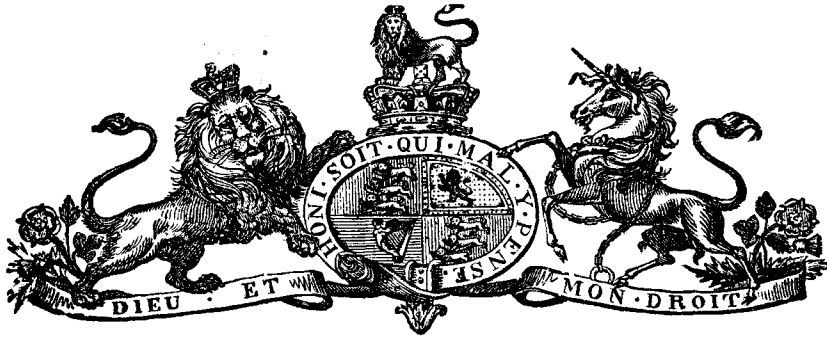


T A S M A N I A.



1859.

ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 24.



AN ACT to amend *The Licensing Act.*

[23 September, 1859.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** On and after the First day of *December*, 1859, so much of the Schedule to *The Licensing Act* as relates to Fees payable to the Colonial Treasurer shall be repealed, and, in lieu of such Fees, the Fees set forth in the Schedule to this Act shall, on and after that day, be payable to the Colonial Treasurer in respect of the matters mentioned in such last-mentioned Schedule. Fees for Licences.

**2** Section 6 of *The Licensing Act* is hereby repealed, except as to things done before and proceedings pending at the time when this Act takes effect, and in lieu thereof the following enactment shall be substituted ; that is to say, Substitutes new enactment for Sect. 6.

Upon information in writing and on oath made before a Justice of the Peace by any credible person that he suspects and believes that Liquor is or has been illegally sold in or on any unlicensed store, house, premises, or place, and is kept in or on such store, house, premises, or place, for the purpose of being illegally sold, which information shall set forth and show reasonable grounds for such suspicion and belief, it shall be lawful for any Justice, in his discretion, to grant his warrant to a Constable to enter and search such store, house, premises, or place by day or by night ; and such Constable may break open any door of such Unlicensed stores, &c. wherein Liquor is suspected to be sold may be searched.

Liquor and vessels  
seized may be  
condemned and  
sold.

store, house, premises, or place if not opened within a reasonable time after demand, and may seize all Liquor which he finds in or on such store, house, premises, or place, and all vessels containing the same, and shall convey any such Liquor and vessels so seized, or cause the same to be conveyed, to some Police Office or usual place of holding Petty Sessions, there to be detained in safe custody; and if it is shown to the satisfaction of any Justice present at such Police Office or usual place of holding Petty Sessions as aforesaid, that no owner of such Liquor can be found, or that the owner or reputed or supposed owner of such Liquor cannot be found, or if the owner or reputed or supposed owner of such Liquor upon being summoned to appear before any such Justice and claim such Liquor does not attend in pursuance of such Summons, or if the owner or reputed or supposed owner attends before any such Justice, whether on Summons or otherwise, but does not claim such Liquor, or claims such Liquor but does not satisfy such Justice how and for what purpose he became possessed of such Liquor, and that the same was not in or on the said store, house, premises, or place for the purpose of being illegally sold, then such Justice shall adjudge the Liquor and vessels so seized to be condemned, and the same shall be sold by public auction by any Constable or other person directed so to do by such Justice, and one half of the net proceeds thereof shall be paid to the use of Her Majesty, and the other half to the party informing; but if in any such case, before condemnation of such Liquor and vessels, it is shown to the satisfaction of such Justice that such Liquor was not in or on the said store, house, premises, or place for the purpose of being illegally sold, then such Liquor and the vessels so seized shall be restored to the owner thereof on his making application for the same.

Acts to be read  
together.

**3** This Act and *The Licensing Act* shall be read and construed together as one and the same Act.

Short Title.

**4** In referring to this Act it shall be sufficient to use the expression *The Licensing Amendment Act*.

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## S C H E D U L E.

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### FEES PAYABLE TO THE COLONIAL TREASURER.

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*In respect of Licences granted on or after the First day of December, 1859, and before the First day of December, 1860.*

For every Public-house Licence the sum of Thirty-seven Pounds and Ten Shillings.

For every authority to keep a separate Tap in or adjoining to a Public-house the sum of Twenty Pounds.

For every Public-house Licence issued in respect of a Canteen the sum of Thirty-seven Pounds and Ten Shillings.

For every Packet Licence the sum of Ten Pounds.

For every Wholesale Licence in respect of any One Store or Premises the sum of Thirty-seven Pounds and Ten Shillings.

For every Wholesale Licence in respect of more than One Store or Premises the sum of Thirty-seven Pounds and Ten Shillings in addition for each Store or Premises extra the First.

For every Manufacturer's Licence the sum of Five Pounds.

For every Brewer's Licence the sum of Eighteen Pounds and Fifteen Shillings.

For every Importer's Licence the sum of Ten Pounds.

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*In respect of Licences granted on or after the First day of December, 1860.*

For every Public-house Licence the sum of Twenty-five Pounds.

For every authority to keep a separate Tap in or adjoining to a Public-house the sum of Twenty Pounds.

For every Public-house Licence issued in respect of a Canteen the sum of Twenty-five Pounds.

For every Packet Licence the sum of Ten Pounds.

For every Wholesale Licence in respect of any One Store or Premises the sum of Twenty-five Pounds.

For every Wholesale Licence in respect of more than One Store or Premises the sum of Twenty-five Pounds in addition for each Store or Premises extra the First.

For every Manufacturer's Licence the sum of Five Pounds.

For every Brewer's Licence the sum of Twelve Pounds and Ten Shillings.

For every Importer's Licence the sum of Ten Pounds.

