

An Act to authorize the Conviction of persons for selling
Liquor without License.

HER MAJESTY, by and with the advice and consent of the Legis- Preamble.
lative Council and Assembly of Canada, enacts as follows :

1. If any person or persons shall directly or indirectly sell any wine, brandy, rum, whiskey, beer, cider, or other spirituous or ferment-
5 ed liquor, whether by wholesale or by retail, without a license for that
purpose previously obtained, such person or persons shall, upon the
oath of one credible witness, forfeit and pay any sum not less than ten
dollars nor more than fifty dollars. Penalty for
sale of liquor
without li-
cense.

2. In the event of the offender or offenders not paying the penalty
10 that may be imposed for a violation of this Act, together with the just
costs incurred, or in case sufficient goods or chattels may not be found
to satisfy such fine and costs, it shall and may be lawful for the con-
victing Justice or Justices to issue his or their warrant to commit the
person or persons convicted to the gaol of the city, county or town in
15 which the offence was committed, until the fine and costs shall be paid,
but in no case for a longer period than three calendar months. Enforcement
of payment.

3. In prosecutions under this Act, it shall not be necessary that any
witness shall depose to the precise description of the liquor bartered or
sold, or to the precise consideration given or intended to be given there-
20 for, or to the fact of the sale or barter having taken place with the
participation or knowledge of the party charged, but the Justice or
Justices trying the same, so soon as it may appear to him or them that
the circumstances in evidence appear *prima facie* to show an infraction
of the law, shall put the defendant on his defence, and, in default of his
25 rebuttal of such evidence, shall convict him accordingly. What evi-
dence shall be
deemed suf-
ficient.

4. All infractions of this law may be tried and adjudicated upon, in
cities, by the Mayor, the Police Magistrate, or any two or more Alder-
men or Magistrates thereof; in counties or united counties, by the
Warden or any two or more Justices of the Peace; and in incorporated
30 towns and villages, by any two or more Justices of the Peace having
jurisdiction within the same. Who may ad-
judicate un-
der this Act.

5. The License Inspector or Inspectors in cities, towns, townships
and villages shall have power to inform upon, and to prosecute all per-
sons guilty of an infraction of this law, and for that purpose he or they
35 shall be authorized at all proper and seasonable hours to enter into the
house and upon the premises of all suspected persons, provided that in
such house, or upon such premises, a shop, bar-room or store is kept
for the sale or barter of groceries or liquors. Powers of Li-
cense Inspec-
tors.