ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

C A P. LXIV.

An Act to amend certain Regulations respecting the Retail of Spirits in *Ireland*.

[31st *July* 1845.]

WHEREAS by an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend an Act passed in the Third and* 6 & 7 W. 4.
Fourth Years of the Reign of His present Majesty, intituled 'An Act c. 38.
' to amend the Laws relating to Excise Licences, and to the Sale of ' Wine, Spirits, Beer, and Cider, by Retail, in Ireland,' it is 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and Purposes whatsoever:" And whereas it is expedient that so much of the said Act as is above recited should be repealed, and that all Excise Licences to Persons in *Ireland* to deal in or sell Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, or to retail Spirits in the House or on the Premises of such Retailer, or to be consumed elsewhere than in the House or on the Premises where sold, should be granted in the same Manner and at the same Rates of Duty as if so much of the said Act as is above recited had not been enacted: 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of the same, That from and after the Commencement of this Act so much of the said Act as is above recited shall be repealed; and that the Excise Licence to Persons in *Ireland* trading in or selling Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, and the Excise Licence to Persons in *Ireland* to be Retailers of Spirits, not being Retailers of Spirits after mentioned, to be drunk or consumed in or upon the House or Premises where sold, and the Excise Licence to Retailers of Spirits in *Ireland*, being duly licensed to trade in, vend, and sell Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, and not selling Spirits in any greater Quantity at One Time than Two Quarts, or any Spirits to be consumed in the House or on the Premises of such Retailer, shall be severally granted in like Manner and at the same Rates of Duty respectively, and under the same Regulations, as the same are respectively applicable thereto and directed by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal several Duties payable on Excise Licences in* Great Britain *and* Ireland, *and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, and by another Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in* Ireland, and by the said Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, save and except so much of the said last-mentioned Act as is above recited and hereby repealed, and by another Act of the Second and Third Years of the Reign of Her Majesty, intituled *An Act for the better Prevention of the Sale of Spirits by unlicensed Persons in* Ireland, and by another Act of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to continue for Five Years so much of an Act of the Second and Third Years of Her present Majesty as enables Justices to grant Warrants for entering Places in which Spirits are sold without Licence in* Ireland.

So much of the Act as is recited repealed, and all Excise Licences for the Retail of Spirits in Ireland to be granted as if such Regulation had not been enacted.

6 G. 4. c. 81.

3 & 4 W. 4. c. 68.

2 & 3 Vict. c. 79.

7 & 8 Vict. c. 82.

II. And whereas the said Act passed in the Sixth Year of the Reign of King *George* the Fourth, and the Licence therein mentioned to Retailers of Spirits in *Ireland*, being duly licensed to trade in, vend, and sell Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, and not selling Spirits in any greater Quantity at One Time than Two Quarts,

Justices of the Peace, Constables, or Overseers authorized to enter the Houses of

Quarts, or any Spirits to be consumed in the House or on the Premises of such Retailer, require that the Spirits sold under such Licence shall be consumed elsewhere than in the House or on the Premises of such Retailer; be it enacted, That from after the passing of this Act it shall be lawful for any Justice of the Peace, or any chief or other Constable, or Overseer, within the Limits of his Jurisdiction, to enter into any House or Place kept by such Retailer as aforesaid for selling Spirits or any other Article, at any Time or Hour at which such House or Place is kept open for any such Sale as aforesaid; and if any such Retailer, on demand of Entrance by any such Justice, chief or other Constable, or Overseer, opposes or obstructs such Entrance, or delays to admit such Justice, chief or other Constable, or Overseer, into any such House or Place, or if such Retailer is found selling Spirits by Retail to be consumed in such House or Place, or harbouring any Person who appears to be or to have recently been drinking or tippling Spirits therein, such Retailer, over and above every other Penalty he incurs, shall forfeit and pay the Sum of Two Pounds, to be sued for and recovered as any other Penalty under the said recited Act of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, and subject to the several Provisions in the said recited Act in that Behalf; and on due Conviction of any such Offence as aforesaid the Licence of such Retailer shall become forfeited.

Persons licensed to retail Spirits to be consumed elsewhere than on the Premises.

III. And whereas by the said Act of the Third and Fourth Years of the Reign of His said Majesty King *William* the Fourth Persons in *Ireland* applying for an Excise Licence to sell Spirits to be consumed in the House or upon the Premises where sold are required to enter into a certain Bond to Her Majesty, Her Heirs and Successors, conditioned as therein mentioned; be it enacted, That such Bond shall not be subject or liable to the Payment of any Stamp Duty whatever, any thing in any Act or Acts to the contrary notwithstanding.

Bond required of Spirit Retailers by the 3 & 4 W. 4. c. 68. not to be subject to Stamp Duty.

IV. And be it enacted, That this Act, where it is not otherwise specified, shall be deemed to have commenced and shall take effect from the Fourth Day of *July* in this present Year.

Commencement of Act.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Alteration of Act.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1845.