

Updated County Donegal Book of Honour

Last November for the centenary of the end of World War One, I wrote a two page spread in the Democrat on some of the 8,000 Donegal men who participated in this war.

With the assistance from the fourth edition of the 'County Donegal Book of Honour the Great War 1914-1918'. I recalled some of those who died, among them brothers.

I also mentioned one set of Donegal sisters killed, whose names, I was unable to find. Thanks to the fifth edition of the 'County Donegal Book of Honour 1914-1918', the names of a further number of Donegal soldiers killed have been



MEEHAN'S MUSES
PADDY
MEEHAN

uncovered. And I am delighted to write that the names of those Donegal sisters who died have now also been uncovered and recognised.

It is estimated that over 25,000 women from Britain and Ireland recruited, many as nurses in hospitals and clearing stations.

At least over 5,000 posted to the frontline nursing wounded soldiers.

Many of these women died as a result of enemy actions and through diseases while tending sick wounded and dying soldiers. Among these were Fahan sisters Annie Ellen and Mary Dickson, their names are on a memorial Tablet in Fahan Church of Ireland, and Florence Balfour Olphert Falcarragh, Nursing Division, also died.

The names of more Donegal soldiers killed have been uncovered

Thousands of women worked in munitions and other factories. The Irish Women's Association prepared parcels sent to men in Prisoner of War camps.

As an example, in Dungloe, women could earn up to two pounds a week working for the Cooperative, knitting supplies for the War. In certain areas living standards rose and poverty levels fell.

As I mentioned in November the

late Paddy Harte of Raphoe, the driving force behind the 'Island of Ireland Peace Park' and he also played a huge role in the foundation of the 'County Donegal Book of Honour'.

In one of my Democrat writings some years ago I raised the possibility of the erection of small memorials in our villages etc to native sons and daughters who lost their lives in both World Wars.

At the time Paddy contacted and was totally in agreement with me. But perhaps later, as sadly the wounds inflicted upon our country over the ages by outside forces have not yet fully healed.

Deoch an Dorais – One for the Road



By: Conor McLaughlin, Solicitor and Principal at McMorrow & McLaughlin Solicitors

Fado, Fado, prior to English Rule, Ireland had its own indigenous legal System which dated from Celtic times and survived until in or around the 17th century known as Brehon law.

Brehon law had developed from customs which had been passed on orally from one generation to the next. Under the Brehon law system certain houses were set aside for the purposes of brewing and selling alcohol.

Those who did so legally were referred to as *dligteach*, meaning legal, or licensed in this context.

Not all houses were licensed, which resulted in the proprietors of licensed houses charging more for their products.

Nowadays, the matter of applying for Liquor Licences is dealt with on a set date in September of each year.

In or around mid-July well prepared Publicans, Restaurant owners and indeed the Captains of Clubs take the necessary steps to apply for their relevant Licence or Certificate. Current Intoxicating Liquor Laws have their origins in the 1880s and were compiled in the form of the Intoxicating Liquor Acts 2000 and 2003.

ANNUAL LICENSING COURTS

As noted above, the Annual Licensing Court is held each September to deal with matters such as the confirmation of Transfer of Licences which took place during the previous year, applications for Public Dance Licences, Restaurant Certificates along with the renewal of the Registration of Clubs.

PUBLICAN'S ON LICENCE

A Publican's On License must be renewed annually with Revenue. However, new applications must be heard in the Circuit Court.

CONFIRMATION OF TRANSFER

The Transfer of a License during the year is made by way of *Ad-Interim* Transfer which provides the new License holder with the right to trade until the Annual Licensing Court when the transfer is "confirmed" and is more properly known as a Certificate of Transfer.

RESTAURANT CERTIFICATES

Intoxicating Liquor Acts require that any bar or pub seeking to serve a substantial



CERTIFICATES

meal at their premises to its customers must firstly obtain a Restaurant Certificate. This certificate involves the Court issuing a declaration as to the suitability of the premises as a Restaurant.

Once a business premises has a liquor licence, the business owner can apply for this additional certificate. The certificate is "attached" to the existing licence. It is not a licence in its own right and can only be sought where an existing licence is in place. The "supporting" licence must also be valid.

The benefits of having a Restaurant Certificate is that the bar or pub can serve alcohol for extra time, typically an extra hour, after the end of normal hours authorised by the Ordinary-on licence.

SPECIAL RESTAURANT

A Special Restaurant Licence holder is entitled to sell all types of alcohol for consumption in their restaurant. They may not have a bar on the premises. Non-alcoholic beverages such as drinking water must be available on the premises. A Special Restaurant Licence holder can serve alcohol in the waiting area where the customer has ordered a substantial meal, in the dining area during the meal and within 30 minutes following the end of the meal.

REGISTRATION OF CLUBS

The District Court Clerk maintains the Register of Clubs in their District. The application is made in the name of the Club's chairman or secretary. All necessary documentation is submitted to the Register of Clubs. For a first application the documentation is

transferred to the County Registrar as it is the Circuit Court who will decide whether the first application is granted.

Public Dancing Licences
Public Dance Licences are generally sought by licensed premises who seek exemptions from trading during normal trading hours throughout the year.

Special Exemptions Licence

A Special Exemption licence are applied for throughout the year and permits the licence holder to continue serving alcohol after normal closing hours. There is no upper limit as to the amount of special exemption applications a relevant licence holder can apply for in any one given year.

WHOLESALE LICENCE

An application for a Wholesaler License can be made in the local District for the proposed premises. An Architect will need to be employed to show the planned layout of the premises. This Licence expires on the 30th of June every year and can be renewed by Revenue on payment of the relevant fee which is currently €500.00.

FORMALITIES

It should be noted that most of the above-mentioned applications require notices to An Garda Siochana, the Fire

Services and the Court Clerk in advance of your application, along with payment of the Stamp Duty Fee, productions of a Tax Clearance Certificate and publication of your application in a local Newspaper. Further, it is imperative that the appropriate Public Liability Insurance is valid and in place.

Failure to Comply with your obligations as a Licence/Certificate holder Licence holders who continue to trade while failing to attend to their obligations may be liable for fines of up to €1,500.00 and/or a 6-month prison sentence, the endorsement of the relevant licence and potentially the permanent loss of the licence for repeat offences.

The above article is one of a series of monthly legal articles drafted by Conor McLaughlin, Solicitor and Principal at McMorrow & McLaughlin Solicitors. They do not constitute legal advice and should not be acted upon without seeking legal advice particular to your set of circumstances. McMorrow & McLaughlin Solicitors have offices in Letterkenny and Bundoran, County Donegal. For further information on the above or any other legal issues you may have, please contact us on TEL: 071 984 1322, Email: info@cmlsolicitors.com or at www.cmlsolicitors.com