

# Province of Auckland.



## LICENSING ACT, 1863.

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

1863—SESSION XV.—No. 6.

### ANALYSIS:

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| <p>Title.<br/>Preamble.</p> <ol style="list-style-type: none"> <li>1. Repealing clause.</li> <li>2. Act when to commence.</li> <li>3. None but licensed persons to sell spirits, &amp;c.; not to include perfumery and medicine.</li> <li>4. Form of license.</li> <li>5. Publican's license.</li> <li>6. Wholesale licenses.</li> <li>7. Temporary extension of license.</li> <li>8. Notice of application for license.</li> <li>9. Lists of applicants to be posted up.</li> <li>10. Annual licensing meeting.</li> <li>11. Postponement and adjournment of meeting.</li> <li>12. Chairman to be elected.</li> <li>13. Certificates may be granted.</li> <li>14. Former license holders.</li> <li>15. Notice of licensing meeting.</li> <li>16. Sickness of applicants.</li> <li>17. Names of parties receiving certificates to be forwarded to the Provincial Treasurer.</li> <li>18. Amount payable for licenses and issue of licenses.</li> <li>19. Transfers.</li> <li>20. Executors may carry on business.</li> <li>21. Removal of license.</li> <li>22. Re-transfer of license.</li> <li>23. Clerk to report transfer.</li> </ol> | <ol style="list-style-type: none"> <li>24. Accommodation required.</li> <li>25. Issue of certificate for wholesale license.</li> <li>26. When houses to be opened.</li> <li>27. When houses to be closed.</li> <li>28. Gambling prohibited.</li> <li>29. Special sanction for music and dancing.</li> <li>30. Sign-boards and lamps.</li> <li>31. Drunkards.</li> <li>32. Money only to be taken in payment.</li> <li>33. Wages not to be paid in licensed houses.</li> <li>34. License to be shown on demand.</li> <li>35. Constable may demand entrance.</li> <li>36. Persons adulterating liquors liable to penalties.</li> <li>37. Penalty for possessing any adulterated liquors.</li> <li>38. On persons selling without license.</li> <li>39. Hawking liquors.</li> <li>40. For other offences against this Act.</li> <li>41. For drunkenness.</li> <li>42. License may be cancelled.</li> <li>43. Conviction under sale of Spirits Ordinance.</li> <li>44. Bush licenses.</li> <li>45. Present licenses to remain in force.</li> <li>46. Notices to remain good.</li> <li>47. Districts.</li> <li>48. Interpretation.</li> <li>49. Short Title.</li> </ol> |
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AN ACT to regulate the Sale of Fermented and Spirituous Liquors. Title.

WHEREAS it is expedient that amended provisions should be made for Regulating the Sale of Fermented and Spirituous Liquors in the Province of Auckland Preamble.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Auckland, with the advice and consent of the Provincial Council thereof:—

Repealing clause.

1. All Laws in the said Province that are repugnant to the provisions of this Act, or that would in any way interfere in the operation thereof, are hereby repealed.

Act when to commence.

2. From and after the fifteenth day of April, 1863, the Sale of any Spirituous Liquor, Wine, Ale, Beer, or other Fermented Liquor, in the Province of Auckland shall be regulated as follows and not otherwise: Provided always that nothing in this Act shall permit the sale of Fermented and Spirituous Liquors without a license between the passing hereof and the 30th day of June 1863 and all the restrictions and penalties of the Licensing Act 1858 shall continue and be in full force and effect until the 30th day of June 1863 anything herein contained to the contrary notwithstanding:

#### I.—LICENSES.

None but licensed persons to sell spirits, &c., not to include perfumery and medicine.

3. No person shall after the 30th day of June, 1863, unless he shall be duly licensed under this Act, sell any Spirituous Liquor, Wine, Ale, or Beer, within the Province of Auckland, or permit the same to be sold by any other person in or upon his house or premises: Provided that nothing herein contained shall extend to the sale of any Fermented or Spirituous Liquors as Perfumery or Medicine, or at any Military Canteen established under the Regulations of Her Majesty's Service, or to any sale by Auction by any licensed Auctioneer. Provided also that nothing in this Act contained shall extend to render any person liable to the penalties therein mentioned who shall under the written authority of the Speaker of the said Provincial Council, sell to any of the Members and Officers of the said Provincial Council any Fermented or Spirituous Liquors within any Building used for the purposes of the meeting of the Provincial Council or to render liable to forfeiture any Liquors exposed to sale by any such person within any such Building.

Form of Licenses.

4. The Licenses to be granted by virtue of this Act shall be of three kinds, viz., one to be granted to Innkeepers and Publicans for the sale of all liquors as aforesaid, and which shall for the purposes of this Act be denominated a "Publican's License," and shall be in the form in the Schedule hereunto annexed, marked A, another to be granted to Innkeepers and Publicans for the sale of all Liquors as aforesaid, and subject to such terms and conditions as the Justices assembled for the purpose of granting Licenses shall think fit and which shall for the purposes of this Act be denominated a "Bush License," and shall be in the form in the Schedule hereunto annexed marked M, and another to be granted to persons selling not less than two gallons at any one time, and which shall be called a "Wholesale License," and shall be in the form in the Schedule hereunto annexed, and marked K, and the said Publicans' Licenses shall be in force from the first day of July, next, following the date of such License, to the thirtieth day of June next ensuing, (unless sooner forfeited) and no longer, and the said Bush Licenses shall be in force from the time of granting such License until the thirtieth day of June next ensuing, and the said Wholesale Licenses shall be in force from the time of granting of such License until the thirtieth day of June next, and no longer.

Publicans' License.

5. Every such Publican's License as aforesaid shall authorize the person thereby licensed to sell and dispose of any fermented or spirituous liquors in any quantity in the house or on the premises therein specified.

6. Every such Wholesale License as aforesaid shall be held <sup>Wholesale Licenses.</sup> to authorise the person thereby licensed to sell and dispose of any kind of fermented or spirituous liquors, provided, however, that no such License shall be held to authorise the sale of any quantity less than two gallons of any one description of liquor to be delivered to the purchaser thereof at one time : Provided also that nothing in this Act shall authorize the holder of a Wholesale License to permit any kind of fermented or spirituous liquor purchased, or to be purchased from him, to be consumed in or upon his house or premises.

7. In case any person holding a Publican's License shall obtain from any two or more Justices of the Peace in the District in which any public exhibition or other general amusement shall take place, an authority in the form in the Schedule hereunto annexed, marked E, then in every such case the privileges of the license of every such person as aforesaid shall respectively be extended to the place of amusement to which such authority shall apply, and for the time in such authority as stated, and it shall be lawful for the said Justices to order the extension of the time during which liquor may be legally supplied. <sup>Temporary extension of license.</sup>

## II.—GRANTING AND TRANSFERRING PUBLICANS' LICENSES.

8. Every person desirous of obtaining a Publican's License under this Act, shall, on or before the first Tuesday in the month of April, in every year, cause to be delivered to the Clerk of the Court for the District in which it is proposed to exercise such License, a notice in writing signed by him, in the form in Schedule B, hereunto annexed, together with a certificate signed by at least five substantial householders residing within such District, in the form in Schedule C, hereunto annexed. <sup>Notice of application for license.</sup>

9. The Clerk of the Court shall cause a list of the names of all such applicants, together with their places of abode, respectively, to be posted up, on or before the first Wednesday following in the month of April, in every year, on the door of the Court House, there to remain for the space of one week. <sup>Lists of applicants to be posted up.</sup>

10. On the third Tuesday in the said month there shall be holden at the office of the Resident Magistrate, a General Meeting of the Justices in the District to be called the Annual Licensing Meeting for the purpose of taking into consideration applications for Licenses; and three Justices shall form a quorum. <sup>Annual licensing meeting</sup>

11. In the event of a number of Justices sufficient to form a quorum not being so assembled on the day appointed, the meeting shall stand postponed from day to day until a quorum of Justices shall have been obtained. And it shall be lawful for the Justices, having met, to adjourn the meeting from time to time, as to such Justices shall seem expedient : Provided always that such adjournment shall not extend to such time as would have the effect of nullifying any provision in this Act contained, and if there be not a quorum present at any meeting so adjourned, the meeting shall stand adjourned from day to day until a quorum be obtained. <sup>Postponement and adjournment of meeting.</sup>

Chairman to be elected.

12. At such General Annual Meeting, and at all other meetings of Justices provided for under this Act, the Justices present shall proceed to elect a Chairman from amongst themselves for that meeting, and for all others held by way of adjournment from such meeting: Provided that if at any such adjourned meeting, the Chairman shall be absent, the Justices shall proceed to a fresh election; and in case the Justices assembled at any licensing meeting shall be equally divided in opinion, the Chairman, in addition to his original vote, shall have a casting vote.

Certificates may granted.

13. It shall be lawful for the Justices assembled at such Meeting to grant to such persons as shall be approved of by the majority of such Justices Certificates in the form in Schedule D hereunto annexed, authorising the issue of Publicans' Licenses, subject to the provisions contained in Clause 24 of this Act: Provided that no Justice of the Peace being a Brewer, Malster, or Distiller, or an Importer of, or Dealer in, any Spirituous Liquor, Wine, Ale, or Beer, or being interested directly or indirectly in any house or premises already licensed, or in respect whereof an application for a license is about to be made, shall act at any such meeting, or in granting any transfer, removal, or extension of any such license: Provided also that no Publican's license shall be granted or transferred to any Constable or Bailiff, nor shall any license be granted or transferred in respect of any house or premises of which any Constable or Bailiff shall be owner, or wherein any Constable or Bailiff shall be directly or indirectly interested.

Former license holders.

14. The holder of an untransferred Publican's License if claimed for the premises already licensed shall be entitled to such certificate without attending the annual licensing meeting, unless notice in writing signed by three householders residing within the district in which the licensed house is situate, of an intention to oppose the renewal of any such license stating the ground of such opposition, shall have been given to the holder of such license, or left for the holder at the house named in such license, at least one week previous to such annual licensing meeting, and unless similar notice within the same time shall also have been given to the Clerk of the Court.

Notice of Licensing meeting.

15. The Clerk of the Court shall cause a notice of each Annual Licensing Meeting to be inserted at least one calendar month before the holding thereof in at least two of the newspapers of the Province of Auckland.

Sickness of applicants.

16. If any person desirous of obtaining such certificate shall be hindered by sickness, infirmity, or any other reasonable cause from attending in person at any such meeting, it shall be lawful for the Justices to certify in favour of such person.

Names of parties receiving certificates to be forwarded to the Provincial Treasurer.

17. The said Clerk shall also, within fourteen days after such meeting, transmit to the Provincial Treasurer a list signed by at least two of the Justices, specifying the names and residence of all the persons to whom such certificates as aforesaid shall have been granted or issued.

18. Every such certificate shall be null and void unless the same and the sum of Forty Pounds, shall be lodged in the office of such Treasurer as aforesaid, on or before the thirtieth day of June next following the Annual Licensing Meeting at which such certificate was granted. On receipt of such certificate, and payment of the said sum of Forty Pounds, such Treasurer, or such other person as the Superintendent may for that purpose appoint, shall issue, and shall register in his office, a Publican's License in the form hereinbefore prescribed. Amount payable for licenses and issue of licenses.

19. On the first Tuesday in each of the months of September, December, and March, and also on the day appointed for the General Annual Licensing Meeting, there shall be holden at such place as aforesaid, a special meeting of the aforesaid Justices, for the purpose of receiving applications for the transfer of Publicans' Licenses. The Justices so assembled may transfer any such Publican's License to the appointee of the holder of such license, by a writing under their hands in the form in Schedule F hereunto annexed, subject to such conditions as hereinbefore required in respect of the person originally licensed: Provided that every such applicant shall give seven days' notice in writing of his intention to make such application to the Clerk of the Court, and shall also deposit with such Clerk a certificate according to Schedule C hereunto annexed seven days before such application: Provided always that in the case of any person holding such license in respect of premises, and refusing or neglecting to transfer the original license to the owner of such premises or to the reversioner of any term affecting such premises, it shall be lawful for such owner or reversioner upon entering into possession of the said premises forthwith to apply to any two Justices of the Peace resident in the District wherein such premises are situate for permission to carry on the business of a publican in such premises, and it shall be lawful for such Justices in their discretion by writing under their hands to permit such owner or reversioner to carry on such business as though he held a license under this Act until the transfer day which shall next happen after possession shall have been taken as aforesaid. Transfers.

20. In case of the death of any person holding a Publican's license his executors or administrators may carry on the business of such person, and act under the authority of his license during six months (if the license have so long to run) from the day of his decease. Executors may carry on business.

21. In case the house belonging to any person holding a publican's license, being the house named in such license, shall be destroyed or rendered untenable by fire, tempest, or any other inevitable accident, and such person shall be desirous of removing his business to any other house, it shall be lawful for any two Justices of the district within which such other house shall be situated, upon a memorial presented to them for that purpose, to authorise such removal by an endorsement upon the original license, or by a writing under their hands, in the form in Schedule G hereunto annexed, for a period to be fixed by such Justices, but not exceeding what in their opinion would be sufficient for the rebuilding or repairing the house destroyed or rendered untenable, and not extending beyond the General Annual Licensing Meeting next ensuing, when such further time, if required, as may be needed for the said rebuilding or repairing may be granted. Removal of license.



Re-transfer of license.

22. It shall be lawful for any two Justices in the district upon a memorial presented to them for that purpose to authorize by an endorsement on the original license or by a writing under their hand in the form H or I as the case may be, in the Schedule to this Act annexed the transfer of the said license, or, if the period for which the license was transferred as aforesaid shall have expired, to renew by writing under their hands the original license to the house which may have been built upon the ground whereon the house named in the original license stood, or to the house which may have been rendered untenable, but which at the time of the memorial shall have been again rendered tenable.

Clerk to report transfer.

23. Every transfer of a Publican's License authorised by any Justices under this Act, whether as regards the person or the house to which such license shall apply, shall within fourteen days after such transfer, be duly reported to the Provincial Treasurer or such other person appointed to issue licenses as aforesaid, by the Clerk of the Court by which such transfer shall be authorised.

Accommodation required.

24. No Publican's License shall be granted to any person not being heretofore duly licensed until the Justices granting the Certificate for such license shall be satisfied that the house for which such license is sought, contains at least two moderate sized sitting rooms, and two sleeping rooms actually ready and fit for public accommodation, independent of the apartments occupied by the family of such License holder, and shall also be provided with a place of accommodation on or near the premises, for the use of the Customers thereof, in order to prevent nuisances or offences against decency.

### III.—WHOLESALE LICENSES.

Issue of certificate for wholesale license.

25. It shall be lawful for the Justices in the District at any meeting held under this Act, to issue a certificate authorising and requiring the Provincial Treasurer to issue a wholesale License in the form K in the Schedule to this Act annexed to any householder residing within such District, upon a payment of a fee of Twenty Pounds in the City of Auckland, and Ten Pounds elsewhere, which license shall expire on the thirtieth day of June next, after the granting thereof. Provided that the Provincial Treasurer may and shall issue wholesale Licenses for the City of Auckland, or any town within the Province of Auckland at any time to any householder, upon payment of the fee prescribed, without such certificate as aforesaid.

### IV.—REGULATIONS FOR PUBLIC HOUSES.

When houses to be opened.

26. No person holding a license under this Act shall sell, or supply any liquor, or suffer the same to be drunk in or upon his house or premises except between the hours of five in the morning and ten at night on any working day, nor shall any such person sell or supply any liquor, or suffer the same to be drunk in or upon his house or premises except to or by travellers and persons who may be resident at and sleep therein within the space of time between the legal hour for closing on Saturday night and the legal hour of opening on Monday morning, or at any time on Christmas Day, or Good Friday, or any day appointed for a public fast, except between the hours of one in the afternoon and seven in the evening of such days.

27. At all other hours such house and premises shall be closed: <sup>When houses to be closed.</sup> Provided always that it shall be lawful for the Justices at their discretion at such Annual Licensing Meeting, to grant to any number of Inn-keepers, on payment of the further sum of Ten Pounds respectively, an extension of the time hereinbefore prescribed for the sale or supply of such Liquors as aforesaid, until twelve of the clock at night on any day excepting Sundays and Saturdays, on which latter day the hour of closing on an extended license shall be eleven o'clock at night.

28. No person holding a Publican's license under this Act, <sup>Gambling prohibited.</sup> shall permit any gambling in the house or premises for which such license shall have been granted.

29. No Person holding a Publican's license under this Act shall suffer or permit any music or dancing for public entertainment, to take place in the house or on the premises for which such license shall have been granted without the sanction of any two Justices of the Peace for the special occasion named, such sanction to be expressed in writing bearing the signature of the said Justices, and to remain in force only for a number of hours not exceeding twelve, to be mentioned in the said writing. <sup>Special sanction for music and dancing.</sup> Provided that such sanction shall not extend to or permit any such music or dancing to take place in such licensed house except within the hours which such License permits the sale of spirituous and fermented liquors in such Licensed House.

30. Every person holding a Publican's License under this Act, shall keep his name painted at length in legible letters at least three inches long, with the words "Licensed to retail fermented and spirituous liquors," on some conspicuous part of his house, and shall also keep a lamp affixed over the door of his house, and on the outside thereof, burning every night from sunset to sunrise. <sup>Sign-boards and lamps.</sup>

31. No person holding a Publican's License under this Act, <sup>Drunkards.</sup> shall in his house or in any of the appurtenances thereto, supply or permit any fermented or spirituous liquor to be supplied or given to any person in a state of intoxication.

32. No Licensed person shall take anything whatever in pledge for any liquor sold, or supplied, nor shall any such person take in payment for the same anything whatever except coined or paper money. <sup>Money only to be taken in payment.</sup>

33. No such person shall permit any wages to be paid in his house, or upon his premises, save only the wages of persons employed as servants therein. <sup>Wages not to be paid in licensed houses.</sup>

34. Every person holding a Publican's License under this Act shall, on demand at his licensed house, produce his license or any permission granted under Clause 19, to any Justice of the Peace, or to any Constable. <sup>License to be shown on demand.</sup>

35. Any Constable may demand entrance into any house for which a Publican's License shall be in force at any hour, and any unnecessary delay in giving admission to the said Constable or Constables, shall subject the party to the penalties hereinafter contained. <sup>Constable may demand entrance.</sup>

## V. — PENALTIES.

Persons adulterating  
liquors liable to pen-  
alties.

36. If any dealer in Spirituous or Fermented Liquors, or other person, shall put into or mix, or cause to be put into or mixed with any spirituous or fermented liquors any poisonous, deleterious, or pernicious substance whatsoever, or shall sell or otherwise dispose of, or keep for sale any spirituous or fermented liquors so adulterated, he shall forfeit and pay any sum not exceeding One hundred pounds, to be recovered in a summary way.

Penalty for possessing  
any adulterated li-  
quors.

37. If any Dealer in Spirituous or Fermented Liquors, or any other person shall knowingly have in his possession any Spirituous or Fermented Liquors so adulterated as aforesaid, such person upon proof thereof shall forfeit and pay any sum not exceeding One hundred pounds to be recovered in a summary way and all fermented and spirituous liquors so adulterated as aforesaid, found in the possession of any such dealer, or person, shall and may be seized by any Constable, acting under a warrant from a Justice of the Peace, and all such spirituous or fermented liquors proved to be adulterated shall be forfeited and destroyed.

On persons selling  
without license.

38. If any person not being duly Licensed shall sell any quantity of any fermented or spirituous Liquor, or permit the same to be sold in or upon his house or the premises, he shall forfeit and pay for every such offence a sum not exceeding Fifty Pounds, to be recovered in a summary way.

Hawking liquors.

39. All fermented or spirituous Liquors which shall be hawked about or exposed for sale contrary to the provisions of this Act shall be forfeited for the use of Her Majesty, and may be seized by any Constable.

For other offences  
against this Act.

40. If any person being duly Licensed shall offend against any other of the provisions of this Act or against any of the conditions under which a bush license, as hereinafter provided shall have been granted, he shall forfeit and pay for every such offence a sum not exceeding Twenty pounds, to be recovered in a summary way.

For drunkenness.

41. If any person shall be convicted of drunkenness before any Justice of the Peace he shall forfeit and pay a sum of not less than five shillings nor more than twenty shillings, and in default thereof shall be imprisoned for any period not exceeding Forty-eight hours. If any person shall have been so convicted three times within the space of three calendar months, he shall upon such third conviction forfeit and pay such sum as aforesaid and be imprisoned for any period not exceeding seven days.

License may be can-  
celled.

42. In case any person holding any License under this Act shall be three times convicted of any offence against the provisions of this Act, or against the tenor of his license, it shall be lawful for any two Justices in the District to order his License to be cancelled; and upon the signature of the said Justices of an order to that effect, the said License shall become null and void.

Conviction under Sale  
of Spirits Ordinance.

43. A conviction for an offence against an Ordinance passed by the Lieutenant-Governor of New Zealand, with the advice and



consent of the Legislative Council thereof, intituled, "An Ordinance to prohibit the Sale, &c., of Spirits, and to regulate the Sale, &c., of other intoxicating Liquors to persons of the Native Race," shall be deemed to be a conviction for an offence against this Act.

#### BUSH LICENSES.

44. Whereas it may be desirable, for the accommodation Bush licenses. of travellers in remote and thinly populated parts of the Province, that licenses should be granted otherwise than at the time and in the manner hereinbefore provided, be it enacted that it shall be lawful for the Justices in the District, at any meeting to be holden under this Act, to authorise the issue of a license, to be called a Bush License, in the form in Schedule M hereunto annexed, to any householder in such remote part upon such terms and conditions, and upon payment of such annual sum, not less than Five Pounds, as such Justices shall think fit, anything to the contrary in this act contained notwithstanding : Provided always that written notice of an intention to apply for such license shall have been given, and posted against the door of the house usually known as the court house for the district, for fourteen days at least immediately before the meeting at which such license shall be applied for. Provided also that no such license shall be granted for any house situate within 15 miles by road over land from Auckland : Provided also that all such licenses if within Native Districts shall be subject to any regulations made by the Governor under the Native Districts Regulation Act, 1858.

#### MISCELLANEOUS.

45. All licenses existing at the date of the passing of this Act, and all other licenses which may have been granted, if any, Present Licenses to remain in force. under the "Licensing Act, 1858," by reason of this Act not having been received at the time of such granting by the Resident Magistrate, or either of them, at Russell and Mongonui, shall remain in force for the time they may respectively have to run, but shall be subject, nevertheless, to the pains and penalties and conditions of this Act.

46. All notices of application for licenses delivered before Notices to remain good. the 15th April, 1863, and in accordance with the provisions of the Licensing Act, 1858, shall be deemed to have been duly delivered under this Act.

47. For the purposes of this Act the Province shall be Districts. divided into five Districts, as the same are respectively defined and set forth in the Schedule N hereunto annexed.

48. For the purposes of this Act, the words Interpretation. "Clerk of the Court" shall in case there be no such Clerk, be read as though the word "Resident Magistrate for the District" had been written in lieu thereof, and where there is no Resident Magistrate, the words "Resident Magistrate for the District" (expressed or substituted), shall be read as though the words "Justice of the Peace last elected as Chairman of a Licensing Meeting for the District" had been written in lieu thereof, and the office of the Resident Magistrate shall be held to mean the usual Court House in such District.

49. The Short Title of this Act shall be "The Licensing Short Title. Act, 1863."

## SCHEDULES TO WHICH THIS ACT REFERS.

## A

## FORM OF A PUBLICAN'S LICENSE.

*Province of Auckland, }*  
*to Wit.*

WHEREAS A B, of \_\_\_\_\_, hath deposited in this office a Certificate from the Justices of the Peace assembled at the Annual Licensing Meeting held under the "Licensing Act, 1863," 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 the License in the said Act called a Publican's License, for the House known (or to be known) by the sign of \_\_\_\_\_, situated at \_\_\_\_\_ in the District of \_\_\_\_\_ in the said Province of Auckland, And whereas the said A B hath paid into my office the sum of \_\_\_\_\_ pounds sterling as the duty on the License, Now I, the Treasurer of the said Province (or other person appointed by the said Superintendent for the purpose of issuing Licenses under the said Act, as the case may be) in pursuance of and by virtue of the powers vested in me by the said Act, do hereby license the said A B to keep a Common Inn, Ale House, 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 \_\_\_\_\_ situated at \_\_\_\_\_, aforesaid, and the appurtenances thereto belonging, but not elsewhere, and this License shall commence upon the first day of \_\_\_\_\_ next, and continue in force till the 30th day of June then next ensuing both days inclusive, provided it be not forfeited in the meantime according to the provisions of the said Act.

Given under my hand and seal at  
 Auckland, this \_\_\_\_\_ day  
 of \_\_\_\_\_ one thousand eight  
 hundred and \_\_\_\_\_

Registered,—P.Q.

NO. (L.S.)

Provincial Treasurer.  
 (or other person as the case may be).

## B

## FORM OF NOTICE OF APPLICATION FOR A PUBLICAN'S LICENSE FOR AN INN OR PUBLIC HOUSE.

*To the Worshipful Justices of the Peace, acting in and for the District of \_\_\_\_\_ in the Province of Auckland, in the Colony of New Zealand.*

I, A B, (state trade or occupation) now residing at \_\_\_\_\_ in the Parish, City, or District of \_\_\_\_\_, do hereby give notice that it is my intention to apply at the next Annual Licensing Meeting to be holden for this District for a Publican's License for the Sale of Fermented and Spirituous Liquors in the House and appurtenances thereunto belonging, situated at \_\_\_\_\_ (here describe the house proposed to be licensed, specifying the situation of it, 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. [If previously licensed, add] That I now hold a Publican's License within the meaning of "The Licensing Act, 1863."

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

A B

## C.

## FORM OF HOUSEHOLDERS' CERTIFICATE TO BE APPENDED TO THE ABOVE.

We, the undersigned householders residing within the District of \_\_\_\_\_ do hereby certify that the above A. B. is a person of good fame and reputation,

day of one  
thousand eight hundred and

One  
Two  
Three  
Four  
Five.

FORM OF CERTIFICATE BY JUSTICES TO AUTHORISE THE  
GRANTING OF A LICENSE.

*Province of Auckland, }  
to Wit. }*

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.)

FORM OF TEMPORARY LICENSE TO SELL FERMENTED AND  
SPIRITUOUS LIQUORS AT PUBLIC FAIRS.

Province of Auckland, }  
to Wit. }

Now, we do hereby grant to the said A. B. authority to exercise the said License at the said Fair, (or other place of amusement) on the said day of between the hours of in the morning and in the evening. (If extension of time be applied for add) and do extend the time during which liquors may be legally supplied under such license until such hours in the evening. Provided always (here add any conditions which the Justices may see fit to attach to the granting of the permission applied for).

Given under our hands, on the  
day and year aforesaid.

C. D., *J. P.*  
E. F., *J. P.*

F.

## FORM OF TRANSFER OF LICENSE.

*Province of Auckland, }*  
*to Wit.*

BE IT REMEMBERED that we, the undersigned, being the majority of the Justices present at a Special Meeting of the Justices for the district of \_\_\_\_\_ held at \_\_\_\_\_ for the purpose of transferring Publicans' Licenses, do hereby upon the application of the within-named \_\_\_\_\_ transfer the rights and privileges of the within license (or license described in that writing, as the case may be) to G. H., for the period of \_\_\_\_\_ from this date, the said G. H. having first exhibited the certificate and entered into the recognizance required by law.

\_\_\_\_\_  
 C. D., J.P.  
 E. F. J.P.

G.

## FORM OF WRITING OR OF ENDORSEMENT ON LICENSE ON CHANGE OF HOUSE AND PREMISES.

## MEMORANDUM.

We do hereby declare that the within license (or license described in this writing as the case may be,) shall henceforth cease to apply to the House and Premises within described, and shall apply instead thereof, for the term of \_\_\_\_\_ days from this date, and no longer to the House and Premises occupied (or about to be occupied) by the said G. H. situate (described as in original License).

\_\_\_\_\_  
 C. D., J.P.  
 E. F., J.P.

H.

## FORM OF WRITING OR ENDORSEMENT ON LICENSE OF RE-TRANSFER OF BUSINESS TO ORIGINAL HOUSE.

## MEMORANDUM.

We do hereby declare that the within License (or License described in that writing, as the case may be,) shall henceforth [or, from the \_\_\_\_\_ day of \_\_\_\_\_] cease to apply to the House and Premises in the \_\_\_\_\_ Memorandum referred to, and shall apply instead thereof to the House and Premises about to be occupied by \_\_\_\_\_ (described as in original License).

I.

## FORM OF WRITING OR ENDORSEMENT ON LICENSE ON RE-TRANSFER OF BUSINESS TO ORIGINAL HOUSE.

## MEMORANDUM.

We do hereby declare that the within License [or License described in this writing, as the case may be] which had been transferred to the House and Premises in the \_\_\_\_\_ memorandum referred to, is hereby renewed, and shall henceforth apply to the House and Premises about to be occupied by \_\_\_\_\_ (described as in original License.)

K.

## FORM OF A WHOLESALE LICENSE.

*Province of Auckland, }*  
*to Wit.*

KNOW ALL MEN by these presents that A. B. of \_\_\_\_\_ (Merchant or as the case may be) is hereby Licensed pursuant to the "Licensing Act, 1863,"

to sell any quantity of Fermented and Spirituous Liquors provided the same be not sold in quantities less than two gallons of any one description of Liquor, and to be delivered at one time from the                      day of                      until the thirtieth day of June next, the said A. B. having this day paid the sum of                      pounds into the Provincial Treasury.

Dated this                      day of  
one thousand eight hundred and

C. D.,  
Provincial Treasurer.

## L.

### FORM OF CERTIFICATE BY JUSTICES TO AUTHORIZE THE GRANTING OF A BUSH LICENSE.

*Province of Auckland, {*  
*to Wit. }*

At a meeting of Her Majesty's Justices, acting in and for the District of                      , holden on the                      day of                      , in the year of our Lord one thousand eight hundred and                      pursuant to the "Licensing Act, 1863," for the purpose of considering applications made to us for Publican's Licenses pursuant to the said Act. We being the majority of the Justices assembled at the said meeting, do in virtue of the power vested in us, hereby authorize the Provincial Treasurer or other proper Officer, to deliver to A.B. of                      , the License in the said Act, called a Bush License for (here state the house, district, and the conditions imposed by the Justices if any) the year commencing from the first day of July next; and we 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.  
Given under our hand and seals  
the                      day of  
at the place aforesaid

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

## M.

### FORM OF A BUSH LICENSE.

*Province of Auckland, {*  
*to Wit. }*

Whereas A.B. of                      , hath deposited in this office a certificate from the Justices of the Peace assembled at a Meeting held under the Licensing Act, 1863, at                      on                      day of                      in the year of our Lord one thousand eight hundred and                      authorizing the issue to the said A.B. of the License in the said Act, called a Bush License for the House situated at                      in the district of                      in the said Province of Auckland, And whereas the said A.B. hath paid into my office the sum of                      pounds sterling as the duty on the License, Now I the Treasurer of the said Province (or other person appointed by the said Superintendent for the purpose of issuing Licenses under the said Act as the case may be) in pursuance of and by virtue of the powers vested in me by the said Act, do hereby license the said A.B. to keep a Common Inn, Ale House, 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) situated at                      , aforesaid, and the appurtenances thereto belonging, but not elsewhere, (here state the conditions, if any, expressed in the said Justices' certificate) and this License shall commence upon the first day of                      next, and continue in force till the thirtieth day of June then next ensuing, both days inclusive, provided it be not forfeited in the mean time according to the provisions of the said Act.

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

Registered P.Q.

N.O. (L.S.)  
Provincial Treasurer  
(or other person as the case may be.)



## N.

## 1.—DISTRICT OF MONGONUI.

The boundaries of this District shall be the boundaries of the Electoral District of Mongonui, as at present defined in the Schedule to the Auckland Representation Act, 1863, passed by the Superintendent and Provincial Council of the Province of Auckland.

## 2.—BAY OF ISLANDS DISTRICT.

The boundaries of this District shall be the boundaries of the Bay of Islands' Electoral District, as at present defined in the Schedule to the aforesaid Act.

## 3.—CITY AND NORTHERN DISTRICT.

The boundaries of this District shall be such as will include the following Electoral Districts, namely,—Marsden, the Northern Division, the City of Auckland East, the City of Auckland West, Parnell, and Newton, as at present defined in the Schedule to the aforesaid Act.

## 4.—SOUTHERN DIVISION.

The boundaries of this District shall be such as will include the following Electoral Districts, namely—Pensioner Settlements, Town of Onehunga, Franklin and Raglan as at present defined in the Schedule to the aforesaid Act.

## 5.—MARSDEN DISTRICT.

The boundaries of this District shall be the boundaries of the Marsden Electoral District, as at present defined in the Schedule to the aforesaid Act.

WM. POWDITCH,  
Speaker.

Passed the Provincial Council the eighteenth day  
of March, one thousand eight hundred and  
sixty-three.

G. MAURICE O'RORKE,  
Clerk of Council.

On this twenty-fourth day of March, in the year of our Lord  
one thousand eight hundred and sixty-three, I hereby assent to  
this Act on behalf of the Governor.

ROBERT GRAHAM,  
Superintendent.