

## No. XXIV.

## An Act to regulate the keeping of Billiard-tables and Bagatelle-boards. [20th December, 1881.]

BILLIARD  
AND BAGATELLE  
LICENSING.

**W**HEREAS it is expedient to regulate the keeping of Billiard-tables and Bagatelle-boards Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Preamble.

1. This Act may be cited for all purposes as the "Billiard and Bagatelle Licensing Act of 1882" It shall come into force on the first day of January in the year one thousand eight hundred and eighty-two on which day so much of the "Sale of Liquors Licensing Act of 1862" as relates to the games of billiards and bagatelle shall be repealed but without prejudice to any permission for the playing of billiards or bagatelle granted under the twenty-ninth section of the said Act and in force at the commencement of this Act.

Short title  
commencement  
and repeal.

2. On application in writing in the form or to the effect of the First Schedule hereto made to the Licensing Court or Licensing Magistrate constituted under the "Licensing Act of 1882" by any person not being the holder of a license for the sale of liquor desirous of keeping billiard-tables or bagatelle-boards in premises situated within the licensing jurisdiction of such Court or Magistrate it shall be lawful for such Court or Magistrate if satisfied that the applicant is a person of good character to grant him a certificate in the form of the Second Schedule hereto which shall entitle him upon payment to the Colonial Treasurer or authorized officer of the sum of the proper license fee to receive a license of the character authorized by such certificate And such license shall authorize the licensee therein named to keep for hire one or more tables or boards for playing the game of billiards or bagatelle according to the tenor of the license and to allow the same to be used between the hours of ten o'clock in the morning and twelve o'clock at night.

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licenses.

First Schedule.

Second Schedule.

3. The Licensing Court or Licensing Magistrate may grant to the holder of a publican's license upon a like application as aforesaid (except that the householders certificate set forth in the First Schedule need not be added to the application) a certificate in the form in the Second Schedule and upon payment of the like license fees as hereinbefore mentioned for the license authorized by such certificate All the provisions of this Act shall apply to billiard and bagatelle licenses issued to any such holder of a license for the sale of liquor except in respect to the hour of closing which shall be eleven o'clock.

The like when applied  
for by holders of  
licenses for sale of  
liquor.

4. All such billiard and bagatelle licenses shall be in the form of the Third Schedule hereto and be in force from the date thereof until the first day of January next following and shall be renewed annually The annual fee for each such license shall be ten pounds Provided that if any such license be granted after the first day of July in any year the fee for any such license shall be one-half only of the said sum.

Form of billiard and  
bagatelle licenses.

Third Schedule.

License fees.

5. The building or room wherein any billiard-table or bagatelle-board is kept for hire by any person holding a license under this Act authorizing him in that behalf shall be deemed to be "licensed premises" within the meaning and for the purposes of the twenty-first seventh-eighth and eighty-seventh sections of the "Licensing Act of 1882."

"Licensed Premises"  
hereunder to be such  
for certain purposes  
of the Licensing Act  
of 1882.

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Application of certain provisions of the Licensing Act of 1882 on decease or lunacy of licensee.

6. The provisions contained in the fifteenth and seventeenth sections of the said last-mentioned Act relating to the exercise of a deceased licensee's business by his representatives and for making provision for the exercise of a licensee's business on his becoming an insane patient within the meaning of the "Lunacy Act of 1878" shall respectively apply to licensees under this Act.

Licensee's name &c. to be affixed to premises &c.

7. Every licensee under this Act shall have and keep painted in letters at least two inches long on the front of his premises or in case he occupies a portion only of a building on the front or entrance door of every room in which such licensee keeps a billiard-table or bagatelle-board his name in full with the words "licensed to keep billiard-tables (or bagatelle-boards)" as the case may be. Every licensee who shall neglect to comply with the requirements of this section shall for the first offence be liable to a penalty not exceeding forty shillings and for any subsequent offence to a penalty not exceeding ten pounds nor less than forty shillings.

As to renewals transfers removals and cancellation of licenses.

8. Any billiard or bagatelle license granted under this Act may be renewed or transferred or removed from any place within a Licensing District to any other place within such district on application to a licensing magistrate of the district in which the license was granted. And the only objections which shall be taken to any renewal transfer or removal shall be in respect of the character of the applicant or proposed transferee or that the license has been allowed to expire or has been forfeited or cancelled. Subject to the provisions of this section the applicant for a renewal shall on production of his license be entitled to obtain a certificate authorizing such renewal subject to the payment to the Colonial Treasurer or authorized officer of the annual license fee payable under this Act. A license may be transferred or removed by endorsement under the hands of the licensing magistrate as in the case of publicans' licenses and the fee payable for any such endorsement shall be one pound. Any license granted under this Act shall be liable to cancellation in the same manner on complaint of the same persons by the same procedure and with the same results as if it were a publican's license in any case where the licensee shall have been twice convicted of unlawfully selling liquor or keeping a disorderly house or permitting persons of notoriously bad character to be upon the premises or permitting unlawful gaming in his premises or of any offence under this Act.

Penalties.

9. If any person not holding a license under this Act authorizing him in that behalf shall keep any billiard-table or bagatelle-board for hire or profit or if any person holding such a license or authority shall permit or allow any such table or board on his licensed premises to be used at any other time than during the hours permitted by this Act or upon any of the following days viz. Sunday Christmas Day and Good Friday or knowingly permit any person under the age of eighteen years to play on any such table or board such person shall be liable to a penalty for the first offence not exceeding ten pounds and not less than forty shillings and for every subsequent offence to a penalty not exceeding thirty nor less than ten pounds.

Procedure and incorporation of provisions of Licensing Act of 1882.

10. The provisions of the "Licensing Act of 1882" relating to the recovery of penalties appeals from convictions and orders the competency of witnesses limitation of actions and informations compensation for groundless charges the proof of being licensed and the appropriation of penalties and payment of fees and other moneys shall be applicable for all the purposes of this Act.

Disqualification

11. No unmarried woman (not being a widow) shall be capable of holding a billiard or bagatelle license under this Act.

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## SCHEDULES.

## FIRST SCHEDULE.

*Form of Application for a Billiard or Bagatelle License.*

To the Licensing Court\* of the Licensing District (or the Licensing Magistrate of such District.)

I A.B. now residing at \_\_\_\_\_ in the Licensing District of \_\_\_\_\_ in New South Wales do hereby give notice that it is my intention to apply to the Licensing Court to be holden on the \_\_\_\_\_ of \_\_\_\_\_ for (state the character of license applied for).

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_  
(Name and address of applicant.)

\* If application is made to a Licensing Magistrate alter the form accordingly.

*Form of Certificate to be attached to the above to be signed by six respectable householders resident in the Licensing District wherein the license is to be exercised on or the applicant resides.*

WE hereby certify that we are well acquainted with A.B. the above applicant and know him to be a respectable person and fit to hold a \_\_\_\_\_ license.

Name.	Address.
(1) C.D.	
(2) E.F.	
(3) G.H.	
(4) J.K.	
(5) L.M.	
(6) N.O.	

## SECOND SCHEDULE.

*Certificate to authorize the issue of a Billiard or Bagatelle License.*

I THE undersigned being the Chairman of the Licensing Court holden at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_ do hereby authorise the issue to \_\_\_\_\_ of a \_\_\_\_\_ license for [here state all particulars as to applicant and premises description of license and all other information necessary for the ascertainment of the proper fee to be paid.]

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

(L.S.) A.B. Chairman &c.

## THIRD SCHEDULE.

*Form of Billiard-table or Bagatelle License.*

WHEREAS the licensing Court holden at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and eighty \_\_\_\_\_ have [or the licensing Magistrate at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ has] by their [or his] certificate dated the said \_\_\_\_\_ day of \_\_\_\_\_ authorized the issue to \_\_\_\_\_ of \_\_\_\_\_ a billiard [or bagatelle] license for the house situate at \_\_\_\_\_ in the Colony of New South Wales And whereas the said A.B. hath paid the sum of \_\_\_\_\_ sterling as the fee on such license: Now I do hereby declare that the said \_\_\_\_\_ is licensed to keep set up and maintain billiard [or bagatelle] tables or boards in the said house but not elsewhere to be used only during lawful hours And this license shall commence upon the \_\_\_\_\_ day of \_\_\_\_\_ and continue in force until the \_\_\_\_\_ day of \_\_\_\_\_ then next ensuing both days inclusive provided it be not forfeited in the meantime.

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

Treasurer [or Officer authorized to issue Licenses].