

First Parliament,  
Third Session. }

LAWS OF THE PROVINCE OF UPPER CANADA.

34th Geo. 3. C. 12. A. D. 1794.

# AN ACT

*For Regulating the manner of Licencing Public Houses, and for the more effectually  
Convicting of Persons selling Spirituous Liquors without Licence.*

**W**HEREAS, the provisions contained in a certain Ordinance of the late Province of Quebec, passed in the twenty-eighth year of his Majesty's Reign, intituled, "An Act or Ordinance for the better security of the Revenue arising on the retail of Wine, Brandy, Rum, or Spirituous Liquors," have been found inconvenient; and whereas it is expedient to make other and more easy regulations respecting the granting of Licences to Houses of Public Entertainment; Be it 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's Reign, intituled, "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of the said Province," and by the authority of the same, That the said Act or Ordinance shall be and the same is hereby repealed.

Preamble,

Recital of an ordinance passed 28 Geo. 3.

The same repealed.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 Wines, 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 increase 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,

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.