

SEC. 2. *And be it enacted*, That if it shall be found by said return of the judges of election and proclamation or certificate of said clerk, that a majority of the votes cast at said election has been cast against the sale of spirituous, fermented or alcoholic liquors or bitters, that then it shall not be lawful for any person or persons, house, corporation, company or association, to sell or barter directly or indirectly either himself, herself or themselves, or through an agent, agents or servants, any spirituous or fermented liquors, ale, lager beer, hard cider or alcoholic bitters, at any place within the limits of said fifth election district known as "Freedom district" in said county, after the first day of May, eighteen hundred and ninety, nor shall the clerk of the circuit court for Carroll county issue any license for the sale of the same in said district; but if it shall appear by said return that a majority of the votes have been cast for the sale of spirituous, fermented or alcoholic liquors or bitters, then the then existing license law shall remain in force.

Unlawful.

Clerk's
duties.

SEC. 3. *And be it enacted*, That if any person or persons, house, company, association or body corporate, his, her or their agents or servants, shall sell or barter directly or indirectly any spirituous or fermented liquors, alcoholic bitters or intoxicating drinks of any kind within the limits of said district, if the majority of the votes cast at the election held as aforesaid be against the sale of spirituous, fermented or alcoholic liquors or bitters after the first day of May, eighteen hundred and ninety, he, she, it or they shall on conviction thereof, forfeit and pay a fine of not less than fifty dollars or more than one hundred dollars, and the costs of prosecution, or be confined in the county jail for thirty days, or both fined and imprisoned in the discretion of the court or justice of the peace.

Fine.

SEC. 4. *And be it enacted*, That all prosecutions for violations of this act may be either upon presentment and indictment in the circuit court, or by trial before a justice of the peace, and all justices of the peace in said county shall have jurisdiction, original and concurrent, with the circuit court for said county; and said justices of the peace shall have power to issue all processes and do all acts which may be necessary to the exercise of their said jurisdiction, and may try and determine all cases for the violation of this act, and pronounce judgment and sentence and enforce the same to the same extent and manner as the circuit court for said county can do in such cases; provided, that if any person when brought before any justice shall before trial pray a jury trial, it shall be the duty of said justice to commit such offender for trial, or hold him to bail to appear for trial at the next ensuing term of the circuit court for said county, to which petit jurors may be summoned, and to return the commitment or recognizance, with the names of the witnesses endorsed thereon forthwith to

Jurisdiction