



WESTERN AUSTRALIA.

ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

NO. IX.

AN ORDINANCE to restrict and to regulate the issue of Licenses under the provisions of the Ordinance, 20 Victoria, No. 2.

[12th July, 1869.]

WHEREAS it is expedient to restrict and to regulate the issue of Licenses under the provisions of an Ordinance intituled *An Ordinance to consolidate and amend the Laws relating to the sale of spirituous and fermented liquors*: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof:—

Preamble.

1 NO License shall issue under the provisions of the aforesaid Ordinance, 20 Vic., No. 2, unless the house or shop of the applicant be situate within a Town; and every person applying for such License within a Town, shall first obtain and lodge with the Collector of Internal Revenue for the time being the Certificate hereinafter mentioned.

No license to issue unless the applicant's shop be in a Town, and such applicant first obtain a Certificate.

Certificate must be obtained from Court of Sessions.

2 EVERY person desirous to obtain a License under the aforesaid Ordinance, whose shop or house is situate in a town within a District where Magistrates periodically assemble and form Courts of Quarter Sessions or Courts of General Sessions of the Peace, shall apply at such Court for, and it shall be lawful for the Justices assembled at such Court, not being less than three, to grant to such person as shall be approved of by the majority of the Justices assembled in such Court, a Certificate in the form in the Schedule to this Ordinance set forth and numbered 1, authorising the issue of a License; and it shall be lawful for the Justices in any such Court assembled to adjourn the consideration of all or any of the applications before them to such other day or days as the said Justices shall from time to time agree upon: Provided always that such adjournment do not on the whole exceed fourteen days from the day of the first assembling of the said Court.

Court may adjourn.

Where no Courts of Sessions, Magistrates shall meet Quarterly in Petty Sessions to consider applications for Certificate.

3 IN each District which comprises any town or towns, and within which District Magistrates do not periodically assemble and form Courts of Quarter Sessions or Courts of General Sessions of the Peace, a general meeting of the Justices acting for or usually residing in the District shall be holden in the Court House or usual place of holding Petty Sessions at noon on the first Monday in the months of January, April, July, and October respectively, for the express purpose of considering applications for such certificates in any such Town.

Justices in Petty Sessions may adjourn.

4 THE Justices forming the meeting in the last preceding section mentioned, or, in the case of the attendance at such meeting of one Justice only, then such one Justice may adjourn the consideration of all or any such applications to such other day as they or he shall deem fit, and so from time to time, but not longer in the whole than fourteen days from the day appointed for such meeting, and shall cause notice of such adjournment to be given to all the other Justices acting for or resident in such District.

Power to grant or withhold Certificate.

5 THE Justices in attendance at any general Quarterly meeting held under the provisions of Section 3 of this Ordinance or at any adjournment thereof, and, in the case of the attendance at any such adjourned meeting of one Justice only, then such one Justice alone, shall and may take into consideration every application for a License within such town and every objection thereto, and may in their or his discretion grant to every such person as shall be approved of by such Justice or Justices or the majority of them a Certificate in the form in the Schedule in this Ordinance set forth and numbered 2,

33° VICTORIÆ, No. 9.

Spirituous Liquors—amendment.

authorising the issue of a License. Provided that if any such Certificate be refused at such general meeting or any adjournment thereof, no such Certificate shall be granted by any less number of Justices than the number so previously refusing. Provided also that when application is made for a Certificate and the applicant's house or shop is situate in a town within a District where there is but one Justice acting or usually resident, it shall be competent for such one Justice alone to consider such application and all objections thereto, and in his discretion to grant to such applicant a Certificate in the form set forth and numbered ^A5 in the Schedule to this Ordinance.

J. BRUCE,

GOVERNOR.

(L.S.)

*Passed the Legislative Council, }
this 12th day of July, 1869. }*

E. H. LAURENCE,

Clerk of the Council.

33° VICTORIÆ, No. 9.

Spirituous Liquors—amendment.

SCHEDULE.

Forms of Certificate to authorize issue of Licenses.

No. 1.

Western Australia, }
To wit: }

At a meeting of Her Majesty's Justices of the Peace, acting in and for the District of _____, in Quarter Sessions [*or in General Sessions*] assembled and holden at _____ on the _____ day of _____, 18____, we being the majority of the Justices assembled at the said Sessions, do by virtue of the power in us vested hereby authorize the issue to A. B. of the License in the Ordinance, 20 Vic. No. 2 mentioned, for [*here state the house or shop and in what Town situate*]; and we are satisfied that the said A. B. is a person of good fame and reputation, and fit and proper to be licensed as aforesaid.

Given under our hands this _____ day of _____, 18____,
at _____ aforesaid.

C. D., J.P.

E. F., J.P.

No. 2.

Western Australia, }
To wit: }

At a General Quarterly Meeting [*or adjournment of a General Quarterly Meeting*] of Her Majesty's Justices of the Peace, acting in and for the District of _____, holden at _____ on the _____ day of _____, 18____, pursuant to the provisions of the 3rd Section of the Ordinance 33 Vic. No. 9, for the purpose of considering applications made for Licenses pursuant to the Ordinance, 20 Vic. No. 2, we, being such Justices assembled [*or the majority of such Justices assembled, or I, being the only Justice at such adjourned meeting*] do, by virtue of the power in us [*or me*] vested, hereby authorize the issue to A. B. of the License in the aforesaid Ordinance, 20 Vic. No. 2 mentioned, for [*here state the house or shop and in what Town situate*]; and we are [*or I am*] satisfied that the said A. B. is a person of good fame and reputation, and fit and proper to be licensed as aforesaid.

Given under our hands [*or my hand*] this _____ day of _____,
18____, at _____ aforesaid.

C. D., J.P.

E. F., J.P.

No. 3.

33° VICTORIÆ, No. 9.

Spirituous Liquors—amendment.

No. 3.

Western Australia, }
To wit: }

I, being the only Justice of the Peace acting in and for the District of _____, have, in pursuance of the provisions of the 5th Section of the Ordinance, 33 Vic. No. 9, considered an application made by A. B. for a License pursuant to the Ordinance, 20 Vic. No. 2, and I do, by virtue of the power vested in me, hereby authorize the issue to the said A. B. of the License in the aforesaid Ordinance, 20 Vic. No. 2 mentioned, for [*here state the house or shop and in what Town situate*]; and I am satisfied that the said A. B. is a person of good fame and reputation, and fit and proper to be licensed as aforesaid.

Given under my hand this _____ day of _____, 18____,
at _____, aforesaid.

C. D., J.P.