

ANNO OCTAVO

GEORGII IV. REGIS.

No. I.

An Act to amend an Act of the Governor and Council intituled “*An Act for repealing the Laws now in force relative to the licensing and regulating of Public-houses and for the better regulating the granting of Licenses for the Sale of Ale Beer Wine Spirits and other Liquors in New South Wales in future.*” [26th February, 1827.]

LICENCED
PUBLICANS.

WHEREAS by an Act of the Governor and Council (number two) Preamble.

of the seventh year of His present Majesty intituled “*An Act for repealing the Laws now in force relative to the licensing and regulating of Public-houses and for the better regulating the granting of Licenses for the Sale of Ale Beer Wine Spirits and other Liquors in New South Wales in future*” it is amongst other things enacted

Act of the Governor
and Council
7 Geo. IV. No. 2
recited.

That no person or persons whatsoever shall sell or retail any Ale Beer or other Malt Liquors or Wine Cider Ginger Beer Brandy Rum or any other strong fermented or Spirituous Liquors in New South Wales in less quantity than five gallons without first obtaining a License in the manner and form mentioned in the said recited Act and if any person or persons shall sell or retail any such liquors contrary to the true intent and meaning of that Act he she or they shall forfeit for every such offence the sum of Twenty-five Pounds Sterling together with the costs of prosecution to be recovered in a summary way before any Court of General or Quarter Sessions Provided always that nothing contained in the said recited Act should be deemed or taken to apply to any person or persons supplying his her or their free or assigned servant or servants laborer or laborers with a reasonable quantity of any such liquor as aforesaid And whereas it is expedient to repeal such part of the said recited Act as relates to the exception of persons supplying their free or assigned servants or laborers with strong fermented or spirituous liquors Be it enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council that from and after the first day of March next no person or persons whatsoever shall sell or barter to his her or their free or assigned servant or servants laborer or laborers on any account or under any pretence whatever any such liquors as aforesaid in less quantity than five gallons without first obtaining a License in the manner and form mentioned in the said recited Act and if any person or persons shall sell or barter any such liquors contrary to the true intent and meaning of this Act he she or they shall forfeit for every such offence the sum of Twenty-five

From the 1st March
1827 persons shall
not sell or barter to
their free or assigned
servants liquors in
less quantity than
five gallons without
a license.

Penalty.

How recoverable.

Twenty-five Pounds Sterling to be recovered in the same manner as fines levied under the said recited Act are or may be recoverable.

2. And whereas by a Proclamation of His Excellency the Governor dated the twenty-seventh day of October one thousand eight hundred and twenty-six it has been thought expedient to make some alteration in the times of holding Courts of Sessions whereby it has become advisable to alter the mode of proceeding for the imposing and recovering of all fine or fines or other penalty or penalties become or to become leviable under the provisions of the said recited Act. Be it further enacted That from and after the passing of this Act it shall be lawful for any two or more Justices of the Peace in a summary way to take cognizance of any complaint made against any person or persons whatsoever for selling any spirituous or other liquors contrary to the provisions of this Act or of the said recited Act and also in a like summary manner to impose and levy or cause to be imposed and levied all fine or fines or other penalties imposed by this Act or by the said recited Act against all and every person or persons selling or bartering spirituous or other liquors contrary to the provisions of this Act or of the said recited Act.

Any two or more Justices may hereafter in a summary way take cognizance of complaints against persons for selling liquors contrary to this Act and impose and levy penalties.

Fines if not paid within fourteen days may be enforced by attachment and sale aforesaid of goods and effects of persons convicted and in case none be found such persons may be imprisoned and put to hard labor for any time not less than three nor exceeding four months.

3. And be it further enacted That if any of the said fine or fines shall not be paid within fourteen days after such conviction as aforesaid the same may be enforced by any two Justices by attachment and sale of the goods and effects of the person or persons convicted as aforesaid and in case no such goods and effects shall be found whereon to levy the said fine or fines then it shall and may be lawful for such Justices before whom such conviction as aforesaid shall have taken place to issue their warrant to apprehend the person or persons so convicted and to cause such person or persons to be imprisoned and if such Justices shall think fit put to hard labor for any time not less than three nor exceeding four months.