid by either party, or partly by each party, as the conviction or judgment in the case may ordain; and if no conviction or judgment be rendered therein within two months after the taking of such evidence, then the fees of such clerk shall be paid in equal shares by each party. Depositions may be reduced to writing and filed. Fees to clerk employed and how paid.

20. It shall not be necessary in any such case, to prove that an offence was committed on the precise day specified, in order to obtain a conviction; provided it be proved that the same was committed on or about such day, and before the date of the complaint. Proof of precise date of offences dispensed with.

21. In all such cases, the delivery of intoxicating liquor of any kind in or from any building or place, other than a private dwelling house or its dependencies, or in or from any dwelling house or its dependencies, if any part thereof is used as a tavern, eating house, grocery, shop, or other place of common resort,—such delivery in either case being to any one not *bona fide* a resident therein,—shall *prima facie* be deemed evidence of and punishable as a sale in violation of the seventh and ninth sections of this Act; and any such delivery in or from a private dwelling house or its dependencies, or in or from any other building or place whatever, to any one whether resident therein or not, with payment or promise of payment, either express or implied, before, on or after such delivery, shall *prima facie* be deemed evidence of and punishable as a sale in violation of the said sections. Delivery of liquor in other than private houses to be deemed evidence of a sale. What shall be so deemed in private houses

22. In any such case, the Justice may summon any person represented to him as a material witness in relation thereto; and if such person refuses or neglects to attend pursuant to such summons, the Justice may issue his warrant for the arrest of such person; and he shall thereupon be brought before the Justice, and if he refuses to be sworn or to affirm, or to answer any question touching the case, he may be committed to the common gaol, there to remain until he consents to be sworn, or to affirm, and to answer. Summoning witnesses; punishment of those refusing to answer.

23. No person shall be incompetent on account of interest in the event of any such case, to give evidence therein. As to interest of witnesses.

24. Any person examined or called as a witness in any such case, shall be bound to answer all questions put to him, and which the Justice deems relevant, notwithstanding his answers may disclose facts subverting or tending to subject him to any penalty or other criminal proceeding; but his answers shall not be used against himself in any prosecution or criminal proceeding. Witnesses bound to answer all relevant questions.