

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1824.
York: Charles Fothergill, 1824.

5 George IV – Chapter 19

An Act to Continue and Amend an Act passed in the fifty-eighth year of His Late Majesty's Reign, entitled, "An Act to Continue the Laws now in force for granting an additional Duty on Shop Licences," and to require Persons selling Spirituous Liquors' by Whole Sale to take out a Licence for that purpose. Passed Jan. 19th, 1824.

Most Gracious Sovereign,

Whereas an Act passed in the fifty-eighths year of His Late Majesty's Reign, entitled, "*An Act to Continue the Laws now in force for granting an Additional Duty on Shop Licences*," will shortly expire; and whereas it is expedient to continue and amend the said Act,—

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 Late 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 the said recited Act shall continue and be in force for and during the continuance of this Act.

II. And be it further Enacted by the authority aforesaid, That from and after the first day of June next, and from and after the fifth day of January in each and every ensuing year, there shall be taken out a Licence by every Merchant, Shopkeeper, Trader, or Dealer, who may sell or vend any Wines, Brandy, or other spirituous liquors by wholesale, that is to say, Three Gallons, or upwards, and who has not taken out any Licence to sell, vend, and retail, Wines, Brandy, or other spirituous liquors; for which Licence there shall be paid at the time such Licence shall be taken out, the sum of Five Pounds.

III. And be it further Enacted by the authority aforesaid, That the Licences to wholesale dealers, as aforesaid, shall be issued in the like manner as Licences are by law directed to be issued to retail dealers in wines, brandy, and other spirituous liquors.

IV. And be it further Enacted by the authority aforesaid, That any person or persons who shall sell or vend any wines, brandy, or other spirituous liquors by wholesale, after the first day of June next, without having first obtained a Licence so to do, as herein-before enacted, shall be subject to the like penalties as by law are imposed on any person or persons selling wines, brandy or other spirituous liquors by retail, without a Licence authorising such person or persons so to do; which penalties shall be levied, collected, and appropriated in the same manner as other penalties are by the provisions of this Law ordered to be levied, collected, and appropriated.

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V. And whereas doubts have been entertained whether, under the existing Laws, any individual taking Out a Shop Licence can, under the authority of such a Licence, sell spirituous liquors, by retail, in more than one shop within the District, Be it therefore further Enacted and declared by the authority aforesaid, That no Shop Licence to be hereafter taken out shall be considered to authorise the person taking out the same to retail spirituous liquors in more than one shop or place, any thing in any former Law to the contrary thereof notwithstanding; and that in every application for a Shop Licence, after the passing of this Act, the premises or shop to which such Licence is meant to extend, shall be particularly specified, and the same shall also be inserted in the Licence to be issued thereupon.

VI. And be it further Enacted By the authority aforesaid, That if it shall appear, upon any prosecution for selling liquor by retail, without Licence, that the shop which shall have been mentioned in any Licence shall have been removed; and the business wholly transferred lo any other place within the District, such shop being the same in respect of which the complaint shall have been instituted, shall and may be considered as Licenced, notwithstanding the provision herein-before contained.

VII. And be it further Enacted by the authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to prohibit any person or persons from exposing to sale, and vending by wholesale, such liquors as they obtain from the distillation of grain raised upon their own farms, or to prohibit any person who shall have taken out, or who may hereafter take out, a Licence for the distillation of spirituous liquors from selling such liquors by wholesale in his distillery only as he shall have distilled without taking out the licence required by this Act.

VIII. And be it further Enacted by the authority aforesaid, That the money to be raised and collected under this Act shall be paid unto His Majesty's Receiver General of this Province for the time being, to and for the use of His Majesty, His Heirs and Successors, and to and for the uses of this Province, to be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall direct.

IX. And be it further Enacted by the authority aforesaid, That this Act shall be and continue in force for and during the term of four years, and from thence to the end of the then next ensuing Session of Parliament, and no longer.