any Militiamen or supplying any Vacancies in such Militia by Ballot, as are or may be directed or authorized by or under any Act of Parliament now in force, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and sixty-five. dom and Ballots for such Militia suspended.

2. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in the United Kingdom relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in the United Kingdom; and all the Provisions of the several Acts in force in the United Kingdom relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Periods specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia. Proceedings may be had during such Suspension by Order in Council.

3. So long as the making of Lists and the Ballots for the Militia of *Great Britain* are suspended it shall not be necessary for the Clerks of General Meetings of the several Counties therein to transmit to the Clerks of the Subdivision Meetings, or to Her Majesty's Principal Secretary of State for the War Department, the Extracts and Abstracts mentioned and referred to in Section Three of Seventh *George* the Fourth, Chapter Fifty-eight. So long as Lists are suspended, not necessary to transmit Extracts, &c. as required by Sect. 3. of 7 G. 4. c. 58.

4. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called in *Great Britain* under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia. Not to extend to prevent the holding of certain Meetings relating to the Militia.

CAP. LXIV.

An Act for further regulating the closing of Public Houses and Refreshment Houses within the Metropolitan Police District, the City of *London*, certain Corporate Boroughs, and other Places. [25th *July* 1864.]

'WHEREAS it is expedient to amend the Law relating to the closing of Public Houses and Refreshment Houses within the Metropolitan Police District, the City of *London*, certain Corporate Boroughs, and other Places:' Be it enacted by the Queen'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, as follows:

1. This Act may be cited for all Purposes as the "Public House Closing Act, 1864." Short Title.

2. This Act shall be in force only within the Limits of the Metropolitan Police District, the City of *London* and the Liberties thereof, and such Corporate Boroughs Limits of Act.

and Districts of Improvement Commissioners as adopt the same in pursuance of the Powers herein-after given.

Definition of "Corporate Borough," &c.

3. "Corporate Borough" shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales; "District of Improvement Commissioners" shall mean any Place within the Jurisdiction of a Board of Improvement Commissioners as defined for the Purposes of the Twelfth Section of the Local Government Act, 1858; and "Board of Improvement Commissioners" shall mean such Commissioners as last aforesaid.

Definition of "Refreshment Houses," &c.

4. "Refreshment House" shall in this Act have the same Meaning as it has in the Act passed in the Session holden in the Twenty-third Year of the Reign of Her present Majesty, Chapter Twenty-seven, intituled *An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses and the granting of Wine Licences:*

"Exciseable Liquor" shall mean any Spirits, Foreign Wine, Beer, Cider, Sweets, or Made Wines, as defined by the Acts relating to the Excise.

As to the closing of Public Houses and Refreshment Houses.

5. Save as herein-after mentioned, no Licensed Victualler within the Limits of this Act shall sell or expose for Sale, or open or keep open any House, Room, Garden, or other Place for the Sale or Consumption of Exciseable Liquors or any Article whatsoever between the Hours of One and Four o'Clock in the Morning.

No Person within the Limits of this Act shall open or keep open any Refreshment House, or sell or expose for Sale or Consumption in any Refreshment House any Refreshments or any Article whatsoever between the above-mentioned Hours.

Any Person acting in contravention of this Section shall be liable to a Penalty not exceeding Five Pounds, to be recovered in a summary Manner as provided by the Act of the Session of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Nothing herein contained shall preclude a Licensed Victualler from selling Exciseable Liquors to or allowing the same to be consumed by Persons lodging in his House, or the Keeper of a Refreshment House from selling Refreshments to or allowing the same to be consumed by Persons lodging in his House, within the above-mentioned Hours.

Nothing herein contained shall authorize a Licensed Victualler to sell Exciseable Liquors on any *Sunday, Christmas Day, Good Friday,* or Day appointed for Public Fast or Thanksgiving, otherwise than during the Times at which he is now authorized by Law to sell the same, or authorize any other Person to sell Exciseable Liquors, keep open any Refreshment House, or sell Refreshments otherwise than at the Times and upon the Conditions prescribed by the Acts of Parliament in that Behalf made.

Application of Act to Free Vintners.

6. This Act shall apply to a Freeman of the Company of the Master, Wardens, and Commonalty of Vintners of the City of *London* in the same Manner as if he were a Licensed Victualler.

Occasional Licence.

7. If any Licensed Victualler or Keeper of a Refreshment House as aforesaid within the Limits of this Act applies to the Local Authority herein-after mentioned for a Licence exempting him from the Provisions of this Act on any special Occasion or Occasions, it shall be lawful for the Local Authority, if in its Discretion it thinks fit so to do, to grant to the Applicant an Occasional Licence exempting him from the Provisions of this Act during certain Hours and on a special Occasion or Occasions to be specified in the Licence; and no Licensed Victualler or Keeper of a Refreshment House to whom an Occasional Licence has been granted under this Act shall be subject to any Penalty for a Contravention of this Act during the Time to which his Occasional Licence extends, but he shall not be exempted by such Occasional Licence from any Penalty to which he may be subject under any other Act of Parliament.

8. The

Definition of "Local Authority."

8. The following Persons and Bodies of Persons shall be deemed to be Local Authorities capable of granting Occasional Licences for the Purposes of this Act; that is to say,

(1.) In the Metropolitan Police District, the Commissioner of Police for the Metropolis, subject to the Approbation of One of Her Majesty's Principal Secretaries of State:

(2.) In the City of *London* and the Liberties thereof, the Commissioner of City Police, subject to the Approbation of the Lord Mayor of the said City:

(3.) In any Borough in which this Act may be in force, the Superintendent or other Chief Officer of Police in the said Borough, subject to the Approbation of the Mayor:

(4.) In any District of Improvement Commissioners in which this Act may be in force, the Superintendent or other Chief Officer of Police in the said District, subject to the Approbation of the Chairman of the Commissioners.

As to Adoption of Act by Corporate Borough.

9. A Corporate Borough or Board of Improvement Commissioners may adopt this Act by a Resolution of the Council or Board assembled at a Meeting held for the Purpose, of which such Notice has been given and which is required to be summoned on such Requisition of the Ratepayers as is required in the Case of the Adoption of the said Local Government Act, 1858, by a Corporate Borough, or in a District of Improvement Commissioners, to which the Local Government Act has not been applied, in pursuance of Sections Twelve and Thirteen of the said Local Government Act, and Notice of the Adoption of this Act shall be given to the Secretary of State as in the Case of the Adoption of the said Local Government Act.

This Act shall come into operation in a Corporate Borough or District of Improvement Commissioners in which a Resolution adopting the same has been passed at the Expiration of One Month from the Date of the passing of the Resolution; and no Objection whatever to the Legality of the Adoption of this Act by any Corporate Borough or Board of Improvement Commissioners shall be made at any Trial or in any legal Proceeding after the Expiration of Three Months from the Date of the passing of the Resolution adopting the same.

Not to apply to Sales at Railway Stations between One and Four in the Morning.

10. Nothing herein contained shall apply to the Sale at a Railway Station between the Hours of One and Four o'Clock in the Morning of Exciseable Liquors or Refreshments to Persons arriving at or departing from such Station by Railroad.

CAP. LXV.

An Act for amending the Law relating to the Removal of Clerks of the Peace. [25th *July* 1864.]

'WHEREAS by the Sixth Section of the Act of the First Year of King *William* and Queen *Mary*, Chapter Twenty-one, it was enacted, that if in any County, Riding, Division, or Place any Clerk of the Peace already nominated or thereafter to be nominated should misdemean himself in the Execution of his Office, and thereupon Complaint in Writing of the said Misdemeanor should be exhibited against him to the Justices of the Peace in their General Quarter Sessions, it should be lawful for the said Justices or the major Part of them, from Time to Time, upon Examination, and due Proof thereof, openly in their said General Quarter Sessions, to suspend or discharge him from the said Office; and in such Case the Custos Rotulorum or other Person to whom the Right of Nomination belonged should appoint another sufficient Person to be a Clerk of the Peace, as in the said Act mentioned: And whereas Cases have occurred in which Clerks of the Peace have been guilty of such Misconduct as to render them unfit to hold their Offices, but the Justices have been unable to remove them by reason that such Misconduct did not occur in the Execution of their Office: And whereas it is expedient to provide for such

'Cases