

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the fifth day of December 1785, in the Twenty Sixth Year of his said Majesty's Reign, and there continued by several Prorogations unto the Twenty Fifth Day of February, 1790, in the Thirtieth Year of his Majesty's Reign, being the Fourth Session of the Sixth General Assembly convened in the said Province.

30 George III – Chapter 13

An Act for reviving, continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed; as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax, to take out a License for retailing the same.

Whereas it is expedient that the said before recited acts which expired on the 31st day of March last, should be revived, and that some alteration in the duty on licensed houses as well as in the manner of granting licences throughout the province should be made.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that from and after the publication hereof, whoever shall have or take a tavern license, or shop license to retail rum, brandy, wine, ale, cyder [cider], or other strong liquors within the province, such person or persons shall pay for the same, according to the following rates, that is to say, all and every person or persons having or taking either a shop or tavern licence within the peninsula of Halifax, shall pay for a licence of either kind, the full sum of four pounds yearly; and any person or persons having or taking a shop licence or tavern licence in any other part of the province (the said peninsula of Halifax excepted) shall pay for either the one or the other of such licences the full sum of fifty shillings yearly; which several duties shall be paid received and applied, and the said shop and tavern licenses shall be granted in the manner and from directed in, and by the several acts hereby revived, and by this act continued for suppressing unlicensed houses. Provided always nevertheless, that all and every person or persons holding or having either a shop or tavern licence within this province, who shall have paid one quarter of a year's duty in advance, agreeable to the several acts hereby revived and continued, such person or persons shall not by reason of the present reduction of the licence duties be intitled to any allowance for such payment or payments so made in advance, and all such person or persons shall pay for the quarter of a year on which each and every of them shall have respectively entered at the time of the publication of this act, agreeable to the rates heretofore established, that is to say, six pounds for a tavern licence, and three pounds for a shop licence, and such person or persons so having licence as aforesaid, shall not be exempted from paying at the said rates heretofore established, until the end or expiration of the quarter of a year, on which such person or persons, shall each have respectively entered at the time of the publication hereof, when, and not before such person or persons shall receive new licence or licences, for which such person or persons shall pay at the several rates in, and by this act directed; any thing herein contained to the contrary thereof notwithstanding.

II. And be it further enacted, that all and every person or persons, who shall take out a shop licence or licences under, and by virtue of this act, shall and may be at liberty to sell and retail any quantity of wine or spirituous liquors, which he or they shall think proper; any law, usage or custom to the contrary notwithstanding.

And whereas the granting of free licence or licences at lower rates, than the general establishment has been found to produce no advantage to the public.

III. Be it therefore enacted, that from and after the publication hereof, it shall no longer be lawful for the Justices in their General Sessions, to grant any free licences or other licences to be paid for at a less rate by the person or persons having or receiving the same, than the several and respective rates in, and by this act established, and all and every such free licence or licences, which have been granted for less duty than the general duty heretofore imposed of six pounds, and three pounds, shall from and after the publication hereof cease, and be at an end; and all and every person or persons, who shall from and after the said last mentioned period presume to keep tavern or to retail any liquors under, and by virtue of such licence or licences, such person or persons shall be subject to the same pains and penalties, that he, she or they would have been subject to if convicted of selling liquors without licence.

And whereas it is expedient and necessary, that all and every person or persons, who shall sell or vend gunpowder by retail within the peninsula of Halifax should be licensed so to do.

IV. Be it therefore enacted, that if any person or persons whatsoever, (fourteen days after publication hereof) shall sell or vend to any person or persons whatsoever within the peninsula of Halifax, any gunpowder by retail, or in a less quantity than twenty five pounds weight, unless he, she or they so selling or retailing the same, shall have first procured and obtained a licence for that purpose in the manner herein after directed, such person or persons so selling or retailing gunpowder within the said peninsula without licence, shall on conviction thereof before any two or more of His Majesty's Justices of the peace for the said county of Halifax, forfeit and pay the sum of five pounds, one half of which penalty, shall go to the informer, and the other half for the use of the poor of the said town of Halifax, the same to be levied by warrant from said justices on the goods or chattles of the offender or offenders shall not on conviction pay or satisfy the said penalty or deliver to the proper officer goods, chattles or effects, sufficient on sale thereof to pay the same, such offender or offenders shall be imprisoned in the common goal, for a space not exceeding two months at the discretion of said justices.

V. And be it further enacted, that immediately after the publication hereof, the justices in their sessions for the county of Halifax, shall proceed to grant licences to retail gunpowder to all such persons of good fame and reputation, as shall apply for the same. Provided always nevertheless, that the said justices shall not grant to any person or persons a licence to retail gunpowder, until he, she or they with one good and sufficient person shall become bound in a bond to our sovereign Lord the King of one hundred pounds conditioned, that he,

she or they shall, and will, well and truly conform to all such regulations, as are now in force, or hereafter shall be made relative to the safe keeping of gunpowder; and that he, she, or they will not receive, purchase or buy from any person or persons whatsoever, any quantity of gunpowder whatsoever, unless the person or persons so delivering or selling the same to him her or them, shall produce and deliver with such gunpowder a permit from the impost and excise office, shewing that the same has been duly imported into the province, and that the duties thereon have been paid or secured.

VI. And be it further enacted, that the said justices in their sessions shall give and grant to all and every person or persons, who shall apply for the same as aforesaid, a licence to retail gunpowder free from any cost, charge or imposition whatsoever, save only one shilling and six pence, which shall be paid to the clerk of the peace for drawing the licence and bond, and for performing every other matter and thing requisite for the granting of said licence.

VII. And be it further enacted, that the said act for suppressing unlicensed houses, and for granting a duty to his Majesty on persons hereafter to be licenced, and the several acts in addition to, or amendment or alteration thereof, which have not been amended or altered by this act, shall be revived in full force, and the same and the said acts, and every matter and thing therein contained (except as before excepted) are hereby continued in full force until the first day of July, which will be in the year of our Lord one thousand seven hundred and ninety one.

VIII. And be it further enacted, that all and every person or persons, who have done or transacted any matter or thing whatsoever, under or by virtue of the several laws or acts, hereby revived, during the time such laws or acts were expired, such person or persons is, and are hereby indemnified, and saved harmless. Provided, that the act or acts, which such person or persons did or might have so done by virtue of said laws would have been lawful to have been so done, had such acts or laws not expired, but been continued in full force and virtue.