ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

****

CAP. CXVIII.

An Act to prohibit the Distillation of Spirits from Corn or Grain, for a limited Time. [30th *June* 1808].

WHEREAS it is expedient, under the present Circumstances of Interruption in the Importation of Foreign Corn, to prohibit throughout the United Kingdom all Distillation of Spirits from Corn or Grain, for a Time to be limited, and to enable His Majesty, by Proclamation, if He shall judge it for the Benefit and Advantage of His Kingdom, either to terminate or further continue such Prohibition for a Time to be limited; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twentieth Day of *June*, and until and upon the Thirty-first Day of *December* One thousand eight hundred and eight, throughout the United Kingdom, no Worts or Wash for Distillation shall be made or brewed from Oats, Barley, or any other Corn or Grain, or from Malt, Flour, or Bran, or any Mixture with the same.

Distillation of Spirits from Grain prohibited for a limited Time.

II. Provided always, and be it further enacted, That in case His Majesty, at any Time after the First Day of *October* One thousand eight hundred and eight, shall in His Royal Discretion judge it to be for the Benefit and Advantage of His Kingdom, to permit the making of Worts or Wash for Distillation from Oats, Barley, or any other Corn or Grain, (Wheat excepted,) or from Malt, Flour, or Bran, then and in such case it shall and may be lawful to and for His Majesty, by His Royal Proclamation or Proclamations to be issued by and with the Advice of His Privy Council, or by His Majesty's Orders in Council, to be published from Time to Time in the *London Gazette*, and in the *Dublin Gazette*,

After Oct. 1, 1808, His Majesty, by Proclamation, &c. may permit the Distillation of Spirits from Grain (except Wheat);

13 X

zette, to permit and suffer all and every Person or Persons (but not any particular Person or Persons) at any Time or Times, not less than Forty Days from the Date of such Proclamation or Order in Council, to make Worts or Wash for Distillation from Oats, Barley, or any other Corn or Grain, (Wheat excepted,) or from any Malt, Flour, or Bran; or in case His Majesty, at any Time after the said First Day of *October*, shall in His Royal Discretion judge it to be for the Benefit and Advantage of His Kingdom, further to continue the Prohibition of the Distillation of Spirits from Corn or Grain from the said Thirty-first Day of *December* until Forty Days after the then next Meeting of Parliament, then and in such Case it shall and may be lawful to and for His Majesty, by His Royal Proclamation or Proclamations to be issued by and with the Advice of His Privy Council, or by His Majesty's Order in Council, to be published from Time to Time in the *London Gazette*, and in the *Dublin Gazette*, to continue throughout the United Kingdom, from the said Thirty-first Day of *December* until Forty Days after the next Meeting of Parliament, the Prohibition herein-before mentioned, that is to say, that throughout the United Kingdom during the Continuance of such Prohibition, no Worts or Wash for Distillation shall be made from Oats, Barley, or any other Corn or Grain, or from Malt, Flour, or Bran, or any Mixture with the same.

or His Majesty may continue the Prohibition from December 31, for 40 Days after the next Meeting of Parliament.

Penalty for using Grain for Distillation during the Prohibition, 500*l.*

III. And be it further enacted, That if any Distiller or Distillers shall, during the Time that the Use of Corn or Grain in the Distillation of Spirits shall by this Act, or under the Powers and Authorities herein granted, be prohibited, brew or prepare any Wort or Wash from any or either of the said Articles or Materials for the Purpose of extracting or distilling Low Wines or Spirits, every such Distiller or Distillers for each and every such Offence shall forfeit Five hundred Pounds, together with all the Utensils used for the Purposes of his or their Distillery.

Distillers taking into their Custody, during the Prohibition, Grain which shall have been ground, except, &c. shall forfeit 500*l.* and the Grain:

IV. And be it further enacted, That if any Distiller or Distillers shall, during the Time that the Use of Corn and Grain in the Distillation of Spirits shall be prohibited as aforesaid, take or receive into or keep in his, her, or their Custody or Possession any Wheat, Barley, Malt, Oats, Rye, Bear, or Bigg, which shall have been ground, excepting Malt not exceeding Two Quarters, or Wheat Meal or Wheat Flour not exceeding One Sack of Five Bushels, every such Distiller or Distillers shall for each and every such Offence forfeit Five hundred Pounds, together with all the Wheat, Barley, Malt, Oats, Rye, Bean, or Bigg, and Wheat Meal or Flour, taken, received into, or kept in his, her, or their Custody or Possession, contrary to the true Intent and Meaning of this Act, and the same shall and may be seized by any Officer or Officers of Excise.

But Distillers may have in their Custody certain Grain, &c. at any Time within 20 Days of the Expiration of the Prohibition.

V. Provided always, and be it further enacted, That it shall and may be lawful to and for any entered Distiller or Distillers to have in his, her, or their Custody or Possession, any ground Barley, Malt, Oats, Rye, Bear, or Bigg, or any Flour, Meal, or Bran, at any Time within Twenty Days of the Expiration of the Time during which under or by virtue of this Act, the making of any Wort or Wash for Distillation from Corn or Grain is or shall be prohibited.

Exemption for Distillers who are also Millers.

VI. Provided always, and be it further enacted, That this Act shall not extend to inflict the last-mentioned Penalty upon any Distiller or Maker of 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 paſſing of this Act, for and upon account of any Quantity of Wheat which ſhall be found in any ſuch Mill or Mills, or the Storehouſes or Rooms thereunto belonging, not wetted or ſteeped; any Thing herein contained to the contrary notwithſtanding.

Allowances to be made to Perſons who have taken out Licences for working Stills in Scotland.

VII. And whereas certain annual Duties are impoſed upon Licences for Stills uſed in *Scotland* for diſtilling Spirits from Corn or Grain, and it is reaſonable that an Allowance ſhould be made for ſuch Part of the Seaſon for diſtilling, as they may be prevented from working in conſequence of this Act; be it therefore enacted, That it ſhall and may be lawful to and for the Commiſſioners of Excife in *Scotland*, or any Three of them, to make ſuch Allowances to Perſons taking out ſuch Licences reſpectively, as ſhall appear to the ſaid Commiſſioners juſt and reaſonable, ſuch Allowances in no caſe exceeding the Licence Duty computed upon the Quantity of Spirits remaining undiſtilled and neceſſary to complete the Quantity of Spirits to which the reſpective Licences ſhall have been limited.

Contracts for ſupplying Spirits to be delivered during the Operation of this Act void.

VIII. And whereas there may have been Contracts made by Diſtillers with other Perſons for Spirits, Grains, Yeaſt, or Spirit Waſh, to be delivered at future Times after the ſaid Twentieth Day of *June*, be it therefore enacted, That all Contracts or Bargains made by any Diſtiller with any Perſon or Perſons whatſoever, for any Spirits, Grains, Yeaſt, or Spirit Waſh, to be delivered at any Time during the Operation of this Act, ſhall be and are hereby declared null and void to all Intents and Purpoſes whatſoever.

Fines and Penalties how to be levied and applied.

IX. And be it further enacted, That all Fines and Penalties impoſed by this Act (except as to ſuch as ſhall be incurred in *Ireland*) ſhall be ſued for, recovered, levied, or mitigated by ſuch Ways, Means or Methods as any Fine or Penalty may be ſued for, recovered, levied, or mitigated by any Law or Laws of Excife, or by Action of Debt, Bill, Plaint, or Information in the Courts of Exchequer at *Weſtminſter* or *Scotland*; and that One Moiety of every ſuch Fine or Penalty 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; and that all and every Fine or Penalty inflicted by this Act, and incurred in *Ireland*, ſhall be paid and recovered in *Britiſh* Currency, and ſhall and may be ſued for and recovered, levied and applied, in ſuch Manner and Form, and by ſuch Ways and Means, and with ſuch Powers and Authorities as are preſcribed, directed, and appointed in and by an Act of Parliament made in *Ireland* in the Fourteenth and Fifteenth Years of the Reign of His late Majeſty *Charles* the Second, intituled, *An Act for the ſettling of the Exciſe or New Impoſt upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted*, or by any other Law or Laws relative to His Majeſty's Revenue of Excife, as fully and effectually to all Intents and Purpoſes as if the ſame were particularly mentioned and expreſſed and re-enacted in this Act, with like Remedy of Appeal to and for the Party and Parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid Act of Excife, or any Law or Laws relating to His Majeſty's Revenue of Excife, is provided.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1808.