

*it therefore enacted* by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That if any person or persons shall, after the passing of this Act, give, convey, or supply to any Prisoner confined in any Common Gaol or House of Correction in any District in this Province, any Rum, Brandy, Whiskey, or other Spirituous Liquors, contrary to such Rules and Regulations as have been or shall be hereafter from time to time established by law, every such offender being duly convicted thereof before two Justices of the Peace, shall be liable to pay a Fine not exceeding Five Pounds.

If any person shall supply spirits to a prisoner in gaol;

And be convicted before two Justices, he may be fined £5.

Any one Justice may summon the party accused;

And in default of appearance;

Two Justices may hear and determine the case ex-parte;

Or issue a warrant to apprehend the accused;

One Justice may issue such warrant without any summons.

II. *And be it further enacted by the authority aforesaid*, That when any person shall be charged on the oath of one or more credible Witness or Witnesses, before any one Justice of the Peace, with any offence against this Act, such Justice may Summon the person charged to appear at a time and place to be named in such Summons; and if he shall not appear accordingly, then (upon proof of the due service of the Summons upon such person, by delivering the same to him personally) any two Justices of the Peace for the District where the offence is alleged to have been committed, may either proceed to hear and determine the case ex-parte, or issue their Warrant for apprehending such person, or any one of the said Justices may, if he shall so think fit, without any previous Summons, issue such Warrant.

No conviction or committal to be quashed for want of form.

III. *And be it further enacted by the authority aforesaid*, That no conviction under this Act shall be quashed for want of form, and no Warrant of committal shall be held void by reason of any defect therein: *Provided* it be alleged that the party has been convicted, and there is a good and valid conviction to sustain the same.

Power to summon witnesses;

Fine for non-attendance.

IV. *And be it further enacted by the authority aforesaid*, That such Justices shall have full power and authority to Summon Witnesses, either in support of the prosecution or for the Defendant; and if any person having been personally Summoned to attend as a Witness, shall neglect or refuse to attend, or shall fail to show some reasonable excuse for his non-attendance, he may be Fined for such non-attendance by the Justices assembled to try the offence, in any sum not exceeding Five Pounds.