

to individuals or Cos. erecting such magazines. Regulations may exempt powder up to 100 lbs. kept where public works are carried on, or in country districts.

CIRCUSES, &c.

Opening or exhibiting a circus or menagerie without license or refusing to exhibit the license to the Inspector is punishable with a fine of \$100. And the Inspector may procure a writ from a Judge or J.P. and seize the show till the penalty is paid, and after judgment, sell them if payment is not made.

INSPECTOR'S DUTIES.

The Inspector and his Deputy must use diligence to search out infractions of the law and to this end must visit, once every year at least, every place licensed or which he believes should be licensed under the law. Any person refusing admission to or hindering the search of the Inspector or Deputy, or policeman or other person authorized forfeits \$8 to \$50. When requested by a municipal corporation which becomes responsible for costs the Inspector must prosecute for infraction of the law. He is also bound to prosecute where he knows of infractions and thinks he can recover costs at least, or if any person requesting him to prosecute deposits the necessary amount.

PROSECUTIONS, CONVICTIONS AND EXECUTION OF JUDGMENTS.

Provisions are made concerning proceedings for recovery of fines, &c., before two J. P. or a magistrate with equivalent jurisdiction, the Circuit Court or Superior Court. They may be instituted by the Inspector, the municipal authorities or an informant. But proceedings taken by such authorities or an informant do not prevent those by the Inspector unless the judgment has been rendered and executed. A husband may be prosecuted for a contravention, by his wife, if living with her, though she be, in her own right, a public trader. No defendant can be a witness. For an unlicensed person to offer goods to be bid upon before an assemblage of persons, or to publish an advertisement or hand-bill of such a sale, or to exhibit or allow to be exhibited, any sign, placard, &c., on his premises indicating his willingness to act as an auctioneer, renders him liable to the penalty of selling by auction without license. If a billiard table be kept in an inn, temperance hotel, railway buffet, or restaurant, it is held to be kept for gain, and any notice that such a table is kept on the premises is *prima facie* proof that it is for gain. Judgment condemning persons to a fine, shall also condemn them to imprisonment in default of its payment, for three months, unless another term be specially fixed by the Act; and for a repetition of the offence, in unprovided cases, the fine is always to be \$100, and imprisonment in default to be six months. Provisions follow for cost and execution of judgments.

CERTIORARI AND APPEALS.

Notice of *certiorari* must be given within 48 hours, and the amount of the fine,

costs and \$50 be deposited in the hands of the Clerk of the Court giving such judgment, else it will not be allowed, and judgment will be executed. No judgment is to be quashed upon matter of form, if it appear that the conviction is for any offence within the jurisdiction of the Court acting, and the proper penalty has been adjudged. No appeals are allowed.

APPLICATION OF PENALTIES, &c.

The sums recovered for penalties, &c. belong to the C. R. F., but any portions of them may be applied, by the L.G. in C. to payment of costs and expenses. When the Inspector sues and recovers, after payment of costs, one-fourth goes to him, one-fourth to the informer and one-half to the Government. But in Montreal only \$15 goes to the Inspector and \$15 to the informer. If the Municipality or an informant prosecutes, half goes to the prosecutor, and half to the Prov. Treas. Payment in all instances is, in the first place to the Inspector. No fine can be remitted except by authority of the L. G. in C.

The Clerks of Courts before which such convictions are held must make semi-annual returns in April and October of each year to the Prov. Treas. under a penalty of \$1.00 per day for neglect. All proceedings against auctioneers or pawn-brokers, or against Inspectors for official acts, must be brought within 6 mos. Inspectors must publish annually (or more frequently if ordered) a list of licenses granted by them. With the approval of the Prov. Treas. license inspectors may appoint deputies. The L.G. in C. may grant any of them \$100 per an. for travelling expenses. The Prov. Treas. is authorized to have the revenue laws collected and printed in a separate pamphlet.

PHOSPHATE MINES.

Chap 4.—The lands on which phosphate of lime is found are withdrawn from sale under 32 V., c. 11. Phosphate lots are to be surveyed in areas of 400, 200 and 100 acres, with the allowance of 5 p. c. for roads. In unsurveyed areas the front of the first shall be 52 chains, of the second 26, and of the third 13 chains, with for all, 80 chains 80 links in depth. In surveyed townships these contain 1, 2, or 4 ordinary lots. The C. C. L. may cause geological explorations to be made to ascertain where phosphate deposits are, and designate lots surveyed under this Act on the maps as phosphate lands; and he may withdraw them from sale for colonization purposes, if workable phosphate beds be found on them. They are to be sold by auction after 4 weeks notice in the *Official Gazette* and in newspapers in Quebec, Three Rivers, Sherbrooke, Sorel, Montreal, and Ottawa. An upset price not less than \$2 per acre is to be fixed by the C. C. L. and the terms to be ca-h. The working of the beds is also subject to a royalty of 50 cts. per ton of crude phosphate obtained and removed from the lot, to be paid under penalty of annulling the sale and confiscating the phosphates quarried,—the seizure and confiscation to be effected as in case of timber for nonpayment of dues. These sales are to be subject to the ac-