

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

CAP. XXXVIII.

An Act to amend an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Excise Licences, and to the Sale of Wine, Spirits, Beer, and Cider by Retail, in* Ireland.

[28th *July* 1836.]

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in* Ireland: And whereas it is expedient to amend the said Act in certain Particulars, and to make other Regulations in respect of the Sale of Wine, Spirits, Beer, and Cider by Retail in *Ireland:* 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 from and after the Fifth Day of *July* in the Year One thousand eight hundred and thirty-six it shall and may be lawful to and for the proper Officers of Excise, and they are hereby directed, to require from all and every Person and Persons applying for such Licence, as in the said Act mentioned, to sell Beer, Cider, and Spirits by Retail, to be consumed in any House specified in said Licence, being the same House as shall have been licensed in the Year last immediately preceding,

3 & 4 W. 4. c. 68.

Proper Officers of Excise, before granting Licences to Persons licensed in the Year preceding, shall require a Certificate of good Cha-

racter from the Chief Constable of the Constabulary Force in the District, or Two Overseers, in addition to the Certificate required by the recited Act.

preceding, and whose Licence shall not have been withdrawn or annulled, in addition to the Certificate of Six Householders of the Parish in the said recited Act mentioned, a Certificate to the same Purport and Effect from the Chief Constable of the Constabulary Force acting in and for the District in which such House may be situate, or in lieu thereof a Certificate from Two of the Overseers appointed or to be appointed, as provided in and by the said recited Act or by this Act, for the Parish in which such House is situate; and in such Certificate the said Two Overseers shall state the Time of their Appointment, and that they acted as such Overseers at least for One Month in the Year immediately preceding the Date of such Certificate; and such Certificate shall be signed by the said Overseers without Fee or Reward.

Process Servers not to be licensed to retail Spirits.

II. And be it further enacted, That no Person appointed to serve Civil Bill Processes shall be capable, while he holds such Office, of receiving or holding a Licence to sell Beer, Cider, Wine, or Spirits by Retail.

Certain Persons not to retail Spirits to be consumed on the Premises.

III. And be it further enacted, That from and after the passing of this Act no Person in *Ireland* who shall be duly licensed under any Act or Acts for granting Excise Licences to deal in or sell Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, nor any Person deemed a Grocer within the Meaning of the Laws of the Excise in force in *Ireland* at or immediately before the passing of this Act, shall be entitled to take out any Licence to retail Spirits in the House or on the Premises of such Retailer, or in any House or on any Premises within One Quarter of a Mile of the House or Premises of such Retailer, other than a Licence to retail Spirits in Quantities not less at one Time than One Pint, and to be consumed elsewhere than in the House or on the Premises of such Retailer; and any Licence to retail Spirits in any other Manner granted after the passing of this Act to any such Grocer or Person so licensed as aforesaid shall be wholly null and void to all Intents and Purposes whatsoever.

Retailers Houses shall not be open for the Sale of Spirits between Nine at Night of Sunday, and Nine in the Morning of Monday.

IV. And be it further enacted, That from and after the passing of this Act no Person selling or licensed to sell Beer or Cider, Spirits or Wine by Retail, to be drunk or consumed on the Premises, shall have or keep his House or other Place of Sale (not being a Booth or Tent at any lawful or accustomed Fair, or at any public Races) open for the Sale of Spirits, Wine, or Beer, nor shall sell or retail Spirits, Wine, or Beer, nor shall suffer any Spirits, Wine, or Beer to be drunk or consumed in or at such House or other Place, at any Time between the Hours of Nine of the Clock in the Night of *Sunday* and Nine of the Clock in the Morning of *Monday;* and if any such Person shall keep his House or other Place of Sale open for selling or shall sell Spirits, Wine, or Beer, or suffer Spirits, Wine, or Beer to be sold, drunk, or consumed in or at such House or other Place, at any Time between the Hour of Nine of the Clock at Night on *Sunday* and the Hour of Nine of the Clock in the Morning of *Monday*, such Person shall forfeit the Sum of Two Pounds for any such Offence; and every separate Sale shall be deemed a separate Offence, and all Sales on any One Day shall be

deemed and considered and may be prosecuted as separate Offences: Provided always, that nothing herein contained shall extend to prohibit the Sale of Spirits, Wine, or Beer to a Traveller.

Exception as to Travellers

V. And be it further enacted, That no Person selling or licensed to sell Beer or Cider and Spirits or Wine by Retail, to be drank or consumed on the Premises, or otherwise, shall have or keep any Booth or Tent or other Place, not being a House duly licensed for the Sale of Spirits at any lawful or accustomed Fair or at any public Races, open for the Sale of Spirits, Wine, or Beer, nor shall sell or retail Spirits, Wine, or Beer, nor shall suffer any Spirits, Wine, or Beer to be sold, drunk, or consumed in or at such Booth or Tent or other Place, between the Hours of Six of the Clock in the Evening and Nine of the Clock in the Morning at any Time between the First Day of *April* and the First Day of the following Month of *October*, or between the Hours of Three of the Clock in the Afternoon and Nine of the Clock in the Morning at any Time between the First Day of *October* and the First Day of the following Month of *April*, nor at any Time whatsoever on any *Sunday*, *Good Friday*, *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving; and if any such Person shall keep such Booth or Tent or other Place open for selling or shall sell Spirits, Wine, or Beer, or shall suffer any Spirits, Wine, or Beer to be drunk or consumed in or at such Booth or Tent or other Place, at any Hour or Time at which the same are hereby respectively prohibited, such Person shall forfeit the Sum of Two Pounds for any such Offence; and every separate Sale shall be deemed a separate Offence; and all Sales on any One Day shall be deemed and considered and may be prosecuted as separate Offences; and this Prohibition shall be deemed and taken to extend to the Sale of Spirits, Wine, or Beer to a Traveller as well as to any other Person.

Booths and Tents at Fairs, &c. not to be open for the Sale of Spirits, Wine, or Beer at any Hour between Six in the Evening and Nine in the Morning in Summer, and Three in the Afternoon and Nine in the Morning in Winter.

VI. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Churchwarden or Overseer in the said recited Act or herein-after mentioned, or for any Constable authorized for the Purpose by any such Justice, within the Limits of his Jurisdiction, to enter into any House, Booth, Tent, or other Place kept by any Person selling or having a Licence to sell Spirits, Wine, or Beer by Retail, at any Time or Hour during which the Sale of Spirits, Wine, or Beer is by this Act prohibited therein, and to remove from and put out of such House, Booth, Tent, or other Place any Person who shall be found within such prohibited Hours in such House, Booth, Tent, or other Place (not being a Lodger or Inmate thereof), and who shall appear to be or to have recently been drinking, tippling, or gaming therein; and that if any such Person shall not, when thereto required by such Justice of the Peace, Chief or other Constable, Churchwarden or Overseer as aforesaid, remove from and quit such House, Booth, Tent, or other Place, or shall forcibly resist such Justice, Constable, Churchwarden, or Overseer, or shall be found drunk therein, it shall and may be lawful for any Constable, Churchwarden, or Overseer to apprehend and take into Custody any such Person so offending, and to carry and convey or cause to be carried and conveyed every and any

Justices and Constables may enter into any House, &c. in which Spirits or Beer is sold, and put out Persons tippling or gambling at prohibited Hours.

Persons not quitting, or resisting Justices, &c. may be apprehended

any such Person so apprehended before any Justice of the Peace within whose Jurisdiction such House, Booth, Tent, or other Place shall be situate, to be dealt with according to Law; and every such Person who shall so neglect or refuse to remove from or quit such House, Booth, Tent, or other Place, or shall so forcibly resist such Justice, Constable, Churchwarden, or Overseer, or be so found drunk in such House, Booth, Tent, or other Place, being duly convicted of such Offence, shall thereupon for every such Offence forfeit any Sum not exceeding Twenty Shillings nor less than Five Shillings; and if any Offender so convicted shall not forthwith pay the Sum so forfeited, such Offender shall be committed to the Common Gaol or any House of Correction or Bridewell of the County or Place for any Time not exceeding One Week.

If a Soldier offends, Justice to communicate the same to his Commanding Officer.

VII. And be it enacted, That if any Offender convicted in manner aforesaid shall be a Soldier on full Pay, and attached to any Regiment in His Majesty's Service stationed or being within the Jurisdiction of such Justice, a Communication of such Conviction shall be forthwith made by said Justice to the Commanding Officer of such Regiment, and the Offender so convicted shall be detained until delivered over to the Commanding Officer or his Order, to be amenable to Military Discipline.

Retailers shall not permit illegal Assemblies in their Houses, or hang out Flags or Emblems therefrom.

VIII. And be it further enacted, That no Person licensed to sell Spirits by Retail to be consumed on the Premises or otherwise shall knowingly permit any Body, Union, Society, or Assembly of Persons declared to be illegal or prohibited by any Law in force at the Time of the passing of this Act, or any Body, Union, Society, or Assembly of Persons who shall require from Persons about to be admitted or being admitted thereto, or into the said Body, Union, Society, or Assembly, any Oath, Test, solemn Declaration or Affirmation not expressly allowed and required by Law, or who shall observe on the Admission of Members or on any other Proceeding any religious or other solemn Mystery, Rite, or Ceremony, or seeming or pretended religious or other solemn Mystery, Rite, or Ceremony not sanctioned by Law, or who shall wear, bear, or display on Occasions of their meeting or assembling together any Arms, Flags, Colours, Symbols, Decorations, or Emblems whatsoever, to meet or assemble or hold a Meeting or Assembly on any Occasion or Pretence whatsoever in the House or other Place of Sale of such Person so licensed, nor shall on any Occasion or Pretence whatsoever hang out or display, or suffer to be hung out or displayed, on, from, or out of such House or other Place of Sale any Sign, Flag, Symbol, Colour, Decoration, or Emblem whatsoever, except the known and usual and accustomed Sign of such House or other Place of Sale usually fixed thereto in the Way of Business; and if any such Person shall knowingly permit any such Body, Union, Society, or Assembly to meet or assemble or hold any Meeting or Assembly on any Occasion or Pretence whatsoever in the House or Place of such Person, or shall hang out or display, or suffer to be hung out or displayed, on, from, or out of such House or Place of Sale any such Sign, Flag, Symbol, Colour, Decoration, or Emblem whatsoever, except as aforesaid, any such Person so offending shall forfeit and pay for every such Offence the Sum

Sum of Two Pounds, and the Licence of such Person convicted of such Offence shall not be renewed by the proper Officer of Excise without the Certificate of the Justices at Quarter Sessions assembled, and of the Assistant Barrister attending said Quarter Sessions, that they consider such Person to be, notwithstanding such Conviction, a fit Person to be licensed, on condition of his not again committing a like Offence; and if any such Person so convicted and obtaining a Renewal of his Licence on said Certificate shall be again convicted of a like Offence, such Licence shall immediately on such Second Conviction become null and void to all Intents and Purposes whatsoever, and such Person shall not be capable at any Time thereafter of obtaining such Licence: Provided however, that nothing herein contained shall extend to any Meeting of Persons consisting exclusively of Freemasons or Members of the Society called the Friendly Brothers.

Justices and Constables may enter any House in which Spirits or Beer is sold, and put out Persons found or assembled, and remove Banners, &c.

IX. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Constable authorized for the Purpose by any such Justice or Chief Constable, within the Limits of his Jurisdiction, to enter into any House or Place kept by any Person selling or having a Licence to sell Spirits, Wine, or Beer by Retail to be consumed on the Premises or otherwise, in which such Justice or Chief Constable shall, from Information on Oath or otherwise, have Reason to believe or suspect that any such Body, Union, Society, or Assembly is met or held, or on or from which any such Sign, Flag, Symbol, Colour, Decoration, or Emblem shall be hung out or displayed, and to remove from and put out of such House or Place any Person who shall be found, met, or assembled therein with or as Members of or belonging to any such Body, Union, Society, or Assembly, and to remove and take away and destroy, if he shall think proper, any Arms, Banners, Flags, Colours, Symbols, Emblems, or Decorations found on or with such Persons, or hanging out or displayed on or from such House or other Place, and to require every such Person so found to state truly to him his Name and Place of Abode, and to require the immediate Inspection of and take possession of any Book of Proceedings or other Book used at such Meeting or brought thereto, and to detain such Book for such Time as he may think proper, not exceeding Fourteen Days; and that if any such Person shall not, when thereto required by such Justice of the Peace, Chief or other Constable as aforesaid, remove from and quit such House, or if any Person whatsoever shall forcibly resist such Justice or Constable, it shall and may be lawful for any Constable to apprehend and take into Custody any Person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such Person so apprehended before any Justice of the Peace within whose Jurisdiction such House or Place shall be situate, to be dealt with according to Law; and every such Person who shall so neglect or refuse to remove from or quit such House, or shall so forcibly resist such Justice, Constable, Churchwarden, or Overseer, or who shall refuse to state his Name and Place of Abode, or shall not truly state the same, being duly convicted of such Offence, shall thereupon for every such Offence forfeit any Sum not exceeding Twenty Shillings

Persons not quitting or resisting Justices, &c. may be apprehended.

nor less than Five Shillings; and if any Offender so convicted shall not forthwith pay the Sum so forfeited, such Offender shall be committed to the Gaol, Bridewell, or House of Correction for any Time not exceeding One Week.

Penalty on Persons selling Beer and opposing the entering of Justices.

X. And be it further enacted, That if any Person selling or licensed to sell Spirits, Wine, or Beer by Retail, or any Person aiding or assisting such Retailer, shall prevent or endeavour to prevent by Threats or Violence, or otherwise, any such Justice or Chief or other Constable, Churchwarden, or Overseer in that Behalf authorized under this Act or the said Act of the Third and Fourth Years of the Reign of His present Majesty from entering any House or Place or from making any Search therein authorized by this Act, or shall assault or otherwise resist any such Justice or Chief or other Constable, Churchwarden, or Overseer as aforesaid, every such Person so offending shall forfeit and lose a Sum not exceeding the Sum of Ten Pounds: Provided always, that nothing herein contained shall exempt any such Person so offending or any other Person resisting said Justice, Chief or other Constable, Churchwarden, or Overseer, on any Occasion in the Exercise of any Power given by this Act, from any other Punishment or Penalty, by Information, Indictment, or otherwise, to which he or she may be liable by Law for any such Offence, or be construed in any Way to affect or repeal any Law or Laws providing any Punishment for such Offence.

Penalty on refusing to admit Justices.

XI. And be it further enacted, That if any Person selling or licensed to sell Spirits, Wine, or Beer by Retail shall, on Demand made of Entrance, delay to admit any Justice or Chief or other Constable, Churchwarden, or Overseer as aforesaid, into any House or Place of such Person, for the Purpose of making such Search as aforesaid, or for any other Purpose for which by this Act or any other Law in force in *Ireland* such Justice, Chief or other Constable, Churchwarden, or Overseer is or may be entitled to Admittance into such House or Place, such Person so offending shall forfeit and lose a Sum not exceeding the Sum of Two Pounds, unless Proof shall be made, to the Satisfaction of Two Justices who may hear the Complaint, that there was reasonable Cause for giving such Delay.

Penalty if Persons are found tippling or gaming at prohibited Hours, and on Persons found drunk.

XII. And be it further enacted, That every Person selling or licensed to sell Spirits, Wine, or Beer by Retail, in whose House or Place any Person shall be found to be or to have been recently drinking, tippling, or gaming at any Hour or Time at which the Sale of Spirits or Beer is prohibited by this Act, shall, upon Conviction thereof, forfeit and pay the Sum of Ten Shillings; and any Person found drunk at any Hour of the Day or Night in any Street, Square, Lane, Road, Way, or other public Thoroughfare or Place, shall, upon Conviction thereof, forfeit and pay any Sum not exceeding Five Shillings, and in default of Payment thereof shall and may be committed to the Common Goal of the County or Place, or to any neighbouring House of Correction or Bridewell, for any Time not less than Twelve nor more than Forty-eight Hours; and every Person

Person so found drunk in any Street, Square, Lane, Road, Way, or other public Thoroughfare or Place, shall and lawfully may be apprehended by any Justice, Constable, Peace Officer, Churchwarden, or Overseer as aforesaid, and forthwith carried and conveyed before any Justice of the Peace within whose Jurisdiction he shall be so found, to be dealt with according to Law.

Number of Overseers under 3 & 4 W. 4. c. 68. increased.

XIII. And be it further enacted, That instead of appointing such Number of Persons, not exceeding Five, to be Overseers of Persons and Houses, as in the said recited Act of the Third and Fourth Years of the Reign of His present Majesty is provided, it shall and may be lawful for any Parishioners of the several Parishes in *Ireland* in Vestry assembled, and they are hereby required, once in every Year, or oftener if necessary, to appoint such Number of Persons, not exceeding Twenty nor less than Ten, as to them shall seem meet, to be Overseers of Persons and Houses in which Spirits or Beer shall be sold by Retail within every such Parish respectively; and every Overseer so appointed shall have as full and ample Power and Authority for carrying the Provisions of this Act and the said recited Act into execution as any Constable or other Peace Officer hath or may have by virtue of this or the said recited Act, or as any Overseer appointed under the said recited Act; and every such Overseer shall, for the Purposes of this Act and of the said recited Act, be and be deemed and taken to be a Constable or Peace Officer; and the said Overseers, when so appointed, shall forthwith meet and make such proper Arrangements together as to them shall seem necessary for the Performance of their Duties under this Act and the said recited Act, and for the due Inspection and visiting the several Houses within their Jurisdiction as such Overseers; and the said Arrangements shall be so made that at least Two of the said Overseers shall be appointed to and perform the said Duty for each Month; and every Person who shall be appointed such Overseer who shall neglect or refuse (not being prevented by Sickness or other unavoidable Accident) to act as such Overseer shall forfeit and pay the Sum of One Pound.

Overseers to be Constables.

Penalty on their not acting.

Two Justices at Petty Sessions may appoint Overseers if the Parishioners do not.

XIV. And be it further enacted, That if the Parishioners of any Parish in *Ireland* shall not appoint such Overseers on or before the First Day of *August* in any Year, or within One Week after the Termination of the Office of any Overseer already appointed or to be appointed under this Act or the said recited Act, it shall and may be lawful to and for any Two Justices of the County, County of a City, County of a Town, or Town and Liberties in which such Parish shall be situated, assembled at any Petty Sessions or Divisional or other Office of Police for the District in which such Parish shall be situate, to appoint such Number of Overseers as aforesaid to act as such Overseers for One Year; and the Persons so appointed shall have all the Powers of any Overseer or Overseers appointed under this or the said recited Act, and shall perform the like Duties and be liable to the like Penalty for Nonperformance thereof as is hereinbefore provided in respect of the Overseers to be appointed by the Parishioners as aforesaid.

XV. And

Informations to be exhibited within Twelve Months.

XV. And be it further enacted, That every Information for any Penalty incurred under this or the said recited Act shall and may be exhibited within Two Calendar Months next after the Offence alleged in said Information shall have been committed, any thing in the said recited Act to the contrary thereof notwithstanding.

Licences may be annulled when licensed Persons shall have offended Three Times.

XVI. And be it enacted, That so much of the said recited Act as provides, that if any Person licensed to sell Beer, Cider, or Spirits by Retail shall during the Continuance of such Licence be duly convicted of any Three several Offences under the Provisions of said Act, or any of them, which Three Offences shall have been committed within the Space of Two Months, it should and might be lawful for Two Justices of the Peace within whose Jurisdiction such Person should have been licensed to annul the Licence of such Person, shall be and the same is hereby repealed; and that from and after the passing of this Act if any Person licensed to sell Beer, Cider, or Spirits by Retail shall during the Continuance of such Licence be duly convicted of Three several Offences under the Provisions of said recited Act or of this Act, or of both, which Three Offences shall have been committed within the Space of Six Months, it shall be lawful for Two Justices of the Peace within whose Jurisdiction such Person shall be licensed, assembled at any Quarter Sessions or Adjournment thereof, by Order made in open Court, after Notice served Six Days before on the Person so licensed of the Intention to apply for such Order, to annul the Licence held by such Person; and if any Person whose Licence shall be so annulled shall at any Time after the making of such Order sell any Beer, Cider, or Spirits without having obtained a new Licence, he shall be subject to all the Penalties to which any Person is or may be subject for selling Beer, Cider, or Spirits without having obtained a Licence for that Purpose.

Justices to grant Warrant for the Seizure of Spirits sold in Places not being licensed.

XVII. And be it further enacted, That it shall and may be lawful for any Two or more Justices of the Peace in Petit Sessions assembled, upon being satisfied by the personal Examination on Oath of a credible Witness that there is reasonable Ground for suspecting that Spirits are sold in any House within the County not licensed for the Sale thereof, to grant a Warrant under their Hands and Seals authorizing any Justice of the Peace for said County, with his Assistants, to enter such House at all Times in the Day between Sunrise and Sunset to search for Spirits, and if any such shall be found without a Permit or other legal Authority justifying the keeping thereof to seize and deliver the same to the next Excise Officer of the District; and such Warrant shall continue in force for Seven Days from the Day of the Date thereof, and shall be a sufficient Authority to the Justice of the Peace therein named and his Assistants, in his Presence, to enter into such House and seize all Spirits there illegally being, and to carry away and deliver same to the next Revenue Officer to be dealt with according to Law.

Penalty on Persons allowing Beer to be con-

XVIII. And be it enacted, That if any Person not licensed to sell Beer, Cider, or Spirits to be consumed on the Premises shall after the passing of this Act permit or suffer any Beer, Cider, or Spirits to

be consumed on any Premises occupied by him or in which his Trade or Business is carried on, he shall for every such Offence forfeit a Sum not exceeding Two Pounds; and such Sum shall and may be recovered in like Manner in all respects as any other Penalty under said recited Act or this Act. sumed on unlicensed Premises.

XIX. And be it enacted, That if any Person not being duly licensed to sell Beer, Cider, or Spirits shall at any Time after the passing of this Act sell any Beer, Cider, or Spirits, he shall for every such Offence, in addition to any other Penalty to which he is liable, forfeit a Sum not exceeding Two Pounds, and such Sum shall and may be recovered as any other Penalty under the said recited Act or this Act, and in every Proceeding to recover such Penalty it shall be sufficient to prove the Sale of such Beer, Cider, or Spirits, and the Person charged shall be thereupon convicted unless he shall prove that at the Time of such Sale he was duly licensed to sell the Beer, Cider, or Spirits so sold. Penalty on unlicensed Persons selling Beer.

XX. And be it enacted, That in any Proceeding to recover a Penalty against any Person charged as being licensed to sell Beer, Cider, or Spirits it shall not be necessary to call for or require the Production of the Licence, and the Notice by said Act directed to be served on the Clerk of the Peace, or Evidence of his having been at the Time at which the Offence charged against him was committed acting as the Owner of a licensed House, shall be sufficient Evidence of the Fact of his being licensed, unless he shall prove that he was not duly licensed, and if he shall on the hearing of any such Complaint prove that he was not duly licensed at the Time at which the Sale complained of was made, it shall be lawful for the Justices before whom such Proof may be made to convict him of having made such Sale without being duly licensed. Production of Licence not necessary on Proceedings.

XXI. And be it enacted, That in every Proceeding under this or the said recited Act the Person who may inform or who shall sue for the Penalty shall be a competent Witness to prove any Fact, notwithstanding any Provision by which he may become entitled to receive any Portion of the Penalty sought to be recovered. Persons competent as Witnesses though entitled to Part of Penalty.

XXII. And be it enacted, That in every Case in which any Proceeding shall be taken to recover any Penalty under the said recited Act or under this Act, or under both, or for any other Purpose, the Delivery or Service of a Copy of any Notice or Summons to the Person charged with the Offence at any Place, or to his Wife, Servant, Clerk, Manager, or Child, such Child being of the Age of Sixteen Years or upwards, at or upon the Premises used or occupied by any such Person for carrying on his or her Trade or Business, or on the Premises on which any such Offence shall have been or shall be charged to have been committed, shall be deemed and taken to be a sufficient Service and Delivery of such Summons or Notice to the Person or Persons to whom the same may be directed. Service of Summons.

Recited Act 3 & 4 W. 4. c. 68. to be in force save as altered by this Act.

XXIII. And be it further enacted, That, except so far as is herein otherwise provided, all Penalties and Forfeitures imposed by this Act shall be sued for, levied, recovered, mitigated, and distributed by such Ways, Means, and Methods, and in such Manner, as by the said recited Act of the Third and Fourth Years of the Reign of His present Majesty is directed, provided, and enacted; and that in every respect, save where it is expressly repealed or altered by this Act, the said recited Act, and every Clause, Matter, and Thing therein contained, shall be and remain in full Force, and shall apply to the several Penalties and Forfeitures imposed by this Act, and to the several Offences hereby created, as if the same were herein re-enacted.

General Form of Conviction.

XXIV. And be it further enacted, That every Conviction to be had under this Act or the said recited Act shall and lawfully may be drawn up in the Form following, or in any other Form of Words to the same Effect; (that is to say,)

'
' to wit. } BE it remembered, That on the
' Day of in the Year of our Lord
' *A. B.* is convicted before
' us, Two of His Majesty's Justices of the Peace of the said County,
' [*or* City *or* Town, *as the Case may be,*] on the Oaths of *C. D.*,
' *&c.* [*as the Case may be*], in the Sum of
' for that [*here specify the Offence, and when*
' *and where committed*]. Given under our Hands and Seals the Day
' and Year above written.'

Act may be altered this Session.

XXV. And be it further enacted, That this Act or any of the Provisions thereof may be altered, varied, or repealed by any Act to be passed in this Session of Parliament.

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