Anno ſeptimo

Georgii III. Regis.

CAP. III.

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

WHEREAS the Exportation of any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, and Starch, out of the Kingdoms of Great Britain or Ireland, may, at this Time, be greatly prejudicial to His Majeſty's Subjects; 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 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, or Starch, under

Preamble.

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

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on Forfeiture of the ſame; 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.

and 20*s.* *per* Buſhel, for all Corn, Grain, Malt, Meal, and 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 3 Months Impriſonment.

Officers, and other Perſons authorized, 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 authorized in this Behalf by the Lord High Treaſurer of Great Britain, or the Commiſſioners

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 or 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 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, raſe, or falſify, any ſuch Certificate, or knowingly publiſh any ſuch counterfeit, raſed, 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.

Application 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 [illegible] 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 before required on the Exportation of the ſaid Commodities to the

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.

the Britiſh Colonies in America, and within the Time for that Purpoſe herein after mentioned; and ſo as the Quantity of Wheat, Flour, Malt, Barley, Bread, Biſcuit, and Peaſe, which at any Time or Times after the paſſing of this Act, and before the Time herein after limited, 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, or any thing herein contained, ſhall not extend to any Wheat, Barley, Oats, Meal, or Flour, to be tranſported out of or from the Ports of Southampton or Exeter only, unto 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 Dangers 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 herein before required on the Exportation of the ſaid Commodities to the Britiſh Colonies in America, and within the Time for that Purpoſe herein after mentioned; and ſo as the whole Quantity of Wheat, Barley, Oats, Meal, and Flour, which at any Time or Times after the paſſing of this Act, and before the Time herein after limited, ſhall be ſhipped at both the ſaid Ports for the ſaid Iſle of Man, ſhall not exceed in the Whole Two thouſand and five hundred Quarters; One Moiety thereof to be exported from the ſaid Port of Southampton, and the other Moiety thereof to be exported from the ſaid Port of Exeter; any thing herein contained to the contrary notwithſtanding.

nor to Wheat, Barley, Oats, Meal, or Flour, from *Southampton* or *Exeter* 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 *Southampton*, and the other Moiety from *Exeter*.

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

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

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.

Prohibition not to extend to Malt declared to be made for Exportation, or to Barley ſteeped and entered, on or before 15 *Nov.* 1766, *&c.*

Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend to any Malt declared or made for Exportation, and Barley ſteeped and entered at the Exciſe Office, to be made into Malt for Exportation, on or before the Fifteenth Day of November, One thouſand ſeven hundred and ſixty ſix, which ſhall be exported; provided the Proprietor or Proprietors thereof ſhall produce to the Collector or Chief Officer of the Port where ſuch Malt ſhall be exported, a Certificate or Certificates, from the Officer or Officers with whom the Entry of the Corn intended to be made into ſuch Malt for Exportation, ſhall have been made, that the ſaid Malt was actually declared or made for Exportation, and the ſaid Barley ſteeped and entered at the Exciſe Office, to be made into Malt for Exportation, on or before the ſaid Fifteenth Day of November; any thing herein contained to the contrary in any wiſe notwithſtanding.

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.

And whereas it is expedient that the Extraction of Low Wines or Spirits from Wheat or Wheat Flour ſhould be prohibited for a limited Time; be it therefore further enacted by the Authority aforeſaid, That 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.

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

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

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 ſixty ſix, 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.

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

with 100*l.* by the Perſon in whoſe Poſſeſſion found.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons

ſons 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 ſixty ſix, 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 Excise 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 ſaid Term, upon Payment of Two Shillings and Six Pence, 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 Excise, 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 Six Pence 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 Excise, or other Perſon or Perſons authoriſed as aforeſaid, having a Warrant for that Purpoſe from any Two or more of the Commiſſioners of the Excise, 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

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

and take Samples, paying for the ſame;

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

Officer authoriſed by Warrant, may ſeize the ſaid Commodities.

all the Sacks, Bags, and other Things, in which the ſaid Commodities ſhall be contained.

Diſtiller, &c. not to have more than 5 Quarters of Wheat or Wheat Flour at One Time, &c.

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

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

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.

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

and not in Places uſed for diſtilling;

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

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 ſixty ſix, for or upon account of any Quantity of Wheat or Wheat Flour, which ſhall, during the Time herein after limited, be found in any ſuch Mill or Mills; any thing herein contained to the contrary notwithſtanding.

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

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 Juſtice 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 authorize and impower ſuch Officer or Officers, or other Perſon or Perſons, authorized 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 5l. *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

Recovery and Application of the Penalties

and Forfeitures where not otherwiſe directed.

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 Court before whom the ſame ſhall be recovered may and are hereby authorized (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; 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.

Penalties liable to be mitigated.

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.

Contracts made for ſupplying Diſtillers with Yeaſt, ſuſpended during the Continuance of this Act.

And whereas there have been Contracts made by the Diſtillers with ſeveral Perſons for Yeaſt to be delivered and received at future Times after the Firſt Day of October, One thouſand ſeven hundred and ſixty ſix; be it therefore enacted by the Authority aforeſaid, That all Contracts or Bargains made by any Diſtiller or Diſtillers with any Perſon or Perſons whatſoever, for any Yeaſt to be delivered at any Time during the Continuance of this Act, ſhall be, and are hereby declared to be, ſuſpended.

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 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 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

General Iſſue.

and

and may recover Treble Coſts, and have the like Reme- Treble Coſts.
dy 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 in- In *Scotland* full Expences to be recovered,
ſiſt 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.

And be it further enacted by the Authority aforeſaid, Commencement and Continuance of the ſeveral Prohibitions.
That ſuch Part of this Act as prohibits the Exportation of Wheat and Wheat Flour, and the ſeveral Clauſes and Proviſions relating thereto, ſhall continue in force until the Tenth Day of September, One thouſand ſeven hundred and ſixty ſeven; and that ſuch Part of this Act as prohibits the Exportation of Barley and Malt, and the ſeveral Clauſes and Proviſions relating thereto, ſhall commence from the Fourteenth Day of November, One thouſand ſeven hundred and ſixty ſix, and continue in force until the ſaid Tenth Day of September; and that ſuch Part of this Act as prohibits the Exportation of any other Corn, Grain, or Flour, or of Meal, Bread, Biſcuit, and Starch, and the ſeveral Clauſes and Proviſions relating thereto, ſhall commence from the paſſing of this Act, and continue in force until the ſaid Tenth Day of September; and that ſuch Part of this Act as prohibits the Extraction of Low Wines and Spirits, from Wheat, and Wheat Flour, and the ſeveral Clauſes and Proviſions relating thereto, ſhall commence from the paſſing of this Act, and continue in force until the ſaid Tenth Day of September.

Provided nevertheleſs, That the ſaid Continuations, or Continuations liable to be abridged or varied, by any future Act of this Seſſion.
any of them, 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.

Provided always, and be it further enacted by the The King impowered, after the ſaid 10 *Sept.* and before the next Seſſion, to prohibit, if expedient, the Exportation of Corn, *&c.*
Authority aforeſaid, That if at any Time or Times after the Tenth Day of September, One thouſand ſeven hundred and ſixty ſeven, and before the next Seſſion of Parliament, it ſhall appear expedient to His Majeſty to prohibit the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, and Starch, or any of them; it ſhall and may be lawful to and for His Majeſty, from time to time, by His Royal Proclamation, to be iſſued by and with the Advice of His Privy Council, or by

by His Order in Council to be publiſhed in the London Gazette, from time to time to prohibit the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, and Starch, or any of them, for any Time or Times, until Twenty Days after the Commencement of the next Seſſion of Parliament.

for any Time, until 20 Days after the next Seſſion.

Prohibition not to extend to Places, or for any of the Purpoſes allowed by this Act.

Provided always, and be it enacted by the Authority aforeſaid, That nothing herein contained ſhall enable His Majeſty to prohibit the Exportation of any Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, or Starch, to any of the Places, or for any of the Purpoſes, allowed by this Act, provided the ſaid Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit, or Starch, be exported ſubject to all the Regulations and Proviſions preſcribed by this Act.

FINIS.