

If brought by another person. If the prosecution was brought by or in the name of any person not so authorized, one third part (unless he declares that he declines the same) shall belong to him, and one third part shall belong to the municipality; and if such person so declares, then the two third parts shall belong to the municipality, and one of them may by the Council be paid over to any other person upon whose information the prosecution may have been instituted. 5

One third in all cases to the Crown. In all cases the remaining one third part shall belong to the Crown; and shall be paid over to the Collector of Inland Revenue, and by him, (after deduction of any percentage which he may be authorized to retain, by any general regulation or special order of the Minister of Finance, to the Receiver General, for the public uses of the Province. 10

Indemnification of prosecutors as to costs. 27. Any person bringing such prosecution under authorization from a Municipal Council, shall be indemnified by the municipality for all costs therein, whatever may be the result of the prosecution; and any person bringing such prosecution to a successful issue, without having been so authorized, shall be indemnified by the municipality for any amount of costs which, without default on his part, he may have failed to recover from the Defendant. 15

No appeal or *certiorari* allowed. 28. No conviction, judgment or order, in any such case, shall be removed by *certiorari* or otherwise, into any of Her Majesty's Superior Courts of Record in Lower Canada; nor shall any appeal whatsoever be allowed from any such conviction, judgment or order, to any Court of general Quarter Sessions, or other Court whatever. 20

In prosecutions for sale without license under present law, certain presumptions sufficient to put defendant on his defence, and convict him in default of rebuttal. 29. In prosecutions for the sale or barter, in any locality where in no by-law passed under authority of this Act is in force, of intoxicating liquor of any kind, without the license therefor by law required, or contrary to the true intent and meaning of the law in that behalf, it shall not be necessary that any witness should depose directly to the fact of such sale or barter as having taken place with his participation, or in his presence and to his absolute knowledge; but the Justice or Justices trying the same, so soon as it may appear to him or them that circumstances raising a reasonably strong presumption of the infraction of law complained of, are sufficiently put in evidence, shall put the Defendant on his defence, and in default of his rebuttal of such presumption, shall convict him accordingly. 25 30

Sect. 30 of Con. Stat. L. C. amended. 30. The thirtieth section of the said Act chaptered six of the Consolidated Statutes for Lower Canada, is hereby so amended as to read thus:— 40

Liability of Inn-keepers or persons in their employ, &c., who give liquor to persons who become intoxicated and commit suicide or perish from cold, &c. "Whenever any person has drunk to excess of intoxicating liquor of any kind, in any inn, tavern, or other house or place of public entertainment, or in any store or place wherein intoxicating liquor of any kind is sold, whether legally or illegally, and while in a state of intoxication from such drinking has come to his death by suicide, or drowning, or perishing from cold, or other accident caused wholly or in part by such intoxication, the keeper of such inn, tavern, or other house or place of public entertainment, or of such store or place wherein intoxicating liquor is so sold, and also any other person who for him or in his employ delivered to such person any of the liquor whereby such intoxication was caused, shall be liable to be indicted and tried for a misdemeanor, before the Court of Queen's Bench sitting in the District wherein such person met his death, and if convicted, shall be liable to a penalty of not less than one hundred nor more than one thousand dollars, 45 50

Penalty.