

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of the said province," and by the authority of the same, That the said act or ordinance shall be and the same is hereby repealed.

The same repealed.

II. *And be it further enacted by the authority aforesaid,* That from and after the twentieth day of March next, no licence shall be granted to any person to keep an inn or public house for the purpose of vending wine, brandy, rum or other spirituous liquors; unless he shall first have obtained a certificate of his being a proper person to keep an inn or public house from the magistrates of the division wherein he resides or is about to reside, to be granted to him as herein after specified; and all licences which shall be hereafter granted to the contrary hereof shall be null and void.

Certificates to be obtained by persons, previous to their being licenced.

III. *And be it further enacted by the authority aforesaid,* That for the said purpose, it shall and may be lawful for the magistrates acting in each and every division of the several districts of this province, to limit the number of inns and public houses in their several divisions, and to appoint a day of public meeting in each division in either of the two last weeks in the month of March in every year, at a convenient place within their several divisions, by a warrant under their hands and seals, or under the hands and seals of any two of them, at least ten days before such meeting, directed to the high constable or other peace officer, requiring him to give notice in the most public manner of such intended meeting, and then and there to hear and receive applications from all such persons as desire to take out licences for opening inns or public houses within their said several divisions, and the said magistrates shall upon hearing and receiving any application from any person praying to have a licence granted to him, enquire into the life, character and behaviour of the person so applying, and if it shall appear to the greater part of the justices then and there assembled, that it is expedient to encrease the number of inns or public houses and that the party applying is a sober, honest and diligent man, and a good subject of our lord the king, they shall then and there grant a certificate accordingly under the hands and seals of any two of them, which certificate shall enable the party holding the same, to apply for and take out a licence on or before the said fifth day of April then next ensuing the day of the said certificate, and such certificate shall be a proper and sufficient warrant for the secretary of the province or his agent, to grant to the said person holding the said certificate such licence on receiving payment of such duties as are already imposed, or may hereafter be imposed by law on the same.

The number of inns may be limited by the magistrates.

Meeting of magistrates, annually in March in order to determine upon applications for licences.

A certificate from the magistrates, so assembled, shall serve as a warrant to obtain a licence.

On payment of duties.

IV. *And be it further enacted by the authority aforesaid,* That no certificate to obtain such licence shall be granted to any person not licenced the year preceeding, unless such person shall produce to the justices at the said meeting, should they require it, a testimonial under the hands of the parson and church or town wardens, or of four reputable and substantial householders and inhabitants of the said division wherein the said inn or public house is intended to be kept; setting forth, that such person is of good fame, sober life and conversation and that he has taken the oath of allegiance to our sovereign lord the king.

Restrictions in granting licences to persons not licenced of the preceeding year.

V. *Provided nevertheless,* That if any licenced person shall die or remove from the inn or public house kept by him, it shall and may be lawful for the person succeeding to the occupation of such house, to keep on the said inn or public house during the residue of the term of such licence, on condition that such person shall obtain an assignment endorsed on the back of the licence granted to the person so deceased or removed; which assignment shall be executed in the presence of a magistrate, and shall within thirty days after the death or removal of such per-

Provision for the assignees of inholders dying or removing.