

CHAP. 39.

An Act to make further provision as to Duties of Customs in Manitoba and the North West Territories.

[Assented to 23rd May, 1873.]

Preamble. 33 V., c. 3.

34 V., c. 10.

WHEREAS by section twenty -seven of the Act passed in the thirty-third year of Her Majesty's Reign intituled : "*An Act to amend and continue the Act 32 and 33 Victoria, chapter 3, and to establish and provide for the Government of the Province of Manitoba,*" it was provided that the Customs Duties then by law chargeable in Rupert's Land, should be continued without increase for the period of three years from the passing of that Act, — which period will expire on the twelfth day of May in the present year one thousand eight hundred and seventy three ; and by the fifth section of the Act passed in the thirty-fourth year of Her Majesty's Reign, intituled "*An Act to amend the Acts relating to duties of Customs,*" the same Duties of Customs which, under the said twenty-seventh section of the Act first cited, are chargeable in the Province of Manitoba, are chargeable on goods imported into any part of the North West Territories ; and it is expedient to prolong the term during which the said duties shall be continued without increase, subject to certain exceptions and provisions : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Present duties continued till 12 May, 1874.

1 The Duties of Customs chargeable by law in Rupert's Land at the time of the passing of the Act first above cited, shall be continued without increase in the Province of Manitoba and the North West Territories, until the twelfth day of May one thousand eight hundred and seventy-four, subject to the following exceptions and provisions :

Exception as to
Manitoba.

1. Upon, from and after the twelfth day of May in the present year one thousand eight hundred and seventy-three the same Duties of Customs shall be chargeable on all spirits and strong waters, ale, beer, porter, and all vinous, spirituous and fermented liquors imported into the Province of Manitoba or taken out of bond for consumption therein, as are chargeable on the like articles imported into any other Province of Canada :

Importation of spirits
into N. W. territories
prohibited.

Forfeiture and penalty
for contravention.

Provision for enforcing
penalty.

Conviction, &c., not
invalid for want of
form.

2. Spirits or strong waters, or spirituous liquors or any kind are hereby prohibited to be imported into any part of the North West Territories, under the like penalty and forfeiture as are provided by the Customs laws of Canada, with respect to articles the importation whereof is prohibited ; nor shall any such spirits or strong waters or spirituous liquors of any kind be manufactured or made in the said North West Territories, or brought into the same from any Province of Canada, except by special permission of the Lieutenant Governor of the said Territories: and if any such spirits or strong waters or spirituous liquors are imported or manufactured in the said Territories or brought into the same, in contravention of this Act, they may be seized by any officer of the Customs or Excise or by any constable wheresoever found ; and on complaint before any Judge, Stipendiary Magistrate or Justice of the Peace, he may on the evidence of any credible witness, that this Act has been contravened in respect thereof, declare the same forfeited, and cause them to be forthwith destroyed : and the person in whose possession they were found may be condemned to pay a penalty not exceeding one hundred dollars nor less than fifty dollars, and the costs of prosecution ; and one-half of such penalty shall belong to the prosecutor, and the other half to Her Majesty for the public uses of the Dominion; and in default of immediate payment the offender shall be committed to the nearest gaol or place of confinement for any time not exceeding six months unless such fine and costs are sooner paid. No prosecution, conviction or commitment under this act shall be invalid on account of want of form so long as the same is according to the true meaning of this Act.