

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. CVI.

An Act to amend the several Acts for securing the Payment of the Duties of Excise upon certain Licences, and regulating the issuing of such Licences; and for securing the Duties upon Spirits distilled by licensed Distillers in *Ireland*.

[12th *July* 1819.]

WHEREAS in and by an Act made in the Fifty-fifth Year of His present Majesty's Reign, intituled *An Act to grant certain Duties of Excise upon Licences for the Sale of Spirituous and other Liquors by Retail, and upon Licences to Persons dealing in Exciseable Commodities, in* Ireland, *in lieu of the Stamp Duties payable upon such Licences; and to secure the Payment of such Excise Duties, and to regulate the issuing of such Licences; and to discourage the immoderate Use of Spirituous Liquors in* Ireland, and by the Schedule thereto annexed, a Duty or Sum of Twenty-two Pounds *British* Currency, together with the Sum of One Shilling in the Pound on the Amount of such Duty, is granted and imposed upon any Licence to any Person to sell Spirituous Liquors, Wine, Beer, Porter, Ale, Cider or Perry, Metheglin or Mead, by Retail, in any Place within the Towns following (among others); that is to say, *Athlone, Castlebar, Ennis, Enniskillen, Galway, Kinsale, Lisburne, Longford, Mallow, New Ross, Tipperary*, and *Tralee*, and within One 55G. 3. c. 19.

 Mile

Mile of the Market House or Market Place therein respectively: And whereas it may be expedient that such Licences should, in certain Cases, be granted for the Sale of Spirituous and other Liquors in the said Towns and Places on Payment of a less Sum than the said Sum of Twenty-two Pounds: 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 *January* One thousand eight hundred and nineteen, it shall and may be lawful for any Person or Persons to have or obtain, at his, her, or their Desire, a Licence to sell Spirituous Liquors, Wine, Beer, Porter, Ale, Cider or Perry, Metheglin or Mead, by Retail, in any Place within the Towns of *Athlone*, *Castlebar*, *Ennis*, *Enniskillen*, *Galway*, *Kinsale*, *Lisburne*, *Longford*, *Mallow*, *New Ross*, *Tipperary*, and *Tralee*, or within One Mile of the Market House or Market Place therein respectively, on Payment of the Sum of Fifteen Pounds *British* Currency, together with a further Sum after the Rate of One Shilling in the Pound on the Amount thereof, and no more; any thing in the said recited Act, or in the Schedule thereto annexed, or in any other Act or Acts in force in *Ireland* for amending the said Act, or for the regulating the granting of such Licences, to the contrary in anywise notwithstanding; subject nevertheless to all such Rules, Regulations and Restrictions, Directions, Provisions, Clauses, Matters and Things, with respect to the obtaining of such Licence, as are contained and set forth in any of the said Acts and in this Act, so far as the same are consistent and compatible with each other; and save so far as the same are not repealed or altered by this Act: Provided always, that any Person on whose Licence such Sum of Fifteen Pounds shall be paid shall be authorized to sell Spirituous Liquors in any Quantity not exceeding Twenty Gallons at any one Time, and no more: Provided also, that if any Person in the said Towns and Places shall pay the full Sum of Twenty-two Pounds payable under the said recited Acts, or if any Person in any of the said Towns and Places, having paid the said Sum of Fifteen Pounds, shall pay such additional Sum as shall make the whole Duty paid by such Person amount to Twenty-two Pounds *British* Currency, together with a further Sum in both Cases after the Rate of One Shilling in the Pound on the Amount of such Twenty-two Pounds, or on such additional Sum as the Case may be, such Person shall be authorized to sell Spirituous Liquors in any Quantity not exceeding Twenty-five Gallons at any one Time, and no more, pursuant to the Provisions of the said recited Act.

Instead of the Duty granted by recited Act on Licences for retailing Spirits, &c. within the Towns herein mentioned, there shall be paid 15*l.* with 1*s.* in the Pound on the Amount.

15*l.* Licence to permit the Sale of Spirits at one Time to no more than 20 Gallons.

22*l.* Licence authorizes the Sale of 25 Gallons at one Time.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Three of them, in their Discretion, to allow or repay to any Person who shall have paid or shall pay the said Duty or Sum of Twenty-two Pounds on any Licence for the Sale of Spirituous or other Liquors by Retail in any of the Towns or Places aforesaid, to be in force after the Fifth Day of *January* One thousand eight hundred and nineteen until and upon the Fifth Day of *January* One thousand eight hundred and twenty, the Sum of Seven Pounds *British* Currency,

Commissioners may repay 7*l.* with the 1*s.* in the Pound to the Persons who have taken out the 22*l.* Licence.

rency, together with a further Sum after the Rate of One Shilling in the Pound on the Amount thereof; and every such Allowance or Repayment shall be made under such Rules and Regulations as the said Commissioners or any Three of them shall direct or appoint; and after such Allowance or Repayment such Licence shall be good and valid according to the Import thereof, and according to the Provisions of this Act, to all Intents and Purposes whatsoever.

No Permit shall be granted for the Removal of a greater Quantity of Spirits than is allowed for the Sale of one Day.

III. And be it further enacted, That it shall not be lawful for any Person or Persons licensed to sell Spirituous or other Liquors by Retail, to demand or receive any Permit or Permits for the Removal within any one Day to any one Person, or to different Persons in Partnership in Trade, any greater Quantity of Spirits than such Person or Persons so licensed is or are under the Provisions of the said recited Act of the Fifty-fifth Year aforesaid, or this Act, authorized to sell at any one Time under the Licence or Licences which shall have been or shall be obtained by such Person or Persons; any Usage or Custom to the contrary notwithstanding.

So much of recited Act as requires certain Oaths to be made before obtaining of Licence, repealed; and the Licences granted without taking such Oaths shall be valid.

IV. And be it further enacted, That so much and such Parts of the said recited Act of the Fifty-fifth Year aforesaid, whereby it is provided and enacted, that no Person shall be capable of receiving or holding a Licence to sell Spirituous Liquors, Wine, Beer, Porter, or Ale, Cider or Perry, Metheglin or Mead, by Retail, who shall not previously take and subscribe certain Oaths in and by the said Act prescribed, directed, and appointed, and as direct that every Person requiring any such Licence shall take and subscribe such Oaths before the Collector or other Officer or Person in Charge of the Collection of the District within which such Person shall require to be licensed, and also as direct that such Person shall leave the same with such Collector or other Officer, who shall transmit the same, when required, to the Commissioners of Inland Excise and Taxes in *Ireland*; and that if any such Licence shall be granted or issued to any Person without such Oath or Affidavit being so made and subscribed, such Licence shall be null and void to all Intents and Purposes, and that the Person whose Licence shall so become null and void shall be deemed an unlicensed Retailer of Spirituous Liquors, and shall be subject to such Penalties and Disabilities as Retailers of Spirituous Liquors without Licence are subject to, shall be, and is and are hereby repealed; and every Licence which shall have been or shall be granted at any Time after the Fifth Day of *January* One thousand eight hundred and nineteen to any Person or Persons who shall not have taken or subscribed the said Oaths, or any of them, shall not be void, nor shall any such Person or Persons be liable or subject to any Fine, Penalty, or Forfeiture, in consequence or by reason of such Omission, but every such Licence shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, as the same would have been in case the said Oaths had been taken and subscribed as aforesaid; any thing in the said recited Act or any other Act or Acts to the contrary notwithstanding.

V. And

Licensed Persons (not being in the District of Dublin) may remove to other Houses within the same District, and the proper Officer will grant a new Licence on Surrender of the former, on the Conditions herein mentioned.

V. And be it further enacted, That if any Person who shall have obtained or shall obtain any Licence to sell Spirituous or other Liquors by Retail, in any Place not being within the District of the Metropolis of *Dublin*, shall be minded to remove from the House mentioned in such Licence for carrying on such Business, and to carry on the same in any other House in the same Town or City, or within the same Excise District (and with respect to which last-mentioned House such Person shall obtain the Certificate of the Two next Resident Justices of the Peace that such House is proper to be licensed for the Sale of Spirituous and other Liquors by Retail), then and in every such Case it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Three of them, to permit and allow such Person to deliver up and surrender such Licence, then in force, to the Collector or other Officer or Person who shall then be duly authorized to grant and issue Licences in the proper District; and such Collector or other Officer or Person shall, upon receiving such Licence, sign, grant and issue, without Payment of Duty, or any Sum or Fee whatever (except in case of the Proviso hereafter mentioned, where a higher Duty shall be payable in the Place to which such Person shall intend to remove, than such Person paid on the Licence so to be surrendered up), a new Licence to such Person for the House to which such Person shall be desirous of removing, and shall date such Licence, and shall set forth therein that the same was granted upon the Surrender of a former Licence, specifying the Date thereof, and the Situation of the House for which the same had been granted; and from the Date of such further or new Licence the same shall be sufficient Authority for the Person to whom the same shall be granted, to sell Spirituous or other Liquors by Retail in the House to which such Person shall so remove, until the Expiration of the Term, Force, Period, or Purpose for which the same shall be granted, and which Term, Force, Period, or Purpose shall not in any Case exceed the Term, Force, Period, or Purpose for which the original Licence was granted; and every Licence in the Place or Stead of which any such new or further Licence shall be granted, shall be from thenceforth absolutely null and void; and any Person to whom any such new or further Licence shall be granted, and also all and every the Surety and Sureties of any such Person, shall be subject and liable in all respects, and to all Intents and Purposes whatever, in like Manner as he, she, or they would have been respectively subject and liable if such Person had continued to carry on Business under the original Licence, and in the House for which the same had been granted: Provided always, that it shall not be lawful for any such Collector or other Officer or Person to grant or issue any such new or further Licence unless and until all the Duties and Penalties which shall have been or shall be incurred by such Person so desirous of removing shall be fully paid or satisfied; and provided also, that in case the Duty payable by Law on a Licence to sell Spirituous and other Liquors by Retail, in the Place to which such Person shall so intend to remove, shall exceed the Duty paid on the Licence so intended to be surrendered, it shall not be lawful to grant or issue any such new or further Licence, unless and until such Person shall pay such additional Sum as shall make the

whole Duty paid by such Person amount to the full Duty payable by Law on a Licence to sell Spirituous and other Liquors by Retail, in such Place for which such new or further Licence shall be required, together with the Sum of One Shilling in the Pound on the Amount of such additional Sum, and the Amount of every such Payment shall be set forth in such new or further Licence.

Licences granted to Persons exercising certain Trades declared incapable by recited Act, shall be void.

VI. And whereas in and by the said recited Act of the Fifty-fifth Year aforesaid, Persons exercising certain Trades, Occupations, or Callings therein mentioned are declared not to be capable of receiving or holding a Licence to sell Spirituous Liquors, Wine, Beer, Porter, or Ale, Cider or Perry, Metheglin or Mead, by Retail; and it is thereby declared, that every Licence which shall be issued to any Person by the said Act declared not to be capable of receiving the same, or to any Person or Persons in Trust or to the Use or Benefit of such Person or Persons so declared incapable, shall be void to all Intents and Purposes; and that the Person whose Licence shall so become null and void shall be deemed an unlicensed Retailer of Spirituous Liquors, and be subject to such Penalties, Forfeitures, and Disabilities as Retailers of Spirituous Liquors without Licence are subject to; be it enacted, That if at any Time after the granting of any Licence to any Person to sell Spirituous or other Liquors by Retail, such Person shall exercise any Trade, Occupation, or Calling, the exercising whereof would have rendered such Person incapable of receiving such Licence; or if any Licence for selling Spirituous and other Liquors by Retail shall at any Time be held in Trust or for the Use or Benefit of any Person who shall at any Time during the Term, Period, or Force of such Licence exercise any such Trade, Occupation, or Calling, then and in each and every the respective Case and Cases aforesaid, every such Licence shall be and the same is hereby declared null and void, to all Intents and Purposes whatsoever; and the Person whose Licence shall so become void, and the Person or Persons in Trust for whom or for whose Use or Benefit the same had been obtained, shall be deemed an unlicensed Retailer or unlicensed Retailers of Spirituous Liquors, and shall be subject to such Penalties, Forfeitures, and Disabilities as Retailers of Spirituous Liquors without Licence are subject to.

Provision of 55G.3.c.104. declaring that no Action can be maintained for Spirits sold in less than Two Quarts at one Time, not to extend to Retailers, if not consumed in their House.

VII. And whereas in and by an Act made in the Fifty-fifth Year of His present Majesty's Reign, intituled *An Act to make further Provisions for the issuing of Licences to Persons to deal in, retail, make or manufacture Spirits, and other Exciseable Commodities in* Ireland, *and for securing the Duties of Excise payable by the Persons so licensed,* it is amongst other Things enacted, that no Person shall be entitled unto or shall maintain any Cause, Action, or Suit, or shall recover either in Law or Equity, any Sum of Money or Demand for or on account of any Spirituous Liquors sold in *Ireland*, in any Quantity less than Two Quarts at any one Time, or for or on account of any particular Item or Article in any Account or Demand for Spirituous Liquors so sold, when the Quantity shall be less than Two Quarts: And whereas it is expedient that the said recited Provision should not extend or be construed to extend to such Quantity of Spirituous

Liquors sold by any Person duly licensed to sell Spirituous Liquors by Retail, such Spirituous Liquors not being used or consumed in the House, Shop, or other Premises of such licensed Retailer; be it therefore enacted, That nothing in the said recited Provision of the said Act shall extend or be construed to extend to any Spirituous Liquors sold in any Quantity less than Two Quarts at any one Time, by any Person so licensed to sell Spirituous Liquors by Retail, provided that the Quantity of Spirituous Liquors so sold, or any Part thereof, shall not be used or consumed in the House, Shop, or other Premises of such licensed Retailer, any thing in the said recited Act or any other Act or Acts to the contrary notwithstanding; provided always, that the said recited Provision of the said last-mentioned Act, shall continue and remain in full Force and Effect with respect to Spirituous Liquors which shall be used and consumed in any such House, Shop, or other Premises.

Retailer may recover for Beer sold in any less Quantity than Two Gallons.

VIII. And be it further enacted, That it shall and may be lawful for any licensed Retailer of Spirituous or other Liquors to recover by due Course of Law any Sum of Money or Demand, for or on account of any Beer, Ale, or Porter sold by such Retailer in any Quantity less than Two Gallons, and not being used or consumed in the House, Shop, or other Premises of such Retailer, although the Price of such Quantity may exceed the Sum of One Shilling; any thing in an Act made in the Parliament of *Ireland* in the Ninth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to prevent the Evil arising by the Retailers of Beer, Ale, Brandy, Rum, Geneva, Aqua Vitæ, and other Spirituous Liquors, giving Credit to Servants, Day Labourers, and other Persons who usually work or ply for Hire or Wages*, or in any other Act or Acts, to the contrary notwithstanding.

Irish Act, 9 G. 2.

Licence, on Death of the Party, or where Party discontinue Business, on being delivered up to the proper Officer, may be renewed in favour of the Representative of the Deceased, or to the Assignee of the Party declining Business.

IX. And whereas in and by the said recited Act of the Fifty-fifth Year of His present Majesty's Reign, certain Duties of Excise are imposed and made payable for and upon all and every the Licences to be taken out for the several and respective Purposes in the said recited Act mentioned, according to the Laws in such Case made and provided; be it enacted, That upon the Death of any Person so licensed, and also where any Person so licensed shall wholly discontinue the Business, Trade, Occupation, or Calling, for which any such Licence shall be issued, and shall be desirous of disposing of his or her Right and Interest in such Licence to any other Person duly qualified to carry on such Trade, Business, Occupation, or Calling, in every such Case it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Three of them, in their Discretion, to permit and allow the Heir, Executor, or Administrator, or Widow or Child of such deceased Person, or the Assignee or Assignees of the Person so disposing of such his or her Right and Interest aforesaid, to deliver up and surrender such Licence to the Collector or other Officer or Person who shall be duly authorized to grant and issue Licences in the proper District; and such Collector or other Officer or Person shall, upon receiving such Licence, sign, grant, and issue, without Payment of Duty, or any

Sum or Fee whatever, a new Licence, in such Manner and Form as the said Commissioners of Inland Excise and Taxes, or any Three of them, shall from Time to Time direct and appoint, to such respective Persons for the House or Premises, or any other House or Premises (being in the same City or Town in which the House or Premises for which such original Licence had been granted shall be situated) in which he or she shall be desirous of carrying on such Trade, Occupation, or Calling; and from the Date of such further or new Licence, the same shall be sufficient Authority for the Person to whom the same shall be granted to exercise and carry on the Trade, Business, Occupation, or Calling in the House or Premises mentioned and described therein, until the Expiration of the Term Force, Period, or Purpose for which the same shall be granted, and which Term, Force, Period, or Purpose shall not in any case exceed the Term, Force, Period, or Purpose for which the original Licence was granted; and every Licence, in the Place or Stead of which any new or further Licence shall be granted, shall be from thenceforth absolutely null and void: Provided always, that it shall not be lawful for any such Collector or other Officer or Person to grant or issue any such new or further Licence, unless and until all Duties and Penalties which shall have been or shall be incurred by such deceased Person, or by such Person so desirous of disposing of his or her Right and Interest aforesaid, shall be fully paid or satisfied; and provided also, that it shall not be lawful to grant or issue any such new or further Licence, unless and until the Person applying for the same shall have performed all and every the Requisites required, directed, and appointed to be performed by any Person applying for a Licence to exercise and carry on the Business, Trade, Occupation, or Calling to be mentioned in such Licence, according to the several Acts of Parliament in every such Case made and provided.

Where Licence shall be taken after the 5th of April in any Year, a Proportion of the Duty only shall be paid, unless it be discovered that the Person applying for the Licence had previously traded.

X. And be it further enacted, That whenever any Person shall at any Time after the Fifth Day of *April* in any Year, become desirous of obtaining for the First Time any Licence to deal in, retail, make, manufacture, sell, or keep for Sale, or expose to Sale, any Article, Matter, or Thing, or to exercise or carry on any Business, Trade, Occupation, or Calling, for which a Licence is required by the said recited Act of the Fifty-fifth Year aforesaid, it shall and may be lawful for every such Person to have and obtain such Licence for the Remainder of the Year, upon Payment only of the Proportion of the full annual Amount of the Duty by Law payable upon such Licence, estimated on the Remainder of such Year, commencing from the End of the Quarter of a Year ending on the Fifth Day of *April*, Fifth Day of *July*, or Tenth Day of *October* next preceding the Time of the taking out of such Licence, together with the Sum of One Shilling in the Pound on the Amount of the proportionate Rate of Duty so payable upon such Licence, any Thing in the said recited Act or in any other Act or Acts in force in *Ireland* to the contrary in anywise notwithstanding, and as if the annual Duty had been paid for such Licence; subject nevertheless to all and every the Clauses, Rules, Regulations, Provisions, and Restrictions as are con-

contained, limited, and appointed by the said recited Act, or any other Act or Acts with respect to any such Licence respectively: Provided always, that in case it shall appear to the Satisfaction of the Collector of the District that any Person who shall so for the First Time apply for any such Licence after the Fifth Day of *April* in any Year, shall have actually dealt in, retailed, made, sold, or kept for Sale, or exposed to Sale, any Article, Matter, or Thing, or shall have exercised or carried on any Business, Trade, Occupation, or Calling, for which such Licence shall be requisite, at any Time between the Fifth Day of *January* next preceding the Time when such Person shall make Application for such Licence and the Time of making such Application, it shall not be lawful for such Collector or other Officer in charge as aforesaid, to grant or issue such Licence to such Person, unless and until such Person shall pay the full annual Sum payable on such Licence; and in case any Person shall have obtained or shall obtain any such Licence after the Fifth Day of *April* in any Year, upon Payment of any less Sum than the full annual Duty by Law payable upon such Licence, and it shall afterwards be discovered that such Person had at any Time between the Fifth Day of *January* then next preceding and the Date of such Licence, dealt in, retailed, made, sold, or kept for Sale, or exposed for Sale, any Article, Matter, or Thing, or exercised or carried on any Trade, Business, Occupation, or Calling, for which such Licence shall be granted, every such Licence shall be and the same is hereby declared to be null and void to all Intents and Purposes, and the Person whose Licence shall so become null and void shall be deemed unlicensed, and shall be subject to all such Penalties, Forfeitures, and Disabilities as any Person exercising any Business, Trade, Occupation, or Calling without Licence, is by Law subject to, according to the Nature of the Business, Trade, Occupation, or Calling.

Powers of Acts in force, not hereby altered, extended to this Act.

XI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any manner to repeal or affect any of the Clauses, Rules, Regulations, Provisions, Matters, or Things contained in any Act or Acts of Parliament in force in *Ireland* at the Time of the Commencement of this Act, relating to or in respect of any Licences granted under the Authority of the Commissioners of Inland Excise and Taxes in *Ireland*, except where the same is or are expressly altered or repealed by this Act; and that all such Clauses, Authorities, Rules, Regulations, Provisions, Matters, or Things, shall (except as aforesaid) be and remain in full Force and Effect to all Intents and Purposes as if this Act had not been made, and shall be applied in the Execution of this Act as fully and effectually as if the same were repeated and re-enacted in this Act, and the said Acts and this Act shall be construed together as One Act, so far as the same are compatible and consistent with each other.

Recovery and Application of Penalties, &c.

XII. And be it further enacted, That the several Sums of Money by this Act made payable, and all Penalties and Forfeitures under this Act, shall be paid and payable and received and receivable in

British Currency, and shall and may be raised, levied, collected, paid, sued for, recovered, and applied in the same Manner, and under such Powers and Authorities, and by such Ways and Methods, and according to such Rules and Directions, and under such Penalties and Forfeitures, as are appointed, directed, and expressed for the raising, levying, collecting, paying, managing, recovering, and applying of any Duties, Penalties, and Forfeitures in and by an Act made in *Ireland* in the Fourteenth and Fifteenth Years of His late Majesty King *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 in and by an Act made in the Forty-sixth Year of His present Majesty, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters, and Things under the Management of the Commissioners of Customs and Port Duties and of the Commissioners of Inland Excise and Taxes in* Ireland; or in and by any other Act or Acts in force in *Ireland* relating to the Revenues of Excise and Customs, or either of them, as fully and effectually, to all Intents and Purposes, as if the same Rules and Directions, Penalties and Forfeitures, were herein expressed and enacted, with the like Remedy of Appeal to or for the Party or Parties aggrieved in and by the said Acts or any of them, or in any other Act or Acts, is or shall be provided.

Irish Act, 14 & 15 C. 2.

46G.3.c.106.

XIII. And be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and nineteen, so much and such Parts of the said recited Act made in the Fifty-fifth Year of His said Majesty's Reign, intituled *An Act to make further Provisions for the issuing of Licences to Persons to deal in, retail, make, or manufacture Spirits and other Exciseable Commodities in* Ireland, *and for securing the Duties of Excise payable by the Persons so licensed*, shall be repealed, as authorizes the several Collectors of Inland Excise and Taxes in *Ireland*, or other Officer or Person therein mentioned, upon the Performance of the several Provisoes and Conditions in the said Act mentioned and continued, to issue Licences for the Sale of Spirituous Liquors, Wine, Beer, Porter, Ale, Cider, Perry, Metheglin or Mead, by Retail, to the same Persons, and at and for the same Houses or Places, as shall have been licensed in the Year last immediately preceding; and also to issue Licences for the Purposes aforesaid to any Person or Persons whom any Three Magistrates residing within Seven Miles of the Habitation of such Person or Persons shall think proper Persons to be entrusted with such Licences, and to whom they shall, by Order under their Hands and Seals, direct such Licences to be issued; and the same is and are hereby repealed accordingly.

So much of 55G.3.c.104. as authorizes the issuing of Licences for Sale of Spirits, &c. to certain Persons repealed.

XIV. And, for the better preventing the granting of Licences to improper Persons to sell Spirituous or other Liquors by Retail in *Ireland*, be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and nineteen, no Licence shall be granted to any Person to sell Spirituous Liquors, Wine,

From Sept. 29, 1819, Licences shall be granted to such Persons only as shall

obtain an Order from the Justices in Sessions pursuant to the Provisions of 55 G. 3. c. 19.

Wine, Beer, Porter, Ale, Cider, Perry, Metheglin or Mead, by Retail in any Place (except in the City of *Dublin*, or within the Circular Road surrounding the said City, or within the District of the Metropolis of *Dublin*), unless such Person shall have made Application to the Justices of the Peace at some Sessions, or Adjournment thereof, and shall have obtained an Order from such Justices for the issuing of such Licence to such Person pursuant to the Provisions and Regulations of the said recited Act passed in the Fifty-fifth Year of His present Majesty's Reign, intituled *An Act to grant certain Duties of Excise upon Licences for the Sale of Spirituous and other Liquors by Retail, and upon Licences to Persons dealing in Exciseable Commodities, in* Ireland, *in lieu of the Stamp Duties payable upon such Licences; and to secure the Payment of such Excise Duties, and to regulate the issuing of such Licences; and to discourage the immoderate Use of Spirituous Liquors in* Ireland; any thing in any Act or Acts in force in *Ireland* to the contrary notwithstanding.

Notice to be given to the Churchwardens 14 Days before such Application is made to the Sessions, stating Particulars of Situation, &c. with Names of Sureties.

XV. And be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and nineteen, any Person intending to apply for a Licence for the Sale of Spirituous or other Liquors by Retail shall, Fourteen Days at least before such Person shall make such Application at any Sessions of the Peace or Adjournment thereof for an Order for such Licence, give or cause to be given a Notice in Writing, signed by such Person, to the Churchwarden or Churchwardens of the Parish or Place wherein the House for which such Person shall intend to be licensed shall be situate; and every such Notice shall state the Intention of such Person to make such Application, and shall set forth the Situation of such House in a true and particular Manner, specifying the Town, Townland, Parish, Barony, Half Barony, and if in a Town or City, the Street, Square, Lane, or other Description of Place, and also the Place of Abode of such Person, and the Names and Places of Abode of the Persons whom such Person requiring such Licence proposes as Sureties, not being Distillers or Publicans; and every such Notice shall be filed and kept by the Churchwarden or Churchwardens to whom the same shall be given.

Provisions of 55 G. 3. c. 19. limiting the Sale of Spirits to certain Quantities, repealed.

XVI. And whereas in and by the said recited Act of the Fifty-fifth Year of His said Majesty's Reign, and the Schedule to the said Act annexed, a Duty of Twenty-one Pounds *British* Currency is imposed and made payable upon any Licence to any Person to sell Spirituous Liquors, on Commission or otherwise, in Quantities not less than Fifty Gallons, the Person so selling not being a licensed Distiller, or an Importer of Spirits: And whereas it is in and by the said recited Act amongst other Things enacted, that every Person applying for any such Licence shall enter into such Bond as in the said Act mentioned, conditioned amongst other Things, that the Party applying for such Licence shall not sell or deliver out any Spirituous Liquors in any Quantity at any one Time less than Fifty Gallons;

Gallons; and that it shall not be lawful for any Person, other than a licensed Distiller, to sell Spirituous Liquors in any Quantity exceeding Twenty-five Gallons and not exceeding Fifty Gallons: And whereas the said recited Provisions of the said Act have been found inconvenient; be it therefore enacted, That from and after the passing of this Act, so much of the said recited Act as requires such Condition in the said Bond shall be repealed; and that any Person or Persons who shall, at the Time of the passing of this Act, be licensed to sell Spirituous Liquors in Quantities not less than Fifty Gallons, shall and may lawfully sell and deliver out any Spirituous Liquors at any one Time in any Quantity exceeding Twenty-five Gallons; and such Person shall not be liable to any Penalty or Forfeiture under the said recited Act for selling or delivering out Spirituous Liquors in any Quantity exceeding Twenty-five Gallons and not exceeding Fifty Gallons; and that from and after the passing of this Act it shall and may be lawful for the Commissioners of Inland Excise and Taxes, or any Three of them, or any Collector of Excise, or other Officer thereto authorized by Law, on Payment of such Duty of Twenty-one Pounds, together with One Shilling in the Pound on the Amount thereof, to grant a Licence to any Person to sell Spirituous Liquors, on Commission or otherwise, in Quantities not less than Twenty-five Gallons, in any Place in *Ireland*, the Person so selling not being a licensed Distiller or Importer of Spirits, or to an Importer of Spirits to sell in like Quantities Spirits not imported by himself; and such Licences shall be granted in such Manner as required by Law with respect to Licences to sell in Quantities not less than Fifty Gallons.

Persons licensed to sell not less than 50 Gallons may sell in any Quantity exceeding 25 Gallons.

Licences may be granted on Payment of 21*l.* and 1*s.* in the Pound to sell Spirits in Quantities not less than 25 Gallons.

XVII. And be it further enacted, That it shall not be lawful for any Distiller, licensed to keep a Still of or under One hundred Gallons Content, and to be worked under the Regulations of the said recited Act of the Fifty-seventh Year aforesaid, so as to be chargeable as aforesaid with Ninety Charges of Singlings or Low Wines, to have, keep, or make use of any Tube, Pipe, Trunk, or Shute, or other Vessel or Utensil for cooling any Wort, Wash, or Pot Ale, other than and except such Cooler of such Description, Dimensions, and Content as is herein-before mentioned; and if any such Distiller shall have, keep, or make use of any Tube, Pipe, Shute, Trunk, or other Vessel or Utensil for cooling any Worts, Wash, or Pot Ale, other than and except as aforesaid, then and in every such Case every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds.

Distillers licensed to keep a Still of 100 Gallons or under, chargeable with 90 Charges of Singlings, not to keep any Tube or Vessel, except the Cooler allowed, Penalty, 50*l.*

XVIII. And be it further enacted, That any Still of or under One hundred Gallons Content, to be worked under the Regulation of the said recited Act of the Fifty-seventh Year aforesaid, so as to be chargeable with Ninety Charges only of Singlings or Low Wines, as in the said Act mentioned, shall be of the Proportion following; that is to say, the Diameter of such Still, to be taken in the widest Part thereof, and in that Place of such widest Part as shall be most remote

Such Stills to be of the Proportions herein mentioned.

remote from the Bottom of such Still, shall not be greater than the Altitude of such Still, such Altitude to be ascertained in a perpendicular Line from the Centre of the Diameter so taken to the Bottom of such Still, nor shall the Bottom of such Still be otherwise curved than inwards, or towards the Body of such Still; and in case any Still which shall not be conformable to the Proportions aforesaid, shall be found in the Possession of any Distiller bound to keep any Still under the Regulations of the said recited Act of the Fifty-seventh Year aforesaid, so as to be chargeable with Ninety Charges only of Singlings or Low Wines as aforesaid, every such Still not conformable as aforesaid shall be forfeited, and may be seized, and every such Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty, 200*l.*

Distillers licensed to keep Stills of any Content (except Stills chargeable with 90 Charges) to give Notice of certain Particulars as to their Workings.

XIX. And be it further enacted, That whenever any Distiller in *Ireland*, licensed to keep or use any Still or Stills of any Content whatsoever (except a Still to be worked so as to be chargeable in respect of Ninety Charges only of Singlings or Low Wines as aforesaid), shall insert in the several Notices which he is bound by Law to give before he commences or re-commences to work a Still, or shall give Notice in like Manner Six Days before the Expiration of any Period of Four Weeks or Twenty-eight Days, during which any Still or Stills of such Distiller shall be chargeable as working, that such Distiller purposes to work any Still or Stills in his Possession, during the next succeeding Period, with Turf only, not charred, and not with Coal or other Fuel than Turf not charred, such Distiller shall for any such Period during which such Still or Stills shall be worked with no other Fuel than Turf not charred, be charged with and pay Duty for such Quantity of Spirits as might be produced (according to the Rates specified in any Act or Acts in force) from Five-sevenths of the Number of Charges of Singlings or Low Wines to which such Still would otherwise be liable under any Act in force in *Ireland*, and also with Duty for as much more Spirits as might be produced according to such Rates, from all Wash, Pot Ale, Low Wines, or Singlings, which such Distiller shall actually distil within such Period of Four Weeks or Twenty-eight Days, over and above the Quantity produceable from such Number of Charges of Low Wines or Singlings as aforesaid.

Distillers of Stills of or under 100 Gallons not to have Coolers capable of containing any greater Quantity than in the Proportion of 12 Gallons for

XX. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content, and who shall work the same under the Regulations of an Act made in the Fifty-seventh Year of His present Majesty's Reign, intituled *An Act to make further Regulations for the better collecting and securing the Duties on Spirits distilled in* Ireland, so as to be chargeable as in the said Act is mentioned in respect of Ninety Charges only of Singlings or Low Wines, to have, keep, or use any Cooler for cooling any Worts, Wash, or Pot Ale which shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Twelve Gallons for every One Gallon of the Content of the

the Still which such Distiller shall be licensed to keep, nor to have, keep, or use any greater Number of Coolers than One Cooler; and if any such Distiller shall have, keep, or use any Cooler which shall be capable of containing any greater Quantity than after the Rate aforesaid, or shall have, keep, or use any greater Number of Coolers than one Cooler, every such Cooler which shall be of a greater Content than as aforesaid, and every Second or further Cooler, together with the Contents thereof respectively, shall be forfeited, and may be seized; and every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds.

every Gallon Content of the Still.

Penalty 50*l.*

XXI. And be it further enacted, That it shall not be lawful for any Distiller whatever in *Ireland* to put, or cause or suffer or permit to be put, any Worts, Wash, Pot Ale, Low Wines, or Singlings in any Still, or to have or keep, or cause or permit or suffer to be had or kept, any Fire under any Still at any Time between the Hour of Six of the Clock in the Forenoon and the Hour of Six of the Clock in the Afternoon of any *Sunday*, any Charge or Charges on such Distiller in respect of any Period of Four Weeks, or Twenty-eight Days, or any other Matter or Thing in any Act or Acts in force in *Ireland* relating to the Distillation of Spirits to the contrary in any wise notwithstanding; and if any Worts, Wash, Pot Ale, Low Wines, or Singlings shall be found in the Still of any Distiller whatever in *Ireland*, or if any Distiller shall have or keep, or cause or permit or suffer to be had or kept, any Fire under any Still, or if any Fire shall be found under the Still of any Distiller at any Time between the Hour of Six of the Clock in the Forenoon and the Hour of Six of the Clock in the Afternoon of any *Sunday*, then and in every such Case every such Distiller shall for every such Offence forfeit the Sum of Five hundred Pounds.

No Worts shall be put into any Still, or any Fire put under it, between the Hours of Six and Six of any Sunday.

Penalty 500*l.*

XXII. And be it further enacted, That there shall at all Times, between the Hours of Six of the Clock in the Forenoon and Six of the Clock in the Afternoon of every *Sunday*, be a free Passage and Access into every Distillery, and also into such Parts or Places thereof where any Still shall then be situate; and it shall and may be lawful for any Officer of Excise, or Justice of the Peace, or any Churchwarden of the Parish or Place where such Distillery shall be situate, to enter into such Distillery at all Times between the said Hours, and to examine each and every Still, and every Furnace or Fireplace which shall be then situate in such Distillery; and if any Justice of the Peace, Officer of Excise, or Churchwarden, shall be wilfully delayed in obtaining Access to any Still of any Distiller, or shall be in any Manner prevented or hindered from immediately examining any Still of any Distiller, every such Distiller shall, in each and every such Case, forfeit the Sum of Five hundred Pounds.

Penalty on refusing Access to any Justice, Churchwarden, or Excise Officer into any Distillery, 500*l.*

XXIII. And be it further enacted, That all and every the Clauses, Regulations, Provisions, Penalties, Forfeitures, and Modes of Recovery prescribed, mentioned, and contained in any Act or Acts of Parliament in force in *Ireland* for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*, shall

Powers of other Acts in force for securing Duties on Spirits extended to this Act.

shall be applied and put in Practice in the Execution of this Act, as fully and effectually to all Intents and Purposes whatsoever as if all the Clauses, Rules, Regulations, Restrictions, Provisions, Penalties, and Forfeitures contained in the said Acts or any of them, had been expressly repeated and re-enacted in this Act, and made applicable to the Provisions herein contained, except so far as the same are repealed or altered by this Act or any other Act or Acts; and the said Acts and this Act shall be construed together as One Act, to all Intents and Purposes whatsoever, so far as the same are compatible or consistent with each other, and as the said Acts are amended and altered by this Act.

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