ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

CAP. LXXXI.

An Act to repeal an Act, made in the Fourteenth Year of the Reign of His present Majesty, intituled, *An Act to prevent Frauds in the buying and selling of Hops*, and for the better Collection of the Duty on Hops; and to prevent Frauds and Abuses in the Trade of Hops. [28th *July* 1800.]

Preamble. 14 *Geo.* III, Cap. 68, recited,

WHEREAS an Act, made in the Fourteenth Year of the Reign of His present Majesty, intituled, *An Act to prevent Frauds in the buying and selling of Hops*, has been found insufficient to answer the Purposes thereby intended, and it is therefore expedient to repeal the said Act, and in lieu thereof to make such Provision as is hereinafter directed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, the said Act shall be, and the same is hereby repealed.

and repealed.

Owners shall mark the Bags before they put in any Hops, on Penalty of 20 *l.*

II. And be it further enacted, That, from and after the passing of this Act, every Owner, Planter, or Grower of Hops, before he, she, or they shall begin to put any Hops into any Bag or Pocket, shall mark, or cause to be marked on the Outside of each and every such Bag or Pocket, in large, plain, and legible Letters or Characters, with durable Ink or Paint, his

his, her, or their Name or Names, and Place of Abode; and if any Owner, Planter, or Grower of Hops, ſhall begin to put any Hops into any Bag or Pocket without having marked, or cauſed to be marked in Manner herein-before directed, the ſeveral Matters and Things herein-before required and preſcribed, every ſuch Owner, Planter, or Grower, or other Perſon or Perſons ſo offending, ſhall, for each and every ſuch Offence, forfeit and loſe the Sum of Twenty Pounds.

Hops not to be bagged in Bags of greater Weight than in the Proportion of 10 *lb.* for every 112 *lb.* of the groſs Weight of Bag and Hops, on Penalty of 20 *l.*

III. And be it further enacted, That no Owner, Planter, or Grower of Hops ſhall bag any Hops in any Bag, the Weight of which Bag ſhall be greater in Proportion to the groſs Weight of ſuch Bag and the Hops contained therein than Ten Pounds for every One hundred and twelve Pounds of the ſaid groſs Weight of ſuch Bag and the Hops contained therein; and if any Owner, Planter, or Grower of Hops ſhall bag any Hops in any Bag, the Weight of which Bag ſhall be greater in Proportion to the groſs Weight of ſuch Bag and the Hops contained therein than Ten Pounds for every One hundred and twelve Pounds of the groſs Weight of ſuch Bag and the Hops contained therein, then and in every ſuch Caſe every Owner, Planter, or Grower ſo offending ſhall, for each and every ſuch Offence, forfeit the Sum of Twenty Pounds.

Officer of Exciſe ſhall mark on the Bags the groſs Weight with the Year of Growth, and the progreſſive Number according to the Number of Bags charged to each Owner for the Seaſon.

IV. And be it further enacted, That when and as ſoon as any Officer of Exciſe ſhall have weighed and taken Account of any Hops for the Purpoſe of aſcertaining and charging the Duty thereon, ſuch Officer ſhall, and he is hereby authorized and required to mark, or cauſe to be marked, in large legible Figures, with durable Ink or Paint, on the Outſide of each and every Bag or Pocket, containing ſuch Hops, the true groſs Weight of ſuch Bag or Pocket of Hops, together with the Date of the Year in which ſuch Hops were grown; and alſo with the true progreſſive Number of ſuch Bag or Pocket, according to the Numbers of the Bags or Pockets of Hops weighed and charged to each Owner, Planter, or Grower of Hops, during the then current Year or Hop Seaſon; ſuch Number to be taken progreſſively, beginning One, Two, and ſo onwards, according to the Number of Bags or Pockets of Hops weighed and charged to each Owner, Planter, or Grower as aforeſaid, in each ſuch current Year or Hop Seaſon; and if any Perſon or Perſons ſhall counterfeit or alter, or cauſe, procure, or ſuffer to be counterfeited or altered, any or either of the Matters or Things herein-before directed to be marked, or cauſed to be marked and ſo marked, or cauſe to be marked by any ſuch Owner, Planter, or Grower of Hops, or ſo herein-before directed to be marked, and ſo marked by any ſuch Officer as aforeſaid, the Perſon or Perſons ſo offending ſhall, for each and every ſuch Offence, ſeverally forfeit and loſe the Sum of One hundred Pounds; and if any Perſon or Perſons ſhall wilfully deface or obliterate any or either of the Matters or Things herein-before directed to be marked, or cauſed to be marked, and ſo marked, by any ſuch Owner, Planter, or Grower of Hops, or herein-before directed to be marked, and ſo marked by any ſuch Officer as aforeſaid, or ſhall cauſe or procure any ſuch Matter or Thing to be defaced or obliterated, or ſhall connive at any ſuch Matter or Thing being ſo defaced or obliterated, the Perſon or Perſons ſo offending ſhall, for each and every ſuch Offence, ſeverally forfeit and loſe the Sum of Twenty Pounds.

Perſons counterfeiting the Marks aforeſaid ſhall forfeit 100 *l.* and for defacing Marks, ſhall forfeit 20 *l.*

V. And whereas it is expedient that no Planter or Owner of Hops to grow in *Great Britain* ſhould remove or convey away any Hops from his, her, or their Ouſts, Storehouſes, or other Places where ſuch Hops ſhall have been weighed by any inferior Officer of Exciſe until ſuch Time as is herein-after preſcribed, be it therefore enacted, That no Owner, Planter, or Grower of Hops, growing or to grow in *Great Britain*, ſhall remove or convey away, or cauſe or ſuffer to be removed or conveyed away, any Hops from the Ouſt, Storehouſe, or other Place where the ſame ſhall have been weighed, for the Purpoſe of charging the Duty before the Expiration of Twelve Hours next after ſuch Hops ſhall have been ſo weighed, unleſs the ſame ſhall ſooner have been weighed or reweighed by the Surveyor of Exciſe, to the End that ſuch Surveyor may have an Opportunity to reweigh the ſame; and if upon the reweighing of any ſuch Hops, any additional Weight ſhall be found, ſuch Hops ſhall be liable to and chargeable with the Duty of Exciſe impoſed for or in reſpect of ſuch Hops, according to ſuch laſt mentioned Weight; and if any ſuch Owner, Planter, or Grower, ſhall remove or convey away, or cauſe or ſuffer to be removed or conveyed away, any ſuch Hops, contrary to the true Intent and Meaning of this Act, the Owner, Planter, or Grower of ſuch Hops ſo offending ſhall, for each and every ſuch Offence, forfeit the Sum of Fifty Pounds.

Hops not to be removed from the Place of weighing before the Expiration of 12 Hours, unleſs the ſame ſhall have been reweighed by the Surveyor, on Penalty of 50 *l.*

VI. And be it further enacted, That no Planter or Owner of Hops to grow in *Great Britain* ſhall at any Time be obliged to give more than Twenty-four Hours Notice of his or her Intention to weigh Hops: Provided always, That the particular Time to be ſpecified in any ſuch Notice for the weighing of Hops, ſhall be between the Hours of Four in the Morning and Five in the Evening; any Thing in this or any other Act of Parliament to the contrary in anywiſe notwithſtanding.

Owner of Hops to give 24 Hours Notice of his Intention to weigh them,

Time of weighing between Four in the Morning and Five in the Evening.

VII. Provided always, and be it further enacted, That no Officer of Exciſe, inferior to the Rank or Degree of a Surveyor of Exciſe, ſhall be at Liberty to weigh, or ſhall be permitted to weigh, any Hops at any Ouſt, Storehouſe, or other Place of any Owner, Planter, or Grower of Hops, between the Hours of Five in the Evening and Four in the Morning; and if any ſuch Owner, Planter, or Grower ſhall permit or ſuffer any ſuch inferior Officer to weigh any ſuch Hops between the Hours aforeſaid, contrary to the Directions of this Act, every ſuch Owner, Planter, or Grower ſo offending ſhall, for each and every ſuch Offence, forfeit and loſe the Sum of Twenty Pounds.

No Officer inferior to a Surveyor to be ſuffered to weigh Hops between Five in the Evening and Four in the Morning, on Penalty of 20 *l.*

VIII. And be it further enacted, That all and every Owner, Planter, and Grower of Hops growing or to grow in *Great Britain* ſhall, and he, ſhe, and they reſpectively is and are hereby required to keep ſufficient and juſt Scales and Weights at his, her, or their Ouſts, Storehouſes, or other Places, where ſuch Hops ſhall have been ſo weighed, and alſo to permit and ſuffer any Surveyor of Exciſe to uſe the ſame for the Purpoſe of reweighing ſuch Hops; and if any ſuch Owner, Planter, or Grower ſhall neglect to keep ſuch Scales and Weights, or either of them, or ſhall not permit or ſuffer any Surveyor of Exciſe to uſe the ſame for the Purpoſe aforeſaid, he, ſhe, or they ſhall, for each and every ſuch Offence, forfeit the Sum of Fifty Pounds; and if any ſuch Owner, Planter, or Grower ſhall, for the reweighing of any ſuch Hops,

Owners of Hops ſhall keep Scales and Weights at the Place of weighing, and permit any Surveyor to uſe them, on Penalty of 50 *l.*

If unjuſt Scales or Weights, *etc.* ſhall be uſed,

they ſhall be forfeited, and the Owner ſhall forfeit 100 *l.*

Hops, provide or make uſe of, or cauſe or procure, or ſuffer to be provided or made uſe of, any falſe, unjuſt, or inſufficient Scales or Weights, or ſhall practiſe any Act, Device, or Contrivance by which any ſuch Surveyor of Exciſe may be hindered or prevented from taking the juſt and true Weight of any ſuch Hops, then and in every ſuch Caſe ſuch Owner, Planter, or Grower ſhall, for each and every ſuch Offence, forfeit the Sum of One hundred Pounds, together with all ſuch falſe, unjuſt, or inſufficient Scales and Weights reſpectively, and the ſame ſhall and may be ſeized by any Surveyor or Officer of Exciſe.

Owners, when required by Surveyor, ſhall put Hops into the Scale to be reweighed, and aſſiſt him therein, on Penalty of 50 *l.*

IX. And be it further enacted, That all and every Owner, Planter, and Grower of Hops growing or to grow in *Great Britain*, ſhall, when and ſo often as he, ſhe, or they ſhall be thereunto required by any Surveyor of Exciſe, bring, or cauſe to be brought to, and be put into and taken out of, the Scale, all Hops belonging to ſuch Owner, Planter, or Grower, and which ſuch Surveyor ſhall be deſirous to reweigh, and ſhall alſo, on the Requeſt of ſuch Surveyor, by themſelves reſpectively, and with a ſufficient Number of their Servants, aid and aſſiſt, to the utmoſt of their Power, ſuch Surveyor of Exciſe in reweighing all ſuch Hops of ſuch Owner, Planter, or Grower, on pain of forfeiting, for every Neglect or Refuſal thereof, the Sum of Fifty Pounds.

Perſons obſtructing Officers in the Execution of their Duty, ſhall forfeit 100 *l.*

X. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall aſſault, oppoſe, moleſt, obſtruct, or hinder, any Officer or Officers of Exciſe in the due Execution of this Act, or of any of the Powers or Authorities given by this Act, all and every ſuch Perſon or Perſons ſo offending ſhall, for every ſuch Offence, ſeverally forfeit the Sum of One hundred Pounds.

Penalties and Forfeitures, how to be levied and applied.

XI. 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 or them who ſhall inform, diſcover, or ſue for the ſame.

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