

teenth years of Her Majesty's Reign, intituled, *An Act to amend the Laws relative to Tavern Licenses in Upper Canada*, which doubts it is expedient to remove: Be it therefore declared and enacted by the Queen's Most Excellent Majesty, &c., That it was and is the intention of the Act first above cited, that the seventh and eighth sections of the Act of the Parliament of Upper Canada, passed in the sixth year of the Reign of His late Majesty King William the Fourth, chaptered four, and intituled, *An Act to repeal and amend certain parts of an Act passed in the thirty-sixth year of the Reign of King George the Third, intituled, 'An Act to amend an Act for regulating the manner of Licensing Public Houses, and for the more easy conviction of persons selling spirituous Liquors without a License,' and for other purposes therein mentioned*, should be and they are and have been by the Act first above cited, continued in force in Upper Canada, to all intents and purposes whatsoever.

II. And be it declared and enacted, That it was and is the intention of the Act first above cited, that the Municipality of each Township or Incorporated Village, the Town Council of each Incorporated Town, and the Common Council of each City in Upper Canada, should have, and that they have and have had respectively, from the time of the passing of the said Act, power and authority to make By-laws for preventing the selling of wines or spirituous liquors, or the keeping of luns, Taverns or Houses of Public Entertainment by persons not thereunto duly licensed, and to impose for any contravention of such By-laws any penalty or punishment which they may lawfully impose for any contravention of other By-laws, and that all penalties incurred under or by virtue of the Act first above cited, or of any By-law made under the authority thereof, shall and may be prosecuted and recovered under the provisions of the said seventh section of the Act of the Parliament of Upper Canada hereinbefore cited, and all such penalties shall belong one half to the Municipality in which the offence shall have been committed, and the other half to the prosecutor, unless he be examined as a witness to prove the offence, in which case the whole shall belong to the said Municipality: Provided always, that nothing herein contained shall apply to any case in which any final Judgment or Order shall have been made or conviction had by or before any competent Tribunal, but with regard to such case, the Provincial Acts hereinbefore cited shall be construed and have effect as if this Act had not been passed.

III. And be it enacted, That whenever any party to whom a license to keep a House of Public Entertainment shall have been granted, shall desire to furnish such refreshments as by law he is permitted to do in the house for which he has obtained a license, at any place out of his said house, but within the limits to which such license extends, or to remove from the house for which the same shall have been granted, into another house in the same Township, Incorporated Village, or Town, or City, and to keep a House of Public Entertainment therein, it shall be lawful for the Inspectors of Houses of Public Entertainment for such Township, Incorporated Village, or Town, or City, or a majority of such Inspectors, in their discretion (but subject always to any By-law which may have been made in that behalf by the Municipal Authority of the locality) to endorse on such license a permission to the party to whom it was granted to furnish such refreshments as aforesaid, or to keep a House of Public Entertainment in the house to which he shall so wish to remove, and such permission shall give such right, and the license shall thereafter apply to the House described in such endorsement, and shall authorize the party to whom such license was granted, to furnish such refreshments or to keep a House of Public Entertainment in the House mentioned in such endorsement during the unexpired

True intent and meaning of the Act 13 & 14 Vict. to amend the laws relative to Tavern Licenses in U. C., respecting the 7th and 8th sect. of 6 Will. 4, c. 4, declared.

As to the intention of the Act first above cited respecting the powers of Township Municipalities, &c., in U. C., in certain cases.

Penalties may be recovered;

And to whom to belong.

Proviso.

Case wherein a party is desirous of furnishing Refreshments at any place out of his house, or of removing therefrom.

Inspectors to endorse permission on License. Subject to regulations.

Right conferred thereby, &c.

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