

according to the best of their knowledge and belief, whether he has any and what property and means of support, which certificate the Constable shall lodge with the Medical Superintendent or other person in charge of the Asylum.

3. The board, care, medical attendance, and other necessary expense incurred in the care and support of any lunatic or insane person received into the Provincial Lunatic Asylum, shall be a Crown debt, and may be sued for and recovered by any and the like remedies that any other debt due the Crown may be sued for and recovered.

4. In any action or proceeding for the recovery of any sum due at any time for the board, care, medical attendance, and other necessary expense of a lunatic or insane person, the certificate of the Medical Superintendent that such sum is due shall be evidence of the fact.

5. Whenever the real or personal estate of any lunatic or insane person is not more than sufficient to maintain the family of the lunatic, the expense of the lunatic may be defrayed from the funds of the Asylum.

CAP. XXXI.

An Act relating to an Act intituled *An Act to explain an Act intituled 'An Act to regulate the sale of Spirituous Liquors.'*

Act 18 V. c. 23, extended to Police of Portland.

Passed 13th April 1859.

WHEREAS in and by the ninth Section of an Act made and passed in the twentieth year of the Reign of Her present Majesty, intituled *An Act to repeal the Act to prevent the importation, manufacture, and traffic in intoxicating Liquors, and to regulate the sale thereof*, it is among other things enacted that all complaints for violation of an Act made and passed in the seventeenth year of Her said Majesty's Reign, intituled *An Act to regulate the sale of Spirituous Liquors within the Police District of the Parish of Portland, in the County of Saint John*, and all proceedings for penalties under the said Act in that District, shall be heard, tried, and determined before the Police Magistrate of the said Parish of Portland, or the sitting Magistrate at the Police Office there, and not

elsewhere : And whereas in and by an Act made and passed in the eighteenth year of the Reign of Her present Majesty, intituled *An Act to explain an Act intituled 'An Act to regulate the sale of Spirituous Liquors,'* it is directed that from and after the passing of that Act, "the penalties imposed under the provisions of the Act intituled *An Act to regulate the sale of Spirituous Liquors,* passed in the seventeenth year of Her present Majesty's Reign, and the costs of conviction, may be levied by Warrant of distress and sale of the offender's goods and chattels, or by Warrant of commitment against the person of such offender, or both, at the discretion of the Court or Justice imposing such penalty, and in case of commitment, the said Court or Justice shall define the number of days in the Warrant, in no case to exceed thirty days for any one offence or conviction," and that "the form of every Warrant or process, the mode and power of levying the money, or executing the same, shall be as nearly as may be, the mode, form, and power given and prescribed by Chapter 138, Title XXXVII, of the Revised Statutes, 'Of Summary Convictions:'" And whereas doubts have arisen whether the provisions of the last recited Act, and the power and authority thereby given, extend to the Police District of the Parish of Portland, in the County of Saint John, or the Police Magistrate of the said Parish of Portland, or the Sitting Magistrate of the Police Office there ;—

Be it therefore enacted and declared by the Lieutenant Governor, Legislative Council, and Assembly,—That from and after the passing of this Act, the provisions of the Act made and passed in the eighteenth year of Her present Majesty's Reign, intituled *An Act to explain an Act intituled 'An Act to regulate the sale of Spirituous Liquors,'* shall extend and be construed to extend to the Police District of the Parish of Portland, in the County of Saint John, and to the Police Magistrate of the said Parish of Portland, or the Sitting Magistrate at the Police Office there, any usage or custom to the contrary notwithstanding.
