

deströy, or who shall sell or expose for sale, or who shall buy or cause to be bought, between the First day of March and the First day of September in any year, any Partridge, shall for every Partridge so taken, killed, destroyed, sold or exposed for sale, or found dead in his or her possession, forfeit the sum of *ten shillings* to the use of the Person or Persons who shall prosecute or sue for the same, to be recovered before any one of His Majesty's Justices of the Peace for the County where the offence may be committed on the oath of one or more credible witnesses or witnesses or by confession of the party offending, and levied on the goods and chattels of the offender; and for the want of goods and chattels of such offender whereon to levy the same, it shall and may be lawful for such Justice to commit the offender to the common Gaol of the County for the space of Two days, or until the fine, together with the costs of prosecution and commitment shall be paid.

buying Partridges, and Persons in whose possession any Partridge is found dead between the first of March and the first of September, to forfeit Ten Shillings, to the use of the prosecutor.

For want of goods whereon to levy the fine, the offender may be committed to Gaol.

CAP. VI.

An Act for the better regulation of Licenses to Inns, Taverns and Houses for selling Strong Liquors by Retail. Passed the 7th of March, 1814.

WHEREAS the Laws concerning the Licensing of Inns, Taverns and other Houses for selling strong or spirituous Liquors by retail are defective or insufficient for the preventing or correcting abuses and disorders therein—

Preamble.

I. *Be it enacted by the President Council and Assembly*, That from and after the passing of this Act, no License shall be granted to any Person to keep an Inn or Tavern, but at the General Sessions of the Peace, to be holden in and for the several and respective Counties in this Province; and that all Licenses shall be made for One year only.

No License to be granted for keeping an Inn or Tavern but at the General Sessions. Licences to be for one year only.

II. *And be it further enacted*, That no Person or Persons to whom a License shall be granted at any General or Special Sessions of the Peace, to sell Wine, Ale, Beer, Brandy, Rum, or other strong or spirituous Liquors by retail, shall be allowed or permitted to sell the same under the quantity of One Pint; and if any such Licensed Person or Persons shall sell any Wine, Ale, Beer, Brandy, Rum, or other strong or spirituous Liquors by retail in any quantity less than One Pint, every Person so offending shall for each and every offence forfeit and pay the sum of *twenty shillings*, to be recovered upon complaint made to any of His Majesty's Justices of the Peace in the County where such offence shall be committed, upon the oath of one or more credible witnesses or witnesses, and levied by Warrant of distress and sale of the offender's goods under the hand and seal of such Justices, directed to any Constable of the Town or Parish where such offence shall be committed, tendering the overplus, if any, after deducting the costs and charges of such distress and sale to the offender; and if no goods shall be found whereon to levy such distress, it shall and may be lawful for such Justice by Warrant under his hand and seal to commit such offender to the Common Gaol of the County where such offence shall be committed without bail or mainprize for such time not exceeding Five days, as such Justice shall in his discretion think

Persons having retail Licenses not to sell any quantity less than One Pint under the penalty of Twenty Shillings,

to be recovered on complaint made to a Justice of the Peace.

If no Goods found whereon to levy, the offender may be committed to Gaol for a term not exceeding Five days,

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half the penalty to the use of the Poor, and half to the person who shall complain.

No Tavern Keeper, or Retailer, to sell any spirituous Liquors, to any Person except Travellers, on Sunday, under the penalty of Forty Shillings.

If any Licenced Person shall die or remove,

the Justices at any General or Special Session may grant to the Person succeeding to the house a License for the residue of the term of the first license upon recognizance with sufficient sureties being entered into according to law.

No License to authorize any Person to sell Liquors in any other place than that in which they were first sold under such License.

Act not to interfere with the Rights given by the Charter to the Mayor of Saint John.

Limitation.

think fit, unless such penalty and forfeiture, together with the costs and charges shall be sooner paid, one half of which penalty and forfeiture shall be paid into the hands of the Overseers of the Poor of the Town or Parish where such offence shall be committed, for the use of the Poor of such Town or Parish, the other half to the Person who shall make complaint and sue for the same.

III. *And be it further enacted*, That no Tavern Keeper or Retailer shall sell any Wine, Strong Beer, Ale, Brandy, Rum or other Spirituous Liquors mixt or unmixt, to any Person whatsoever (Travellers excepted) on the Lord's Day commonly called Sunday, under the penalty of *forty shillings*, to be recovered, levied and applied, as is provided in and by the second section of this Act.

IV. *And be further enacted*, That if any Licenced Person shall die or remove from an Inn, Tavern or other House for selling such Liquors as aforesaid by retail, it shall be lawful for the Justices of the Peace in the several Counties at any General, or at any Special Sessions of the Peace, to be for that purpose holden, to grant to the Person succeeding to such Inn, Tavern or other House for selling Liquors by retail, a License to keep on and continue the said Inn, Tavern or other House for selling Liquors by retail as aforesaid, during the residue of the term of the said License granted to the Person so dying or removing, on condition that the Person so succeeding shall enter into recognizance with two sufficient sureties for keeping an orderly House, and obeying the orders of the Justices of the Peace in their General Sessions, according to the form and effect of the Act in such case made and provided: And no License shall entitle any Person to keep an Inn or Tavern or to sell any strong or spirituous Liquors by retail in any other House or place, than that in which they were first kept and sold by virtue of such License, and such License with regard to all other places shall be null and void.

V. *Provided always and be it further enacted*, That nothing herein contained shall be construed to extend to interfere with the rights and powers given by the Charter to the Mayor of the City of Saint John in granting Licenses to Tavern Keepers and Retailers of Spirituous Liquors, but that such Licenses may be granted as heretofore.

VI. *And be it further enacted*, That this Act shall be in force Two years, and thence until the end of the next Session of the General Assembly.

CAP. VII.

An Act further to continue for a limited time an Act, intituled "An Act for regulating, laying out
" and repairing Highways and Roads; and for
" appointing Commissioners and Surveyors of
" Highways within the several Towns and Pa-
" rishes in this Province." Passed the 7th of
March, 1814.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the Fiftieth Year of His Majesty's Reign intituled