



WESTERN AUSTRALIA.

ANNO QUARTO

GULIELMI IV. REGIS,

No. 2.

An Act to amend an Act, intituled "An Act to regulate the Sale of Spirituous and Fermented Liquors by Retail."

WHEREAS by an Act of the Governor, with the advice of the Legislative Council, passed in the second year of His present Majesty, intituled "An Act to regulate the Sale of Spirituous and Fermented Liquors by Retail," it is, amongst other things, enacted, that if any master or other employer shall directly or indirectly pay or agree to pay any journeyman, workman, servant, labourer, or other person hired or employed by or for him or her in any manner whatsoever, for or on account of wages, hire, or reward for work or service, either in whole or in part, in or by any

Recital of the Act of Council 2 Wm. IV., No. 8, for regulating the sale of Spirituous and Fermented Liquors by Retail.

Recital of necessity for altering that part of the said recited Act which imposes a Penalty on Masters paying their Servants in Spirituous or Fermented Liquors.

From the passing of this Act, Masters may supply their Servants with any quantity of the aforesaid Liquors, not exceeding in any one week one-third of the Servant's wages or earnings for such week.

such Liquors as aforesaid, or shall make any set-off against, or deduction from such, wages hire or reward for or in respect of any such Liquor, such master or employer shall forfeit and pay for every such offence any sum not less than Five Pounds, or more than Twenty Pounds. And whereas it is expedient to alter such part of the said recited Act as imposes a penalty or forfeiture on masters or employers paying their journeymen, workmen, servants or labourers, in or by any spirituous or fermented liquors;—Be it therefore enacted, that from and after the passing of this Act, it shall be lawful for any master or employer (residing out of the town boundaries of Perth, Fremantle, Guildford, Albany, and Augusta,) to supply any journeyman, workman, servant or labourer with any quantity of spirituous or fermented liquors, not exceeding in any one week the amount of one-third of the wages or earnings of such journeyman, workman, servant, or labourer during such week; and to set off or deduct the value of the Liquors so supplied—but not exceeding the amount above limited,—against or from the wages or earnings of the person or persons to whom the same shall have been supplied.

Further recital that, by the said recited Act, none but licensed Publicans were empowered to sell in less quantities than one gallon, and that it is expedient to alter the same.

From date of present Act, Licenses may be issued empowering persons, not Publicans, to retail in any quantity not less than one quart.

License Duty.

A License not to authorize consumption on the place of sale.

Persons not being Publicans or licensed under this Act, retailing less than one quart, subject to a penalty not exceeding Twenty Pounds.

II. AND whereas it is further enacted by the said recited Act that no License granted under the same shall empower any retail dealer, not being also licensed to keep a Public House, to retail any such Liquors in a less quantity than one gallon. And whereas it is expedient to alter such enactment, and to license persons (not being also licensed Publicans) to retail any such Liquors as aforesaid in less quantities than one gallon, under certain conditions and restrictions: Be it therefore enacted, that from and after the passing of this Act, it shall be lawful for the Collector of Colonial Revenue to issue Licenses to any person or persons, not being a Licensed publican or publicans, to sell by retail any spirituous or fermented liquors in any quantity less than one gallon, but not less than one quart; and that for every such license there shall be paid to the said Collector the respective sums hereinafter mentioned—that is to say, for every such license to retail at Perth or Fremantle, the sum of Twenty-five Pounds; at Guildford, Augusta, or King George's Sound, the sum of Twenty Pounds; at any other place in the said colony the sum of Ten Pounds. Provided always that no License to be granted under this Act shall authorize the consumption on the place of sale, of any liquor sold by virtue of such license. And any Retail Dealer, not being also a licensed publican or duly licensed under this Act, who shall be convicted of having sold, exchanged, or retailed any of the aforesaid liquors in a less quantity than one quart, or of having suffered any such liquors to be consumed on his premises by the purchasers thereof, shall forfeit and pay for every

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such offence a sum not exceeding Twenty Pounds, to be awarded and recovered in like manner as the forfeitures and penalties imposed by the said recited Act are thereby directed to be awarded and recovered.

RICHARD DANIEL,

Lieutenant-Governor, and Commander-in-Chief.

Passed the Legislative Council }
30th day of December, 1833. }

H. C. SUTHERLAND,
Clerk to the Council.