

13. In case such building, or premises, belong to any minor, insane person or idiot, the guardian or guardians of such minor or minors, or insane person, or idiot who has control of such building or premises, shall be liable for, and account to such ward or wards, insane person or idiot, for all damages in consequence of the use and occupation of such building and premises, and liabilities for such fines and costs as aforesaid.

Guardians, etc., so letting buildings to be answerable to those they represent.

14. Intoxication shall be deemed an offence against this Act, and if any person is found intoxicated in any public house or place, or on any street or highway, or being intoxicated shall be found anywhere committing a breach of the peace, or disturbing other persons by making an unusual noise, any Peace Officer shall, without warrant, arrest such person and take him before a Justice of the Peace, and if the person so arrested fully discloses the name of the person from whom, and the place, time and manner in which, he procured the liquor which produced his intoxication, he shall be retained as a witness against the vender of the liquor, if furnished in contravention of this Act, and then discharged;—but if the intoxicated person refuses to give said evidence he shall be deemed an offender against this Act.

Intoxication an offence against this Act.

Offender to be let off on giving the name of the person who sold him the liquor.

15. If any person in a state of intoxication commits any offence against the person or property of any one, the person who furnished the offender the liquor, or any part thereof which occasioned his intoxication, if the same was furnished in violation of this Act, shall be subject to the same action on behalf of the party aggrieved as might be brought against the person intoxicated, and the aggrieved party, or his representative, may bring either a joint action against the person intoxicated and committing the offence and the person who furnished the liquor, or a separate action against each.

Persons selling the liquor answerable for offences by intoxicated party.

16. Any person may maintain an action in any court in this Province against any other person who unlawfully sells or delivers any liquor to the husband, wife, parent, child, guardian, ward, apprentice or servant of the plaintiff, and it shall not be necessary in any such action to aver or prove any specific damage to the plaintiff by such sale, or delivery, but upon such proof the court or jury shall assess the damage not less than twenty-five cents and the costs of suit, and if any special damage be shown, then at such higher sum as may be just, and judgment shall be given accordingly.

Action against any person selling liquor to husband, wife, etc., or plaintiff.

17. Any married woman may prosecute and maintain such action in her own name, with or without the consent of her husband, and the damages she recovers shall go to her separate use.

Action by married woman.

18. Upon the trial of any action under either of the preceding sections the plaintiff, or the wife, or husband of the plaintiff, may be examined as a witness on the part of the plaintiff, any law or rule to the contrary notwithstanding.

Husband or wife may testify.

45

AGENTS FOR SELLING.

19. The Council of every Municipality in Canada (except Counties) shall appoint a suitable person or suitable persons, as the Agent or Agents of the Municipality, for the purchase and sale of intoxicating liquor for Medicinal Chemical and Mechanical purposes only, and of wine for Sacramental purposes only,

Local Municipal Councils to appoint agents for sale of liquors for certain purposes only.