

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

***

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 Firſt Day of *May* One thouſand eight hundred and two, there ſhall be raiſed, levied, collected, and paid to and for the Uſe of His Majeſty, His Heirs and Succeſſors, the ſeveral and reſpective Rates and Duties of Exciſe herein-after mentioned, over and above and in Addition to all other Rates and Duties whatever other than ſuch as are by this Act repealed; that is to ſay,

From *May* 1, 1802, the following additional Duties ſhall be paid:

On Strong Beer:

For every Barrel of Beer or Ale above Sixteen Shillings the Barrel, excluſive of the Duties of Exciſe payable thereon, and by this Act denominated Strong Beer (and not being Two-penny Ale mentioned and deſcribed in the Seventh Article of the Treaty of Union with *Scotland*), which ſhall be brewed in *Great Britain* by any Common Brewer, or other Perſon or Perſons who ſhall ſell or tap out any Beer or Ale publickly or privately, to be paid by ſuch Common Brewer or other Perſon or Perſons reſpectively, and ſo in Proportion for any greater or leſs Quantity, Two Shillings:

Table Beer:

For every Barrel of Beer or Ale of Sixteen Shillings the Barrel or under, excluſive of the Duty of Exciſe payable thereon, and by this Act denominated Table Beer, which ſhall be brewed in *Great Britain* by any Common Brewer, or other Perſon or Perſons who ſhall ſell or tap out any Beer or Ale publickly or privately, to be paid by ſuch Common Brewer or other Perſon or Perſons reſpectively, and ſo in Proportion for any greater or leſs Quantity, Two Shillings:

Ale deſcribed in the Seventh Article of the Union with *Scotland*:

For every Barrel of Two-penny Ale mentioned and deſcribed in the Seventh Article of the Treaty of Union with *Scotland*, to be paid by the Common Brewer or Victualler, and ſo in Proportion for any greater or leſs Quantity, Ten-pence:

Iriſh Beer or Ale imported into *Great Britain* prior to *May* 1, 1803:

For every Barrel conſiſting of Thirty-ſix Gallons *Engliſh* Beer Meaſure of *Iriſh* Beer or Ale, which ſhall be imported into *Great Britain* from *Ireland*, and ſo in Proportion for any greater or leſs Quantity, to be paid by the Importer thereof before the landing thereof, Five Shillings and Five-pence previous to the Firſt Day of *May* One thouſand eight hundred and three, and Five Shillings and Eleven-pence from that Period:

Beer, Ale, or Mum imported into *Great Britain* (not being *Iriſh*):

For every Barrel of Beer, Ale, or Mum, which ſhall be imported from beyond the Seas into *Great Britain* (not being *Iriſh* Beer, Ale, or Mum imported directly from *Ireland*), and ſo in Proportion for any greater or leſs Quantity, to be paid by the Importer thereof before the landing thereof, Twelve Shillings and Eleven-pence:

Malt made in *Great Britain*:

For every Buſhel of Malt which ſhall be made of Barley or any other Corn or Grain in *Great Britain*, and ſo in Proportion for any greater or leſs Quantity, to be paid by the Maker thereof, One Shilling and One Farthing:

Malt in Poſſeſſion of any Maltſter, Retailer, Brewer, Diſtiller, Innkeeper, Victualler, or Vinegar Maker, on *May* 1, 1802:

For every Buſhel of Malt, whether ground or unground, made of Barley or of any other Corn or Grain, belonging to any Maltſter or Maker of Malt, Seller or Retailer of Malt, Brewer, Diſtiller, Innkeeper, Victualler, or Vinegar Maker, which ſhall be either in his Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any other Perſon or Perſons whatever, in Truſt for him, her, or them, or for his, her, or their Uſe, Benefit, or Account, in *Great Britain*, on the Firſt Day of *May* One thouſand eight hundred and two, the Sum of One Shilling and One Farthing, and ſo in Proportion for any greater or leſs Quantity, to be paid by the Perſon or Perſons reſpectively poſſeſſed of ſuch Malt:

For every Pound Weight Avoirdupois of Hops, growing or to grow in *Great Britain*, which ſhall be cured and made fit for Uſe, and ſo in Proportion for any greater or leſs Quantity, to be paid by the reſpective Owners or Poſſeſſors thereof, One Penny and One Farthing and Eight Twentieth Parts of a Farthing: Hops in *Great Britain*:

For every Pound Weight Avoirdupois of Hops which ſhall be imported from *Ireland* into *Great Britain*, and ſo in Proportion for any greater or leſs Quantity, to be paid by the Importer thereof before the landing thereof, One Penny and One Farthing and Eight Twentieth Parts of a Farthing: Hops imported from *Ireland* into *Great Britain*:

For every Gallon *Engliſh* Wine Meaſure of Spirits, *Aqua Vitæ*, or Strong Waters, which ſhall be diſtilled or made in *Ireland* and imported into *Great Britain* at a Strength not exceeding One to Ten over Hydrometer Proof, and ſo in Proportion for any greater or higher Degree of Strength, and of ſweetened or compounded Spirits to be computed upon ſuch ſweetened or compounded Spirits at the higheſt Degree of Strength at which any Spirits can be made, and ſo in Proportion for any greater or leſs Quantity, to be paid by the Importer thereof before the landing thereof, Two-pence Three Farthings. Spirits made in *Ireland* and imported into *Great Britain*.

II. And be it further enacted, That, from and after the ſaid Firſt Day of *May* One thouſand eight hundred and two, the ſeveral and reſpective Rates and Duties payable by any Act or Acts of Parliament in force at the Time of the paſſing of this Act, for or in reſpect of all Beer or Ale of the Price of Thirteen Shillings the Barrel or under, excluſive of the Duty payable thereout (not being Two-penny Ale mentioned and deſcribed in the Seventh Article of the Treaty of Union with *Scotland*), ſhall ceaſe and determine, and be no longer paid or payable, ſave and except as to all Arrears of the ſaid Duties, which, on the ſaid Firſt Day of *May* One thouſand eight hundred and two, ſhall be and remain unpaid; any Thing in this or any former Act or Acts of Parliament to the contrary in anywiſe notwithſtanding. From *May* 1, 1802, the preſent Duties on Beer or Ale of 13*s.* *per* Barrel or under, excluſive of Duty, (not being Ale deſcribed in the Union with *Scotland*) to ceaſe.

III. And be it further enacted, That the ſeveral and reſpective Allowances, granted by an Act paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act for repealing the ſeveral Duties of Cuſtoms and Exciſe, and granting other Duties in lieu thereof, and for applying the ſaid Duties together with the other Duties compoſing the publick Revenue; for permitting the Importation of certain Goods, Wares, and Merchandize, the Produce or Manufacture of the* European *Dominions of the* French *King, into this Kingdom; and for applying certain unclaimed Monies remaining in the Exchequer for the Payment of Annuities on Lives to the Reduction of the National Debt*, to Common Brewers or other Perſons who do or ſhall ſell or tap out Beer or Ale publickly or privately, ſhall, from and after the Firſt Day of *May* One thouſand eight hundred and two, ceaſe and determine, and be no longer paid or payable, ſave and except as to all Arrears thereof that may on the ſaid Firſt Day of *May* One thouſand eight hundred and two be and remain unpaid; any Thing in the ſaid laſt mentioned Act or any other Act or Acts of Parliament to the contrary in anywiſe notwithſtanding. From *May* 1, 1802, the Allowances granted by 27 Geo. 3. c. 13. to Brewers to ceaſe;

IV. And be it further enacted, That for and in reſpect of all Strong Beer or Ale above Sixteen Shillings the Barrel, excluſive of the Duties of Exciſe payable thereon, and by this Act denominated Strong Beer, which and the Allowances herein ſpecified to be made till *July* 5, 1803, for Beer brewed in *Great Britain*.

which ſhall be brewed or made within the Cities of *London* and *Weſtminſter*, and within the Weekly Bills of Mortality, after the Firſt Day of *May* One thouſand eight hundred and two, and before the Fifth Day of *July* One thouſand eight hundred and three, by any Common Brewer or other Perſon who ſhall brew and ſell or tap out Beer or Ale publickly or privately, and for which the full Duty by this Act impoſed on Strong Beer ſhall be duly charged, there ſhall be ſet off and allowed out of ſuch Duty to ſuch Common Brewer or other Perſon reſpectively, upon whom ſuch Duty as aforeſaid ſhall be charged, the Sum of Sixpence for every Barrel; and for or in reſpect of all ſuch Strong Beer as aforeſaid, which ſhall be ſo brewed or made as aforeſaid in any other Part of *Great Britain* (not being within the Cities of *London* or *Weſtminſter*, or the Weekly Bills of Mortality), after the Firſt Day of *May* One thouſand eight hundred and two, and before the Fifth Day of *July* One thouſand eight hundred and three, by any ſuch Common Brewer or other Perſon as aforeſaid, and for which the full Duty by this Act impoſed ſhall be duly charged, there ſhall be ſet off and allowed to ſuch Common Brewer or other Perſon reſpectively, upon whom ſuch Duty as aforeſaid ſhall be charged, the Sum of Eight-pence for every Barrel; any Thing in this Act to the contrary in anywiſe notwithſtanding.

From *May* 1, 1802, the following Drawbacks to be allowed on Exportation:

V. And be it further enacted, That, from and after the Firſt Day of *May* One thouſand eight hundred and two, the ſeveral and reſpective Drawbacks and Allowances herein-after mentioned ſhall be reſpectively allowed and paid for and in reſpect of all Strong Beer and Hops which ſhall be exported from *Great Britain*, under, ſubject, and according to the Rules, Regulations, Proviſions, Reſtrictions, Clauſes, Penalties, and Forfeitures contained in any Act or Acts of Parliament, or any Law or Laws in force in relation to the Exportation of Beer or Hops reſpectively; that is to ſay,

For Strong Beer (not being *Scotch* Ale), entered for Exportation to Foreign Parts or *Ireland*.

For every Barrel of Strong Beer (not being Two-penny Ale mentioned and deſcribed in the Seventh Article of the Treaty of Union with *Scotland*), which ſhall be entered for Exportation to foreign Parts, or to *Ireland*, after the Firſt Day of *October* One thouſand eight hundred and two, and ſo in Proportion for any greater or leſs Quantity, the Sum of Five Shillings and Five-pence previous to the Firſt Day of *May* One thouſand eight hundred and three, and Five Shillings and Eleven-pence from that Period:

For Hops exported to *Ireland*.

For every Pound Weight Avoirdupois of Hops growing or to grow in *Great Britain*, and which ſhall be cured or rendered fit for Uſe, and on which the Duties by this Act granted ſhall have been duly charged, and which ſhall be exported to *Ireland*, and ſo in Proportion for any greater or leſs Quantity, the Sum of One Penny and One Farthing and Eight Twentieth Parts of a Farthing.

Regulations of 27 Geo. 3. c. 13. relating to Table Beer, and alſo ſo much of the ſaid Act as contains an Exception relating thereto, ſhall, from *May* 1, 1802, be repealed.

VI. And be it further enacted, That all the Rules, Regulations, Proviſions, Clauſes, Penalties, Forfeitures, Matters, and Things, relating to Beer commonly called *Table Beer*, contained in an Act paſſed in the Twenty-ſecond Year of His preſent Majeſty's Reign, intituled, *An Act for repealing the Duties payable for Beer and Ale above Six Shillings the Barrel, excluſive of the Duties of Exciſe, and not exceeding Eleven Shillings the Barrel, excluſive of ſuch Duties, and for granting other Duties in lieu thereof; for granting additional Duties on Coaches and other Carriages therein mentioned, and alſo additional Duties on Sope made in* Great Britain, *and*

upon the Produce of the ſaid additional Duties on Coaches and on other Carriages, and for better ſecuring the Duty upon Tea and other Duties of Exciſe; and alſo for appointing the Number of Commiſſioners of Exciſe who may hear Cauſes depending before them, relative to the Duties on Male Servants; and alſo ſo much of the ſaid Act paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, as contains an Exception mentioned and ſpecified in the Schedule to the ſaid laſt recited Act marked (F.), in relation to Beer commonly called *Table Beer*, ſhall, from and after the ſaid Firſt Day of *May* One thouſand eight hundred and two, be and the ſame are hereby repealed.

What ſhall be deemed Strong and what Small Beer.

VII. And be it further enacted, That all Beer or Ale above the Price of Sixteen Shillings the Barrel, excluſive of all Duties now payable, or that may hereafter be payable for or in reſpect thereof, which ſhall be brewed or made after the ſaid Firſt Day of *May*, ſhall be denominated, deemed, and taken to be Strong Beer or Ale, and all Beer of the Price of Sixteen Shillings the Barrel or under, excluſive of the Duty payable for or in reſpect thereof, which ſhall be brewed after the Firſt Day of *May* One thouſand eight hundred and two, ſhall be denominated, deemed, and taken to be Table Beer within the Meaning of this Act, and all other Acts of Parliament now in force, or that may hereafter be paſſed relating to Beer or Ale, or any Duties granted thereon, to all Intents and Purpoſes whatever; and all and ſingular the Rules, Regulations, Prohibitions, Reſtrictions, Proviſions, Clauſes, Penalties, Forfeitures, Matters, and Things contained in any Act or Acts of Parliament in force, relating to any Beer or Ale, or to the mixing of Strong Beer, Ale, or Worts with Small Beer or Small Worts, or with Water, or to any other Matters or Things relating to Beer or Ale, ſhall be and remain in full force, and ſhall be deemed and taken to apply to, and ſhall be ſeverally and reſpectively applied, practiſed, and put in Execution as to the mixing of Strong Beer or Strong Beer Worts with Table Beer, or Table Beer Worts, or with Water, and as to all other Matters and Things relating to Strong Beer and Table Beer, as far as the ſame are applicable and are not altered or repealed by this Act, as fully and amply in every reſpect as if the ſaid Rules, Regulations, Prohibitions, Reſtrictions, Proviſions, Clauſes, Penalties, Forfeitures, Matters, and Things were ſeverally and reſpectively re-enacted in this Act.

Acts now in force, relating to Beer or Ale, ſhall extend to this Act, as far as applicable.

Duties to be under the Management of the Commiſſioners of Exciſe reſpectively.

VIII. And be it further enacted, That ſuch of the ſeveral and reſpective Duties by this Act granted, as ſhall ariſe or become payable in *England*, ſhall be under the Management of the Commiſſioners of Exciſe in *England* for the Time being, and that ſuch thereof as ſhall ariſe or become payable in *Scotland*, ſhall be under the Management of the Commiſſioners of Exciſe in *Scotland* for the Time being.

Caſks of Table Beer to be marked, and the Mark to be continued till ſold, on Penalty of 50 *l.* for each Caſk.

IX. And be it further enacted, That when and as ſoon as any Table Beer ſhall be cleanſed or put into any Caſk or Caſks, the Common Brewer by whom ſuch Table Beer was brewed or made, ſhall immediately mark each and every Caſk, or cauſe the ſame to be marked with the capital Roman Letter T. of the Length of Four Inches at the leaſt, and if any Common Brewer ſhall neglect or refuſe ſo to mark any Caſk of Table Beer, or to cauſe the ſame to be ſo marked as aforeſaid, or if any ſuch Common Brewer ſhall not continue ſuch Mark, or cauſe the ſame to re-

main and continue visible and distinct on each and every such Cask containing any such Table Beer, during the whole Time the same shall be and remain in his Custody or Possession, and until the same shall be delivered into the Custody or Possession of the Person or Persons to whom the same shall or may be sold or delivered for Consumption, or otherwise; every such Common Brewer so offending, shall forfeit the Sum of Fifty Pounds for every such Cask on which such Mark shall not be put or made, and continued as aforesaid.

Table Beer to be kept separate from other Beer, on Penalty of 50*l.* for each Cask.

X. And be it further enacted, That every Common Brewer who shall brew or make any Table Beer, shall as soon as any such Table Beer shall be cleansed or put into any Cask or Casks, cause the same to be removed into and kept separate and apart, and in a separate Storehouse, Room, Cellar, or other Place from all other Beer whatsoever; and if any Common Brewer shall neglect so to remove or to cause to be removed, every Cask of Table Beer into a separate Storehouse, Room, Cellar, or other Place as soon as such Table Beer shall be cleansed or put into any Cask or Casks as aforesaid, or if any such Common Brewer shall keep or suffer any such Table Beer so cleansed or put into any Cask or Casks as aforesaid, to be kept in any Storehouse, Room, Cellar, or other Place with any other Beer whatsoever, or in which any other Beer not being Table Beer shall be laid, put, kept, or stored, every such Common Brewer so offending, shall for each and every such Cask of Table Beer that shall not be so removed or kept as aforesaid, contrary to the Provisions of this Act, forfeit the Sum of Fifty Pounds.

No Table Beer to be put into a Vessel containing more than Three Barrels, on Penalty of 100*l.*; but on giving 24 Hours previous Notice to the Excise Officer, a larger Vessel may be used to preserve it in a State for receiving Strong Beer.

XI. And be it further enacted, That no Table Beer shall be put into or tunned, cleansed, kept, or stored in any Cask, Vat, or other Vessel, exceeding the Content or Size of a Butt or Pipe of Three Barrels, on Pain of forfeiting for every such Offence the Sum of One hundred Pounds: Provided always, that nothing herein contained shall be construed to prevent any Common Brewer, upon giving Twenty-four Hours Notice thereof in Writing to the proper Officer of Excise, from putting into any Tun, Vat, or other Vessel of a larger Size or Content than herein-before mentioned, a sufficient Quantity of Table Beer, not exceeding the Quantity of Two Barrels for every One hundred Barrels of the full Content of such Tun or Vessel, to preserve such Vessel in a proper State and Condition for receiving or storing Strong Beer; and provided also, that no Strong Beer shall be put, cleansed, or tunned into any such large Tun, Vat, or other Vessel, until all such Table Beer shall have been drawn, pumped, or taken out of the same, in the Presence of or to the Satisfaction of the proper Officer of Excise.

Penalty of 200*l.* for mixing Strong Beer or Strong Worts with Table Beer or Table Beer Worts or Water in any Guile after Declaration of the Quantity thereof, or in any Vessel not being an entered Guile.

XII. And whereas the mixing Strong Beer or Strong Worts with Table Beer or Table Beer Worts, or with Water, is very detrimental to His Majesty's Revenue, an Imposition upon the Consumer, and hinders the Sale of genuine Strong Beer; be it therefore enacted, That if any Common Brewer shall mix, or cause or suffer to be mixed, any Strong Beer or Strong Worts with any Table Beer or Table Beer Worts, or with Water, in any Guile Tun, working Tun, or fermenting Tun, after such Declaration of the Quantity of such Guile of Beer, of which the same was a Part, shall have been made as is by Law required; or if any Common Brewer shall at any Time mix, or cause or suffer to be mixed, any

any Strong Beer or Strong Worts with any Table Beer or Table Beer Worts, or with Water, in any Vat, Caſk, Tub, Meaſure, or other Veſſel or Utenſil whatſoever, not being a known and entered Guile Tun, working Tun, or fermenting Tun, every Common Brewer ſo offending ſhall, for each and every ſuch Offence, forfeit the Sum of Two hundred Pounds.

Penalty of 100 *l.* for ſelling Table Beer at an higher Price than 16 *s. per* Barrel, excluſive of Duty.

XIII. And be it further enacted, That if any Common Brewer ſhall ſell, or cauſe or permit or ſuffer to be ſold, any Beer brewed and made as or for Table Beer, and charged with Duty as Table Beer, at any greater or higher Price than Sixteen Shillings the Barrel (excluſive of the Duties), either as the Price of the Beer, or under Pretence of Carriage, Credit, or Intereſt of Money, or under any other Pretence whatſoever, ſuch Common Brewer ſhall, for every ſuch Offence, forfeit the Sum of One hundred Pounds.

No Brewer to be diſcharged of any alleged Overcharge made by the Exciſe Officer, unleſs Proof be made of certain Particulars.

XIV. And be it further enacted, That upon Complaint made or exhibited before the Commiſſioners of Exciſe, or Juſtices of the Peace reſpectively, by or on the Behalf of any Common Brewer, for or on Account or by Reaſon of any Overcharge made on ſuch Common Brewer by any Officer or Officers of Exciſe, in reſpect of any Table Beer which ſhall or may be charged and returned by any ſuch Officer or Officers as Strong Beer, it ſhall not be lawful to or for the ſaid Commiſſioners of Exciſe, or Juſtices of the Peace reſpectively, to diſcharge or acquit any ſuch Brewer of any ſuch Charge ſo made and returned, or of any Part thereof, unleſs Proof ſhall be made before ſuch Commiſſioners of Exciſe, or Juſtices of the Peace reſpectively, on the Oath of One or more credible Witneſs or Witneſſes, to the Satisfaction of ſuch Commiſſioners or Juſtices reſpectively, that the whole and entire Quantity of the Table Beer brewed or made in the Guile or brewing to which the Complaint of Overcharge has Reference or Relation, or at leaſt the greater Part of ſuch Beer, was actually and *bonâ fide* ſold at a Price not exceeding Sixteen Shillings the Barrel, excluſive of the Duty, nor unleſs the Names and Reſidences reſpectively of the ſeveral Perſons to whom the ſaid Beer, or ſuch greater Part thereof, was really ſold and delivered, and the reſpective Days when the ſame was delivered, be given and declared on the Oath of ſuch Witneſs or Witneſſes as aforeſaid; any Thing in this or any other Act or Acts of Parliament to the contrary in anywiſe notwithſtanding.

No Brewer ſhall keep any other Conveyance from any Copper, except the regular Diſcharge Pipes, nor from any Back, except ſuch as ſhall have a direct Communication with the Coppers, *etc.* on Penalty of 200 *l.*

XV. And be it further enacted, That no Common Brewer ſhall have or keep any Pipe or other Conveyance from or out of any Copper in his, her, or their Brewhouſe, ſave and except the regular Diſcharge Pipes leading directly to his, her, or their Maſh Tun, Hop-back, Back, or Coolers reſpectively, nor ſhall have or keep any fixed or other Pipe or Conveyance leading from any Under Back, Hop-back, Back, or Cooler, except ſuch Pipe or Conveyance as, without any private or concealed Stop Cock therein or thereon, ſhall have a direct and immediate Communication with the known and entered Coppers, Backs, Coolers, or working or fermenting Tuns only, on Pain of forfeiting for every ſuch fixed or other Pipe or Conveyance as aforeſaid, except ſuch Pipe or Conveyance as is in that Behalf before excepted, the Sum of Two hundred Pounds.

XVI. And

Any Brewer who ſhall lay off any Beer or Worts contrary to 8 and 9 W. 3. c. 19, ſhall forfeit 100 *l.*

XVI. And whereas the Penalty of Twenty Shillings the Barrel for laying off Beer, Ale, or Wort, before the Quantity of the Guile, of which ſuch Beer, Ale, or Wort ſhall be Part, ſhall have been declared, is inſufficient to deter evil-minded and fraudulent Perſons from committing or attempting to commit ſuch Fraud; be it therefore enacted, That every Common Brewer who ſhall, from and after the Firſt Day of *May* One thouſand eight hundred and two, lay off any Beer, Ale, or Worts, contrary to the Proviſions and true Intent and Meaning of an Act paſſed in the Eighth and Ninth Years of the Reign of *William* the Third, intituled, *An Act for repealing a Clauſe in a former Act relating to Party Guiles, and for the better preventing Frauds and Abuſes in Brewers, and others chargeable with the Duties of Exciſe*, ſhall, for every ſuch Offence, forfeit the Sum of One hundred Pounds,

Perſons ſelling Table Beer in a larger Quantity than a Gallon, ſhall make Entry at the Office of Exciſe, of Storehouſes, *etc.* on Penalty of 50 *l.*

XVII. And be it further enacted, That all and every Dealers and Dealer in and Sellers and Seller of Table Beer, who ſhall ſell, deliver, or diſpoſe of any ſuch Beer, exceeding the Quantity of One Gallon at One and the ſame Time, ſhall, and he, ſhe, or they is and are hereby directed and required to make Entry in Writing at the Office of Exciſe, within the Limits whereof he, ſhe, or they ſhall ſo deal in or ſell any ſuch Beer as aforeſaid, of all Storehouſes, Rooms, Cellars, or other Places for ſtoring, laying, keeping, or ſelling ſuch Beer, and ſhall be ſubject to the Survey, Examination, and Inſpection of the Officer of Exciſe, and to all and every the Rules, Regulations, Reſtrictions, and Proviſions of Exciſe, to which Victuallers or Retailers of Beer or Ale are now ſubject and liable by any Law or Laws of Exciſe; and if any Perſon or Perſons whatſoever ſhall preſume to deal in or ſell any Table Beer exceeding the Quantity of One Gallon as aforeſaid without making ſuch Entry as aforeſaid, every Perſon ſo offending ſhall forfeit the Sum of Fifty Pounds.

No Perſon ſhall retail Beer at a higher Price than 1½*d.* per Quart without a Licence, on Penalty of 50 *l.*

XVIII. And be it further enacted, That no Perſon or Perſons not being a Common Brewer ſhall be allowed to retail Beer at any greater or higher Price than at and after the Rate of One Penny Halfpenny the Quart, without firſt entering into a Recognizance and obtaining a Licence as a Common Alehouſe Keeper; and if any Perſon or Perſons ſhall preſume to retail or ſell any Beer at a greater or higher Price than at and after the Rate of One Penny Halfpenny the Quart Alehouſe Meaſure, without firſt entering into ſuch Recognizance and obtaining ſuch Licence as aforeſaid, every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and loſe the Sum of Fifty Pounds over and above any Penalty to which ſuch Perſon or Perſons may be ſubject and liable for ſelling Beer or Ale without ſuch Licence.

No Exporter ſhall keep Table Beer in any entered Place for Strong Beer, on Penalty of 50 *l.*

XIX. And be it further enacted, That no entered Dealer or Dealers in Beer, being an Exporter or Exporters of Beer or Ale, ſhall have, lay, or keep any Table Beer in any Cellar, Vault, or other Place entered for laying or keeping Strong Beer; and if any entered Dealer or Dealers in Beer, being an Exporter or Exporters of Beer or Ale, ſhall have, lay, or keep any Table Beer in any Cellar, Vault, or other Place entered for laying or keeping Strong Beer, the Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds.

XX. And

XX. And whereas many Perſons under Pretence of recovering Stale Beer, or making or preparing Beer Finings or Colouring for Beer, or under other Pretences, have compounded, fabricated, or prepared from divers Materials and Ingredients, noxious and unwholeſome, and injurious to the Health of His Majeſty's Subjects, Liquor to imitate or reſemble Beer or Ale, brewed entirely from Malt and Hops, or to be mixed with Beer or Ale ſo brewed, to the great Injury of His Majeſty's Subjects, and of the fair Trader, and of His Majeſty's Revenue; for Remedy whereof be it enacted, That, from and after the Firſt Day of *May* One thouſand eight hundred and two, no Perſon or Perſons ſhall mix, compound, fabricate, manufacture, or prepare, or cauſe, procure, permit, or ſuffer to be mixed, compounded, fabricated, manufactured, or prepared from Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Melaſſes, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, Opium, or any other Material or Ingredient whatever, (except Malt and Hops), any Liquor to imitate or reſemble, or to be mixed with or uſed as Beer or Ale brewed or made from Malt and Hops; nor ſhall ſell, diſpoſe of, ſend, or deliver, or cauſe to be ſold, diſpoſed of, ſent, or delivered to any Brewer or Brewers of, or Dealer or Dealers in, or Seller or Sellers, or Retailer or Retailers of Beer or Ale, or to any other Perſon or Perſons whatſoever, any ſuch Liquor ſo mixed, compounded, fabricated, manufactured, or prepared as aforeſaid, on Pain of forfeiting for every ſuch Offence the Sum of Two hundred Pounds; and all ſuch Liquor ſo mixed, compounded, fabricated, manufactured, or prepared as aforeſaid; and alſo all the Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Melaſſes, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, Opium, and every other Material or Ingredient whatſoever as aforeſaid, (other than Malt and Hops), in the Cuſtody or Poſſeſſion of ſuch Perſon or Perſons, together with every Copper, Cooler, Back, Tun, Vat, or other Veſſel or Utenſil whatſoever in which any ſuch Liquor, Material, or Ingredient ſhall be contained, or which ſhall have been made Uſe of, or employed for or in the mixing, compounding, fabricating, manufacturing, preparing, or keeping any ſuch Liquor; and all ſuch Liquor, Materials, and Ingredients, together with every ſuch Copper, Cooler, Back, Tun, Vat, or other Veſſel or Utenſil as aforeſaid ſhall be forfeited, and may be ſeized by any Officer or Officers of Exciſe.

No Perſon ſhall mix any Liquor to imitate, or to be mixed with or to be uſed as Beer made from Malt and Hops, or ſell any ſuch Liquor, on Penalty of 200 *l.* and Forfeiture of the Liquor, *&c.*

XXI. And be it further enacted, That no Brewer or Brewers of or Dealer or Dealers in, or Seller or Sellers of Beer or Ale, ſhall receive or take into his, her, or their Cuſtody or Poſſeſſion any Stale Beer or Beer Grounds, or ſhall mix or mingle with any Beer or Ale, any Liquor compounded, fabricated, or prepared from Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Melaſſes, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, Opium, or any other Material or Ingredient (except Malt and Hops), or in the Fabrication, Manufacture, or Preparation whereof any Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Melaſſes, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, Opium, or any Material or Ingredient (other than Malt and Hops), is or ſhall be mixed, employed, or made Uſe of, nor ſhall have, receive, or take into his, her, or their Cuſtody or Poſſeſſion, any Liquor compounded, fabricated, or prepared

No Brewer, *&c.* ſhall receive any Stale Beer or Beer Grounds, or mix with Beer any Liquor made from any Materials, except Malt, Hops, *&c.* on Penalty of 100 *l.*

as aforeſaid, on Pain of forfeiting, for every ſuch Offence, the Sum of One hundred Pounds.

But no Brewer, &c. ſhall be liable to the laſt mentioned Penalty for receiving returned Stale Beer or Beer Grounds returned by Cuſtomers; nor any Dealer, not being a Brewer, for having in his Cuſtody any Liquor made of other Materials than Malt and Hops, if he proves that it was bought in open Trade, and that he had no Knowledge of its being compounded contrary to this Act.

XXII. Provided always nevertheleſs, That no Brewer or Dealer in, or Seller of Beer or Ale, ſhall be ſubject or liable to the ſaid Penalty of One hundred Pounds, for or by reaſon of his, her, or their receiving or taking into his, her, or their Cuſtody or Poſſeſſion any Stale Beer which ſhall have been returned to him, her, or them, for being diſliked by any Perſon or Perſons to whom he, ſhe, or they had ſold or delivered ſuch Beer, or for or by reaſon of his, her, or their receiving or taking into his, her, or their Cuſtody or Poſſeſſion any ſuch Beer Grounds in the Bottom of any Caſk returned to him, her, or them, by any Perſon or Perſons to whom he, ſhe, or they had ſent the ſame, filled with the Beer from whence ſuch Grounds were produced: Provided alſo, that no Dealer or Dealers in, or Seller or Sellers of, Beer or Ale, not being a Brewer or Brewers of Beer or Ale, ſhall be ſubject or liable to the ſaid Penalty of One hundred Pounds, for or by reaſon of his, her, or their having, receiving, or taking into his, her, or their Cuſtody or Poſſeſſion any Liquor, compounded, fabricated, or prepared from Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Meloſſes, Vitriol, or Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, or any other Materials or Ingredients other than Malt and Hops, or in the Fabrication, Manufacture, or Preparation whereof any Materials or Ingredients as aforeſaid, other than Malt and Hops, has been mixed, employed, or made Uſe of, if at the Trial or Hearing for the Recovery of the ſaid Penalty, ſuch Dealer or Dealers in, or Seller or Sellers of Beer or Ale, ſhall prove to the Satisfaction of the Court and Jury before whom any ſuch Trial ſhall be ſo had, or to the Satisfaction of the Commiſſioners of Exciſe or Juſtices of the Peace before whom any ſuch Hearing ſhall be ſo had, that ſuch Liquor was bought and received by ſuch Dealer or Dealers in, or Seller or Sellers of Beer or Ale, in the fair, open, and uſual Courſe of Trade, of and from ſome commonly reputed regular Brewer of Beer or Ale, and that ſuch Dealer or Dealers in, or Seller or Sellers of Beer or Ale, had no Knowledge of ſuch Liquor being compounded, fabricated, or prepared contrary to the Directions of this Act in that Behalf aforeſaid.

Exciſe Officers may take Samples of Liquors they ſuſpect to be mixed, on paying for the ſame.

XXIII. And, to the End that the Officers of Exciſe may be able to taſte, examine, and aſcertain, whether any Liquor which they ſhall or may ſuſpect to be Liquor mixed, compounded, manufactured, or prepared from any ſuch Materials or Ingredients as aforeſaid, other than Malt and Hops, to imitate or reſemble, or to be mixed with or uſed as Beer or Ale brewed or made from Malt and Hops be ſuch Liquor as aforeſaid, be it enacted, That every ſuch Officer and Officers ſhall and may, and is and are hereby empowered, as often as to them or any of them ſhall ſeem expedient, to take a Sample or Samples of any Liquor which he or they ſhall or may ſo ſuſpect to be Liquor mixed, compounded, fabricated, manufactured, or prepared from any ſuch Materials or Ingredients as aforeſaid, (other than Malt and Hops), to imitate or reſemble, or to be mixed with or uſed as Beer or Ale brewed or made from Malt and Hops, ſuch Sample or Samples not exceeding Three Gallons at any One Time, on paying at and after the Rate of Eighteen-pence by the Gallon for the ſame if demanded.

XXIV. And

XXIV. And be it further enacted, That if any Officer or Officers of Exciſe ſhall have Cauſe to ſuſpect that any Perſon or Perſons does in any Place or Places whatſoever mix, compound, fabricate, manufacture, or prepare from any ſuch Materials or Ingredients as aforeſaid, (other than Malt and Hops), any Liquor to imitate or reſemble, or to be mixed with or uſed as Beer or Ale brewed or made from Malt and Hops, or to be ſold, diſpoſed of, ſent, or delivered to any Brewer or Brewers of, or Dealer or Dealers in Beer or Ale, or to any other Perſon or Perſons whatſoever, or that any ſuch Liquor ſo mixed, compounded, fabricated, manufactured, or prepared as aforeſaid has been ſold, diſpoſed of, ſent, or delivered to any Brewer or Brewers of, or Dealer or Dealers in, Seller or Sellers, or Retailer or Retailers of Beer or Ale, or to any other Perſon or Perſons whatſoever, and that the ſame is or ſhall be lodged or depoſited in any Place or Places whatſoever; then and in every ſuch Caſe, if ſuch Place or Places ſhall be within the Limits of the Chief Office of Exciſe in *London*, upon Oath made by ſuch Officer or Officers before the Commiſſioners of Exciſe for the Time being, or any Two or more of them; or in Caſe ſuch Place or Places ſhall be in any other Part of *Great Britain*, upon Oath made by ſuch Officer or Officers before One or more Juſtice or Juſtices of the Peace for the County, Riding, Shire, Diviſion, or Place where ſuch ſuſpected Place or Places ſhall be ſituate, ſetting forth the Ground of his or their Suſpicion, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Two or more of them, or the Juſtice or Juſtices of the Peace reſpectively, as the Caſe may require, before whom ſuch Oath ſhall be made, if they or he ſhall judge it reaſonable by Special Warrant or Warrants under his and their reſpective Hands and Seals to authorize and empower ſuch Officer or Officers 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 ſuch Place or Places where he or they ſhall ſo ſuſpect any Perſon or Perſons to mix, compound, fabricate, manufacture, or prepare from Beer Grounds, Stale Beer, Sugar Water, Diſtillers ſpent Waſh, Sugar, Melaſſes, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, *Guinea* Pepper, Opium, or any ſuch Materials, Mixture, or Ingredients as aforeſaid (other than Malt and Hops), any Liquor to imitate or reſemble, or to be uſed as Beer or Ale brewed from Malt and Hops, or to be mixed with Beer or Ale, or to be ſold, diſpoſed of, ſent, or delivered to any Brewer or Brewers of, or Dealer or Dealers in, or Seller or Sellers, or Retailer or Retailers of Beer or Ale, or to any other Perſon or Perſons whatſoever, or where ſuch Officer or Officers ſhall ſuſpect any ſuch Liquor ſo mixed, compounded, fabricated, manufactured, or prepared as aforeſaid, or ſold, diſpoſed of, ſent, or delivered to any Brewer or Brewers of, Dealer or Dealers in, Seller or Sellers of, or Retailer or Retailers of Beer or Ale, or any other Perſon or Perſons whatſoever, is or ſhall be ſo lodged or depoſited, and to ſeize and carry away as forfeited all ſuch Liquor which he or they ſhall then and there find, and all and every other Material or Ingredient whatſoever as aforeſaid, (other than Malt and Hops), and alſo all and every Copper, Cooler, Back, Tun, Vat, and other Veſſel or Utenſil whatſoever, which he or they ſhall then and there find, in which any ſuch Liquor, Material, or Ingredient ſhall be contained, or which ſhall have been made Uſe of, or employed for, or in the mixing, compounding, fabricating,

Officers of Exciſe having Cauſe to ſuſpect that any Perſons mix Liquor to imitate or to be mixed with or uſed as Beer, *etc.* may be authorized to ſearch ſuſpected Places, and ſeize ſuch Liquors and the Utenſils.

Perſons in whoſe Cuſtody ſuch Liquors ſhall be found to forfeit 100*l.*

manufacturing, preparing, or keeping any ſuch Liquor; and the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame reſpectively ſhall be found, ſhall forfeit the Sum of One hundred Pounds.

On every Queſtion reſpecting ſuch Liquors, the Proof ſhall lie on the Owners.

XXV. And be it further enacted, That if any Queſtion ſhall ariſe whether any Liquor which ſhall be ſeized as and for Liquor mixed, compounded, fabricated, manufactured, or prepared from any other Material or Ingredient as aforeſaid, (other than Malt and Hops), be Liquor ſo mixed, compounded, fabricated, manufactured, or prepared, the Proof of ſuch Liquor not being Liquor mixed, compounded, fabricated, manufactured, or prepared from other Materials or Ingredients than Malt and Hops, ſhall lie upon the Owner or Claimer thereof.

Maltſters, *etc.* having Malt in their Cuſtody on *May* 1, 1802, to give an Account thereof to the Office of Exciſe, on Penalty of 100*l.* and Forfeiture of the Malt.

XXVI. And be it further enacted, That all Maltſters or Makers of Malt, Sellers or Retailers of Malt, Brewers, Diſtillers, Innkeepers, Victuallers, and Vinegar Makers, and all and every other Perſons and Perſon whatſoever, who, in Truſt for them, or any or either of them, or for the Uſe, Benefit, or Account of them, or any or either of them, ſhall have in his, her, or their Cuſtody or Poſſeſſion, or in his, her, or their Houſes, Outhouſes, Barns, Granaries, or in any other Place or Places whatſoever, upon the Firſt Day of *May* One thouſand eight hundred and two, any Parcel or Quantity of Malt whatſoever, ſhall on that Day, or within Ten Days next enſuing, give a true and particular Account thereof in Writing at the Office of Exciſe within the Limits of which he, ſhe, or they ſhall then reſpectively inhabit, upon Pain of forfeiting the Sum of One hundred Pounds for every Neglect therein; and the Malt of which no ſuch Account as aforeſaid ſhall have been given, may and ſhall be ſeized by any Officer or Officers of Exciſe; and the ſeveral and reſpective Duties on ſuch Malt ſhall be payable and paid to the proper Officer or Officers of Exciſe for receiving the ſame within One Calendar Month after he, ſhe, or they ſhall have given or ought to have given ſuch Account as aforeſaid; and all ſuch Maltſters or Makers of Malt, Sellers or Retailers of Malt, Brewers, Diſtillers, Innkeepers, Victuallers, and Vinegar Makers, who ſhall refuſe or neglect to make ſuch Payment for his, her, or their Stock of Malt within the Time by this Act limited for that Purpoſe, ſhall forfeit Double the Amount of the Duties which ſhould have been ſo paid by him, her, or them as aforeſaid.

Duties on ſuch Malt to be paid within a Month, on Penalty of Double the Duties.

Exciſe Officers to take an Account of all ſuch Malt, and admeaſure the ſame.

XXVII. And be it further enacted, That it ſhall be lawful for the Officers of Exciſe reſpectively to take a true and particular Account and Admeaſurement of all ſuch Malt as any Maltſters or Makers of Malt, Sellers or Retailers of Malt, Brewers, Diſtillers, Innkeepers, Victuallers, or Vinegar Makers, or any Perſon or Perſons in Truſt, or for the Uſe, Benefit, or Account of them, or any or either of them, ſhall on the ſaid Firſt Day of *May* One thouſand eight hundred and two, have, be poſſeſſed of, or intereſted in, and for that Purpoſe to enter into any Dwelling Houſe, Outhouſe, Barn, Granary, or other Place whatſoever belonging to every and any ſuch Maltſter or Maker of Malt, Seller or Retailer of Malt, Brewer, Diſtiller, Innkeeper, Victualler, and Vinegar Maker, and each of them, and every ſuch Perſon is hereby required to permit and ſuffer ſuch Officer or Officers, on the ſaid Firſt Day of *May* or afterwards, at any Time before the Duty upon ſuch Malt ſhall be

 paid

paid at his or their Requeſt, to enter and take ſuch Account and Admeaſurement thereof as aforeſaid, and for that Purpoſe to caſt ſuch Malt into a regular Form for the better aſcertaining the Quantity thereof; and if they, any, or either of them ſhall refuſe to permit or ſuffer any Officer or Officers of Exciſe ſo to do, or if any Perſon or Perſons ſhall obſtruct, oppoſe, moleſt, or hinder any Officer or Officers of Exciſe in the due Execution of ſuch Powers hereby given, he, ſhe, or they ſhall reſpectively forfeit One hundred Pounds for every ſuch Offence; and if any Maltſter or Maker of Malt, Seller or Retailer of Malt, Brewer, Diſtiller, Innkeeper, Victualler, or Vinegar Maker, or any other Perſon or Perſons, having in his, her, or their Cuſtody or Poſſeſſion any Quantity of Malt chargeable by this Act with the ſaid Duty or Duties, or any Part thereof, for Stock as aforeſaid, ſhall clandeſtinely remove or carry away, or cauſe or ſuffer to be removed or carried away, the ſame, or any Part thereof, before the Duties thereupon ſhall be charged, or ſhall fraudulently conceal or hide, or cauſe or ſuffer to be concealed or hid, or ſhall not produce to the Inſpection of the Officer of Exciſe or Gauger ſuch Malt, and every Part thereof, that then and in every ſuch Caſe, every Perſon ſo offending, for every ſuch Offence, ſhall forfeit the Sum of One hundred Pounds, and the Malt which ſhall be ſo clandeſtinely removed or carried away, or fraudulently concealed or hid, ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of Exciſe; and the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion ſuch Malt ſhall be found, who ſhall not before the Diſcovery thereof give Notice at the next Office of Exciſe of the Quantity of Malt ſo in his, her, or their Cuſtody or Poſſeſſion, ſhall alſo forfeit the Sum of Forty Shillings for every Buſhel of ſuch Malt.

Penalty of 100 *l.* for obſtructing the Officer, or removing or concealing ſuch Malt before the Duties ſhall be charged.

Malt removed or concealed may be ſeized, and the Perſon not giving Notice of Malt in his Cuſtody, ſhall forfeit 40 *s. per* Buſhel.

XXVIII. And whereas by the fraudulent Practices of evil-minded Perſons the Duty on Malt is materially diminiſhed, and the Malt much injured; for Remedy whereof, be it enacted, That, from and after the Firſt Day of *May* One thouſand eight hundred and two, no Maltſter or Maker of Malt ſhall begin to wet or ſteep any Corn or Grain to be made into Malt at any other Time than between the Hours of Eight in the Morning and Two in the Afternoon, nor ſhall any Maltſter or Maker of Malt empty or take any Corn or Grain from or out of his, her, or their Ciſtern, Uting Vat, or other Veſſel or Utenſil uſed for the wetting or ſteeping of Corn or Grain as aforeſaid, at any other Time than between the Hours of Seven in the Morning and Four in the Afternoon; and if any Maltſter or Maker of Malt ſhall begin to wet or ſteep any Corn or Grain at any other Time than between the Hours of Eight in the Morning and Two in the Afternoon, or ſhall at any other Time than between the Hours of Seven in the Morning and Four in the Afternoon, empty or take any Corn or Grain from or out of his, her, or their Ciſtern, Uting Vat, or other Veſſel or Utenſil uſed for the wetting or ſteeping of Corn or Grain, every ſuch Maltſter or Maker of Malt ſo offending ſhall, for each and every ſuch Offence, forfeit and loſe the Sum of One hundred Pounds.

No Maltſters ſhall begin to wet any Grain for Malt, or take out any from the Ciſtern, but between certain Hours, on Penalty of 100 *l.*

XXIX. And be it further enacted, That out of every Twenty Buſhels of Malt, which ſhall be gauged and charged upon the Floor, after the ſame

Out of every 20 Buſhels of Malt charged upon the

Floor, after having been taken out 26 Hours, and before dried on the Kiln, there ſhall be allowed 10 Buſhels.

ſame ſhall have been taken or thrown out of the Ciſtern, Uting Vat, or other Veſſel or Utenſil, by the Space of Twenty-ſix Hours or more, and before the ſame ſhall be dried upon the Kiln, there ſhall be allowed Ten Buſhels, and ſo in Proportion for any greater or leſs Quantity; any Thing in any Act or Acts of Parliament to the contrary in anywiſe notwithſtanding.

No Maltſter ſhall wet any Grain making into Malt after taken out of the Ciſtern, until the End of Twelve Days, on Penalty of 200*l.*

XXX. And be it further enacted, That no Maltſter or Maker of Malt ſhall wet, water, or ſprinkle, or cauſe or ſuffer to be wetted, watered, or ſprinkled, any Corn or Grain making into Malt, in any State or Stage of Operation, after the ſame ſhall have been emptied, thrown, or taken from or out of the Ciſtern, Uting Vat, or other Veſſel or Utenſil uſed for ſteeping ſuch Corn or Grain, for and until the full End and Expiration of Twelve Days, on Pain of forfeiting for each and every ſuch Offence the Sum of Two hundred Pounds.

If any Maltſter ſhall wet any Malt after taken from the Kiln, and before delivered to the Purchaſer he ſhall forfeit 100*l.*

XXXI. And whereas Maltſters and Makers of Malt do ſometimes wet, water, ſprinkle, or damp Malt after the ſame has been dried on the Kiln, and before ſuch Malt is delivered into the Cuſtody of the Brewer or other Perſon who may have purchaſed, bargained, or agreed for the ſame, to the great Injury of the Malt, and the Detriment of the Purchaſer thereof; for Remedy whereof, be it further enacted, That if any Maltſter or Maker of Malt ſhall, from and after the ſaid Firſt Day of *May* One thouſand eight hundred and two, wet, water, ſprinkle, or damp, or procure, cauſe, permit, or ſuffer to be wetted, watered, ſprinkled, or damped, any Malt at any Time after the ſame ſhall have been taken from or thrown off the Kiln, and before ſuch Malt ſhall be delivered into the Cuſtody of the Brewer or other Perſon who may have purchaſed, bargained, or agreed for the ſame, contrary to the true Intent and Meaning of this Act, except in the ordinary Proceſs of brewing Beer from ſuch Malt, every ſuch Maltſter or Maker of Malt ſo offending, ſhall for every ſuch Offence forfeit the Sum of One hundred Pounds.

Maltſters may drain the Water from Grain ſteeping, before the End of 40 Hours after firſt wetted, under certain Conditions.

XXXII. And be it further enacted, That it ſhall and may be lawful to and for any Maltſter or Maker of Malt to drain the Water from any Corn or Grain, whilſt the ſame ſhall be ſteeping in any Ciſtern, Uting Vat, or other Veſſel or Utenſil, before the End or Expiration of Forty Hours from the Time ſuch Corn or Grain was firſt wetted and completely covered with Water: Provided always, that no ſuch Water ſhall be drained from any ſuch Corn or Grain before the End or Expiration of ſuch Forty Hours, unleſs the Maltſter or Maker of Malt ſo draining the ſame, ſhall, in his, her, or their laſt preceding Entry or Notice in Writing for the making of Malt, at the next Office of Exciſe, have ſtated his, her, or their Intention ſo to drain off ſuch Water with the exact Hour and Time, between the Hours of Eight in the Morning and Four in the Afternoon, when ſuch Water is ſo to be drained; nor unleſs ſuch Water ſhall be drained from ſuch Corn or Grain between the ſaid Hours of Eight in the Morning and Four in the Afternoon; nor more than Once during the ſaid Space of Forty Hours; and that ſuch Corn or Grain be again completely covered with Water within the Space of One Hour from the Time of ſuch Water having been begun to be ſo drained; any Thing in

any

any Act or Acts of Parliament to the contrary in anywise notwithstanding.

XXXIII. And be it further enacted, That if any Workman, Servant, or Labourer employed by, or in the Service of, any Maltster or Maker of Malt, shall begin to wet or steep any Corn or Grain at any other Time than between the Hours of Eight in the Morning and Two in the Afternoon, or if any such Workman, Servant, or Labourer as aforesaid, shall at any other Time than between the Hours of Seven in the Morning and Four in the Afternoon, take or remove any Corn or Grain from or out of any Cistern, Uting Vat, or other Vessel or Utensil in which the same shall have been wetted or steeped, or shall wet, water, or sprinkle any Corn or Grain making into Malt, in any State or Stage of Operation whatever, after the same shall have been emptied, thrown, or taken from or out of the Cistern, Uting Vat, or other Vessel or Utensil used for steeping such Corn or Grain until the full End and Expiration of Twelve Days after the same shall have been emptied, thrown, or taken from or out of any such Cistern, Uting Vat, or other Vessel or Utensil used for steeping such Corn, or Grain as aforesaid, and before such Corn or Grain shall be put or laid on the Kiln; every such Workman, Servant, or Labourer as aforesaid, so offending in any or either of the Particulars aforesaid, shall and may be apprehended by any Officer or Officers of Excise, and taken before any One or more of His Majesty's Justices of the Peace for the County, Riding, Division, City, or Liberty respectively, wherein such Workman, Servant, or Labourer shall be found, and it shall and may be lawful to and for any such Justice or Justices of the Peace respectively, on the Parties Confession of any such Offence as aforesaid respectively, or on Proof thereof by the Oath of One or more credible Witness or Witnesses, to convict in the Penalty of Fifty Pounds every Workman, Servant, or Labourer so proved to have been guilty of any or either of the said Offences respectively; and every such Workman, Servant, or Labourer so convicted as aforesaid, shall immediately on such Conviction, pay down into the Hands of such Officer the said Penalty in which he or she shall be so convicted, to be applied in Manner herein-after directed; and if any such Workman, Servant, or Labourer so convicted shall not forthwith pay down the said Penalty, the said Justice or Justices shall, and he or they are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals to commit the Party so convicted as aforesaid to the House of Correction for the said County, Riding, Division, City, or Liberty respectively, there to remain to be kept to hard Labour for any Time not exceeding Twelve Months, to be reckoned from the Day of such Conviction, and the Person so convicted shall not be discharged until he or she shall have paid the said Penalty or until the Expiration of the Time for which such Commitment was made.

Servants to Maltsters beginning to wet or remove Grain, &c. contrary to the Regulations of this Act, may be apprehended by any Excise Officer and carried before a Justice, who may fine them 50 *l.* and if not paid may commit them to the House of Correction.

XXXIV. And be it further enacted, That, from and after the said First Day of *May* One thousand eight hundred and two, it shall and may be lawful to and for any Officer or Officers of Excise as well by Night as by Day to enter every Malthouse or other Place made Use of by any Maltster or Maker of Malt for the making or keeping of Malt or Corn for

Excise Officers may enter any Places used for making or keeping of Malt, or Corn for making of Malt, and take an Account thereof.

for the making of Malt, and to examine, gauge, meaſure, and take Account of all Corn or Grain in ſuch Houſe or other Place as aforeſaid, whether ſuch Corn or Grain ſhall be in a State of Operation for making into Malt or otherwiſe; and alſo of all Malt that ſhall be in ſuch Malthouſe or other Place as aforeſaid; and if any ſuch Maltſter or Maker of Malt ſhall refuſe to permit any ſuch Officer or Officers of Exciſe as aforeſaid to enter into any ſuch Malthouſe or other Place as aforeſaid, or if any ſuch Maltſter or Maker of Malt as aforeſaid, or any other Perſon ſhall hinder, impede, or diſturb any Officer or Officers of Exciſe in the due Execution of the Powers or Authorities granted by this or any other Act or Acts of Parliament relating to the Duties on Malt, every ſuch Maltſter or Maker of Malt, or other Perſon reſpectively, ſhall for every ſuch Offence forfeit the Sum of Two hundred Pounds.

Penalty of 200 *l.* for not permitting Officers to enter ſuch Places, or moleſting them.

Perſons obſtructing Officers, except in Caſes for which other Penalties are provided, ſhall forfeit 200 *l.*

XXXV. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall moleſt, diſturb, hinder, oppoſe, or impede any Officer or Officers of Exciſe in the due Execution of the Powers and Authorities by this Act granted, or any or either of them, except in ſuch Caſes for which other Penalties are by this Act provided, every Perſon ſo offending ſhall forfeit and loſe the Sum of Two hundred Pounds.

Recovery and Application of Penalties.

XXXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures impoſed by this Act ſhall be ſued for, recovered, levied, or mitigated by ſuch Ways, Means, or Methods as any Fine, Penalty, or Forfeiture may be ſued for, recovered, levied, or mitigated by any Law or Laws of Exciſe or by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland* reſpectively; and that One Moiety of every ſuch Fine, Penalty, or Forfeiture ſhall be to His Majeſty, His Heirs and Succeſſors, and the other Moiety to him or them who ſhall inform, diſcover, or ſue for the ſame.

Proviſions of 22 Car. 2. c. 24. and other Acts in force relating to the Exciſe, to extend to this Act as far as applicable.

XXXVII. And be it further enacted, That all the Powers and Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauſes, Matters, and Things which in and by an Act made in the Twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Liveries and Tenures* in capite, *and by Knights Service and Purveyance; and for ſettling a Revenue upon His Majeſty in lieu thereof;* or by any other Law now in force relating to His Majeſty's Revenues of Exciſe are provided and eſtabliſhed for managing, raiſing, levying, collecting, mitigating, or receiving, adjudging, or aſcertaining the Duties thereby granted or any of them, (other than in ſuch Caſes for which other Penalties or Proviſions are made or preſcribed by this Act), ſhall be practiſed, uſed, and put in Execution, in and for the managing, raiſing, levying, collecting, mitigating, recovering, and paying the Duties by this Act granted upon Beer, Ale, Malt, and Hops, as fully and effectually to all Intents and Purpoſes as if all and every the ſaid Powers, Authorities, Directions, Rules, Methods, Penalties, Forfeitures, Clauſes, Matters,

Matters, and Things, were particularly repeated and re-enacted in this preſent Act.

Application of Duties.

XXXVIII. And be it further enacted, That all the Money ariſing by the Duties by this Act impoſed, (the neceſſary Charges of raiſing and accounting for the ſame excepted), ſhall from Time to Time be paid into the Receipt of His Majeſty's Exchequer at *Weſtminſter*; and the ſaid Money ſo paid into the ſaid Receipt as aforeſaid, ſhall be carried to and made Part of the Conſolidated Fund of *Great Britain*, and that at the End of every Quarter of a Year after the Firſt Day of *May* One thouſand eight hundred and two; that is to ſay, on the Fifth Day of *July*, the Tenth Day of *October*, the Fifth Day of *January*, and the Fifth Day of *April* in every Year, there ſhall be ſet apart at the ſaid Receipt, of the Monies ariſing from the Rates and Duties granted by this Act, the Sum of Forty-one thouſand one hundred and thirty-four Pounds Fifteen Shillings and Nine-pence, being One Fourth Part of the Sum of One hundred and ſixty-four thouſand one hundred and thirty-nine Pounds, the Average yearly Produce for Three Years, ending on the Fifth Day of *July* One thouſand ſeven hundred and ninety-five, of the Duties on Small Beer and Table Beer which are repealed by this Act; and that after ſetting apart ſuch quarterly Sums as aforeſaid, the Remainder of the Monies, ariſing by the ſaid Rates and Duties by this Act granted, ſhall be deemed an Addition made to the Revenue, for the Purpoſe of defraying the increaſed Charge occaſioned by any Loan made or Stock created or to be created by virtue of any Act or Acts paſſed or to be paſſed in this Seſſion of Parliament; and that during the Space of Ten Years next enſuing, there ſhall be provided and kept in the Office of the Auditor of the ſaid Receipt, a Book or Books in which all the ſurplus Monies, ariſing from the ſaid Rates and Duties, and paid into the ſaid Receipt, ſhall, together with the Monies ariſing by the Repeal of the Allowances granted to Brewers and others by the ſaid Act of the Twenty-ſeventh Year aforeſaid, according to the Average herein-after mentioned, and alſo the Monies ariſing from any other Rates and Duties granted in this Seſſion of Parliament for the Purpoſe of defraying ſuch increaſed Charge as aforeſaid, be entered ſeparate and apart from all other Monies paid or payable to His Majeſty, His Heirs or Succeſſors upon any Account whatſoever.

Application of Part of the annual Duties on Malt.

XXXIX. And be it further enacted, That out of the Duties on Malt which have been or ſhall be annually granted by Parliament, there ſhall, at the End of every Quarter of a Year after paſſing this Act, that is to ſay, the Fifth Day of *April*, the Fifth Day of *July*, the Tenth Day of *October*, and the Fifth Day of *January* in every Year, be ſet apart at the ſaid Receipt of His Majeſty's Exchequer, the Sum of One hundred and nine thouſand ſeven hundred and ninety-eight Pounds Fifteen Shillings and Eight-pence, being One Fourth Part of the Sum of Four hundred thirty-nine thouſand one hundred and ninety-five Pounds Two Shillings and Eight-pence the Average yearly amount of Three Years, ended the Fifth Day of *July* One thouſand ſeven hundred and ninety-five, of the Allowances granted to Brewers and others out of the ſaid Duty on Malt,

and which Allowances are by this Act repealed, and the ſaid Sum ſo ſet apart ſhall be alſo deemed an Addition made to the Revenue for the Purpoſe of defraying the increaſed Charge, or of ſupplying any Deficiency as aforeſaid, occaſioned by any Loan made or Stock created, or to be created by virtue of any Act or Acts paſſed or to be paſſed in this Seſſion of Parliament.

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