

in the judgment of the judge or justice, is sustained, the license of such dealer shall be cancelled; but nothing herein shall prevent the said dealer from being tried for keeping a disorderly house or for any other offense under any of the sections or sub-sections of this article.

Disposition of fines. SUB-SEC. 8. All fines imposed under these sub-sections shall be paid over to the Sheriff of said county when a case is tried in the Circuit Court or to the justice of the peace who tries the same, and such justice or Sheriff shall pay over the fines to the school commissioners of said county, within thirty days after receiving the same; and if within sixty days from the date of the conviction, the Governor does not remit fine, it shall be applied for the use of the public schools; but if the Sheriff or the said justice wilfully or without the written consent of the treasurer of the school commissioners, fails to pay over any fine as aforesaid, upon conviction in the Circuit Court for said county, he shall be fined double the amount received and not paid over, and shall stand committed until fine and costs are paid; and unless said fine is remitted, till fine and costs are paid, by the Governor within sixty days from the date of the conviction, the fine shall be paid to the school commissioners.

Right of appeal. SUB-SEC. 9. If any defendant feels aggrieved by the judgment of a justice of the peace trying any case under any of the sections or sub-sections of this article concerning liquors, intoxicating drinks or cider, he may appeal to the Circuit Court for said county, upon entering into a recognizance to appear in said Circuit Court, as in other cases; but if he shall make oath that he is unable to furnish requisite securities for his said appearance, he may have the case reviewed by any judge of said Circuit Court under a writ habeas corpus; provided, that said judge is satisfied that such defendant is unable to furnish such securities; and provided, that the said court will not be in session for more than ten days from the filing of his petition; and provided, that the justice will not be the personal recognizance of the party; in all cases when an appeal is taken while the said court is in session, and the record can be sent up before its adjournment, the appeal shall be heard at such session; if the defendant appealing will deposit the amount of the fine and costs, he may appeal and recognize at any time within thirty days from the date of the judgment; and if he appeals and recognizes within thirty days, the money shall be returned to him.

Approved March 7th, 1894.