ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. XLV.

An Act to ſuſpend the Exportation from *Ireland* to Parts beyond the Seas of Spirits made or diſtilled in *Ireland* from Corn or Grain, until the Thirty-firſt Day of *December* One thouſand eight hundred and twelve. [5th *May* 1812.]

WHEREAS it is expedient that the Exportation from *Ireland* to Parts beyond the Seas of Spirits made in *Ireland* from Corn or Grain ſhould be prohibited 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 Eighth Day of *April* One thouſand eight hundred and twelve, and until and upon the Thirty-firſt Day of *December* One thouſand eight hundred and twelve, it ſhall not be lawful for any Perſon or Perſons to export, or to enter, or ſhip for Exportation, from any Port or Place in *Ireland* to any Parts beyond the Seas, any Spirits made or diſtilled in *Ireland* from Corn or Grain malted or unmalted, and in caſe any ſuch Spirits ſhall be exported, or entered, or ſhipped for Exportation from any Port or Place in *Ireland* to or for any Parts beyond the Seas, ſuch Spirits ſo unlawfully exported, or entered, or ſhipped for Exportation, together with the Caſks or Packages containing the ſame, and alſo the Ships, Boats, or Veſſels on Board which the ſame ſhall be laden or exported ſhall be forfeited and may be ſeized by any Officer or Officers of Cuſtoms or Exciſe, any Act or Acts, Uſage or Cuſtom to the contrary notwithſtanding.

Spirits made from Corn not to be exported, on Penalty of Forfeiture.

II. Provided always, and be it further enacted, That in caſe the Lord Lieutenant or other Chief Governor or Governors of *Ireland* at any Time after

Lord Lieutenant may permit the Exportation

of Spirits after Oct. 1, 1812, or continue the Prohibition for a limited Time.

after the First Day of *October* One thousand eight hundred and twelve, shall in his or their Discretion judge it to be for the Benefit and Advantage of that Part of the United Kingdom called *Ireland*, to permit the Exportation of such Spirits to Parts beyond the Seas, then and in such Case it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby authorized, with the Advice of His Majesty's Privy Council of *Ireland*, by any Proclamation or Proclamations to be issued by and with the Advice of the said Privy Council, or by Order in Council to be published in the *Dublin Gazette*, to permit and suffer all and every Person and 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 export any such Spirits to Parts beyond the Seas; or in case the Lord Lieutenant or other Chief Governor or Governors of *Ireland* at any Time after the said First Day of *October* One thousand eight hundred and twelve, shall in his or their Discretion judge it to be for the Benefit and Advantage of that Part of the United Kingdom called *Ireland*, further to continue the Prohibition of the Exportation of such Spirits from the said Thirty-first Day of *December* One thousand eight hundred and twelve until Forty Days after the next Meeting of Parliament, then and in such Case it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby authorised, with the Advice of His Majesty's Privy Council of *Ireland*, by any Proclamation or Proclamations to be issued by and with the Advice of the said Privy Council, or by Order in Council to be published in the *Dublin Gazette*, to continue throughout *Ireland* from the said Thirty-first Day of *December* One thousand eight hundred and twelve until Forty Days after the next Meeting of Parliament the Prohibition herein-before mentioned, that is to say, that it shall not be lawful for any Person or Persons to export, or to enter, or ship for Exportation from any Port or Place in *Ireland* to any Parts beyond the Seas, any Spirits made or distilled in *Ireland* from Corn or Grain malted or unmalted.

Spirits shipped before April 12, 1812, not to be forfeited.

III. Provided also, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to forfeit any such Spirits exported from *Ireland* to any Parts beyond the Seas, if it shall be proved to the Satisfaction of the Commissioners of Customs and Port Duties in *Ireland* (such Proof being left to the Judgment of them the said Commissioners) that such Spirits were actually shipped for such Exportation on or before the Twelfth Day of *April* One thousand eight hundred and twelve, and without any Knowledge of the Provisions of this Act by the Person or Persons by whom such Spirits were so shipped.

Contracts for Spirits for Exportation void.

IV. Provided also, and be it further enacted, That in case any Person shall at any Time before the passing of this Act have sold or contracted to sell any such Spirits to be exported to Parts beyond the Seas, such Person so having sold or contracted to sell such Spirits shall not be compelled or compellable to perform or fulfil any such Sale or Contract, nor shall such Person be liable to any Damages for breach of such Contracts, or for neglecting or refusing to sell or deliver such Spirits; and in case any Action shall be brought against any Person or Persons for any Breach of such Contract, or for neglecting or refusing to sell or deliver such Spirits,

the Defendant or Defendants may plead the General Iſſue, and at any Trial to be had thereupon may give in Evidence this Act and the ſpecial Matter, and that ſuch Sale and Delivery were prevented and prohibited by the Authority of this Act; and if the ſame ſhall appear accordingly, then the Jury ſhall find for the Defendant or Defendants, and in ſuch Caſe, or if the Plaintiff or Plaintiffs ſhall become nonſuited or ſuffer a Diſcontinuance of the Action, the Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants have or hath for Coſts of Suits in any other Caſes by Law.

Penalties how to be levied.

V. And be it further enacted, That the Penalties and Forfeitures inflicted by this Act 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 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 or Parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid recited Act or any Law or Laws relating to His Majeſty's Revenue of Exciſe or Cuſtoms in force in *Ireland* is provided.

Act may be altered this Seſſion.

VI. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be made in this preſent Seſſion of Parliament.

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