

C H A P. I I.

An A C T to amend certain parts of an Act entitled "An act for the regulation of Juries," and a certain other Act entitled "An act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal."

Preamble.

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 Upper-Canada, constituted and assembled by virtue of, and under the authority of an act passed in the parliament of Great-Britain, entitled "An act to repeal certain parts of an act passed in the fourteenth year of his majesty's reign, entitled, "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 by the authority of the same, That from and after the passing of this act, and before the first day of Trinity term now next ensuing, and before the first day of the respective terms next preceding the time when the issuing of the writs of assize and nisi prius are directed to be issued, according to the form and effect of a certain act passed in the thirty-fourth year of his majesty's reign, entitled, "An act to establish a superior court of civil and criminal jurisdiction and to regulate the court of appeal," and in every year thereafter ensuing, the sheriffs of the Eastern, Midland and Western districts, and each respectively, shall cause a pannel of the names of the jurors, not less than thirty-six, nor more than forty-eight persons, according to the rules and regulations contained in the said act entitled, "An act for the regulation of juries," to be transmitted into his majesty's court of his bench, that shall be liable to be summoned for the trial of all causes at the then next ensuing assizes, without a venire facias for that purpose.

A pannel of jurors for the trial of issues at the assizes, shall be transmitted, at stated periods, in to the court of K. B. by the sheriffs of the Eastern, Midland and Western districts, respectively, without any venire facias for that purpose.

The sheriff of the Home district, to return in like manner, on first day of every term.

II. And be it further enacted, That the sheriff of the Home district on or before the first day of every term, shall cause a pannel of the names of jurors, not less than thirty-six nor more than forty-eight, according to the rules and regulations of the said act for the regulation of juries, to be transmitted into his said majesty's court of his bench, of persons that shall be liable to be summoned for the trial of all causes at the sittings during and ensuing each term, without a venire facias for that purpose.

C H A P. I I I.

An A C T to amend an act entitled, "An act for regulating the manner of Licensing Public Houses, and for the more easy convicting of persons selling spiritous liquors without licence."

Preamble.

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 Upper-Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great-Britain, entitled "An act to repeal certain parts of an act passed in the fourteenth year of his majesty's reign, entitled, "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 by the authority of the same, That from and after the passing of this act, if any person or persons shall keep an inn or public house for the purpose of vending wine, brandy, rum or other spiritous liquors; unless he, she or they shall have previously obtained a licence in manner and form prescribed, by an act passed in the thirty-fourth year of his majesty's reign, entitled, "An act for regulating the manner of licensing public houses,

Keepers of inns &c. to be licensed.

and for the more easy convicting of persons selling spiritous liquors without licence," such person or persons shall forfeit and pay the sum of twenty pounds, to be levied upon his, her or their goods and chattles, upon being convicted on the oath of any one credible witness of his, her or their having offended against the said act, in manner and form as is therein mentioned: a moiety whereof shall be given to the informer, and the other moiety paid into the hands of his majesty's receiver general, to and for the use of his majesty, his heirs and successors, for the public uses of this province, and towards the support of the government thereof, to be accounted for to his majesty through the commissioners of his treasury for the time being, in such manner and form as it shall please his majesty to direct.

Penalty for selling without licence.

Application thereof.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person or persons not having obtained a licence, and kept an inn or public house at any time before, and being desirous of keeping an inn or public house, to apply for a licence at any time during the year, to the magistrates of the district in which he resides, in general quarter sessions assembled, and it shall and may be lawful for the said magistrates, to enquire into the character and behavior of the person applying, and if it shall appear to them expedient to encrease the number of inns or public houses, and that the party applying is a sober and honest man, the presiding magistrate shall then and there grant him a certificate under his hand and seal, which certificate shall enable the party so holding the same to take out a licence; and the secretary of the province or his agent upon the production of such certificate, shall be, and he is hereby authorized and directed to grant a licence accordingly; the person or persons paying for the same such sum of money as is directed to be paid, by all persons receiving a licence to keep an inn or public house in this province, and entering into a regular recognizance before the clerk of the peace, in manner and form as is prescribed by a certain act passed in the thirty-fourth year of his majesty's reign, entitled, "An act for regulating the manner of licensing public houses, and for the more easy convicting of persons selling spiritous liquors without licence," any thing in the said act or in any former act to the contrary hereof notwithstanding.

Cases in which a licence to keep an inn may be granted in any general quarter sessions to persons duly qualified.

Manner of granting the same.

C H A P. I V.

An A C T to amend certain parts of an act, entitled, "An act to fix the times and places of holding the courts of general quarter sessions of the peace, within the several districts of this province."

WHEREAS it is expedient to alter the place of holding the court of general quarter sessions of the peace in and for the Western district of this province; Be it therefore 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 Upper-Canada, constituted and assembled by virtue of, and under the authority of an act passed in the parliament of Great-Britain, entitled an act to repeal certain parts of an act passed in the fourteenth year of his majesty's reign, entitled, "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 by the authority of the same, That so much of a certain act passed in the thirty-third year of his majesty's reign, entitled, "An act to fix the times and places of holding the courts of general quarter sessions of the peace within the several districts of this province," which directs that the courts of quarter sessions of the peace for the Western district of this province, shall commence and be holden in the town of Detroit, on such days and times as are therein mentioned; and that a special sessions of the peace shall commence and be holden

Preamble.

Recital of act 33 Geo. 3.

The same in part repealed.

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