ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

CAP. LII.

An Act for the better Regulation of Licences to Persons in *Ireland* dealing in Exciseable Commodities, and engaged in the several Occupations therein mentioned. [27th *June* 1805.]

WHEREAS by an Act made in the present Session of Parliament, intituled, *An Act for granting to His Majesty certain Stamp Duties in* Ireland, it is enacted, that Licences to Persons to manufacture Tobacco, or to deal in unmanufactured Tobacco; and also Licences to Persons to keep a Still or Stills to rectify or compound Spirits and Strong Waters; and also Licences to Factors, and Persons not being Distillers, and not being otherwise licensed to sell Spirits, selling Foreign Spirits or Home-made Spirits on Commission; and also Licences to Persons not being Maltsters selling Malt on Commission; and also Licences to Persons to keep a Malt House and make Malt for Sale; and also Licences to Persons to brew Strong Beer or Ale, or Small Beer for Sale; and also Licences to Persons to brew or make for Sale Sweets or Made Wines; and also Licences to Persons to make for Sale Metheglin or Mead; and also Licences to Persons to make Vinegar for Sale; and also Licences to Persons to keep a Tan Yard or Tan Pit, or to tan Leather, or to dress Hides or Skins in Oil; and also Licences to Persons to make Vellum or Parchment; and also Licences to Persons to manufacture Paper Hangings for Sale; or to sell Paper Hangings; and also Licences to keep a Mill for making Paper; and also Licences to Persons to sell by Auction; and also Licences to Persons to make Glass Bottles, and other Vessels and Utensils of common Bottle Metal; shall be granted and issued by the Commissioners of Excise in *Ireland*, or by Persons to be appointed by the said Commissioners, in Manner in the said Act mentioned: And it is by the said recited Act further enacted, that Licences to Persons to manufacture Hats; to sell Coffee by Retail, or to keep a Coffee House; to manufacture Candles or Soap for Sale; to sell Tea or Groceries by Retail; to sell or make for Sale any Gold

45 G. 3. c. 28. Certain Licences grantable under recited Act by Commissioners of Excise.

And certain other Licences by Commissioners of Stamps.

or Silver Plate; to be Hawkers, Pedlars, or Petty Chapmen; shall be granted and issued by the Commissioners of Stamp Duties in *Ireland*, or by Persons to be appointed by the said Commissioners, in Manner in the said Act mentioned: For the better regulating the granting of the said Licences respectively, be it 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 every Person in *Ireland* required to take out a Licence by virtue of the said Act or this Act, to deal in, sell, make, or manufacture any of the Articles, or to keep any of the Things or Places herein mentioned, shall cause to be painted on a Board with Letters at all Times publickly visible and legible, at least One Inch long, in White upon a Black Ground, or Black upon a White Ground, his or her Name and Surname respectively, at full Length, and after such Names the Words "Licensed to deal in," or "To sell," or "To manufacture," or "To brew," or "To make" any Article or Thing, or "To keep" any Manufactory in the said Act or this Act mentioned, as the Case may require, specifying the Article, Thing, or Manufactory which such Person shall by such Licence be empowered to deal in, sell, manufacture, brew, make, or keep respectively; and such Person shall also cause the said Board to be affixed in some conspicuous Place on the Outside of the Front of his or her House, Shop, or Manufactory respectively, not more than Three Feet from the Top of the Shop Door, or Front or Outside Door of such House or Manufactory; and every such Person shall preserve and keep up the said Board so painted during the Continuance of such Licence, or in Default of affixing such Board, or keeping so affixed, every such Person shall forfeit respectively for every Offence the Sum of Five Pounds.

Parties licensed shall put up Boards of their Trade, &c. on Penalty of 5*l.*

Officer shall not grant Permits for Articles to Persons not licensed, on Penalty of 10*l.*

II. And be it further enacted, That it shall not be lawful for any Officer of Excise to grant to any Person or Persons who is or are required to take out a Licence for selling or keeping any Goods or Articles requiring a Permit, any Permit for the Conveyance of the same out of the Stock of such Person, unless such Person or Persons shall have obtained or have in force a Licence for that Purpose; and if any Officer of Excise shall grant any Permit contrary hereto, he shall for every such Permit forfeit the Sum of Ten Pounds.

Persons forging Licences shall be liable to Penalties of Forgers of Stamps under 45 G. 3. c. 20.

III. And be it further enacted, That if any Person shall forge, alter, or counterfeit, or cause to be forged, altered, or counterfeited, any Licence for any of the Purposes aforesaid, or required by the said recited Act or this Act, or shall produce or make use of, or cause to be produced or made use of, as a true Licence, any such forged, altered, or counterfeited Licence, or any Paper purporting to be a Licence in force, and not actually being such Licence in force, knowing the same to be forged, altered, or counterfeited, or knowing the same not to be a Licence in force, such Person shall be liable to all the Penalties and Punishments enacted against any Person forging any Type, Mark, or Stamp to resemble any Type, Mark, or Stamp used by Law for charging on Vellum, Parchment, or Paper, any of the Duties chargeable thereon by virtue of the said recited Act of the present Session of Parliament for granting Stamp Duties in *Ireland*.

Bond to be entered into by Brewers

IV. And be it further enacted, That no Licence shall be given by virtue of this or the said recited Act to any Person to brew Strong Beer or Ale

Ale or Small Beer for Sale, unless such Person shall have first entered into a Bond to His Majesty, His Heirs and Successors, in the Sum of Two hundred Pounds, with Two sufficient Sureties in the Sum of One hundred Pounds each, to be approved of by the Person issuing such Licence, conditioned that such Brewer shall from Time to Time return to the Collector of the District wherein his or her Brewery shall be carried on, as often as such Brewer shall be required thereto by such Collector, a true Account verified by Oath of the Quantities of Strong Beer or Ale sold by such Brewer to any Person licensed to sell Spirituous Liquors, Wine, Beer, Ale, or Cyder by Retail, deducting thereout all such Quantities thereof as may have been from Time to Time returned by such Person to whom the same were so sold, during the Period mentioned in any such Requisition; or in case such Brewer so licensed to brew Strong Beer or Ale shall also be licensed to sell Spirituous Liquors by Retail, then that such Brewer will give a true Account, verified by Oath as aforesaid, and during such Period as such Brewer shall be required in like Manner, of the Quantities of Strong Beer, Ale, or Porter sold by such Brewer by Retail, from Time to Time during the Period stated in such Requisition, and likewise of the Quantities of Spirituous Liquors sold by him or her by Retail during the same Time; and also conditioned, that such Person shall not let out to hire or lend any Brewhouse, Brewing Pan, or Utensil for brewing for the Purpose of brewing Beer or Ale, or suffer any other Person to use his or her Brewhouse, or any Brewing Pan, or other Utensil for brewing therein; before being licensed, to give Accounts of Beer sold, &c.

V. And be it further enacted, That if any Person licensed to brew Strong Beer or Ale or Small Beer for Sale, shall let out to hire or lend any Brewhouse, Brewing Pan, or Utensil for brewing, for the Purpose of brewing Strong Beer or Ale, or shall suffer any other Person to use his or her Brewhouse, or any Brewing Pan, or other Utensil for brewing therein, every such Person so letting out to hire, or lending or suffering to be used any such Brewhouse, Brewing Pan, or Utensil, and the Person to whom the same shall be so let out to hire or lent, or by whom the same shall be used, shall respectively forfeit the Sum of Ten Pounds; and every Brewing Pan or other Utensil which shall be so let, lent, or used, shall be forfeited, and may be seized; and it shall and may be lawful for the Person or Persons so letting to hire, or lending or suffering to be used any Brewhouse, Brewing Pan or Utensil, or for the Person or Persons to whom the same shall be let out to hire or lent, or who shall make use of the same (as the Case may be), if summoned as a Witness on the Part of the Informer, (or if the Person or Persons so letting out to hire or lending such Brewhouse, Brewing Pan, or Utensil, or the Person or Persons to whom the same shall be so let out or lent, or by whom the same shall be used, shall be the Informer or Informers), to give Evidence on the Trial of any Suit upon any such Bond, or any Information for any such Penalty or Forfeiture, and in case of Judgement upon any such Bond, or Conviction upon any such Information, the Person or Persons so giving Evidence shall be discharged of and from the Penalties by him or them incurred. Penalty on lending Brewhouse or Utensils, &c. 10 *l.* and Brewing Vessels let shall be forfeited, and either Party informing shall be indemnified.

VI. And be it further enacted, That no Licence shall be given under the said recited Act or this Act to any Person as a Hawker, Pedlar, Petty Chapman, or other trading Person going from Place to Place in *Ireland*, and travelling either on Foot, or with a Horse or other Beast of Burthen, or otherwise carrying to sell or exposing to Sale any Goods, Wares, or Merchandize, Hawkers and Pedlars shall previous to being licensed give Notice of their Business to the Person empowered to

licenſe, who ſhall enter ſame with the Collector.

Merchandize, or to any travelling Tinker or Caſter of Iron and Metal, or to any Perſon hawking about Tea or Coffee for Sale, unleſs ſuch Hawker, Pedlar, or Petty Chapman ſhall at the Time of applying for ſuch Licence, declare to the Perſon to whom ſuch Hawker, Pedlar, or Petty Chapman ſhall apply his or her Name and Surname, Age, and Place or Places of Abode, and alſo how and in what Manner ſuch Hawker, Pedlar, or Petty Chapman intends to hawk, travel, and trade, whether on Foot or with One Horſe, or how many Horſes or other Beaſt or Beaſts of Burthen; and the Perſon granting ſuch Licence is hereby required to inſert in ſuch Licence or to indorſe thereon the Age, Places of Abode, and particular Deſcription of ſuch Hawker, Pedlar, or Petty Chapman to whom, and the Date when ſuch Licence ſhall be granted; for which Entry or Indorſement, or for granting of which Licence, no Fee ſhall be demanded or taken, other than and except the Stamp Duty on ſuch Licence, and no ſuch Licence ſhall be valid, or be deemed a Licence within the Meaning of this Act, unleſs ſuch Indorſement thereon or Entry therein ſhall be reſpectively made in Manner aforeſaid; and the Perſon ſo granting ſuch Licence ſhall once in every Month tranſmit to the Collector of the Diſtrict, and to the Commiſſioners for managing the Stamp Duties reſpectively, an Account of all ſuch Licences granted by him, and a true Copy of all the Particulars ſo inſerted therein or indorſed thereon as aforeſaid.

Goods carried or ſold by Hawkers without Licence forfeited Penalty on not producing Licence, 40 s.

VII. And be it further enacted, That all Goods, Wares, and Merchandizes, in reſpect whereof or of any of them any Perſon or Perſons is or are required to take out a Licence, which ſhall be carrying or carried about for Sale, or ſold or expoſed to Sale by any Perſon who ſhall not have a Licence, or ſhall not upon Demand of any Juſtice of the Peace, or any Officer of His Majeſty's Revenue of Exciſe or Stamps, produce a Licence, ſhall be forfeited, and may be ſeized by any ſuch Juſtice or Officer; and if any Hawker, Pedlar, Petty Chapman, or other Perſon ſhall not, upon Demand made by any Peace Officer or Officers of the Exciſe or Stamps produce or ſhew immediately unto ſuch Perſon ſo demanding the ſame, his or her Licence or Licences for trading, every ſuch Hawker, Pedlar, Petty Chapman, or other Perſon being duly convicted thereof, ſhall for every ſuch Offence forfeit the Sum of Forty Shillings.

Not to prevent Perſons (except Tinkers, etc.) from ſelling Articles of their own Manufacture;

nor Tinkers, etc from travelling to exerciſe their Trade;

nor any Perſon ſelling Wool or Woollen Goods,

or Flax, etc. and Linen Goods.

VIII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to prohibit any Perſon or Perſons other than and except travelling Tinkers, Caſters of Iron and Metal), from carrying abroad, expoſing to Sale and ſelling any Goods or Wares made or manufactured by him or her, or by his or her Huſband or Wife, or Child, or Apprentice or Apprentices, Journeyman or Journeymen, Maſter or Miſtreſs, at any publick Fair, Market, or elſewhere; nor to prevent any Cooper, Glazier, Plumber, Tinker, or Harneſs Maker from going about in order to exerciſe their proper Trades, or from carrying with him or them neceſſary Materials for exerciſing the ſame; nor to prohibit any Perſon or Perſons from carrying about manufactured or unmanufactured Wool, Woollen, or Worſted Goods, or from expoſing the ſame to Sale in any Fair, Market, or other Place; nor to prohibit or reſtrain any Perſon or Perſons from ſelling or expoſing to Sale in any Place or Places whatſoever any Flax, Tow, Hemp, Flaxen Yarn, or Thread, or any Manufacture or Article made in *Ireland* of Flax or of Cotton, or of both or either mixed or unmixed; ſo as ſuch Perſon or Perſons ſhall not at the

ſame Time, carry or expoſe to Sale any other Goods, Wares, or Merchandize, other than ſuch as they are hereby allowed to carry and expoſe to Sale reſpectively.

Act ſhall not prejudice Corporations.

IX. Provided alſo, and be it enacted, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend to give any Power for licenſing any Hawker, Pedlar, or Petty Chapman to ſell or expoſe to Sale any Wares or Merchandize in any City, Borough, Town Corporate, or Market Town in *Ireland*, otherwiſe than ſuch Hawker, Pedlar, or Petty Chapman might have done before the making of this Act; any Thing herein contained to the contrary notwithſtanding.

Perſons ſelling elſewhere than within their own Houſes, &c. deemed Hawkers.

X. And be it further enacted, That all Perſons who ſhall convey Goods, Wares, or Merchandize, in reſpect whereof Pedlars or Petty Chapmen would, under the Proviſions of this Act or the ſaid recited Act, require to be licenſed, and ſell and expoſe the ſame in Shops, Rooms, Warehouſes, or other Places in Cities, Towns, and Places where they are not uſually reſident; and all Perſons who ſhall carry and convey ſuch Goods, Wares, or Merchandize to publick Streets and Places in Cities, Towns Corporate, and other Places in *Ireland* where they reſpectively reſide, not adjoining to their Dwelling Houſes or other Apartments, and ſell and expoſe the ſame to Sale upon Stalls, Stands, Sheds, Booths, Bulks, or other Places; and all Perſons under the Denomination of Leather Sellers or Leather Cutters, who hawk about from Town to Town, or ſell or expoſe in Cities or Towns Corporate, and in Fairs, Markets, or other Places, any Parcel or Parcels of Leather in Booths, Stalls, Standings, or otherwiſe; and all Perſons who ſhall, in any Place in *Ireland*, except in the City of *Dublin* or within Five Miles thereof, hawk about old Clothes, or ſell or expoſe to Sale old Clothes in any Stall, Shed, Booth, Shop, or other Place, ſhall be deemed Hawkers, Pedlars, or Petty Chapmen within the Proviſions of the ſaid recited Act and this Act; and ſhall be ſubject and liable to all and every the Proviſions, Penalties, and Forfeitures reſpecting Hawkers, Pedlars, or Petty Chapmen, contained in the ſaid recited Act or this Act.

Separate Licences for ſelling Plate, and for every Servant and Horſe.

XI. And be it further enacted, That every Hawker, Pedlar, or Petty Chapman, who ſhall ſell or expoſe to Sale any Gold or Silver Plate, ſhall take out, in Manner aforeſaid, a ſeparate and diſtinct Licence for ſo doing; and every Hawker, Pedlar, or Petty Chapman ſhall take out a ſeparate and diſtinct Licence for each and every Perſon who ſhall be employed, whether Servant or other Perſon, in Company or otherwiſe, with ſuch Hawker, Pedlar, or Petty Chapman, to carry any Boxes, Bundles, or Parcels of Goods, Wares, or Merchandize ſeparate or diſtinct for the Purpoſes of ſelling or trading with the ſame; and alſo that every Hawker, Pedlar, and Petty Chapman ſubject to a Licence for an Horſe or Beaſt or Beaſts of Burthen, ſhall take out and pay for a ſeparate and diſtinct Horſe Licence for each Horſe or other Beaſt of Burthen; and every Perſon, whether Servant or otherwiſe, for whom a ſeparate and diſtinct Foot Licence ſhall not be taken out in Manner aforeſaid; and every Hawker, Pedlar, or Petty Chapman who ſhall not take out a ſeparate Licence for ſelling or expoſing to Sale Gold or Silver Plate, or a ſeparate Horſe Licence, with ſuch Stamp thereon as is required, for each and every Horſe or Beaſt of Burthen which he or ſhe ſhall make uſe of or drive, ſhall be ſubject and liable to all and every the Penalties and Forfeitures by this Act inflicted upon

Hawkers, Pedlars, and Petty Chapmen, and others trading without Licence.

Travellers with Metal Goods liable only to 40s. Duty, though having more than One Horse.

XII. Provided always, and be it enacted, That no Perſon who ſhall carry about any Pots or Griddles made of Caſt Iron or Caſt Metal, or ſhall expoſe the ſame to Sale in any Fair, Market, or other Place, (ſo as ſuch Perſon ſhall not at the ſame Time carry or expoſe to Sale other Goods, Wares, or Merchandize, than ſuch Pots and Griddles), ſhall be ſubject, for his or her Licence, to a greater or higher Stamp Duty than Forty Shillings, though ſuch Perſon or Perſons ſhall or may travel with One or more Horſe or Horſes or other Beaſt or Beaſts of Burthen.

Each Foot Licence ſhall extend only to One Hundred Weight, and a Horſe Licence to Eight Hundred Weight.

XIII. And be it further enacted, That no more Goods, Wares, or Merchandize ſhall, by virtue of this Act, be hawked about for Sale as aforeſaid, than One hundred Weight for each Foot Licence, nor than Eight hundred Weight for each Horſe or other Beaſt of Burthen Licence, any Thing herein contained to the contrary notwithſtanding; and that if any Perſon ſhall reſpectively carry or cauſe to be carried more than the foregoing reſpective Weights, ſuch Perſon ſhall forfeit for each Hundred Weight exceeding the above the Sum of Twenty-eight Shillings, and ſo in Proportion for any leſſer Quantity.

Penalty on lending Licence, Forfeiture of Licence and Goods.

XIV. And be it further enacted, That if any Licence to any Hawker, Pedlar, Petty Chapman, or other trading Perſon ſhall be lent to any Perſon, or uſed by any Perſon other than the Perſon to whom the ſame ſhall be granted, ſuch Licence from thenceforth ſhall be void and of no Effect, and all Goods, Wares, and Merchandize found in the Poſſeſſion of the Perſon uſing the ſame ſhall be forfeited, and may be ſeized by any Juſtice of the Peace or any Officer of Exciſe or Stamps.

Penalty on unlicenſed Perſons may be mitigated by One Juſtice to 10l.

XV. And whereas it is by the ſaid recited Act of the preſent Seſſion of Parliament enacted, that any Perſon or Perſons who ſhall uſe, exerciſe, or follow any Trade, Buſineſs, Occupation, or other Calling, on the Licence for uſing, exerciſing, or following whereof a Stamp Duty is payable, without having previouſly taken out ſuch Licence, ſhall forfeit and pay the Sum of One hundred Pounds: And whereas the ſaid Forfeiture may in many Inſtances be too great; be it enacted, That it ſhall be lawful for any Juſtice of the Peace before whom any Perſon ſhall be convicted, upon the View of ſuch Juſtice, or by the Information of any one credible Witneſs upon Oath, to fine ſuch Perſon ſo offending in any Sum not exceeding Ten Pounds nor leſs than Five Pounds, and to levy the ſame, in Caſe of Non-payment thereof, by Diſtreſs and Sale of the Goods of the Offender: Provided always, that no Action, Bill, Plaint, or Information for the ſaid Offence ſhall be depending at the Time; and provided alſo, that after any ſuch Adjudication by a Juſtice of the Peace, no Action, Bill, Plaint, or Information ſhall be brought for the ſaid Offence.

Licence to Wholeſale Dealers in Spirits.

XVI. And be it further enacted, That every Licence to any Perſon to ſell Spirits in Quantities not leſs than Two Gallons, ſhall be granted in like Manner as Licences to Factors, or Perſons not being Diſtillers, ſelling Spirits on Commiſſion; provided that no ſuch Licence ſhall be granted, unleſs the Perſon or Perſons applying for the ſame ſhall have entered into Security by Bond to His Majeſty, His Heirs and Succeſſors, in the Sum of Five

Five hundred Pounds, with Two Sureties in the Sum of Two hundred and Fifty Pounds each, approved of by the Perſon iſſuing ſuch Licence, and which Bond the Perſon iſſuing ſuch Licence is hereby empowered to take for the Uſe of His Majeſty, His Heirs and Succeſſors, that ſuch Perſon ſo to be licenſed ſhall not knowingly receive or ſell, or permit to be received or ſold for his or her Uſe or Benefit, any Spirits which ſhall not have paid the full Duties chargeable thereon, or knowingly ſell or deliver any Spirits to any Perſon ſelling Spirits by Retail, unleſs ſuch Perſon ſhall be duly licenſed thereto.

Penalties, &c. payable in Britiſh Currency, and recovered as by 14 & 15 C. 2. c. 8. with like Remedy of Appeal, or by any other Revenue Act.

XVII. And be it further enacted, That all and every the Fines, Penalties, and Forfeitures inflicted by this Act ſhall be paid and recovered in *Britiſh* Currency, and ſhall and may be ſued for, recovered, levied, and applied in ſuch Manner and Form, and by ſuch Ways and Means, and with ſuch Powers and Authorities as are preſcribed, directed, and appointed in and by an Act of Parliament made in *Ireland* in the Fourteenth and Fifteenth Years of the Reign of His late Majeſty *Charles* the Second, intituled, *An Act for the ſettling of the Exciſe or new Impoſt upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted*, or by any other Law or Laws in force in *Ireland* relative to His Majeſty's Revenue of Exciſe, as fully and effectually, to all Intents, Conſtructions, and Purpoſes, as if the ſame were particularly mentioned and expreſſed and re-enacted in this Act; with like Remedy of Appeal to and for the Party and Parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid Act of Exciſe or any Law or Laws relating to his Majeſty's Revenue of Exciſe is provided.

Penalties not exceeding 10l. may be recovered before One Juſtice.

XVIII. Provided always, and be it enacted, That it ſhall and may be lawful to and for any one Juſtice of the Peace within his Juriſdiction, where any pecuniary Penalty or Forfeiture not exceeding Ten Pounds ſhall be incurred under this Act, to hear and determine the ſame, and to convict the Party offending on his or her own Confeſſion, or on the Oath of any One credible Witneſs; and in all ſuch Caſes One Moiety of the Penalty or Forfeiture ſhall be paid to the Informer and the other Moiety to the Poor of the Pariſh in which the Offence ſhall have been committed or the Conviction made, at the Direction of the Juſtice; and ſuch Juſtice of the Peace is hereby authorized and required, upon Information made on Oath in that Behalf within Three Months after the Offence committed, to ſummon the Party accuſed, and alſo the Witneſs or Witneſſes upon either Side, and if, upon the Confeſſion of the Party accuſed, or Examination of the Witneſs or Witneſſes on Oath, which ſuch Juſtice is hereby empowered to adminiſter, ſuch Party ſhall be convicted of the Offence alledged againſt him, then it ſhall be lawful for ſuch Juſtice, and he is hereby required to award and iſſue out a Warrant under his Hand and Seal to any Conſtable of the County for levying the Penalty or Forfeiture incurred on the Goods of the Offender, and to cauſe Sale to be made thereof, in caſe the ſame ſhall not be redeemed within Six Days, rendering to the Party the Overplus (if any), after deducting the Expence of ſuch Sale; and for Want of ſufficient Diſtreſs, it ſhall be lawful for ſuch Juſtice, and he is hereby required to commit ſuch Offender to Gaol for any Time not exceeding Three Months, or until ſuch Penalty or Forfeiture ſhall be paid; and if any Perſon ſhall find himſelf or herſelf aggrieved by the Judgement of the ſaid Juſtice, then ſuch Perſon ſhall and may

may complain or appeal to the Juſtices of the Peace at the then next General Quarter Seſſions for the County; and ſuch Juſtices are hereby empowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the Complaint or Appeal; and in caſe the Conviction of the Party ſhall be affirmed, ſuch Juſtices ſhall iſſue Warrants for levying the Penalty or Forfeiture as aforeſaid, and alſo for levying of the Goods of the Appellants ſuch Sum, not exceeding Forty Shillings, as the ſaid Juſtices ſhall appoint for the Coſts of ſuch Appeal, to be paid to the Informer; and where any ſuch pecuniary Penalty or Forfeiture ſhall exceed the Sum of Ten Pounds, the ſame may be ſued for and recovered by any Perſon who ſhall ſue for the ſame by Action of Debt, Bill, Plaint, or Information, or by Civil Bill, in any of the Courts of Record in *Dublin*, or at the Quarter Seſſion of the Juſtices of the Peace or at the Aſſizes in any County, or County of a Town, or City, in *Ireland*; and it ſhall be lawful for the Court before whom any ſuch Penalty ſhall be recovered to order the Offender to be committed to Gaol, there to remain for any Time in the Diſcretion of ſuch Court, or until ſuch Fine or Forfeiture be fully paid and ſatisfied.

Penalties above 10l. recovered at Suits of any Perſon.

Proceedings of Juſtices not removable by Certiorari.

XIX. And be it further enacted, That no Conviction made or alledged to be made by any Juſtice of the Peace, nor any Proceeding before ſuch Juſtice, or before any Juſtices of the Peace at the Quarter Seſſions, nor any Sentence or Order given or made, or alledged to be given or made, by any ſuch Juſtice or Juſtices under or by virtue of this Act, ſhall be removed by Writ of *Certiorari* out of the County, City, Town, or Place wherein ſuch Conviction or Proceeding ſhall have been had or made, into any Court whatſoever; and that no Writ of *Certiorari* ſhall ſuperſede Execution or other Proceedings upon ſuch Conviction, Order, or Sentence ſo made or given in purſuance of this Act, but that Execution and other Proceedings ſhall be had and made thereupon, any ſuch Writ of *Certiorari* or Allowance thereof notwithſtanding.

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