ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

CAP. XXX.

An Act for indemnifying the Commiſſioners of Exciſe in *Scotland*, and all Perſons who may have acted under their Authority, in relation to certain Orders iſſued and Things done relative to certain Acts regarding the Diſtilleries in *Scotland*.

[21ſt *May* 1816.]

WHEREAS an Act was paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty, intituled *An Act for repealing ſo much of an Act made in the laſt Seſſion of Parliament as relates to the Diſtillation of Corn Spirits in ſmall Stills in certain Counties or Diſtricts of the Highlands in that Part of* Great Britain *called* Scotland; *and for authorizing the Commiſſioners of Exciſe in* Scotland *to grant Licences to Perſons living in the ſaid Counties or Diſtricts to diſtil Spirits from Barley, Bear, or Bigg, the Growth of the ſaid Counties, and for impoſing a Duty on ſuch Licences:* And whereas another Act was paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, intituled *An Act for the Regulation of Diſtilleries in* Scotland, *and the Exportation of* Britiſh-*made Spirits from* England *to* Scotland, *and from* Scotland *to* England, *for a limited Time:* And whereas another Act was paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act for granting to His Majeſty additional Duties on Diſtilleries in the ſeveral Parts of the Highlands of* Scotland *herein particularly deſcribed, for a limited Time; and for regulating the Duties on Diſtilleries in the reſpective Diſtricts in* Scotland: And whereas another Act was paſſed in the Thirty-ninth and Fortieth

25 G. 3. c. 22.

33 G. 3. c. 61.

37 G. 3. c. 102.

39 & 40 G. 3. c. 73. Years of the Reign of His preſent Majeſty, 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 Diſtillers 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 pre-
54 G. 3. c. 172. ſent Majeſty, intituled *An Act for repealing the Duties payable in* Scotland *upon Diſtillers Waſh, Spirits, and Licences, and for granting other Duties in*
55 G. 3. c. 155. *lieu thereof:* And whereas another Act was made in the Fifty-fifth Year of the Reign of His 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 Thirth-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 whereas the Commiſſioners and Officers of the Exciſe in *Scotland* may have given Directions and iſſued or refuſed Permits, and done other Acts, Matters, and Things in relation to the ſaid recited Acts and to the Diſtilleries in *Scotland* which might be deemed unlawful, and Doubts might ariſe whether ſuch Commiſſioners and Officers might not be ſubject to Suits and Actions by means thereof; and it is therefore neceſſary that ſuch Commiſſioners and Officers, and all Perſons acting under their Authority or by their Direction, ſhould be indemnified in relation thereto; 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 all Commiſſioners and Officers of Exciſe in *Scotland*, and all Perſons acting under their Authority, or by their Direction, or in purſuance of any Orders or Inſtructions given by any ſuch Commiſſioner or Officer in relation to the Diſtilleries in *Scotland*, or any of the Proviſions of any Act or Acts of Parliament relating to the Diſtilleries of *Scotland*, or the regulating and collecting any Duties of Exciſe in reſpect of ſuch Diſtilleries, ſhall be and are hereby indemnified for and in reſpect of all ſuch Orders, Inſtructions, Directions, Acts, Matters, and Things, as the ſaid Commiſſioners of Exciſe, or any Perſon or Perſons acting *bonâ fide* under their Directions or by their Authority, may have given, executed, or done in reference to the ſaid recited Acts; and that no ſuch Commiſſioner or Officer of Exciſe or Perſon aforeſaid ſhall be liable to any Action or Actions, Suits, Indictments, or Informations, in conſequence of any ſuch Orders, Inſtructions, or Directions, or Acts, Matters, or Things, which ſhall have been ſo done as aforeſaid; and in caſe any Action, Suit, Indictment, or Information, ſhall have been or ſhall be commenced or pro-

Commiſſioners and others indemnified in relation to Proceedings under the recited Acts.

ſecuted againſt any ſuch Commiſſioner or Officer of Exciſe, or Perſon aforeſaid, by reaſon of any ſuch Orders, Inſtructions, or Directions, or Acts, Matters, or Things as aforeſaid, ſuch Commiſſioner, Officer, or Perſon may plead the General Iſſue, and give this Act and the Special Matter in Evidence, and ſhall in every ſuch Caſe, if the Verdict ſhall be for the Defendant, recover Treble Coſts of Suit.

Permits may be granted for carrying Spirits from the Highlands to the Lowlands.

II. And be it enacted, That it ſhall and may be lawful for the ſaid Commiſſioners of Exciſe, and they are hereby empowered to iſſue Directions for the granting of Permits to any Perſon or Perſons for the carrying or transferring of Spirits from any Part or Parts of the Highlands of *Scotland* to the Lowlands of *Scotland* purſuant to and in Fulfilment of any Contract which ſhall be proved to the Satisfaction of the ſaid Commiſſioners of Exciſe to have been made and entered into previous to the Firſt Day of *February* One thouſand eight hundred and ſixteen.

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