

Laws of His Majesty's Province of Upper-Canada; Passed in the Fifth Session of the Provincial Parliament of Upper Canada, Met at Newark, on the Sixteenth day of May, in the Thirty-Sixth Year of the Reign of our Sovereign Lord George the Third. Niagara: Gideon Tiffany, Printer to the King's Most Excellent Majesty, 1796.

36 George III – Chapter 3

An Act to amend an act entitled, “An act for regulating the manner of Licensing Public Houses, and for more easy convicting of persons selling spirituous liquors without licence.

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 spirituous 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 and for the more easy convicting of persons selling spirituous 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.

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 behaviour of the person applying, and if it shall appear to them expedient to increase the number of inns or public houses, and that the applying is 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

36 George III – Chapter 3

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 spirituous liquors without licence," any thing in the said act or in any former act to the contrary hereof notwithstanding.