

ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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tive *Diſtricts in* Scotland: And whereas another Act was paſſed in the Thirty-ninth and Fortieth Years of the Reign of His preſent Majeſty,
39 & 40 G. 3. c. 73. intituled *An Act for repealing the Duties of Exciſe on Diſtilleries in* Scotland, *and on the Exportation of* Britiſh-*made Spirits from* England *to* Scotland, *and for granting other Duties in lieu thereof; and for altering amending, and continuing certain Acts of Parliament for the Regulation of Diſtilleries in* Scotland; by which ſeveral Acts Regulations were made relative to Stills and Diſtilleries in certain Diſtricts of *Scotland*, diſtinguiſhed from each other by Boundaries, in the ſaid Acts reſpectively particularly deſcribed and ſet forth: And whereas another Act was made in the Fifty-fourth Year of the Reign of His preſent Majeſty, intituled
54 G. 3. c. 172. *An Act for repealing the Duties payable in* Scotland, *upon Diſtillers Waſh, Spirits, and Licences, and for granting other Duties in lieu thereof:* And whereas another Act was made in the Fifty-fifth Year of the Reign of His
55 G. 3. c. 155. preſent Majeſty, intituled *An Act to continue, until the Fifth Day of* July *One thouſand eight hundred and ſixteen, the temporary Fourth Part of the Duties payable in* Scotland, *upon Diſtillers Waſh, Spirits, and Licences, impoſed by an Act of the Fifty-fourth Year of His preſent Majeſty; and for enabling His Majeſty, by Order in Council, to modify the Operations of the ſaid Act, or reduce the Duties thereby impoſed:* And whereas Doubts have been entertained, whether the Diſtinction of Lowland, Highland, and intermediate Diſtricts, as deſcribed by the Boundary Lines in any of the ſaid Acts made in the Twenty-fifth, Thirty-third, Thirty-ſeventh, and Thirty-ninth and Fortieth Years reſpectively, of His Majeſty's Reign, were aboliſhed by the ſaid Two laſt-mentioned Acts of the Fifty-fourth and Fifty-fifth Years of His Majeſty's Reign reſpectively, or were ſtill to be continued and obſerved; and by reaſon thereof Queſtions have ariſen, whether Spirits could paſs from any one Part to any other Part of *Scotland*; and it is neceſſary that Spirits ſhould be allowed to be carried by Permit, from any one Part to any other Part of *Scotland:* And whereas it is expedient that the Duties impoſed by the ſaid recited Act, paſſed in the Fifty-fourth Year of the Reign of His preſent Majeſty, upon Wort or Waſh brewed or made from Malt, Corn, Grain, or Tilts, or any Mixtures therewith, and upon Spirits extracted therefrom, and upon Licences to be taken out by Diſtillers and Rectifiers in *Scotland*, ſhould be repealed; and that other Duties ſhould be ſubſtituted in lieu thereof; and that further Regulations ſhould be made with reſpect to the Diſtillation and Manufacture of Spirits from Corn for Home Conſumption in *Scotland:* May it therefore pleaſe Your Majeſty that it may be enacted; and be it 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

Duties repealed. preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Tenth Day of *November* One thouſand eight hundred and ſixteen, all and ſingular the Duties of Exciſe on Worts or Waſh brewed or made from Malt, Corn, Grain, or Tilts, or any Mixture therewith, in any Part of *Scotland*, for extracting Spirits for Home Conſumption in *Scotland*; and all and ſingular the Duties on Spirits made or diſtilled in *Scotland* from Malt, Corn, Grain, Tilts, or any Mixture therewith, for Conſumption in *Scotland*, and upon Licences to be taken out by Diſtillers and Rectifiers in *Scotland*, ſhall be and the ſame are hereby repealed;

Exception. ſave and except in all Caſes relating to the recovering, allowing, or paying any Arrears thereof reſpectively, which ſhall at that Time remain unpaid, or to any Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures

relating thereto respectively, which shall have been incurred at any Time before or on that Day.

Instead of Duties repealed, the Duties herein mentioned to be paid.

II. And be it enacted, That from and after the said Tenth Day of *November* One thousand eight hundred and sixteen, in lieu and place of the said Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, the several Duties of Excise herein-after mentioned; that is to say, For every Gallon of Wort or Wash, brewed or made in any Part or Place in *Scotland*, from any Malt, Corn, Grain, or Tilts, or any Mixture with the same, for extracting Spirits for Consumption in *Scotland*, Eightpence; For every Gallon of Spirits of the Strength of One to Ten over Hydrometer Proof, which shall be made or distilled from any Malt, Corn, Grain, or Tilts, or any Mixture therewith, in any Part or Place in *Scotland*, for Consumption in *Scotland*, Nine-pence; The said Duties to be paid by the respective Makers or Distillers of such Wort, Wash or Spirits respectively: For every Licence to be taken out by any Distiller or Maker of Low Wines or Spirits in any Part or Place in *Scotland*, for Sale therein or for Exportation therefrom, the Sum of Ten Pounds; For every Licence to be taken out by any Rectifier of Spirits in any Part or Place in *Scotland*, the Sum of Five Pounds; The said Duties for Licences to be paid by the respective Distillers and Rectifiers taking out such Licences respectively.

Management and Collection of Duties.

III. And be it enacted, That the said Duties granted by this Act shall be under the same Management, and shall be raised, levied, collected, secured, and paid, in the same Manner, and by the same Ways and Means, and under and subject to all the Rules, Regulations, Restrictions, and Provisions, Fines, Penalties, and Forfeitures, and with and subject to such and the like Powers, Authorities, and Declarations, as are provided by the said recited Act, passed in the Fifty-fourth Year of the Reign of His present Majesty, for the Management, Collection, and Recovery of the Duties thereby granted.

Appropriation of Duties.

IV. And be it further enacted, That the Duties granted by this Act (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*, and shall be carried to and made Part of the Consolidated Fund of *Great Britain*.

The temporary Fourth Part of the Duties granted by 54G.3.c.172. continued till Nov. 9, 1816.

V. And be it further enacted, That the Fourth Part of the several Duties granted by the said recited Act passed in the Fifty-fourth Year of the Reign of His present Majesty, which were continued by the said recited Act passed in the Fifty-fifth Year of the Reign of His present Majesty, to the Fifth Day of *July* One thousand eight hundred and sixteen, shall be, and the same Fourth Part of the said several Duties is hereby further continued from the said Fifth Day of *July* One thousand eight hundred and sixteen, and shall remain and continue in force until the Ninth Day of *November* One thousand eight hundred and sixteen; and the same, with the other Duties granted by the said recited Act passed in the Fifty-fourth Year of the Reign of His present Majesty, shall be raised, levied, collected, secured, and paid, and be appropriated, and applied in the Manner directed by the said last recited Act.

VI. And

Diſtinction of Diſtricts in Scotland relative to Stills and Diſtillers, and Boundary Lines, aboliſhed.

VI. And be it further enacted, That from and after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen, all Diſtinctions between the High and Lowland and intermediate Diſtricts in *Scotland*, as deſcribed in the ſaid herein-before recited Acts, or any other Act or Acts relating to the Diſtilleries in *Scotland*, and all ſuch Boundaries and Diſtinctions between any ſuch different Parts or Diſtricts of *Scotland*, and all Limitations and Reſtrictions relative thereto, ſhall be and the ſame are hereby repealed and aboliſhed; ſave and except as in the ſaid recited Act of the Fifty-fourth Year aforeſaid is provided in relation to the Size and Capacity of the Stills, and ſubject to the Proviſions of this Act.

Treaſury empowered to allow Uſe of Stills of inferior Size.

VII. And be it further enacted, That from and after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen, it ſhall be lawful for the Lords Commiſſioners of His Majeſty's Treaſury for the Time being, by any Warrant, Order, or Inſtruction, ſigned by any Three or more of them, to authorize and empower the Commiſſioners of Exciſe in *Scotland* for the Time being, by any Licence or Authority in Writing under the Hands of any Three or more of them, to permit any Diſtiller or Diſtillers in *Scotland* to make uſe of Stills of inferior Size and Capacity to thoſe reſpectively preſcribed by the ſaid recited Act of the Fifty-fourth Year aforeſaid, not being leſs than Forty Gallons, under ſuch Conditions, Limitation, Regulations, and Reſtrictions, as the ſaid Commiſſioners of His Majeſty's Treaſury ſhall think fit; any Thing contained in the ſaid recited Acts of the Fifty-fourth and Fifty-fifth Years of the Reign of His preſent Majeſty, or any other Act or Acts of Parliament, to the contrary notwithſtanding.

Treaſury alſo empowered to permit Poſition of Veſſels or Utenſils now exiſting, to remain.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Lords Commiſſioners of His Majeſty's Treaſury for the Time being, by any Warrant, Order, or Inſtruction, ſigned by any Three or more of them, to authorize and empower the Commiſſioners of Exciſe in *Scotland* for the Time being, by any Licence or Authority in Writing under the Hands of any Three or more of them, to permit and ſuffer any fixed Veſſel or Utenſil of any Diſtiller, which has been fixed or placed before the Firſt Day of *October* One thouſand eight hundred and fourteen, contrary to the Regulations now in force, in relation to the fixing and placing of Veſſels or Utenſils in the Diſtilleries for Home Conſumption in *Scotland*, to continue or direct the Whole or ſuch Part or Parts of ſuch Veſſels or Utenſils as are now fixed or placed, to be altered to ſuch Extent and in ſuch Manner as the ſaid Lords Commiſſioners of His Majeſty's Treaſury ſhall think proper, under ſuch Limitations, Regulations, Conditions, Modifications, and Reſtrictions, as the ſaid Lords Commiſſioners of His Majeſty's Treaſury ſhall think fit; any Thing contained in the ſaid recited Acts of the Fifty-fourth and Fifty-fifth Years of the Reign of His preſent Majeſty reſpectively, or of this Act, or any other Act or Acts of Parliament to the contrary notwithſtanding.

Treaſury empowered to give an Extenſion of Credit.

IX. And be it further enacted, That it ſhall and may be lawful for the ſaid Lords Commiſſioners of His Majeſty's Treaſury for the Time being, by any Warrant, Order, or Inſtruction, ſigned by any Three or more of them, to authorize and empower the Commiſſioners of Exciſe in *Scotland* for the Time being, by any Licence or Authority in Writing under the Hands of any Three or more of them, to allow ſuch Time as they ſhall

think fit for the Payment of the Duties by this Act impoſed, not exceeding Fourteen Days from the Time the ſame ſhall reſpectively become due and payable, and to take ſuch Security or Securities for the Payment thereof as the ſaid Commiſſioners of Exciſe ſhall think proper; ſubject to ſuch Limitations, Conditions, and Reſtrictions, as the ſaid Lords Commiſſioners of His Majeſty's Treaſury ſhall think fit; any Thing in the ſaid recited Acts of the Fifty-fourth and Fifty-fifth Years aforeſaid, or in any Act or Acts relating to the Diſtillery, to the contrary notwithſtanding.

Treaſury empowered to reward Officers.

X. And be it further enacted, That it ſhall and may be lawful for the Lords Commiſſioners of His Majeſty's Treaſury for the Time being, by any Warrant, Order, or Inſtruction, ſigned by any Three or more of them, to authorize and empower the Commiſſioners of Exciſe in *Scotland* for the Time being, by any Order or Warrant, ſigned by any Three or more of them, to grant ſuch Rewards to Officers, to be paid out of any Duties of Exciſe in *Scotland*, for Services performed by them in preventing illicit or fraudulent Diſtillation, as the ſaid Lords Commiſſioners of His Majeſty's Treaſury ſhall think proper; ſubject to ſuch Rules, Directions, Conditions, and Modifications, as the ſaid Lords Commiſſioners of His Majeſty's Treaſury ſhall preſcribe; in order to make it the Intereſt of ſuch Exciſe Officers that no illicit or fraudulent Diſtillation whatever ſhall take Place within their reſpective Diſtricts.

Of Malt Spirits Fourteen Gallons to be produced for every 100 Gallons of Waſh;

XI. And be it further enacted, That from and after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen, every Diſtiller for Home Conſumption in *Scotland* ſhall be charged with and pay the Duties impoſed by this Act, at and after the Rate of Fourteen Gallons of Spirits of the Strength of One to Ten over Hydrometer Proof, for every One hundred Gallons of Wort or Waſh prepared or made from Malt, Corn, Grain, or Tilts, of the Gravity herein-after mentioned.

Exceſs to pay the Duty herein mentioned.

XII. And be it further enacted, That if any Diſtiller of Spirits for Home Conſumption in *Scotland* ſhall, from the Commencement to the Termination of his, her, or their Licence, or when ſuch Diſtiller ſhall previouſly ceaſe working for the Seaſon, extract, make, diſtil, or produce from Wort or Waſh prepared or made from Malt, Corn, Grain, or Tilts, any Quantity of Spirits exceeding the Proportion of Fourteen Gallons for every Hundred Gallons of ſuch Worts or Waſh ſo diſtilled into Spirits as aforeſaid, every Diſtiller ſhall pay Duty for all ſuch Spirits exceeding the Proportion aforeſaid, at and after the Rate of Four Shillings and Ninepence for every Gallon of ſuch Exceſs, computed at the Strength of One to Ten over Hydrometer Proof, over and above all other Duties on Worts, Waſh, or Spirits whatſoever.

Gravity of Worts after being drawn from the Meſh Tun, not to be increaſed.

Penalty.

XIII. And be it further enacted, That after the Worts, liable to the Duties impoſed by this Act, ſhall have been drawn off from the Meſh Tun, it ſhall not be lawful for any Diſtiller or other Perſon to throw into or mix therewith any Mixture called Lob, or any other Mixture or Subſtance whatſoever, by which the Gravity of ſuch Worts may be increaſed; and that if, after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen, any Diſtiller or other Perſon ſhall throw into or mix with any ſuch Wort or Worts, after the ſame ſhall have been drawn off from the Meſh Tun, any ſuch Mixture called Lob, or any other Mixture or Subſtance

ſtance whatever, by which the Gravity of any ſuch Wort or Worts, or the Waſh made therefrom, or any Part thereof, ſhall be increaſed; or ſhall mix all or any Part of ſuch Wort with any other Wort, after the Gravity thereof has been aſcertained and taken Account of as herein-after mentioned, or all or any Part of ſuch Waſh with any other Waſh, except in the Jack or Under Back herein-after mentioned; or convey away or conceal any Part of ſuch Wort or Waſh; every ſuch Diſtiller or Perſon guilty of ſuch Offence, or on whoſe Premiſes any ſuch Offence ſhall be committed, ſhall for every ſuch Offence forfeit and pay the Sum of Two hundred Pounds.

Penalties.

Gravity of Waſh by the Saccharometer.

XIV. And be it further enacted, That the whole Quantity of ſuch Worts that are to be placed in any Waſh Batch, Tun or Veſſel, for Fermentation, ſhall be collected therein within the Space of Twelve Hours from and after the Commencement of running or conveying any Part of the ſaid Worts from the Coolers or other Veſſels; and all and every Diſtiller or Diſtillers ſhall, within ſuch Twelve Hours, make and deliver to the proper Officer a Declaration in Writing, that ſuch Worts ſo collected as aforeſaid are of a Gravity not exceeding Seventy-five, as indicated by the Inſtrument herein-after mentioned, called a Saccharometer, directed by this Act to be provided and uſed for this Purpoſe; and if any Diſtiller or Diſtillers ſhall refuſe or neglect ſo to collect all ſuch Worts within the Time aforeſaid, or ſhall ferment or mix ſuch Worts with any Yeaſt, or any Matter or Thing for or occaſioning Fermentation, without making and delivering ſuch Declaration as aforeſaid, or which after being ſo collected as aforeſaid, ſhall exceed the Gravity aforeſaid, every ſuch Diſtiller or Diſtillers ſhall, for each and every ſuch Offence, forfeit and pay the Sum of Two hundred Pounds.

Penalty.

No fixed Means of Communication from one Veſſel to another to be uſed.

XV. And be it further enacted, That from and after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen, it ſhall not be lawful for any Diſtiller for Home Conſumption in *Scotland*, to have or uſe any fermenting Tun or Veſſel in which the Worts or Waſh are ſet to ferment, which has a Communication, by Means of a Tube or Pipe, or by any other fixed Means of Communication, with any other fermenting Tun, or any Veſſel whatſoever; and if any ſuch Diſtiller, ſhall, after ſuch Period, have or uſe any ſuch fermenting Tun or Veſſel, which has ſuch Communication with any other fermenting Tun or Veſſel, every ſuch Diſtiller ſhall forfeit and pay the Sum of Two hundred Pounds.

Penalty.

Waſh neceſſary to charge the Still to be conveyed to a Jack Back.

XVI. And be it further enacted, That the Waſh uſed or made by any Diſtiller of Spirits for Home Conſumption in *Scotland*, ſhall, before it is put into the Still for Diſtillation into Low Wines, be conveyed in an open Trough or Trunk from each fermenting Tun or Veſſel in which it ſhall have been fermented, into a circular or oval Veſſel called a Jack Back or Under Back, which ſhall be placed in the Still Houſe as near as conveniently may be to the Waſh Still, and ſhall be of a Size ſufficient to contain all the Waſh neceſſary to charge the Still; and no more Waſh ſhall be conveyed into ſuch Jack Back at One Time than is ſufficient to charge the Still; and ſuch Charge of Waſh ſhall be ſo conveyed into ſuch Jack Back, before the Still ſhall be unlocked for the Purpoſe of being charged; and the Whole Quantity of Waſh conveyed into ſuch Jack Back, after being gauged by the Officer, ſhall be pumped up into an open Shute or Trunk,

from whence it shall be conveyed into the Still; and if any Wash used or made by any Distiller of Spirits for Home Consumption in *Scotland* shall not, before it is put into the Still for Distillation into Low Wines, be conveyed into an open Trough or Trunk from each fermenting Tun or Vessel into which it shall have been fermented, into such Jack Back so placed in the Still House or as near as conveniently may be to the Wash Still; or if more Wash be conveyed therein at one Time than is necessary to charge such Wash Still, every Distiller so offending shall forfeit and pay the Sum of Two hundred Pounds; and if the Wash, or any Part thereof, shall be removed or conveyed from such Jack Back, before the proper Officer shall have taken an Account thereof in such Jack Back, or shall be kept or concealed from such Officer in any Manner whatsoever; or if the Whole Quantity so conveyed shall not, after such Account thereof has been taken, be pumped into the Still in the Manner herein directed, every such Distiller shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds. Penalties.

XVII. Provided always, and be it enacted, That if any such Distiller, whose Works are already constructed, wherein the Wash has been conveyed by fixed or close Tubes from the fermenting Tuns into the Jack Back, shall be desirous of continuing the Use of such fixed or close Tubes; it shall and may be lawful for such Distiller to continue the Use thereof; provided that every such fixed or close Tube shall be placed higher than the Top of the Jack Back, and that upon such fixed or close Tube there shall be no Stop-Cock or Interruption whatever, which may prevent the whole Wash therein from running into the Jack Back; and provided further, that upon every Discharge-Cock communicating from any Wash Tun with such fixed or close Tube, there shall be a sufficient Lock and Fastening, to be provided by the proper Supervisor, at the Expence of such Distiller; and that the same shall be and remain always locked and sealed, excepting when the same shall be opened at the Sight of the proper Officer, who shall attend when thereunto required by such Distiller, for the Purpose of allowing the Wash in any such Wash Tun to run into such fixed or close Tube, to be thereby conveyed into the Jack Back; and if any such Distiller shall use any fixed or close Tube, or Discharge-Cock, which shall not be of the Description aforesaid, or shall open, break, or injure any Lock or Fastening to be provided for any such Discharge-Cock, every such Distiller shall forfeit and pay the Sum of Two hundred Pounds. Works already constructed for conveying the Wash to be continued on certain Conditions. Penalty.

XVIII. And be it further enacted, That before the Wash so conveyed into the Jack Back as a Charge for the Still, shall be pumped into the same, if the Officer shall, upon gauging and taking account thereof in such Jack Back, find that the Quantity of Wash so conveyed into such Jack Back or Vessel, is greater than the Quantity of Wash which was previously ascertained to have been in the fermenting Vessel or Vessels from whence the same shall have been so conveyed; then the Duty imposed by this Act shall be paid for any Excess of Wash so found in such Jack Back, in addition to the Duty charged upon such Quantity in such fermenting Vessel or Vessels. Jack Back to be gauged.

XIX. And be it further enacted, That it shall be lawful for any Officer of Excise to take a Sample or Samples of any Wort at any Time or Times after the same shall have been drawn from off the Mesh Tun, as often as may be necessary, for the Purpose of ascertaining the Gravity thereof; and Samples of Wort, &c. may be taken.

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in like Manner it shall be lawful for any Officer of Excise to take a Sample or Samples of any Wash at any Time or Times after the same shall have been put in any Tun or Vessel, Tuns or Vessels for the Purposes of Fermentation, or in the Jack Back for pumping the same into the Still; and every Distiller of Spirits for Home Consumption in *Scotland* shall fix or cause to be fixed in every fermenting Tun or Vessel, within Thirty Inches from the Bottom thereof, a Brass Cock of sufficient Size, to enable any Officer of Excise to draw off, without Inconvenience or Delay, a Sample or Samples of the Wash contained therein; and any such Distiller who shall neglect or delay so to do, after being thereunto required by any Excise Officer, or shall hinder or prevent such Officer from taking any such Sample or Samples as aforesaid, shall forfeit and pay the Sum of Two hundred Pounds.

Penalty.

Saccharometer to be provided to ascertain the Gravity of Worts.

XX. And be it further enacted, That the Instruments to be used in order to ascertain the Gravity of Worts or Wash, as directed by this Act, shall be those made in the Manner of a certain Instrument called a Saccharometer, invented by Doctor *Thomson*, but described, from the Maker's Name, *Allen*'s Saccharometer; and it shall and may be lawful for the Commissioners of Excise in *Scotland*, by and with the Approbation of the Lords Commissioners of His Majesty's Treasury, and they are hereby required, to provide a sufficient Number of such Saccharometers to be used by the Officers of Excise acting in the Execution of this Act.

One Saccharometer to remain at Excise Office.

XXI. And be it further enacted, That one of the Instruments known by the Name of *Allen*'s Saccharometer, to be provided by the Commissioners of Excise as aforesaid, shall be and remain at their Office in the City of *Edinburgh*, and shall be shewn to any Distiller who shall desire to see the same, during the Hours of Eleven in the Morning and Three in the Afternoon.

On Increase of Gravity Double Duty to be paid.

XXII. And be it further enacted, That if, upon making Trial of or taking an Account for ascertaining the Gravity of the Wort or Wash in any Vessel, by the said Instrument called a Saccharometer, it shall appear that the Wort or the Wash made therefrom shall have increased in Gravity since the last preceding Trial of the same with the same Instrument, to the Extent of Five Degrees, as indicated on that Instrument, the Wort or Wash in any and every such Vessel shall be deemed and taken to have been fraudulently altered or charged, and the whole Quantity of Wort or Wash therein shall be charged with Double the Duty imposed by this Act upon Wort or Wash.

Position of Tuns, &c. not to be altered.

XXIII. And be it further enacted, That it shall not be lawful for any Distiller of Spirits for Home Consumption in *Scotland*, to alter in any respect the Size, Situation, or Position of any Tun, Vessel, Jack Back, Still, or other fixed Utensil whatsoever, used by him for the Purposes of Distillation, or in the Preparation of any Material for Distillation, without giving Notice in Writing to the Officer of Excise of his Division; and if any Distiller or other Person shall in any Respect alter the Size, Situation, or Position of any such Tun, Vessel, Jack Back, or fixed Utensil, without such Notice, or shall place any Substance, Matter, or Thing at, in, or upon the Dipping Place or Places of any Tun or other Vessel used by him; or shall make any Alteration in such Dipping Place or Places; or shall do

Penalty.

any Act, Matter, or Thing, by which the Officer may be prevented or hindered from taking true Dips and Gauges of any Wort or Wash therein; every such Distiller so offending, or in whose Premises any such Offence shall be committed, shall forfeit and pay the Sum of Two hundred Pounds.

Low Wine Pump and charging Cock of Low Wine Still to be locked.

XXIV. And be it further enacted, That from and after the said Tenth Day of *November* One thousand eight hundred and sixteen, the Low Wine Pump, and also the Charging Cock of the Low Wine Still, used by any Distiller of Spirits for Home Consumption in *Scotland*, shall be locked and sealed, and opened by the Excise Officer, in the same Manner that the Wash Pump and Charging Cock of the Wash Still used by such Distiller are locked, and sealed, and opened by the Excise Officer; and proper Locks and Keys shall be provided by every such Distiller for this Purpose; and if any Person shall by any Means open any such Low Wine Pump or Charge Cock, after the same shall have been so locked or secured by the Excise Officer, or shall wilfully damage the same, or the Lock or Fastenings thereof, every such Person shall forfeit and pay the Sum of Two hundred Pounds.

Penalty.

Spirit Cask or Receiver to be placed near to the Worm, and to be of sufficient Capacity to hold the Charge.

XXV. And be it further enacted, That the Spirit Cask or Receiver, into which the Spirits are required to be run or conveyed from the Low Wines produced from each Charge of the Wash Still or Stills used by any Distiller of Spirits for Home Consumption in *Scotland*, shall be placed by every such Distiller as near to the Discharge of the Worm of the Low Wine Still as conveniently may be, and not hid or concealed from open View; which Spirit Cask or Receiver shall be sufficient to contain the whole Produce of Spirits to be run from each Charge of such Still; and if every such Spirit Cask or Receiver shall not be placed in the Manner, and be of the Size herein directed, every Distiller or Person offending in this Respect shall forfeit and pay the Sum of Two hundred Pounds.

Feint Cask to be provided to contain Feints necessary for one Charge, &c.

XXVI. And whereas the distilling Feints with Wash is injurious to the Quality of the Spirits; be it therefore enacted, That from and after the Tenth Day of *November* One thousand eight hundred and sixteen, no Distiller of Spirits for Home Consumption, in *Scotland*, shall mix any Feints with any Wash or Low Wines, or put any Feints into any Back or other Vessel, or into any Still in which any Wash or Low Wines shall then be, or any Wash into any Back or other Vessel, or into any Still where any Feints shall be, but shall, and every such Distiller is hereby required to provide a proper Feint Cask sufficient to contain the whole Quantity of Feints necessary for One Charge of the Low Wine Still used by any such Distiller or Distillers; and every such Distiller shall, immediately on the extracting thereof, run and convey all the Feints which shall be produced from each Charge of his or her Still or Stills directly from such Still or Stills into such Feint Cask, to be kept therein under the Lock of the Officer; and all Feints to be produced by any such Distiller shall be kept and continued in such Feint Cask, under such Lock as aforesaid, until the same amount in Quantity to such Charge as aforesaid, and shall be pumped into the Low Wine Still as herein-after mentioned; and the proper Officer of Excise shall and may, from Time to Time during such Time as aforesaid, take a true Gauge and try the Strength of all Feints in such Feint Cask,

and cast and compute the same at the Rate of One to Ten over Hydrometer Proof, and keep an exact Account thereof: Provided always, that no such Distiller shall collect or keep at any one Time a greater Quantity of Feints than is sufficient for One Charge of the Low Wine Still used by him or her; and that so soon as such Quantity of Feints shall be so collected as aforesaid, every such Distiller shall and he and she is hereby required to give Notice to the proper Officer that such Feints are so collected, and of his or her Intention to charge his or her Low Wine Still therewith, and upon the Officer's attending pursuant to such Notice, to pump all such Feints, in the Presence of such Officer, from and out of such Feint Cask into the Low Wine Still used by such Distiller, and to run the Produce thereof from such Low Wine Still into the Spirit Receiver; and any Distiller offending in any of the above Particulars shall for every Offence forfeit and pay the Sum of Two hundred Pounds.

Penalty.

Entry of Vessels for Bub or other Mixtures.

XXVII. And be it further enacted, That before making or using a Composition or Mixture called Bub, or any other Composition or Mixture for inducing or increasing the Fermentation of Wort or Wash, any Distiller of Spirits for Home Consumption, in *Scotland*, shall make Entry of every Vessel used by him for the Purpose of making or keeping any such Composition or Mixture, describing the same, and specifying the Use to which each such Vessel is to be applied; and every such Distiller shall also give Notice to the Officer of Excise, at least Six Hours before beginning to make any such Composition or Mixture, and the Officer of Excise shall take an Account thereof in such Vessels respectively, and shall and may at all Times be at Liberty to take a Sample or Samples thereof, and to ascertain the Gravity thereof by the said Instrument called the Saccharometer; and if the Gravity thereof, or any Part thereof so ascertained, shall not at any Time be greater than the Gravity of the Worts made by such Distiller, so limited and so taken account of as aforesaid, such Composition or Mixture shall be deemed and taken to be Wash, and the Duty hereby imposed on Wort or Wash shall be charged thereon; and if the same, or any Part of such Mixture or Composition, shall at any Time be found of any greater Gravity than aforesaid, the same shall be forfeited, together with every Cask or Vessel containing the same, and shall and may be seized by any Officer or Officers of Excise; and if any such Distiller shall not make Entry, or shall not give Notice in the Manner herein directed, or if the Officer shall be prevented or obstructed in taking an Account thereof, or Samples as above prescribed, as often and at such Times as he may think necessary, to ascertain the Gravity thereof, or if such Distiller shall refuse or neglect to remove and put all such first-mentioned Mixture or Composition unto his or her fermenting Tuns, and mix the same with the Wort therein as aforesaid, every such Distiller so offending in any of the above Particulars, or in whose Premises any such Offence shall be committed, shall forfeit and pay the Sum of Two hundred Pounds: Provided always, that if any such Distiller shall, within Thirty Hours after such Composition or Mixture shall have been begun to be made, remove and put the Whole thereof unto his or her fermenting Tun or Tuns, and mix the same therein with the Wort or Wash in such Tun or Tuns, in the Presence of the proper Officer of Excise, or if such Officer shall afterwards find any Increase of Wash in the fermenting Tun or Tuns into which such Distiller or Distillers shall declare such Composition or Mixture to have been put within such Time as aforesaid,

Notice to be given before making any Mixture.

Gravity to be ascertained.

Penalty.

equal to the Amount thereof and arising therefrom, the same shall be charged with Duty therein as Part of the Wash made in such Tun or Tuns respectively, and not distinctly and separately therefrom.

Not less than Nine Gallons of Spirits of a certain Strength may be sent out with Permit.

XXVIII. And be it further enacted, That it shall and may be lawful for any Distiller of Spirits for Home Consumption, in *Scotland*, to sell and send out, accompanied with a true and lawful Permit, to any Person or Persons, not being a Rectifier or Compounder of *British* Spirits, any Quantity of Spirits in any Cask or Package not containing less than Nine Gallons of Spirits o a Strength not exceeding One to Ten over Hydrometer Proof, nor less than One in Six under Hydrometer Proof, on Pain of forfeiting all Spirits sold or sent out contrary hereto, with the Casks or other Packages containing the same, and all Horses, Cattle, Carriages, and Boats made use of in removing such Spirits, which may be seized by any Officer of the Customs or of Excise.

Adjusting the Strengths of Spirits by Hydrometers.

XXIX. And be it further enacted, That in all Trials of Strength of any Spirits by any Officer or Officers of Excise under this Act, by the Hydrometer called *Sykes's* Hydrometer, when and so soon as the same shall be by Law established and brought into use, the Strength of Eight *per Centum* above Proof, denoted by the said Hydrometer, shall be substituted and taken for the Strength of One to Ten over Hydrometer Proof, mentioned in this Act; and that the Strength of Seventeen *per Centum* under Proof, denoted by the said Hydrometer, shall be substituted and taken for the Strength of One in Six under Hydrometer Proof, mentioned in this Act.

Stills not to be worked on Sundays.

XXX. And be it further enacted, That if any Distiller or Distillers shall work or charge any Still or Stills on the Lord's Day commonly called *Sunday*, (that is to say), if any Still or Stills shall not be completely discharged and worked off at or before Eleven of the Clock on *Saturday* Night, and shall not continue uncharged until One of the Clock on *Monday* Morning following; or if any Still or Stills shall be found charged or at work, or filled with any Thing other than Water, between the Hours of Eleven of the Clock on *Saturday* Night and One of the Clock on *Monday* Morning, then every such Distiller or Distillers in whose Premises such Offence shall be committed, shall forfeit and lose the Sum of Five hundred Pounds, besides being liable in every other Pain or Penalty in Law for breaking the Lord's Day. Penalty.

Recovery and Application of Penalties.

XXXI. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act imposed, shall be sued for, mitigated, recovered, levied, and distributed, in the Manner in which Fines, Penalties, and Forfeitures are directed to be sued for, mitigated, recovered, levied, and distributed, by the said recited Act passed in the Fifty-fourth Year of the Reign of His present Majesty.

Licence under this Act may be granted Ten Days preceding 10th Nov. next.

XXXII. And be it enacted, That it shall and may be lawful for any Distiller for Home Consumption in *Scotland* to make Entry in the Manner directed by Law, and apply for a Licence under the Authority of this Act, at any Time not exceeding Ten Days preceding the said Tenth Day of *November* One thousand eight hundred and sixteen; and upon such Licence being granted to such Distiller, it shall and may be lawful for him or her to prepare Worts and Wash for Distillation in the Manner directed by this Act,

Act, but not to begin to diſtil any Part of ſuch Worts or Waſh until the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen: Provided always, that if ſuch Diſtiller ſo applying for ſuch Licence ſhall have obtained a Licence purſuant to the ſaid recited Act paſſed in the Fifty-fourth Year of the Reign of His preſent Majeſty, it ſhall be made manifeſt to the ſaid Commiſſioners of Exciſe in *Scotland*, or to the Perſon or Perſons authorized by them to grant ſuch Licences, that all the Worts or Waſh prepared by any ſuch Diſtiller under his current Licence, ſhall have been diſtilled into Spirits, before any Licence ſhall be granted to ſuch Diſtiller under the Authority of this Act.

Every Licence to expire on the 9th of Nov.

XXXIII. And be it further enacted, That it ſhall and may be lawful for any Diſtiller to apply for a Licence under the Authority of this Act at any Time of the Year after the ſaid Tenth Day of *November* One thouſand eight hundred and ſixteen; but every Licence granted under the Authority of this Act ſhall expire on the Ninth Day of *November* immediately ſubſequent to the Day of the Commencement of ſuch Licence.

54 G. 3. c. 172. to remain in force.

XXXIV. And be it enacted, That the ſaid recited Act of the Fifty-fourth Year of the Reign of His preſent Majeſty ſhall remain and continue in force, and be in all Reſpects applicable and applied for raiſing and paying the Duties hereby impoſed, excepting ſo far as the ſaid Act is hereby altered, as fully and effectually to all Intents and Purpoſes, as if the ſame were repeated and contained in this preſent Act.

Commencement and Continuance of Act.

XXXV. And be it enacted, That this Act ſhall commence upon and from the Tenth Day of *November* One thouſand eight hundred and ſixteen, and ſhall continue in force until the Tenth Day of *November* One thouſand eight hundred and eighteen.

Act may be altered or repealed this Seſſion.

XXXVI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be paſſed in this preſent Seſſion of Parliament.

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