

VICTORIA.



ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

By His Excellency CHARLES JOSEPH LA TROBE, ESQUIRE, *Lieutenant Governor of the Colony of Victoria and its Dependencies, with the advice and consent of the Legislative Council.*

No. XXXV.

An Act to make provision for the sale of Fermented and Spirituous Liquors and of Refreshments in certain Districts. [Assented to 28th January, 1853.]

WHEREAS it is expedient to amend in certain respects an Act of the Governor and Legislative Council of the Colony of New South Wales passed in the thirteenth year of the reign of Her Majesty Queen Victoria intituled "*An Act to consolidate and amend the Laws relating to the licensing of Public Houses and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales*" and to make provision for the Sale of Fermented and Spirituous Liquors and Refreshments in certain Districts as hereinafter mentioned Be it therefore enacted by His Excellency the Lieutenant Governor of the Colony of Victoria by and with the advice and consent of the Legislative Council thereof as follows:

Preamble.

13 Vic., No 29.

I. An Act of the Lieutenant Governor and Legislative Council of the Colony of Victoria intituled "*An Act to amend for a limited time An Act intituled An Act to consolidate and amend the Laws relating to the Licensing of Public Houses and to regulate the Sale of Fermented and Spirituous Liquors in New South Wales*" shall be and the same is hereby repealed Provided that all offences which shall have been committed and all penalties and forfeitures which shall have been incurred previously to the passing of this Act shall and may be punished and recovered under the said last recited Act in the same manner as if this Act had not been passed or the said Act had not been repealed.

Repeal of 15 Vic., No. 14.

II. It shall be lawful for the Lieutenant Governor by notice in the *Government Gazette* from time to time to proclaim any part or portion of the said Colony to be a District subject to the provisions of this Act to be called "*A Special Licensing District*" and to define the boundaries of such District and from time to time to vary alter and revoke such boundaries and any such notice and proclamation and when and so soon as any portion of the said Colony shall have been proclaimed as a Special Licensing District and not before the said portion so proclaimed shall become subject to the provisions of this Act and the same shall come into operation therein.

Lieutenant Governor may proclaim special Districts.

III. If

Sale of Liquors or
Refreshments.

III. If any person shall sell or dispose of in any house within any such Special Licensing District any liquor or refreshment or shall permit or suffer any liquor or refreshment to be sold or disposed of by any other person in his house without having first obtained either under the provisions of the said first recited Act or in manner and form hereinafter set forth a license sufficiently authorising the sale and disposal of such liquor or refreshment respectively every such person shall upon conviction for the sale or disposal or permitting the sale or disposal of any liquor forfeit and pay for the first offence a sum of fifty pounds or be imprisoned in any Gaol or House of Correction for four months with hard labour and for the second and every subsequent offence be imprisoned in any Gaol or House of Correction for not less than six months nor more than twelve months with hard labor and every person who shall be convicted of the sale or disposal or permitting the sale or disposal of any refreshments contrary to the provisions aforesaid shall forfeit and pay any sum not exceeding twenty pounds or be imprisoned in any Gaol or House of Correction for any period not exceeding three months.

Application for Li-
cense.

IV. Every person desirous of obtaining a license in pursuance of this Act shall twenty days at the least before the application for such license shall be made deliver to the Clerk of the Court of Petty Sessions holden within the District in which it is proposed to exercise such license a notice in writing of his intention to apply for the same and shall the like period of twenty days at the least before such application affix or cause to be affixed a copy of such notice as aforesaid on the outer side of the front or principal entrance door of the house for which such license is applied for there to be kept until the day whereupon such Court of Petty Sessions shall assemble and shall also deliver to such officer with such notice a Certificate in the respective forms in the Schedules to this Act annexed signed by five householders or storekeepers.

List of Applicants to
be posted up. &c.

V. The Clerk of such Court of Petty Sessions shall cause a list of all applicants for Licenses under this Act together with their places of abode respectively and the names and residences of the householders or storekeepers signing the certificates required as aforesaid to be posted up in some conspicuous place inside and also outside every building in which such Petty Sessions shall be held fourteen clear days at the least before such applications shall be disposed of at such Sessions and shall if the application be made for a District Publican's License hereinafter mentioned cause notice of such application to be given to the Justices usually sitting in such Court.

Power for two or
more Justices to
issue Licenses.

VI. It shall be lawful for two or more Justices of the Peace acting for and usually residing within any such Special Licensing District in Petty Sessions assembled to issue in manner hereinafter mentioned a Certificate authorising a License to be called "a District Publican's License" which License shall be in the form set forth in the Schedule marked B to this Act annexed and shall authorise the person thereby licensed to sell liquor in any quantity in the house or on the premises therein specified and also a Certificate authorising a License to be called "a Refreshment License" in the form set forth in the Schedule marked D to this Act annexed and such License shall authorise the person thereby licensed to sell any refreshment in any quantity in the house or on the premises provided that no such Refreshment License shall authorise in any way the sale or disposal of any liquors And every License to be issued under the provisions of this Act shall continue in force until the Thirtieth day of June in each year and no longer and every such License shall be personal and shall not be in any way assigned or transferred or the interest therein parted with.

Court of Petty Ses-
sions how to be
held.

VII. Every such Court of Petty Sessions for issuing Certificates for Licenses shall be held in the usual manner with open doors and it shall be lawful for any person to object to any application for such Certificates and

and the Justices assembled at and forming such Court shall inquire into such objections and for that purpose summon or call and examine on oath such witnesses as they may deem necessary and after such examination or without hearing any such evidence such Justices shall either refuse such application or grant to such persons as shall in their discretion be approved of after taking the recognizances hereinafter required Certificates authorising such License as aforesaid in the form set forth in the Schedule to this Act annexed marked E.

VIII. The Justices by whom any such Certificates as aforesaid shall be granted by virtue of this Act shall transmit to the Colonial Treasurer or to such other person as may be appointed by the Lieutenant Governor for the purpose of issuing Licenses under this Act within fourteen days after the granting thereof a list signed by two at least of the said Justices specifying the names and residences of all the persons to whom any such Certificates shall have been so granted and of their respective Sureties and the nature of the License authorised by each Certificate and specifying further the situation and sign or name of each house and street or place in which it shall be situate and its distance from the nearest licensed house in each street place or line of road or on the line of road on which the same is situate the name of the owner or proprietor whether before licensed or not and also the names and residences of the sureties.

Certificates to be sent
to Colonial Treasurer,
&c.

IX. Before the Justices shall deliver to any applicant for a License any Certificate to authorise the issue thereof such applicant shall enter into a recognizance with two sufficient sureties in the sum of One hundred pounds each if applying for a District Publican's License in the form and with the conditions in the Schedule annexed marked B 1 and in the sum of twenty pounds without Sureties if for a Refreshment License in the form and with the conditions in the Schedule hereunto annexed marked D 1.

Recognizance to be
entered into.

X. Every such Certificate as aforesaid shall be null and void unless the same and the sum required to be paid for such License be lodged in the Office of the Colonial Treasurer or of such other person as may be appointed by the Lieutenant Governor in that behalf on or before the fourteenth day from the date of such Certificate And the said Colonial Treasurer or other person as aforesaid shall be and he is hereby authorised and required forthwith after the receipt of every such Certificate and List to issue and register in his office a License in one or other of the forms hereinbefore prescribed according to the tenor of each such Certificate respectively upon payment being made to the Colonial Treasurer or other person as aforesaid of the sum of Thirty pounds for every District Publican's License and the sum of One pound for every Refreshment License Provided that it shall be lawful for the said Colonial Treasurer or other person to issue Refreshment Licenses to continue in force for any time between the passing of this Act and the thirtieth day of June in the year of our Lord One thousand eight hundred and fifty-three upon payment of the sum of ten shillings.

Time limited for pay-
ment of Fee.

XI. If it shall appear to any two Justices of the Peace from the complaint of any Justice of the Peace or from a memorial in writing signed by five persons residing in the immediate vicinity of any house which may be licensed under the provisions of this Act or from the oath of any person that any licensed person hath been guilty of any abuse or infringement of the said License or from any other cause whatsoever (of the sufficiency of all or any of which causes such Justices shall be the sole Judges) that it is inexpedient or undesirable that the existing License should be continued to such person it shall be lawful for such Justices in their discretion to declare such License to be forfeited and cancelled and the same shall from a date to be fixed by such Justices (notice whereof shall be left at such house) be void and of no effect as though the same had never been issued But no such person shall be entitled to demand or recover any part of such fee or other duty as shall have been paid for the same Pro-
vided

License how forfeited.

vided that nothing in this section shall extend or apply to any License issued before the passing of this Act.

Nothing in this Act to repeal 13 Vic., No. 39 save as to issuing licenses in Special Districts.

XII. It shall not be lawful after the passing of this Act to issue any License under the first recited Act within any Special Licensing District nor shall any such License if so issued be of any force or operation within any such district but save as aforesaid nothing in this Act contained shall be deemed or taken to repeal the said first recited Act of the Governor and Legislative Council of New South Wales but all the enactments provisions qualifications authorities rights powers forms of proceeding conditions charges liabilities forfeitures penalties and prohibitions contained in the said first recited Act shall so far as the same are not altered by inconsistent with or repugnant to this Act be and the same are hereby declared to be of full force and application as to all persons matters and things whereto this Act or any proceedings had thereunder shall be applied or applicable and to all acts done in pursuance hereof.

Justice instead of a sale may direct that Liquors adjudged to be forfeited under 13 Vic. No. 29 sec. 67 shall be destroyed or if sold proceeds appropriated according to this Act.

XIII. And whereas by the said first recited Act it was declared that it should be lawful for the convicting Justice or Justices therein mentioned to adjudge liquors vessels and utensils containing the same carried about for or exposed to sale contrary to the provisions of the said Act to be forfeited and to order and direct the same to be sold and the proceeds thereof to be applied and appropriated as in the said Act provided it shall be lawful for such convicting Justice or Justices in his or their discretion either to direct that such liquors vessels and utensils so adjudged to be forfeited as in the said Act provided shall be destroyed or to order and direct the same to be sold as in the said Act directed and the proceeds applied and appropriated according to the provisions of this Act as to him or them shall seem more advisable.

Justice may enter or issue his Warrant to enter and search for offender if no person or greater quantity of Liquors than necessary found may seize Liquors.

XIV. It shall be lawful for any Justice of the Peace or any Inspector or Sub-Inspector of Police having reasonable and probable cause to believe that any house is a disorderly or reputed disorderly house or that liquors or refreshments have been sold or exposed for sale in any such house contrary to the provisions of this or the said first recited Act or if no licence under this or the said first recited Act has been issued to sell liquor therein that a greater quantity of liquors than is necessary for the *bona fide* private consumption of the owner or occupant of such house is contained therein to enter the same at any time by day or night or for any Justice upon information on oath to the effect aforesaid to issue his Warrant to any constable to enter the same and to search for such liquors and refreshments and for any person offending or suspected of offending against any of the provisions of this Act or the said first recited Act And if no owner or occupant or person acting for or representing such owner or occupant be found in such house or if a license under this or the said first recited Act to sell liquors or refreshments as the case may be shall not on demand be produced to such Justice Inspector Sub-Inspector or Constable and a greater quantity of liquors than in the opinion of such Justice Inspector Sub-Inspector or Constable is necessary for the *bona fide* private consumption of the owner or occupant of such house be found therein it shall be lawful for such Justice Inspector Sub-Inspector or Constable to seize all liquors and all vessels and utensils containing or which may have contained liquors found in such house and any tent in which they may have been and to cause the same to be conveyed to the nearest or most convenient Court of Petty Sessions And unless it shall be proved by such owner or occupant to the satisfaction of any two or more Justices at such Court within fourteen days after such seizure or at the next sitting of such Court that such house was not a disorderly or reputed disorderly house and that such liquors were intended for the *bona fide* private consumption of such owner or occupant it shall be lawful for such Justices to adjudge that such liquor-vessels utensils or tents be forfeited and in their discretion to direct that the same either be destroyed or sold and the proceeds thereof applied according to the provisions of this Act.

XV. In

XV. In any proceedings before a Justice or Justices against any person charged with an offence under this Act or the said first recited Act proof of such person having any of such liquors vessels or utensils in his possession or of such person acting as owner or occupant of such house shall be deemed full and sufficient *prima facie* evidence of such person being actually owner or occupant thereof and proof of the delivery of any such liquors or refreshments by or to any person in such house or place or of any person not being the owner or occupant thereof being found or seen intoxicated or drinking such liquors therein shall be deemed sufficient *prima facie* evidence of money or other consideration having been given for the same and unless proof be made to the contrary to the satisfaction of the Justice hearing the case such evidence shall be sufficient to warrant such Justice in convicting and shall support a conviction of such person of being found in such house as owner or occupant or intoxicated or drinking buying or selling liquors or refreshments or of liquors or refreshments having been unlawfully sold or disposed of therein contrary to the provisions of this Act or the said first recited Act.

Evidence of ownership or occupancy and of unlawful sale of Liquors.

XVI. It shall be lawful for any Justice of the Peace Officer of Police or Constable with or without Warrant to apprehend any person who shall be found offending against this Act and forthwith to take and convey him before some Justice of the Peace to be dealt with in such manner as herein directed.

Apprehension of Offenders.

XVII. It shall be lawful for any Justice of the Peace upon oath being made before him that any person hath committed or is suspected of having committed any offence against this Act to issue his Warrant to apprehend and bring before him or some other Justice of the Peace the person so charged to be dealt with as directed by this Act.

Justice may issue Warrant.

XVIII. It shall be lawful for any one Justice of the Peace to order and adjudge any person convicted of offending against any of the provisions of this Act on the view of such Justice the confession of such offender or the oath of any credible witness to forfeit the penalties or undergo the imprisonments hereby authorized to be imposed or awarded.

One Justice may act.

XIX. All proceedings under this Act shall be had and taken in a summary way and no information shall be necessary previous to the issuing of a Summons or Warrant and no Information Summons Warrant Conviction Commitment or other proceeding before or by any Justice of the Peace for any offence under this Act shall be quashed or set aside or judged void or insufficient for want of form or be removed by *certiorari* or otherwise into Her Majesty's Supreme Court of the said Colony and in any Information Summons Warrant Conviction Commitment or other proceeding for any offence contrary to this Act or the said first recited Act it shall be sufficient if the offence be stated in the words thereof declaring the offence and in all proceedings under this Act the informer or party prosecuting shall be deemed a competent witness.

Mode of proceeding.

XX. Whenever any penalty or forfeiture shall have been imposed under the provisions of this Act and the person convicted shall not forthwith pay the same it shall be lawful for the convicting Justice to order that the same be levied by distress and sale of the goods and chattels of such offender or in default of such distress or in the discretion of such Justice without ordering any such distress to direct that such person be imprisoned in any Gaol or House of Correction in the said Colony with or without hard labor as he shall think fit for a period not exceeding two calendar months if the penalty shall not exceed ten pounds and for a period not exceeding four calendar months if the penalty or forfeiture be above ten pounds and not exceeding twenty pounds and for a period not exceeding six calendar months if the penalty be above twenty pounds and such person shall be detained and kept to hard labor accordingly unless such respective penalties and costs shall be sooner paid.

Imprisonment in default of payment of penalties.

XXI. The monies arising from the fines penalties and forfeitures imposed by this Act shall when recovered be paid and applied to the "Police Reward Fund" to be appropriated according to the rules and

Application of Fines.

and regulations in force for the time being for the distribution of the said fund.

Appeal to General Sessions.

XXII. Any person convicted or adjudged to pay any fine penalty or forfeiture exceeding thirty pounds who shall feel himself aggrieved by the judgment of any Justice or Justices adjudicating or before whom he may be convicted may appeal from any such judgment or conviction to the next Court of General Sessions of the Peace which shall be held nearest to the place where such judgment or conviction shall have been given or made and the execution of every such judgment or conviction so appealed from shall be suspended in case such person shall with two or more sufficient sureties immediately before such Justice or Justices enter into a bond or recognizance to Her Majesty her Heirs and Successors in a sum double the amount of such fine penalty or forfeiture which bond or recognizance respectively such Justice or Justices is and are hereby authorized and required to take and such bond or recognizance shall be conditioned to prosecute such appeal with effect and to be forthcoming to abide the determination of the said Court of General Sessions and to pay such costs as the said Court shall award on such occasion and such Court of General Sessions is hereby authorized and required to hear and determine the matter of the said appeal and the decision of such Court shall be final to all intents and purposes.

Interpretation clause.

XXIII. The word "house" in this Act shall mean shop store curtilage warehouse booth shed hut tent stall or other building or dwelling the word "liquor" and the word "liquors" any wine gin brandy rum whiskey ale porter beer cider or other fermented or spirituous liquors or any mixed liquors part of which is fermented or spirituous the word "vessel" or the word "utensil" any cask keg butt barrel hogshead measure tumbler bottle glass or other vessel of any material whatsoever and the word "refreshment" and the word "refreshments" any tea coffee lemonade soda water ginger beer spruce beer or any other kind of liquid drank and used as a refreshment except such as are included within the meaning of the word "liquor" or "liquors" as aforesaid.

Commencement and duration of Act.

XXIV. This Act shall commence and take effect from the First day of February in the Year of Our Lord One thousand eight hundred and fifty-three and continue in force for the space of two years thereafter.

SCHEDULES TO WHICH THIS ACT REFERS.

[B]

Form of Notice of Application for a District Publican's License for an Inn or Public House.

To the Worshipful the Justices of the Peace acting in and for the district of _____ in the Colony
of Victoria.

I, A. B., [state the trade or occupation] now residing at _____ in the Parish, City, Town, or
District of _____ do hereby give notice that it is my intention to apply at the Court of Petty
Sessions to be holden for this district on the _____ day of _____ next ensuing, for a
District Publican's License, for the sale of fermented and spirituous Liquors, in the house and appurtenances
thereunto belonging, situate at _____ [here describe the house proposed to be licensed, specifying the
situation of it, the number of sitting rooms and bed rooms contained in it, exclusive of those required for the family,
the person of whom rented, the present occupier, whether now licensed, and if so, under what sign] and which I
intend to keep as an Inn or Public House.

I am married, having a wife and _____ children, [or unmarried, as the case may be] and I have
held a license. [If before licensed, state how many years, and what kind of license.]

I further give notice that I propose C. D. of _____ and E. F. of _____ as my
sureties to enter with me into the required recognizance.

Given under my Hand, this _____ day of _____ One thousand eight hundred
and _____

Form of Householdors' Certificate to be appended to the above.

We the undersigned Householders residing within the Town or District of _____ do hereby
certify that the above A. B. of _____ is a person of good fame and reputation, and fit and proper
to be licensed to keep an Inn or Public House for the sale of fermented and spirituous Liquors therein, and
that such house will be a convenience to the public.

Witness our Hands this _____ day of _____ One thousand eight hundred
and _____

One
Two
Three
Four
Five

Form of District Publican's License.

VICTORIA— }
To Wrr. }

Whereas A. B. of _____ hath deposited in this Office, a Certificate from the Justices
of the Peace assembled in Petty Sessions held at _____ on the _____ day of _____
in the year of our Lord, One thousand eight hundred and _____ authorising the issue to the said A. B.
of a District Publican's License for the house known [or to be known] by the sign of _____ situated at
_____ in the said Colony of Victoria, and [stating that the said Justices have taken from the said
A. B. and two sufficient sureties the recognizance required by law] and whereas the said A. B. hath paid into
my Office the sum of thirty pounds sterling as the duty on such License. Now I the Colonial Treasurer of the
said Colony, [or other person appointed by the Lieutenant Governor in that behalf, as the case may be] in virtue
of the powers vested in me by law, do hereby License the said A. B. to keep a common Inn, Alehouse, or
Victualling House, and to sell fermented and spirituous Liquors in any quantity, in the house in which
he [or she] now dwelleth, [or is about to dwell] being the sign of _____ situate at _____
aforesaid, and in the appurtenances thereto belonging, but not elsewhere; and this license shall commence
upon the first day of _____ next and continue in force until the _____ day of _____
then next ensuing, both days inclusive, provided it be not forfeited, or declared to be cancelled in the
mean time.

Given under my Hand and Seal at Melbourne, this _____ day of _____
One thousand eight hundred and _____

N. O., (L. S.)

Colonial Treasurer. [Or other person as the case may be.]

Registered, P. Q.

[B 1.]

[B 1.]

Form of Recognizance to be entered into by an Applicant for a District Publican's License.

VICTORIA— }
TO WIT. }

Be it remembered, that on the _____ day of _____ one thousand eight hundred and _____ A.B. of _____, C.D., of _____, and E.F., of _____, came personally before us, G.H. and J.K., Esquires, Justices of the Peace acting in and for the District of _____, in the said Colony, and acknowledged themselves to owe to our Lady the Queen to wit, the said A.B. the sum of one hundred pounds, the said C.D. the sum of one hundred pounds, and the said E.F. the sum of one hundred pounds, sterling money to be respectively levied on their several goods and chattels, lands, and tenements, to the use of our said Lady the Queen, her heirs and successors, in case default should be made in performance of any of the conditions hereunder written. The conditions of this Recognizance are such that whereas the said A.B. is to be licensed to keep a common Inn, Alehouse, or Victualling House, and to sell fermented and spirituous liquors in the house wherein he [or she] now dwells [or is about to dwell] being the sign of _____ situated at _____ in the district [or township] of _____, until the first day of _____, one thousand eight hundred and fifty _____ if the said A.B. do keep the law in selling such liquors as aforesaid in his [or her] said house and its appurtenances, and do not permit any person to become drunk, or supply or permit any such liquor as aforesaid to be supplied or given to any person in a state of intoxication, or permit such person (not being an inmate thereof) to remain in his [or her] house or premises, or to commit any disorder therein, and to admit when required, a Magistrate Chief Constable, Inspector or other Constable, duly authorised, into every part of the said house and premises at any hour, and do maintain good order and rule in the said house and premises, and do also maintain and keep on foot such accommodation for Travellers and Guests and their horses and servants as is required by Law, then the said Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged the day and year above-written, before us,

G.H., J.P. (L.s.)
I.K., J.P., (L.s.)

[D.]

Form of a Refreshment License.

Whereas A.B., of _____ hath deposited in this Office a Certificate from the Justices of the Peace assembled at Petty Sessions, held at _____ on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ authorising the issue to the said A.B. of a Refreshment License, and stating that the said Justices had taken from the said A.B. and two sureties the recognizance required by Law. And whereas the said A.B. hath paid into my Office the sum of one pound sterling as the duty on such License Now I the Colonial Treasurer of the said Colony [or other person appointed by the said Governor in that behalf] in virtue of the powers vested in me by Law do hereby license the said A.B. to sell tea coffee lemonade soda water ginger beer and spruce beer but no other fermented liquor nor any spirituous liquor or mixed liquor part whereof is fermented or spirituous in the shop [or rooms] of the said A.B. situated in _____ aforesaid and this License shall commence from the first day of _____ next and continue in force until the _____ day of _____ next ensuing, both days inclusive Provided it be not forfeited in the meantime or declared to be cancelled.

Given under my hand and seal at Melbourne this _____ day of _____ one thousand eight hundred and _____

N.O. (L.s.)
Colonial Treasurer [or other person as the case may be.]

Registered P.Q.

Form of Notice of Application for a Refreshment License.

To the Worshipful the Justices of the Peace acting in and for the District of _____ in the Colony of Victoria.

I, A.B., [state the Trade or Occupation] now residing at _____ in the City, Town, or District of _____ do hereby give notice that it is my intention to apply at the Court of Petty Sessions, to be holden at _____ on the _____ day of _____ A.D. 185 _____ for this District for a Refreshment License for the sale of tea coffee lemonade soda water ginger beer and spruce beer, in the shop [or rooms] which I now occupy [or intend to occupy] situated at [here describe the house or tent proposed to be Licensed, specifying the situation of it, the number and description of rooms which the License is applied for, the person (if any) of whom the house is rented, the present occupier, and whether now Licensed]. I am married, having a wife and _____ children, [or unmarried, as the case may be] and I have held a License [if before Licensed, state how many years, what kind of License, and for what District].

Given under my hand this _____ day of _____ one thousand eight hundred and _____

A.B.
[D 1.]

[D 1.]

Form of Recognizance to be entered into by the applicant for a Refreshment License.

VICTORIA— }
TO WIT. }

Be it remembered, that on the day of , one thousand eight hundred and A.B., of came personally before us, G.H. and J.K., Esquires, Justices of the Peace acting in and for the District of , in the said Colony, and acknowledged himself [or herself] to owe to our Lady the Queen, the sum of twenty pounds, sterling money to be levied on his [or her] goods and chattels, lands, and tenements, to the use of our said Lady the Queen, her Heirs and Successors, in case default shall be made in the performance of any of the conditions hereunder written.

The conditions of this Recognizance are such that whereas the said A.B. is to be licensed to sell tea coffee soda water lemonade ginger beer and spruce beer but no other fermented liquor nor any spirituous liquor or mixed liquor part whereof is fermented or spirituous in the shop [tent or rooms] of the said A.B., situate at , in the District [or Township] of until the day of one thousand eight hundred and if the said A.B. do not sell or dispose of or permit to be sold or disposed of any other fermented or spirituous liquor than such as is authorised by his [or her] said license and do in all other respects keep the law and the conditions of such his [or her] license in selling the refreshment so authorised by such license and do not permit any person to become drunk or supply or permit any refreshment to be supplied to any person in a state of intoxication or permit such person to remain in his [or her] shop rooms tent or premises or commit any disorder therein and do maintain good order and rule in the said shop rooms tent and premises then the said Recognizance to be void otherwise to remain in full force.

Taken and acknowledged the day and year above written before us,

G.H., J.P. (L.S.)
J.K., J.P. (L.S.)

[E.]

Form of Certificate by Justices to authorise the granting of a License.

VICTORIA— }
TO WIT. }

At the Court of Petty Sessions of Her Majesty's Justices of the Peace acting in and for the District of holden at on the day of in the year of our Lord one thousand eight hundred and fifty for the purpose of considering applications made to us for Certificates for Licenses, we being the majority of the Justices assembled at the said Court of Petty Sessions, [and notice as required by law, and the requisite notices of Application for a District Publican's or Refreshment License, as the case may be, having been duly served and posted] do, in virtue of the power vested in us, [or me] hereby authorise the Colonial Treasurer, or other proper Officer, to issue to A.B., of a District Publican's License, or Refreshment License for [here state the district house sign shop room or other particulars according to the description of license and nature of the case and if a Refreshment License specify the particular liquors allowed to be sold] until the day of next and we do hereby certify that we are satisfied the said A.B. is a person of good fame and reputation, and fit and proper to be licensed as aforesaid And also that we have taken from the said A.B. and his sureties, C.D., of and E.F., of a Recognizance in the sum of Pounds each, according to the form prescribed by law.

Given under our Hands and Seals the day of at the place aforesaid.

G.H., J.P. (L.S.)
J.K., J.P. (L.S.)