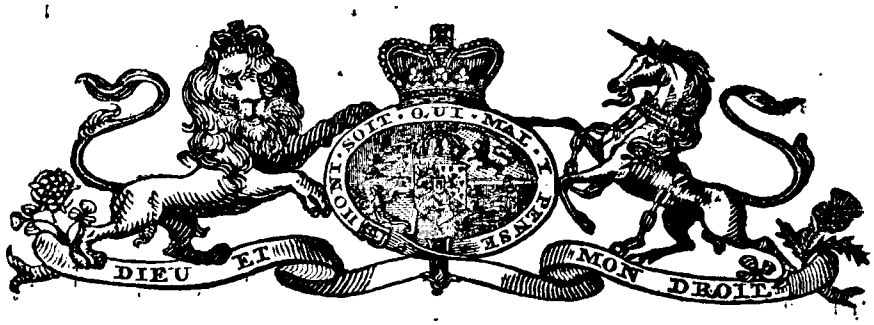


ANNO QUARTO

GEORGII IV. REGIS.

***

Beer may be brewed and sold under the Provisions of this Act, subject to Duty of 5s. per Barrel.

assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty-three, it shall and may be lawful to and for any Person or Persons, under the Licences, Rules, Conditions, and Restrictions herein-after contained, to brew for Sale and sell such Beer or Ale as is herein-after mentioned, upon Payment of an Excise Duty for the same at and after the following Rate; (that is to say), for every Barrel, containing Thirty-six Gallons Ale Measure, of such Beer or Ale as is herein-after mentioned, which shall be brewed in *Great Britain*, to be paid by the Brewer thereof, the Sum of Five Shillings, and so in proportion for any greater or less Quantity thereof than a Barrel.

Beer to be brewed in the Proportion of Five Barrels of Thirty-six Gallons, and Five and a Half of such Barrels for every Quarter of Malt.

II. And be it further enacted, That all such Beer or Ale as shall be brewed or sold in *Great Britain* under the Provisions of this Act, shall be and the same is hereby required to be brewed in the Proportion of not less than Five Barrels, containing Thirty-six Gallons Ale Measure each, of such Beer or Ale, nor more than Five and a Half of such Barrels, for and from each and every Quarter of Malt which shall be used for the Purpose of brewing such Beer or Ale, and every such Brewer and Brewers shall be charged by the proper Officer with such Duty as aforesaid, at and after the Rate of Five such Barrels as aforesaid at the least, for every Quarter of Malt so used by him, her, or them in brewing, or which shall be found at any Time to be deficient in, and on taking an Account of his, her, or their Malt Stock, as herein-after mentioned, and for so much more Beer, not exceeding Five Barrels and a Half for every Quarter of Malt so used, as such Officer shall find and ascertain by or on his Survey to have been made by any such Brewer or Brewers, and so in proportion for any greater or less Quantity; and that all such Beer or Ale which shall be sold in any Quantity at one Time of Nine Gallons, or One Quarter of such Barrel thereof as aforesaid, or upwards, shall be sold at a Rate or Price not exceeding Twenty-seven Shillings the Barrel, and so in proportion for any Quantity greater or less than a Barrel; and that all such Beer or Ale which shall be sold in any Quantity at one Time of less than Nine Gallons thereof, shall be sold at a Rate or Price not exceeding Ten-pence the Gallon, and so in proportion for any Quantity greater or less than a Gallon; and if any Person or Persons who shall make Entry to brew such Beer or Ale as aforesaid under the Provisions of this Act, shall brew or cause or permit or suffer any Beer or Ale to be brewed of any greater or less Strength or Quantity than in the Proportions aforesaid, of not less than Five Barrels, containing Thirty-six Gallons Ale Measure each, or more than Five and a Half of such Barrels, for and from each and every Quarter of Malt which shall be used for brewing such Beer or Ale, all such Beer or Ale brewed of greater Strength than as aforesaid, shall be subject and liable to be charged and shall be charged with Duty at and after the Rate of Ten Shillings for every such Barrel thereof as aforesaid, and so in proportion for any Quantity greater or less than a Barrel; and if any such Person or Persons as aforesaid shall brew any Porter, or shall use, or cause or permit or suffer to be used, in the brewing of any such Beer or Ale as aforesaid, any other Material or Ingredients than Water, Malt, Hops, and Yeast, or put into or mix with any such Beer or Ale, or the Wort or Worts thereof,

Beer may be sold in Quantities of Nine Gallons, at the Rate of 27s. per Barrel; and if sold in any less Quantity, 10d. per Gallon.

Beer of a greater Strength shall be charged with Duty of 10s. per Barrel.

If brewed of any other Materials than herein described, the Beer shall be forfeited.

thereof, any Water, or any other Material or Ingredient than Hops and the necessary Quantity of Yeast and Fining for such Beer, Ale, or Worts respectively, all such Porter, and all such Beer, Ale, and Worts respectively, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and every such Person or Persons so offending as aforesaid, either by brewing, or causing, permitting, or suffering to be brewed, any Beer or Ale of greater or less Strength than as aforesaid, or by brewing any Porter, or by adulterating any such Beer, Ale, or Worts as aforesaid, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and if any Person or Persons shall sell, or cause or permit or suffer to be sold, any Beer or Ale brewed under the Provisions of this Act in any Quantity at one Time of Nine Gallons, or One Quarter of such Barrel thereof as aforesaid, or upwards, at a greater or higher Rate or Price than Twenty-seven Shillings the Barrel, and so in proportion for any greater or less Quantity than a Barrel, or any Quantity of such Beer or Ale at one Time, less than Nine Gallons thereof, at a greater or higher Rate or Price than Ten-pence the Gallon, and so in proportion for any greater or less Quantity than a Gallon, every such Person shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

Offender shall forfeit 200*l.*

Persons selling Beer at a higher Price than above stated shall forfeit 50*l.*

III. Provided always, That whenever Malt or Hops shall rise to and be of such Price as, in the Judgment of the Commissioners of His Majesty's Treasury for the Time being, to require that the Brewers and Sellers of Beer or Ale brewed or sold under the Provisions of this Act should, according to the Intent and Meaning thereof, be allowed to sell such Beer or Ale at a higher Rate or higher Rates, Price or Prices, than are by this Act specified, it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, by any Warrant or Order signed by any Three or more of them, to authorize the Brewers of Beer or Ale under the Provisions of this Act, or the Retailers thereof, whilst the Price of Malt or Hops shall be so advanced, to sell such Beer or Ale at and after such greater or higher Rate or Rates, Price or Prices, as shall be limited and expressed in such Warrant or Order, without such Brewer or Brewers or other Person or Persons incurring any Penalty or Forfeiture in respect of such Sale or Sales, during the Time that any such Warrant or Order shall be in force and unrevoked or unaltered; any thing herein contained to the contrary thereof notwithstanding.

When Malt or Hops rise in Price, the Treasury may authorize the Advance of Price of Beer or Ale.

IV. And be it further enacted, That all and every Person or Persons who shall be desirous of brewing Beer or Ale under the Provisions of this Act, and shall make Entry of any House or Premises for that Purpose as herein-after mentioned, shall, before he, she, or they shall begin to brew any such Beer or Ale, take out and pay for an Excise Licence authorizing such Person or Persons to brew such Beer or Ale; and that every such Person and Persons so making Entry as aforesaid shall be subject and liable to, and shall pay Duty for every such Licence at and after the same Rate and Proportion which is by Law imposed on Licences to Common Brewers of Strong Beer; and every such Licence as aforesaid shall be granted at and for such Times, and under, subject, and according to the several Laws and Regulations relating

All Persons brewing such Beer to take out such Licences as Common Brewers of Strong Beer, and be subject to the same Regulations.

relating to Licences to be granted to Common Brewers of Strong Beer; and every such Person and Persons so making Entry and taking out a Licence to brew under the Provisions of this Act, shall in all respects be subject and liable to the same Rules, Regulations, Restrictions, Conditions, Fines, Penalties, and Forfeitures (except so far as is expressly altered by this Act) to which Common Brewers of Strong Beer are subject and liable by any Act or Acts of Parliament in force at or immediately before the passing of this Act.

No Allowances made to such Brewers.

V. And be it further enacted, That no Brewer or Brewers who shall make Entry and take out a Licence to brew under the Provisions of this Act shall be entitled to any Allowance or Abatement of the Duty hereby imposed, or on the Return of such Duty, for or in respect of Waste by Fillings and Leakage of such Beer or Ale, or any other Consideration whatsoever; or shall remove to, take, or receive at his, her, or their Premises entered for brewing Beer or Ale under the Provisions of this Act, any other Beer, Ale, or Porter whatsoever;

Liberty to retail the Beer on their Premises, but no Consumption shall be allowed thereon.

and that it shall and may be lawful for any such Brewer or Brewers to sell and retail such Beer or Ale at and from such entered Premises, where the same has been brewed, at and after such Rates and Prices respectively as aforesaid, in any Quantity, not being to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard, or other Place adjoining the same, or belonging to or occupied by such Brewer or Brewers, or in which he, she, or they shall have any Interest or Concern; and that if any Brewer or Brewers of such Beer or Ale as aforesaid shall remove to, take, or receive, at his, her, or their Premises entered for brewing Beer or Ale under the Provisions of this Act, any other Beer, Ale, or Porter whatsoever, or shall sell or retail any such Beer or Ale at or from any Place or Places other than as aforesaid, and not being a Place duly entered for that Purpose as hereinafter mentioned, or to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard, or other Place adjoining the same, or belonging to or occupied by such Brewer or Brewers, or in which he, she, or they shall have any Interest or Concern, all and

Penalty 100*l.*

every such Brewer or Brewers as aforesaid so offending shall, for each and every such Offence respectively, forfeit and lose the Sum of One hundred Pounds.

Brewers of other Beer to brew Beer under this Act, upon taking out a separate Licence and subject to certain Conditions, as to Distances, &c.

VI. And be it further enacted, That it shall and may be lawful for any Person or Persons to brew any Beer, Ale, or Porter under the Provisions of any Act or Acts of Parliament in force at or immediately before the passing of this Act, and also to brew Beer or Ale under the Provisions of this Act, upon taking out distinct and separate Licences for that Purpose, without incurring any of the Penalties or Forfeitures imposed by this Act for having in his Possession for Sale, at the same Time, Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale, or Porter: Provided always, that no Brewer or Brewers who shall make Entry to brew under the Provisions of this Act, shall be a Maltster or Maker of Malt, or interested or concerned in the making of Malt, within the Distance of One Quarter of a Mile in a direct Line from the

Premises entered by him, her, or them for brewing Beer or Ale under the Provisions of this Act; and provided, that no such Brewer or Brewers, who shall also be a Brewer or Brewers of other Beer, Ale, or Porter, shall carry on, or be interested or concerned in carrying on such several Breweries together, or within the Distance of Two hundred Yards in a direct Line of each other; or shall at the same Time have, or take into his, her, or their Custody or Possession, any Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale, or Porter brewed under the Provisions of any other Act or Acts of Parliament in force at or immediately before the passing of this Act, in the same Place, Room, Storehouse, or Cellar, or in any separate Places, Rooms, Storehouses, or Cellars, at a less Distance from each other than Two hundred Yards in a direct Line; and if any Person or Persons shall brew any Beer or Ale under the Provisions of this Act, and also any other Beer, Ale, or Porter, without taking out such distinct and separate Licences for the same as aforesaid, or shall brew any Beer or Ale under the Provisions of this Act, and shall at the same Time be a Maltster or Maker of Malt, or be interested or concerned in the making of Malt, within the Distance of a Quarter of a Mile in a direct Line from the Premises by him, her, or them entered for brewing Beer or Ale under the Provisions of this Act, or shall brew any Beer or Ale under the Provisions of this Act, and also be a Brewer or Brewers of any other Beer, Ale, or Porter, and shall carry on, or be interested or concerned in carrying on such several Breweries together, or within the Distance of Two hundred Yards in a direct Line of each other, or shall at the same Time have, or take into his, her, or their Custody or Possession, any Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale, or Porter at the same Place, Room, Storehouse, or Cellar, or at any separate Places, Rooms, Storehouses, or Cellars, within the Distance of Two hundred Yards in a direct Line of each other; every such Person or Persons so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all such Beer found in the Custody or Possession of such Person or Persons so offending shall be forfeited, and shall and may be seized by any Officer or Officers of Excise. Penalty 200*l.*

VII. And be it further enacted, That it shall and may be lawful for all and every Person and Persons to make Entry as herein-after mentioned, of any Place, Room, Storehouse, Cellar, Shop, House, or Outhouse, for the Sale and Retail of Beer or Ale brewed under the Provisions of this Act, detached from the entered Premises where the same is brewed, and to take out an Excise Licence under the Provisions of this Act, authorizing such Person or Persons to sell by retail, under the Conditions and Restrictions herein contained, any Beer or Ale brewed under the Provisions of this Act; which Licence shall be granted in manner herein-after mentioned; (that is to say), if any such Licence shall be taken out within the Limits of the Chief Office of Excise in *London*, the same shall be granted under the Hands and Seals of Two or more of the Commissioners of Excise in *England* for the Time being, or of such Persons as they the said Commissioners of Excise, or the major Part of them for the Time being, shall from Time to Time direct or employ for that Purpose; Sellers at other Places than the Brewery to be licensed. Licences where to be taken out.

and if any such Licence shall be taken out in any Part of *England* not within the said Limits, the same shall be granted under the respective Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts; and in case any such Licence shall be taken out within the Limits of the City of *Edinburgh*, the same shall be granted under the Hands and Seals of Two or more of the Commissioners of Excise in *Scotland* for the Time being; or if any such Licence shall be taken out in that Part of *Great Britain* called *Scotland*, out of the said Limits of the City of *Edinburgh*, then the same shall be granted under the respective Hands and Seals of the several Collectors and Supervisors of Excise in *Scotland*, within their respective Collections and Districts; and the said Commissioners of Excise in *England* and *Scotland* respectively, or any Two or more of them respectively, and the Person to be directed or employed by the said Commissioners in *England* or *Scotland* respectively, or the major Part of them, and also all such Collectors and Supervisors, are hereby authorized and required to grant such Licences to the Persons who shall apply for the same, on the Person or Persons so applying first paying for such Licence a Duty of Twenty-one Shillings, to be applied and accounted for as herein-after directed; and that every such Licence shall expire at the End of Twelve Calendar Months after the Day on which such Licence shall be dated; *provided* that no such Licence shall authorize the Person or Persons taking out the same to sell any Beer or Ale brewed under the Provisions of this Act, to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard, or other Place adjoining the same or belonging to or occupied by the Person or Persons taking out such Licence, or in which he, she, or they shall have any Concern, or to sell, deal in, or retail any other Beer or Ale or Porter whatsoever, or shall entitle such Person or Persons to any Licence to sell or retail Cyder, Wine, or Spirits; any thing in any other Act or Acts of Parliament to the contrary thereof notwithstanding.

Licence Duty 21*s.*

But such Licence not to authorize the selling of Beer to be drank on the Premises.

Licences to be renewed.

Penalty on retailing without Licence, or without renewing the same.

Penalty on retailing Beer without Licence, or selling to be drank on the Premises, &c. 50*l.*

VIII. And be it further enacted, That no such Person or Persons shall sell any Beer or Ale, brewed under the Provisions of this Act, in any Place, Room, Storehouse, Cellar, Shop, House, or Outhouse, whether entered or not entered for that Purpose, detached from the entered Premises where the same was brewed, after the Expiration of such his, her, or their Excise Retail Licence; and every such Person and Persons shall take out a fresh Retail Licence for that Purpose in the Manner herein-before directed, before the Expiration of such former Retail Licence, and so in like Manner renew every such Licence from Year to Year; and if any Person or Persons shall sell any Beer or Ale, brewed under the Provisions of this Act, at any Place, Room, Storehouse, Cellar, Shop, House, or Outhouse detached from the entered Premises where the same was brewed, without first taking out an Excise Retail Licence authorizing him, her, or them so to do, or without renewing the same as is herein in that Behalf directed, or shall sell any such Beer or Ale to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard, or other Place adjoining the same, or belonging to or occupied by the Person or Persons taking out such Licence,

or in which he, she, or they shall have any Interest or Concern, or shall sell, deal in, or retail any other Beer or Ale or Porter whatsoever; every such Person so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds: Provided always, that Persons trading in Partnership and in One House or Shop only, shall not be obliged to take out more than One Licence in any One Year, for selling any such Beer or Ale brewed under the Provisions of this Act, and that no One Licence which shall be granted by virtue of this Act, shall authorize or empower any Person or Persons to sell any such Beer or Ale, brewed under the Provisions of this Act, in any other Place, Room, Storehouse, Cellar, Shop, House, or Outhouse, than the Place, Room, Storehouse, Cellar, Shop, House, or Outhouse, whereof Entry in Writing shall be made at the Office of Excise, in the Name or Names of such Person or Persons for selling such Beer or Ale brewed under the Provisions of this Act, at the Time of granting such Licence, and in respect whereof such Licence shall be granted.

One Licence sufficient for Persons trading in Partnership.

IX. And be it further enacted, That such of the Duties by this Act imposed as shall arise in that Part of *Great Britain* called *England*, shall be under the Management of the Commissioners of Excise in *England* for the Time being; and such thereof as shall arise in *Scotland*, shall be under the Management of the Commissioners of Excise in *Scotland* for the Time being.

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

X. And be it further enacted, That the several Duties and Sums of Money above mentioned and hereby imposed and made payable as aforesaid, shall and may be respectively raised, levied, collected, answered, paid, recovered, and adjudged, mitigated, and allowed, in such and the like Manner, and in or by any or either of the general or special Means, Ways, or Methods by which any other Duties of Excise on Beer respectively are or may be raised, levied, collected, answered, paid, recovered, adjudged, mitigated, or allowed (except so far as is expressly altered by this Act); and the Brewers, Retailers, and Persons respectively before mentioned, shall be and the same are hereby made subject to all and every the Conditions, Regulations, Rules, Restrictions, and Forfeitures, to which Brewers, Dealers in and Retailers of Beer, are subject (except as aforesaid); and also to all and every the special Conditions, Rules, Regulations, Restrictions, and Forfeitures respectively, to which Brewers, Dealers in, and Retailers of Beer respectively, are subject or liable (except as aforesaid), by any Act or Acts of Parliament in force immediately before the passing of this Act relating to other Duties of Excise on Beer; and all and every Pain, Penalty, Fine or Forfeiture (except as aforesaid), of any Nature or Kind whatever, for any Offence whatever, committed against or in breach of any Act or Acts of Parliament in force immediately before the passing of this Act, made for securing the Revenue of Excise on Beer, or for the Regulation or Improvement thereof, and the several Clauses, Powers, and Directions therein contained (except as aforesaid), shall and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in Execution for and in respect of the several Duties of Excise and Sums of Money hereby charged and made payable respectively,

Duties how to be levied.

respectively, in as full and ample Manner (except as aforesaid) to all Intents and Purposes whatever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties, or Forfeitures, were particularly repeated and re-enacted in the Body of this Act.

Duties to be carried to the Consolidated Fund.

XI. And be it further enacted, That all the Monies arising by the Duties and several Sums of Money by this Act imposed and made payable as aforesaid, 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 the said Money so paid into the Receipt of the Exchequer as aforesaid, shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

In the Entry of Premises, Places and Utensils shall be distinguished by Letters and Numbers.

XII. And be it further enacted, That every Person and Persons who shall make, or shall be by Law required to make Entry of any Building, Place, or Utensil for the Brewing or Sale of Beer or Ale under the Provisions of this Act, or for the Purpose of carrying on any Trade or Business subject to the Survey of the Officers of Excise, shall in every such Entry distinguish and describe every such Building, Place, and Utensil, by a particular Letter or Number, and shall paint such respective Letter or Number in a large and distinct Character upon some convenient and conspicuous Part of the Walls or Doors of every such Building or Place respectively, and upon some convenient and conspicuous Part of every such Utensil, and keep and continue the same so painted, and from Time to Time, when Occasion may require, or when requested by the Supervisor of Excise of the District where situated, renew the same so long as the Entry thereof remains uncancelled, so that such Letter or Number so painted may be easily and readily observed and known by the Officers of Excise from Time to Time attending to survey the same; and that wherever any such Person or Persons shall use or employ in his, her, or their entered Buildings or Places any fixed Pipe or Pipes, he, she, or they shall, at the Time of making his, her, or their Entry of the Places and Utensils as aforesaid, deliver with such Entry, and as Part thereof, a Drawing or Drawings, Description or Descriptions, distinctly shewing and exhibiting or explaining the Course, Direction, Construction, and Use of all and every such Pipe and Pipes respectively, and of all and every Branch and Branches thereof, and of all and every Cock and Cocks thereon, together with the Place or Places, and Utensil or Utensils respectively from and to or with which the same lead or communicate; and that if any Building, Place, or Utensil shall at any Time be found to be used by any Person or Persons for any such Purpose as aforesaid without being so entered, described, or distinguished as aforesaid, or without such Letter or Number being so distinctly painted and continued thereon as aforesaid, or any Pipe or Pipes be found without being so shewn in such Drawing or Drawings, or so described as aforesaid, or different from or disagreeing with such Drawing or Drawings, Description or Descriptions as aforesaid, every such Person or Persons using the same shall for every such Offence forfeit and lose over and above all other Penalties, the Sum of Two hundred Pounds; Provided always, that no Person or Persons whatsoever

Buildings used and not entered, or distinguished as above, Offender to forfeit 200*l*.

shall newly erect, set up, enter, or shall make use of any House or Place whatsoever in *Great Britain*, for the brewing of Beer or Ale under the Provisions of this Act, within the Distance of One hundred Yards in a direct Line from any House or Place which for Three Months immediately preceding shall have been and shall be at that Time licensed, entered, and used for the Purpose of brewing any other Beer, Ale, or Porter for Sale, under the Provisions of any other Act or Acts of Parliament whatsoever; nor shall any Person or Persons whatsoever newly erect, set up, enter, or make use of any Place or House whatsoever in *Great Britain*, for brewing or making any other Beer, Ale, or Porter for Sale, within the Distance of Two hundred Yards in a direct Line from any House or Place which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered, and used for the Purpose of brewing Beer or Ale under the Provisions of this Act; nor shall any Person or Persons newly erect, set up, enter, or make use of any Place, Room, Storehouse, Cellar, Shop, House or Outhouse within *Great Britain*, for selling or retailing any Beer or Ale brewed under the Provisions of this Act, within the Distance of Twenty Yards in a direct Line from any House or Premises which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered, and used for selling or retailing any other Beer, Ale, or Porter; nor shall any Person or Persons newly erect, set up, enter, or make use of any House or Premises for selling or retailing any other Beer, Ale, or Porter, within the Distance of Twenty Yards of any Place, Room, Storehouse, Cellar, Shop, House, or Outhouse, which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered, and used for the Sale and Retail of Beer or Ale brewed under the Provisions of this Act; on Pain of the Person or Persons so offending forfeiting, in each and every such Case, the Sum of Fifty Pounds for every Week that such House or Place shall be erected, set up, entered, or used respectively as aforesaid, contrary to this Act; and all and every Entries or Entry of any such House or Premises so entered and made use of contrary to the true Intent and Meaning of this Act, shall be null and void to all Intents and Purposes whatsoever.

No Houses for the Brewing or Sale of Beer under this Act, shall be used within a certain Distance of any House or Premises used for brewing or selling any other Beer, and vice versa.

Penalty, 50*l.* for every Week such Houses shall be used.

XIII. And be it further enacted, That every Person and Persons who shall make Entry of any Buildings or Premises for brewing Beer or Ale under the Provisions of this Act, shall specify and distinguish in such Entry, the Room, Storehouse, or Place, Rooms, Storehouses, or Places, in which he, she, or they shall intend to store or keep the Malt for such brewing, and shall from Time to Time, when and so often as he, she, and they shall receive any Malt, store, lodge, and place the same in one or more of such entered Rooms, Storehouses, or other Places, and shall use or employ no other Malt, ground or unground, for brewing Beer or Ale under the Provisions of this Act, than such as shall be taken by him, her, or them, as herein-after mentioned, from one or more of such entered Rooms, Storehouses, or Places for that Purpose, and of which Entry shall on the same Day be made in the Book herein-after mentioned; and if any such Person or Persons as aforesaid shall not make such Entry as aforesaid, or specify and distinguish every such Room, Storehouse, or Place as aforesaid, or shall receive

Brewer to enter Places for keeping Malt.

Penalty on receiving into or taking Malt from

Places not entered, 200*l.*

receive or take into, or have in his, her, or their Possession any Malt, ground or unground, for brewing, without such Malt, ground or unground, being lodged, put, or placed by him, her, or them in one or more of such Rooms, Storehouses, or Places entered for that Purpose as aforesaid, and entered in such Book as herein-after mentioned, or shall use or employ any Malt, ground or unground, in or for such brewing as aforesaid, without taking the same from one or more of such entered Rooms, Storehouses, or other Places as aforesaid, and making Entry thereof in such Book as is hereinafter mentioned, every such Person or Persons so offending as aforesaid shall forfeit and lose for every such Offence the Sum of Two hundred Pounds.

The different Quantities of Malt received and used by such Brewers to be entered in a Book kept by them.

XIV. And be it further enacted, That every Brewer and Brewers of Beer or Ale under the Provisions of this Act shall keep a Book to be delivered to him by the proper Officer of Excise for that Purpose; which Book shall be prepared with proper and distinct Columns for entering Accounts of all the Malt which shall be taken or received by or into the Custody or Possession of any such Brewer or Brewers, to be used and which shall be used by him, her, or them in the brewing of such Beer or Ale as aforesaid; and every such Brewer and Brewers shall, under the Date and on the same Day on which he, she, or they shall take or receive any Malt, ground or unground, into his, her, or their Custody or Possession for brewing, write and enter, or cause to be written and entered in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, a true and particular Account of the Number of Bushels of Malt, distinguishing the same whether ground or unground, which he, she, or they shall take or receive into his, her, or their Custody or Possession for brewing as aforesaid; and shall also write and enter, or cause to be written and entered as aforesaid, the Christian and Surnames, and Place or Places of Abode of the Person or Persons of whom such Malt was purchased, or from whom such Malt was received; and shall also write and enter, or cause to be written and entered as aforesaid, an Account of the Quantity of such Malt in Bushels, and distinguishing whether ground or unground, which shall from Time to Time be used at such Brewery in the brewing or making of such Beer or Ale, and make every such last-mentioned Entry in such Book under the Date and on the same Day in which such Malt was so used; and if any such Brewer or Brewers shall neglect or refuse to make or cause to be made any such Entry or Entries as aforesaid, or shall cancel, obliterate, or alter, or cause or suffer to be cancelled, obliterated, or altered, any such Entry or Entries, or shall make any untrue Entry or Entries therein, or shall at any Time withhold, conceal, or make away with any such Book or any Part thereof, every such Brewer or Brewers so offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Neglect of Entry, &c. 100*l.*

Books to be open to Inspection of Officers.

XV. And be it further enacted, That all and every such Book or Books shall at all Times be produced to and left open to the free Inspection of the proper Officer or Officers of Excise, who shall be permitted to examine and cast up and make Copies or Extracts from the Entries contained therein, and to insert therein the Time of such

Inspection or Examination, and sign his or their Names thereto, and to take away any such Book and deliver any such Trader a new Book of a similar Kind at his free Will and Pleasure; and if any Person or Persons shall by any Act, Matter, or Thing, or by any Art or Contrivance, obstruct or hinder, or cause or permit or suffer to be obstructed or hindered, any Officer of Excise therein, or in the Performance and Execution of any of the Powers and Authorities by this Act given, or of his Duty in respect thereof, every Person and Persons so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Obstruction to Officers, 200*l.*

XVI. And be it further enacted, That all and every such Brewer or Brewers shall, when and so often as he, she, or they shall be thereto required by any Officer or Officers of Excise, cast or place, or cause to be cast or placed, all the Malt in his, her, or their Custody or Possession, in or into such regular Form as may enable the Officer or Officers of Excise conveniently to gauge and ascertain the true Quantity thereof; and if upon such Admeasurement thereof the Quantity of Malt then in Stock shall be found to disagree with the Quantity which such Brewer or Brewers ought to have in his, her, or their Custody or Possession, according to the true Balance or Result drawn from casting up and adjusting such Book or Books as aforesaid and the Entries therein, and allowing for so much as shall in and by the aforesaid Book or Books and the Entries therein appear to have been used for the Purpose of brewing such Beer as aforesaid, then and in every such Case every such Brewer and Brewers as aforesaid, the Quantity of whose Malt then in Stock shall be found so to disagree as aforesaid, or who, upon being thereunto required as aforesaid, shall neglect or refuse to cast or place, or cause to be cast or placed, all or any such Malt as aforesaid in his, her, or their Custody or Possession, in or into such regular Form as aforesaid, shall for every such Offence respectively forfeit and lose the Sum of Two hundred Pounds.

Malt in Stock to be laid regularly and even, to enable the Officers to gauge the same.

Penalty, 200*l.*

XVII. And be it further enacted, That all and every Brewer or Brewers shall, before the Officers take any such Account of Malt as aforesaid, be required by the proper Officer of Excise, and be permitted to make due Entries in such Book or Books as aforesaid, of all Malt which he, she, or they may have received into his, her, or their Custody or Possession, or may have used in the brewing or making of Beer in the Course of the Day in which such Account is proposed or intended to be taken; and if any Dispute shall arise between any such Brewer or Brewers and the proper Officer or Officers of Excise, respecting the true Quantity of Malt in Stock so taken an Account of as aforesaid, such Brewer or Brewers shall have the Option of and be allowed immediately and with all due Diligence and Dispatch, to measure the same in the Presence of such Officer or Officers of Excise, by a just and correct *Winchester* Bushel Measure of the Dimensions prescribed by Law, to be provided by such Brewer or Brewers, and the Quantity ascertained by such Admeasurement shall be taken to be the true Quantity of the Malt in Stock in the Custody or Possession of such Brewer or Brewers; any thing in

Book to be filled up before cast up by Officer.

Brewer may require Malt in Stock to be measured if he disputes the Accuracy of the Officer's Gauge.

in this or in any other Act or Acts of Parliament to the contrary in anywise notwithstanding.

Beer not to be cleansed, kept, or stored, in any Cask exceeding a Butt, or before the same shall have been entered, inched, and gauged by the Officer.

XVIII. And be it further enacted, That on every Brewing by any Brewer or Brewers under the Provisions of this Act, the whole of the Worts made on and by such Brewing shall be collected and mixed together by such Brewer and Brewers, and made of one and the same Quality, before the same or any Part thereof shall be cleansed, removed, or run from the fermenting Tun or Tuns; and no such Beer or Ale shall be put into or turned, cleansed, kept, or stored in any Cask, Vat, or other Vessel exceeding the Content or Size of a Butt or Pipe of Three Barrels; and that before any such Cask, Vat, or other Vessel shall be used for any such Purpose as aforesaid, the same shall be entered at the proper Office of Excise, and be truly gauged and inched to the Satisfaction of the proper Officer or Officers of Excise; and if any such Brewer or Brewers shall on any Brewing not collect and mix together the whole of the Worts made on and by such Brewing, and make the same of one and the same Quality, before the same or any Part thereof is cleansed, removed, or run from the fermenting Tun or Tuns, or shall put into, or tun, cleanse, keep, or store any such Beer or Ale in any Cask, Vat, or other Vessel exceeding such Size as aforesaid, or shall make use of the same for any such Purpose before the same have been entered, gauged, and inched as aforesaid, or afterwards alter by enlarging or diminishing the same without Notice thereof to the proper Officer, he, she, or they shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and every Cask, Vat, or other Vessel which shall have been so used as aforesaid, with all the Beer contained therein, shall be forfeited, and shall and may be seized by any Officer of Excise.

Penalty, 100*l.*, &c.

Brewers sending out such Beer in Quantities of Four Gallons or upwards, to send out same in a Cask marked with the Name of the Trader, the Brewery, and the Figure 5.

XIX. And be it further enacted, That when and as often as any Beer or Ale brewed under the Provisions of this Act shall be sold and sent out or delivered for Consumption or otherwise, in any Quantity of Four Gallons or upwards, such Beer shall be sent out by the Brewer or Brewers thereof in a Cask on which shall be branded and permanently marked, in large and legible Letters, the Name of such Brewer or Brewers, and of the Place or Brewery where such Beer was brewed, as well as the Numeral Figure 5, of the Length of Four Inches at the least, to denote the Quality of such Beer; and if any such Brewer or Brewers as aforesaid shall neglect or refuse to distinguish all such Beer when sold and sent out, or delivered in any such Quantity or Quantities as aforesaid, in a Cask which shall be so branded and marked as aforesaid, all and every such Brewer or Brewers shall for every such Offence forfeit and lose the Sum of Fifty Pounds: Provided always, that no such Brewer or Brewers shall be subject to any such Penalty as aforesaid in any Case where such Beer shall be taken away by the Person or Persons to whom the same may be sold, in any Cask produced by him, her, or them, and then filled for such Purpose.

Penalty, 50*l.*

Casks produced by Persons to whom Beer is sold may be used.

Brewers of this and all other Beer

XX. And be it further enacted, That from and after the passing of this Act, all and every Brewer and Brewers of Beer or Ale brewed

under the Provisions of this Act, and all and every Brewer and Brewers of any other Beer, Ale, Porter, or Table Beer for Sale, shall, before he, she, or they shall cleanse or remove or run any Wort or Beer from the fermenting Tuns, or into any Cask or Vessel other than a known Tun, Cask, or Vessel for fermenting Beer, and specially entered by such Brewer or Brewers for that Purpose, make or cause to be made in Writing, in the same Book or Paper in which every Brewer of Beer for Sale is now by Law required to give Notice of every intended Brewing of such Brewer, and of the Quantity of Malt by him intended to be used in such intended Brewing, and opposite the Entry of such Notice, and the Quantity of Malt therein mentioned and expressed, a Declaration of the whole Length or Quantity and Quality of all the Beer brewed by any such Brewer or Brewers at every such Brewing, such Declaration, when so made as aforesaid, being at the same Time signed by such Brewer, or by his Principal Servant, under whose Direction or Inspection such Beer, Ale, Porter, or Table Beer respectively may have been brewed, the proper Handwriting of such Person being affixed and subscribed thereto; and that if any such Brewer or Brewers shall refuse or neglect to make and enter, or cause to be made and entered as aforesaid, such Declaration in Writing as aforesaid, or shall cancel, obliterate, or alter, or cause or suffer or permit to be cancelled, obliterated, or altered, any such Declaration or Entry as aforesaid, or if any such Brewer or Brewers, or their or any of their Servants as aforesaid, or any or either of them, shall make any untrue Declaration or Entry as aforesaid, or shall not at all Times keep such Book or Paper as aforesaid in some public and open Part of his, her, or their entered Premises, ready for the Inspection of the Officers of Excise, or shall before such Declaration or Entry is so made as aforesaid, cleanse, remove, or run away any of the Beer brewed at such Brewing from the fermenting Tuns, or into any Cask or Vessel other than a known Tun, Cask, or Vessel for fermenting Beer, and specially entered by such Brewer or Brewers for that Purpose, all and every Brewer and Brewers so offending as aforesaid shall for every such Offence respectively forfeit and lose the Sum of Two hundred Pounds.

to make Declaration in Writing of the Strength and Quality of Beer brewed, after every Brewing.

Penalty, 200*l.*

XXI. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act shall be sued for, recovered, levied, or mitigated, by such Ways, Means, or Methods, as any Fine, Penalty, or Forfeiture may be sued for, recovered, levied, or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland* respectively; and that One Moiety of every such Fine, Penalty, or Forfeiture shall be to His Majesty, His Heirs and Successors, and the other Moiety to him, her, or them who shall discover, inform, or sue for the same.

Recovery and Application of Penalties.

XXII. And be it further enacted, That this Act shall, where no special Day is mentioned for that Purpose, begin, commence, and take effect from and after the Fifth Day of *July* One thousand eight hundred and twenty-three.

Commencement of Act.

Act may be altered this Session.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1823.