

in this act shall be so construed as to allow pedlars to traffic or trade in spirituous liquors in any manner whatever; *And provided further*, that the oath or affirmation required by the fifth and sixth section of this act may, in the several counties of this State, be made before a justice of the peace, and a copy of such oath or affirmation shall be filed with the clerk of the county to whom application is made.

SEC. 7. *And be it enacted*, That if any person or persons shall violate the second, third and fourth sections of this act such person or persons shall upon indictment and conviction forfeit and pay to the State a fine of not less than twenty dollars nor more than one hundred dollars for each offence, and upon a failure to pay said fine with the costs of prosecution, such person or persons shall be committed to jail and be confined therein until such fine and costs are paid, or for the period of twenty days, whichever shall first occur.

Penalty for violation of the second, third and fourth sections of act.

SEC. 8. *And be it enacted*, That if any person or persons shall sell or barter any spirituous or fermented liquors or lager beer in quantities less than a pint without first taking out a license as provided for by the fifth or sixth sections of this act, such person or persons, shall upon indictment and conviction forfeit and pay to the State a fine of not less than fifty, nor more than two hundred dollars, for each offence, and upon failure to pay the same, together with the costs of prosecution, shall be committed to jail and confined therein, until such fine and costs are paid, or for the period of forty days, whichever shall first occur.

Penalty for selling liquor without license

SEC. 9. *And be it enacted*, That if any person or persons, shall take out an ordinary license as provided for in the fifth section of this act, without having the accommodations required by said section, such person or persons shall, on indictment and conviction, forfeit and pay to the State, a fine of not less than fifty nor more than two hundred dollars, together with the costs of prosecution, and upon failure to pay the same, shall be committed to jail and confined therein until such fine and costs are paid, or for the period of forty days, whichever shall first occur; and it shall be the duty of the court, before which such person or persons

Penalty for violation of fifth section.