

XVI. AND BE IT ENACTED, That it shall not be lawful for the justices of any county court to grant a licence to any person to keep an ordinary, until such person enter into a recognizance to the state, in the sum of six thousand pounds of tobacco, with two sufficient sureties, conditioned, that if the person so obtaining such licence shall keep good rules and orders, and not suffer loose, idle, or disorderly persons, to tipple, game, or commit any disorders, or other irregularity, in such ordinary, and shall also well and truly observe, perform, fulfil and keep, the several matters and things in this act particularly specified, and in every respect conform himself thereto, then the said recognizance to be void, otherwise of force; for which said licences and recognizances, a copy of the rates of liquors and other accommodations, every ordinary-keeper shall pay, to the clerk of each respective county court, the sum of thirty-two pounds of tobacco, and no more.

C H A P.
XXIV.
Persons to enter into recognizance, &c.

XVII. AND BE IT ENACTED, That if any ordinary-keeper shall harbour, entertain, or sell any liquor to, any indented apprentice, or apprentice bound out by any county court of this state, or any bought, indented or convicted servant; or any slave belonging to or employed by any person or persons within this state, without leave or licence in writing first had and obtained from the respective master, mistress or owner of such apprentice, servant or slave, such ordinary-keeper shall, for every such offence, forfeit and pay one hundred and sixty pounds of tobacco to the master or mistress of such apprentice, servant or slave, to be recovered with costs, upon complaint of the said master or mistress, before a justice of the county where such ordinary-keeper lives.

Penalty for harbouring apprentices, &c.

XVIII. AND BE IT ENACTED, That an act of assembly, made at a session of assembly begun and held at the city of Annapolis the twenty-eighth day of October, one thousand seven hundred and twelve, entitled, (a) An act restraining victuallers, and keepers of public houses, from entertaining of sailors, to the prejudice of trade and commerce; and that an act of assembly, made at a session of assembly, held in the year one thousand seven hundred and sixty-eight, entitled, (b) An act for licensing ordinary-keepers, hawkers, pedlers and petty chapmen; and also an act to render the recovery of the penalty for selling liquor without licence more certain, passed at a session of assembly begun and held at the city of Annapolis on the sixteenth day of November, one thousand seven hundred and seventy-three, (c) be and are hereby repealed.

Acts repealed.

(a) Ch. 10. (b) Ch. 27. (c) Ch. 19.

XIX. AND BE IT ENACTED, That in all cases where no different mode of recovery or application is appointed by this act, all and every fine and forfeiture, imposed by this act, shall and may be recovered, in any court of record, by action of debt, bill of indictment, or information, with costs, by him, her or them, who will sue or prosecute to effect for the same; and that one half of all fines and forfeitures, to be incurred for any breach of this act, where the same is not otherwise given or applied, shall be to him, her or them, who will sue or prosecute to effect for the same, and the other half thereof shall be paid to the sheriff of the county in which the recovery shall happen.

How fines, &c. are to be recovered, &c.

XX. AND BE IT ENACTED, That the several sheriffs aforesaid shall be allowed at and after the rate of five per cent. on all monies by them respectively received in virtue of this act, and the said sheriffs shall, yearly and every year, on or before the first day of October, pay all the monies by them received in virtue of this act, except their commission aforesaid, into the hands of the treasurers of the respective shores where received, to be by the said treasurers from time to time accounted for to the general assembly.

Sheriffs allowance, &c.

XXI. AND, for the better discovery of offenders, BE IT ENACTED, That the clerk of the several county courts shall, at every such court, at the time of empannelling the grand jury, deliver to them a list of all persons in his county to whom licences shall have been granted, and shall be allowed in the public levy, for his trouble therein, at the discretion of the justices of his county; and it is hereby enacted and declared to be the duty of the grand jury, to present every person offending against the said act, and the constables shall be sworn up at every county court to the grand jury.

Clerk to deliver a list, &c.

XXII. This act to continue for and during the space of seven years, and to the end of the next session of assembly which shall happen after the expiration of the said seven years.

Duration.

Continued for seven years, &c. by November, 1787, ch. 38, which act, so far as it continues this, is repealed by 1791, ch. 83, but by 1784, ch. 7, section 5, the regulations, &c. in this act (except such parts as relate to the retailing of liquors by merchants or store-keepers or at horse-races,) are declared to be in full force for ever as to the granting licences on the eastern shore, and a similar provision is made as to the western shore by 1784, ch. 37, section 22, (except as to the city of Annapolis.)