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GEORGII IV. REGIS.

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C A P. XLVI.

An Act to enable certain Hotel Keepers to be licensed to keep Hotels as common Inns, Alehouses, and Victualling Houses, and to sell therein Beer and other exciseable Liquors, for the Residue of the present Year.

[15th *July* 1828.]

WHEREAS by an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Prevention of selling Ale and* 35 G.3.c.113.
other Liquors by Persons not duly licensed, it is enacted, that from s.1.
and after the Twentieth Day of *September* One thousand seven hundred and ninety-five, if any Person shall sell Ale or Beer, or any other exciseable Liquors, by Retail, or shall permit or suffer any Ale or Beer, or any other exciseable Liquors, to be sold by Retail in his, her, or their House, Outhouse, or Yard, Garden, Orchard, or other Place, in that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick-upon-Tweed*, without being duly licensed so to do, and shall thereof be duly convicted, every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds, and also the Costs and Expences attending the Conviction, to be levied and recovered as therein is directed; and on and after a Second Conviction for the like Offence, shall also be rendered incapable of being thereafter licensed to keep an Alehouse,

or to sell Ale or Beer, or other exciseable Liquors, by Retail; and several Provisions are also contained in the said Act for the Recovery and Appropriation of the said Penalty: And whereas certain Persons, being the Keepers of Hotels for the temporary Residence of Guests, and not being licensed to keep a common Inn, Alehouse, or Victualling House, have, by supplying such Guests with Beer, or other exciseable Liquors, for their daily Consumption, inadvertently incurred the aforesaid Penalty and Disability; for Remedy thereof 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 such Person, so being the Keeper of any Hotel for the temporary Residence of Guests, who at any Time before the passing of this Act, by selling to and supplying any Guests in such Hotel with any Beer or other exciseable Liquor, without being licensed to keep a common Inn, Alehouse, or Victualling House, shall have thereby incurred the Penalty and Disability aforesaid, shall, on taking out such Licences as herein-after mentioned, be altogether freed, acquitted, and discharged of and from every such Penalty and Disability, and all Proceedings for the Recovery thereof shall be null and void; the said recited Act or any other Act or Acts to the contrary thereof notwithstanding.

Keepers of Hotels, who without Licence have sold exciseable Liquors to their Guests before the passing of this Act, discharged from the Penalty.

II. And whereas the Days and Times appointed by Law for Justices to grant Licences to keep common Inns, Alehouses, or Victualling Houses, for the present Year, are now past, and it is expedient to make special Provision for granting such Licences to the Keepers of such Hotels as aforesaid for the Residue of the present Year; be it therefore enacted, That it shall be lawful for any Two or more Justices of the Peace or Magistrates, if they shall so think fit, of any County, City, Borough, Town, or Place in *Great Britain*, to grant their Authority or Licence to any Person keeping and using and who shall have kept and used any such Hotel as aforesaid, at and from the First Day of *January* One thousand eight hundred and twenty-eight, or at any Time between that Day and the passing of this Act, to keep such Hotel as a common Inn, Alehouse, or Victualling House for the Remainder of the present Year for granting such Licences, and until the Time when the General Licences for that Purpose are according to Law in due Course renewable; provided the Hotel in respect of which such Authority or Licence as herein mentioned shall be applied for shall have been kept and used as such Hotel, either by the Person or Persons who at the Time of applying for such Authority or Licence shall so keep and use the same, or by his, her, or their Predecessor or Predecessors therein, on and continually from the First Day of *January* One thousand eight hundred and twenty-eight until the passing of this Act; and it shall be lawful for the Commissioners and Assistant Commissioners, Collectors, and Supervisors of Excise to grant to every such Person, so authorized and licensed by any Two Justices as aforesaid, a Licence or Licences to sell Beer by Retail, or Cider or Perry, or other exciseable Liquors, to be drunk or consumed in the Hotel for which such Licence or Authority shall have been granted, in the same Manner as if such Hotel had been

Two Justices may grant a Licence to keep such Hotel as a common Inn, Alehouse, or Victualling House for the Residue of the present Year.

 licensed

licensed by the Justices for that Purpose under and according to the Acts of Parliament in force at and immediately before the passing of this Act; any thing in the said Acts, or any of them, to the contrary thereof notwithstanding: Provided always, that every Person to whom such Authority or Licence shall be so granted by Two Justices as aforesaid, shall in all other respects whatsoever be subject and liable to the Rules and Regulations, Penalties and Forfeitures, and shall do and perform all Things whatsoever, which the Persons licensed or applying to be licensed by the Justices to keep a common Inn, Alehouse, or Victualling House shall by any such Act or Acts as aforesaid be required to do, or to which such Persons are made subject.

Act may be amended this Session.

III. And be it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed in this present Session of Parliament.

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