

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786.* Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 36

**An Act for regulating Inn-holders, Tavern-keepers, and Retailers of Spirituous Liquors.**

I. Be it enacted by the Governor, Council and Assembly, That from and after the publication hereof, no retailer, inn-holder, tavern or ale-house keeper, who shall sell upon trust or credit, any wine, strong beer, ale, brandy, rum or other spirituous liquors mixt or unmixt, to any soldier, sailor, servant, or other person whatsoever, to the amount of any sum exceeding the sum of five shillings, shall have any remedy to recover the same either at law, or in equity, against any of the persons aforesaid their executors or administrators.

II. And le it further enacted, That in case any soldier, sailor, servant, apprentice, bound servant, or other person whatsoever, shall leave any pawn or pledge as a security for the payment of any sum exceeding five shillings contracted in such manner, such soldier, sailor, servant, apprentice, bound servant, or other person whatsoever, or the matters or mistresses of such servant, apprentice or bound servant, may complain to any justice of the peace, where such retailer, inn-holder, tavern, or ale-house keeper, or any other person whatsoever receiving such pawns or pledges usually resides; that such pawn or pledge is detained from him or her by such retailer, inn-holder, tavern or ale-house keeper, or any other person whatsoever, and having made proof thereof by the oath of one or more credible witness, or witnesses, such justice of the peace is required by warrant under his hand and seal to compel such retailer, inn-holder, tavern or ale-house keeper or other person whatsoever, by distress and sale of his goods to restore the aforesaid pawn or pledge to the party complaining or to make him or her satisfaction for the loss or abuse thereof and shall further be subject to a fine not exceeding five pounds for the use of the poor of the town or parish where such offence shall be committed.

III. And be it further enacted, That no retailer or person whatsoever shall harbor, or suffer any apprentice or servant whatsoever, to sit drinking in his or her house, nor sell or give him, her or them, any of the liquors aforesaid, without special order or allowance of their respective masters or mistresses on pain of forfeiting the sum of ten shillings for every such offence, together with the charges of prosecution to be recovered, upon conviction on the oath of one credible witness before any one of his Majesty's justices of the peace within the county where the offence shall be committed, or such other proof as shall be to the satisfaction of such justice, and to be levied by warrant of distress and sale of the offender's goods and chattels, under the hand and seal of the said justice, and for want of sufficient distress said justice shall and may commit such offender to his Majesty's gaol, there to remain for the space of one month, or until he shall have paid and satisfied the same. And such sum so levied shall, by the said justice be paid into the hands of the overseers of the poor

of the town or parish where the offence shall be committed, to be by them applied to the use of the poor of such town or parish.

IV. Provided always, And nothing herein contained shall extend to debar any retailer, inn-holder, tavern or ale-house keeper, from furnishing any traveller, or boarder in his family with necessary refreshments on credit.