ANNO QUINQUAGESIMO

GEORGII III. REGIS.

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CAP. XCIX.

An Act to amend the ſeveral Acts relating to the making of Malt, and the granting of Permits and Certificates, and the Regulations of Braziers and of Perſons employing more than one Still in *Ireland*.

[20th *June* 1810.]

WHEREAS it is expedient to amend the ſeveral Acts relating to the making of Malt in *Ireland*; 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 Expiration of Ten Days after the Day of the paſſing of this Act, ſo much of an Act made in the Forty-fifth Year of His preſent Majeſty's Reign, intituled, *An Act for the Collection of the Malt Duties in* Ireland, *and regulating the Trade of a Maltſter*, as enacts or provides that any Corn or Grain making into Malt in the Malt Houſe of any Maltſter or Maker of Malt, after the ſame ſhall be thrown out or ought to have been thrown out of the Couch Frame, ſhall remain on the Floor or Floors for the full Space of Ten Days at the leaſt before the ſame ſhall be put on the Kiln; and alſo ſo much of the ſaid recited Act as enacts or provides that Corn or Grain making into Malt ſhall be put on the Kiln within Twenty-one Days from the Day mentioned in the Notice for the wetting thereof, ſhall be and the ſame is and are hereby repealed.

So much of 45 G. 3. c. 53. as reſpects putting Malt on the Kiln, after being taken from the Couch, repealed.

II. And be it further enacted, That from and after the Expiration of Ten Days after the Day of the paſſing of this Act, if any Corn or Grain making into Malt in the Malthouſe of any Maltſter or Maker of Malt in *Ireland*, after the Time when the ſame ſhall be thrown out, or ought by the Proviſions of the ſaid recited Act to have been thrown out of the Couch Frame, ſhall not remain on the Floor or Floors for the full Space of Eight Days at the leaſt before the ſame ſhall be put on the Kiln, ſuch Maltſter or Maker of Malt ſhall forfeit the Sum of Ten Pounds; and that if any Corn or Grain making into Malt ſhall not have been put on the Kiln

Malt in making, to remain on the Floor a certain Time.

Penalty.

within Eighteen Days from the Day mentioned in the Notice for the wetting thereof, all such Corn or Grain shall be considered as Malt, and the Maltster or Maker of Malt in whose Malthouse the same shall be found, shall be charged with Duty for the same, after the Rate of One Bushel of Malt for every Bushel of such Corn or Grain, and such Maltster or Maker of Malt shall forfeit the Sum of Twenty Pounds; which said several Penalties shall and may be recovered and applied in such and the like Manner as any Penalties of the like Amount may be recovered and applied under the said last recited Act of the Forty-fifth Year aforesaid, or any Act or Acts for amending the same.

Licences for Malthouses of certain Dimensions to be granted.

III. And be it further enacted, That from and after the Expiration of Ten Days after the Day of passing of this Act, it shall and may be lawful for the Commissioners of Inland Excise and Taxes in *Ireland*, or any Person or Persons appointed by the said Commissioners for that Purpose, to grant any Licence or Licences to any Person or Persons in *Ireland*, to keep any Malthouse, the working or drying Floor whereof shall not be less than One thousand and forty square Feet, and shall not exceed One thousand four hundred square Feet, any Thing in the said recited Act of the Forty-fifth Year aforesaid, or in any Act or Acts for amending the said recited Act, to the contrary notwithstanding: Provided always, that the Kiln Floor or Floors of every such Malt House shall be in the like Proportions to the working or drying Floor or Floors therein as is directed and required by the said recited Act or Acts, or any of them, with respect to Malt Houses, the working or drying Floors whereof are of the Dimensions in the said recited Acts mentioned: Provided also, that all such Licences shall be granted in Manner and under the Regulations in the said recited Acts contained, except only so far as the same are altered by this Act.

Corn and Malt mixed intended for Exportation to be forfeited.

IV. And be it further enacted, That if any unmalted Corn or Grain shall be mixed with or contained among any Malt shipped or intended to be shipped in *Ireland* for Exportation, all such Corn and Malt shall be forfeited, together with the Packages containing the same, and the same shall and may be seized by any Officer or Officers of Customs or Excise, and the Person or Persons who shall have so mixed, or caused or procured, permitted or suffered to be mixed any such unmalted Corn or Grain with such Malt as aforesaid, shall for every Bushel of such Mixture forfeit and lose the Sum of Five Shillings.

Irish Act 40 G. 3.

V. And whereas by an Act made in the Parliament of *Ireland* in the Fortieth Year of His present Majesty's Reign, intituled, *An Act for better regulating the issuing and granting of Permits and Certificates for the Conveyance and Protection of certain exciseable Goods therein mentioned, and to prevent Frauds by Dealers in or Retailers of such Goods*; certain Penalties and Forfeitures are imposed in Cases where Goods or Commodities are found without the Certificate required by the said Act to be given by Officers of Excise, for the protecting of Goods; and also in Cases where such Certificates are not delivered up or renewed according to the Provisions of the said recited Act; be it enacted, That from and after the passing of this Act, no Penalty or Forfeiture whatever shall accrue or be incurred by any Person or Persons whatever, nor shall any Goods or Commodities be forfeited nor be liable to be seized, nor shall any Information, Suit, or Prosecution be filed, had, commenced, prosecuted, or proceeded on for any such Penalty or Forfeiture, or for the Condemnation of any such Goods or Commodities by reason or in consequence of the Expiration of

Penalties not to be incurred on Account of the Expiration of Certificates for the Conveyance of Exciseable

any

any such Certificate, or by reason or in consequence of such Certificate not being delivered up, or not being renewed in Manner required by the said recited Act, unless Notice shall have been given by some Officer of Excise to the Holder of such Certificate Six Days at the least previous to the filing of any such Information, or the commencing of such Suit or Prosecution, requiring such Holder to renew such Certificate, or to deliver up the same as the case may require, and to take out a new or other Certificate pursuant to the Directions of the said recited Act, any Thing in the said recited Act to the contrary in anywise notwithstanding. Goods, unless Notice be given by the Officer.

VI. And whereas by an Act made in the Forty-sixth Year of His present Majesty's Reign, intituled, *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in* Ireland, *and the warehousing of such Spirits for Exportation*, it is amongst other Things enacted, that no Brazier or other Person dealing in Brass, Copper, Tin, or other Metal, shall make or have in his or her Possession any Still, the Content of the Body whereof without the Head or any Appendage thereto, shall be less than Five hundred Gallons, other than and except any such Still only as may be licensed by the Commissioners of Excise under the Provisions of the said recited Act, nor unless such Brazier or other Person shall have previously obtained a Licence from some one Commissioner of Excise, for making or keeping the same; and in case such Still shall be of less Content than Five hundred Gallons, setting forth that the same is for the Use of some Chymist, Apothecary, or other Person duly licensed to use the same, and if any such Still shall be found in the Possession of any Brazier or other Person as aforesaid, who shall not produce a Licence for making or keeping the same, such Brazier or other Person shall forfeit the Sum of Twenty Pounds, and such Still shall be forfeited and may be seized by any Officer of Excise: And whereas by one other Act made in the Forty-ninth Year of His present Majesty's Reign, intituled, *An Act to amend the several Acts for the regulating and securing the Collection of the Duties on Spirits distilled in* Ireland, *and for the regulating the Sale of such Liquors by Retail*, it is amongst other Things enacted, that if any Brazier, Tinman, or Worker of Tin, or other Person dealing in Brass, Copper, Tin, or other Metal, shall at any Time after the Expiration of Ten Days after the Day of the passing of the said last mentioned Act, make or repair, or have in his or her Possession in *Ireland* any Still, the Content of the Body whereof without the Head or any other Appendage thereto, shall be less than Fifty Gallons, every such Person offending as aforesaid shall be deemed and taken to be guilty of a Misdemeanor: And whereas in consequence of the Commissioners of Inland Excise and Taxes being by Law authorized to grant Licences to Persons to have, keep, and make use of any Still, the Content of the Body whereof without the Head or any other Appendage thereto, shall not be less than Forty-four Gallons, it is necessary to repeal so much of the said Two Acts as is herein-before recited: Be it therefore enacted, That from and after the passing of this Act, so much and such Parts of the said Two Acts of the Forty-sixth and Forty-ninth Years aforesaid, as is and are herein-before recited, shall be and the same is and are hereby repealed. 46 G. 3. c. 88. 49 G. 3. c. 99. Such Parts of recited Acts as relate to Persons dealing in Brass and other Metal, having Stills of certain Contents in their Possession, &c. repealed.

VII. And be it further enacted, That if any Brazier, Tinman, or Worker of Tin, or other Person dealing in Brass, Copper, Tin, or other Metal, shall make or repair, or have in his or her Possession in *Ireland*, any Still the Content of the Body whereof without the Head or any Appendage thereto shall be less than Forty-four Gallons, every such Person so offending aforesaid shall be deemed and taken to be guilty of a Misdemeanor, and it shall be lawful for any Justice of the Peace on Information on Oath Penalty on Braziers, &c. having in their Possession Stills of less Content than 44 Gallons.

of any ſuch Offences, to iſſue his Warrant for the Apprehenſion of ſuch Perſon, and on Examination into the Complaint to commit ſuch Perſon to Gaol, there to remain until delivered by due courſe of Law; and in caſe any Indictment ſhall be found againſt ſuch Perſon, he or ſhe ſhall plead thereto, without having Time to traverſe the ſame; and it ſhall be lawful for the Court by and before whom ſuch Perſon ſhall be tried and convicted, to inflict ſuch Puniſhment on ſuch Perſon for ſuch Offence, as may by Law be inflicted on Perſons guilty of Miſdemeanors.

Regulation to be obſerved by Diſtillers in working Two or more Stills.

VIII. And whereas it is expedient to meet the Inconvenience reſulting from Diſtillers commencing the working Two or more Stills at different Periods in the ſame Diſtillery; be it enacted, That whenever any Diſtiller in *Ireland* ſhall have Two or more Stills in the ſame Diſtillery, and ſhall not have given Notice and commenced the working of all ſuch Stills on the ſame Day, it ſhall not be lawful for ſuch Diſtiller to give Notice of the commencing or recommencing to work any Still or Stills in Addition to the Still or Stills which ſhall be then at work in ſuch Diſtillery but on a *Monday*, which ſhall be the Commencement of a Period of Four Weeks for the Work of ſuch Still or Stills as ſhall have been ſo at work as aforeſaid; and in every Caſe where a Diſtiller ſhall have Two or more Stills working as aforeſaid at the ſame Time, every ſuch Diſtiller ſhall be charged and chargeable, and ſhall pay Duty for ſuch Quantity of Spirits as he ſhall make, or be chargeable with Duty for from the Number of Charges of Low Wines or Singlings, with which all ſuch Stills ſhall by Law be chargeable according to the Contents of the ſame reſpectively; and the Officer of Exciſe ſhall in the ſeveral Returns by Law required to be made by him, include and charge againſt ſuch Diſtiller the full Quantity of Spirits for which ſuch Diſtiller is chargeable with Duty in reſpect of all ſuch Stills taken together; and when any Diſtiller ſhall at any Time before the Expiration of Ten Days after the paſſing of this Act, have commenced or recommenced the working of Two or more Stills in the ſame Diſtillery on different Days, ſo as that the Period of Four Weeks as to each of the ſaid Stills ſhall be diſtinct, it ſhall be lawful for the Officer in charge of the Diſtillery of ſuch Diſtiller, to include in his Return of the Charge at the End of ſuch Period of Four Weeks of the Still or Stills which ſhall have firſt commenced working as aforeſaid, the full Proportion of the Charge or Charges in reſpect of the Contents of ſuch additional Still or Stills for a Period of Four Weeks, according to the Number of Weeks that ſame ſhall have worked during ſuch Period of Four Weeks, of the Still or Stills which firſt commenced working as aforeſaid, ſo as to charge the ſaid Diſtiller from the ſame Day and Period as to all and every of the ſaid Stills as long as the ſame ſhall continue working, and that ſuch Return ſo made as aforeſaid ſhall be a Charge on ſuch Diſtiller to all Intents and Purpoſes, as any Charge on any Diſtiller by virtue of any other or former Act; and the Duty or Duties ſo returned and charged ſhall be paid and payable by ſuch Diſtiller in like Manner as any Duty under any other Return is payable by Law by any Diſtiller, and under and ſubject in Default of Payment to all Penalties as Diſtillers are ſubject to in caſes of Non-payment of the Duties with which they are chargeable.

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