

Act 35 Geo. III
Cap. VIII.

“ and Petty Chapmen and for regulating their Trade, and for granting additional Duties on Licences to persons for keeping Houses of Public Entertainment or for retailing Wine, Brandy, Rum or other Spirituous Liquors in this Province, and for regulating the same, and for repealing the Act or Ordinance therein mentioned,” and now remaining in the hands of the Receiver General of this Province, unappropriated, there shall be issued and applied the sum of two thousand Pounds current money of this Province, to make good the like sum which has been so as aforesaid issued and advanced by His Majesty's orders, in pursuance of the aforesaid Address of the House of Assembly, and the due application of the said sum of money, pursuant to the direction of this Act, shall be accounted for to His Majesty, his Heirs and Successors through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his Heirs and Successors shall direct.

£2000. to make good to His Majesty the like sum issued in pursuance of an Address of the House of Assembly.

C A P. XIII.

An Act for granting to His Majesty, a Duty on Licencing Billiard Tables for hire and for regulating the same.

(8th April, 1801.)

Preamble.

WHEREAS, much inconvenience has arisen from the increased number of Billiard Tables, throughout this Province, and whereas it is essential to the happiness and welfare of all His Majesty's Subjects therein, that the licencing of Billiard Tables, in future, for the more effectual prevention of the evils and inconveniencies arising therefrom, be considered an object of Legislative interference, may it therefore please your Majesty, that it may be enacted and 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 Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, *An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "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 it is hereby enacted by the authority of the same, that from and after the thirtieth day of April one thousand eight hundred and two, no person or persons for his, her or their gain and lucre, shall erect, set up, continue to keep or maintain, any Billiard Table in this Province, without a licence for that purpose first had and obtained, in the manner herein after directed; and any person or persons who shall presume to erect, set up, continue to keep and maintain for his, her or their lucre or gain, any Billiard Table, without being licenced, as aforesaid; and who shall thereof be convicted before any Justice of the Court of King's Bench, or Provincial Judge in Circuit, or any two Justices of the Peace, for the District where such offence shall happen, upon the oath of one credible witness or upon the view of such Justice, Judge or Justices, or on the confession of the party or parties, shall forfeit and pay the sum of twenty five Pounds current money of this Province, with costs of Suit, to be levied by Distress and sale of the offender's Goods and Effects, by Warrant under the hand and seal of the Justice, Judge or Justices, before whom he shall or may have been convicted, which said forfeiture when recovered, shall go and be applied one moiety to His Majesty, his Heirs

After 30th April
1802 Persons who
keep Billiard Ta-
bles to take out a
Licence

Penalty.

Application of
the Penalty.

and

and Successors for and towards the support of the Government of this Province, and the contingent charges thereof, and the other moiety to the informer or person who shall sue or prosecute for the same.

Government im-
power'd to grant
Licences.

No Licence to
be granted unless
Recognizance be
entered into.

No Apprentice
&c. to be allowed
to play or no. by
Recognizance
to remain with
the Clerk of the
Peace.

To be prosecu-
ed in case the con-
ditions are not
complied with.

£ 12 to be
taken for a Li-
cence.

No Licence to
be granted unless
a certificate is pro-
duced.

Penalty on per-
sons keeping a
Billiard Table
without a Licen-
ce.

For want of
Districts, persons

II. And be it further enacted by the authority aforesaid, that the Licences heretofore mentioned, shall be granted by the Governor, Lieutenant Governor or Person administering the Government for the time being, subject to the same regulations and charge to the Secretary of the Province, his Agent or Deputy as is prescribed by the Act of the thirty seventh of His present Majesty, respecting Hawkers and Pedlars. Provided always, that no such Licence shall be given to any Person or Persons, unless he, she or they enter into a recognizance, before his Majesty's Justices of the Peace, in Court of Quarter Sessions, within their Districts, respectively, to our Sovereign Lord the King, his Heirs and Successors with two sufficient sureties (being Householders) jointly and severally, in the sum of Fifty Pounds current money of this Province, on the special condition, that the person or persons obtaining the same, shall not, during the continuance of the said Licence, knowingly suffer any Apprentice, School-boy or Servant, to play at the said Billiard Table and shall not knowingly suffer, any Person or Persons whatever, to play or game, at the same, for money, which recognizance so taken, shall be and remain with the Clerk of the Peace, of the District, where the same may be entered into, to be by him prosecuted, in case the said conditions shall not be strictly complied with, or in case of forfeiture of the said recognizance, which said forfeiture when recovered, after deducting, the reasonable costs of such prosecution, shall go and be applied; one moiety to His Majesty, his Heirs and Successors for and towards the Government of this Province, and the contingent charges thereof, and the other moiety to the informer or the person who shall sue or prosecute for the same.

III. And be it further enacted by the authority aforesaid, that previous to the granting of any such Licence, the said Secretary of the Province, his Deputy or Agent, shall exact and demand, for every such Billiard Table, so as aforesaid, to be by them licensed, the sum of Twelve Pounds Ten Shillings current money of this Province, to be paid to the said Secretary of the Province, his Deputy or Agent, where such Licence may be granted, to be by him remitted to the Receiver General of this Province, to be applied to the use of His Majesty, his Heirs and Successors in the manner and for the purposes herein before expressed. Provided always, that no such Licence shall be granted by the said Secretary of the Province, his Deputy or Agent, to any person or persons, until he or they shall produce a Certificate from the Clerk of the Peace, that the recognizance required by this Act, hath been duly entered into.

IV. And be it further enacted by the authority aforesaid, that no person or persons shall set up, continue to keep or maintain, for their lucre and gain, any such Billiard Table, after the expiration of such his, her or their Licence, without a renewal of the same, ten days at the least, before the expiration thereof, shall and are hereby, made subject to the same pains and penalties, in this Act expressed as if he, she or they had never obtained such Licence, any thing herein to the contrary notwithstanding.

V. And be it also further enacted by the authority aforesaid, that if any person or persons, who shall be so as aforesaid convicted, shall not have sufficient goods and effects

may be committed to the common Goal.

fects, whercon to levy the Penalties inflicted by this Act, or who shall not upon a return of *nulla bona*, to the Writ of distress issued immediately pay the said Penalties and Costs, or give security for payment of the same within ten days thereafter, it shall and may be lawful, for the said Justice or Justices of the Court of King's Bench, or Provincial Judge in Circuit or Justices of the Peace, before whom such person or persons shall be so convicted, as aforesaid, to commit such person or persons to the Common Goal of the District where such offence shall be committed, there to continue and remain for any time not exceeding three Months.

Limitation of Actions.

VI. Provided always and it is hereby enacted, that no Suit or Action shall be brought or commenced, against any person or persons for any penalty or forfeiture by this Act imposed, that shall not be brought within three Months, after the offence or offences respectively committed.

Monies arising under this Act, granted and to be accounted for as His Majesty may direct.

VII. And be it further enacted by the authority aforesaid, that all monies arising by this Act, are hereby granted to His Majesty and the due application thereof accordingly shall be accounted for to His Majesty, thro' the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his Heirs and Successors shall direct.

C A P. XIV.

An Act for granting to His Majesty certain new Duties on the importation into this Province, of all Manufactured Tobacco and Snuff, and for disallowing the Drawback, on Tobacco Manufactured within this Province.

(8th April, 1801)

Preamble.

WHEREAS the duty imposed on Tobacco, has been evaded in some cases, and is not so productive as was expected by the Legislature, for remedy thereof. 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 Lower Canada, constituted and assembled by virtue of and under the authority of an Act of the Parliament of Great Britain, passed in the thirty first year of His Majesty's Reign, intituled, " *An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, " 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 it is hereby enacted by the authority of the same, that from and after the passing of this Act, there shall be levied, raised, collected and paid, to and for the use of His Majesty, his Heirs and Successors, for and upon all manufactured Tobacco, which shall be imported or brought into this Province, from any place or places, from whence the same may be lawfully imported, the several Rates and Duties, following, that is to say:

After the passing of this Act, certain Duties to be paid to his Majesty on manufactured Tobacco imported into the Province.

The Rates.

- I. For every Pound, Avoirdupois weight of Snuff or Flour of Tobacco or Powder of Tobacco, four pence, currency.
- II. For every Pound, Avoirdupois weight of Tobacco manufactured in any other way, than into Snuff, or Flour or Powder as already recited, or that may have undergone