

payable to the heirs or legal representatives of such deceased person, or to be imprisoned for a period of not less than one month nor more than six months."

31. If a person in a state of intoxication assaults any person, or in-
 5 jures any property, whoever furnished him with the liquor which occa-
 sioned his intoxication, or with any part thereof,—if such furnishing
 was in violation of this Act, or otherwise in violation of law,—shall be
 liable to the same action by the party injured as the person intoxicated
 would be liable to; and such party injured, or his legal representatives,
 10 may bring either a joint action against the person intoxicated and the
 person who furnished such liquor, or a separate action against either.

Persons who furnish the liquor liable for assault committed by a person thereby intoxicated.

32. The husband, wife, parent, child, brother, sister, tutor, or em-
 15 ployer, of any person who has the habit of drinking spirituous or other
 intoxicating liquor to excess, may give notice in writing, signed by him
 or her, to any person licensed to sell, or who sells or is reputed to sell,
 spirituous or other intoxicating liquor of any kind, not to deliver spi-
 rituous or other intoxicating liquor to the person having such habit; and
 if the person so notified do at any time within twelve months after such
 notice, either himself, or by his clerk, servant or agent, deliver any such
 20 liquor to the person having such habit, the person giving the notice may
 in an action as for personal wrong, if brought within six months there-
 after, but not otherwise, recover of the person notified, such sum
 not less than twenty nor more than five hundred dollars, as may
 be assessed by the Court or Jury as damages; and any married woman
 25 may bring such action without authorization by her husband, and all
 damages recovered by her shall in that case go to her separate use;
 and in case of the death of either party, the action and right of action
 given by this section shall survive to or against his heirs or other legal
 representatives.

Husband, wife, &c. may notify sellers of liquor not to furnish it to any person addicted to drinking. Liability of persons so notified.

Married women may bring action for damages.

30 33. This Act may be cited as "The Lower Canada Temperance Act
 of 1863."

Short title of Act.

(A.)

FORM OF DECLARATION.

PROVINCE OF CANADA, } A. B. [*designate duly and sufficiently the*
 Lower Canada, to wit: } *Municipality or other Prosecutor, as the case*
 District of } *may require,*] in behalf of our Sovereign Lady
 the Queen, prosecutes C. D. of [*designate duly and sufficiently the Defend-*
ant] and declares: That the said C. D. at [*designate duly the Municip-*
ality and District,] on [*designate the time or times*] and at sundry
 times before or since, did [*here state succinctly the offence charged*]
 contrary to the Lower Canada Temperance Act of 1863, then and
 there being fully in force; whereby and by force of the said Act, the
 said C. D. hath become liable to pay the sum of
 Wherefore the said prosecutor prays that the said C. D. be condemned
 to pay the said sum of with costs.