ANNO UNDECIMO

Georgii III. Regis.

CAP. I.

An Act to continue the Prohibition of the Exportation of Corn, Grain, Meal, Flour, Bread, Biſcuit, and Starch; and alſo of the Extraction of Low Wines and Spirits from Wheat and Wheat Flour, for a further Time; and alſo to prohibit the Exportation of Malt for a limited Time.

WHEREAS it is expedient that the Exportation of any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, and Starch, out of the Kingdoms of Great Britain or Ireland, ſhould be prohibited for a further Time; 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 paſſing of this Act, no Perſon or Perſons whatſoever ſhall, directly or indirectly, export, tranſport, carry, or convey, or cauſe or procure to be exported, tranſported, carried, or conveyed, out of or from the ſaid Kingdoms of Great Britain or Ireland; or load or lay on board, or cauſe or procure to be laden or laid on board, in any Ship or other Veſſel, or Boat, in order to be exported or carried out of the ſaid Kingdoms of Great Britain or Ireland, any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit,

Preamble.

No Perſon ſhall export, &c. any of the Commodities here mentioned, from *Great Britain* or *Ireland*,

Biſcuit, or Starch, under the Penalties and Forfeitures herein after mentioned; that is to ſay, That all the ſaid Commodities that ſhall be ſo exported, ſhipped, or laid on board, or loaded to be exported, ſhipped, or carried out, contrary to this Act, ſhall be forfeited; and that every Offender or Offenders therein ſhall forfeit the Sum of Twenty Shillings for every Buſhel of Corn, Grain, Malt, Meal, or Flour; and Twelve Pence for every Pound Weight of Bread, Biſcuit, or Starch; and ſo in Proportion for any greater or leſs Quantity which ſhall be ſo exported, ſhipped, or put on board to be exported; and alſo the Ship, Boat, or Veſſel, upon which any of the ſaid Commodities ſhall be exported, ſhipped, or laden to be exported, and all her Guns, Tackle, Apparel, and Furniture, ſhall be forfeited; and One Moiety of all the ſaid Penalties and Forfeitures ſhall be to the King's Majeſty, His Heirs and Succeſſors, and the other Moiety to him or them that will ſue for the ſame; and for Offences which ſhall be committed in that Part of Great Britain called England, ſuch Penalties and Forfeitures ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at Weſtminſter, or before the Juſtices of Aſſize, or at the Great Seſſions in Wales, or by Information, at any General Quarter Seſſions of the Peace for the County, City, Riding, Diviſion, or Place, where the Offence ſhall be committed; and in ſuch Suit no Eſſoin, Protection, Privilege, or Wager of Law, ſhall be allowed; and for Offences which ſhall be committed in that Part of Great Britain called Scotland, by Action or ſummary Bill, or Information, in the Courts of Seſſions or Exchequer in Scotland; and for Offences which ſhall be committed in Ireland, in his Majeſty's Courts of Record in Dublin, or at the General Quarter Seſſions of the Peace for the County, City, or Place, where the Offence ſhall be committed; and that the Maſter and Mariners of any ſuch Ship, Boat, or Veſſel, wherein any ſuch Offence ſhall be committed, knowing ſuch Offence, and wittingly and willingly aiding and aſſiſting thereunto, and being thereof duly convicted in any ſuch Courts as aforeſaid, ſhall be impriſoned for the Space of Three Months without Bail or Mainprize.

on Forfeiture of the ſame;

and 20 *s per* Buſhel for all Corn, Grain, Malt, Meal, or Flour; and 12 *d. per lb.* for all Bread, Biſcuit, or Starch;

and alſo of the Veſſel, &c.

In what Courts the ſaid Penalties to be ſued for and recovered.

Maſter and Mariners of any ſuch Veſſel aſſiſting, liable to three Months Impriſonment.

Officers, and other Perſons authoriſed,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, being an Officer or Officers of the Cuſtoms, or being lawfully authoriſed in this Behalf by the Lord High Treaſurer of Great Britain, or the Commiſſioners of

of the Treaſury for the Time being, or any Three or more of them, to take and ſeize all ſuch of the ſaid Commodities, not allowed to be exported by this Act, as he or they ſhall happen to find, know, or diſcover, to be laid on Board any Ship, or other Veſſel, or Boat, at Sea, or in any Port, or in any navigable River or Water, to the Intent or Purpoſe to be exported, tranſported, or conveyed, out of Great Britain or Ireland, contrary to the true Intent of this Act; and alſo the Ship, Veſſel, or Boat, in which the ſame ſhall be found; and to bring the ſaid Goods to the King's Warehouſe or Warehouſes belonging to the Cuſtomhouſe next to the Place where ſuch Seizures ſhall be made, or to ſome other ſafe Place (where there are no ſuch Warehouſes) in order to be proceeded againſt according to Law; and in caſe of Recovery, to be divided in manner as aforeſaid.

may ſeize any of the ſaid Commodities ſhipped, &c. contrary to the Intent of this Act;

together with the Veſſel.

The Goods to be lodged in the King's Warehouſes.

Provided always, That this Act, or any Thing herein contained, ſhall not extend to prohibit the Exportation of ſuch or ſo much of the ſaid Commodities, as ſhall be neceſſary to be carried in any Ship or Ships, or other Veſſel or Veſſels, in their reſpective Voyages, for the Suſtenance, Diet, and Support, of the Commanders, Maſters, Mariners, Paſſengers, or others, in the ſame Ships or Veſſels only; or for the victualling or providing any of His Majeſty's Ships of War, or other Ships or Veſſels in His Majeſty's Service, or for His Majeſty's Forces, Forts, or Garriſons; any Thing herein contained to the contrary notwithſtanding.

Prohibition not to extend to ſo much of the ſaid Commodities, as ſhall be neceſſary for the Uſe of Veſſels in their Voyages;

or for His Majeſty's Ships of War, &c. Forces or Garriſons;

Provided alſo, That this Act, or any thing herein contained, ſhall not extend to prohibit any Perſon or Perſons to ſhip or put on board any of the Commodities aforeſaid, to be carried Coaſtwiſe; (that is to ſay,) From any Port, Creek, or Member of the Kingdoms of Great Britain or Ireland, to any other Port, Creek, or Member of the ſame reſpectively, having ſuch or the like Coaſt Cocquet, or Sufferance for that Purpoſe, and ſuch of the like ſufficient Security being firſt given for the landing and diſcharging the ſame in ſome other Port, Member, or Creek, of the ſaid Kingdoms, and returning a Certificate in Six Months, as is required by Law in Caſes where Goods, which are liable to pay Duties on Exportation, are carried Coaſtwiſe from One Port of Great Britain to another, and not otherwiſe.

nor to ſuch as ſhall be carried Coaſtwiſe;

Security being firſt given for the due landing thereof;

Provided alſo, That this Act, or any Thing herein contained, ſhall not extend to any of the ſaid Commodities which ſhall be exported, or ſhipped to be exported,

nor to such as shall be exported from *Great Britain* to *Ireland*; or from *Ireland* to *Great Britain*; or to *Gibraltar*, *Minorca*, or *British* Colonies in *America*; or for the *British* Fishery there;

out of or from Great Britain to Ireland, or from Ireland to Great Britain; or from Great Britain or Ireland to Gibraltar or Minorca, or unto any of His Majesty's Islands or Colonies in America, that have usually been supplied with any of the said Commodities from Great Britain or Ireland, for the Sustentation of the Inhabitants of the said Islands, Colonies, or Dominions; or for the Benefit of the British Fishery in those Parts only; so as the Exporter do, before the shipping or laying on board the same, declare the Island, Colony, or Dominion, Islands, Colonies, or Dominions, for which the said Commodities are respectively designed, and do become bound with other sufficient Security in Treble the Value thereof, to the Commissioners or Chief Officer or Officers of His Majesty's Customs belonging to the Port or Place where the same shall be shipped or put on board (who hath or have hereby Power to take such Security in His Majesty's Name, and to His Majesty's Use) that such Commodities shall not be landed or sold in any Parts whatsoever, other than the Kingdoms, Dominions, Islands, or Colonies, for which the same shall be so declared; and that a Certificate under the Hand and Seal of the Collector, Comptroller, or other Chief Officer of the Customs, or if no such, of the Naval Officer, or some other principal Officer of the Port where the same shall be landed, shall, within the respective Times herein after for that Purpose mentioned (the Danger of the Seas excepted) be returned to the Officers who took the said Bonds, that the said Commodities have been landed at the Port or Place for which the same shall be so declared; and for the taking of such Security, and for giving such Certificates (which the respective Officers aforesaid are hereby on Demand required to give) no Fee or Reward shall be demanded or received; and if any Officer shall make any false Certificate of any such Commodities being so landed, such Officer shall forfeit the Sum of Two hundred Pounds, and lose his Employment, and be incapable of serving His Majesty, His Heirs, or Successors, in any Office relating to the Customs: And if any Person shall counterfeit, raze, or falsify, any such Certificate, or knowingly publish any such counterfeit, razed, or false Certificate, he shall forfeit the Sum of Two hundred Pounds, and such Certificate shall be void and of no Effect; which said Penalties for Offences committed in Great Britain or Ireland, shall be recovered in the same Courts, and in the same Manner, as the other Penalties

the Exporter giving Security for the due landing, &c.

and returning a Certificate.

Officer making a false Certificate, forfeits 200 *l.* and is incapacitated.

Other Person counterfeiting, &c. any Certificate, forfeits 200 *l.* &c.

Penalties in what Courts to be recovered.

Penalties inflicted by this Act are recoverable; and for Offences committed in the Colonies or Plantations in America, or other the Dominions belonging to the Crown of Great Britain in Europe, shall be recovered in the High Court of Admiralty, or in any Chief Court of Civil or Criminal Jurisdiction, in such respective Colonies, Plantations, or Dominions; and shall be divided into equal Moieties between His Majesty and the Informer; and the said Bond or Bonds, if not prosecuted within Three Years, shall be void.

App'i ation thereof.

Bonds to be prosecuted within 3 Years.

Provided also, That nothing herein contained shall extend to prohibit the Exportation of Beans to the British Forts, Castles, and Factories in Africa, or for the Use of the Ships trading upon that Coast, that usually have been supplied with the same, from Great Britain or Ireland; so as the like Security be given for the exporting thereof, as is required by this Act to be given by Persons carrying any of the said Commodities to the British Colonies in America.

Prohibition not to extend to Beans exported to the *British* Forts, *&c.* in *Africa*, &c.

Provided also, That nothing herein contained shall extend to prohibit the United Company of Merchants of England trading to the East Indies, from exporting any of the said Commodities to any of their Forts, Factories, or Settlements, for the Support of the Persons residing there; so as the like Security be given for the exporting thereof, as is required by this Act to be given by Persons carrying any of the said Commodities to the British Colonies in America.

nor to any of the said Commodities exported by the *East India* Company to their Forts, *&c.*

Provided also, That this Act, or any Thing herein contained, shall not extend to any Wheat, Flour, Malt, Barley, Bread, Biscuit, or Pease, to be transported out of, or from, the Port of Southampton only, unto the Islands of Jersey, Guernsey, and Alderney, or any of them, for the only Use of the Inhabitants of those Islands; so as the Exporter before the lading of such Commodities, or laying the same on board, do become bound with other sufficient Security in Treble the Value thereof, which the Customer or Comptroller of the same Port hath hereby Power to take in His Majesty's Name, and to His Majesty's Use, and for which Security no Fee or Reward shall be given or taken, that such Commodities shall be landed in the said Islands of Jersey, Guernsey, and Alderney, or One of them (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever, and to return the like Certificates of the Landing the same there, as are herein required on the Exportation of the said Commodities to the British Colonies

nor to Wheat, Flour, Malt, Barley, Bread, Biscuit, or Pease, from *Southampton* to *Jersey*, *Guernsey*, and *Alderney*, &c.

for the Use of the Inhabitants only, *&c.*

Colonies in America, and within the Time for that Purpose herein mentioned; and so as the Quantity of Wheat, Flour, Malt, Barley, Bread, Biscuit, and Pease, which at any Time or Times, during the Continuance of this Act, shall be shipped at the said Port for the said Islands, or either of them as aforesaid, doth not exceed in the Whole Five thousand Quarters; any Thing herein contained to the contrary notwithstanding.

so as the Quantity exceed not 5000 Quarters in the Whole;

Provided also, That this Act shall not extend to any Wheat, Barley, Oats, Meal, or Flour, to be transported out of or from the Ports of Whitehaven or Liverpoole only, into the Isle of Man, for the only Use of the Inhabitants of that Island; so as the Exporter, before the lading of such Wheat, Barley, Oats, Meal, or Flour, or laying the same on board, do become bound, with other sufficient Security, in Treble the Value thereof (which the Customer or Comptroller of either of the said Ports respectively hath hereby Power to take in His Majesty's Name, and to his Majesty's Use) for which Security no Fee or Reward shall be given or taken, that such Wheat, Barley, Oats, Meal, or Flour, shall be landed in the said Isle of Man (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever; and to return the like Certificates of the landing the same there, as are by this Act required on the Exportation of the said Commodities to the British Colonies in America, and within the Time for that Purpose herein mentioned; and so as the whole Quantity of Wheat, Barley, Oats, Meal, and Flour, which, at any Time or Times during the Continuance of this Act, shall be shipped at both the said Ports for the said Isle of Man, shall not exceed in the Whole Two thousand five hundred Quarters; One Moiety thereof to be exported from the said Port of Whitehaven, and the other Moiety thereof to be exported from the said Port of Liverpoole; any Thing herein contained to the contrary notwithstanding.

nor to Wheat, Barley, Oats, Meal, or Flour, from *Whitehaven* or *Liverpoole* to the *Isle of Man*, for the Use of the Inhabitants only, *&c.*

so as the Quantity exceed not 2500 Quarters in the Whole; One Moiety to be shipt from *Whitehaven*, and the other Moiety from *Liverpoole*;

Provided also, That nothing in this Act contained shall extend to prohibit the Committee of Merchants trading to Africa, from exporting, during the Continuance of this Act, any Quantity of Wheat Flour, not exceeding Two hundred Quarters; or any Quantity of Bread or Biscuit, not exceeding Fifteen Tons in the Whole of such Bread or Biscuit, or of such Bread and Biscuit together, to the British Forts, Castles, and Factories in Africa, for the Support of the Persons residing there; so as the like Security be given for the Exporting thereof, as is herein required to be given by Persons carrying

nor to Wheat Flour, not exceeding 200 Quarters; nor to Bread or Biscuit, not exceeding 15 Tons; sent by the Committee of *Africa* Merchants to their Forts, *&c.* in *Africa*.

carrying the said Commodities to the British Colonies in America.

Commissioners of the Customs to return an Account to Parliament of all the Corn and other Commodities so exported.

And be it further enacted by the Authority aforesaid, That the Commissioners of the Customs for the Time being shall, and they are hereby required, to give a full and true Account in Writing, to both Houses of Parliament, at the Beginning of the next Session thereof, of all Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, and Starch, that shall before that Time be exported to any Place whatsoever, by virtue or in pursuance of any of the Liberties or Powers hereby given or granted for that Purpose.

Times limited for returning Certificates, where Bonds are taken.

And be it further enacted by the Authority aforesaid, That all Certificates of the Landing and Discharging of the said Commodities to be exported, other than Coastwise, shall be returned within the respective Times following; that is to say, Where the Bonds are taken in respect of any of the said Commodities to be exported from Great Britain or Ireland, to any of the said Colonies or Plantations in America, within Eighteen Calendar Months after the Date of such Bonds; and where to Gibraltar or Minorca, within Twelve Calendar Months after the Date of such Bonds; and where to the Islands of Guernsey, Jersey, Alderney, or Man, within Six Calendar Months after the Date of such Bonds; and where from Great Britain to Ireland, or from Ireland to Great Britain, within Six Calendar Months after the Date of such Bonds respectively.

No Drawback or Bounty to be paid on any of the Commodities so exported.

Provided always, and be it enacted by the Authority aforesaid, That no Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, or Starch, which shall be exported by virtue of this Act, shall be intitled to any of the Bounties or Drawbacks which are allowed and made payable on the Exportation of such Commodities, or any of them.

Prohibition not to extend to Rice.

Provided always, and be it enacted, That nothing herein contained shall extend to prohibit the Exportation of Rice out of this Kingdom.

The Extraction of Low Wines or Spirits from Wheat or Wheat Flour prohibited.

And whereas it is expedient that the Extraction of Low Wines, or Spirits from Wheat or Wheat Flour should be prohibited for a further Time; be it therefore further enacted by the Authority aforesaid, That from and after the passing of this Act, no Low Wines or Spirits whatsoever shall be made, extracted, or distilled, within this Kingdom, from any Wheat or Wheat Flour: And if any Distiller or Maker of Low Wines or Spirits, or any other Person or Persons whatsoever, shall make,

extract, or distill, or cause or procure to be made, extracted, or distilled, any Low Wines or Spirits from any Wheat or Wheat Flour, or shall use or mix, or cause or procure to be used or mixed, any Wheat or Wheat Flour in any Worts or Wash, in order for the making, extracting, or distilling, Low Wines or Spirits, or shall put or lay, or cause or procure to be put or laid, in any Tun, Wash-batch, Cask, Copper, Still, or other Vessel or Utensil, any Wheat or Wheat Flour for the Purpose of preparing any Worts or Wash, or for making, extracting, or distilling, Low Wines or Spirits, whether such Tun, Wash-batch, Cask, Copper, Still, or other Vessel or Utensil, hath or hath not been duly entered at the Excise Office; that then, and in each and every of the said Cases, such Distiller or Maker of Low Wines or Spirits, or other Person or Persons acting contrary to the Directions of this Act, or the Person or Persons in whose Custody or Possession any such Tun, Wash-batch, Cask, Copper, Still, or other Vessel or Utensil, which shall be made use of contrary to the Intention of this Act, shall be found, shall respectively, for every such Offence, forfeit and pay the Sum of Two hundred Pounds, and all such Wheat or Wheat Flour, and such Worts and Wash, Low Wines and Spirits, shall be also forfeited.

under Penalty of 200 *l.* and on Forfeiture of all the said Commodities.

Wheat and Wheat Flour found in any Place where Low Wines and Spirits are extracted, *&c.* are forfeited;

And be it further enacted by the Authority aforesaid, That if any Wheat or Wheat Flour shall be found in any Workhouse, Stillhouse, Storehouse, Warehouse, or any other Place wherein Low Wines or Spirits, or Worts or Wash, shall be made, extracted, distilled, or prepared, or where any Low Wines or Spirits, or Worts or Wash, shall have been made, extracted, distilled, or prepared, since the First Day of October, One thousand seven hundred and seventy, all such Wheat and Wheat Flour shall be forfeited; and the Person or Persons in whose Possession such Workhouse, Stillhouse, Storehouse, Warehouse, or Place, shall be, shall, for every Offence respectively, also forfeit and pay the Sum of One hundred Pounds.

and also 100 *l.* by the Person in whose Possession found.

Officers of Excise, *&c.* authorised to inspect the Materials from which Low Wines or Spirits are to be extracted;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons who shall be authorised for that Purpose by the Commissioners of Excise for the Time being, or any Two or more of them, within the Limits of the Chief Office of Excise in London, or by One or more Justice or Justices of the Peace in any other Part of Great Britain, at any Time or Times, with any Officer of Excise, to enter into any Workhouse, Stillhouse, Storehouse,

Warehouſe, or any other Place, wherein any Low Wines or Spirits, or Worts, or Wash ſhall be, or are ſuſpected to be, made, extracted, diſtilled, or prepared, or wherein Low Wines or Spirits, or Worts, or Wash, ſhall have been made, extracted, diſtilled, or prepared, ſince the Firſt Day of October, One thouſand ſeven hundred and ſeventy, and ſhall have free Admittance into the ſame, and may inſpect all the Materials, Veſſels, and Utenſils therein contained, giving thereby as little Interruption as may be to the Buſineſs which is carrying on; and in caſe any Officer of Excife ſhall have Reaſon to ſuſpect that any Wheat or Wheat Flour is mixed in any Worts or Wash, or in any other Material or Preparation, for making, extracting, or diſtilling Low Wines or Spirits, it ſhall and may be lawful for ſuch Officer, at any Time or Times during the Continuance of this Act, upon Payment of Two Shillings and Sixpence, to take a Sample, not exceeding Two Quarts, of any ſuch Worts or Wash, Material or Preparation, which ſhall be found in any ſuch Houſe, or other Place aforeſaid; and in caſe any Diſtiller or Maker of Low Wines or Spirits, or the Owner or Occupier of any ſuch Houſe or Place, or any Workman or Servant to any ſuch Diſtiller, Owner, or Occupier belonging, ſhall refuſe to admit ſuch Perſon or Perſons as ſhall be ſo authoriſed, or any Officer of Excife, into any ſuch Houſe or Place; or ſhall obſtruct or hinder any ſuch Officer, or Perſon or Perſons, in making ſuch Inſpection as aforeſaid; or ſhall not allow any ſuch Officer to take ſuch Sample, after the ſaid Sum of Two Shillings and Sixpence ſhall be paid or tendered for the ſame, ſuch Diſtiller, Owner, or Occupier, ſhall, for every ſuch Offence reſpectively, forfeit and pay the Sum of One hundred Pounds; and it ſhall be lawful for any ſuch Officer of Excife, or other Perſon or Perſons authoriſed as aforeſaid, having a Warrant for that Purpoſe from any Two or more of the Commiſſioners of the Excife, or any Juſtice or Juſtices reſpectively as aforeſaid, to ſeize, take, and carry away, all ſuch Wheat and Wheat Flour as ſhall be found in any ſuch Houſe or other Place, together with all the Sacks, Bags, and other Things, in which the ſaid Commodities ſhall be contained.

and take Samples, paying for the ſame.

Penalty of refuſing Admittance to an Officer, &c. or obſtructing him, is 100 *l.*

Officer authorized by Warrant, may ſeize the ſaid Commodities

And be it further enacted by the Authority aforeſaid, That if any Diſtiller or Maker of Low Wines or Spirits for Sale or Exportation, ſhall be poſſeſſed of, or have in his, her, or their Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any Perſon or Perſons in Truſt, or for the Uſe or Benefit of ſuch Diſtiller or Maker of Low Wines or Spirits, more than Five Quarters

Diſtiller, &c. not to have more than five Quarters of Wheat, or Wheat Four at one Time, &c.

Quarters of Wheat or Wheat Flour at any One Time, in any One or more Place or Places, not being a Place or Places for preparing, making, extracting, distilling, or keeping Worts or Wash, Low Wines, or Spirits, every such Distiller or Maker of Low Wines or Spirits shall, for every such Offence respectively, forfeit all such Wheat and Wheat Flour exceeding the said Quantity of Five Quarters; and also the Sum of Five Pounds for every Quarter so forfeited.

on Forfeitures of the Surplus, and 5 *l. per* Quarter;

Provided always, That this Act shall not extend to inflict the said last-mentioned Penalty and Forfeiture upon any Distiller or Maker of Low Wines or Spirits, who shall be the actual Grower of Wheat, and shall be possessed of any Quantity of such Wheat grown by him or her in the Straw, or after the same is threshed out, or separated from the Straw; provided such Wheat shall not be kept in his or her Possession, or in the Possession of any other Person or Persons in Trust for him or her, or for a greater Space of Time than Twenty Days after the same shall be threshed or separated from the Straw; and so as such Wheat be not kept in any Place used for making, extracting, or distilling Low Wines or Spirits, or for preparing or keeping Worts or Wash.

except to such Distillers, *&c.* as are the Growers, *&c.*

and who keep not the Wheat, after being threshed out, longer than 20 Days;

and not in Places used for distilling;

Provided also, That this Act shall not extend to inflict the said last-mentioned Penalty and Forfeiture upon any Distiller or Maker of Low Wines or Spirits, who practises the Trade of a Miller, and who was possessed of and worked any Mill or Mills for the grinding of Wheat, on or before the First Day of October, One thousand seven hundred and seventy, for or upon account of any Quantity of Wheat or Wheat Flour which shall at any Time, during the Continuance of this Act, be found in any such Mill or Mills; any Thing herein contained to the contrary notwithstanding.

and also with respect to such Distillers as are Millers, *&c.*

And be it further enacted by the Authority aforesaid, That in case any Officer or Officers of Excise, or any other Person or Persons, shall, at any Time or Times, have Cause to suspect that any Wheat or Wheat Flour, exceeding the Quantity of Five Quarters, shall be laid or kept in any such Storehouse, Warehouse, Grainery, or other Place or Places as aforesaid, belonging to any Distiller or Maker of Low Wines or Spirits, contrary to the true Intent and Meaning of this Act; then, and in every such Case, upon Oath made by such Officer or Officers, or other Person or Persons, before the Commissioners of Excise for the Time being respectively, or any Two or more of them, or before One or more Jus-

In case of Information, upon Oath, before Two Commissioners of Excise,

ſtice or Juſtices of the Peace reſiding near the Place where ſuch Officer or Officers, or other Perſon or Perſons, ſhall ſuſpect the ſame to be laid and kept, ſetting forth the Ground of his or their Suſpicion; it ſhall and may be lawful to and for the ſaid Commiſſioners, or Juſtice or Juſtices of the Peace reſpectively, before whom ſuch Officer or Officers, or other Perſon or Perſons, ſhall make Oath as aforeſaid (if he or they ſhall judge it reaſonable) by Special Warrant under his or their reſpective Hands and Seals, to authoriſe and impower ſuch Officer or Officers, or other Perſon or Perſons authoriſed as aforeſaid, by Day or by Night (but if in the Night, then in the Preſence of a Conſtable or other lawful Officer of the Peace) to enter into all and every Storehouſe, Warehouſe, Grainery, or other Place or Places, where he or they ſhall ſuſpect that any Wheat or Wheat Flour, exceeding the Quantity of Five Quarters as aforeſaid, ſhall be laid or kept, belonging to any ſuch Diſtiller or Maker of Low Wines or Spirits, and to ſeize, take, and carry away, all ſuch Wheat and Wheat Flour as he or they ſhall ſo find, over and above the ſaid Quantity of Five Quarters, together with all the Sacks, Bags, or other Things, wherein the ſame ſhall be contained; and ſuch Diſtiller or Maker of Low Wines or Spirits, or the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion ſuch Wheat or Wheat Flour, belonging to ſuch Diſtiller, ſhall be found, ſhall, for every ſuch Offence reſpectively, forfeit and pay the ſaid Penalty of Five Pounds for every Quarter exceeding the ſaid Quantity of Five Quarters; and the ſaid Officer or Officers, and other Perſon or Perſons, is or are hereby impowered by ſuch Warrant, together with ſuch other Perſon or Perſons as he or they ſhall take to his or their Aſſiſtance, to enter ſuch Storehouſes, Warehouſes, Graineries, and other Place or Places, and break open the Doors thereof, in caſe they be not opened on Demand.

or a Juſtice of Peace, Warrant to be granted impowering the Officer, &c. to enter all Storehouſes, &c. belonging to Diſtillers,

and ſeize all Wheat and Wheat Flour exceeding 5 Quarters,

and Diſtiller liable to pay 5 *l. per* Quarter for all above that Quantity, &c.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed, and for the Recovery and Application whereof no other Proviſion is herein before made, ſhall be ſued for and recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record in Weſtminſter, or in the Court of Exchequer in Scotland; and that the reſpective Courts before whom the ſame ſhall be recovered may and are hereby authoriſed (if they ſhall think fit) to mitigate all or any of the pecuniary Penalties herein before inflicted, to any Sum not leſs than One Fourth Part of the Sum herein reſpectively mentioned;

Recovery and Application of the Penalties and Forfeitures, where not otherwiſe directed.

Penalties liable to be mitigated.

tioned; and that One Moiety of all such Penalties and Forfeitures, when recovered, shall be to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to him or them who shall sue for the same, or give Information of, or discover the Offence.

Limitation of Suits, and Informations for Offences against this Act.

Provided always, That all Suits, Prosecutions, or Informations, for Offences committed against this Act, shall be commenced and made within the Space of Six Calendar Months after the Fact is committed, and not otherways; any Thing herein contained to the contrary notwithstanding.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within the Space of Four Calendar Months next after the Offence shall be committed; and if such Action or Suit shall be commenced or prosecuted in that Part of Great Britain called England, the Defendant or Defendants in

General Issue.

any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants: And if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgement shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall

Treble Costs.

and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law: And if such Action or Suit be commenced or prosecuted in that Part of Great Britain called Scotland, the Court, before whom such Action or Suit shall be brought, shall allow the Defender to plead this Act on his Defence; and if the Pursuer shall not insist on his Action, or if Judgement shall be given against such Pursuer, the Defender shall and may recover the full and real Expences he may have been put to by any such Action or Suit.

Continuation of the Act,

And be it further enacted by the Authority aforesaid, That this Act shall continue until the Twentieth Day after the Commencement of the next Session of Parliament.

may be abridged.

Provided nevertheless, that the said Continuation may be abridged or shortened, and this Act or any Part thereof may be altered and varied, by any other Act or Acts to be made in this present Session of Parliament.

FINIS.