

ANNO NONO

GEORGII IV. REGIS.

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CAP. LXI.

An Act to regulate the granting of Licences to Keepers of Inns, Alehouses, and Victualling Houses, in *England*. [15th *July* 1828.]

WHEREAS it is expedient to reduce into One Act the Laws relative to the licensing, by Justices of the Peace, of Persons keeping or being about to keep Inns, Alehouses, and Victualling Houses, to sell exciseable Liquors by Retail, to be drunk or consumed on the Premises, in that Part of the United Kingdom called *England;* be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every Division of every County and Riding, and of every Division of the County of *Lincoln*, and in every Hundred of every County, not being within any such Division, and in every Liberty, Division of every Liberty, County of a City, County of a Town, City, and Town Corporate, in that Part of the United Kingdom called *England*, there shall be annually holden a Special Session of the Justices of the Peace (to be called the General Annual Licensing Meeting), for the Purpose of granting Licences to Persons keeping or being about to keep Inns, Alehouses, and Victualling Houses, to sell exciseable

General Licensing Meetings to be held annually.

Liquors by Retail, to be drunk or consumed on the Premises therein specified; and that such Meetings shall be holden in the Counties of *Middlesex* and *Surrey* within the First Ten Days of the Month of *March*, and in every other County on some Day between the Twentieth Day of *August* and the Fourteenth Day of *September* inclusive; and that it shall be lawful for the Justices acting in and for such County or Place assembled at such Meeting, or at any Adjournment thereof, and not as herein-after disqualified from acting, to grant Licences, for the Purposes aforesaid, to such Persons as they the said Justices shall, in the Execution of the Powers herein contained, and in the Exercise of their Discretion, deem fit and proper.

Time of holding such Meetings.

Time and Place how to be appointed.

II. And be it further enacted, That in every such Division or Place as aforesaid there shall be holden, Twenty-one Days at the least before each such General Annual Licensing Meeting, a Petty Session of the Justices acting for such County or Place, the Majority of whom then present shall, by a Precept under their Hands, appoint the Day, Hour, and Place upon and in which such General Annual Licensing Meeting for such Division or Place shall be holden; and shall direct such Precept to the High Constable of the Division or Place for which such Meeting is to be holden, requiring him, within Five Days next ensuing that on which he shall have received such Precept, to order the several Petty Constables or other Peace Officers within his Constablewick to affix or cause to be affixed on the Door of the Church or Chapel, and where there shall be no Church or Chapel, on some other public and conspicuous Place within their respective Districts, a Notice of the Day, Hour, and Place at which such Meeting is appointed to be holden, and to give to or to leave at the Dwelling House of each and every Justice acting for such Division or Place, and of each and every Person keeping an Inn, or who shall have given Notice of his Intention to keep an Inn, and to apply for a Licence to sell exciseable Liquors by Retail, to be drunk or consumed on the Premises, within their respective Districts, a Copy of such Notice.

Notice of Meetings to be given.

Adjournment of Meetings.

III. And be it further enacted, That it shall be lawful for the Justices acting at the General Annual Licensing Meeting, and they are hereby required, to continue such Meeting by Adjournment, to such Day or Days, and to such Place or Places within the Division or Place for which such Meeting shall be holden, as such Justices may deem most convenient and sufficient for enabling Persons keeping Inns within such Division or Place to apply for such Licence: Provided nevertheless, that the adjourned Meeting to be holden next after such General Annual Licensing Meeting shall not be so holden in or upon any of the Five Days next ensuing that on which such General Annual Licensing Meeting shall have been holden as aforesaid; and that every Adjournment of the said General Annual Licensing Meeting shall be holden within the Month of *March* in the Counties of *Middlesex* and *Surrey*, and of *August* or *September* in every other County.

IV. And

Special Sessions for transferring Licences to be appointed.

IV. And be it further enacted, That the Justices assembled at the General or Quarter Session which shall be holden at *Michaelmas* next after the passing of this Act, and at the General Annual Licensing Meeting in every subsequent Year, shall appoint not less than Four nor more than Eight Special Sessions, to be holden in the Division or Place for which each such Meeting shall be holden, in the Year next ensuing such General Annual Licensing Meeting, at Periods as near as may be equally distant; at which Special Session it shall be lawful for the Justices then and there assembled, in the Cases and in the Manner and for the Time herein-after directed, to license such Persons intending to keep Inns theretofore kept by other Persons being about to remove from such Inns, as they the said Justices shall, in the Execution of the Powers herein contained, and in the Exercise of their Discretion, deem fit and proper Persons, under the Provisions herein-after enacted, to be licensed to sell exciseable Liquors by Retail, to be drunk or consumed on the Premises.

Notice to be given of the Adjournment of the General Annual Licensing Meeting and Special Sessions.

V. And be it further enacted, That whenever the Justices shall have ordered any such Adjournment of the General Annual Licensing Meeting, or shall have appointed such Special Sessions as aforesaid, the Day, Hour, and Place for holding every such adjourned Meeting, and every such Special Session, shall be appointed by Precept of the Majority of the said Justices, directed to the High Constable, requiring Notices, similar in Form to those given at the General Annual Licensing Meeting, to be affixed on the Door of the Church or Chapel, or on some other public and conspicuous Place, and to be served upon the same Parties.

What Justices shall be disqualified from acting.

VI. And be it further enacted, That no Justice who shall be a common Brewer, Distiller, Maker of Malt for Sale, or Retailer of Malt or of any exciseable Liquor, or who shall be concerned in Partnership with any common Brewer, Distiller, Maker of Malt for Sale, or Retailer of Malt or of any exciseable Liquor, shall act in or be present at any General Annual Licensing Meeting, or at any Adjournment thereof, or at any Special Session for granting or transferring Licences under this Act, or shall take part in the Discussion or Adjudication of the Justices upon any Application for a Licence, or upon any Appeal therefrom; and no Justice shall act, upon any of the aforesaid Occasions, in the Case of any House licensed or about to be licensed under this Act, of which such Justice shall be the Owner, or for the Owner of which he shall be Manager or Agent, or of any House being in whole or in part the Property of any common Brewer, Distiller, Maker of Malt for Sale, or Retailer of Malt or of any exciseable Liquor, to whom such Justice shall be, either by Blood or by Marriage, the Father, Son, or Brother, or of whom such Justice shall be the Partner in any other Trade or Calling; and that every Justice who, being hereby disqualified, shall knowingly or wilfully so offend shall for every such Offence forfeit and pay the Sum of One hundred Pounds: Provided always, that nothing herein contained shall extend to disqualify any Justice (not otherwise disqualified, and having no beneficial Interest in the House licensed or about

about to be licensed under this Act,) from acting on any of the Occasions aforesaid, by reason of the legal Estate in such House being vested in him as Trustee for any Person or Persons, or for any charitable or public Use or Purpose whatsoever.

When in Liberties, &c. Two Justices not disqualified do not attend, the County Justices may act.

VII. And be it further enacted, That whenever at any of the Meetings to be holden as aforesaid for any Liberty, County of a City, County of a Town, City, or Town Corporate, there shall not be present at least Two Justices acting in and for any such Liberty, County of a City, County of a Town, City, or Town Corporate, who are not disqualified, it shall be lawful for the Justices acting in and for the County or Counties adjoining to such Liberty, County of a City, County of a Town, City, or Town Corporate, and not disqualified from acting, to act within such Liberty or Place, and with the Justice or Justices thereof, not as herein-before disqualified, who shall be present at any such Meeting as aforesaid, for the Purpose of granting or transferring Licences under, or of hearing Complaints as to Offences against, this Act; any Law, Custom, or Usage to the contrary notwithstanding.

Powers hereby given to the Justices of the County not to extend to the Cinque Ports.

VIII. Provided always, and be it further enacted, That nothing herein contained shall extend to give the Justices of the County, or any Division thereof, any Power or Authority for the putting of the Provisions of this Act in execution within any of the Cinque Ports or either of the Two ancient Towns, or any of the Corporate or other Members or Liberties of the Cinque Ports or Two ancient Towns; but that it shall be lawful for the Justices of and for each of the principal Cinque Ports and Two ancient Towns, and not as herein-before disqualified from acting, and none other, to act within and for the same, and the Liberties thereof, not Corporate, respectively, as they have been accustomed, and for them or any of them (not so as last aforesaid disqualified,) to act within each of the Corporate Members immediately belonging or subordinate to such principal Cinque Port or ancient Town, with the Justice or Justices of each such Corporate Member, (not so as last aforesaid disqualified,) for the Purpose of granting or transferring Licences under, or of hearing Complaints as to Offences against, this Act, in all such Cases in which the Justices of the County are herein-before empowered or authorized to act with the Justice or Justices of any Liberty, County of a City, County of a Town, City, or Town Corporate.

Questions respecting Licences to be determined, and Licences to be signed, by the Majority of Justices at the Meeting.

IX. And be it further enacted, That when (at any of the Meetings aforesaid) any Question touching the granting, withholding, or transferring any Licence, or the Fitness of the Person applying for such Licence, or of the House intended to be kept by such Person, shall arise, such Question shall be determined by the Majority of Justices, not disqualified, who shall be present when such Question shall arise; and every Licence granted under the Authority of this Act shall be signed by the Majority of the Justices, not disqualified, who shall be present when such Licence shall be granted.

X. And

X. And be it further enacted, That every Person intending to apply for a Licence to sell exciseable Liquor by Retail, to be drunk or consumed in any House not theretofore kept as an Inn, shall affix or cause to be affixed a Notice on the Door of such House, and on the Door of the Church or Chapel of the Parish or Place in which such House shall be situate, and where there shall be no Church or Chapel, on some other public and conspicuous Place within such Parish or Place, on Three several *Sundays* between the First Day of *January* and the last Day of *February* in the Counties of *Middlesex* and *Surrey*, and elsewhere between the First Day of *June* and the last Day of *July*, at some Time between the Hours of Ten in the Forenoon and of Four in the Afternoon, and shall serve a Copy of such Notice upon one of the Overseers of the Poor, and upon one of the Constables or other Peace Officers of the said Parish or Place, within the Month of *February* in the Counties of *Middlesex* and *Surrey*, and elsewhere within the Month of *July*, prior to the General Annual Licensing Meeting; and every such Notice, and the Copies thereof, shall be written in a fair and legible Hand, or printed, and shall be according to the Form in the Schedule hereunto annexed, marked A., and shall be signed by the Party intending to make such Application, or by his Agent thereunto authorized, and shall set forth the Situation of the House in a true and particular Manner, and the Christian and Surname of the Party applying, together with the Place of his Residence, and his Trade or Calling, during the Six Months previous to the Time of serving such Notice, and his Intention to apply for a Licence to sell exciseable Liquor by Retail, to be drunk or consumed in such House or Premises.

Notice of Application for a Licence to keep a House as an Inn, not previously kept as such.

XI. And be it further enacted, That every Person holding a Licence under the Authority of this Act, or his Heirs, Executors, Administrators, or Assigns, being desirous to transfer such Licence to some other Person, and intending to apply at the Special Session then next ensuing for Permission so to do, shall, Five Days at the least prior to such Special Session, serve a Notice of such his Intention upon one of the Overseers of the Poor, and upon one of the Constables or other Peace Officers of the Parish or Place in which the House kept by the Person so holding such Licence is situate; and every such Notice shall be written in a fair and legible Hand, or printed, and shall be according to the Form in the Schedule hereunto annexed, marked B., and shall be signed by the Party intending to make such Application, or by his Agent thereunto authorized, and shall set forth the Christian and Surname of the Person to whom it is intended that such Licence shall be transferred, together with the Place of his Residence, and his Trade or Calling, during the Six Months previous to the Time of serving such Notice.

Notice of Application to transfer a Licence.

XII. And be it further enacted, That if any Person intending to apply at the General Annual Licensing Meeting, or at any Adjournment thereof, or at any Special Session, for any Licence to be granted under the Authority of this Act, or for the Transfer of any such Licence,

Any Person hindered from attending any Licensing Meeting by Sickness may

authorize another Person to attend for him,

Licence, shall be hindered by Sickness or Infirmity, or by any other reasonable Cause, from attending in Person at any such Meeting, it shall be lawful for the Justices there assembled to grant or transfer such Licence to such Person so hindered from attending, and to deliver the same to any Person then present, who shall be duly authorized by the Person so hindered from attending to receive the same, Proof being adduced to the Satisfaction of such Justices, who are hereby empowered to examine upon Oath into the Matter of such Allegation, that such Person is hindered from attending by good and sufficient Cause.

Form of Licence.

XIII. And be it further enacted, That every Licence which shall be granted under the Authority of this Act shall be according to the Form in the Schedule hereunto annexed (marked C.), and shall be in force in the Counties of *Middlesex* and *Surrey* from the Fifth Day of *April*, and elsewhere from the Tenth Day of *October*, after the granting thereof, for One whole Year thence respectively next ensuing, and no longer; and every Licence for the Purposes aforesaid, which shall be granted at any other Time or Place, or in any other Form than that hereby directed, except as herein-after excepted, shall not entitle any Person to obtain an Excise Licence for selling exciseable Liquors by Retail, to be drunk or consumed on the Premises of the Person licensed, and shall be utterly void to all Intents and Purposes.

Provision for Death, Change of Occupancy, or other Contingency.

XIV. And be it further enacted, That if any Person duly licensed under this Act shall (before the Expiration of such Licence) die, or shall be, by Sickness or other Infirmity, rendered incapable of keeping an Inn, or shall become bankrupt, or shall take the Benefit of any Act for the Relief of Insolvent Debtors; or if any Person so licensed, or the Heirs, Executors, Administrators, or Assigns of any Person so licensed, shall remove from or yield up the Possession of the House specified in such Licence; or if the Occupier of any such House, being about to quit the same, shall have wilfully omitted, or shall have neglected to apply, at the General Annual Licensing Meeting, or at any Adjournment thereof, for a Licence to continue to sell exciseable Liquors by Retail, to be drunk or consumed in such House; or if any House, being kept as an Inn by any Person duly licensed as aforesaid, shall be or be about to be pulled down or occupied under the Provisions of any Act for the Improvement of the Highways, or for any other public Purpose; or shall be, by Fire, Tempest, or other unforeseen and unavoidable Calamity, rendered unfit for the Reception of Travellers, and for the other legal Purposes of an Inn; it shall be lawful for the Justices assembled as aforesaid at a Special Session, holden under the Authority of this Act, for the Division or Place in which the House so kept or having been kept shall be situate, in any one of the above-mentioned Cases, and in such Cases only, to grant to the Heirs, Executors, or Administrators of the Person so dying, or to the Assigns of such Person becoming incapable of keeping an Inn, or to the Assignee or Assignees of such Bankrupt or Insolvent, or to any new Tenant or Occupier of any House having so become unoccupied, or to any Person to whom such Heirs, Executors,

cutors, Administrators, or Assigns shall by Sale or otherwise have *bonâ fide* conveyed or otherwise made over his or their Interest in the Occupation and Keeping of such House, a Licence to sell exciseable Liquors by Retail, to be drunk or consumed in such House, or the Premises thereunto belonging; or to grant to the Person whose House shall as aforesaid have been or shall be about to be pulled down or occupied for the Improvement of the Highways, or for any other public Purpose, or have become unfit for the Reception of Travellers, or for the other legal Purposes of an Inn, and who shall open and keep as an Inn some other fit and convenient House, a Licence to sell exciseable Liquors by Retail, to be drunk or consumed therein: Provided always, that every such Licence shall continue in force only from the Day on which it shall be granted until the Fifth Day of *April* or the Tenth Day of *October* then next ensuing, as the Case may be: Provided also, that every Person intending to apply, in any of the above-mentioned Cases, at any such Special Session for a Licence to sell exciseable Liquors by Retail, to be drunk or consumed in a House or Premises thereunto belonging, in which exciseable Liquors shall not have been sold by Retail, to be drunk or consumed on the Premises, by virtue of a Licence granted at the General Annual Licensing Meeting next before such Special Session, shall, on some one *Sunday* within the Six Weeks next before such Special Session, at some Time between the Hours of Ten in the Forenoon and of Four in the Afternoon, affix or cause to be affixed on the Door of such House, and on the Door of the Church or Chapel of the Parish or Place in which such House shall be situate, and where there shall be no Church or Chapel, on some other public and conspicuous Place within such Parish or Place, such and the like Notice as is herein-before directed to be affixed by every Person intending to apply at the General Annual Licensing Meeting for a Licence to sell exciseable Liquors by Retail, to be drunk or consumed in a House not theretofore kept as an Inn, and shall in like Manner serve Copies of the said Notice on one of the Overseers of the Poor, and on one of the Constables or other Peace Officers of such Parish or Place.

Duration of Licence granted in event of such Contingency.

Notices required.

XV. And be it further enacted, That it shall be lawful for the Clerk of the Justices, as well at the General Annual Licensing Meeting as also at any Special Session to be holden under this Act, to demand and receive from every Person to whom a Licence shall be granted under this Act, for the Trouble of such Clerk, and for all Expences connected therewith, the Sums following, and no more; *videlicet*, for the Petty Constable or other Peace Officer, for serving Notices, and for all other Services hereby required of such Petty Constable or other Peace Officer, the Sum of One Shilling; for the Clerk of the Justices, for the Licence, the Sum of Five Shillings; and for preparing the Precepts to be directed to the High Constable, and Notices to be delivered by the Petty Constable, as required by this Act, the Sum of One Shilling and Sixpence; and every such Clerk, who shall demand or receive from any Person for such respective Fees in this Behalf any greater Sum or any thing of greater Value than the Sums herein-before specified, being in the whole the

Fees to be paid for Licences.

Penalty for taking larger Fees.

Sum

Sum of Seven Shillings and Sixpence, shall for every such Offence, on Conviction before One Justice, forfeit and pay the Sum of Five Pounds.

Persons disqualified to hold Licences.

XVI. And be it further enacted, That no Sheriff's Officer, or Officer executing the legal Process of any Court of Justice in any County or Place, shall be capable of receiving or using any Licence under this Act; and that every Licence granted or transferred to any Person exercising any such Office shall be void to all Intents and Purposes.

No Excise Licence to be granted, except to a Person licensed under this Act.

XVII. And be it further enacted, That no Licence for the Sale of any exciseable Liquors by Retail, to be drunk or consumed on the Premises of the Person licensed, shall be granted by the Commissioners of Excise, or by any Officer of Excise, to any Person whatsoever, unless such Person shall have previously obtained from the Justices a Licence under this Act, and which said Licence of such Justices shall be retained by such Person after being produced to the Commissioners or Officers of Excise; and every Licence granted by the Commissioners of Excise, or by any Officer of Excise, contrary to this Provision, shall be null and void to all Intents and Purposes.

Penalty for selling exciseable Liquors by Retail without Licence.

XVIII. And be it further enacted, That every Person who shall sell, barter, exchange, or for valuable Consideration otherwise dispose of, any exciseable Liquor by Retail, to be drunk or consumed in his House or Premises, or shall permit or suffer any exciseable Liquor to be sold, bartered, exchanged, or otherwise disposed of for valuable Consideration, by Retail, to be drunk or consumed in his House or Premises, without being duly licensed so to do; and that every Person, being duly licensed, who shall sell, barter, exchange, or for valuable Consideration otherwise dispose of, or shall permit or suffer to be sold, bartered, exchanged, or otherwise disposed of for valuable Consideration, any exciseable Liquor by Retail, to be drunk or consumed in his House or Premises, not being the House or Premises specified in such Licence; shall respectively for every such Offence, on Conviction before One Justice, forfeit and pay any Sum not exceeding Twenty nor less than Five Pounds, together with the Costs of the Conviction: Provided always, that no Penalty for such Sale, Barter, Exchange, or other Disposal of any such Liquor by Retail without Licence, shall be incurred by the Heirs, Executors, Administrators, or Assigns of any Person licensed under this Act, who shall die, become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, before the Expiration of his Licence, so as such Sale, Barter, Exchange, or other Disposal of such Liquor, be made in the House or Premises specified in such Licence, and take place prior to the Special Session then next ensuing, unless such Special Session shall be holden within Fourteen Days next after the Death, Bankruptcy, or Insolvency of the said Person, and in any such Case to the Special Session which shall be holden next after such Special Session aforesaid.

Proviso in case of Death.

XIX. And

Licensed Persons to use Standard Measures in Sale of Liquors.

XIX. And be it further enacted, That every Person hereby licensed to sell exciseable Liquors by Retail, to be drunk or consumed in his House or Premises, shall, if required, sell or otherwise dispose of all such Liquors by Retail therein (except in Quantities less than a Half Pint,) by the Gallon, Quart, Pint, or Half Pint Measure, sized according to the Standard, and shall also, if required by any Guest or Customer purchasing such Liquor, retail the same in a Vessel sized according to such Standard; and in default thereof he shall for every such Offence forfeit the illegal Measure, and pay a Sum not exceeding Forty Shillings, together with the Costs of the Conviction, to be recovered within Thirty Days next after that on which such Offence was committed, before any One Justice; and such Penalty shall be over and above all Penalties to which the Offender may be liable under any other Act.

Houses to be closed by Order of Justices in Cases of Riot, &c.

XX. And be it further enacted, That it shall be lawful for any Two Justices acting for any County or Place where any Riot or Tumult shall happen or be expected to take place, to order or direct that every Person licensed under this Act, and keeping any House situate within their respective Jurisdictions in or near the Place where such Riot or Tumult shall happen or be expected to take place, shall close his House at any Time which the said Justices shall order or direct; and every such Person who shall keep open his House at or after any Hour at which such Justices shall have so ordered or directed such House to be closed, shall be taken and deemed to have not maintained good Order and Rule therein.

Penalties for Offences against Tenor of Licences.

XXI. And be it further enacted, That every Person licensed under this Act, who shall be convicted before Two Justices, acting in and for the Division or Place in which shall be situate the House kept or theretofore kept by such Person, of any Offence against the Tenor of the Licence to him granted, shall, unless Proof be adduced to the Satisfaction of such Justices, that such Person had been theretofore convicted before Two Justices within the Space of the Three Years next preceding of some Offence against the Tenor of the Licence subsisting at the Time when such last-mentioned Offence was committed, be adjudged by such Justices to be guilty of a First Offence against the Provisions of this Act relative to the Maintenance of good Order and Rule, and to forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of the Conviction; but if Proof shall be adduced to the Satisfaction of such Justices, that such Person had been previously convicted before Two Justices, within the Space of the Three Years next preceding, of One Offence only against the Tenor of the Licence subsisting at the Time when such last-mentioned Offence was committed, such Person shall be adjudged by such Justices to be guilty of a Second Offence against the Provisions of this Act as aforesaid, and to forfeit and pay any Sum not exceeding Ten Pounds, together with the Costs of the Conviction; but if Proof shall be adduced to the Satisfaction of such Justices, that such Person had been previously convicted before Two Justices, within the Space of the Three Years next preceding, of Two separate

1st Offence.

2d Offence.

Offences against the Tenor of the Licences subsisting at the Times when such last-mentioned Offences were committed, it shall be lawful for the said Justices, and they are hereby required, to adjourn the further Consideration of the Charge so made against such Person as aforesaid to the Special Session to be then next holden under this Act for the Division or Place in which shall be situate the House kept by such Person, or to the General Annual Licensing Meeting for the said Division or Place, if such Meeting shall take place before any such Special Session shall be holden; and such Justices shall issue their Summons to the Person so charged, to appear at such Special Session or at such General Annual Licensing Meeting, then and there to answer to the Matter of such Charge; and shall bind the Person who shall make such Charge, and any other Person who shall have any Knowledge of the Circumstances thereof, in a sufficient Recognizance, to appear at such Special Session or at such General Annual Licensing Meeting, then and there to prosecute and to give Evidence upon such Charge; and if Proof shall be adduced to the Satisfaction of the Justices assembled at such Special Session or at such General Annual Licensing Meeting, that such Person so charged is guilty of the Offence with which he is so charged, such Person shall be adjudged to be guilty of a Third Offence against the Provisions of this Act as aforesaid, and to forfeit and pay any Sum not exceeding Fifty Pounds, together with the Costs of the Conviction: Provided always, that if at any Time before the Hearing of any such last-mentioned Charge, the Justices assembled as aforesaid shall in their Discretion think fit to direct that the Hearing of such Charge shall be adjourned to the General or Quarter Session of the Peace then next ensuing, there to be inquired of by a Jury, or if the Person so charged shall, in Writing under his Hand, request the said Justices to direct that the Hearing of such Charge shall be so adjourned as aforesaid, the said Justices are hereby required to direct that the Hearing of such Charge shall be so adjourned, provided that the Person who shall have made such Request shall, before such Justices so assembled, forthwith enter into a Recognizance, with Two sufficient Sureties, personally to appear at the said General or Quarter Session, and to try such Charge, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and the said Justices are hereby required to bind in a Recognizance to appear at such General or Quarter Sessions as aforesaid, then and there to give Evidence against the Person so charged, the Person who shall make such Charge, and any other Person who shall have any Knowledge of the Circumstances thereof; and it shall be lawful for the said Court of General or Quarter Session to direct a Jury then and there duly impannelled to be sworn to inquire of the Offence so charged to have been committed, and upon their Verdict of "Guilty," to adjudge such Person to be guilty of a Third Offence against the Provisions of this Act as aforesaid, and such Verdict and Adjudication shall be final to all Intents and Purposes; and to punish such Offender by Fine, not exceeding the Sum of One hundred Pounds, or to adjudge the Licence granted to and held by or on behalf of such Offender to be forfeited and void, or to

3d Offence.

Hearing of the Case may be adjourned to the Quarter Session.

Penalty on Verdict of "Guilty."

punish such Offender by such Fine as aforesaid, and to adjudge such Licence to be forfeited and void, and if such Licence shall be adjudged to be forfeited and void, it shall thenceforth be void accordingly; and every Excise Licence for selling any exciseable Liquors by Retail, then held by or on behalf of such Offender, shall also be void; and if the Licence of such Offender shall be so adjudged to be void, such Offender shall, from and after such last-mentioned Adjudication, be deemed and taken to be incapable of selling exciseable Liquors by Retail in any Inn kept by him for the Space of Three Years, to be computed from the Time of such Adjudication; and any Licence granted to such Person during such Term shall be void to all Intents and Purposes: Provided also, that the Court may, upon sufficient Cause shown, adjourn the Hearing of such Charge to the then next General or Quarter Session of the Peace, when the same shall be finally determined.

Quarter Sessions may adjourn the Hearing.

XXII. And be it further enacted, That in every Case in which the Justices assembled at any Special Session or at any General Annual Licensing Meeting shall direct that the Charge against any Person licensed under this Act shall be adjourned to the General or Quarter Session, it shall be lawful for such Justices, if no other fit and proper Person shall appear to prosecute such Charge, and to carry on such Proceedings as may be necessary to obtain at such Session an Adjudication thereon, to order that the Constable or other Peace Officer of the Parish or Place in which shall be situate the House kept by the Person so charged, shall carry on all Proceedings necessary to obtain such Adjudication as aforesaid, and to bind such Constable or other Peace Officer in a sufficient Recognizance so to do; and it shall be lawful for the Justices before whom such Charge shall have been heard, to order the Treasurer of the County or Place in and for which such Justices shall then act, to pay to such Constable or other Peace Officer, and to the Witness or Witnesses on his Behalf, such Sum or Sums of Money as to the Court shall appear to be sufficient to reimburse such Constable or other Peace Officer, and such Witness or Witnesses respectively, the Expences that he or they shall have been severally put to in and about such Prosecution; which Order the Clerk of the Peace is hereby directed and required forthwith to make out and to deliver to such Constable or other Peace Officer, or to such Witness or Witnesses; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay to such Constable or other Peace Officer, or other Person authorized to receive the same, such Money as aforesaid; and the said Treasurer shall be allowed the same in his Accounts.

Proceedings at the Session in certain Cases to be carried on by the Petty Constable.

Expences of Prosecution to be charged on County Rates.

XXIII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice touching any of the Matters aforesaid, either on the Part of the Complainant or of the Person accused, and shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by such Justice, or who appearing

Penalty on Witnesses not attending.

appearing shall refuse to be examined on Oath or Affirmation and give Evidence, every such Person shall on Conviction before such Justice forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalties on Justices how to be recovered and applied.

XXIV. And be it further enacted, That every Penalty and Forfeiture imposed by this Act upon any Justice may be sued for and recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster;* and one Moiety of every such Penalty or Forfeiture shall be paid to the Use of His Majesty, His Heirs and Successors, and the other Moiety to him who shall sue for the same.

Other Penalties how to be recovered.

XXV. And be it further enacted, That in every Case in which, under the Authority of this Act, any Justice shall adjudge that any Offender shall pay or cause to be paid any Penalty, and such Offender shall refuse or neglect forthwith, or within such Period as such Justice shall appoint, to pay such Penalty and any Costs which shall have been duly assessed and ascertained by such Justice, it shall be lawful for such Justice, if he shall think fit, to issue his Warrant, and to levy the Amount of such Penalty and Costs by Distress and Sale of the Goods and Chattels of such Offender, together with the Costs of such Distress and Sale; and in every such Case such Offender, if *in Custody* at the Time that such Warrant shall be so issued, shall be forthwith discharged; but if it shall appear to such Justice that the Goods and Chattels of such Offender are not sufficient whereon to levy such Distress, together with the Costs of such Distress and Sale, it shall be lawful for such Justice to commit the Offender to the Common Gaol or to the House of Correction of the County or Place for which such Justice shall be then acting, for any Term not exceeding One Calendar Month, if the Penalty shall not be above Five Pounds; for any Term not exceeding Three Calendar Months, if the Penalty shall be above Five Pounds, and shall not be more than Ten Pounds; and for any Term not exceeding Six Calendar Months, if the Penalty shall be above Ten Pounds: Provided nevertheless, that whenever such Offender shall have been committed to the Common Gaol or House of Correction, in consequence of his not having duly paid such Penalty and Costs, such Offender shall, if he pay or cause to be paid to the Gaoler or Keeper of the House of Correction, or to whomsoever such Justice shall have appointed, the Penalty imposed, and Costs, together with all the Costs of the Apprehension of him, and of the Conveyance of him to the said Gaol or House of Correction, at any Time previous to the Expiration of the Time for which such Offender shall so have been committed, be forthwith discharged.

How Penalties are to be applied.

XXVI. And be it further enacted, That it shall be lawful for any Justice, before whom any Penalty shall be recovered under the Provisions of this Act, to award, if he shall think fit, any Portion of the same, not in any Case exceeding One Moiety thereof, to the Use of the Prosecutor, and the Remainder to the Treasurer of the County or Place for which such Justice shall then act; and the said Treasurer shall

shall place the same to the Credit of such County or Place, and shall duly account for the same.

Appeal may be made to the Quarter Sessions.

XXVII. And be it further enacted, That any Person who shall think himself aggrieved by any Act of any Justice, done in or concerning the Execution of this Act, may appeal against such Act to the next General or Quarter Sessions of the Peace holden for the County or Place wherein the Cause of such Complaint shall have arisen, unless such Session shall be holden within Twelve Days next after such Act shall have been done, and in that Case to the next subsequent Session holden as aforesaid, and not afterwards, provided that such Person shall give to such Justice Notice in Writing of his Intention to appeal, and of the Cause and Matter thereof, within Five Days next after such Act shall have been done, and Seven Days at the least before such Session, and shall within such Five Days enter into a Recognizance, with Two sufficient Sureties, before a Justice acting in and for such County or Place as aforesaid, conditioned to appear at the said Session, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Notice being given, and such Recognizance being entered into, the Justice before whom the same shall be entered into shall liberate such Person if in Custody for any Offence in reference to which the Act intended to be appealed against shall have been done; and the Court at such Session shall hear and determine the Matter of such Appeal, and shall make such Order therein, with or without Costs, as to the said Court shall seem meet; and in case the Act appealed against shall be the Refusal to grant or to transfer any Licence, and the Judgment under which such Act was done be reversed, it shall be lawful for the said Court to grant or to transfer such Licence, in the same Manner as if such Licence had been granted at the General Annual Licensing Meeting, or had been transferred at a Special Session; and the Judgment of the said Court shall be final and conclusive to all Intents and Purposes; and in case of the Dismissal of such Appeal, or of the Affirmance of the Judgment on which such Act was done, and which was appealed against, the said Court shall adjudge and order the said Judgment to be carried into Execution, and Costs awarded to be paid, and shall if necessary issue Process for enforcing such Order; provided that no Justice shall act in the Hearing or Determination of any Appeal to the General or Quarter Sessions as aforesaid from any Act done by him in or concerning the Execution of this Act: Provided also, that when any Cause of Complaint shall have arisen within any Liberty, County of a City, County of a Town, City, or Town Corporate, it shall be lawful for the Person who shall think himself so as aforesaid aggrieved to appeal against any such Act as aforesaid, if he shall think fit, to the Quarter Sessions of the County within or adjoining to which such Liberty or Place shall be situate, subject to all the Provisions herein-before contained.

Judgment of the Quarter Session to be final.

Justices to bind Parties to appear to

XXVIII. And be it further enacted, That when any Person shall have given Notice of his Intention to appeal as aforesaid, and shall have entered into Recognizance as herein-before directed, it shall be lawful

give Evidence at Quarter Session.

for the Justice before whom such Recognizance shall have been entered into to summon any Person whose Evidence shall appear to him to be material, and to require such Person to be bound in Recognizance to appear at the said General or Quarter Session, and to give Evidence in such Appeal; and in case any such Person as aforesaid shall neglect or refuse to obey such Summons, or shall refuse to enter into such Recognizance, it shall be lawful for such Justice as aforesaid to issue his Warrant to apprehend such Person so neglecting or refusing to obey such Summons, and to bring him before such Justice, and, if such Person shall continue to refuse to enter into such Recognizance, to commit him to the Common Gaol or House of Correction of the County or Place for which such Justice shall be then acting, there to remain until he shall enter into such Recognizance, or shall be otherwise discharged by due Course of Law.

Court to adjudge Costs in certain Cases.

XXIX. And be it further enacted, That in every Case where Notice of Appeal against the Judgment of any Justice in or concerning the Execution of this Act shall have been given, and such Appeal shall have been dismissed, or the Judgment so appealed against shall have been affirmed, or such Appeal shall have been abandoned, it shall be lawful for the Court to whom such Appeal shall have been made or intended to be made, and such Court is hereby required, to adjudge and order that the Party so having appealed, or given Notice of his Intention to appeal, shall pay to the Justice to whom such Notice shall have been given, or to whomsoever he shall appoint, such Sum, by way of Costs, as shall in the Opinion of such Court be sufficient to indemnify such Justice from all Cost and Charge whatsoever to which such Justice may have been put in consequence of his having had served upon him Notice of the Intention of such Party to appeal; and if such Party shall refuse or neglect forthwith to pay such Sum, it shall be lawful for the said Court to adjudge and order that the Party so refusing or neglecting shall be committed to the Common Gaol or House of Correction, there to remain until such Sum be paid; and that in every Case in which the Judgment so appealed against shall be reversed, it shall be lawful for such Court, if it shall think fit, to adjudge and order that the Treasurer of the County or Place in and for which such Justice whose Judgment shall have been so reversed shall have acted on the Occasion when he shall have given such Judgment, shall pay to such Justice, or to whomsoever he shall appoint, such Sum as shall, in the Opinion of such Court, be sufficient to indemnify such Justice from all Costs and Charges whatsoever to which such Justice may have been so put; and the said Treasurer is hereby authorized to pay the same, which shall be allowed to him in his Accounts.

Actions against Justices, &c.

XXX. And be it further enacted, That every Action against any Justice, Constable, or other Person, for or on account of any Matter or Thing whatsoever done or commanded by him in the Execution of his Duty or Office under this Act, shall be commenced within Three Calendar Months after the Cause of Action or Complaint shall have arisen, and not afterwards; and if any Person shall be sued for any Matter or Thing which he shall have done in the Exe-

cution

cution of this Act, he may plead the General Issue, and give the special Matter in Evidence.

Conviction to be on Oath of Witnesses.

XXXI. And be it further enacted, That every Conviction under this Act shall be on the Oath or Oaths of One or more credible Witness or Witnesses; and that any Justice, not as herein-before disqualified, and acting in and for the County or Place in which the Offence complained of shall have been committed, is hereby authorized to administer the same.

Form of Conviction.

XXXII. And in order to prevent frivolous and vexatious Appeals, be it further enacted, That a Conviction in the Form or to the Effect following, *mutatis mutandis*, as the Case may be, shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence, in any more particular Manner; that is to say,

' to wit. } BE it remembered, That on this Day of in the Year
' *A. B.* of was duly convicted before
' of His Majesty's Justices of the Peace for the
' of for that [*here state the Offence, and the Time and*
' *Place when committed*], whereby the said *A. B.* has forfeited the
' Sum of this being adjudged to be the First [*or*
' Second, *or* Third] Offence [*as the Case shall happen to be,*] against
' the Provisions of an Act to regulate the granting of Licences to
' Keepers of Inns, Alehouses, and Victualling Houses, in *England*,
' besides the Costs of this Conviction, which
' the said Justices do hereby assess at the Sum of
' pursuant to the Statute in such Case made and provided. Given
' under Hand and Seal the Day and Year above written.'

Convictions to be returned to the Quarter Sessions, and filed of Record.

XXXIII. And be it further enacted, That every Justice before whom any such Conviction shall have been made shall return the same, or cause it to be returned, to the next General or Quarter Session of the Peace holden for the County or Place wherein the Offence shall have been committed; and it shall be then and there delivered to the Clerk of the Peace, or other Person acting as such, to be by him filed or enrolled amongst the Records of the said Court; and the Certificate of the Clerk of the Peace of such Conviction, which he is hereby required to grant on Demand upon Payment of a Fee of One Shilling, shall be legal Evidence of every such Conviction.

Writ of Certiorari not to be allowed.

XXXIV. And be it further enacted, That no Conviction under this Act, nor any Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed, by Writ of Certiorari or otherwise, into any of His Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and that there be a good and valid Conviction to sustain the same.

XXXV. And

Commencement of this Act.

XXXV. And be it further enacted, That this Act shall commence on the Tenth Day of *October* next ensuing the passing thereof; and that from and after the Commencement of this Act, an Act passed in the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, intituled *An Act for Keepers of Alehouses and Tippling Houses to be bound by Recognizances*; and an Act passed in the First Year of the Reign of King *James* the First, intituled *An Act to restrain the inordinate haunting and tippling in Inns, Alehouses, and other Victualling Houses*; and Two Acts passed in the Fourth Year of the same Reign, the one intituled *An Act to restrain the Utterance of Beer and Ale to Alehouse Keepers and Tipplers not licensed*; and the other intituled *An Act for repressing the odious and loathsome Sin of Drunkenness*; and an Act passed in the Seventh Year of the same Reign, intituled *An Act for Reformation of Alehouse Keepers*; and so much of an Act passed in the Twenty-first Year of the same Reign, intituled *An Act for the better repressing of Drunkenness, and restraining the inordinate haunting of Inns, Alehouses, and other Victualling Houses*, as provides, that any Person being an Alehouse Keeper, and who shall be convicted of any Offence against the said Act, shall be disabled from keeping an Alehouse for Three Years; and an Act passed in the First Year of the Reign of King *Charles* the First, intituled *An Act for the further Restraint of tippling in Inns, Alehouses, and other Victualling Houses*; and an Act passed in the Third Year of the same Reign, intituled *An Act for better suppressing of unlicensed Alehouse Keepers*; and so much of an Act passed in the Ninth Year of the Reign of King *George* the Second, for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing the Retailers thereof, as relates to the licensing of such Retailers, and to the Conviction of Persons selling Liquors by Retail without a Licence, and to the summoning of Excise Officers, for the more easy Discovery of such Offenders; and so much of an Act passed in the Twenty-fourth Year of the same Reign, for granting an additional Duty upon Spirituous Liquors, and other Purposes, as relates to the Fees of Justices Clerks; and so much of an Act passed in the Twenty-sixth Year of the same Reign, for preventing the fraudulent Removal of Tobacco, and other Purposes, as prevents Justices of the Peace in certain Cases from granting Licences; and the Whole of another Act passed in the same Year, intituled *An Act for regulating the Manner of licensing Alehouses in the Part of* Great Britain *called* England, *and for the more easy convicting Persons selling Ale and other Liquors without Licence*; and so much of an Act passed in the Twenty-eighth Year of the same Reign, as explains a Clause in the last-mentioned Act; and so much of an Act passed in the Twenty-ninth Year of the same Reign, intituled *An Act for granting to His Majesty a Duty upon Licences for retailing Beer, Ale, and other exciseable Liquors, and for establishing a Method for granting such Licences in* Scotland, *and for allowing such Licences to be granted at a Petty Session in* England, *in a certain Case therein mentioned*, as relates to continuing and renewing Licences; and so much of an Act passed in the Thirtieth Year of the same Reign, for (among other Purposes) preventing Gaming in Public Houses by Journeymen, Labourers, Servants, and Apprentices, as imposes a Penalty on the

Repeal of 5 & 6 Ed. 6. c. 25.
1 Jac. 1. c. 9.
4 Jac. 1. c. 4 & 5.
7 Jac. 1. c. 10.
21 Jac. 1. c. 7.
1 Car. 1. c. 4.
3 Car. 1. c. 3.
9 G. 2. c. 23. s. 14, 15. 20.
24 G. 2. c. 40. s. 24.
26 G. 2. c. 13. s. 12.
26 G. 2. c. 31.
28 G. 2. c. 19. s. 2.
29 G. 2. c. 12. s. 23, 24.
30 G. 2. c. 24. s. 14.

the Keepers of Public Houses for suffering Gaming; and so much of an Act passed in the Fifth Year of the Reign of King *George* the Third, intituled *An Act for altering the Stamp Duties upon Admissions into Corporations or Companies, and for further securing and improving the Stamp Duties in* Great Britain, as requires Retailers of exciseable Liquors to exhibit their Licences, and Clerks of the Peace to deliver Lists of Persons licensed, and altering the Punishment of such Retailers selling without a Licence; and the Whole of an Act passed in the Thirty-second Year of the same Reign, intituled *An Act to amend so much of Two Acts made in the Twenty-sixth and Twenty-ninth Years of the Reign of His late Majesty King* George *the Second, as relates to the licensing of Alehouse Keepers and Victuallers, and for better regulating Alehouses and the Manner of granting such Licences in future, and also of granting Licences to Persons selling Wines to be drunk in their Houses;* and so much of an Act passed in the Thirty-eighth Year of the same Reign, intituled *An Act to amend several Laws of Excise relating to Coachmakers, Auctioneers, Beer and Cider exported, Certificates and Debentures, Stamps on Hides and Skins, Drawbacks on Wines and Sweets, and Ale and Beer Licences,* as exempts from the foregoing Penalty Persons selling Beer or Ale above certain Quantities; and the Whole of an Act passed in the Thirty-ninth Year of the same Reign, intituled *An Act for ascertaining the Rate of Duty to be paid for Retail Spirit Licences, and for authorizing the Justices of the Peace for any County to grant Licences to sell Ale, Beer, or other Liquors by Retail, in Cities and Places where a sufficient Number of Magistrates cannot be found qualified to grant such Licences;* and so much of an Act passed in the Forty-eighth Year of the same Reign, intituled *An Act to repeal the Stamp Duties on Licences granted by Justices of the Peace for selling Ale, Beer, and other exciseable Liquors by Retail, and for granting other Duties in lieu thereof,* as relates to the Form of Justices Licences, and to Justices Clerks Fees; and so much of an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act for altering the Time for holding General Annual Meetings for licensing Alehouses within the County of* Middlesex, *and for authorizing the Justices of the Peace for the said County to remunerate High Constables,* as alters the Time for holding such Meetings, and for giving Notices of applying for Licences for Houses not before licensed, shall be and the same are hereby repealed; except only such Parts of any of the said Acts as repeal any former Acts or Parts of Acts, and except also, that all Licences granted and Recognizances entered into under the said Acts hereby repealed, or any of them, or under an Act passed in the Third Year of His present Majesty's Reign, intituled *An Act for amending the Laws for regulating the Manner of licensing Alehouses in that Part of the United Kingdom called* England, *and for the more effectually preventing Disorders therein,* shall remain in full force and virtue until the End of the Terms for which such Licences and Recognizances respectively have been or shall be granted or entered into; and all Offences against the Tenor of the said Licences, or in Breach of the Conditions of such Recognizances, and all Offences committed against the said recited Acts, or any of them, before the Commencement of this Act,

5 G. 3. c. 46. s. 20, 21, 22.

32 G. 3. c. 59.

38 G. 3. c. 54. s. 13.

39 G. 3. c. 86.

48 G. 3. c. 143. s. 7. 10.

4 G. 4. c. cxxv. s. 1—6.

Except such Parts of Acts as repeal former Acts, and except as to subsisting Licences and Recognizances.

3 G. 4. c. 77.

shall and may be prosecuted, heard, determined, and punished, as if this Act had not been made; and all such Offences committed after the Commencement of this Act shall be prosecuted, heard, determined, and punished under the Provisions of this Act.

Act not to affect the Two Universities; nor to alter Time of licensing in London;

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or the Powers of the Chancellors or Vice Chancellors of the same, as by Law possessed under the respective Charters of the said Universities, or otherwise; or the Master, Wardens, Freemen, and Commonalty of the Vintners of the City of *London*, but not to extend to those Freemen of the said Company of Vintners who have obtained the same by Redemption only; nor to alter the Time of granting Licences for keeping Inns in the City of *London*: Provided also, that nothing in this Act contained shall alter any Law relating to the Revenue of Excise, except so far as the same is hereby expressly altered and otherwise provided for; nor to prohibit any Person from selling Beer in Booths or other Places at the Time and within the Limits of the Ground or Place in or upon which is holden any lawful Fair, in like Manner as such Person was authorized to do before the passing of this Act.

nor any Law of Excise; nor to prohibit the Sale of Beer at Fairs in certain Cases.

Rules for the Interpretation of this Act.

XXXVII. And in order to remove Doubts as to the Meaning of certain Words in this Act, be it enacted, That the Word "Justice" shall be deemed to mean Justice of the Peace; and that the Words "Treasurer of the County or Place" shall be deemed to include any Officer acting in such Capacity, or charged with the Receipt and Expenditure of Monies from and out of which the Cost of public Prosecutions have been usually defrayed; that the Words "Peace Officer" shall be deemed to include any Petty Constable, Tithingman, Headborough, Beadle, or Bailiff; that the Words "Parish Officer" shall be deemed to include any Churchwarden, Chapelwarden, or Overseer of the Poor; and that the said Words "Justice," "Treasurer of the County or Place," "Peace Officer," "Parish Officer," and the Words "High Constable," and the Words "Petty Constable," and the Words "Overseer of the Poor," and the Words, "Clerk of Justices," shall each be deemed to include any Person acting as such, and any Number of Justices, Treasurers, Peace Officers, Parish Officers, High Constables, Petty Constables, Overseers of the Poor, and Clerks of Justices; and that the Word "Person," and the Word "Party," shall be deemed to include any Number of Persons and Parties; and that the Meaning of the aforesaid several Words shall not be restricted, although the same may be subsequently referred to in the Singular Number and Masculine Gender only; and that the Word "Notice," and the Word "Licence," and the Word "Adjournment," and the Word "Day," and the Word "Time," and the Word "House," and the Word "Place," shall each be deemed to include any Number of Notices, Licences, Adjournments, Days, Times, Houses, or Places; and that the Word "County," and the Words "County or Place," shall be deemed severally to include any County, Riding, Division of the County of *Lincoln*, Hundred,

Hundred, Division of a County, Liberty, Division of a Liberty, County of a City, County of a Town, City, Cinque Port, or Town Corporate; and the Words "Division or Place" shall be deemed to include any Division of a County or Riding, Liberty, Division of a Liberty, County of a City, County of a Town, City, Cinque Port, or Town Corporate; and that the Words "Parish or Place" shall be deemed to include any Township, Hamlet, Tithing, Vill, Extra-parochial Place, or any Place maintaining its own Poor; and that the Word "Inn" shall be deemed to include any Inn, Alehouse, or Victualling House; and that the Word "Inn, Alehouse, or Victualling House" shall be deemed to include all Houses in which shall be sold by Retail any exciseable Liquor, to be drunk or consumed on the Premises; and that the Words "exciseable Liquor" shall be deemed to include any Ale, Beer, or other fermented Malt Liquor, Sweets, Cyder, Perry, Wine, or other Spirituous Liquor which now is or hereafter may be charged with Duty either by Customs or Excise; and that the Word "Penalty" shall be deemed to include any Fine, Penalty, or Forfeiture of a pecuniary Nature; and that the Meaning of the said several Words shall not be restricted, although the same may be subsequently referred to in the Singular Number only.

SCHE-

SCHEDULES to which this Act refers.

A.

NOTICE to be affixed on the Door of the House, and of the Church or Chapel, or on other conspicuous Place, when it is intended to apply for a Licence to sell exciseable Liquors by Retail, to be drunk or consumed in a House not then kept as an Inn, Alehouse, or Victualling House.

TO the Overseers of the Poor, and the Constables of the Parish of , and to all whom it may concern:

I *A. B.* [*state the Trade or Occupation,*] now residing at in the Parish of in the County of and for Six Months last past having resided at in the Parish of [*or* in the several Parishes of] in the County [*or* in the Counties of ,] do hereby give Notice, That [*if Application is intended to be made to a Special Session, here state the Cause for such Application*] it is my Intention to apply at the General Annual Licensing Meeting [*or* at the Special Session] to be holden at on the Day of next ensuing, for a Licence to sell exciseable Liquors by Retail, to be drunk or consumed in the House or Premises thereunto belonging, situate at [*here describe the House intended to be opened, specifying the Situation of it, the Person of whom rented, the present or late Occupier, whether kept or used as an Inn, Alehouse, or Victualling House within the Three Years preceding; and if so, by whom and under what Sign*]; and which I intend to keep as an Inn, Alehouse, or Victualling House.

Given under my Hand this Day of One thousand eight hundred and .

N. B.—A Copy of this Notice to be served upon one of the Overseers of the Poor, and upon one of the Constables or other Peace Officers of the Parish in which is situate the House intended to be opened.

B.

NOTICE of the Intention of a Licensed Victualler to apply at the Special Session for Permission to transfer such Licence to some other Person.

TO the Overseers of the Poor and the Constables of the Parish of in the County of , and to all whom it may concern:

I *A. B.* [*or* We, the Executors, &c. &c. of the late *A. B.*] Victualler, being authorized by virtue of the Licence granted to me [*or* him, *or* her] at the General Annual

Annual Licensing Meeting [*or* Special Session] held at on the Day of One thousand eight hundred and to sell exciseable Liquor by Retail, to be drunk or consumed in the House or Premises thereunto belonging, situate at [*here describe the Situation of the House*], and commonly known by the Sign of the , do hereby give Notice, That it is my [*or* our] Intention to apply at the Special Session to be holden at in the County of on Day of One thousand eight hundred and for Permission to transfer the above-mentioned Licence to *C. D.* [*state his Trade or Occupation*] now residing at in the Parish of in the County of and for Six Months last past having resided at [*or* in the several Parishes of] in the County of [*or* Counties of], that the said *C. D.* intending to keep as an Inn, Alehouse, or Victualling House, the said House so as aforesaid kept by me [*or* us] may sell exciseable Liquors by Retail, to be drunk or consumed in the said House, or Premises thereunto belonging.

Given under my Hand this Day of One thousand eight hundred and

N. B.—A Copy of this Notice to be served upon one of the Overseers of the Poor, and upon one of the Constables or other Peace Officers of the Parish in which is situate the House kept by the Person whose Notice it is.

C.

FORM OF LICENCE.

AT the General Annual Licensing Meeting [*or* an Adjournment of the General Annual Licensing Meeting, *or* at a Special Petty Session] of His Majesty's Justices of the Peace acting for the Division [*or* Liberty, &c., *as the Case may be*] of in the County of holden at on the Day of in the Year One thousand eight hundred and , for the Purpose of granting Licences to Persons keeping Inns, Alehouses, and Victualling Houses, to sell exciseable Liquors by Retail, to be drunk or consumed on their Premises, we, being of His Majesty's Justices of the Peace acting for the said County, [*or* Liberty, &c. &c. *as the Case may be*,] and being the Majority of those assembled at the said Session, do hereby authorize and empower *A. L.* now dwelling at in the Parish of and keeping [*or* intending to keep] an Inn, Alehouse, or Victualling House at the Sign of the in the of in the Division and County aforesaid, to sell by Retail therein, and in the Premises thereunto belonging, all such exciseable Liquors as the said *A. L.* shall be licensed and empowered to sell under the Authority and Permission of any Excise Licence, and to permit all such Liquors to be drunk or consumed in his said House or in the Premises thereunto belonging; provided that he [*or* she] do not fraudulently dilute or adulterate the same, or sell the same knowing them to have been fraudulently diluted or adulterated; and do not use in selling thereof any Weights or Measures that are not of the legal Standard; and do not wilfully or knowingly permit Drunkenness or other disorderly Conduct in his [*or* her] House or Premises; and do not knowingly suffer any unlawful Games or any Gaming whatsoever therein; and do not knowingly permit or suffer Persons of notoriously bad Character to assemble and meet together therein; and do not keep open his or her House except for the Reception of Travellers, nor permit

or suffer any Beer or other exciseable Liquor to be conveyed from or out of his [*or* her] Premises, during the usual Hours of the Morning and Afternoon Divine Service in the Church or Chapel of the Parish or Place in which his [*or* her] House is situated, on Sundays, Christmas Day, or Good Friday, but do maintain good Order and Rule therein; and this Licence shall continue in force from the Day of next until the Day of then next ensuing, and no longer: Provided, that the said *A. L.* shall not in the meantime become a Sheriff's Officer, or Officer executing the Process of any Court of Justice, in either of which Cases this Licence shall be void. Given under our Hands and Seals, on the Day and at the Place first above written.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.