ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

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C A P. VII.

An Act to prohibit the Diſtillation of Spirits from Corn or Grain, in the United Kingdom for a limited Time. [13th *March* 1809.]

WHEREAS the Circumſtances under which it was deemed expedient to prohibit the Diſtillation of Spirits from Corn or Grain, ſtill exiſt; and it is therefore neceſſary to continue the ſaid Prohibition, 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 paſſing of this Act, and until and upon the Thirty-firſt Day of *December* One thouſand eight hundred and nine, 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 from Grain prohibited till Dec. 31, 1809.

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

His Majeſty, after Oct. 1, 1809, may, by

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Proclamation, permit the Diſtillation from Grain (except Wheat),

hundred and nine, 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 Order in Council, to be publiſhed from Time to Time in the *London Gazette*, and in the *Dublin Gazette*, 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 Thirty 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* One thouſand eight hundred and nine, ſhall in His Royal Diſcretion judge it to be for the Benefit and Advantage of His ſaid 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 may continue the Prohibition further.

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

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 Oats, Barley, or any other Corn or Grain, or from Malt, Flour, or Bran, or any Mixture with the ſame, 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.) ſubject to a Penalty of 500l. &c.

IV. 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 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 or Oatmeal, 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, Bear or Bigg, and Wheat Meal, or Flour or Oatmeal 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.

V. Provided

V. 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 an Act made in the last Session of Parliament, intituled, *An Act to prohibit the Distillation of Spirits from Corn or Grain for a limited Time*, 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. Exemptions for Distillers who are Millers.

VI. 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 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. Distillers may have in their Custody ground Grain within 20 Days of the Expiration of the Prohibition.

VII. And be it further enacted, That every Officer of Excise in *England* having any Still or Still-house or other Place used for the Purpose of making or distilling Spirits under his Survey, shall keep exact Accounts in his Books of all Worts and Wash whereon the Duties are imposed by an Act made and passed in the last Session of Parliament, intituled, *An Act for granting certain Duties on Worts or Wash made from Sugar during the Prohibition of Distillation from Corn or Grain in* Great Britain, and shall in his said Books give unto the several Distillers or Makers of Spirits under his Survey a Credit after the Rate or Proportion of Twenty-One Gallons of Spirits of the Strength of One to Ten over Hydrometer Proof for every One Hundred Gallons of Wort or Wash brewed or made from Sugar by such Distiller or Distillers, during such Time as such Distiller or Distillers shall continue to work or distil Spirits from Sugar. Officers of Excise in England to keep Accounts of the Worts and Wash whereon the Duties are imposed by 48 G. 3. c. 152. and give Credit after the Proportion herein stated.

VIII. And be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to repeal or alter any Act or Acts of Parliament in force immediately before the passing of this Act relating to the distilling or making Spirits in *England* or *Scotland*, from Corn or Grain or Sugar, or any of the Clauses or Provisoes therein (save and except so far as any such Act or Acts, or the Clauses, Provisions, Powers or Authorities therein contained or granted are expressly repealed, suspended, revoked, altered, contracted, or controuled by this present Act, or repugnant to any of the Provisions herein contained), but that all and singular the said former Acts and the several Provisions, Rules, Regulations, Powers and Authorities therein contained or granted under or by virtue of which Spirits have been heretofore made from Corn or Grain or from Sugar, and the Pains, Penalties, and Forfeitures incurred or thereby imposed or provided for any Breach or Non-observance of the same (except as aforesaid) shall remain and continue in as full Force and Effect as if this Act had not been made; any Thing herein contained to the contrary in anywise notwithstanding. Former Acts, except where hereby altered, to be in force.

IX. And

Recovery and Application of Penalties.

IX. And be it further enacted, That all Fines, Penalties, and Forfeitures 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 Exciſe, or by Action of Debt, Bill, Plaint, or Information in the Courts of Exchequer at *Weſtminſter* or in *Scotland*; and that One Moiety of every ſuch Fine or Penalty and 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; and that all and every Fine, Penalty, and Forfeiture 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 King *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 Exciſe or Cuſtoms in force in *Ireland*, 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 Exciſe or Cuſtoms in force in *Ireland*, or any Law or Laws relating to His Majeſty's Revenue of Exciſe, is provided.

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