

in the manner mentioned in this act, subject, nevertheless, to the exception stated therein.

Tavern-keepers not to sell liquors to apprentices, minors, &c., whose parents or masters are designated as habitual drunkards.

IV. And be it enacted, That whenever the parents or guardian of a minor under sixteen years of age, or the master of an apprentice or servant have been designated by the Municipal authorities aforesaid as habitual drunkards, no tavern keeper grocer or other person licensed to sell spirituous liquors, shall sell any such liquors or wines to any such minor, apprentice or servant, without the consent of the Municipal authorities of the city, town, village or township, where such minor apprentice or servant shall reside, and every person offending against the provisions of this section, shall forfeit the penalty prescribed in the second Section of this act, to be recovered before any Justice of the Peace for the county wherein the said offence shall be committed. 5 10

Persons designated as drunkards may apply for a Jury to try the fact of drunkenness.

V. And be it enacted, That any person so designated by the Municipal authorities aforesaid as an habitual drunkard, may apply to the clerk of the Division Court, of the division in which the person so designated resides, requiring him by notice in writing, to summon a Jury to try and determine such fact of drunkenness, and it shall be the duty of such Clerk upon receiving such notice, immediately to summon the head of the Municipality aforesaid, to appear at the next ensuing session of the Division Court, to be held in and for such division, there to appear for the trial of such fact; provided always, that such summons shall be served at least ten days previous to the sitting of the said Court; and also it shall be the duty of said Clerk, and he is hereby required to summon a Jury in the manner, and subject to the conditions provided in the 13th and 14th Vic., cap. 23, for the summoning of Juries for the Division Courts in certain cases. 15 20 25

Proviso.

Jury to be sworn.

VI. And be it enacted, That at the next ensuing session of the Division Court, held in and for the division in which the person designated as a drunkard shall reside, the Judge of such Court shall swear such Jury, well and truly to try the fact of the alleged drunkenness in the same manner as for the trial of issues in suits brought in the said Court, and witnesses shall be summoned and their attendance and testimony enforced, and they shall be sworn and examined before the said Jury in like manner. 30 35

Jury to proceed as in trials at law.

VII. And be it enacted, That the said Jury shall hear the allegations and proofs offered on both sides, and shall proceed in all respects as in trials at law to render their verdict, which verdict shall be entered by the Clerk of the Court in a book to be provided by him for that purpose. 40