

An ACT for licensing and regulating ordinary-keepers.

Lib. TBH.

Passed 16th of
May, 1780.

No. 1. fol. 220.

A Supplement 1791, ch. 58.

BE IT ENACTED, by the General Assembly of Maryland, That the justices of each county, in court sitting, (a) be, and are hereby empowered and authorised, at their next June and August courts on the eastern and western shores respectively, to grant licences to such person or persons as they shall think fit, being persons of good repute, to be ordinary-keepers, for keeping of ordinaries, in such and so many places within their several and respective counties, except within the city of Annapolis, for the ease and convenience of the inhabitants, travellers and strangers, as to them respectively shall seem meet, for every of which licences, except within the said city of Annapolis, there shall be paid the sum of six pounds for every year such person or persons shall keep ordinary as aforesaid.

Justices to
grant licences,
&c.

(a) By 1791, ch. 58, the chief justice, or an associate justice, of any county court, may grant licences (within the counties where they respectively reside,) for keeping ordinaries, to be in force till the end of the court next after, for which the person shall pay in proportion, and shall recognise.

II. AND BE IT ENACTED, That during the continuance of this act, all ordinary licences shall be renewed at every June and August courts, on the eastern and western shores respectively, on pain that any person, then omitting or neglecting to renew his licence, and continuing to sell liquor, as an ordinary-keeper, shall be liable to all the penalties mentioned in this act against persons keeping ordinary or selling liquors without licence; and it shall also be lawful for the justices to refuse granting such person licence for that year, and if they shall think fit to grant the same at any court thereafter, the said ordinary-keeper shall pay the full annual charge for such licence; provided that any person, not having before had a licence to keep ordinary, may, at any other court, other than the courts aforesaid, have licence granted, if the justices see fit, to continue no longer than the June and August courts following, on the eastern and western shores respectively, when it shall determine, and may be renewed; for taking which licence, the ordinary-keeper shall pay only in proportion to the time between his taking such licence and the court aforesaid.

To be renewed
annually, &c.

III. AND BE IT ENACTED, That the several sheriffs shall collect and receive all fines and forfeitures arising on the breach of any part of this act, and the clerk of each respective county shall keep a true and exact entry of all ordinary-keepers, to whom such licences are granted, and of all fines and forfeitures relating thereto, and on or before the first day of October yearly, shall return to the treasurers of the western or eastern shores respectively, where the said clerks shall officiate, a true list of all ordinary-keepers in their respective counties, licensed as aforesaid, and also of all fines and forfeitures, happening in that year, under this act.

Sheriffs to col-
lect fines, &c.

IV. AND BE IT ENACTED, That the justices of the several county courts shall, at their respective county courts in the months of June and August yearly, or oftener, as they shall think fit, set and assess, in current money, the rates and prices of all liquors, and other accommodations whatsoever, by ordinary-keepers to be vended, for the year ensuing; which rates and prices of all liquors and other accommodations, so to be set and assessed by the justices aforesaid, shall be by their several and respective clerks transcribed and set up, in some public place in their respective county court-house, that every person may peruse the same, a copy of which rates, every ordinary-keeper within each county is hereby obliged to keep and set up, in the most public and convenient place of his house, for the perusal of all persons whatsoever, under the penalty of six hundred pounds of tobacco; and every ordinary-keeper, who shall, directly or indirectly, demand or receive for any such liquors, or other accommodations, more than the rates and prices so assessed, shall, for every such demand or receipt, forfeit and pay three hundred pounds of tobacco; and in case any suit is brought by any ordinary-keeper, on any account wherein any liquors, or other accommodations, are charged higher than the rates aforesaid, such ordinary-keeper shall be nonsuit, and pay the defendant his full costs; and for every such account paid and satisfied to any ordinary-keeper, he shall, on complaint of the party injured, to a single magistrate or county court, be, in a summary way, ordered and compelled, by such magistrate or county court, to restore to the party injured the whole sum so before had and received on such account, with his cost on such complaint.

Justices to set
the price of li-
quors, &c.

V. AND BE IT ENACTED, That every ordinary-keeper, to be licensed as aforesaid, shall, within two months after obtaining such licence, be obliged to provide and maintain (if such ordinary be kept at the court-house in any county,) six good feather beds, more than sufficient for the private use of such ordinary.

Ordinary-keep-
ers to provide
beds, &c.