

## CAP. XIII.

An ACT to alter and amend the Acts relating to the granting of Licences to Tavern Keepers and Retailers of Spirituous Liquors."

*Repealed by  
1. W. G. Ch. 24.*

*Passed 17th March, 1825.*

**W**HEREAS the low rates at which Tavern Keepers and Retailers of Spirituous Liquors, procure Licences and the small amount of some of the Fines and Penalties for a breach of the Laws in those cases made and provided, have been found prejudicial to the Public Interest.

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace for the several Counties in this Province, at any Sessions at which they may by Law be authorized to grant Licences to Tavern Keepers and Retailers of Spirituous Liquors respectively, to ask, demand and receive, for every such Licence by them to be given and granted as aforesaid, such sum as they in their discretion shall think fit, not exceeding ten pounds nor less than ten shillings for each Licence for one year, to be paid and applied in the manner directed in and by the first section of an Act made and passed in the twenty-seventh year of the Reign of His late Majesty King George the Third, intituled, "An Act to empower the Justices of the General Sessions of the Peace in the several Counties in this Province to grant Licences to Tavern Keepers and Retailers of Spirituous Liquors," any thing in the same section of the said recited Act contained to the contrary notwithstanding.

Justices in Sessions may demand for Licence to Tavern Keepers and Retailers any sum not exceeding ten pounds nor less than ten shillings,

to be paid and applied as directed by 27, Geo. 3, c. 6.

*II. And*

Retailers selling  
any quantity less  
than one pint to  
forfeit £5.

For want of goods  
whereon to levy  
offender may be  
committed for 20  
days.

II. *And be it further enacted*, That if any person or persons Licenced to sell Wine, Ale, Beer, Brandy, Rum or other strong or Spirituous Liquors by Retail, shall sell the same in any quantity less than one pint, every person so offending shall for each and every offence, in lieu of the penalty of twenty shillings mentioned in the second section of an Act made and passed in the fifty-fourth year of the Reign of His said late Majesty King George the Third, intituled, “ An Act “ for the better regulation of Licences to “ Inns, Taverns, and Houses for selling “ strong Liquors by Retail,” forfeit and pay the sum of five pounds, to be recovered, levied, paid and applied in the manner directed in and by the said section of the said last recited Act; and in case of no goods being found whereon to levy the said fine herein imposed, it shall and may be lawful for the Justice to commit the offender in the manner directed in the same section of the said last recited Act, for the term of twenty days.

III. *And whereas* by the Charter of the City of Saint John, confirmed by Act of Assembly, it is among other things provided, that the Mayor of the said City for the time being and no other whatsoever, shall have power to give and grant Licences under the Common Seal of the said City to all such persons as he shall think fit, to Licence them or every of them to keep a Tavern, an Inn, an Ordinary, a Victualling, or a Coffee House, or to sell Wine, Brandy, Rum, strong Waters, Punch, Beer, Ale, or any exciseable or strong Liquors whatsoever, within the

the City of Saint John, or the liberties or precincts thereof, by retail or the small measure under the quantity of five gallons, and that it shall and may be lawful to and for the Mayor of the said City for the time being, to ask, demand, and receive for every such Licence by him to be given and granted as aforesaid such sum or sums of money as he and the person to whom such Licence shall be given and granted shall agree for, not exceeding the sum of four pounds for each Licence; all which monies, as by the said Mayor shall be so received, shall be used and applied to the public use of the Mayor, Aldermen and Commonalty of the said City of Saint John: *Be it further enacted*, that from and after the passing of this Act, it shall and may be lawful to and for the Mayor of the said City for the time being, to ask, demand and receive for every such Licence by him to be given and granted as aforesaid, any such sum or sums of Money as he and the person, to whom such Licence shall be given and granted, shall agree for in manner aforesaid, not exceeding the sum of ten pounds for each Licence, to be applied for the public use of the Mayor, Aldermen and Commonalty of the said City of Saint John: *Provided always*, that nothing in this Act contained, shall apply or be construed to apply in any manner to the rights and powers given by the said Charter to the Mayor of the said City, in granting Licences to Tavern Keepers and Retailers of Spirituous Liquors, otherwise than in this section is expressly mentioned and contained.

Mayor of St. John may demand for Licences such sum as may be agreed on, not exceeding ten Pounds.

Not to affect the rights and powers given by the Charter to the Mayor, otherwise than as above mentioned.