

C H A P . X I I I .

An Act to amend and make permanent an Act passed in the fifth year of His late Majesty's reign, intituled, "An Act to prevent the sale of Spirituous Liquors to Indians."

[Passed 10th February, 1840.]

WHEREAS an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "An Act to prevent the sale of spirituous liquors to Indians," will shortly expire, and it is expedient to continue and amend the same: Be 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled, '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 from and after the passing of this Act, it shall not be lawful for any person to sell, barter, exchange or give to any Indian man, woman or child, within this Province, any kind of spirituous liquors in any manner or way, or to cause or procure the same to be done for any purpose whatever, under the pains and penalties to be inflicted by the authority of this Act.

No kind of spirituous liquors to be sold, bartered, exchanged or given, to any Indian.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any Justice of the Peace of any District wherein any offence against the provisions of this Act shall have been committed, upon the testimony of one or more credible witness or witnesses, to fine the offender for each and every offence so complained of, in a sum not exceeding twenty pounds; a moiety whereof shall be paid to the informer, and the other moiety shall be collected and applied in the same manner as fines and penalties are now collected and applied under the Act for the summary punishment of petty trespasses; to be applied for the improvement of the roads through the section of the country where the offence was committed: Provided always, that the penalty in this Act mentioned shall not be incurred by the furnishing to any Indian any spirituous liquor by a Medical man, in case of sickness, or under the direction of any Medical man.

Justice of the Peace to fine offender, not exceeding £20 for every offence.

How fines to be collected.

Penalty not incurred by furnishing spirits by medical direction.