

ordinary; and during the recess of the court, upon complaint made to any two justices of the peace, or upon their own observation of such misbehaviour, contrary to the directions of this act, it shall be lawful for them to suspend such ordinary keeper, until the next county court, who may hear and finally determine the matter, and either entirely suppress, or permit the continuance of such ordinary.

C H A P.
XXIV.

VIII. And be it enacted, That if any person, so suspended, shall presume, during such suspension, to keep ordinary, such person shall incur the same penalty and forfeiture, as persons keeping ordinary, without licence are subject to by this act.

Persons keep-
ing ordinary
after they are
suspended, to
be fined, &c.

IX. And be it enacted, That any keeper of an ordinary which shall be so suppressed, or other person, that shall presume to keep ordinary, without licence first obtained, as aforesaid, shall, for every month he or she shall so keep ordinary, forfeit and pay one thousand pounds of tobacco, and so proportionably for a longer or shorter time.

Penalty on
persons keep-
ing ordinary
without li-
cence, &c.

X. And be it enacted, That every licensed ordinary keeper shall sell only by sealed measures, except bottled cider, perry, quince drink, and strong beer, of the produce of this state, and such liquors as shall come into this state in bottles; and that any ordinary keeper, who shall neglect to keep a sealed quart, pint, half pint, and gill measure, and shall refuse or neglect to sell by the same, as aforesaid, shall forfeit and pay six hundred pounds of tobacco.

Ordinary
keepers to sell
only by sealed
measures, &c.

XI. And be it enacted, That from and after the first of July and September next, on the eastern and western shores respectively, any person whatsoever, not being licensed to keep ordinary, who shall presume to sell any rum, brandy, cider, or other spirituous liquors, mixed or unmixed, and suffer any part thereof to be drank in or about the house or plantation of such person, or who shall sell any spirituous liquors, as aforesaid, at or near the court-house of any county in this state, or at or near the place of any muster or training of the militia, or on board any vessel within this state, and suffer the same to be drank in such vessel, except to sailors, or persons belonging to, or employed to labour on board such vessel, such person, so offending, shall forfeit and pay six hundred pounds of tobacco for every such offence.

Persons not
to sell liquor
without li-
cence, &c.

XII. Provided always, That nothing in this act shall be construed to prohibit any merchant, or person keeping store, for the sale of merchandise, from retailing liquors, so as such liquors be not drank at the house, store, or place, where the same shall be sold.

Proviso.

XIII. Provided also, That nothing in this act contained, shall be construed to prohibit any person, or his agent, clerk, or other manager, to dispose of any strong or spirituous liquors to tradesmen, labourers, or others, hired or employed by such person, or his agent, clerk, or other manager.

Proviso.

XIV. And be it enacted, That it shall not be lawful for any person whatsoever, other than a licensed ordinary keeper, to sell or dispose of, at any horse race, any wine, rum, brandy, cider, or other strong liquors, or any mixture thereof, under pain of forfeiting, for every quantity

None but li-
censed ordi-
nary keepers
to sell at races,
&c.