



Refreshment Houses Act 1860

CHAPTER 27

REFRESHMENT HOUSES ACT 1860

- I From and after 1st July 1860, certain Duties to be charged for Licences herein mentioned.
- II Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.
- III Every Person keeping a Shop entitled to take out a Licence to retail Wine not to be consumed on the Premises.
- IV What shall be deemed selling by Retail.
 - V Permitting drinking Wine in a neighbouring House, Shed, &c, with Intent to evade the Provisions of this Act, to be deemed drinking on the Premises, Penalty.
- VI Persons keeping Houses, &c. herein named required to take out Licences.
- VII Confectioners and Eating-house Keepers entitled to take out Licences to sell Wine to be drunk on the Premises.
- VIII Wine Licences not to be granted for Refreshment Houses under a certain Rent or annual Value. Persons disqualified to hold Wine Licences.
- IX Penalty for keeping a Refreshment House without Licence, 20l.
 - X By whom Licences under this Act shall be granted. Forms of Licences as in Schedule to this Act.
- XI Licences: Date, Expiration, mid Renewal thereof.
- XII On Death of a licensed Person, his Representative, or Widow or Child, may be authorized to continue the Business for which the Licence was granted, for the Remainder of the Term thereof.
- XIII Notice of First Application for a Wine Licence for a Refreshment House to be given to Justices, who may object to the granting thereof on Grounds to be stated. No Notice of Objection to be signed, &c. until the Applicant has been heard against the same.

- XIV Notice to be given of Application for Licence to retail Wine to be consumed on the Premises in a House not previously licensed.
- XV Justices may object to the Renewal of a Wine Licence if they shall see just Cause of Objection.
- XVI A List of Licences to be kept by Collectors and Supervisors for Inspection of the Justices, and Copies of the List to be transmitted to the Justices Clerk.
- XVII In case of Complaint Licensed Retailers of Wine to produce their Licences on Requisition of Two Justices.
- XVIII Constables and Police Officers empowered to visit licensed Refreshment Houses. Penalty for refusing them Admittance. Licence to be forfeited on Second Conviction if Justices think fit.
- XIX Penalty for selling Wine by Retail without Licence.
- XX Additional Penalty on unlicensed Persons selling Wine.
- XXI What shall, be deemed Foreign Wine, and what shall be deemed Spirits.
- XXII Licences to be void on Conviction of Felony or selling Spirits without Licence.
- XXIII Licensed Retailers of Wine to make Entry of Houses, &c. with the Excise.
- XXIV Excise Officers empowered to enter the Premises of licensed Retailers of Wine.
- XXV Penalty on Persons licensed to retail Wine having Spirits in their entered Premises.
- XXVI Standard Measures to be used in the Sale of Wine.
- XXVII Limitation of Hours for opening and closing Houses licensed for the Sale of Wine by Retail. Exception in favour of Lodgers.
- XXVIII Houses licensed for the Sale of Wine to be closed by Order of Justices in Cases of Riot, &c.
- XXIX Penalty on Retailers of Wine permitting Drunkenness, &c. in their Houses: First Offence: Second Offence: Third Offence. Penalty for mixing Spirits or Drugs in Wine or adulterating Wine: First Offence: Second Offence. Penalty on selling Wine after Conviction of Second Offence.
- XXX Penalties other than Excise Penalties recoverable before Two Justices in Petty Sessions, within Three Months after Offence committed. Second Offence. Third Offence.
- XXXI Justices may adjudge Premises disqualified for Sale of Wine on Proof that within Two Years last preceding such Third Conviction, Two Convictions have taken place.
- XXXII Penalties for Offences in Refreshment Houses.
- XXXIII Power to Justices to mitigate Penalties.
- XXXIV Appeal to the Sessions against a Second or Third Conviction.
- XXXV Court to adjudge Costs of Appeal in certain Cases.
- XXXVI Proceedings on Appeal to be carried on by the Constable, and the Expenses of Prosecution to be charged on County Rates.
- XXXVII Power to Lord Mayor, Alderman, or Justices of the Peace to summon Witnesses and examine them on Oath.
- XXXVIII Penalty on Witnesses refusing to attend or to give Evidence.
- XXXIX Penalty for harbouring Constables while on Duty.
- XL Penalty on Drunkards guilty of riotous or indecent Behaviour.
- XLI Penalty on drunken and disorderly Persons refusing to quit licensed Houses on Request.

- XLII Provisions of 11 & 12 Vict. c.43 to be applied in the Recovery of Penalties under this Act.
- XLIII How Excise Penalties under this Act are to be recovered, &c.
- XLIV Covenants against Houses, &c. being used as Public Houses to extend to Persons licensed to sell Wine under this Act.
- XLV Act not to affect the Two Universities, or the Vintners Company in London, or the Borough of St. Albans.
- XLVI Extent of Act.

No. 1 —

No. 2 —

No. 3 —