

the person who shall apply for the same under the Rules and Regulations required by this Act, and upon payment of the duty herein before mentioned.

III. *And be it further enacted*, That all Licences given and granted by the said Treasurer, under and by virtue of this Act, shall expire on the thirty-first day of December in each and every year.

IV. *And be it further enacted*, That if any person or persons shall, after the time appointed for this Act to go into operation, employ, or work any Distillery or Distilleries of Spirituous Liquors, without having first taken out a Licence for that purpose; or shall not renew the same, Yearly in manner aforesaid, so long as he or she shall continue the business of Distilling, he or she shall forfeit and pay the sum of One Hundred Pounds, to be recovered in the same manner as is directed in and by the Eighth Section of this Act.

V. *And be it further enacted*, That no person or persons shall be capable of taking out, or receiving a Licence as a Distiller, save only the actual Owner or Owners of the Distillery or Distilleries, intended to be worked by virtue thereof, and of the implements, backs and vessels to be employed or used in carrying on the Trade or business of a Distiller; and every such person or persons demanding such Licence, shall take and subscribe an Oath, before the said Treasurer, (and which Oath, the said Treasurer is hereby authorised to administer,) that the said Distillery and Distilleries, and implements, backs and vessels to be used, are his, her, or their own property, and that the Trade or business intended to be carried on, is at his, her, or their own risk, and on his, her, or their own account, and in every Licence which shall be granted by virtue of this Act, there shall be expressed and specified, the Christian Name or Names, and the Surname or Surnames of the Person or Persons to whom the same shall be respectively granted, the place or places of his, her, or their respective residences, and the House or Place, and the name of the particular County and Parish in which such House or Place shall be situate, and in which such Distill or Distills are intended to be employed, worked, or used, for which such Licence shall be granted, and also specifying the sum paid for the duty of such Licence, and the time of commencing, and when such Licence shall cease and expire.

VI. *And be it further enacted*, That the Owner or Owners of any Distillery or Distilleries in this Province, or in case such Distillery or Distilleries shall be carried on by any Agent or Agents, Servant or Servants, then such Agent or Agents, Servant or Servants, having the care or management of the same, shall respectively on the first Monday of each and every Month, from and after the publication of this Act, give and render, on Oath, to the Treasurer of the Province, or his Deputy, for the place or district where such Rum or other Distilled Spirituous Liquors shall be made, a just and true account of the quantity of Rum or other Distilled Spirituous Liquors that hath been Manufactured or Distilled in his, her, or their Distillery or Distilleries; and shall make and Subscribe before the said Treasurer or his Deputy, the following Oath: I, A. B., do solemnly swear that the account I have now rendered and subscribed of the (Rum or other Distilled Spirituous Liquors as the case may be,) which have been Manufactured or Distilled at my, or the Distillery of [here state where the Distillery is situate, and by whom owned,] is a just and true account of all the Rum and other Distilled Spirituous Liquors, that have been Manufactured or Distilled, at the said Distillery, since the day of to the day of; and I do farther swear that no Rum or other Distilled Spirituous Liquors have been removed or taken away from the said Distillery to my knowledge or belief, without a permit to remove or take away the same being first had and obtained from the Treasurer or his Deputy, (as the case may be,) So help me God.

VII. *And be it further enacted*, That immediately upon the making of the Oath, as aforesaid, by the Owner or Owners, Agent or Agents, Servant or Servants, as aforesaid, the Duties by this Act imposed, shall be paid or secured to be paid in manner following, that is to say, if the same shall not exceed the sum of Twenty-five Pounds, to be paid at the time of making the Oath, as aforesaid, and when the same shall not exceed Fifty Pounds it shall be lawful for the said Treasurer or his Deputy or Deputies, respectively, to take a Bond, duly executed, by the person making the Oath, as aforesaid, with one or more good and sufficient Surety, in double the amount of the Rates and Duties, payable upon the articles so Distilled, for payment of the same, in three months; and when the Rates and Duties arising upon any one Entry, so made upon Oath, as aforesaid, shall exceed One Hundred Pounds, then it shall and may be lawful for the said Treasurer or his Deputy or Deputies, respectively, to take a Bond executed in like manner for payment of the same; one third in four months, one third in eight months, and one third in twelve months; all which Bonds shall be taken in the name of the King's Majesty, and be payable to His said Majesty, his Heirs and Successors, and conditioned for the amount of the said Duties, respectively, at the time or times specified therein, either to the Treasurer for the time being, or his Deputy, if taken at St. John, or to the Deputy Treasurer for the time being at the Port or Place where the same may be taken.

VIII. *And be it further enacted*, That in case of the neglect or refusal, of any Owner or Owners, of any Distillery or Distilleries, or the neglect or refusal of his, her, or their Agent or Agents, Servant or Servants, where such Agent or Agents, Servant or Servants have the care and management of the same, to render, on Oath, a just and true account, of all Rum and other Distilled Spirituous Liquors that have been Manufactured at such Distillery or Distilleries, agreeably to the second Section of this Act; that then, in such case, all the Rum and other Distilled Spirituous Liquors, so Manufactured, and the account of which has not been rendered as aforesaid, shall be forfeited, and shall be

proceeded against, in like manner as is provided in and by an Act for raising a Revenue in this Province, in cases where Dutiable Goods have been clandestinely brought or imported into this Province before Entry and Report made thereon.

IX. *And be it further enacted*, That no Rum or other Distilled Spirituous Liquors shall be removed or carried away from any Distillery or Distilleries in this Province, without a Permit for that purpose first being had and obtained from the Treasurer of the Province, or one of his Deputies; which permit shall be in the following form, namely: Permit A. B. to remove or carry away from the Distillery of Gallons of

Given under my hand at the day of C. D., Treasurer, or Deputy Treasurer.

X. *And be it further enacted*, That in case any Rum or other Distilled Spirituous Liquors, made in this Province, shall be found in possession of any person or persons, and which shall have been removed or carried away from any Distillery or Distilleries in this Province, without a Permit for that purpose being first had and obtained agreeably to the provision of this Act, the Person or Persons, in whose possession the said Rum or other Distilled Spirituous Liquors shall be so found, shall forfeit and pay the sum of Fifty Pounds, to be recovered by information to be made and filed by His Majesty's Attorney-General, in the Supreme Court of Judicature in this Province, upon the filing whereof, the first process shall be a Capias to be directed to the Sheriff or Coroner of the place where the offender may be found, by virtue of which Process the said offender or offenders shall be held to Bail, for his appearance at the return of the Process, to answer the matters charged in such Information; and the said Rum or other Distilled Spirituous Liquors shall be forfeited, and proceeded against in like manner as other dutiable articles are when illegally imported into this Province.

XI. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of December which will be in the Year of our Lord one thousand eight hundred and thirty-one.

XII. *And be it further enacted*, That this Act shall not go into operation until the first day of March next.

An Act to prevent Pedlars travelling and selling within this Province without Licence.

Passed 10th February, 1829.

WHEREAS it is expedient that regulations should be made for Pedlars and Petty Chapmen going about this Province without Licence.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly*, That from and after the first day of April next, there shall be paid into the Treasury of this Province, by every Hawker, Pedlar, Petty Chapman, or any other Trading person or persons going from Town to Town or to other Mens Houses, and travelling either on foot or with a beast of burthen, or otherwise within this Province, carrying to sell, or exposing to sale, any Goods, Wares, or Merchandize, the following duties, that is to say; for every person so travelling on foot, two pounds and ten shillings per annum, for every person so travelling with a beast of burthen, bearing or drawing a burthen, the further sum of four pounds for each and every beast of burthen, and for every Waggon, Cart, Sled, or other Carriage by Land, or for any Vessel, Boat, or Canoe, by Water, and by a person or persons for the purpose aforesaid, the sum of four pounds.

II. *And be it further enacted*, That every Pedlar, Hawker, Petty Chapman, and other Trading person or persons, so travelling as aforesaid, within this Province, shall take a Licence for that purpose, from the Treasurer of the Province or any Deputy Treasurer for the time being, and shall pay unto the said Treasurer or such Deputy, the sum or sums of money above mentioned; upon payment whereof, the said Treasurer or his Deputy is hereby authorized and required to grant such Licence, under his hand and seal, which Licence shall particularly specify, whether such persons so receiving the same, is to Travel on foot, or with a beast of burthen, or with a Waggon, Cart, Sled, or other Carriage, or in any Vessel, Boat, or Canoe, according to the form contained in the Schedule of this Act; and that the said Treasurer, or his Deputy, shall keep a Register of all persons Licenced under and by virtue of this Act, and from time to time publish the names of such persons in the Royal Gazette, and shall also keep a distinct account of the Duties to be recovered by virtue of this Act.

III. *And be it further enacted*, That if any Hawker, Pedlar, or Petty Chapman, or itinerant Trader as aforesaid, shall after the said first day of April next, be found Trading as aforesaid, without or contrary to such Licence, such person shall for each and every offence forfeit and pay the sum of four pounds.

IV. *And be it further enacted*, That every person so Trading as aforesaid, who upon demand made by any Justice of the Peace, Sheriff, or Constable, or by any person with whom he shall be so Trading as aforesaid, shall refuse to produce and shew the Licence for so Trading, he shall forfeit and pay the sum of twenty-shillings.

V. *And be it further enacted*, That the penalties and forfeitures imposed by this Act shall be recovered in a summary way with Costs, upon information or complaint made to any one or more Justice or Justices of the Peace in the County where such offence shall be committed, upon the Oath of one or more credible Witness or Witnesses, or confession of the party offending, and levied by Warrant of distress and sale of the offender's Goods and Chattels, rendering the overplus, if any, after deducting the charges of such distress and sale, to the Owner thereof; and the penalty, when recovered, to be paid and applied as follows, that is to say; one moiety to the person who shall inform and sue for the same, and the other moiety to the Overseers of the Poor, for the use of the Poor of the Parish where such offence shall be committed; and if there should not be any Goods and Chattels found whereon to levy such distress, it shall and may be lawful for such Justice or Justices to commit the offender to the common Goal of the County, for the space of five days, unless the penalty, with Costs, be sooner paid.

VI. *And be it further enacted*, That any Hawker, Pedlar, Petty Chapman, or other Trading person as aforesaid, shall, from and after the said first day of April, be convicted of knowingly dealing, vending, or selling any kind of Smuggled, Contraband, or Prohibited Goods, Wares, or Merchandize, fraudulently or dishonestly procured, either by themselves or through the medium of others, with their privity and knowledge, every such Hawker, Pedlar, Petty Chapman, or Trading person, shall, from and after such conviction, forfeit his Licence, and forever thereafter be incapable of obtaining or holding any new Licence, or dealing, trafficking, or trading under the same, and over and above all such forfeitures and incapacities, fines and penalties, to which he is, or shall be by Law subject and liable to, for such illicit and illegal trafficking and dealing.

VII. *And be it further enacted*, That if any person or persons whatsoever, shall forge or counterfeit any Licence or Licences, by this Act directed to be granted, or travel with, or produce, or show, any forged or counterfeited Licence or Licences, for any of the purposes aforesaid, every such person shall, upon conviction thereof, be subject to the like pains and penalties, as persons guilty of forging or uttering any forged instrument within this Province, are now by law liable.

VIII. *Provided always, and be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to prohibit any person or persons from selling any Fruit, Fish, Victuals, or Country Produce, or to hinder any person or persons who are the real makers or workers of any Goods or Wares, or carrying about for sale, or selling the Goods of his, her, or their own Manufacture, or to Vessels of Fifteen Tons Burthen.

IX. *Provided always, and be it further enacted*, That nothing in this Act contained, shall extend, or be construed to affect, the rights, privileges, and immunities granted by Charter to the Mayor, Aldermen, and Commonalty of the City of Saint John.

X. *And be it further enacted*, That this Act shall continue and be in force until the first day of April, one thousand eight hundred and thirty-one.

Treasurer's or Deputy Treasurer's Office,
Province of New-Brunswick.

No. District of
Be it known that A. B., a Native of the Age of or thereabouts, having this day paid into the Treasury the sum of Pounds, Licence and permission are therefore hereby given and granted to the said A. B., to use occupation of a Hawker, Pedlar, or itinerant Trader, throughout this Province, [here state particularly whether the person is privileged to travel on foot or with a Horse, Gelding, or other Beast of Burthen, Carriage, or Boat, as the case may be,] pursuant to the