

Laws of His Majesty's Province of Upper-Canada in North America. West Niagara: Titus G. Simons, Printer to the King's Most Excellent Majesty, 1797.

37 George III – Chapter 11

An Act to increase the Revenue, and to compel the accounting more regularly for the same, to the Treasurer of the province.

MOST GRACIOUS SOVEREIGN

Whereas the provisions contained in a certain act of the parliament of this province, passed in the thirty-third year of your Majesty's reign, entitled, "An act to establish a further fund for the payment of the salaries of the officers of the legislative council and house assembly, and for the defraying the contingent expences thereof;" in so far as the same did extend to persons retailing spirituous liquors, or wines, in less quantities than three gallons, but not keeping a house of public entertainment, are expired: we your Majesty's most dutiful and loyal subjects, the representatives of the people of the province of Upper-Canada, in parliament assembled, do most humbly beseech your Majesty that it may be enacted, and 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 fifth day of August in the present year and from and after the fifth day of April in every year ensuing, every shop-keeper, or other person whatsoever, who shall sell or vend any wine, brandy, rum or other spirituous liquor, in less quantity at any one time than three gallons, shall be possessed of a license for that purpose whether he, or she does keep a house of public entertainment, or does not; which license it shall and may be lawful for the governor, lieutenant-governor, or person administering the government, by or through the secretary of the province, or other person or persons whom he shall authorize to issue the same, to grant upon payment of the like rates, duties and fees, as by law are now paid by any person licensed to keep a house of public entertainment, for his or her license so to do: such rates and duties to be collected, paid and applied in like manner and form, and to the same uses as by the hereinbefore recited act of the parliament of this province is directed; and if any person shall at any time after the time or times respectively herein specified and limited, sell or vend any wine, rum, brandy or other spirituous liquor, in less quantity than three gallons, not being possessed as aforesaid, of a license for that purpose, and shall be thereof convicted in a manner and form set forth by a certain act of the parliament of this province, entitled "An act for regulating the manner of licensing public houses, and for the more easy convicting of persons selling spirituous liquors without license." He or she shall forfeit and pay the sum of twenty pounds; a moiety whereof shall be paid to the informer, and the other moiety shall be paid into the hands of his majesty's receiver-general, to and for the

use of his Majesty, his heirs and successors, and towards the support of the government of this province, to be accounted for to his majesty through the commissioners of his Majesty's treasury for the time being, in such manner and form as it shall please his majesty to direct.

II. And whereas unnecessary delay in accounting to the provincial treasurer, for the revenue may be detrimental to the same, Be it therefore enacted by the authority aforesaid, That the secretary of the province, shall use efficient means of compelling all persons employed by, or under him, as his agents or deputies, in receiving and collecting the duties imposed by virtue of this act, or by virtue of any other act or acts of the parliament of this province, to transmit to him, from time to time, without delay, all such monies as they shall so receive and collect; and that the said secretary of the province, shall pay into the hands of the said provincial treasurer, all monies which he shall from time to time so receive, or otherwise collect as duties imposed by this act, or by any other act or acts of the parliament of this province, within one calendar month after he shall have received or collected the same, any act, law or usage to the contrary notwithstanding.