

An Act to regulate Inns, Taverns, and Houses

tion of the same :

Act made and passed in the twenty seventh for the same. and also another Act made and passed in the ter into recognizance, with two good and suffi- expressly mentioned and contained. the same force and effect as if the said Acts with regard to any other place. had not been repealed; and all Rules and Regulations made under the aforesaid Acts, or and Taverns, shall also remain in force until trust or credit any Wine, Brandy, Rum, new Rules and Regulations shall be made un-

der the provisions of this Act. II. And be it further enacted, That no License shall be granted to any person to keep an Inn or Tavern but at the General Sessions of the Peace, to be holden in and for the several and respective Counties in this Province, said, their Executors or Administrators; and and that no license shall be made or given for

a longer period than one year. III. And be it further enacted, That no Tavern-keeper, Inn-keeper or Retailer, shall sell any Wine, strong Beer, Ale, Brandy, Rum or other spirituous Liquers, mixed or unmixed, to any person whatsoever on the Lord's Day commonly called Sunday, under the penalty of a sum not exceeding five pounds, nor less than twenty shillings for each and every offence, to be recovered, levied and applied as is herein after provided and directed in and by the seventh section of this Act.

IV. And be it further enacted, That the Justices of the Peace for the several and respective Counties at any General Sessions of the Peace as aforesaid, are hereby authorized and empowered to give and grant licenses to such and so many persons as they in their discretion shall think fit, each and every of them, to keep a Tavern, or Inn; and it shall and may be lawful for the said | dier, Sailor, Apprentice or bound Servant or Justices, or the major part of them then other person, or the Master or Mistress of such and there assembled, to ask, demand, and Servant, Apprentice or bound Servant, may receive for every such license by them complain to any Justice of the Peace where given and granted, such sum as they in their discretion shall think fit, not exceeding receiving such pawn or pledge usually resides, ten pounds, nor less than twenty shillings for each license for one year; which sums so to be received shall forthwith be paid by the Clerks of the Peace for the respective Counties into the hands of the respective County Treasurers, to defray such necessary contingent expences of the County as such Justices, or the major part of them, shall from time to time by their orders in Keeper by distress and sale of his goods, to refor their trouble two shillings and six pence for complaining, or to make him or her satisfac- Justices of the Peace for the County of round the several gaols in this Province; each license, and no more; and all persons so licensed to keep an Inn or Tavern as aforesaid further be subject to a fine not exceeding five shall have included in such license, a license to pounds, to be recovered in the same manner sell by retail any strong liquor whatsoever, without a separate license so to sell by retail.

Justices of the Peace for the several and respective Counties, at any General Sessions of the Peace, or at any Special Sessions to be for than one pint; and it shall and may be law- exceeding five pounds for each and every such vince.

person licensed as aforesaid, to keep an Inn or ceeding twenty days or until he shall have paid Tavern; shall at the time of taking such license and satisfied the same, together with the costs enter into recognizance with two good and suf- of conviction, and such distress and sale, and ficient sureties (not being tavern keepers) to such sums so levied shall be paid to the over-His Majesty, in the sum of forty pounds, to seers of the Poor for the Town or Parish keep an orderly house, and obey such rules where the offence shall have been committed Sessions or the major part of them, then and thereof. there assembled, shall from time to time make XII. And be it further enacted, That no provide for the expenses of the Judges holdand ordain to be observed by Tavern Keepers Retailer shall upon any pretence whatever sell ing the Circuit Courts and Courts of Oyer or Inn Keepers in such County; which rules any strong or spirituous Liquois to any perand regulations the said Justices in their Gene- son or persons whomsoever, to be by him or Clerk in those Courts, be and the same is ral Sessions as aforesaid, are hereby authorized them, or any other person or persons whomso-

and empowered to make. person whatsoever shall sell any Wine, Brandy, of five pounds for each and every offence, to be Rum, Beer, Ale or any strong liquor whatso- recovered upon due conviction upon the oath ever, to any person or persons whatsoever, in of one or more credible witness or witnesses, any quantity under five gallons, without license | before any one of His Majesty's Justices of first had and obtained for that purpose as the Peace, or if in the City of Saint John, beaforesaid, and if an Inn Keeper or Tavern fore the Mayor, Recorder, or any Justice of the Keeper without first entering into recogni- Peace for the City and County of Saint John, zance as aforesaid, or if any Retailer after hav- and levied by warrant of distress and sale of ing obtained license to retail as aforesaid, shall the offender's goods and chattels and paid and sell any such liquor in any quantity less than applied in the same manner as penalties are, one pint, every person so offending shall for in and by the seventh section of this Act.

IX. And he it further enacted, That no Inn withstanding. Keeper, or Tavern Keeper, who shall sell upon uous Liquors whatever, mixed or unmixed, to any Soldier, Sailor, Servant or other person any sum exceeding, five shillings, shall have Keepers, Inn Keepers, and Retailers respecany remedy to recover the same, either at Law or in equity, against any of the persons aforeno retailer not being a Tavern Keeper or Inn Keeper, who shall sell any such Liquors as aforesaid upon credit to the amount of any sum | gent enquiry and presentment of all and every exceeding five shillings to any Soldier, Sailor or Servant, shall have any remedy either at Law or in equity to recover the same, against any such Soldier, Sailor or Servant, their Executors or Administrators, Provided always, that nothing herein contained, shall extend, or be construed to extend to debar any Retailer. Inn Keeper or Tavern Keeper from furnishing any Traveller or Boarder in his family, of good tame or report, with necessary refreshment on very of the penalties hereinbefore inflicted, and

X. And be it further enacted, That in case any Soldier, Sailor, Servant, Apprentice, bound Servant or other person whatsoever, shall leave any pawn or pledge as a security being of good fame and character, to license for the payment of any sum exceeding five shillings, contracted in such manner, such Solsuch Retailer, Tavern Keeper or Inn Keeper that such pledge or pawn is detained from him, or her, by such Retailer, Tavern Keeper or Inn Keeper, and having made proof thereof, by the oath of one or more credible witness or witnesses, such Justice of the Peace is hereby required, by Warrant under his hand and seal. to compel such Retailer, Tavern Keeper or Inn of the said recited Act. tion for the loss or abuse thereof, and shall as other fines and penalties may be recovered, in and by the seventh section of this Act, and V. And be it further enacted, That the said paid and applied in like manner for the use of fine shall be imposed.

that purpose holden, are hereby authorized and tailer, Tavern Keeper, Inn Keeper, or other empowered to give and grant licenses to such person whatsoever shall permit or suffer any and so many persons as they in their discretion Apprentice, Servant or Minor, to sit or remain shall think fit, being of good fame and charac- drinking in his or her House, nor give or sell, ter, to licence each and every of them to sell nor suffer to be given or sold, to such Apprenquors of any, kind whatsoever, within their res- whatever, without the order or allowance of ons, penalties and forfeitures as any other extend, and enlarge the limits round the any quantity under five Gallons and not less or Guardians, on pain of forfeiting a sum not virtue of any Acts now in force in this Pro- so as to include, to the westward of ful for such Justices then and there assembled, to offence, together with the charges of prosecuask, demand, and receive for each and every re- tion, to be recovered upon conviction on the tail licence so granted, such sum as they in oath of one credible Witness before any one of their discretion may think fit, not exceeding His Majesty's Justices of the Peace within the ther, with a fee of two shillings and six pence proof as shall be satisfactory to such Justice, hundred and forty one. to the Clerk; which sums so received shall be and to be levied by warrant of distress and sale paid and applied in the same manner, and for of the offender's goods and chattels, under the the like purposes, as sums received for tavern hand and seal of such Justice, and for want of licenses are in and by the next preceding sec- sufficient distress, such Justice shall and may tion of this Act directed to be paid and applied. commit such offender to the Common Gaol of VI. And be it further enacted, That every the County, there to remain for a term not ex-

ever, used or consumed in the House or licen-VII. And be it turther enacted, That if any ced premises of such retailer, under the penalty

on complaint being made to any one of His bly, it is among other things provided, that the Province, renders it expedient to make hereafter to be holden, be and they are Majesty's Justices of the Peace in the County Mayor of the said City for the time being, and regulations for the Confinement or De- hereby authorized and empowered to where such offence shall be committed, upon no other whatsoever, shall have power to give struction of Dogs during the prevalence of make such further rate and assessment the oath of one or more credible witness or witnesses, and levied by warrant of distress and the said City to all such persons as he shall the contagion, in order to prevent the not exceeding three hundred and fifty sale of the offender's goods and chattels under think fit, to license them or every of them to spreading thereof: the hand and seal of such Justice, directed to keep a Tavern, an Inn, an ordinary, a victualany Constable of the Town or Parish where ling or a Coffee House, or to sell Wine, Bran- sident, Council, and Assembly, That the debt due for the erecting and complet. such offence shall be committed rendering the dy, Rum, strong waters, Punch, Beer, Ale, or from and after the passing of this Act, the ing of the said Court House and Gaol; the for selling strong or spirituous Liquors, and to repeal all the Laws now in force relating to the same.

Passed 31st March 1831. to the same. Passed 31st March 1831.

Passed 31st March 1831.

er; and if no goods shall be found, whereon to levy such distress, it shall and may be lawful to and for the levy such distress, it shall and may be lawful to and for the lawful t Taverns, and Houses for selling strong or spi- and seal, to commit such offender to the comrituous Liquors, are desective in some of their mon Goal of the County where such offence shall ask, demand and receive for every such license destruction of any Dogs within their re- rates for public charges. provisions, and intricate by reason of their numbe committed, there to remain, without bail or by him to be given and granted as aforesaid, spective Counties, during the prevalence ber and the inconvenience of reference to them : mainprize, for such time, not exceeding twenty such sum or sums of money as he and the per- of Hydrophobia or contagion, as they may and whereas it is expedient to embody in one days, as such Justice in his discretion shall son to whom such license shall be given and think expedient, or find necessary in order Act all necessary provisions for the due regula- think fit, unless such penalty and forfeiture, to- granted shall agree for, not exceeding the sum to prevent the spreading of such contagether with the costs and charges, shall be soon- of four pounds for each license, all which mo-1. Be it therefore enacted by the President, er paid; one half of all which penalties and for- nies as by the said Mayor shall be so received. Council, and Assembly, That an Act made and feitures shall be paid into the hands of the shall be used and applied to the public use of passed in the twenty sixth year of the Reign of overseers of the poor for the Town or Parish the Mayor, Aldermen, and Commonalty of the King George the third intituled "an Act for where such offence shall be committed for the said City of Saint John : Be it further enacted regulating Innholders, Tavern-keepers, and re- use of the Poor thereof, and the other half to that it shall and may be lawful to and for the tailers of Spirituous Liquors;" and another the person who shall make complaint, and sue Mayor of the said City for the time being, to ask, demand and receive for every such license year of the same reign, intituled, "an Act to VIII. And be it further enacted, That if any by him to be given and granted as aforesaid any empower the Justices of the General Sessions person licensed as aforesaid shall die, or re- such sum or sums of money as he and the perof the Peace, in the several Counties in this move from a Tavern, Inn or other House for son to whom such license shall be given and Province, to grant Licenses to Tavern-keepers, selling such liquor by retail as aforesaid, it shall granted, shall agree for in manner and form fourth Year of the Reign of King George and Retailers of Spirituous Liquors;" also ano- and may be lawful for the Justices aforesaid at aforesaid, not exceeding the sum of ten pounds the Third, intituled "an Act for preserving ther Act made and passed in the thirty fourth any General or at any Special Sessions of the for such license, to be applied for the public use the Bank of the River Saint John in front of year of the same Reign, intituled, "an Act to Peace, to grant to the person succeeding to alter and amend an Act intituled, an Act for such Tavern, Inn or other House for selling the said City of Saint John: Provided always, Waterborough," it is enacted, among other regulating Innholders, Tavern-keepers and Re- liquors by retail, a license to keep on and con- that nothing in this Act contained shall apply, things, that it shall not be lawful for neat tailers of Spirituous Liquors;" and also another tinue the said Tavern, Inn or other House as or be construed to apply in any manner to affect Cattle, Horses, Sheep, Swine or Goats, to Act made and passed in the fifty fourth year of aforesaid, during the residue of the term of the the rights and powers given by the said Charthe same Reign, intituled, an Act for the better license granted to the person so dying or reter to the Mayor of the said City, in granting liregulation of Licences to Inns, Taverns, and moving, on condition that the person so suc- censes to Tavern keepers and retailers of spiri- or graze on the Bank of the River Saint Houses for selling strong Liquors by retail," ceeding shall, if to keep an Inn or Tavern, en- tuous liquors otherwise than in this section is John in front of the Parish of Magerville

sixth year of the Reign of his late Majesty cient sureties, for keeping an orderly House, Provided also, That all the penalties, forfeitenth day of November in each year : And King George the Fourth, intituled, "an Act and obeying the orders and regulations of the tures, pains and imprisonments to which Inn whereas in consequence of an alteration to alter and amend the Acts relating to the Justices of the Peace in their General Sessions keepers, Tavern keepers and retailers are liable granting of Licenses to Tavern-keepers, and as in the case of the person first obtaining li- for any offences against the provisions of this retailers of Spirituous Liquors," be and the cense for such Tavern, Inn or House; and that Act, shall extend and apply to all and every Inn said several Acts are hereby repealed, from and no license granted by virtue of this Act shall keeper, Tavern keeper, retailer, keeper of an after the last day of June; and that this Act entitle any person to keep a Tavern or Inn, or ordinary, Coffee House or victualling House remedy whereof, shall commence and take effect on the first day to sell any strong or spirituous liquors by re- in the City of Saint John as fully to all intents of July, in the present year: Provided always tail, in any other House or place than that in and purposes, as the same extend and apply to sident, Council, and Assembly, That noth- led an Act to repeal all the Acts now in force that all Licenses granted under the aforesaid which they were first kept and sold by virtue Inn keepers, Tavern Keepers or retailers in ing in the said in part recited Section of relative to the importation and spreading of Act, or any of them, shall continue and be of of such license, which shall be null and void any other part of this Province, any thing in this Act contained to the contrary in any way not-

vince, and the Justices of such Court shall at rish of Magerville. whatsoever, or whomsoever, to the amount of the same time cause a list of all the Tavern tively in the respective Counties, to whom license has been granted as aforesaid, to be delivered to the Grand Jurors at such Courts respectively; and it shall be particularly given in charge to such Grand Jurors to make dilisuch person and persons as shall be guilty of any breach of, or offence against this Act, and also of any breach of, or offence against the same by any person or persons not licensed as Justices of such Court, or any one of them such penalty and penalties shall upon the recovery thereof be paid to the respective County | thousand eight hundred and thirty-five. Treasurers, to be applied for the same uses and purposes, and under the same orders and directions, as the sums paid for licenses are herein before directed to be applied and subject to.

> Bill to continue and amend an Act, intituled "An Act for regulating the salmon and shad Fisheries so far as the same may relate to the River Petticodiac in the County of Westmorland."

Passed 31st March 1831. HEREAS it is expedient and necessary that overseers should be appointed to carry into effect the provisions

I. Be it therefore enacted by the Pre-General Sessions direct; such Clerks retaining store the aforesaid pawn or pledge to the party sident, Council, and Assembly, That the Westmorland at any General Sessions of the Peace held in and for the said County, shall and may appoint one or more fit perof the Fisheries in the said River Petticothe Poor of the Town or Parish where such diac and its branches, whose duty it shall County: be to carry into effect as far as may be, the

said recited Act, and also this Act in of Wales Street; any thing in the said reamendment thereof, shall continue and be cited Act to the contrary in any wise not. seven pounds and ten shillings, nor less than County where the offence shall be committed in full force until the first day of April in withstanding: Provided always, that the two pounds, for each license for one year, toge- or by the view of such Justice or by such other the year of our Lord one thousand eight limits so extended, shall not exceed one

> An Act to continue an Act to provide Sheriff of the said County of Charlotte may and of the Clerk in those Courts.

Passed 31st March 1831. E it enacted by the President, Coun- thirteenth and fourteenth sections of said cil, and Assembly, That an Act recited Act. made and passed in the seventh year of and regulations as the Justices in their General to be by them applied to the use of the poor the Reign of Hisplate Majesty King An Act to enable the Justices of the Peace George the Fourth, intituled an Act to for the County of Kent to raise money, and Terminer in this Province, and of the hereby continued and declared to be in full force and effect for two years and no

Province. Passed 31st March 1831.

HEREAS the frequent instances Be it therefore enacted by the Pre- Insurance Office, on moderate terms

An Act to alter and amend an Act, intituled "An Act for preserving the Bank of the River Saint John in front of the Parishes of Magerville, Sheffield and Waterborough."

Passed 31st March 1831. THEREAS by the first section of an Act made and passed in the thirty between the tenth day of March and the of the Highway in front of the upper part of the said Parish of Magerville, the same has been found inconvenient : for

the said Act shall be construed to extend infectious distempers in the City of Saint to that part of Magerville from where the John; and to make more effectual provision XIV. And be it further enacted, That this present Highway leaves the River Saint for preventing the same, the Mayor, Alder-Act shall be publicly read by the Clerk, at the John in the Parish of Magerville aforesaid men, and Commonalty in Common Counopening of every Court of General Sessions of and runs in the rear to the County of York, | cil convened are empowered to order the Peace in the several Counties in this Pro- to the upper boundary line of the said Pa- and direct the landing of passengers from

> In Act to continue the Acts for the en-Province.

Passed 31st March 1831. made and passed in the Fourth Year of said Act is rendered almost nugatory : aforesaid; and, upon such presentment, it shall the encouragement of Parish Schools in this passengers from any ship or vessel, whilst and may be lawful for the Justices of such Province; also an Act made and passed in performing Quarantine, shall be landed by Court, or any one of them, to proceed against the ninth and tenth Years of the same the order or direction of the said Mayor, such offenders, in the manner hereinbefore di- Reign, intituled an Act in amendment of Aldermen and Commonalty in Common rected to one Justice to proceed for the reco- the Act for establishing Parish Schools, be Council convened, either at Partridge Isand the same are hereby continued and land or any other place to which by Law upon conviction of such offender before the declared to be in force, until the first day they may be conveyed, it shall and may of April in the Year of our Lord one be lawful for the said Mayor, Aldermen,

> \mathcal{A} n Act to authorize the extension of the Gaol limits in the County of Charlotte. Passed 31st March 1831.

HERIAS in and by the eleventh Fourth, intituled "an Act to repeal all the tices in the several Counties were and are or Physicians appointed under and by virempowered at any General or Special tue of the said herein before recited Act. Sessions to designate certain limits, not less than forty nor exceeding eighty rods, limits of the Gaol in the County of Charlotte so as to include Mary Street, Earnest

I. Be it therefore enacted by the Preand to inquire into and prosecute all offen- Justices of the Peace in and for the Counces against the same, which said overseer ty of Charlotte, at any General Session discharge of their duty, and be in all res- for the said County, be and they are heresaid Goal, Mary's Street, eastward, Ear-II. And be it further enacted, That the nest Street, and to the northward, Prince hundred and sixteen rods from said Gael

for the expenses of the Judges hold- give the like permission, take the like ing the Circuit Courts and Courts of Bonds, assign the same, and be exempted Oyer and Terminer in this Province, from actions of escape for prisoners so having the benefit of said enlarged limits, in the same manner as is provided in the

> by assessment on the Inhabitants of the said County, to discharge the debt due for erecting the Court House and Gaol.

Passed 31st March 1831. HEREAS the Justices of the General Sessions of the Peace for An Act to authorize the Justices of the the County of Kent have levied the whole the herein before recited Act. Peace, at any General or Special Ses- sum they were empowered to raise by sions, to make regulations for the de- assessment for the purpose of erecting struction or confinement of Dogs, du- and finishing a Court House and Gaol ring the prevalence of canine madness and whereas the same has been found inor Hydrophobia in any Part of the sufficient to discharge the amount of the NHE Subscriber continues to Insure Dwelling contract for completing the same :

of canine madness or Hydropho- sident, Council, and Assembly, That the each and every offence, forfeit and pay a sum | XIII. And whereas by the Charter of the bia of late years prevailing among Dogs Justices of the Peace for the said Coun-

not exceeding five pounds, to be recovered up- City of Saint John confirmed by Act of Assem- and other animals in many parts of this ty, at any General Sessions of the Peace

An Act to repeal an Act, intituled an Act to prevent illicit and clandestine Trade and for imposing a duty upon articles illegal. ly imported or brought into this Province to be levied and paid after the condemna. tion and sale thereof.

Passed 31st March 1831 E it enacted by the President, Coun. cil, and Assembly, That an Act made and passed in the forty-seventh Year of the Reign of King George the Third, intituled an Act to prevent illicit and clandestine Trade, and for imposing a Duty upon Articles illegally imported or brought into this Province, to be levied and paid after the Condemnation and Sale there. of, be and the same is hereby repealed.

An Act to amend an Act, intituled "An Act to repeal all the Acts now in force relative to the importation and spreading of infectious distempers in the City of Saint John, and to make more effectual provisions for preventing the same." Passed 31st March 1831.

THEREAS by the seventh section of an Act made and passed in the tenth and eleventh years of the Reign of his late I. Be it therefore enacted by the Pre- Majesty King George the Fourth, intituvessels whilst performing Quarantine, in order to facilitate the recovery of those who are infected with disease, and to prevent couragement of Parish Schools in this the spreading thereof among the other passengers, but no provision is therein made for the prevention of intercourse E it enacted by the President, Coun- with the persons so landed, in consequence cil, and Assembly, That an Act of which the beneficial tendency of the

the Reign of His late Majesty King | I. Be it therefore enacted by the Pre-George the Fourth, intituled an Act for sident, Council, and Assembly, That if and Commonalty so convened, to appoint such and so many special Constables as may be found expedient, to prevent intercourse with the said passengers; and the said Constables are hereby authorized and empowered to prevent all intercourse be section of an Act made and passed in tween the said passengers so landed, and the tenth and eleventh years of the Reign persons from the shores on either side of of his late Majesty King George the the Harbour, or within the County of Saint John, and those on board the vessel, or Acts now in force for the support and relief of between the said passengers so landed, confined debtors, and to make other and more and any vessel in the said Harbour, exeffectual provisions in lieu thereof," the Jus- cept under the direction of the Physician

II. And be it further enacted, That no person or persons, other than the Physician or Physicians appointed under the foreand whereas it is expedient to extend the going mentioned Act, or some person or persons by them or one of them authorized in writing, for that purpose, shall be person or persons, as overseer or overseers Street, and Prince of Wales Street, in the mitted to have any intercourse with the Town of Saint Andrews, within the said passengers so landed as aforesaid, under the penalty of twenty pounds for each and every offence; and if any person or per-XI. And he it further enacted, That no Reserveral provisions of the said recited Act, sident, Council, and Assembly, That the Physicians, or any or some person or persons by them or one of them authorized, in writing, for that purpose, shall have any oroverseers shall be sworn to the faithful of the Peace hereafter to be holden in and intercourse with the said Passengers so Wine, Brandy, Rum, Beer, Ale, or strong litice, Servant or Minor, any strong Liquor pects subject to the same rules, regulati- by authorized and empowered to designate, ble or Constables appointed as aforesaid, landed, then and in such case the Constapective Counties, by retail or small measure, in their respective Masters or Mistresses, Parents Town or Parish officers are subject to, by Gaol in the Township of Saint Andrews, keep and detain such persons at the place appointed as aforesaid for the said passengers as aforesaid to be kept, until permission in writing be had from the said Physician or Physicians, for him, her or them to depart; and if any such person or person so having unlawfully had intercourse with the said passengers shall depart from the place so appointed for the II. And be it further enacted that the said passengers, before such permission in writing as aforesaid shall have been given for him, her or them to depart, every person so offending shall for each and every offence forfeit and pay the sum of fifty pounds; and it shall and may be lawful for the said Mayor or any one of the said Aldermen of the said City, or one of the Justices of the Peace for the said City and County, to cause such person or persons to be apprehended and carried back to the place from whence he, she or they may have so departed, or to be otherwise disposed of so as to prevent the infection.

III. And be it further enacted, That the several and respective penalties hereby imposed, shall and may be prosecuted, sued for and recovered in the same manner as is provided by the ninth section of

ly o

rish

or le

ther

a lo

PROTECTION INSURANCE COM-PANY HARTFORD.

Houses, Stores, Barns, Mills, &c. &c. against Loss or Damage by FIRE, for the above JAMES BALLOCH, AGENT Fredericton, 16th April 1830.