

ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

***

Owner or Proprietor, or Part Owner or Proprietor of any Still, Still Head, or Worm of a Still, or ſhall have, receive, or derive any Benefit, Uſe, Profit, or Advantage of or from any Still, Still Head, or Worm of a Still, or of or from any Worts, Waſh, Pot Ale, Low Wines, Singlings, or Spirits contrary to the Proviſions of this Act, every ſuch Perſon ſhall be deemed and taken to be guilty of a Miſdemeanor, and it ſhall and may be lawful for any Juſtice of the Peace, within his Juriſdiction, on Information on Oath of any ſuch Offence, to iſſue his Warrant for the Apprehenſion of ſuch Perſon or Perſons, and on Examination into the Complaint, to commit ſuch Perſon to Gaol, there to remain until delivered by due Courſe of Law; and in caſe any Indictment ſhall be found againſt ſuch Perſon or Perſons, he, ſhe, or they ſhall plead thereto without having Time to traverſe the ſame; and it ſhall be lawful for the Court before whom ſuch Perſon or Perſons ſhall be tried and convicted, to inflict ſuch Puniſhment on ſuch Perſon or Perſons, for the firſt Offence, as may by Law be inflicted on Perſons guilty of Miſdemeanor, and for the Second Offence, to ſentence ſuch Perſon ſo convicted to be tranſported for the Term of Seven Years, or inſtead thereof, it ſhall be lawful for the ſaid Court to inflict either for the firſt or further Offence ſuch Puniſhments as are reſpectively herein-after provided.

Perſons convicted of Offences againſt the Acts for the Suppreſſion of illicit Diſtillation may be confined on board Hulks, and employed in cleanſing the Rivers and Harbours.

II. And whereas from the great Number of diſſolute and diſorderly Perſons who have been convicted and impriſoned for the Offence of carrying on illicit Diſtillation, many of the Gaols in *Ireland* are ſo crowded as not only very much to endanger the Health of the Priſoners, but alſo to increaſe the Depravity of their Morals; and it is therefore expedient under certain Regulations to provide other Places of Confinement for them: And whereas it will tend to avoid the crowding of Gaols, and alſo to the Reformation of ſuch Offenders, that they ſhould be employed, under certain Regulations, on Works for the Benefit of the Rivers and Harbours of *Ireland*; be it therefore enacted, That from and after the paſſing of this Act, whenever any Perſon ſhall be convicted of a Miſdemeanor under this Act, or any other Act or Acts for the Suppreſſion of illicit Diſtillation in *Ireland*, or ſhall be convicted of any Offence under this Act, or any of the ſaid Acts, for which he ſhall be liable to be tranſported, it ſhall and may be lawful for the Court before whom any ſuch Perſon ſhall be ſo convicted, if ſuch Court ſhall think fit, in the Place of any other Puniſhment for ſuch Miſdemeanor, or in the Place of ſuch Puniſhment by Tranſportation, to order and adjudge that ſuch Offender, appearing to be of competent Age and free from any bodily Infirmity, ſhall be puniſhed by being kept for ſuch Term, not exceeding Two Years, in Caſes of any Firſt Offence, and not exceeding Five Years in Caſes of any Second or further Offence, as ſuch Court ſhall think fit, to order and adjudge on board any Ship, Hulk, or Veſſel, properly accommodated for the Security, Employment, and Health of the Perſons to be confined therein, and by being employed in hard Labour in the raiſing Sand, Soil, and Gravel from, and cleanſing any River in *Ireland*, navigable for Ships of Burthen, or any Port, Harbour, or Haven in *Ireland*, ſuch River, Port, Harbour, or Haven, being previouſly approved and appointed for that Purpoſe, by Order of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and His Majeſty's Privy Council of *Ireland*, or in any other Service for the Benefit of the Navigation of any ſuch River, Port, Harbour, or Haven, or in any other public Works upon the Banks or Shores of any

such River, Port, Harbour, or Haven, under the Management and Direction of such Superintendant or Superintendants as shall be appointed for that Purpose, by the said Lord Lieutenant or other chief Governor or Governors of *Ireland*, and under such Rules, Regulations, and Directions, as shall from Time to Time be made by the Lord Lieutenant, or other Chief Governor or Governors, and His Majesty's Privy Council of *Ireland*, for the carrying such Punishment into Effect.

Where Offenders shall be convicted on Evidence of Inhabitant, the Court shall impose One-half only of the Fine, and suspend the levying thereof, which shall be wholly remitted if the Townland shall not be fined for any future Offence committed within a Year after.

III. And be it further enacted, That whenever any Person shall be convicted at any Assizes of any Offence declared by this Act or any other Act or Acts in force for the Suppression of illicit Distillation in *Ireland*, to be a Misdemeanor, upon the Evidence of any Inhabitant (not being an Officer of Customs or Excise) of the Townland, District, Division or Place where such Offence was committed, the said Inhabitant (or any other such Inhabitant) having previously given Information on Oath before a Justice of the Peace of the County where such Offence was committed, at any Time before the First Day of such Assizes, the Court before whom such Conviction shall be had, shall fine such Townland, District, Division or Place in one Half only of the Sum which by Law such Townland, District, Division or Place would be subject to, provided that such Conviction shall be had at the same Assizes at which the Fine shall be sought to be imposed on such Townland, District, Division or Place; and such Court shall in such case also suspend the levying of such Half of such Fine for the Term or Space of Twelve Calendar Months next after the First Day of such Assizes; and in case no Fine shall be imposed on such Townland, District, Division or Place, for or on account of any Offence committed against any Act or Acts for the Suppression of illicit Distillation of Spirits in *Ireland*, within such Twelve Calendar Months next after the First Day of such Assizes, then such Half of such Fine so imposed and suspended as aforesaid shall be altogether remitted, and shall not be levied off such Townland, District, Division, or Place; any Thing in any Act or Acts to the contrary in anywise notwithstanding: Provided always, that if any Fine shall be imposed on such Townland, District, Division or Place, for or on account of any such Offence which shall be committed within such Twelve Calendar Months as aforesaid, then and in such Case such Half of the Fine which shall have been so imposed, and the levying of which shall have been suspended as aforesaid, shall and may be forthwith levied in the same Manner and with the like Powers in all Respects, as any Fine may be levied under any Act or Acts for the Suppression of illegal Distillation, in Cases where no Apportionment shall have been made under such Act or Acts.

No Fine shall be imposed on any Townland, where Information of the Offence is given by Inhabitant, and the Still, &c. seized and the Offender convicted.

IV. And be it further enacted, That if on any Trial or Proceedings at any Assizes, for the Purpose of or relative to the imposing of any Fine on any Townland, District, Division or Place, for or on Account of any unlicensed Still, or any Part of a Still, or any Appendage to a Still, or any Worm, or any Utensil for distilling Spirits, or any Wash, Pot Ale, Low Wines, or Singlings, having been found or used respectively in any Place within such Townland, District, Division or Place, in case it shall be satisfactorily made to appear to such Court by due Proof, that Information in Writing on Oath was given to the Justice of the Peace, or Officer of Excise or Customs respectively, residing nearest the Place where the Offence shall have been committed, by an Inhabitant (not being an Officer of Customs or Excise) of such Townland, District, Division or Place, which

which Information the ſaid Juſtice and Officer are hereby authorized to take of ſuch unlicenſed Still, or Part of a Still, or Appendage to a Still, or Worm, or Utenſil for diſtilling Spirits, or Waſh, Pot Ale, Low Wines, or Singlings, having been found or uſed reſpectively in ſuch Place within ſuch Townland, Diſtrict, Diviſion or Place, in conſequence of which Information ſuch Still or any Part of a Still, or any Appendage to a Still, or any Worm or any Utenſil for diſtilling Spirits, or any Waſh, Pot Ale, Low Wines, or Singlings, ſhall have been ſeized, and ſuch Trial or Proceedings ſhall have been inſtituted; or if it ſhall alſo in like Manner be made to appear to ſuch Court, that the Offender was tried and convicted of ſuch Offence on the Information and Evidence of ſuch Inhabitant, or of ſome other ſuch Inhabitant of ſuch Townland, Diſtrict, Diviſion or Place, then and in ſuch Caſe, it ſhall not be lawful for ſuch Court at the ſaid Aſſizes to impoſe any Fine whatever on ſuch Townland, Diſtrict, Diviſion or Place, for or on account of ſuch Offence, reſpecting which ſuch Information ſhall have been given, and ſuch other Proceedings and Conviction had as aforeſaid, any Thing in this Act or in any other Act or Acts to the contrary thereof in anywiſe notwithſtanding.

Informations for Still Fines not to be tried on the Firſt Day of Aſſize.

V. And be it further enacted, That it ſhall not be lawful for the Court at any Aſſizes, to proceed to try or determine any Information for any Offence, on account whereof any Townland, Diſtrict, Diviſion, Place or Houſe ſhall be liable to the Payment of any Fine under any Act or Acts in force in *Ireland* for the Suppreſſion of Illicit Diſtillation, on the Commiſſion Day or Firſt Day of ſuch Aſſizes; any Thing in any ſuch Act or Acts to the contrary notwithſtanding: Provided always, that every ſuch Court ſhall, and they are hereby required to try and determine all ſuch Informations, and all Iſſues and Traverſes, Matters and Things, relating to or concerning ſuch Informations, at ſome Time during the Continuance of ſuch Aſſizes.

Officer ſeizing any illegal Still, &c. ſhall give Notice to the Collector of Exciſe in the Diſtrict, who ſhall proceed in Manner herein directed.

VI. And be it further enacted, That whenever any Officer of Cuſtoms or Exciſe ſhall find or diſcover any unlicenſed Still, or any Part of a Still, or any Appendage to a Still, or any Worm, or any Utenſil for diſtilling Spirits, or any Waſh, Pot Ale, Low Wines or Singlings, for or in reſpect whereof the Perſon who ſhall uſe or have the ſame, would be ſubject to any Penalty or Puniſhment, or the Townland, Diſtrict, Diviſion or Place within which the ſame ſhall be found or uſed, would be ſubject to any Fine or Penalty, every ſuch Officer ſhall and he is hereby reſpectively required within Six Days after ſuch Finding or Diſcovery as aforeſaid, to give Notice thereof in Writing to the Collector of Inland Exciſe and Taxes of the Diſtrict in which any ſuch unlicenſed Still or Appendage to a Still, or Worm, or Utenſil for diſtilling Spirits, or ſuch Waſh, Pot Ale, Low Wines or Singlings ſhall have been ſo found or diſcovered, ſpecifying the particular Articles, and the Time of the Finding or Diſcovery of the ſame, and ſetting forth the Name of the Pariſh, Townland, Diſtrict, Diviſion or Place in which the Place ſhall be ſituate, where ſuch unlicenſed Still or Appendage to a Still, or Worm, or Utenſil for diſtilling, or ſuch Waſh, Pot Ale, Low Wines or Singlings ſhall have been found or diſcovered, and deſcribing the Situation in ſuch Pariſh, Townland, Diſtrict, Diviſion or Place, and the particular Place in which ſuch unlicenſed Still or Appendage to a Still, or Worm, or Utenſil, Waſh, Pot Ale, Low Wines, or Singlings ſhall have been found or diſcovered; and every ſuch Collector

who

who shall receive such Notice shall Twice in every Month, that is to say, on or before the Second and Fourth *Wednesday* in each Month, transmit or cause to be transmitted, to the Collector of the Grand Jury Cess in each Barony or Half Barony, or County of a Town or City, within which the Place shall be situate, where such unlicensed Still, or Part of or Appendage to a Still, or Worm, or Utensil for distilling, or Wash, Pot Ale, Low Wines, or Singlings, shall have been found or discovered, an Abstract or Schedule of all such Notices relating to any such Finding or Discovery, had within such Barony or Half Barony, County of a Town or City, which such Collector of Inland Excise and Taxes shall have received up to the *Saturday* next preceding such *Wednesday*; and such Collector of Grand Jury Cess shall on the *Saturday* next after such Second and Fourth *Wednesday* respectively, give public Notice of the Contents of such Abstract, by posting a Copy thereof, or causing the same to be posted on or at the Church, Chapel, Meeting House, Market House or Market Place within the Barony or Half Barony, or County of a City or Town within which the Place shall be situate, and which shall be nearest to the Place where such Offence was committed; and such Collector of Grand Jury Cess shall also from Time to Time, on Demand, produce such Abstract to any Inhabitant of any such Barony or Half Barony, County of a Town or City, liable to the Payment of Grand Jury Cess therein, who shall require to see and peruse the same, at any reasonable Time in the Day-time, at the usual Dwelling Place of such Collector.

Defect of Notices shall not vitiate Proceedings on Trials for Fines.

VII. Provided always, and be it enacted, That on the Trial of any Information or other Proceedings for any Fine or Penalty against any Townland, District, Division or Place, or for any Offence against any Act or Acts for the Suppression of illicit Distillation of Spirits, it shall not be necessary to prove or give in Evidence, that any such Notice had been given by the Officer of Customs or Excise to the Collector of Inland Excise and Taxes, or that such Collector had transmitted an Abstract or Schedule of such Notice to the Collector of Grand Jury Cess, nor shall any Omission or Neglect in the giving any such Notice, or in transmitting any Abstract or Schedule of the same, or in making the Contents of such Abstract or Schedule known and public, nor shall any Defect in any such Notice or Abstract or Schedule, which shall be given or transmitted, or any Variance between the same, and any Information or other Proceeding, for or relating to any such Fine or Penalty, in any Manner vitiate or affect such Information or other Proceeding, but every such Information or other Proceeding shall and may be tried, had, and determined in all respects, as if the Regulations herein contained relating to such Notice, Abstract, or Schedule, had not been made.

Penalty on Collector of Grand Jury Cess neglecting his Duty.

VIII. And be it further enacted, That if any Collector of Grand Jury Cess shall neglect or omit in any Instance to make known and public the Contents of any such Abstract or Schedule which shall have been transmitted to and received by him, by posting a Copy thereof in Manner aforesaid, or shall wilfully neglect or refuse to produce such Abstract to any Inhabitant of any Barony or Half Barony, or County of a Town or City, liable to the Payment of Grand Jury Cess therein, on Demand of such Inhabitant at a seasonable Time in the Day-time, at the usual Dwelling Place of such Collector, every such Collector shall for every such Neglect or Refusal, or Omission, forfeit the Sum of Twenty Pounds, to be

be recovered by Civil Bill at the Quarter Seſſions of the Juſtices of the Peace, in the proper County, County of a Town or City in *Ireland*, by any Perſon who ſhall ſue for the ſame, and the Money recovered by ſuch Civil Bill ſhall be applied to the Uſe of the Perſon ſuing for the ſame.

Preventive Commiſſion may be iſſued by the Commiſſioners of Exciſe, with Conſent of Lord Lieutenant to Perſons appointed by Pariſhes as Inſpectors, under 54G.3.c.150. to proſecute for illegal Diſtillation,

IX. And whereas in and by an Act made in the Fifty-fourth Year of His preſent Majeſty's Reign, intituled *An Act to conſolidate and amend the Regulations contained in ſeveral Acts of Parliament, for impoſing and levying of Fines upon Pariſhes, Townlands, and other Places, in reſpect of the unlawful Diſtillation of Spirits in* Ireland, the Pariſhioners in Veſtry aſſembled are authorized to elect one or more Perſon or Perſons, for the Purpoſe of diſcovering or proſecuting all Offences againſt any Act or Acts in force in *Ireland*, for the regulating and ſecuring the Collection of the Duties on Spirits diſtilled in *Ireland*: And whereas it may tend towards effectuating the Purpoſes aforeſaid, if additional Powers were given to the Perſon or Perſons ſo elected; be it therefore enacted, That it ſhall and may be lawful for the Commiſſioners of Inland Exciſe and Taxes in *Ireland*, if they ſhall deem it expedient ſo to do, upon the Repreſentation of the Churchwardens of any Pariſh in *Ireland*, to grant and iſſue, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, a Commiſſion commonly called a Preventive Commiſſion, to each and every Perſon who ſhall have been or ſhall be ſo elected for the Purpoſes aforeſaid; and every ſuch Perſon ſhall have full Power and Authority to act under ſuch Commiſſion; and all and every the Clauſes, Regulations, Proviſions, Matters, and Things, contained in any Act or Acts, for the Protection of the Officers of the Revenue, ſhall extend to and ſhall be applied to and put in Practice, with reſpect to each and every ſuch Perſon acting in the Performance or Execution of his Duty under ſuch Commiſſion, as fully and effectually in all Reſpects, as if ſuch Clauſes, Regulations, Proviſions, Matters and Things, were herein repeated and re-enacted with regard to ſuch Perſon or Perſons.

On Conviction of any Offender, the Court may order the Proſecutor to be paid his Expences.

X. And be it further enacted, That it ſhall and may be lawful in all Caſes for the Court before whom any Perſon ſhall be tried and convicted of any Offence, againſt any Act or Acts in force in *Ireland* for the Suppreſſion of illicit Diſtillation, to order, upon the Requeſt of the Proſecutor, the Treaſurer of the County, County of a City, or County of a Town in which the Offence ſhall be committed, to pay unto ſuch Proſecutor ſuch Sum of Money as to the ſaid Court ſhall ſeem reaſonable, for the Expences and Loſs of Time of ſuch Proſecutor, which Order the Clerk of the Crown is hereby directed and required forthwith to make out and deliver to ſuch Proſecutor, upon being paid for the ſame, the Sum of One Shilling and no more; and the Treaſurer of the ſaid County, Town or City, is hereby authorized and required forthwith to pay to ſuch Proſecutor or other Perſon authorized to receive the ſame, ſuch Sum of Money as aforeſaid, and ſhall be allowed the ſame in his Accounts; and it ſhall and may be lawful to and for the Grand Jury at each and every Aſſizes and Preſenting Term, and they are hereby required to preſent all ſuch Sums as ſhall have been ſo paid by the Treaſurer of the County, County of a City, or County of a Town, under any ſuch Order, and which ſhall not have been previouſly preſented; ſuch Sums to be preſented, raiſed, and levied off the Townland, Diſtrict, Diviſion or Place, in

Grand Jury ſhall preſent ſuch Expences, to be levied off the Townland.

in which the Offence shall have been committed, in such Manner as any Presentment of a Grand Jury may be raised and levied.

XI. And be it further enacted, That all Spirits which shall have been or shall be seized, as having been illicitly made or distilled, shall, immediately upon the Seizure thereof, be conveyed to and deposited in the Stores of the Collector of Inland Excise and Taxes of the District in which the same shall have been seized, or in the like Stores of the next neighbouring District to which the same can be conveniently conveyed; and the Strength and Quantity of such Spirits having been ascertained and taken an Account of, such Spirits shall after Condemnation thereof be spilled and effectually destroyed in the Presence of the Collector or other Officer in charge of the Collection of such District respectively, and of an Inspector General of Excise, or other Officer to be appointed for that Purpose by the Commissioners of Inland Excise and Taxes in *Ireland*, or any Three of them, under such Rules and Regulations as the said Commissioners shall in that Behalf order or direct; and that the Officer or Officers, or other Person or Persons seizing any such Spirits, shall receive such Recompence or Reward for seizing the same as the said Commissioners shall order and direct.

Illicit Spirits seized shall be conveyed to Excise Stores, and there spilled in Presence of Collector and an Inspector of Excise.

XII. And be it further enacted, That from and after the Expiration of Three Calendar Months next after the passing of this Act, every Person who shall keep any Kiln for the drying of any Corn, Grain, or Malt, shall, within One Calendar Month after beginning or continuing to keep such Kiln or Mill respectively, make out, sign, and deliver a Return or Account in Writing, to the Gauger or other Officer in charge of the Walk in which such Kiln shall be situate; and that every Person who shall keep any Mill for the grinding of Corn or Grain or Malt, shall make out, sign, and deliver a Return or Account in Writing to the Collector of the District in which such Mill shall be situated, specifying and describing in such Return or Account respectively, the Name and Place of Abode of such Person, and the Place where such Kiln or Mill is respectively situated; and every such Person shall cause to be painted in Oil-colour, in Black upon a White Ground, or in White upon a Black Ground, on the Outside of the Door of or Place of Entrance to every such Kiln or Mill respectively, or on a Board to be affixed or erected on some conspicuous Part of the Outside of such Kiln or Mill respectively, in legible Letters, at least Three Inches in Length, the Name and Surname of the Owner or Proprietor of such Mill or Kiln; and every such Gauger or Officer and Collector who shall receive any such Return or Account respectively shall register the same, and shall grant a Certificate of such Account and Registry, by giving a Copy thereof signed by him; and if any Person shall keep any Kiln for the drying of any Corn or Grain or Malt, or shall keep any Mill for the grinding of any Corn or Grain or Malt, without having made out, signed and delivered such Account as is by this Act required, every such Person who shall keep any such Kiln shall for every such Offence forfeit the Sum of Ten Pounds; and every Person who shall keep any such Mill shall for every such Offence forfeit the Sum of Fifty Pounds, and all Corn or Grain or Malt which shall be found in or on any such Kiln or Mill respectively shall be forfeited, and may be seized by any Officer or Officers of Excise; and if upon any such Kiln or Mill the Name and Surname of the Proprietor thereof respectively shall not be

Persons keeping Kilns or Mills for drying or grinding Corn or Malt, shall deliver an Account thereof to the Collector, who shall register the same.

be and remain so painted and legible as aforesaid, the Person to whom such Kiln or Mill respectively shall belong, shall forfeit the Sum of Ten Pounds.

Persons keeping Mills to enter into Bond to pay Penalties for having Malt without Permit.

XIII. And be it further enacted, That before any such Return or Account of any such Mill shall be received, entered, or registered by such Collector, the Person who shall keep such Mill shall, with One or more sufficient Surety or Sureties, enter into a Bond to His Majesty, His Heirs and Successors, in the Penalty of Fifty Pounds, conditioned to pay all such Fines or Penalties as such Person shall or may by Law be subject or liable to for or on account of such Person having in his Mill any Malt for which such Person shall not have or produce a proper Permit for the Removal thereof to such Mill as by Law required; and also conditioned that such Person shall not receive or grind, or suffer to be received or ground in such Mill any Malt which shall not be attended by a proper Permit or Permits for the Removal thereof to such Mill.

If refused Admittance, Officers may break open Mills.

XIV. And be it further enacted, That it shall and may be lawful for any Officer or Officers of Excise, at any Time in the Day-time to enter and search any Mill for the grinding of any Corn or Grain or Malt, situate in any District in *Ireland*, mentioned in any Notice which shall have been or which shall or may from Time to Time be given by the Commissioners of Inland Excise and Taxes in *Ireland*, of the putting into Execution in such District the Provisions of the Laws for the Suppression of illicit Distillation; and if such Officer or Officers shall not on Demand, within a reasonable Time after such Demand made at the Place of Abode of the Person keeping such Mill, obtain Admittance into such Mill, it shall and may be lawful for such Officer or Officers in the Presence of a Constable or other Peace Officer, who is hereby respectively authorized and required to be aiding and assisting therein, to break open and enter such Mill, and every Store and Room therein, and make search for any Malt which such Officer or Officers shall or may have reasonable or probable Cause to suspect to be concealed or fraudulently deposited therein.

No Gauger shall receive his Salary, until he shall have sworn that he had not known or has Information of any Offence in his Walk, which has not been proceeded against.

XV. And be it further enacted, That no Gauger employed in the Service of the Excise shall be entitled to receive his Salary, or any Part thereof, at any Time from and after the Tenth Day of *October* One thousand eight hundred and sixteen, unless and until such Gauger shall have made Oath, before the Collector of Excise or other Officer in charge of the Collection of the District in which such Gauger shall be employed, which Oath every such Collector or Officer is hereby authorized to administer, that from the Time of the last previous Payment of Salary to such Gauger, such Gauger hath not known, or hath not had or received any Information of any Spirituous Liquors having been sold by Retail without Licence, in any House within the Walk of such Gauger; and that he hath not known, or hath not had or received any Information against any Person distilling, having or selling any Spirits, which shall have been unlawfully made or distilled in *Ireland*, or that if such Gauger hath known or had Information of any such Offences, he hath duly communicated the Particulars of such his Knowledge or Information to some one of his superior Officers, and that he hath also on his own Part endeavoured or used his utmost Exertions to detect and punish the Person or Persons guilty or supposed to be guilty of any of the Offences aforesaid.

XVI. And

Notice shall be given of Sale of Distress for Townland Fines.

XVI. And be it further enacted, That whenever any Distress shall be taken or made on the Goods, Chattels, or Effects of any Inhabitants or Inhabitant of any Townland, District, Division, or Place in *Ireland*, for or on Account of any Fine or Fines, or for any Sum or Sums of Money applotted on any such Inhabitant or Inhabitants, in respect of any Fine or Fines imposed on such Townland, District, Division, or Place, under any Act or Acts for the Suppression of illicit Distillation, the Person or Persons who shall have taken and made such Distress shall keep the Goods, Chattels and Effects so distrained, until Twelve o'Clock at Noon of the Fourth Day next following the Day on which such Distress shall be made, before the same shall be sold and disposed of, unless such Distress shall be sooner redeemed by the Payment of such Fine, or such Part thereof for which such Distress shall have been made; and such Person or Persons shall give or cause to be given public Notice in Writing of the Time and Place of the Sale of such Distress, specifying and describing in such Notice the Goods, Chattels, and Effects so distrained and intended to be sold; and such Notice shall be posted on the Door of the Church, Chapel, or Meeting House in and nearest to the Place where such Distress shall have been made, Two Days at least before the Day of Sale; and the reasonable Expences of keeping and detaining such Distress, and of giving such Notice, shall be paid out of the Produce of the Goods, Chattels, and Effects so distrained: Provided always, that it shall and may be lawful to sell and dispose of any such Goods, Chattels, or Effects so distrained, during the Time of any Fair or Market which shall be holden on any Day on which such Distress may be made, or which may intervene between the Day of such Distress and the Expiration of Four Days next afterwards, and although no Notice of Sale shall have been given as aforesaid.

Notice for Applotment of Fines may be posted between 20 or 30 Days after they are imposed.

XVII. And whereas it is among other Things enacted, by the said recited Act of the Fifty-fourth Year of His present Majesty's Reign, that Notice shall be posted for the Purpose of requiring all Persons liable to Grand Jury Cess in any Townland, Place, District, or Division, to meet to applot any Sum or Sums in which any such Townland, Place, District, or Division shall have been fined, within Ten Days after such Townland, Place, District, or Division shall have been so fined; and it is expedient that the Time for posting such Notice should be enlarged; be it therefore enacted, That from and after the passing of this Act such Notice shall and may be posted at any Time not less than Twenty Days, and not more distant than Thirty Days, after the Townland, Place, District, or Division shall have been so fined, and that such subsequent Proceedings shall be had upon and after such Notice for the applotting and levying of any such Fine, as by the said Act are directed or required to be had, upon and after such Notice required to be posted within Ten Days by the said recited Act.

On Traversers under 54G.3.c.150. Fees shall be paid as in Cases of Misdemeanor.

XVIII. And be it further enacted, That from and after the passing of this Act, whenever any Person shall appear at any Assizes or Presenting Term, to offer to controvert or prove any Fact allowed by Law to be controverted or proved, for the Purpose of preventing any Fine from being imposed on any Townland, Place, District, or Division by way of Traverse, in Manner directed by the said recited Act of the Fifty-fourth Year of His present Majesty's Reign, or any other Act or Acts for the Suppression of illicit Distillation; it shall and may be lawful for the Clerk of the Crown

and every other Officer of the Court, or Judge at such Assizes or Presenting Term, to ask, demand, take, or receive such Fees, as such Clerk of the Crown and other Officer or Officers of the Court, or Judge, is or are by Law entitled to ask, demand, take, and receive in Cases of Traverse on any Indictment for Misdemeanor, and no greater or other Fees; any Law, Usage, or Custom to the contrary notwithstanding.

Power to Commissioners to appoint Collectors of Fines, repealed.

XIX. And be it further enacted, That from and after the Expiration of Ten Days next after the passing of this Act, so much of any Act or Acts made in the last Session of Parliament for amending the several Acts relating to Fines in respect of unlawful Distillation in *Ireland*, whereby it is enacted or provided that it shall be lawful for the Commissioners of Inland Excise and Taxes in *Ireland* to appoint any Person or Persons for the collecting and levying of such Fines in all or any of the Counties, Counties of Cities or Towns in *Ireland*, shall be and the same is hereby repealed; and that from and after the Expiration of Ten Days next after the passing of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, whenever it shall appear expedient to him or them so to do, at his or their Discretion, to appoint any Person or Persons for the collecting and levying such Fines in all or any of the Counties, or Counties of Cities or Towns in *Ireland*, and to order that Notice shall be given by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Publication in the *Dublin Gazette*, that it has been deemed expedient by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to appoint such Person or Persons for the levying and collecting of such Fines, and to require the Treasurer or Treasurers of any such Counties, Counties of Cities or Towns, which shall be mentioned in such Notice; and all and every Collectors and Collector, and all and every Persons and Person who shall have been empowered by such Treasurer or by the said Commissioners of Inland Excise and Taxes, to deliver up, within such Time as shall be mentioned in such Notice, all and every Warrant and Warrants which shall not at such Time have been fully executed, to the Person or Persons who shall be so nominated and appointed by the said Lord Lieutenant, or other Chief Governor or Governors, to receive and execute such Warrants; and upon Demand made to him or them for that Purpose by the Person or Persons, or any of them so nominated and appointed by the said Lord Lieutenant or other Chief Governor or Governors, every such Treasurer, Collector, or other Person shall deliver up all such Warrants accordingly, upon Pain of forfeiting the Sum of Two hundred Pounds for each Warrant which such Treasurer or Collector, or other Person shall not, on such Demand made, so deliver up; and every such Person and Persons so nominated and appointed to receive and execute the said Warrants, shall and they are hereby respectively authorised, empowered, and required to levy all and every the Fine and Fines which shall be mentioned in any such Warrant or Warrants, and to execute or complete the Execution of the said Warrant or Warrants, with like Powers and Authorities, and in like Manner to all Intents and Purposes as the Collectors of Grand Jury Cess, or other Person to whom such Warrants had been granted or delivered, were empowered to exercise and might or could have executed the same, and with all the like Remedies in case of Non-payment thereof, or of any Part thereof as are prescribed by Law with respect to any Money to be levied under any Presentment of a Grand Jury; and every such Fine,

Regulations for the Appointment of Persons to collect Fines.

Penalty, or Sum of Two hundred Pounds ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information in any Court of Record in *Ireland*, or by Civil Bill in the Court of proper Juriſdiction (and which Court is hereby fully authorized to take Cognizance of the ſame) by any Perſon or Perſons who ſhall ſue for the ſame; and in ſuch Proceedings no Eſſoin, Protection, Wager of Law, nor more than One Imparlance, ſhall be allowed; and the Money recovered by ſuch Action or other Proceeding ſhall be applied, as to the one Half thereof, to and for the Uſe of the Perſon ſuing for the ſame, and the other Half to and for the Uſe of the Infirmary of the County, or County of the City, or Town, as the Caſe may be; and in caſe it ſhall ſeem expedient to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to revoke or annul any Appointment which ſhall have been made by the ſaid Commiſſioners of Inland Exciſe and Taxes of any Perſon or Perſons to collect and levy any ſuch Fines as aforeſaid, it ſhall be lawful for ſuch Lord Lieutenant, or other Chief Governor or Governors ſo to do, without appointing any other Perſon or Perſons for that Purpoſe.

Collectors appointed by Lord Lieutenant to be inſtead of the other Collectors.

XX. And be it further enacted, That every Perſon ſo to be appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Collection of ſuch Fines, ſhall ſtand in the Place and Stead of the Perſons appointed by the ſaid Commiſſioners of Inland Exciſe and Taxes, and ſhall have all ſuch Powers and Authorities as the Perſons ſo appointed by the ſaid Commiſſioners.

Commiſſioners of Exciſe, with Conſent of Treaſury, may relieve Perſons from Fines on Townlands.

XXI. And be it further enacted, That from and after the paſſing of this Act, it ſhall and may be lawful for the Commiſſioners of Inland Exciſe and Taxes in *Ireland* (by and with the Conſent and Approbation, and under the Directions of the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*) upon the Application of any Perſon or Perſons liable to the Payment of Grand Jury Ceſs, in any Townland, Place, Diſtrict, or Diviſion in *Ireland*, on which any Fine ſhall have been impoſed under any Act or Acts for the Suppreſſion of illicit Diſtillation in *Ireland*, to grant ſuch Relief to ſuch Perſon or Perſons againſt the Payment of ſuch Fine, or any Part thereof, as to the Commiſſioners of Inland Exciſe and Taxes ſhall ſeem fitting and expedient, and as ſhall be approved of by the ſaid Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*, and under ſuch Directions and Regulations as the ſaid laſt mentioned Commiſſioners ſhall make in that Behalf.

Powers of former Acts extended to this Act.

XXII. And be it further enacted, That all the Clauſes, Authorities, Rules, Regulations, and Proviſions, contained in the ſaid recited Act of the Fifty-fourth Year of His preſent Majeſty's Reign, and alſo all the Clauſes, Authorities, Rules, Regulations, and Proviſions contained in Two ſeveral Acts paſſed in the laſt Seſſion of Parliament, for amending the ſaid recited Act of the Fifty-fourth Year, ſhall be applied in the Execution of this Act, as fully and effectually as if the ſame were repeated and re-enacted in this Act, except ſo far as the ſame are repealed or altered by this Act, or by any other Act or Acts, and that the ſaid Acts and this Act ſhall be conſtrued together as one Act, ſo far as the ſame are compatible and conſiſtent with each other; and that the Penalties and Forfeitures impoſed or inflicted by this Act, ſhall and may (in all Caſes not otherwiſe provided for) be ſued for, recovered, levied and applied in

ſuch

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 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 Act of Excise, or any Law or Laws relating to His Majesty's Revenue of Excise in *Ireland*, is provided.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1816.