ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

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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 ſhould 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, ſhould be forfeited and might be ſeized by any Officer or Officers of Excife; and that no Brewer or Brewers of, or Dealer or Dealers in, or Seller or Sellers of Beer or Ale ſhould receive or take into his, her, or their Cuſtody or Poſſeſſion any Stale Beer, or Beer Grounds, or ſhould 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 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) was or ſhould be mixed, employed or made uſe of, nor ſhould have, receive, or take into his, her, or their Cuſtody or Poſſeſſion any Liquor compounded, fabricated or prepared as aforeſaid, on pain of forfeiting for every ſuch Offence the Sum of One hundred Pounds: And whereas it is expedient to allow the Preparation and Uſe of Liquor prepared and made from Burnt Sugar only, reduced to a Liquid by Solution in Water, under, ſubject, and according to the Rules, Regulations, Reſtrictions and Proviſions herein-after contained, provided, ſettled, or eſtabliſhed of and concerning the ſame; 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 there ſhall be raiſed, levied, collected and paid to and for the Uſe of His ſaid Majeſty, His Heirs and Succeſſors, for every Gallon of Liquor commonly called or known by the Name of *Beer Colouring*, prepared or made from Burnt Sugar reduced to a Liquid by Solution in Water, to be mixed with Beer commonly called or known by the Name of *Porter*, for the Purpoſe of colouring the ſame, the Sum of Ten Shillings *per* Barrel, to be paid by the Maker or Makers thereof.

For Beer Colouring a Duty ſhall be paid.

Entry of Liquor to be made weekly.

II. And be it further enacted, That all and every Maker and Makers of ſuch Liquor, ſhall once in every Week make a true Entry in Writing at the Office of Exciſe, within the Limits of which he, ſhe, or they ſhall ſo make any ſuch Liquor of all ſuch Liquor by him, her, or them ſo made within ſuch Week, which Entry ſhall be verified upon Oath by the Maker

or Makers of such Liquor, or his, her, or their Chief Workman or Servant employed in making such Liquor, and all and every such Maker or Makers who shall neglect or refuse to make any such Entry as aforesaid, shall for each and every such Neglect or Refusal forfeit and lose the Sum of Two hundred Pounds.

All Liquor made by a licensed Colouring Maker and capable of colouring Porter to be liable to the Duty.

III. And be it further enacted, That all Liquors whatsoever prepared or made by any Person or Persons who shall be licensed under or by virtue of this Act as a Maker or Makers of Liquor, commonly called or known by the Name of *Colouring*, prepared or made as aforesaid, to be mixed as aforesaid, for the Purpose aforesaid, and which by Mixture with Beer commonly called or known by the Name of *Porter* will darken the Colour thereof, shall be liable to the said Duty.

Not clearing off, Double Duty.

Maker not to go further than the next Market Town to make Entry.

IV. And be it further enacted, That all and every Maker and Makers of such Liquor shall from Time to Time within One Week after he, she, or they shall make or ought to have made such Entry as aforesaid, pay and clear off all the Duty for all such Liquor so by him, her, or them made; and that every Maker or Makers of such Liquor as aforesaid, who shall neglect or refuse so to pay and clear off any such Duties as aforesaid, shall forfeit and pay double the Amount of all such Duties so neglected or refused to be paid or cleared off: Provided always nevertheless, that no Person shall be compelled to travel for the making of the said Entries or Payment of the said Duties further than the Market Town next to the Place where he, she, or they shall so make the said Liquor.

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

V. And be it further enacted, That such of the Duties by this Act imposed, as shall arise in *England*, *Wales*, and the Town of *Berwick-upon Tweed*, shall be under the Management of the Commissioners of Excise in *England* for the Time being; and such thereof as shall arise in *Scotland*, shall be under the Management of the Commissioners of Excise in *Scotland* for the Time being.

Makers of Colouring to make Entry of their Workhouse, Utensils, &c.

VI. And be it further enacted, That all and every Maker and Makers of any Liquor commonly called or known by the Name of *Beer Colouring* before, he, she, or they shall begin to make any such Liquor shall make a true and particular Entry in Writing of every House, Workhouse, Warehouse, Shed, Room and Place by him, her, or them respectively made use of, or intended to be made use of, in or for the boiling, evaporating, burning, manufacturing, laying, or keeping of any Sugar, or in or for the making, mixing, laying, or keeping of any such Liquor, or laying or keeping of any Sugar at the Office of Excise within the Compass or Limits whereof such House, Workhouse, Warehouse, Shed, Room or Place respectively, shall be situate, and all and every Maker and Makers of the said Liquor, shall also make true and particular Entry in Writing of every Boiler, Kettle, Copper or other Vessel by him, her, or them, kept for or made use of in or for the boiling, evaporating, burning or manufacturing any such Sugar, or in or for the making or mixing any such Liquor at the Office of Excise within the Compass or Limits whereof such Boiler, Kettle, Copper, or other Vessel shall be kept or made use of; and if any Maker or Makers of any such Liquor shall neglect to make any such Entry, he, she, or they shall for every such Offence forfeit and lose the Sum of Two hundred Pounds, together with all the Sugar, and all such Liquor

Penalties and Forfeitures.

Liquor and all the Preparatives for the making or manufacturing thereof, which ſhall at any Time be found in any ſuch Houſe, Workhouſe, Warehouſe, Shed, Room or Place ſo made uſe of, or intended to be made uſe of as aforeſaid, and whereof no ſuch Entry as in that Behalf aforeſaid ſhall be made; and alſo every ſuch Boiler, Kettle, Copper, or other Veſſel whereof no ſuch Entry as in that Behalf aforeſaid ſhall be made, and all ſuch Sugar, Liquor, Preparatives, and alſo every ſuch Boiler, Kettle, Copper, or other Veſſel whereof no ſuch Entry as in that Behalf aforeſaid ſhall be made, ſhall and may be ſeized by any Officer or Officers of Excife.

No Entry of any Place for making Colouring within the Limits of the Exciſe Office in London to be valid, unleſs made by an Occupier of a Tenement of 10l. yearly Rent, nor in any other Place unleſs the Manufacturer pay to the Church and Poors Rates where he reſides.

VII. And be it further enacted, That no Perſon or Perſons whatſoever reſiding within the Limits of the Chief Office of Exciſe in *London*, ſhall make any Liquor commonly called or known by the Name of *Beer Colouring*, unleſs ſuch Perſon or Perſons ſhall occupy a Tenement or Tenements of the yearly Rent or Value of Ten Pounds or upwards, and for which he, ſhe, or they ſhall accordingly be aſſeſſed in his, her, or their own Name or Names, and ſhall alſo pay to the Pariſh Rates, and that no Perſon or Perſons whatſoever reſiding in any other Part of the Kingdom of *Great Britain*, where there are Rates to Church and Poor, ſhall make any ſuch Liquor unleſs ſuch Perſon or Perſons reſpectively ſhall be aſſeſſed and pay to Church and Poor in the ſeveral Pariſhes and Places in which ſuch Perſon or Perſons ſhall reſpectively reſide; and that no Entry of any Houſe, Workhouſe, Warehouſe, Shed, Room, or Place for the making of any ſuch Liquor ſhall be of any Avail to any Perſon or Perſons not ſo qualified, or for any longer Time than the Perſon or Perſons ſo making ſuch Entry ſhall be qualified as aforeſaid, and every Perſon making any ſuch Liquor and not qualified as aforeſaid, ſhall, notwithſtanding any Entry by him, her, or them made, be deemed and taken to be a Perſon making ſuch Liquor without Entry within the Meaning of this Act.

Where Entry has been made of any Houſe, &c. for making Colouring, no other Entry to be made by others of any Place under the ſame Roof or within the ſame Tenement,

VIII. And be it further enacted, That where any Entry ſhall be made by any Maker or Makers of ſuch Liquor of any Houſe, Workhouſe, Warehouſe, Shed, Room, or Place for the making of any ſuch Liquor, no other Entry ſhall be made by any other Maker or Makers of any ſuch Liquor (not being in Partnerſhip with ſuch Maker or Makers making ſuch Firſt Entry), of the ſame or of any other Houſe, Workhouſe, Warehouſe, Shed, Room or Place whatſoever for the making of any ſuch Liquor under the ſame Roof, or within the ſame Houſe or Tenement in which ſuch firſt Entry ſhall then be exiſting, but every ſuch Maker or Makers making ſuch further Entry of the ſame Houſe, Workhouſe, Warehouſe, Shed, Room or Place, or of any other ſuch Houſe, Workhouſe, Warehouſe, Shed, Room or other Place under the ſame Roof, or within the ſame Houſe or Tenement, ſhall, notwithſtanding ſuch further Entry by him, her, or them made, be deemed and taken to be a Maker or Makers of Liquor commonly called or known by the Name of *Beer Colouring*, without Entry, and ſubject to the like Penalties and Forfeitures as Makers thereof without Entry are ſubject to by virtue of this Act.

Makers of Porter Colouring to take out Licences.

IX. And be it further enacted, That all and every Perſon or Perſons who ſhall make any ſuch Liquor, ſhall, before he, ſhe, or they ſhall make any ſuch Liquor, take out a Licence and Licences, authorizing ſuch Perſon or Perſons to make ſuch Liquor, which Licences reſpectively

ſhall

ſhall be granted in Manner herein-after mentioned, (that is to ſay), if any ſuch Licence ſhall be granted to authorize the Perſon or Perſons to whom the ſame ſhall be granted to make any ſuch Liquor within the Limits of the Chief Office of Exciſe in *London*, the ſame ſhall be granted under the Hands and Seals of Two or more of the Commiſſioners of Exciſe in *England* for the Time being, or of ſuch Perſons as they the ſaid Commiſſioners of Exciſe or the major Part of them for the Time being ſhall from Time to Time appoint for that Purpoſe, but if any ſuch Licence ſhall be granted to authorize the Perſon or Perſons to whom the ſame ſhall be granted to make any ſuch Liquor in any Part of the Kingdom of *England* out of the Limits of the ſaid Chief Office, the ſame ſhall be granted under the reſpective Hands and Seals of the Collectors and Superviſors of Exciſe within their reſpective Collections and Diſtricts; and in caſe any ſuch Licence ſhall be granted to authorize the Perſon or Perſons to whom the ſame ſhall be granted to make any ſuch Liquor within the Limits of the City of *Edinburgh*, the ſame ſhall be granted under the Hands and Seals of Two or more of the Commiſſioners of Exciſe in *Scotland* for the Time being, or if any ſuch Licence ſhall be granted to authorize the Perſon or Perſons to whom the ſame ſhall be granted to make any ſuch Liquor in any Part of *Scotland* out of the Limits of the City of *Edinburgh*, then the ſame ſhall be granted under the reſpective Hands and Seals of the Collectors and Superviſors of Exciſe in *Scotland*, within their reſpective Collections and Diſtricts; and ſuch reſpective Commiſſioners of Exciſe or Two or more of them reſpectively and the Perſons to be appointed by the ſaid Commiſſioners of Exciſe in *England*, or the major Part of them, and alſo all ſuch Collectors and Superviſors are hereby reſpectively authorized and required to grant ſuch Licences to the Perſons who ſhall apply for the ſame, on the Perſon or Perſons applying for the ſame firſt paying the Sum of Five Pounds for each ſuch Licence.

To whom the Money for Licences is to be paid.

X. And be it further enacted, That the ſaid ſeveral Sums of Money by this Act directed to be paid for ſuch Licences reſpectively ſhall be paid for ſuch reſpective Licences to ſuch Perſons as are herein-after in that Behalf reſpectively mentioned, that is to ſay, ſuch thereof as ſhall be paid for Licences which ſhall be taken out within the Limits of the Chief Office of Exciſe in *London*, ſhall be paid at the Chief Office of Exciſe in *London*; and ſuch thereof as ſhall be paid for Licences which ſhall be taken out within the Limits of the City of *Edinburgh*, ſhall be paid at the Chief Office of Exciſe in *Edinburgh*; and ſuch thereof as ſhall be paid for Licences which ſhall be taken out in any Part of *Great Britain*, not within the ſaid reſpective Limits, ſhall be paid to the reſpective Collectors of Exciſe granting ſuch reſpective Licences.

Licences to be renewed yearly.

XI. And be it further enacted, That no Perſon or Perſons ſhall make any ſuch Liquor after the Expiration of ſuch his, her, or their Licence, unleſs ſuch Perſon or Perſons ſhall take out a freſh Licence for the like Purpoſe in the Manner herein-before directed, Ten Days at leaſt before the Expiration of ſuch former Licence, and ſo in like Manner renew every ſuch Licence from Year to Year; and if any Perſon or Perſons ſhall make any ſuch Liquor without firſt taking out a Licence authorizing him, her, or them ſo to do, and renewing the ſame as is hereinbefore in that Behalf directed, he, ſhe, or they ſhall for every ſuch Offence forfeit and loſe the Sum of Two hundred Pounds.

One Licence ſufficient for a Partnerſhip in One Houſe.

XII. Provided always, That Perſons trading in Partnerſhip and in One Houſe or Shop only, ſhall not be obliged to take out more than One Licence in any One Year, for making ſuch Liquor; and that no One Licence which ſhall be granted by virtue of this Act ſhall authorize or empower any Perſon or Perſons to make any ſuch Liquor in any other Houſe, Workhouſe, Warehouſe, Shed, Room, or other Place than ſuch Houſes, Workhouſes, Warehouſes, Sheds, Rooms or other Places whereof Entry in Writing ſhall be made at the Office of Exciſe in the Name or Names of ſuch Perſon or Perſons for making ſuch Liquor at the Time of granting ſuch Licence.

Officer to enter and ſurvey all Places entered by Makers of Colouring.

XIII. And be it further enacted, That it ſhall and may be lawful to and for the Officers of Exciſe or any or either of them, from Time to Time and at all Times, to enter into all and every the Houſes, Workhouſes, Warehouſes, Sheds, Rooms and other Places entered or made uſe of by any Maker or Makers of the ſaid Liquor in or for the boiling, evaporating, burning, manufacturing or keeping of any Sugar, or in or for the making of any ſuch Liquor, and by weighing, gauge or otherwiſe, as to ſuch Officer or Officers ſhall ſeem meet to take an Account of the Quantities of Sugar fit or proper to be uſed or employed in the making of ſuch Liquor as aforeſaid, and alſo of the Quantities of ſuch Sugar which ſhall be boiling, evaporating, burning or in Operation of Manufacture for ſuch Liquor, and alſo of the Quantities of ſuch Liquor as ſhall be either making or preparing or made or prepared in the Cuſtody or Poſſeſſion of ſuch Maker or Makers of ſuch Liquor from Time to Time, and of all ſuch Liquor for or in reſpect whereof the Duty by this Act impoſed ſhall be chargeable and ſhall not have been charged, make a Report or Return in Writing to the ſaid Commiſſioners of Exciſe reſpectively, or to ſuch Perſon as they ſhall reſpectively appoint to receive the ſame, and ſuch Report or Return of the Officer or Officers ſhall be a Charge upon ſuch Maker or Makers.

Makers of Beer Colouring to make uſe of no Ingredients but Brown Sugar.

XIV. And be it further enacted, That no Maker or Makers of Liquor, ſubject to the Duty impoſed by this Act, ſhall in the Making, Manufacture or Preparation thereof, make uſe of any Material or Ingredient other than Brown Sugar and Water; and if any Maker or Makers ſhall in the Making, Manufacture or Preparation of any ſuch Liquor, make uſe of any Material or Ingredient other than Brown Sugar and Water, the Perſon or Perſons ſo offending ſhall for each and every ſuch Offence forfeit and loſe the Sum of Two hundred Pounds, together with all ſuch Liquor in the making, manufacturing, or Preparation whereof any Material or Ingredient, other than Brown Sugar and Water ſhall have been made uſe of, and the ſame reſpectively ſhall and may be ſeized by any Officer or Officers of Exciſe.

No Brewer, Dealer in Beer, Druggiſt, &c. to be at Liberty to take out a Licence for making Beer Colouring:

XV. Provided always nevertheleſs, That no Brewer or Brewers of Beer or Dealer or Dealers in, or Retailer or Retailers of Beer, nor any Druggiſt or Druggiſts, Vender or Venders of or Dealer or Dealers in Drugs, nor any Chymiſt or Chymiſts, Apothecary or Apothecaries, ſhall be at Liberty to take out any ſuch Licence as herein-before mentioned; nor ſhall any ſuch Licence, if taken out by any ſuch Brewer or Brewers, or Dealer or Dealers in, or Retailer or Retailers of Beer, or by any Druggiſt or Druggiſts, or Vender or Venders of, or Dealer or Dealers in Drugs, or by any Chymiſt or Chymiſts, or by any Apothecary or Apothecaries, be of

of any Avail, but the ſame ſhall be null and void to all Intents and Purpoſes whatſoever; nor ſhall any Brewer or Brewers of Beer, or Dealer or Dealers in, or Retailer or Retailers of Beer, or any Druggiſt or Druggiſts, or Vender or Venders, or Seller or Sellers of, or Dealer or Dealers in Drugs, or any Chymiſt or Chymiſts, or any Apothecary or Apothecaries, make any ſuch Liquor or any other Material or Preparation for the Purpoſe of darkening the Colour of Beer or any Liquor, ſuch as has been heretofore or as ſhall hereafter be made uſe of for or in the darkening of the Colour of Beer, on pain of forfeiting for every ſuch Offence the Sum of Two hundred Pounds, together with all ſuch Liquor and all Materials and Ingredients whatſoever, which ſhall be found in his, her, or their Cuſtody or Poſſeſſion for making the ſame, together with the Caſks and Veſſels containing the ſame, and the ſame reſpectively ſhall and may be ſeiſed by any Officer or Officers of Exciſe.

Penalty on ſuch Perſons for making it.

XVI. And be it further enacted, That no Maker or Makers of any ſuch Liquor as aforeſaid, nor any Brewer or Brewers of Beer ſhall receive or take into his, her, or their Cuſtody or Poſſeſſion, any Melaſſes, Honey, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, or Opium, or any Extract or Preparation of Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper, and if any ſuch Maker or Makers, or Brewer or Brewers ſhall receive into his, her, or their Cuſtody or Poſſeſſion any Melaſſes, Honey, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, or any Extract or Preparation of Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper reſpectively, the ſame reſpectively ſhall be forfeited, together with the Caſks, Veſſels, or other Packages, containing the ſame, and all ſuch Melaſſes, Honey, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, Extract or Preparation of Quaſſia, Coculus Indiæ, Grains of Paradiſe or Guinea Pepper, Caſks, Veſſels or other Packages reſpectively, ſhall and may be ſeiſed by any Officer or Officers of Exciſe, and ſuch Maker or Makers, or Brewer or Brewers in whoſe Cuſtody or Poſſeſſion any ſuch Melaſſes, Honey, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, or Extract or Preparation of Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper ſhall be found, ſhall forfeit and loſe the Sum of Two hundred Pounds.

No Maker of Porter Colouring or Brewers to have in his Poſſeſſion Melaſſes, Vitriol, &c.

Penalty.

XVII. And be it further enacted, That no Druggiſt or Druggiſts, or Vender or Venders of, or Dealer or Dealers in Drugs, nor any Chymiſt or Chymiſts, or Apothecary or Apothecaries, or other Perſon or Perſons whatever, ſhall ſell, ſend or deliver, or cauſe, procure, permit, or ſuffer to be ſold, ſent or delivered, to any licenſed Maker or Makers of Liquor, for or in reſpect whereof a Duty is by this Act impoſed, knowing ſuch Maker or Makers to be, or to be reputed to be a Maker or Makers of ſuch Liquor, or ſhall ſell, ſend or deliver, or cauſe or procure to be ſold, ſent, or delivered to any other Perſon or Perſons, for or on account of, or in Truſt for any ſuch Maker or Makers, or ſhall ſell, ſend or deliver, or cauſe, or procure to be ſold, ſent or delivered to any licenſed Brewer or Brewers of, or Dealer or Dealers in, or Retailer or Retailers of Beer, knowing him, her, or them to be ſo licenſed, or to be reputed to be ſo licenſed, or ſhall ſell, ſend or deliver, or cauſe or procure to be ſold, ſent or delivered, to any other Perſon or Perſons, for or on account of, or in Truſt for any ſuch Brewer or Brewers, or

Penalty on Druggiſt or Chymiſt ſelling Coculus Indiæ to any Maker of Beer Colouring.

Dealer or Dealers, or Retailer or Retailers, any Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, or any Extract or Preparation of Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper reſpectively; and if any Druggiſt or Druggiſts, or Vender or Venders of, or Dealer or Dealers in Drugs, or any Chymiſt or Chymiſts, or any Apothecary or Apothecaries, or any other Perſon or Perſons whatever, ſhall ſell, ſend or deliver, or cauſe, or procure, permit or ſuffer to be ſold, ſent or delivered, to any licenſed Maker or Makers of the ſaid Liquor, for or in reſpect whereof a Duty is by this Act impoſed, knowing ſuch Maker or Makers to be or to be reputed to be a Maker or Makers of ſuch Liquor, or ſhall ſell ſend, or deliver, or cauſe, or procure to be ſold, ſent, or delivered to any other Perſon or Perſons, for or on account of, or in Truſt for any ſuch Maker or Makers, or ſhall ſell, ſend or deliver, or cauſe or procure to be ſold, ſent or delivered, to any licenſed Brewer or Brewers of, or Dealer or Dealers in, or Retailer or Retailers of Beer, knowing him, her, or them to be ſo licenſed, or to be reputed to be ſo licenſed, or ſhall ſell, ſend or deliver, or cauſe or procure to be ſold, ſent or delivered to any other Perſon or Perſons, for or on account of, or in Truſt for any ſuch Brewer or Brewers, or Dealer or Dealers, or Retailer or Retailers of Beer, any Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, or any Extract or Preparation of Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper reſpectively; all ſuch Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, Guinea Pepper, Extract or Preparation of Melaſſes, Honey, Liquorice, Vitriol, Quaſſia, Coculus Indiæ, Grains of Paradiſe, or Guinea Pepper reſpectively ſhall be forfeited, and the ſame reſpectively ſhall and may be ſeized by any Officer or Officers of Exciſe; and the Druggiſt or Druggiſts, Vender or Venders of, or Dealer or Dealers in Drugs, or Chymiſt or Chymiſts, Apothecary or Apothecaries, or other Perſon or Perſons whatever, ſo offending, ſhall for each and every ſuch Offence forfeit and loſe the Sum of Five hundred Pounds.

Officers authorized to take Samples.

XVIII. And be it further enacted, That it ſhall and may be lawful to and for any Officer or Officers of Exciſe, and all ſuch Officers are hereby authorized and empowered to take at any Time or Times, a Sample or Samples of any Sugar or Liquor, at any Time in the Cuſtody or Poſſeſſion of any Maker or Makers of Liquor, commonly called or known by the Name of *Beer Colouring*, paying for the ſame if demanded the Value thereof; and in caſe any Maker or Makers of ſuch Liquor as aforeſaid, ſhall refuſe to permit any ſuch Officer or Officers to take ſuch Sample or Samples as aforeſaid, upon his, her, or their ſo paying for the ſame (if demanded), ſuch Maker or Makers ſo offending ſhall for each and every ſuch Offence forfeit and loſe the Sum of One hundred Pounds.

Permits to be granted for the Removal of Beer Colouring.

XIX. And be it further enacted, That where any Maker or Makers of any Liquor commonly called or known by the Name of *Beer Colouring*, duly licenſed according to the Directions of this Act, ſhall have Occaſion to remove any ſuch Liquor from any ſuch his, her, or their entered Houſe, Workhouſe, Warehouſe, Shed, Room or other Place, the Officer or Officers of Exciſe of the reſpective Diviſions or Places where ſuch entered Houſe, Workhouſe, Warehouſe, Shed, Room or other Place ſhall be

ſituated, ſhall without Fee or Reward from Time to Time, upon a Requeſt Note being made and delivered according to the Directions of this Act, by ſuch Maker or Makers, grant and give a Permit in Writing, ſigned by the ſaid reſpective Officer or Officers, expreſſing the Quantity of all ſuch Liquor ſo to be removed, and expreſſing the Name and Names of the Perſon or Perſons from whom the ſame is intended to be removed, and to whom the ſame is to be removed, and that the Duty of ſuch Liquor ſo intended to be removed has been paid, and all Officers of Exciſe granting or giving any ſuch Permit, ſhall limit and expreſs in ſuch Permit the Time within which the ſaid Liquor in ſuch Permit mentioned ſhall be removed, from and out of the Stock of the Maker or Makers taking out ſuch Permits, and alſo the Time within which the ſaid Liquor ſhall be delivered and received into the Brewhouſe, Houſe, Workhouſe, Warehouſe, Shed, Room or other Place, of the Perſon or Perſons reſpectively, to whom the ſame is ſo permitted to be ſent.

No Permit to be granted without a Requeſt Note.

XX. And be it further enacted, That no ſuch Permit for the Removal of any ſuch Liquor ſhall be granted or be valid, unleſs ſuch Maker or Makers requiring the ſame ſhall make and ſend, or deliver to the Officer or Officers of Exciſe hereby authorized to grant ſuch Permit, a Requeſt Note in Writing, ſpecifying the Name of the Perſon to whom ſuch Liquor is intended to be ſent, the Quantity of ſuch Liquor intended to be removed, and for the Removal of which ſuch Permit is required, and alſo the Number and Contents of the Caſks, Veſſels, or other Packages containing the ſame, and whether the ſame is to be removed by Land or by Water, and by what Mode of Conveyance ſuch Liquor is intended to be ſent.

Colouring not to be removed but between Six in the Morning and Six in the Evening.

XXI. And be it further enacted, That no ſuch Liquor as aforeſaid, ſhall be removed or carried from one Part of this Kingdom to any other Part thereof, at any other Time than between the Hours of Six in the Morning and Six in the Evening (except the ſame is removing or carrying by a known Common Stage Coach, Waggon, or other Stage Carriage which uſually travel out of thoſe Hours, or by Water by a Ship, Veſſel, or Boat uſually navigated in the fair Courſe of Trade out of thoſe Hours) nor ſhall any ſuch Liquor be ſent by any Maker or Makers of any ſuch Liquor, from or out of his, her, or their entered Houſe, Workhouſe, Warehouſe, Shed, Room, or other Place at any other Time than between the Hours of Six in the Morning and Six in the Evening, on pain of forfeiting all ſuch Liquor, (whether the ſame be accompanied with a Permit or not) and all Boats, Carts, Carriages, Horſes and Cattle made uſe of in the removing or carrying the ſame ſhall be forfeited, and the ſame reſpectively ſhall and may be ſeized by any Officer or Officers of Cuſtoms or Exciſe.

Beer Colouring not to be brought into any Brewhouſe without Notice and Permit.

XXII. And be it further enacted, That no Liquor commonly called or known by the Name of *Beer Colouring*, or for darkening the Colour of Beer, ſhall be brought into any Houſe, Warehouſe, Storehouſe, Cellar, Room, Vault, or other Place made uſe of by any Brewer or Brewers of Beer commonly called *Porter*, without an authentic Permit granted and given according to the Directions of this Act, which Permit ſhall be produced to and left with the Officer of Exciſe under whoſe Survey ſuch Brewer or Brewers ſhall then be, on pain of forfeiting all ſuch Liquor ſo brought in without ſuch Permit, and all ſuch Liquor ſhall and may be ſeized by any Officer or Officers of Exciſe.

Brewer not to keep any Colouring in any Place except one entered for that particular Purpose.

& XXIII. And be it further enacted, That no Brewer or Brewers of Beer commonly called or known by the Name of *Porter* shall deposit, store, or keep any such Liquor as aforesaid, except during the Time when the same shall be brought forth for Use, in any House, Warehouse, Storehouse, Cellar, Room, Vault or other Place, other than One particular House, Warehouse, Storehouse, Cellar, Room, Vault, or other Place whereof such Brewer or Brewers shall have made previous Entry in Writing for that Purpose at the next Office of Excise, on Pain of forfeiting for every such Offence the Sum of One hundred Pounds, and also all such Liquor found in any such House, Warehouse, Storehouse, Cellar, Room, Vault, or other Place of which no such Entry as last aforesaid shall have been made.

Porter Brewers only permitted to make use of Colouring.

XXIV. And be it further enacted, That no Brewer or Brewers of Beer other than Beer commonly called or known by the Name of *Porter*, shall make Use of or have in his, her, or their Custody or Possession any Liquor, Material or Preparation for colouring Beer made from Sugar under the Provisions of this Act, on Pain of forfeiting all such Liquor, Material, or Preparation, nor shall any such Brewer or Brewers make use of any such Liquor, Material, or Preparation as last aforesaid, in or for the darkening of the Colour of any Beer other than Porter; and if any Brewer or Brewers of Beer, other than Beer commonly called or known by the Name of *Porter*, shall make use of or have in his, her or their Custody or Possession, any such Liquor, Material, or Preparation; or if any Brewer or Brewers of Beer commonly called or known by the Name of *Porter* shall make use of any such Liquor, Material, or Preparation as last aforesaid, in or for the darkening of the Colour of any Beer other than Porter, all and every such Brewer or Brewers respectively so offending shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds.

Officers authorized to enter Porter Brewers Cellars, &c. and take an Account of their Beer Colouring.

XXV. And be it further enacted, That it shall and may be lawful to and for the Officers of Excise, or any or either of them from Time to Time and at all Times by Day and by Night upon his or their Request (but if in the Night in the Presence of a Constable or other lawful Officer of the Peace) to enter into all and every the Warehouses, Storehouses, Rooms, Cellars, Vaults, and other Places made use of by any Brewer or Brewers of Beer commonly called or known by the Name of *Porter*, and by tasting, gauging, or otherwise to take an Account of the Quantity and Quality of all the Liquors commonly called or known by the Name of *Beer Colouring*, which shall at any Time be in the Custody or Possession of such Brewer or Brewers.

Increase of Beer Colouring in a Porter Brewers Stock forfeited.

XXVI. And be it further enacted, That in case any Officer or Officers of Excise shall at any Time or Times discover or find that the Quantity of Liquor commonly called or known by the Name of *Beer Colouring* in the Stock, Custody, or Possession of any Brewer or Brewers of Beer commonly called or known by the Name of *Porter*, exceeds the Quantity of such Liquor left in the Stock, Custody, or Possession of such Brewer or Brewers on the taking of the last Account of such Stock added to the Quantity of such Liquor since received by Permit the Quantity of Liquor commonly called or known by the Name of *Beer Colouring*, so found in Excess, by whatever Means the same shall have been made, and whether the same shall be mixed or mingled or unmixed or unmingled, shall be deemed and taken to be made by such Liquor

Liquor as laſt aforeſaid, for which no Duty has been paid, and which had been privately brought in by ſuch Brewer or Brewers without any Permit, and a Quantity equal to the Quantity ſo found in Exceſs ſhall be forfeited and loſt, and ſhall and may be ſeized by the Officer or Officers of Exciſe who ſhall diſcover the ſame, from and out of the ſaid Stock or Stocks in which ſuch Quantity of Liquor ſhall be ſo found in Exceſs; and the Brewer or Brewers of Beer commonly called or known by the Name of *Porter*, in whoſe Stock ſuch Quantity of Liquor ſo found in Exceſs ſhall be diſcovered or found, ſhall alſo forfeit and loſe the Sum of Fifty Pounds.

Forfeiture of Colouring depoſited with Intent to evade the Duty, and the ſame ſearched for by Warrant.

XXVII. And be it further enacted, That in caſe any Liquor for or in reſpect whereof a Duty is impoſed by this Act ſhall be depoſited, hid, or concealed in any Place or Places whatſoever with an Intent to defraud His Majeſty of any of the Duties by this Act impoſed, or if any Liquor called or known either by the Name of *Colouring* or of *Beer Colouring*, or fit or proper to ſerve as a Subſtitute for any ſuch Liquor for or in reſpect of which ſuch Duty is impoſed, or fit or proper for the darkening of the Colour of Beer, ſhall be depoſited, hid, or concealed with Intent to prevent the Diſcovery thereof by the Officers of Exciſe, all ſuch Liquors reſpectively ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of Exciſe, and the Perſon or Perſons in whoſe Cuſtody the ſame ſhall be found ſhall forfeit the Sum of One hundred Pounds; and the better to enable ſuch Officer or Officers to diſcover ſuch Liquor reſpectively ſo forfeited, if any ſuch Officer or Officers ſhall have cauſe to ſuſpect that any ſuch Liquor ſhall be ſo depoſited, hid, or concealed 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 in *England* for the Time being, or any Two or more of them, or before One or more Juſtice or Juſtices of the Peace of the County, City, or Liberty where ſuch Place or Places ſhall be, 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 Officer or Officers ſhall ſuſpect the ſame to be depoſited, hid, or concealed, 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 or 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 Officer of the Peace, to enter into all and every ſuch Place and Places where he or they ſhall ſo ſuſpect ſuch Liquor to be ſo depoſited, hid, or concealed, and to ſeize and carry away all ſuch Liquor which he or they ſhall then and there find ſo forfeited.

On every Queſtion reſpecting ſuch Liquor the Proof of the Kind to lie on the Owner.

XXVIII. And be it further enacted, That if any Queſtion ſhall ariſe, whether any Liquor which ſhall be ſeized as and for Liquor forfeited under or by virtue of this Act, be Liquor of the Sort for or on which ſuch Forfeiture is by this Act impoſed, the Proof of ſuch Liquor not being Liquor of the Sort for or on which ſuch Forfeiture is by this Act impoſed, ſhall lie upon the Owner or Claimer thereof.

No Beer Colouring Maker or Perſon intereſted to act as a Magiſtrate in the Execution of this Act.

XXIX. And be it further enacted, That no Perſon whatſoever being a Maker of or Dealer in any ſuch Liquor or who ſhall be in any wiſe intereſted or concerned in the Trade or Buſineſs of making or dealing in ſuch Liquor, or of brewing or dealing in or retailing of Beer, ſhall, during ſuch Time as he, ſhe, or they ſhall be ſo intereſted or concerned in the Trade or Buſineſs of making or dealing in ſuch Liquor, or of brewing or dealing in or retailing of Beer, act as a Juſtice of the Peace in any Matter or Thing whatſoever which ſhall in anywiſe concern the Execution of the Powers or Authorities given or granted by this Act; and if any Perſon or Perſons ſhall, contrary to the true Intent and Meaning of this Act, preſume to exerciſe any ſuch Powers or Authorities, or do any Act hereby authorized to be done by any Juſtice or Juſtices of the Peace, all ſuch Acts ſo executed or done by ſuch Perſon or Perſons ſhall be utterly null and void to all Intents and Purpoſes whatſoever.

Beer Colouring, Sugar Utenſils, &c. liable to the Duties and to Penalties.

XXX. And be it further enacted, That all the Liquor for or in reſpect whereof any Duty is by this Act impoſed, and all the Sugar and Utenſils for the making thereof in the Cuſtody or Poſſeſſion of any Maker or Makers of ſuch Liquor, or of any Perſon or Perſons to the Uſe of or in Truſt for any ſuch Maker or Makers ſhall be and are hereby made chargeable with all the Debts and Duties for any ſuch Liquor in Arrear and owing by ſuch Maker or Makers for any ſuch Liquor ſo made by him, her, or them, or in his, her or their Houſe, Workhouſe, Warehouſe, Shed, Room, or other Place, and ſhall alſo be ſubject and liable to ſatisfy all Penalties and Forfeitures incurred by ſuch Maker or Makers, or other Perſon or Perſons uſing ſuch Houſe, Workhouſe, Warehouſe, Shed, Room, or other Place for any Offence againſt this Act relating to the ſaid Duties, and it ſhall and may be lawful in all ſuch Caſes to levy ſuch Debts, Duties, and Penalties on ſuch Liquor, Sugar, Utenſils or any of them, and to uſe ſuch Proceedings as may be lawfully done in Relation to any ſuch Liquor, Sugar or Utenſils reſpectively, in caſe the Debtors or Offenders were the true and lawful Owners of the ſame.

Obſtructing Officers.

XXXI. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall aſſault, reſiſt, oppoſe, moleſt, obſtruct or hinder any Officer or Officers of the Cuſtoms or Exciſe in the due Execution of this Act, or of any of the Powers or Authorities hereby given or granted to any ſuch Officer or Officers, or ſhall by force or violence after any ſuch Officer or Officers ſhall have ſeized any Liquor Caſk, Veſſel, or other Package, or any Boiler, Kettle, Copper or other Veſſel aforeſaid as forfeited by virtue of this Act, reſcue or cauſe to be reſcued any ſuch Liquor Caſk, Veſſel, or other Package aforeſaid, or any ſuch Boiler, Kettle, Copper, Vat, or other Veſſel aforeſaid, or ſhall attempt or endeavour ſo to do, or ſhall deſtroy, ſtave, break or damage any ſuch Caſk, Veſſel or other Package, Boiler, Kettle, Copper, Vat, or other Veſſel, all and every ſuch Perſon or Perſons ſo offending, ſhall for each and every ſuch Offence forfeit and loſe the Sum of One hundred Pounds.

Bribing Officers.

XXXII. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall give or offer to give any Bribe, Recompence or Reward whatſoever to any Officer or Officers of Exciſe, in order to corrupt, perſuade or prevail upon any ſuch Officer or Officers, either to do or perform any Act or Acts, Thing or Things whatſoever contrary to the Duty of ſuch

Officer

Officer or Officers in the Execution of this Act, or to neglect to do or perform any Act or Acts, Thing or Things whatſoever belonging or appertaining to the Buſineſs and Duty of ſuch Officer and Officers in the Execution of this Act, or to connive at or conceal any Fraud or Frauds relating to any of the Regulations by this Act enacted, or not to diſcover the ſame, all and every ſuch Perſon or Perſons ſo offending ſhall for each and every ſuch Offence, whether ſuch Offer or Propoſal be accepted or not, forfeit and loſe the Sum of Five hundred Pounds.

Relief from Penalties under 42 G. 3. c. 38.

XXXIII. And whereas by the ſaid recited Act of the Forty-ſecond Year of the Reign of His preſent Majeſty, ſeveral Perſons may have incurred Penalties and Forfeitures under and by virtue of ſome or One of the Clauſes therein contained for having manufactured, ſold or delivered, or cauſed to be manufactured, ſold or delivered to Brewers or to Perſons for the Uſe of Brewers, Colouring made from Sugar without any Intention of Fraud, and ſeveral Brewers may, without any Intention of Fraud, have alſo incurred Penalties and Forfeitures for having received into his, her, or their Cuſtody and Poſſeſſion ſuch Colouring; and it is expedient that Relief ſhould be given in the Caſes before mentioned; be it therefore enacted, That where any Perſon by the ſaid recited Clauſes of the ſaid Act ſhall without any Intention of Fraud, have incurred any Penalty or Forfeiture for having ſo manufactured, ſold, or delivered to Brewers or to other Perſons for the Uſe of Brewers, Colouring made from Sugar; and that where any Brewer by virtue of the ſaid recited Clauſes of the ſaid Act ſhall, without any Intention of Fraud, have incurred any Penalty or Forfeiture for having received into his, her, or their Cuſtody and Poſſeſſion Colouring made from Sugar, all and every of them ſhall be and is hereby indemnified and diſcharged from and againſt all Penalties and Forfeitures ſo incurred by them as aforeſaid, and of and from all Suits and Proſecutions for or on account thereof, any Thing in this Act or the ſaid recited Act of the Forty-ſecond Year of His preſent Majeſty to the contrary notwithſtanding.

But not to ſtop Actions begun before June 1, 1811.

XXXIV. Provided always, That nothing in this Act contained ſhall extend to or prevent the further Proſecution of any Actions or Suits which may have been commenced before the Firſt Day of *June* One thouſand eight hundred and eleven, againſt any Perſon or Perſons whatſoever for any of the Offences, Penalties or Forfeitures abovementioned.

Penalties how to be recovered.

XXXV. 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 Means, Ways 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 Forfeitures ſhall be to His Majeſty, His Heirs and Succeſſors, and the other Moiety to him, her, or them, who ſhall inform, diſcover, or ſue for the ſame.

Application of Money ariſing by Licences.

XXXVI. And be it further enacted, That all the Monies ariſing by the Licences by this Act required (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*, as Part of and together with the Duties on Beer, and the ſaid Money ſo paid into the ſaid Receipt of His

Majesty's Exchequer as aforesaid, shall be considered to and made Part of the Fund called the *Consolidated Fund*.

Limitation of Actions.

XXXVII. And be it further enacted, That if any Action or Suit shall be brought or be commenced against any Person or Persons, for any Thing by him, her, or them done, by virtue of or in pursuance of this Act, such Action or Suit shall be commenced within Three Months next after the Matter or Thing done, and shall be laid in the proper County, and the Defendant or Defendants in such Action or Suit shall or may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Suit, or be nonsuited, or Judgement shall be given against him, her or them upon Demurrer, or otherwise, then such Defendant or Defendants shall have Treble Costs to be awarded to him, her or them, against such Plaintiff or Plaintiffs.

Powers of 12 Car. 2. and other Acts relating to the Revenue of Excise extended to this Act.

XXXVIII. And be it further enacted, That all and every the Powers, Directions, Rules, 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 Revenue of Excise are provided or established for managing, raising, levying, collecting, mitigating, or recovering, adjudging or ascertaining the Duties thereby imposed, or any of them, shall be practised, used, and put in Execution in, and for the managing, raising, levying, collecting, mitigating, recovering, and paying, the Duties of Excise by this Act imposed, and for preventing, detecting, and punishing Frauds relating thereto as fully and effectually to all Intents and Purposes as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things were particularly repeated and re-enacted in this present Act.

Commencement of this Act.

XXXIX. And be it further enacted, That this Act shall commence and take Effect as to all such Matters and Things therein contained, in respect whereof no Special Commencement is hereby directed or provided, from and immediately after the passing of this Act.

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