

STATUTES
OF
UPPER-CANADA,

PASSED IN THE *THIRD* SESSION OF THE *SEVENTH* PROVINCIAL
PARLIAMENT,

MET AT YORK, ON THE TWELFTH DAY OF OCTOBER, AND PROROGUED ON THE TWEN-
TY-SEVENTH DAY OF NOVEMBER FOLLOWING, IN THE FIFTY-NINTH YEAR
OF THE REIGN OF GEORGE III.

SIR PEREGRINE MAITLAND, K. C. B. LIEUTENANT GOVERNOR.

ANNO DOMINI 1818.

—**—

C H A P. I.

An Act to regulate the Trade by LAND and INLAND NAVIGATION, between this Province
and the United States of America.

[*Repealed by 59th Geo. III. 2d Session, c. 1.*]

C H A P. II.

An Act to alter the Laws now in force for granting LICENCES to INNKEEPERS, and to give
to the Justices of the Peace, in General Quarter Sessions assembled, for their respective Dis-
tricts, authority to regulate the Duties hereafter to be paid on such Licences:

[*Passed 27th November, 1818.*]

WHEREAS, it is expedient to repeal part of, and amend the Laws
now in force, regulating the manner of Licencing Public Houses,
and for the retailing of Wine, Brandy, Rum or any other Spirituous Li-
quors;

Preamble.

quors; Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province.'" and by the authority of the same, That the third clause of an Act of the Parliament of this Province passed in the thirty-fourth year of His Majesty's Reign, entitled, "An Act for regulating the manner of Licencing Public Houses, and for the more easy convicting of persons selling Spirituous Liquors without Licence," also the second clause of an Act passed in the thirty-sixth year of His Majesty's Reign, entitled, "An Act to amend an Act, entitled, 'An Act for regulating the manner of Licencing Public Houses, and for the more easy convicting of persons selling Spirituous Liquors without Licence,'" also the third clause of an Act of the Parliament of this Province, passed in the forty-fifth year of His Majesty's Reign, entitled, "An Act for altering the time of issuing Licences for the keeping of a House or any other place of Public Entertainment, or for the retailing of Wine, Brandy, Rum, or any other Spirituous Liquors, or for the having and using of Stills for the purpose of distilling Spirituous Liquors," and for repealing so much of the fifth clause of an Act passed in the forty-third year of His Majesty's Reign, as relates to the periods of paying into the hands of the Receiver General, the monies collected by the Inspector of each and every District throughout this Province for such Licences, and an Act of the Parliament of this Province, passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to repeal part of, and to continue and amend an Act passed in the fifty-fourth year of His Majesty's Reign, entitled, "An Act for granting to His Majesty an additional Duty on Shop and Tavern Licences," be and the same are hereby repealed.

34th Geo. 3d, Ch. 12,
s 3, repealed.

also s 2, 36th Geo. 3.
c 3.

also s 3, 45th Geo 3.
c 1

and the whole of 56th
Geo 3. c 10, repealed.

At what time and in
what manner Tavern
licences are to be ap-
plied for.

Character of person
applying to be enquir-
ed into.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Justices of the Peace in General Quarter Sessions assembled, in each and every District respectively, in this Province, and they are hereby required at their meeting next before the fifth day of January in each and every year, except the present, to adjourn the said Court of General Quarter Sessions, to the last Monday in the month of December, in which adjourned Sessions the said Justices shall have power to limit the number of Inns and Public Houses in their respective Districts, and then and there to hear and receive applications from all such persons as desire to take out Licences for opening Inns or Public Houses within their said several Districts; and the said Justices shall upon hearing and receiving any application from any person, praying to have a Licence granted to him or her, enquire into the life, character, and behaviour of the person so applying, and if it shall appear proper and necessary to the said Justices or a majority of them then and there assembled, to grant a certificate, and that the party applying is a sober, honest and diligent person, and a good subject of our Lord the King, the presiding Magistrate shall then and there

there grant him or her a certificate under his hand and seal, which certificate shall enable the party so holding the same to apply for and take out a Licence on or before the fifth day of January then next ensuing the date of such certificate, and that the said certificate shall be a proper and sufficient warrant for the Inspectors of the several Districts respectively to grant, and they are hereby required to grant to the said person holding the said certificate, such Licence, on receiving payment of such Duties as are imposed by this Act, or hereafter may be imposed by Law on the same, and that all the rules, regulations, restrictions, penalties, matters, and things which are by any Act or Acts of the Legislature of this Province in force, touching and concerning the applying for, allowing, granting, obtaining or in any wise relating to the said Licences herein before mentioned, except so far as they are varied or changed by this Act, shall and are hereby extended to such Licences as aforesaid, any thing herein contained to the contrary notwithstanding.

Justices to grant certificates, on which, Inspector, on payment of duties, &c. to grant Licence.

Provisions of former Acts to be in force, except as varied by this Act.

III. *And be it further enacted by the authority aforesaid,* That the Justices of the Peace in each and every District respectively, shall have power and authority to assemble on the last Monday in December next, at the usual place for holding the Quarter Sessions in their respective Districts, for the purpose of carrying into effect the provisions of this Act for the present year, in the same manner and as effectually as they are authorised by this Act to adjourn the said Quarter Sessions to the first Monday in December, in each and every ensuing year, during the continuance thereof.

Justices empowered to meet as herein provided.

IV. *And be it further enacted by the authority aforesaid,* That on granting such certificate as aforesaid, it shall and may be lawful for the said Justices, and they are hereby required to direct the Inspectors of the several Districts respectively, to receive from the person taking out any Licence for keeping such Public House or Inn, as aforesaid, such sum as they, or the majority of them assembled, as aforesaid, shall adjudge just and proper, according to the situation of such Inn, *Provided always,* That it shall not be lawful for the said Justices, or a majority of them, as aforesaid, to order or direct the said Inspectors respectively, to receive for any such Licence, as aforesaid, a greater sum than Twelve Pounds Ten Shillings, or a lesser sum than One Pound Sixteen Shillings, sterling, and the additional sum of Twenty Shillings, currency, now imposed by Law, any Law to the contrary thereof in any wise notwithstanding.

Justices when they grant certificates, may apportion the duties to be paid for Tavern Licences, according to situation, &c.

Which duties only shall be exacted by the Inspector.

being in no case more than £12 10s.

or less than £4, curr'y.

V. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person or persons, not having obtained a Licence for keeping an Inn or House of Public Entertainment, upon a certificate from the Justices assembled on the last Monday in December, as aforesaid, for the purposes aforesaid, or from the adjourned Quarter Sessions in each and every year, during the continuance of this Act, being desirous of keeping an Inn or Public House, to apply for such certificate at any time during the year, to the Justices of the District in which he resides, in General Quarter Sessions assembled, and it shall be lawful for the said Justices

Persons may obtain certificates for Tavern Licences at any time during the year.

to.

to inquire into the character and behaviour of the person applying, and if it shall appear to them expedient to increase the number of Inns or Public Houses, and that the party applying is qualified, as aforesaid, the presiding Magistrate shall then and there grant a certificate, in manner and for the purpose, and under such regulations and restrictions as are herein before mentioned.

Magistrates shall frame rules & regulations for the conduct of Tavern-keepers.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, and it is hereby required, that the Magistrates, at the time of granting such certificate, as aforesaid, shall make and frame rules and regulations for the observance of the several Innkeepers in their respective Districts, which rules and regulations the said Innkeepers are to be bound by their recognizances to abide by; a copy of which rules and regulations, for the information of travellers, to be affixed in some conspicuous place in every House so Licenced within the Province.

Clerk of the Peace to transmit quarterly accounts to the Inspector General of duties to be taken by the Inspectors for Tavern Licences under orders of Sessions.

VII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Clerk of the Peace in each and every District of this Province, and he is hereby required to transmit quarterly to the Inspector General of this Province, a detailed statement of all Orders of Sessions, relative to Duties to be taken by the said District Inspector for any Licence granted under the authority of this Act.

How the duties, collected under this Act, are to be paid over and accounted for.

VIII. *And be it further enacted by the authority aforesaid,* That each of the said Inspectors shall account for the monies in the same manner, and pay in the same to the Receiver General at the same time he is now obliged to pay over all public monies which come to his hands, and in default of such account or payment, shall be liable to the penalties imposed by any Law now in force requiring such account and payment.

Continuance of this Act.

IX. *And be it further enacted by the authority aforesaid,* That this Act shall continue in force for two years, and from thence to the end of the then next ensuing Session of the Provincial Parliament, and no longer.

C H A P. III.

An Act for the better DIVISION of the COUNTY of GLENGARRY into TOWNSHIPS.

[Passed 27th November, 1818.]

Preamble.

WHEREAS, from the great extent of the Township of Lancaster, in the County of Glengarry, in the Eastern District of this Province, and the great population therein, the inhabitants of the said Township experience many inconveniences, in particular in attending Town Meetings; and whereas, it has become expedient to divide the said Township, and to constitute and form a new Township out of certain parts thereof, Be it there-
fore