ANNO TERTIO

GEORGII IV. REGIS.

CAP. LII.

An Act to grant certain Duties, in *Scotland*, upon Wash and Spirits made from Corn or Grain, and upon Licences for making and keeping of Stills; and to regulate the Distillation of such Spirits for Home Consumption; and for better preventing private Distillation in *Scotland*, until the Tenth Day of *November* One thousand eight hundred and twenty-four. [5th *July* 1822.]

WHEREAS the Regulations for the Extraction, Manufacture, Distillation, Rectification, and compounding of Spirits for Home Consumption in *Scotland*, having become numerous and complicated, and it being for the public Benefit to consolidate and simplify the same, and to abolish all Distinctions, Limitations, and Restrictions between the Highland and Lowland and intermediate Districts in *Scotland*, as described in any Act or Acts relating to the Distilleries in *Scotland*: And whereas an Act was made in the First Year of the Reign of His present Majesty, intituled
An Act to grant certain Duties, in Scotland, *upon Wash and Spirits* 1 G. 4. c. 74.
made from Corn or Grain, and upon Licences for making and keeping of Stills; and to consolidate and amend the Laws for the Distillation of such Spirits for Home Consumption; and for better preventing private Distillation in Scotland: And whereas the Duties in *Scotland* upon Wort, Wash, and Spirits, and Distillers Licences, granted by the

the said recited Act, will expire on the Tenth Day of *November* One thousand eight hundred and twenty-two, and it is expedient that the same, and the Regulations made by the said recited Act, should be continued, with certain Alterations pointed out by Experience: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *November* One thousand eight hundred and twenty-two, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, the several Duties of Excise herein-after mentioned; that is to say,

From 10th Nov. 1822, Duties herein mentioned shall be levied.

Duties on Wort and Wash from Corn.

For every Gallon of Wort or Wash, brewed or made in any Part or Place in *Scotland*, from any Malt, Corn, Grain, or Tilts, or any Mixture with the same, for extracting Spirits for Consumption in *Scotland*:

Where such Wort or Wash, before any Fermentation is produced or excited, shall be of a Gravity not exceeding Eighty-one, as indicated by *Allan*'s Saccharometer, the Sum of Eight-pence Halfpenny:

Where such Wort or Wash, before any Fermentation is produced or excited, shall be of a Gravity not exceeding Seventy-five, as indicated by the said Saccharometer, the Sum of Eight-pence:

Where such Wort or Wash, before any Fermentation is produced or excited, shall be of a Gravity not exceeding Seventy, as indicated by the said Saccharometer, the Sum of Seven-pence Halfpenny:

Where such Wort or Wash, before any Fermentation is produced or excited, shall be of a Gravity not exceeding Sixty-five, as indicated by the said Saccharometer, the Sum of Seven-pence:

Where such Wort or Wash, before any Fermentation is produced or excited, shall be of a Gravity not exceeding Sixty, as indicated by the said Saccharometer, the Sum of Sixpence Halfpenny.

Duties on Spirits per Gallon, at 7 per Cent. over Proof, for Consumption in Scotland.

For every Gallon of Spirits of the Strength of Seven *per Centum* above Proof, as denoted by the Hydrometer called *Sikes*'s Hydrometer, which shall be distilled in any Part or Place in *Scotland*, for Consumption in *Scotland*, from any Wort or Wash brewed from Malt, Corn, Grain or Tilts, or any Mixture therewith, of a Gravity not exceeding Eighty-one, as indicated by *Allan*'s Saccharometer, the Sum of Nine-pence Halfpenny.

For every Gallon of such Spirits of the Strength aforesaid, which shall be distilled from any such Wort or Wash, of a Gravity not exceeding Seventy-five, as indicated by the said Saccharometer, the Sum of Nine-pence.

For every Gallon of such Spirits of the Strength aforesaid, which shall be distilled from any such Wort or Wash, of a Gravity not exceeding Seventy, as indicated by the said Saccharometer, the Sum of Eight-pence Halfpenny.

For

For every Gallon of such Spirits of the Strength aforesaid, which shall be distilled from any such Wort or Wash, of a Gravity not exceeding Sixty-five, the Sum of Seven-pence Three Farthings.

For every Gallon of such Spirits of the Strength aforesaid, which shall be distilled from any such Wort or Wash, of a Gravity not exceeding Sixty, the Sum of Seven-pence.

And so in Proportion according to any higher or lower Degree of the Strength of all such Spirits respectively.

The said Duties to be paid by the respective Makers or Distillers of such Wort or Wash respectively.

On Licences to Distillers, 10*l.*;

For every Licence to be taken out by any Distiller or Maker of Low Wines or Spirits, in any Part or Place in *Scotland*, whether for Sale therein or for Exportation therefrom, the Sum of Ten Pounds.

to Rectifiers, 5*l.*;

For every Licence to be taken out by any Rectifier or Compounder of Spirits, in any Part or Place in *Scotland*, the Sum of Five Pounds.

to Makers of Stills, 10*s.*;

For every Licence to be taken out by any Person to make any Still in *Scotland*, the Sum of Ten Shillings.

to Chemists, &c. 10*s.*

For every Licence to be taken out by any Person, not being a Distiller, Rectifier, or Compounder of Spirits, to keep and use any Still for the carrying on the Trade of a Chemist, or any other Trade or Business requiring the Use of a Still or Stills, the Sum of Ten Shillings.

The said Duties for Licences to be paid by the respective Distillers, Rectifiers, Compounders, Makers of Stills, Chemists, and other Persons taking out such Licences respectively.

Duties to be under the Management of the Commissioners of Excise; and to be levied under this Act and former Excise Laws.

II. And be it further enacted, That the several Duties by this Act imposed shall be under the Management of the Commissioners of Excise in *Scotland* for the Time being, and shall (except as is herein otherwise directed or provided) be raised, collected, recovered, secured, and paid by such Persons, at such Times, and in such Manner, and by such Ways and Means, as are herein-after directed and set forth, and under such Management, and under and subject to such Rules, Regulations, Conditions, Penalties, and Forfeitures, and with such Powers of adjudging and mitigating Penalties and Forfeitures, and with and subject to such Powers, and to the like Rules and Directions, and by such Methods, and in such Manner and Form, and in or by any of the general or special Means, Ways, or Methods, by which other Duties of Excise may be raised, collected, recovered and paid, as fully and effectually, to all Intents and Purposes, as if the same were particularly repeated and re-enacted in the Body of this Act, except only as far as the same are specially altered or repealed by this Act.

Duties to be carried to the Consolidated Fund.

III. And be it further enacted, That all the Monies arising from the Duties by this Act imposed (the necessary Charges of raising and accounting for the same excepted), shall from Time to Time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

IV. And

Mode of charging Distillers from Wash, so as to produce 4*s.* 8½*d.* per Gallon on Spirits at 7 per Cent. over Proof for 15 Gallons of Spirits from 100 Gallons of Wash of the Gravity of 81;

IV. And be it further enacted, That upon and after the said Tenth Day of *November* One thousand eight hundred and twenty-two, every Distiller for Home Consumption in *Scotland* shall be charged with and shall pay the Duties on Wort or Wash granted by this Act, at and after the several Rates following, so that every Gallon of Spirits of the Strength of Seven *per Cent.* above Hydrometer Proof, produced from such Wort or Wash, shall be charged with and shall pay the several Sums hereafter mentioned, in respect of the Wort or Wash from which such Spirit shall be produced; that is to say, that every Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Eighty-one, shall be charged with and shall pay the Sum of Four Shillings and Eight-pence Halfpenny *per* Gallon, for Fifteen Gallons of Spirits of the Strength of Seven *per Cent.* above Hydrometer Proof as aforesaid, in respect of every One hundred Gallons of such Wort or Wash, prepared or made in the Distillery of such Distiller from Malt, Corn, Grain or Tilts, or any Mixture with the same; that every Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Seventy-five, shall be charged with and shall pay the Sum of Four Shillings and Nine-pence *per* Gallon for Fourteen Gallons of Spirits of the Strength aforesaid, in respect of every One hundred Gallons of such Wort or Wash; that every Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Seventy, shall be charged with and shall pay the Sum of Four Shillings and Nine-pence Halfpenny *per* Gallon, for Thirteen Gallons of Spirits of the Strength aforesaid, in respect of every One hundred Gallons of such Wort or Wash; and that every Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Sixty-five, shall be charged with and shall pay the Sum of Four Shillings and Ten-pence Farthing *per* Gallon, for Twelve Gallons of Spirits of the Strength aforesaid, in respect of every One hundred Gallons of such Wort or Wash; and that every Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Sixty, shall be charged with and pay the Sum of Four Shillings and Ten-pence *per* Gallon, for Eleven Gallons of Spirits of the Strength aforesaid, in respect of every One hundred Gallons of such Wort or Wash; and that if any Quantity of Spirits exceeding the several Proportions aforesaid, shall be extracted, made, distilled, or produced in the Distillery of any such Distiller respectively, from any Wort or Wash in the Distillery of such Distiller, during the Continuance of the Licence of such Distiller, or during any Period of such Licence as such Distiller shall continue working, every such Distiller shall for every Gallon of such Spirits exceeding the several Proportions aforesaid respectively, computed at such Strength as aforesaid, be charged with and shall pay such Sum of Four Shillings and Eight-pence Halfpenny, Four Shillings and Nine-pence, Four Shillings and Nine-pence Halfpenny, Four Shillings and Ten-pence Farthing, or Four Shillings and Eleven-pence respectively, according to the Gravity of the Wort or Wash from which such Spirits shall have been respectively distilled as aforesaid, over and above the Duty of Excise of Nine-pence Halfpenny, Nine-pence, Eight-pence Halfpenny, Seven-pence Three-farthings, or Seven-pence respectively, chargeable on every Gallon of such Spirits respectively under this Act.

4*s.* 9*d.* per Gallon on 14 Gallons per Cent. from Wash at 75;

4*s.* 9½*d.* per Gallon on 13 Gallons per Cent. from Wash at 70;

4*s.* 10¼*d.* per Gallon on 12 Gallons per Cent. from Wash at 65;

4*s.* 10*d.* per Gallon on 11 Gallons per Cent. from Wash at 60.

Like Charge on all Excess of Spirits beyond these Proportions.

V. Pro-

Distillers not to use Wash beyond the Gravity for which they are licensed.

V. Provided always, and be it enacted, That it shall not be lawful for any Distiller, who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Eighty-one, to make or use in his Distillery during the Continuance of his Licence, any Wort or Wash of a Gravity greater than Eighty-one by *Allan's* Saccharometer; nor for any Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Seventy-five, to make or use in his Distillery during the Continuance of his Licence, any Wort or Wash of a Gravity greater than Seventy-five by the said Saccharometer; nor for any Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Seventy, to make or use in his Distillery during the Continuance of his Licence, any Wort or Wash of a Gravity greater than Seventy by the said Saccharometer; nor for any Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Sixty-five, to make or use in his Distillery during the Continuance of his Licence, any Wort or Wash of a Gravity greater than Sixty-five by the said Saccharometer; nor for any Distiller who shall be licensed to distil Spirits from Wort or Wash of a Gravity not exceeding Sixty, to make or use in his Distillery during the Continuance of his Licence, any Wort or Wash of a Gravity greater than Sixty by the said Saccharometer; and that if at any Time after any Declaration made by any Distiller of the Gravity of such Wort or Wash, pursuant to the Directions in this Act contained, any Wort or Wash shall be found in the Distillery of any such Distiller respectively, of a Gravity greater than that which is herein-before respectively specified, as applicable to the Wort or Wash of any such Distiller, and which shall be declared by such Distiller respectively; every such Distiller in whose Distillery such Wort or Wash shall be found, shall forfeit the Sum of Five hundred Pounds.

Penalty for Wort found of a greater Gravity, 500*l*.

Treasury may prohibit the Distillation of Spirits from Wash of a Gravity less than 65.

VI. Provided further, and be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them for the Time being, and they are hereby authorized and empowered, by a Warrant under their Hands, if it shall appear to them expedient so to do, to prohibit from and after such Day as shall be mentioned in such Warrant, and during such Period as shall be specified in such Warrant, the granting of any Licence to any Distiller for Home Consumption in *Scotland*, to distil Spirits from Wort or Wash of a Gravity less than Sixty-five, as indicated by the said Saccharometer; and in such Case, from and after the Day mentioned in such Warrant, and during the Period specified in such Warrant, it shall not be lawful for any Distiller for Home Consumption in *Scotland* to distil Spirits from Wort or Wash of a Gravity less than Sixty-five, as indicated by the said Saccharometer: Provided nevertheless, that it shall and may be lawful for any Distiller to whom a Licence may have been previously granted to distil Spirits from Wort or Wash of a Gravity not exceeding Sixty, as indicated by the said Saccharometer, to continue to distil Spirits from Wort or Wash of such last-mentioned Gravity during the Continuance of such Licence.

Licences for distilling Spirits from Wash of a Gravity not exceeding 60 to continue.

From 10th Nov. 1822, no Person to prepare or

VII. And be it further enacted, That from and after the said Tenth Day of *November* One thousand eight hundred and twenty-two,

make any Wort or Wash, or employ or work any Still or Stills, without first taking out a Licence in the Manner herein mentioned.

two, it shall not be lawful for any Person or Persons whatever, in any Part of *Scotland*, by him, her, or themselves, or by any other Person or Persons whomsoever employed by him, her, or them, or for his, her, or their Benefit, either publicly or privately, to prepare or make any Wort or Wash from any Sort of Material whatsoever, or to employ or work any Still or Stills for the making or manufacturing of Low Wines or Spirits, or for the rectifying or compounding of Spirits, without having first taken out a Licence for that Purpose in Manner herein-after mentioned, for which Licence the Person requiring the same shall, immediately upon taking out thereof, pay down the Sum or Sums of Money respectively herein-before mentioned; and that such Licences as shall be taken out within the Limits of the City of *Edinburgh*, shall be granted under the Hands and Seals of any Two or more of the Commissioners of Excise in *Scotland* for the Time being, or of such Person or Persons as the said Commissioners of Excise shall from Time to Time appoint for that Purpose; and the several and respective Duties for the same shall be paid at the Chief Office of Excise in *Edinburgh*; and such Licences as shall be taken out in any other Part of *Scotland* beyond the Limits aforesaid, shall be granted under the Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts; and the several and respective Duties for the same shall be paid to the Collector of Excise within whose Collection any such Licence shall be granted respectively; and such Commissioners of Excise, and the Persons so to be appointed by them, and also all such Collectors respectively, are hereby respectively authorized and required to grant and deliver such Licences to the Person who shall apply for the same, being entitled to receive such Licences in the Manner and under the Rules and Regulations required by this Act, and upon their Payment of the said several and respective Duties herein-before mentioned.

Who are to grant Licences.

Licences to expire on the 9th of November in every Year.

VIII. And be it further enacted, That every Licence for the distilling of Spirits for Home Consumption in *Scotland* shall and may be granted on the First Day of *November*, or on any Day after the First Day of *November* and before the Tenth Day of *November* in any Year, beginning with the First Day of *November* next, or on the Tenth Day of *February*, or on the Tenth Day of *May*, or on the Tenth Day of *August*, in any Year: Provided always, that any such Licence granted on the First Day of *November*, or after the First Day of *November* and before the Tenth Day of *November*, in any Year, shall expire on the Ninth Day of *November* in the subsequent Year; and any such Licence granted on the Tenth Day of *February*, or the Tenth Day of *May*, or the Tenth Day of *August*, in any Year, shall expire on the Ninth Day of *November* following the Date of such Licence respectively; and that every Licence for the distilling of Spirits for Exportation shall be granted at such Times, and shall continue for such Periods, as are required or directed with respect to such Licences by any Act or Acts in force immediately before the passing of this Act.

Licences to be renewed annually.

IX. And be it further enacted, That it shall not be lawful for any Person having obtained any Licence under this Act, to continue to

prepare or make any Wort or Wash, or to distil, rectify, or compound any Spirits, or to make or use any Still as herein-before mentioned, after the Expiration of such Licence, until such Person shall have obtained a new Licence, paying down the like Sum for each and every new or renewed Licence, as is by this Act required for the first Licence, in Manner and at the Places and Times before mentioned, and so in every Year so long as such Person shall continue the Business of a Distiller, Rectifier, or Compounder, or shall make or use any Still or Stills respectively.

Persons making any Wort or Wash, or working any Still or Stills, &c. without taking out a Licence, shall be liable to the following Penalties;

X. And be it further enacted, That if any Person or Persons in any Part of *Scotland*, shall after the said Tenth Day of *November* One thousand eight hundred and twenty-two, prepare or make any Wort or Wash from any Sort of Materials whatsoever, or employ or work any Still or Stills for the making or manufacturing of Low Wines or Spirits, or for the rectifying or compounding of Spirits, without having first taken out a Licence for that Purpose, or shall not renew the same once in every Year in Manner aforesaid, so long as he shall continue the Business of distilling, rectifying, or compounding Spirits, or shall make or use any Still or Stills respectively, every such Person shall forfeit and lose the several and respective Penalties herein-after mentioned for each and every such Offence; that is to say, every Distiller in *Scotland* for Sale therein, or for Exportation therefrom, so offending, shall forfeit the Sum of Two hundred Pounds; every Rectifier or Compounder of Spirits in *Scotland*, or Person making or using any Still or Stills as aforesaid, so offending, shall forfeit the Sum of One hundred Pounds.

Distillers, 200*l.*

Rectifiers or Compounders, &c. 100*l.*

Persons in Partnership need to take out only One Licence for One House or Place.

XI. Provided always, and be it enacted, That Persons in Partnership, and carrying on Trade and Business in One House or Place only, shall not be obliged to take out more than One such Licence in any one Year, for carrying on such Trade in such House or Place; and that no one Licence which shall be granted by virtue of this Act shall authorize or empower any Person or Persons to whom the same shall be granted, to prepare or make any Wort or Wash, or to distil any Low Wines or Spirits, or to rectify or compound any Spirits, or to make or use any Still or Stills in any other House or Premises than the House or Premises mentioned in such Licence, and in no other House, Place, or Premises whatever.

Assignees of Insolvents and Executors, &c. of Persons having Licences may carry on Trade till the Licences expire.

XII. Provided always, and be it enacted, That upon the Insolvency, Bankruptcy, or Death of any Person so licensed as a Distiller, Rectifier, or Compounder of Spirits, or upon the Removal of any Person so licensed from the entered House or Premises in which the Licence shall authorize such Person to prepare or make Wort or Wash, or to distil Low Wines or Spirits, or to rectify or compound Spirits, it shall and may be lawful to and for the Commissioners of Excise in *Scotland* for the Time being, or any One or more of them, and to and for the several Collectors and Supervisors of Excise in *Scotland*, within their respective Collections and Districts, to authorize and empower the Assignees of such Insolvent, or the Factor or Factors, Trustee or Trustees of such Bankrupt on his sequestrated Estate, or the Executors or Administrators, or the Wife, Child, or lawful Heir of such deceased Person, or the Assignees or Assigns of any such Person so removing,

removing, who shall be possessed of such House or Premises, in like Manner to prepare or make Wort or Wash, or to distil Low Wines or Spirits, or to rectify or compound Spirits in the same entered House or Premises, where such Person so licensed by virtue of such Licence carried on such Trade during the Residue of the Term for which such Licence was originally granted, without taking out a new Licence during the Residue of the said Term, but subject to and under the same Terms, Conditions, Rules, and Regulations as the Person or Persons to whom such Licence was originally granted.

Persons applying for Licences to swear that the Stills, &c. are their own Property, &c.

XIII. And be it further enacted, That no Person or Persons shall be capable of taking out or receiving a Licence as a Distiller for Home Consumption in *Scotland*, save only the actual Owner or Owners of the Still or Stills intended to be worked by virtue thereof, and of the Implements, Backs, and Vessels to be employed or used in carrying on the Trade or Business of a Distiller; and every such Person or Persons demanding such Licence, shall take and subscribe an Oath before One or more of the Commissioners of Excise in *Scotland*, or any Justice of the Peace for the County in which such Person or Persons shall reside (and which Oath such Commissioners or Justice are and is hereby empowered to administer), that the said Still or Stills and Implements, Backs, and Vessels to be used, are his, her, or their own Property, and that the Trade or Business intended to be carried on is at his, her, or their Risk, and on his, her, or their own Account; and in every Licence which shall be granted by virtue of this Act, there shall be expressed and specified the Christian Name or Names, and the Surname or Surnames of the Person or Persons to whom the same shall be respectively granted, the Place or Places of his, her, or their respective Residence, and the House or Place, and the Name of the particular County and Parish in which such House or Place shall be situate, where such Still or Stills are intended to be employed, worked, or used, together with the respective Contents or Capacities of every such Still, and specifying for what particular Use each respective Still is intended to be employed, whether it be for the Distillation of Wash, or for the Distillation of Low Wines, and also specifying the Gravity of the Wort or Wash which such Distiller shall declare in Writing to be his Intention to brew or prepare during the whole Continuation of his Licence, and also the Number of Gallons of Spirits to be produced from every One Hundred Gallons of Wash, in Proportion to such Gravity, in the Distillery for which such Licence shall be granted, and also specifying the Sum paid for the Duty for such Licence, and the Time of commencing, and when such Lease shall cease and expire.

Particulars to be specified in Licences.

Wash Stills may be used as Low Wine Stills, and contrariwise, on giving Notice to the Officer; and One Still only may be licensed for

XIV. Provided always, and be it enacted, That notwithstanding any thing contained in any Licence granted under this Act, any Wash Still or Stills, in the Distillery of any Distiller licensed under this Act, may be used in the distilling of Low Wines, and that any Low Wine Still or Stills in the Distillery of such Distiller may be used in the distilling of Wash, provided that Twelve Hours previous Notice thereof shall be given by the Distiller to the proper Officer of Excise, and that the Cause for such Alteration shall be truly stated in the said Notice; and that nothing in this Act contained shall extend or be

be deemed or construed to extend to prevent the employing or using of one and the same Still for the Distillation of Wash, and for the Distillation of Low Wines in the Distillery of any Distiller licensed under this Act; provided such Distiller shall declare the Intention of so doing at the Time of obtaining such Licence as aforesaid, and so as such Intention shall be specified in such Licence; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

distilling Wash and Low Wines, on declaring such Intention so to work at the Time of taking out the Licence.

XV. And be it further enacted, That every Person requiring any Licence under this Act, as a Distiller, Rectifier, or Compounder of Spirits, shall, before obtaining any such Licence, make out, sign, and deliver at the nearest Office of Excise for the District, within the Limits of which the Distillery, Workhouses, Storehouses, or other Places of such Distiller, Rectifier, or Compounder respectively are situated, an Account and Declaration in Writing, to be entered and registered in the said Office of Excise, and which Account and Declaration shall specify and contain the Name or Names, and Place or Places of Abode of all the Persons requiring such Licence, and of all the Partners in the Concern, and shall be signed and subscribed by each and every such Partner; and such Account and Declaration shall also describe every Distillery, Storehouse, Warehouse, Building, Room, or other Place intended to be made use of in carrying on the Business of such Distiller, Rectifier, or Compounder (as the Case may be), and also all Coppers, Tuns, Backs, Coolers, Stills, Casks, Vessels, and other Utensils, which such Distiller, Rectifier, or Compounder respectively shall make use of for brewing, mixing, fermenting, distilling, rectifying, compounding, or keeping any Wort, Wash, Low Wines, Spirits, or Feints; and in every such Account and Declaration shall be specified the particular Purpose for which each such Copper, Tun, Back, Cooler, Still, Cask, Vessel, and Utensil is intended to be used; and in such Account and Declaration every such Distiller shall set forth, specify, and declare at what Gravity of Wort or Wash such Distiller intends to work during the whole Continuance of his Licence, and shall declare his Consent to be charged with the Per-centage on Spirits, to be produced from Wort or Wash, according to the Gravity thereof, so set forth, specified, and declared, and according to the Rates prescribed by this Act; and if any such Distiller, Rectifier, or Compounder, shall neglect or refuse to make out, sign, and deliver such Account and Declaration as aforesaid, or shall omit to specify and set forth in such Account and Declaration any of the Matters or Things herein-before required to be set forth and specified therein; or if after such Entry any Copper, Tun, Back, Cooler, Still, Cask, Vessel, or Utensil mentioned in such Entry, shall be used in the Distillery, or other entered Premises of any such Distiller, Rectifier, or Compounder respectively, for any other Purpose than that to which any such Copper or other Vessel or Utensil is in such Entry specified to be intended to be applied or used; every such Distiller, Rectifier, and Compounder respectively, shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds; and every such Vessel or Utensil, together with the Wort, Wash, Low Wines, Spirits, or Feints found therein at the Time when the Offence shall

Distillers, &c. before obtaining Licence to make Entry of Places and Utensils to be used, and shall not make use of any Utensil for any other Purpose than that specified.

Gravity of Wort to be specified.

Penalty 200*l.* and Forfeiture of Utensils, Wort, &c. for offending herein.

shall be committed, shall and may be seized by any Officer or Officers of Excise.

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

XVI. And be it further enacted, That in every such Account and Declaration as aforesaid, every Building, Room, Place, Still, Copper, Cooler, Vat, Back, Vessel, and Utensil whatsoever, shall be distinguished and described by a particular Letter or Number, and the Person making such Account shall paint or cause to be painted 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, Room, or Place respectively, and upon some convenient and conspicuous Part of every such Still, Copper, Cooler, Vat, Back, Vessel, or other Utensil kept and continued so painted, and from Time to Time, when Occasion shall require, or when required by the Supervisor of the District where situated, or by any General Supervisor or superior Officer, the same shall be renewed so long as the Entry thereof shall remain 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 whenever any fixed Pipe or Pipes shall be used or employed in the Distillery, Buildings, Rooms, or Places of any Distiller, Rectifier, or Compounder, the Person making and delivering such Account shall, at the making and delivering the same, deliver with such Account, and as Part thereof, a Drawing or Drawings, or 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 Vessel or Vessels, and Utensil or Utensils respectively, from or to or with which the same lead or communicate; and if any Building, Room, Place, Vessel, or Utensil shall at any Time be found to be used in the Distillery or entered Premises of any Distiller, Rectifier, or Compounder, not having been so described or distinguished as aforesaid, or without such Letter or Number being or remaining so distinctly painted thereon as aforesaid; or if any Pipe or Pipes shall be found which shall not have been shewn in such Drawing or Drawings, or so described as aforesaid, or different from or disagreeing with such Drawing or Drawings, or Description or Descriptions as aforesaid; every such Building, Room, Place, Vessel, and Utensil respectively, shall be deemed and taken to be unentered, and the Person or Persons using the same shall for every such Offence forfeit and lose, over and above all other Penalties and Forfeitures, the Sum of Two hundred Pounds.

When Pipes are used their Course shall be described.

Penalty 200*l.*

No Rectifier, &c. shall be licensed as a Distiller of Spirits for Home Consumption; and every such Person being con-

XVII. And be it further enacted, That no Person or Persons carrying on the Trade or Business of a Rectifier or Compounder of Spirits, or of a Maker of Vinegar, or of a Common Brewer or Victualler, or of a Retailer of any Kind of Spirits in any Part of *Scotland*, shall have any Licence granted to him, her, or them, as a Distiller of Spirits for Home Consumption; and if any Person or Persons, so long as he, she, or they shall carry on or be concerned in the Business of a Rectifier or Compounder of Spirits, or of a Maker

of Vinegar, or of a Common Brewer or Victualler, for brewing or selling of Beer or Ale, or of a Retailer of any Kind of Spirits, in any Part of *Scotland*, shall carry on, or be directly or indirectly concerned or interested in the Trade or Business of a Distiller of Spirits for such Home Consumption, every such Person shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and if any Person or Persons to whom any such Licences as a Distiller or Distillers shall be granted under this Act, in any Part of *Scotland*, for Consumption therein, shall at any Time or Times during the Continuance of any such Licence, carry on or be directly or indirectly concerned or interested in the Trade or Business of a Rectifier or Compounder of Spirits, or of a Vinegar Maker, or of a Common Brewer or Victualler, or of a Retailer of any Kind of Spirits, every such Person shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

cerned in the Business of a Distiller, shall forfeit 200*l.*

And no Person licensed as a Distiller shall be concerned in the Business of a Rectifier, &c.

Penalty 200*l.*

XVIII. And be it further enacted, That if any Person or Persons, in any Part of *Scotland*, shall at one and the same Time carry on the Trade or Business of a Rectifier or Compounder of Spirits, with that of a common Brewer or Victualler, or of a Retailer of any Kind of Spirits, or Vinegar Maker, or shall be directly or indirectly concerned or interested therein; or if any Persons shall at one and the same Time carry on the Trade or Business of a common Brewer or Victualler, or of a Retailer of any Kind of Spirits, or Vinegar Maker, with that of a Rectifier or Compounder of Spirits, or shall be directly or indirectly concerned or interested therein, every such Person or Persons as aforesaid shall, for every such Offence, forfeit and lose the Sum of Two hundred Pounds.

No Rectifier to carry on the Business of a Brewer, Victualler, &c. and no Brewer, Victualler, &c. to carry on the Business of a Rectifier.

Penalty 200*l.*

XIX. And be it further enacted, That it shall not be lawful for any Distiller, licensed under this Act, at any Time while any Still shall be at Work, or any Materials fit for Distillation remaining in the Distillery of such Distiller, to be licensed as a Dealer in Spirits, whether the entered Distillery of such Distiller is within the Distance of Two Miles thereof; and if any such Distiller shall, within the Distillery of such Distiller, or the entered Premises thereto belonging, or in any House or Place within the Distance of Two Miles of such Distillery, during such Time keep any Spirits not distilled in the Distillery of such Distiller; or if any such licensed Distiller shall, during such Time, make Entry, or shall permit or suffer any Person or Persons on Behalf of such Distiller to make Entry of any Warehouse or other Place for the keeping or sending out of any Kind of Spirits, as a Dealer in Spirits, within the Distillery of such Distiller, or within the Distance of Two Miles thereof; or if any such licensed Distiller shall in any Manner or Way be concerned or interested in the Trade or Business of a Dealer in Spirits, within his, her, or their entered Distillery, or the entered Premises thereto belonging, or within Two Miles thereof, while any Still shall be at Work, or any Materials fit for Distillation are remaining in the Distillery of any such Distiller; every such Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Distillers while distilling, &c. not to be Dealers in Spirits, within their entered Distillery Premises, or within Two Miles thereof; nor permit any Person to become a Dealer in Spirits within their Premises, under a Penalty of 200*l.*

XX. Pro-

Distillers may receive Spirits back from their Customers into their Distillery Stock.

XX. Provided always, and be it enacted, That it shall and may be lawful for any Distiller licensed under this Act, to receive back into the Stock of Spirits, of which an Account shall be kept in the said Distillery, any Spirits originally distilled and sent out by such Distiller, and which may be returned to such Distiller by any Dealer in or Retailer of Spirits to whom such Distiller may have sent out the same, in the original Casks in which the same shall have been so sent out, accompanied with true and lawful Permits, expressing the Name of the Dealer or Retailer from whose Stock the Spirits shall be sent, and also the Name of the Distiller to whose Stock the same shall be returned.

Houses for rectifying or compounding Spirits not to be used within 350 Yards of a Distillery, nor shall a Distillery be used within that Distance of a House for rectifying or compounding Spirits.

Penalty 500*l.*

XXI. And be it further enacted, That no Person or Persons shall erect, set up, enter, or make use of any House or Place whatsoever in *Scotland*, for the rectifying or compounding of Spirits, or for receiving or keeping of Spirits, by any Rectifier or Compounder of Spirits, within the Distance of Three hundred and fifty Yards in a direct Line from any House or Place which shall be entered or used for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption, or for the receiving or keeping of Spirits by any Maker or Distiller of Spirits; and that no Person or Persons shall erect, set up, enter, or make use of any House or Place whatsoever in *Scotland* for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption, or for receiving or keeping Spirits by any Maker or Distiller of Spirits, within the Distance of Three hundred and fifty Yards in a direct Line from any House or Place which shall be entered or used for rectifying or compounding of Spirits, or for receiving or keeping of Spirits, by any Rectifier or Compounder of Spirits, on pain of forfeiting in each and every such Case the Sum of Five hundred Pounds for every Week that such House or Place shall be erected, set up, or entered, or used respectively as aforesaid; and all and every Entry or Entries of any such House or Place so made use of, either for the rectifying, compounding, or keeping of Spirits, or for the preparing Wort or Wash, or making or distilling or keeping of Spirits, contrary to the true Intent and Meaning of this Act, shall be null and void to all Intents and Purposes whatsoever: Provided nevertheless, that from and immediately after the passing of this Act, and at any Time thereafter during the Continuance thereof, it shall and may be lawful for any Person intending to erect, set up, enter, and make use of any House or Place for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption in *Scotland*, within a Period not exceeding Twelve Months, to give Notice of such his Intention to the proper Officer of Excise, describing such House or Place, or the Site thereof; and it shall not be lawful for any Person after such Notice shall have been given, during the Period specified in such Notice, not exceeding Twelve Months from the Day of the Date thereof, to erect, set up, or make use of any House or Place not previously used for the rectifying or compounding of Spirits, or for receiving or keeping of Spirits by any Rectifier or Compounder of Spirits, within the Distance of Three hundred and fifty Yards in a direct Line from such House or Place, or the Site thereof, specified in such Notice; provided further that

All Entries contrary thereto shall be void.

Notice to be given by the Persons intending to use such Houses for rectifying.

that if any Person giving such Notice as aforesaid, shall not be able to complete any House or Place for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption in *Scotland* within the Space of Twelve Months after the Date of such Notice, it shall and may be lawful for the Commissioners of Excise in *Scotland*, upon the Application of such Person, or of his Executors, Administrators, or Assigns, to extend the Time within which such House or Place may be finished, so that the same may be entered as a House or Place for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption in *Scotland*, on or before such Day as it shall appear reasonable and proper to such Commissioners of Excise to extend and limit the same.

If such Houses cannot be completed within 12 Months after Notice given, Commissioners of Excise may enlarge the Time.

XXII. And be it further enacted, That it shall and may be lawful for every Person in *Scotland*, to be licensed under this Act, to erect and use any Still or Stills for the Distillation of Wash, Low Wines, or Spirits for Home Consumption, each Still respectively being of the Capacity or Content of at least Forty Gallons *English* Wine Measure (including the Head and as high as the Steam can ascend), or of any other Capacity or Content less than Five hundred Gallons *English* Wine Measure (including the Head and as high as the Steam can ascend); provided that every Person applying for any Licence for any such Still, shall produce to the Commissioners of Excise, or other Person authorized to grant such Licence, a Certificate in Writing, under the Hands of Two Justices of the Peace for the County, and the Minister of the Parish in which such Person shall have resided for the Space of Three Years, that such Person is of good Character, and is reputed to be in such Circumstances as to be able to pay all Duties on Spirits to be distilled in such Still, and is Tenant or Occupier of Messuages or Tenements to the Value of Ten Pounds a Year at the least, in the Parish in which such Still is required to be licensed: Provided always, and declaring, that if any such Person, so applying for a Licence, shall be a Partner with any other Person or Persons, carrying on in Partnership the Trade and Business of a Distiller, it shall and may be lawful for the Commissioners of Excise, or other Person authorized to grant such Licence, to include therein the Names of all the Persons concerned in such Partnership, whether they reside in such County or not.

Any Person may be licensed to use Stills for the Distillation of Wash, &c. of the Capacity of 40 Gallons, or of any other Capacity under 500 Gallons, on being recommended by Two Justices of the Peace and the Minister of the Parish.

Names of Partners may be included.

XXIII. And be it further enacted, That it shall and may be lawful for any Person or Persons in *Scotland*, to be licensed under this Act, to erect and use any Still or Stills, for the Distillation of Wash, Low Wines, or Spirits for Home Consumption, of the Capacity or Content of Five hundred Gallons, including the Head (and as high as the Steam can ascend,) or of any greater Capacity or Content, without such Certificate or Recommendation as aforesaid; and that it shall and may be lawful for any Person licensed to erect and use any Still of Five hundred Gallons Content or more, to be licensed to erect and use any other Still of a less Content than Five hundred Gallons, and not less than Forty Gallons, without any such Certificate or Recommendation as aforesaid; any thing herein-before contained to the contrary notwithstanding.

Any Person may be licensed to use Stills of 500 Gallons Content or upwards, without such Recommendation; and the Person so licensed may also be licensed to use Stills less than 500 Gallons and not less than 40.

XXIV. And

No Person shall be licensed to erect or use any Still of less Capacity than 40 Gallons, or of 40 and under 500 Gallons, without being recommended as aforesaid.

XXIV. And be it further enacted, That it shall not be lawful for any Person in *Scotland* to be licensed to erect, set up, employ, or use any Still or Stills, for the Distillation of Wash, Low Wines, or Spirits, of any less Capacity or Content than Forty Gallons *English* Wine Measure, including the Head (and as high as the Steam can ascend), nor for any Person, not licensed to erect and use a Still of Five hundred Gallons or upwards, to be licensed to erect, set up, employ, or use any Still of the Capacity or Content of Forty Gallons, and under Five hundred Gallons, without such Certificate or Recommendation; and that if any Person in *Scotland* shall erect, set up, use, or employ any such Still, contrary to the Directions of this Act, every such Person shall be subject to, and shall incur all the Penalties and Forfeitures by this Act inflicted on Persons using or working any unlicensed Still.

No Person to be deemed a Rectifier, &c. who has not at least One Still of 120 Gallons Content; and no Person to carry on the Business of a Rectifier, &c. contrary hereto.

XXV. And be it further enacted, That no Person or Persons in *Scotland* shall be deemed a Rectifier or Compounder of Spirits, within the Meaning of this Act, who shall not have at least One entered Still, capable of containing in the Body thereof, exclusive of the Head, One hundred and twenty Gallons *English* Wine Measure at the least, nor unless such Still shall have a suitable Worm and Worm-tub affixed thereto, and shall be really and *bonâ fide* used for the rectifying of *British* Spirits for Sale, by such Person or Persons; and any Person who shall carry on the Business of a Rectifier or Compounder of Spirits contrary to the Directions of this Act, shall be subject and liable to and shall incur all the Penalties and Forfeitures by this Act inflicted on Persons using or working any unlicensed Still.

Penalty on Rectifiers, &c. having in their Custody any Wort, &c. or distilling the same into Low Wines or Spirits, or receiving Spirits without a legal Permit, 500*l.* or 20*s.* per Gallon.

XXVI. And be it further enacted, That if any Rectifier or Compounder of Spirits in *Scotland* shall have in his, her, or their Custody or Possession any Wort, Wash, Tilts, or other fermented Liquor capable of being distilled into Low Wines or Spirits, or shall distil or extract any Low Wines or Spirits from Wort, Wash, Tilts, Corn, Melasses, Sugar, Cyder, refused Wines, or other fermented Liquor, or shall be in Possession of any such Materials prepared or fit for the Purpose of being distilled into Low Wines or Spirits, or shall have in his Custody or Possession any Spirits whatsoever, without having received a legal Permit with the same, every such Rectifier or Compounder of Spirits shall (over and besides all other Penalties and Forfeitures) forfeit and lose for every such Offence the Sum of Five hundred Pounds, or the Sum of Twenty Shillings for each and every Gallon of such Wort, Wash, or other fermented Liquor fit for the Purpose of being distilled into Low Wines or Spirits, or of such Low Wines or Spirits so distilled as aforesaid, or of such Spirits received without being accompanied with a true and legal Permit, as the Case may be, at the Election of the Advocate General of *Scotland*, or of any other Person who shall sue or prosecute for such Penalty; and the Licence of every Rectifier or Compounder of Spirits, who shall be a Second Time convicted of any of the Offences aforesaid, shall, upon such Second Conviction, be deemed void to all Intents and Purposes, and such Rectifier or Compounder shall not be capable of receiving any further or renewed

Second Offence, Forfeiture of Licence.

Licence as a Rectifier or Compounder of Spirits, for the Period of Three Years from the Date of such Second Conviction.

Penalty on Distillers removing Wort, Wash or Spirits on which the Duty has not been paid, 500*l.* or 20*s.* per Gallon.

XXVII. And be it further enacted, That if any Distiller in *Scotland*, licensed under this Act, shall conceal, remove, or carry away, or cause or suffer to be concealed, removed, or carried away, any Wort or Wash brewed or made for extracting Spirits, or any Spirits so extracted, for or upon which the Duty imposed by this Act has not been duly charged, or which shall not have been duly taken account of by the proper Officer of Excise, every such Distiller, over and besides all other Penalties and Forfeitures, shall for every such Offence forfeit and lose the Sum of Five hundred Pounds, or the Sum of Twenty Shillings for every Gallon of such Wort, Wash, or Spirits so concealed, removed, or carried away, at the Election of the Advocate General of *Scotland*, or of the Person who shall sue or prosecute for such Penalty; and the Licence of every such Distiller, who shall be a Second Time convicted of any such Offence, shall, upon such Second Conviction, be deemed void to all Intents and Purposes, and such Distiller shall not be entitled to any further or renewed Licence, as a Distiller, for the Period of Three Years from the Date of such Second Conviction.

Second Conviction, Forfeiture of Licence.

Distillers, &c. shall cause their Names, and the Words Distiller, Rectifier, or Compounder (as the Case may be) to be painted over the Outward Door of their Still House, &c.

Penalty 100*l.*

XXVIII. And be it further enacted, That before any Distiller, Rectifier, or Compounder of Spirits, for Consumption in *Scotland*, shall begin to distil, rectify, or compound any Spirituous Liquors, such Distiller, Rectifier, or Compounder respectively, shall cause to be painted in Black upon a White Ground, or in White upon a Black Ground, over the outward Door of the Stillhouse, Storehouse, Warehouse, Shop, Cellar, Vault, or other Place respectively, made use of by such Distiller, Rectifier, or Compounder, for distilling, rectifying, compounding, or keeping of *British* Spirituous Liquors, in Letters of not less than Six Inches in Length, the Name or Names of such Distiller, Rectifier, or Compounder, and the Words Distiller, Rectifier, or Compounder of Spirituous Liquors (as the Case may be), and shall keep the same so legibly painted, upon pain of forfeiting the Sum of One hundred Pounds.

Any Distiller, &c. receiving or buying British Spirits from any but licensed Distillers, or Dealers in or Retailers of British Spirits, or at the public Sales of condemned Spirits, shall forfeit 500*l.*

XXIX. And for the more effectually preventing the receiving or buying by any Person whomsoever of *British*-made Spirits, from Persons privately distilling the same without Licence; be it further enacted, That if any Distiller, Rectifier, or Compounder of Spirits, or any other Person whosoever, in any Part of *Scotland*, shall receive or buy, or shall procure or employ any Person to receive or buy any *British*-made Spirits, from any Person or Persons whomsoever, except from some Distiller, Rectifier, or Compounder of Spirits, whose Name shall be painted over the outward Door of his Stillhouse, Storehouse, Warehouse, Shop, Cellar, Vault, or other Place, in Manner required and directed by this Act, or from some licensed Dealer in or Retailer of *British*-made Spirits, or at some public Sale of *British*-made Spirits, condemned and sold under the Direction of the Commissioners of Excise or Customs; every such Person so offending shall, for every such Offence, forfeit and lose the Sum of Five hundred Pounds.

XXX. And

Either Buyer or Seller informing against the other, shall be acquitted of his own Penalty.

XXX. And for the more effectual Discovery of such Offender, be it further enacted, That either of the offending Parties, whether Buyer or Seller of such *British* Spirits, who shall first discover and inform against the other of such offending Parties, before any Information has been lodged against such informing Party for such Offence, shall thereupon be discharged and acquitted from all Penalties to which, at the Time of such Information given, such informing Party may be liable, for or by reason of any such Offence committed by such informing Party.

Penalty on Persons not licensed, &c. who shall paint over any of their Doors the Words, Distiller, &c. 200*l*.

XXXI. And be it further enacted, That if any Person or Persons, not being duly licensed as a Distiller, Rectifier, or Compounder under this Act, or if any such Distiller, Rectifier, or Compounder, not having duly made Entry of all the Places by them respectively made use of for distilling, rectifying, compounding, or keeping of *British* Spirits, shall paint or cause to be painted over the outward Door of any Place to them respectively belonging, the Words "Distiller, Rectifier, or "Compounder of Spirituous Liquors," or either of them; every Person so offending shall forfeit and lose the Sum of Two hundred Pounds, and shall also be subject to the several Penalties and Forfeitures to which Persons distilling, rectifying, or compounding Spirituous Liquors, without being licensed and making Entry, are by this Act subjected unto.

Wort, &c. to be charged by English Wine Measure, and Casks, &c. for holding the same to be gauged accordingly.

XXXII. And be it further enacted, That the several and respective Duties granted by this Act on Wort, Wash, and Spirits, shall be charged by the Officers of Excise, according to the Gauge or Gauges taken by them in the different and respective entered Backs, Casks, or other Vessels; and that the Contents of all Backs and other Vessels for containing, keeping, or holding of Wort or Wash, or other Liquor for Distillation, and of Low Wines, Feints, and Spirits of any Kind or Sort whatsoever, shall be taken and calculated according to *English* Wine Measure.

Denominations of Spirits of different Distillations.

XXXIII. And to remove all Doubts respecting the Denomination of Spirits of different Distillations, be it further enacted, That all Spirits of the first Extraction, drawn or distilled from Wort or Wash, shall be deemed and taken to be Low Wines within the Meaning of this Act; and that all pure Spirits of the Second Extraction, or which shall have been once distilled from Low Wines, shall be deemed and taken to be Raw *British* Spirits within the Meaning of this Act; and that all impure Spirits of the Second Extraction, or which shall have been once distilled from Low Wines, and all impure Spirits of the Third Extraction, or which shall have been Twice distilled from Low Wines, shall be deemed and taken to be Feints within the Meaning of this Act; and that all pure Spirits of the Third Extraction, or which shall have been Twice distilled from Low Wines, and have had any Flavour communicated thereto, and all Liquors whatsoever which shall be mixed or mingled with any such Spirits, shall be deemed and taken to be *British* Brandy within the Meaning of this Act; and that all pure Spirits of the Third Extraction, or which shall have been Twice distilled from Low Wines, and shall not have had any Flavour communicated thereto, and all Liquors whatsoever which shall be mixed

mixed or mingled with any such Spirits, shall be deemed and taken to be Rectified *British* Spirits within the Meaning of this Act; and that all pure Spirits of the Third Extraction, which shall have been distilled with Juniper Berries, Carraway Seeds, Annise Seeds, or any other Seeds, Preparation, or Ingredient whatsoever used in the compounding of Spirits, and all Liquors whatsoever which shall be mixed or mingled with any such Spirits, shall be deemed and taken to be *British* Compounds within the Meaning of this Act; and that all *British* Spirits of the Strength of Forty-two *per Centum* above Proof, as denoted by the Hydrometer called *Sikes*'s Hydrometer, and all Spirits of a greater or higher Degree of Strength, shall be deemed and taken to be Spirits of Wine within the Meaning of this Act; and if any Question shall arise, whether any Spirits removed by any Permit are *bonâ fide* such Raw *British* Spirits, Rectified *British* Spirits, *British* Brandy, *British* Compounds, or Spirits of Wine respectively, as are described and specified in the Permit accompanying the same or granted for the Removal thereof, although such Spirits shall appear to have been kept account of in the Officers Books, or Account of Stock from which such Spirits were removed, by the same Name or Description as is specified in such Permit, the Proof that such Spirits are really and *bonâ fide* of the Sort specified in such Permit shall lie upon the Owner or Claimer thereof, who shall prove the same by the Oaths of Two credible Witnesses, being skilful and experienced Persons competent to decide by Examination thereof.

Proof of Spirits removed being such as described in the Permit to lie upon the Owners.

XXXIV. And be it further enacted, That if any Distiller or Distillers licensed under this Act, in preparing Grist for the Mash Tun, in order to extract Wort therefrom, shall use or cause to be used more Wheat than in the Proportion of One Quarter of Wheat to Two Quarters of any other Corn or Grain, every such Distiller or Distillers shall, for every such Offence, forfeit and lose the Sum of Fifty Pounds.

Penalty on Distillers using above One Quarter of Wheat to Two Quarters of any other Grain, 50*l*.

XXXV. And be it further enacted, That during such Time as the Distillation of Spirits from Corn or Grain shall not be prohibited by Law in *Scotland*, no Low Wines or Spirits shall be made, extracted, or distilled in *Scotland* from Sugar or Molasses, or any Mixture with the same, or either of them, or from any Honey, or from any refused Wine, Cyder, Perry, or other Ingredients whatever, other than and except Corn malted or unmalted; and that if any Distiller licensed under this Act shall make use of any refused Wine, Cyder, Perry, Molasses, Sugar, Sugar Wash, Honey, or any Composition or Extract of Sugar, in brewing, making, or preparing Wash for Distillation, or in making or extracting Low Wines or Spirits; or if any such Distiller shall referment and redistil Wash, commonly called Spent Wash, after the same has been through the Still, or shall distil any Kind of fermented Liquor whatsoever, other than and except the Wash prepared or made from Corn or Grain within the Distillery of such Distiller; or if any Quantity of refused Wines, Cyder, or Perry, Melasses, Sugar, or Honey, or any Sugar Wash, or Composition or Extract of Sugar, or any Kind of fermented Liquid not prepared or made from Corn or Grain in the Distillery of such Distiller, shall be conveyed or received into, or be found in the Distillery of such Distiller, the same,

While Corn Distillery is not prohibited, no Spirits shall be made from Sugar, &c.

No Distiller licensed under this Act shall use any refused Wine, Cyder, Sugar Wash, &c. or keep the same in his Possession. Penalty, Forfeiture and 200*l*.

same, together with the Casks or other Packages in which the same shall be contained, and the Carts and other Carriages and Horses or Cattle used for conveying the same, shall be respectively forfeited, and shall and may be seized by any Officer or Officers of Excise; and every such Distiller or Distillers shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds; and every Servant of such Distiller, and every Person who shall be aiding and assisting in the using any such refused Wine, Cyder, or Perry, or other fermented Liquor, or any Melasses, Sugar, or Honey, or any Sugar Wash or Composition or Extract of Sugar, in the Distillery of such Distiller, or in carrying or conveying the same into any Distillery, Stillhouse, or other Place belonging to such Distiller, shall also for every such Offence forfeit and lose the Sum of Twenty Pounds, and in Default of Payment thereof shall suffer Imprisonment for Three Calendar Months.

Servants or Persons assisting therein shall forfeit 20*l.* or suffer Three Months Imprisonment.

Officers to make out a Weekly Return or Voucher of the Wash distilled and Spirits charged, which shall be a Charge upon the Distiller.

XXXVI. And be it further enacted, That the Officer of Excise in Charge of the Distillery of any Distiller licensed under this Act, shall make out a Return or Voucher to the Commissioners of Excise, or to such Person as the said Commissioners shall appoint, of the Amount of Wash distilled, or decreased from the Wash Backs in the Distillery of such Distiller, in every Week ending on the *Saturday* during the Continuance of the Licence of such Distiller; and also of all the Spirits made and distilled in such Distillery and taken account of by such Officer during such Week, and of the several Duties chargeable and charged on such Wash and Spirits respectively, in each and every such Week, which Return or Voucher shall be a Charge upon the Distiller; and the Officer of Excise shall within Three Days after the End of every such Week, deliver to or leave with such Distiller, or at such Distillery, a true Copy of such Return or Voucher, containing the Amount of all the Wash distilled or decreased, and all the Spirits made and taken account of by such Officer, and charged with Duty for such Week respectively.

Officers shall leave a Copy of such Return with Distiller.

Distiller shall pay Duty on such Return.

XXXVII. And be it further enacted, That such Return or Voucher of such Officer shall be a Charge upon every such Distiller for such Week, and such Distiller shall pay the Duties appearing by such Return to have become due and payable on the Wash so distilled or decreased, and the Spirits so made and distilled, on some Market Day, within Fourteen Days after the last Day of the Week for which such Return shall be made, and such Duty charged, or shall for every Default forfeit a Sum equal to Double the Duty so returned and charged.

Every Distiller, &c. to make Entry every Week by declaring the true Quantity of Wash distilled and Spirits made in each Week, on Penalty of 200*l.*

XXXVIII. And be it further enacted, That every Distiller licensed under this Act shall, under the proper Hand of such Distiller, or under the Hand of the Brewer or Chief Workman of such Distiller, or of some Person for whom such Distiller shall be responsible, make a true and particular Entry or Return, in Writing, declaring to the Truth thereof before the proper Supervisor of the District, of the Quantity of the Wort or Wash which shall have been decreased from the Wash Backs, or distilled in the Distillery of such Distiller into Low Wines or Spirits, in every Week ending on the *Saturday* during

the Continuance of the Licence of such Distiller, and of the Quantity of Spirits, calculated at the Strength of Seven *per Centum* above Proof, which shall have been made or distilled in the Distillery of such Distiller within such Week; and in case of Omission, Neglect, or Default in the making of such Entry or Return, or if any false Entry or Return shall be made, every such Distiller shall, for every such Omission, Neglect, or Default, and for any such false Entry, forfeit the Sum of Two hundred Pounds.

Distiller not compelled to travel for making such Returns, etc. except to the Market Town nearest to his Residence.

XXXIX. Provided always, and be it enacted, That no Distiller licensed under this Act shall be compelled to travel for the making of the said Entries or Returns, or for the Payment of the said Duties, or for any other Cause relating to or concerning the same, if such Distiller shall reside in a Market Town; and if such Distiller shall reside out of a Market Town, then such Distiller shall not be compelled to travel to any other Place than to the Market Town nearest to the Residence of such Distiller in the same County on the Market Day.

Treasury may empower the Commissioners of Excise to allow the Distiller Time for Payment of the Duties, not exceeding Two Months, with Interest at 5*l.* per Cent.

XL. Provided also, and be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, by any Warrant, Order, or Instruction signed by any Three or more of them, to authorize and empower the Commissioners of Excise in *Scotland* for the Time being, by any Licence or Authority in Writing under the Hands of any Three or more of the said last-mentioned Commissioners, to allow such Time as they shall think fit, for the Payment by any Distiller licensed under this Act, of the Duties granted by this Act, not exceeding Two Calendar Months from the Time when the same respectively became due and payable, and to take such Security or Securities for the Payment thereof, with Interest thereon, at the Rate of Five Pounds *per Centum per Annum*, from the Day on which the same were payable, according to the Directions of this Act, until the same shall be paid, as the said Commissioners of Excise shall think proper, subject to such Limitations, Conditions, and Restrictions, as the said Commissioners of His Majesty's Treasury shall think fit; any thing contained in this Act or in any other Act or Acts to the contrary in anywise notwithstanding.

Distillers, &c. to provide Ladders and Lights to enable the Officers to gauge Vessels, and assist the Officers, on Penalty of 200*l.*

XLI. And be it further enacted, That every Distiller, Rectifier, and Compounder of Spirits licensed under this Act, shall provide proper Ladders and Lights, to enable the Officers of Excise from Time to Time to gauge and ascertain the Capacities or Contents of any Copper, Tun, Back, Still, or other Vessel or Utensil used or to be used in the Distillery or Premises of such Distiller, Rectifier, or Compounder respectively; every such Distiller, Rectifier, or Compounder, or some Person or Persons on his, her, or their Behalf, shall be aiding and assisting to the said Officers in gauging or measuring all Vessels and Utensils whatsoever, and in dipping, gauging, or examining the Liquors contained therein; and if any such Distiller, Rectifier, or Compounder, shall neglect or refuse to provide proper Ladders and Lights for the Purposes aforesaid, or shall not, by himself

self or by some other Person or Persons on his Behalf, assist the said Officers in setting up the Ladders, and in gauging or measuring any Utensil or Vessel, or in dipping, gauging, or examining the Liquors contained therein as aforesaid, or shall by any Means whatever hinder or obstruct the Officer or Officers of Excise in gauging or measuring any Vessel or Utensil, or in dipping, gauging, or examining the Liquor contained therein, then and in every such Case the Distiller, Rectifier, or Compounder so offending shall for each Offence forfeit and lose the Sum of Two hundred Pounds.

No Distiller, &c. to enlarge or alter the Size of any Vessel, or to alter the Position of any Still or fixed Vessel, without giving Four Days previous Notice in Writing to the Officer; nor to put any Matter or Thing at, in, or upon the Dipping Place of any Vessel, on pain of forfeiting 200*l.*

XLII. And be it further enacted, That it shall not be lawful for any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, to enlarge or alter in any respect the Size, Situation, or Position of any Still, Copper, Tun, Back, Cooler, or other fixed Vessel or Utensil whatsoever, after the same shall have been erected, set up, and fixed, and the Capacities or Contents thereof ascertained, either by Gauge or Measure, by any Officer or Officers of Excise, without giving at the least Four Days previous Notice in Writing, to the proper Officer of Excise under whose Survey the Distillery or Premises of such Distiller, Rectifier, or Compounder shall then be; and if the Size, Situation, or Position of any Still, Copper, Vat, Tun, Back, Cooler, or other fixed Vessel or Utensil whatsoever, in the Distillery or Premises of any Distiller, Rectifier, or Compounder licensed under this Act, shall be enlarged or in any respect altered, after the same shall have been set up and fixed, and the Capacities or Contents thereof ascertained, either by Gauge or Measure, by any Officer or Officers of Excise, without such Notice having been given as aforesaid; or if any Board, Stone, Wood, or any other Materials, Substance, Matter or Thing, shall be placed at, in, or upon the Dipping Place or Places of any Still, Copper, Tun, Back, Cooler, Cask, Vessel, or Utensil whatsoever; or if any Alteration shall be made in such Dipping Place or Places; or if any other Act, Matter, or Thing shall be done, whereby or by reason or means whereof the Officer or Officers of Excise may be prevented or hindered from taking true Dips or Gauges of any Wort, Wash, Low Wine, Spirits, and Feints therein; every such Distiller, Rectifier, or Compounder, in whose Distillery or Premises any such Offence shall be committed, shall forfeit and pay the Sum of Two hundred Pounds.

No Entry of any Place or Utensils shall be withdrawn whilst Wash or other Materials are remaining therein.

XLIII. And be it further enacted, That no Distiller, Rectifier, or Compounder, licensed under this Act, who shall have made Entry of any Building, Room or Place, or of any Still, Copper, Vat, Tun, Back, Cooler, or other Utensil whatsoever, for the Purpose of carrying on the Trade or Business of a Distiller, Rectifier, or Compounder (as the Case may be), shall be permitted to withdraw such Entry whilst any Wort, Wash, Low Wines, Spirits, or Feints are remaining in any Place, or in any Still, Copper, Vat, Tun, Back, Cooler, or other Utensil so respectively entered as aforesaid; but that after any such Entry shall be made as aforesaid, the Officers of Excise under whose Survey such Distiller, Rectifier, or Compounder shall then be, shall continue to survey the Places and Utensils mentioned in each such Entry, until all the Wort, Wash, Low Wines, and other Materials

shall

shall be worked off, and until the Produce thereof shall be removed from and out of the said entered Places; and then, and not till then, shall any such Entry made as aforesaid be withdrawn.

Officers of Excise may enter Stillhouses, &c. by Day or by Night, to take account of Wort, Wash, &c. or to examine Stills, or to regauge Utensils, &c.

§ XLIV. And be it further enacted, That it shall and may be lawful for any Officer of Excise, at all Times, by Day or by Night, to enter into and continue in every Distillery, Stillhouse, Storehouse, Warehouse, Cellar, or other Place made use of by any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, for brewing, making, keeping or distilling Wort, Wash, Low Wines or Spirits, or for rectifying or compounding Spirits, and by gauging, measuring, or otherwise, in such Manner and by such Instruments as to such Officers shall appear most proper and effectual for that Purpose, to take account of the Quantity, Quality, and Strength of the Wort, Wash, Low Wines, Feints and Spirits, which shall from Time to Time be brewed, made, distilled, rectified or compounded, or kept by such Distiller, Rectifier, or Compounder (as the Case may be), and to enter such Account of the Wort, Wash, Low Wines, Feints and Spirits, in a Book or Books to be kept by such Officer or Officers for that Purpose; and also to examine every Still, and the Materials therein, if not at Work; and if at Work, to stay and continue in such Distillery, Stillhouse, or Place, until such Still shall be worked off, and then to examine the same, and what Materials were used or distilled, or worked therein, and also to re-gauge or re-measure any Still, or Stills, or the Head or Heads, or any Part thereof, or any Copper, Tun, Back, Cooler, Cask, Vessel or Utensil, so as to discover whether any Alteration may have been made thereon or thereto, either in the Size, Situation, or Position, without due Notice in manner required by this Act, or to discover whether any Substance, Matter, or Thing may have been placed at, on, or upon the Dipping Place or Places of any Copper, Tun, Back, Cooler, Still, Cask, Vessel or Utensil, so as to prevent the taking true Dips or Gauges of the Wort, Wash, Low Wines, Spirits or Feints therein; and in case any Officer or Officers of Excise shall not be permitted and suffered to enter into or to continue in the Distillery, Stillhouse, or other Place aforesaid, of any such Distiller, Rectifier, or Compounder of Spirits, or to take such Account as aforesaid, or to make such Examination as aforesaid, or to re-gauge or re-measure any Still or Stills, or the Head or Heads, or any Part thereof, or any Copper, Tun, Back, Cooler, Cask, Vessel or Utensil, or to examine the Dipping Place or Places thereof, for the Purpose or Purposes aforesaid; or if any such Officer or Officers shall be hindered or obstructed in the due Execution of any Part of his Duty, then and in every such Case such Distiller, Rectifier, or Compounder shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and after any Obstruction of any Officer or Officers of Excise from entering into any such Distillery, Stillhouse, or other Place aforesaid, it shall be lawful for any and every such Officer, with proper Assistants, and on producing his Commission, to break open by force any Door leading or belonging to such Distillery, Stillhouse, or other Place aforesaid, or any of the Windows thereof, or to break through any of the Walls, so far as the same shall be necessary for obtaining Entrance thereunto.

Penalty for Refusal to permit them to enter, &c. 200*l.*

Distillers to give 12 Hours Notice of their Intention to mix, mash, or brew from Malt, &c. and to specify the Quantity of Materials.

XLV. And be it further enacted, That every Distiller who shall be licensed under this Act shall, Twelve Hours before beginning to mix, mash, or brew any Malt or Grain to be made into Wort, give or cause to be given to the proper Officer of Excise, under whose Survey the Distillery of such Distiller shall then be, a Notice in Writing, specifying therein the particular Time and Hour when such mixing, mashing, or brewing intended to be begun, and the true Quantity of *Winchester* Bushels of Malt and of unmalted Grain intended to be mixed, mashed, or brewed, as the Case may require; and every such mixing, mashing, or brewing shall be begun and proceeded on at the Time and Hour mentioned in such Notice as aforesaid, or within Three Hours next after the Expiration of such Time and Hour, otherwise such Notice shall be and is hereby declared to be null and void; and every such Distiller shall give or cause to be given a fresh Notice to the Officer of Excise before beginning to mix, mash, or brew any Malt or Grain; and if any such Distiller shall neglect or refuse to comply with the several Particulars aforesaid, such Distiller shall for every such Neglect or Refusal forfeit and lose the Sum of Fifty Pounds.

Penalty 50*l.*

Distiller shall not brew while the Still is working, nor distil while the Corn is mashing, &c. Penalty 500*l.*

XLVI. And be it further enacted, That it shall not be lawful for any Distiller licensed under this Act, to mix, mash, or brew any Malt or Grain at any Time whilst any Still or Stills in the Distillery of such Distiller is or are employed or used in distilling or making Low Wines or Spirits, or whilst any such Still or Stills is or are charged with any Wort, Wash, or Low Wines, for the Purpose of distilling the same; and that whenever any such Distiller shall begin to distil any Wort or Wash, the Distillation of such Wort or Wash shall be continued without Interruption until the Whole of the Wort or Wash then in the Custody or Possession of such Distiller shall be distilled into Spirits; and that all Operations of mixing, mashing, or brewing shall cease and be suspended so long as any such Wort or Wash as aforesaid shall be in the Progress of Distillation into Spirits, and until the several Duties shall be duly charged on such Wash, and on the Spirits produced therefrom; and all Notices given by any such Distiller for the mixing, mashing, or brewing of any Corn or Grain whilst any Still or Stills in the Distillery of such Distiller shall be employed or used in distilling or making Low Wines or Spirits, shall be null and void to all Intents and Purposes whatever; and it shall not be lawful for any such Distiller to employ or use any Still or Stills in the distilling any Wash or Low Wines or Feints, nor to charge any Still or Stills in the Distillery of such Distiller with any Wort, Wash, Low Wines, or Feints, at any Time whilst any Corn or Grain shall be in the Progress of being mixed, washed, or brewed; and that all Operations of Distillation, or of charging any Still or Stills for the Purpose of Distillation, shall cease and be suspended so long as any such Corn or Grain shall be in the Progress of being mixed, mashed, or brewed for the Purpose of making or preparing Wort; and that every such Distiller, after he has completed his Operations of mixing, mashing, or brewing, shall make out and deliver to the proper Officer of Excise a true Declaration in Writing, specifying that all the Wort, Wash, and Bub in his Custody or Possession is collected into the

entered Wash Backs for Fermentation; and all Notices given by any such Distiller for taking Wash from any Fermenting Back or Tun, or for opening any Lock or Locks for the Purpose of Distillation whilst the Operation of mixing, mashing, or brewing any Corn or Grain shall be carrying on or proceeding, shall be null and void to all Intents and Purposes whatsoever; and every Distiller in whose Distillery any Malt, Corn, or Grain shall be mixed, mashed, or brewed, or any Still shall be charged with Wort, Wash, or Low Wines, or any Wort, Wash, or Low Wines shall be distilled, or any Spirits shall be made at any Time so as aforesaid prohibited by this Act, or who shall neglect or refuse to make out and deliver a Declaration as aforesaid, or shall make out and deliver a false Declaration, shall, over and above all other Penalties, forfeit and lose for each and every Offence the Sum of Five hundred Pounds.

Proviso for Distillers licensed to distil not more than 2,000 Gallons.

XLVII. Provided always, and be it enacted, That the Regulations immediately herein-before contained, for prohibiting the mixing, mashing, or brewing any Malt or Grain in the Distillery of any Distiller whilst any Still in such Distillery is employed in distilling or making Low Wines or Spirits, and for prohibiting the employing any Still in the distilling any Wash or Low Wines or Feints at any Time whilst any Corn or Grain shall be in the Progress of being mixed, mashed, or brewed, shall not extend to any Distiller who shall be licensed to keep or use any Still for Distillation for Consumption in *Scotland*, who, on taking out a Licence to keep or use any Still under this Act, shall declare that he does not intend to distil more than Two thousand Gallons of Spirits, in any Still or Stills so licensed during the Continuance of such Licence, and in whose Licence such Declaration shall be specified and set forth: Provided nevertheless, that every such Distiller who shall distil more than Two thousand Gallons of Spirits in any such Still or Stills during the Continuance of such Licence, shall become liable to the Regulations herein-before made for prohibiting the mixing, mashing, or brewing any Malt or Grain in the Distillery of any Distiller while any Still in any such Distillery is employed in the distilling or making Low Wines or Spirits, and for prohibiting the employing any Still in the distilling any Wash or Low Wines or Feints at any Time while any Corn or Grain shall be in the Progress of being mixed, mashed, or brewed, and become subject to the Penalty of Five hundred Pounds for every and each Offence in that Behalf herein imposed, in the Case of any Distiller offending against such Regulations, over and above all other Penalties.

Penalty 500*l.*

Gravity of Wort drawn from the Mash Tub not to be increased by Lob, &c.; nor any Wort, after the Gravity thereof is ascertained, be mixed with other Wort; nor

XLVIII. And be it further enacted, That after any Wort shall have been drawn off from the Mash Tun, no Mixture called Lob, nor any other Mixture or Substance whatsoever, shall be thrown into or mixed with such Wort, by means whereof the Gravity of such Wort may be increased; and if any such Mixture called Lob, or any other Mixture or Substance whatsoever, shall be thrown into or mixed with any such Wort, after the same shall have been drawn off from the Mash Tun, by means whereof the Gravity of any such Wort, or the Wash made therefrom, or any Part thereof, shall be increased; or if any Wort or Wash, after the Gravity thereof shall be ascertained and taken account of in Manner required by this Act, shall be mixed with any

Wort, &c. concealed or conveyed away.

Penalty for every such Offence 200*l.*

any other Wort or Wash, brewed or made on any previous or any subsequent Day; or if any such Wort or Wash as aforesaid shall be mixed with any other Wort or Wash contained in any Back or Vessel whatsoever; or if any Wort or Wash shall be conveyed away or concealed; every Distiller in whose Distillery any such Offence shall be committed shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

The whole Quantity of Wort for Fermentation shall be collected within Six Hours, and Declaration made of the Gravity thereof.

XLIX. And be it further enacted, That the whole Quantity of Wort intended to be placed in any Wash Back for Fermentation at one and the same Time, in the Distillery of any Distiller licensed under this Act, shall be collected in such Wash Back within the Space of Six Hours from and after the Commencement of running or conveying any Part of the said Wort from the Coolers or other Vessels; and every such Distiller shall within such Six Hours make and deliver to the proper Officer a Declaration in Writing, that such Wort so collected as aforesaid is of a Gravity not exceeding Eighty-one, Seventy-five, Seventy, or Sixty-five respectively, as indicated by *Allan*'s Saccharometer, according to the Gravity at which such Distiller shall be licensed to make or brew his Wort for Fermentation respectively; and in such Declaration there shall also be stated the exact Number of Dry Inches of the Wash Back in which such Wort shall be collected, set, or prepared, and also the Number of such Wash Back; and if any Wort, after being so collected as aforesaid, shall be found to exceed such Gravity as aforesaid respectively, every such Distiller shall immediately reduce the same with Water to the proper Gravity, in the Presence of the Officer of Excise, who shall charge the Duty imposed by this Act on the increased Quantity of Wort occasioned by such Reduction of Gravity; and every such Distiller shall be charged from and by the highest Gauge or Quantity found by the Officer at any Time from the Period when the Wort shall be collected and set for Fermentation, and until the Wash made therefrom shall be run and conveyed to the Still, without any Allowance for Waste, Leakage, Dregs, Yeast, Sediment, or Bottoms whatsoever; and if any such Distiller shall refuse or neglect so to collect all such Wort within the Time aforesaid, or shall neglect or refuse to make and deliver such Declaration as aforesaid, or shall make any false Declaration respecting the same, or shall ferment or mix such Wort with any Yeast, or with any other Matter or Thing for or occasioning Fermentation, before the proper Officer of Excise shall have examined and taken an account of the Gravity of such Wort by such Saccharometer; or if at any Time after any such Declaration shall be made and delivered, the Quantity of Wash in such Wash Back shall be increased to any Amount exceeding Seven Gallons in One hundred; every Distiller in whose Distillery any such Offence or Neglect shall be committed or take place shall for every such Offence forfeit and

Penalty 200*l.*

pay the Sum of Two hundred Pounds.

Samples of Wort or Wash may be taken at any Time by

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

Gravity thereof; and in like Manner it shall be lawful for any Officer of Excise to take a Sample or Samples of any Wash, at any Time or Times after the same shall have been put into any Wash Back for the Purpose of Fermentation, or into the Jack Back, Charging Back, or any other Back or Vessel whatsoever: Provided always, that all such Samples, when the same shall have been used for the Purposes of this Act, shall be returned into the Back or Vessel out of which the same shall have been taken, or otherwise may be kept by the said Officer, paying the full Value thereof, at the Option of such Officer: Provided further, that the Wort contained in any Back or Vessel, from which any such Sample or Samples shall have been taken, shall be held and deemed to be of the Gravity ascertained by such Sample or Samples, at the Time or Times when the same shall have been taken.

any Officer of Excise.

LI. And be it further enacted, That every Wash Back which shall be used or kept in the Distillery of any Distiller licensed under this Act, for the Purpose of preparing or fermenting Wort or Wash, shall have a Hole or Dipping Place in the Top, and shall be so placed and constructed as that the Officer of Excise may be conveniently enabled to take his Dip or Gauge at such Hole or Dipping Place at the Top thereof; and that there shall upon the Bottom of such Hole or Dipping Place be fixed and screwed a Plate of Brass or Iron to prevent the same from being worn or altered; and every such Distiller shall, to the Satisfaction of the proper Supervisor of the District or other Superior Officer, provide and fix, or cause to be provided and fixed, in every Wash Back as aforesaid, at any Distance within Thirty Inches from the Bottom thereof, a Brass Cock for the Purpose of enabling any Officer of Excise to draw off, without Inconvenience or Delay, any Sample or Samples of the Wort or Wash contained therein; and if any Wash Back without such Hole or Dipping Place at the Top, or without such Cock as aforesaid, shall be kept or used in the Distillery of any Distiller, or if any such Wash Back shall be so placed or constructed as that the Officer of Excise cannot conveniently be enabled to take his Dip or Gauge, or to take such Sample or Samples as aforesaid, or if such Officer shall be hindered or prevented by any Person in such Distillery, from taking any such Sample or Samples as aforesaid, every Distiller in whose Distillery such Offence or Neglect shall be committed or shall take place, shall for every such Offence or Neglect forfeit and pay the Sum of Two hundred Pounds,

Every Wash Back to have a Hole in the Top, and a Brass Cock within 30 Inches from the Bottom thereof, and be so placed that the Officer may conveniently take his Dip, and draw off a Sample, on Penalty of 200*l*.

LII. And be it further enacted, That if upon making Trial of or taking an Account, for the Purpose of ascertaining the Gravity of the Wort or Wash in any Wash Back by the said Instrument called *Allan*'s Saccharometer, it shall appear that the Wort or the Wash made therefrom shall have increased in Gravity since the last preceding Trial of the same with the same Instrument, to the Extent of Five Degrees, as indicated on that Instrument, the Wort or Wash in any and every such Wash Back shall be deemed and taken to have been fraudulently altered or changed, and the whole Quantity of Wort or Wash in such Wash Back shall be charged with Double the Duty which would have been payable under this Act upon such Wort or Wash, if no such Alteration or Change had taken place; and every

On Increase of Gravity, Double Duty to be paid, and Penalty of 200*l*.

Distiller in whose Distillery such Offence shall be committed shall forfeit and pay the Sum of Two hundred Pounds.

Saccharometers to be provided to ascertain the Gravity of Wort or Wash.

LIII. And be it further enacted, That the Instruments to be used, in order to ascertain the Gravity of Wort or Wash, as directed by this Act, shall be those made in the Manner of a certain Instrument called a Saccharometer, invented by Doctor *Thomson*, but described, from the Maker's Name, *Allan*'s Saccharometer; and it shall and may be lawful for the Commissioners of Excise in *Scotland*, by and with the Approbation of the Commissioners of His Majesty's Treasury, and they are hereby required to provide a sufficient Number of such Saccharometers, to be used by the Officers of Excise acting in the Execution of this Act; and that One of the Instruments known by the Name of *Allan*'s Saccharometer, to be provided by the Commissioners of Excise as aforesaid, shall be and remain at their Office in the City of *Edinburgh*, and shall be shewn to any Distiller who shall desire to see the same, between the Hours of Eleven in the Morning and Three in the Afternoon.

One Saccharometer to remain at Excise Office.

Distillers to fix a proper Discharge Cock in every Wash Back.

LIV. And be it further enacted, That every Distiller licensed under this Act shall provide and fix a proper Discharge Cock in every Wash Back used or kept for containing Wort or Wash for Fermentation; and a Lock and Fastening shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing the Discharge Cock and Pipe of every Wash Back as aforesaid, which Lock and Fastening shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed when such Wash Back shall contain any Wort or Wash, excepting when the same shall be opened by the proper Officer of Excise, who shall attend when thereunto required by such Distiller, for the Purpose of opening such Lock or Locks, and allowing the Wash in any such Wash Back to be conveyed by a Pipe or an Open Trough into the Jack Back in the Manner herein-after mentioned; and when any such Distiller shall make use of a Wash Main Pipe, communicating between the Wash Backs and the said Jack Back, such Wash Main Pipe shall be so placed and fixed, that all Wash or Liquor put or entering therein, shall run and be discharged or conveyed from thence into the said Jack Back, and neither rest in such Main Pipe or run elsewhere; and no such Wash Back as aforesaid shall have any other Pipe or Conveyance entering into or passing out of the same, except the Pipe for running or conveying the Wort therein from the Coolers, and the Sewer Cock or Pipe to be secured with a Lock and Fastening, provided and maintained at the Expence of the Distiller, and kept locked and sealed by the Officer, and opened only for carrying off the Water with which such Wash Back may be cleansed or washed out, and except the Discharge Cock and Pipe hereby directed and required to be locked as aforesaid; and such Main Pipe, Open Trough, or other Conveyance as aforesaid, shall not have any Stop Cock or Interruption therein whatever, which may prevent the whole Wash therein from running into the Jack Back; and if any such Distiller shall not provide and fix a proper Discharge Cock in every Wash Back used or kept for containing Wort or Wash for Ferment-

Locks and Fastenings to be provided by the Supervisor, at the Expence of the Distiller, for securing the Discharge Cocks and Pipes.

Locks and Fastenings to be sealed, and opened by the Officer while Wash is conveying into the Jack Back.

Distillers, not providing Discharge Cocks, or not

Fermentation as aforesaid, or shall refuse to pay for and maintain such Locks and Fastenings as aforesaid, or shall prevent or hinder the Officer from affixing any Lock or Fastening as aforesaid, or shall wilfully open, break, or damage, or cause or suffer to be opened, broken, or damaged, any of such Locks, Seals, Fastenings, Pipes, or Cocks as aforesaid, or use any other Art or Contrivance whereby any Wort or Wash may or can be privately conveyed away or concealed from the Officer, or shall in any respect offend in any of the Matters or Things aforesaid, every such Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

paying for Fastenings or Locks, or breaking or opening Locks, &c. to forfeit 200*l.*

LV. And be it further enacted, That no such Distiller shall have or keep any private Pipe, Stop Cock, or other private Conveyance, by which any Wort, Wash, or other Liquors fit for Distillation may be conveyed from the Wash Back to another, or from any such Wash Back to any Still or Stills of such Distiller, or into any other Vessel, Utensil, or Place whatsoever, nor shall have or keep any private Vessel or Utensil for receiving, making, preparing, or keeping Wort, Wash, or other Materials fit for Distillation, nor shall have or keep in any Wash Back any Hole other than the Dipping Place before mentioned, by which any Wort, Wash, or any other Liquid fit for Distillation, may be conveyed into or out of such Wash Back, on pain of forfeiting for every such private Pipe, Stop Cock, Conveyance, Vessel, Utensil, or Hole, the Sum of Two hundred Pounds.

No such Distiller shall keep any private Pipe by which Liquors fit for Distillation may be conveyed from one Back to another, &c. on Penalty of 200*l.*

LVI. And for the better Discovery of all private Pipes, Stop Cocks, and other private Conveyances and Utensils; be it further enacted, That it shall and may be lawful to and for the Officers of Excise, or any of them, by Night or by Day, on Request first made and Cause declared, to break up the Ground in the Distillery of any Distiller licensed under this Act, or the Ground near adjoining, or any Wall, Partition, or other Place, to search for any such Pipe, Stop Cock, or any other private Conveyance or Utensil; and upon finding such Pipe or other Conveyance, to break up the Ground, House, Wall, or other Partition or Place through or into which any such Pipe or other Conveyance shall lead, and to break up or cut any such Pipe or other Conveyance, and to turn any Cock or Cocks, to try and examine whether such Pipe or other Conveyance may or can convey any Wort, Wash, or other Liquors fit for Distillation, out of such Back into another, or from any such Back into any Still or Stills, or into any other Utensil or Place whatsoever.

Officers of Excise may break up Ground to search for any private Pipe, &c.

LVII. And be it further enacted, That if any Officer of Excise shall at any Time when Low Wines or Spirits shall not be running off from a Still, require that the Water contained in any Water Tub belonging to such Still shall be drawn or run off, for the Purpose of examining such Worm, and the Tub or Vessel containing the same, the same shall be drawn or run off accordingly; and if the same shall not be drawn or run off by some Person in the Distillery, it shall be lawful for any such Officer to draw or run off such Water, or so much thereof as he shall think necessary; and if the Water shall not be so drawn or run off at the Request of such Officer, the Distiller in whose Dis-

Officer may order Water to be drawn off from Worm Tub when Spirits are not running.

Penalty 100*l.*

Distillery such Worm Tub shall be situate shall forfeit the Sum of One hundred Pounds.

No Wash shall be removed from the Back where fermenting or fermented, until the Duty be charged, on Penalty of 200*l.*

LVIII. And be it further enacted, That no Wash in the Distillery of any Distiller licensed under this Act, shall be put into the Jack Back, Charging Back, or into any Still or Stills, or otherwise removed from the Back wherein the same was fermented, until such Wash shall have been gauged, and the Duty charged thereon by the proper Officer of Excise; and if, contrary to the Directions of this Act, any such Wash shall be put into any Jack Back, Charging Back, or Still, in the Distillery of any Distiller, or shall be otherwise removed from the Back wherein the same was fermenting or fermented, before the same shall have been gauged and the Duty charged thereon, such Distiller shall, for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Wort, &c. fraudulently removed or concealed to be forfeited; and the Distiller so removing or concealing any Wort, &c. and the Person employed so to remove the same, and the Person receiving the same, shall severally forfeit and lose 200*l.* or 20*s.* for every Gallon of the Wort, &c.

LIX. And be it further enacted, That no Wort, Wash, Low Wines, or Feints, in the Possession of any Distiller licensed under this Act, shall be removed or taken away from or out of the Distillery of such Distiller, nor shall any Wort, Wash, Low Wines, or Feints be deposited, hid, or concealed in any Place whatsoever, with Intent to evade the Duty imposed thereon; and when and so often as any Wort, Wash, Low Wines, or Feints shall be removed or taken away, or shall be deposited, hid, or concealed, contrary to the true Intent and Meaning of this Act, such Wort, Wash, Low Wines, or Feints respectively, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, together with the Casks and other Packages containing the same; and over and besides such Forfeiture, such Distiller, out of or from whose Distillery any Wort, Wash, Low Wines, or Feints shall be so removed or taken away, or who shall be privy to the depositing, hiding, or concealing any Wort, Wash, Low Wines, or Feints, or who shall cause the same to be removed, taken away or deposited, hid or concealed, and every Person who shall be employed in the removing or taking away, or depositing, hiding, or concealing the same, or who shall receive the same, shall severally forfeit and lose the Sum of Two hundred Pounds, or the Sum of Twenty Shillings for every Gallon of such Wort, Wash, Low Wines, or Feints, at the Election of His Majesty's Advocate General of *Scotland*, or of the Person or Persons who shall sue for or prosecute for such Penalty.

Before making Bub or other Composition for inducing Fermentation, Entry to be made of the Vessels, and Notice to be given to the Officer before the making of any such Mixture.

LX. And be it further enacted, That before making or using the Composition or Mixture called Bub, or any other Composition or Mixture for inducing or increasing the Fermentation of Wort or Wash, every Distiller of Spirits for Consumption in *Scotland* shall make Entry of every Vessel used by such Distiller for the Purpose of making or keeping any such Composition or Mixture, describing the same, and in what Part of the Premises the same is placed; and every such Distiller shall also give Notice to the proper Officer of Excise, at least Six Hours before beginning to make any such Composition or Mixture, and shall also in such Notice specify the particular Wash Back into which such Composition or Mixture is to be put,

put, and the Quantity of such Composition or Mixture to be made by such Distiller, which Quantity shall not exceed the Proportion of Five Gallons thereof to every One hundred Gallons of the Wort, for inducing the Fermentation of which the said Composition or Mixture is to be prepared; and the Officer shall take an Account thereof in such Vessels respectively, and also of the Wort placed or to be placed in the Wash Back, for inducing the Fermentation of which the said Composition or Mixture is to be used, and shall and may at all Times be at Liberty to take a Sample or Samples of such Composition or Mixture, to ascertain the Gravity thereof by the said Saccharometer; and wherever the Gravity of such Composition or Mixture, or any Part thereof, so ascertained, shall not exceed the Gravity of the Wort made by any such Distiller, and so taken an Account of when collected as aforesaid, and whenever such Composition or Mixture shall be found of a Gravity not less than Twenty, as indicated by the said Saccharometer, such Composition or Mixture shall be deemed and taken to be Wash, and the Duty hereby imposed on Wort or Wash shall be charged thereon; and if any such Distiller shall not make Entry of every such Vessel as aforesaid, or shall at any Time alter or change the Position of any of such Vessels, without giving Notice thereof in Writing to the proper Officer of Excise, or shall not give Notice as is herein directed, or shall make any such Composition or Mixture of a greater Quantity or Gravity than aforesaid, or if the Officer shall be prevented or obstructed in taking an Account thereof, or Samples as aforesaid, as often and at such Times as he may think necessary to ascertain the Gravity and Quantity thereof, or if such Distiller shall refuse or neglect to remove and put all such Composition or Mixture into the Wash Back specified in such Notice as aforesaid, immediately after the Wort is collected therein, and a Declaration of the Gravity of such Wort is delivered to, and the Gravity thereof has been tried by the Officer, for the fermenting of which the said Composition or Mixture was specified in such Notice as aforesaid, or shall keep in any such Vessel any such Composition which shall have become attenuated so low as Twenty, as indicated by the said Saccharometer, or if such Distiller shall at any Time increase the Gravity of any such Composition or Mixture, after Trial thereof shall have been once made by Means of the said Saccharometer, or if, after such Trial shall have been made, the Gravity of any such Composition or Mixture shall be found to be more than Five Degrees greater than indicated by the said Saccharometer, than the Gravity thereby indicated on such Trial as aforesaid, every such Distiller so offending in any of the above Particulars, or in whose Premises any such Offence shall be committed, shall forfeit and pay the Sum of Two hundred Pounds: Provided always, that if any such Composition or Mixture made by any such Distiller, shall not have become attenuated so low as Twenty, as indicated by the said Instrument called a Saccharometer, and such Distiller shall, within Twenty-four Hours after such Composition or Mixture shall have been begun to be made, to be reckoned from the Time that the Officer first took an Account thereof, remove and put the Whole thereof into the Wash Back specified in such Notice as aforesaid, in the Presence of the proper Officer of Excise; and if such Officer shall then find an Increase of the Quantity of Wort in such Wash Back, equal to the Amount

Penalty for not making Entry, or neglecting to give Notice, &c. 200*l.*

Mixture not attenuated so low as Twenty, if put into the Wash Back, and the Officer shall find an Increase of Wort equal to the Mixture put therein, such

Mixture to be charged as Part of the Wort.

Amount arising from such Composition or Mixture put therein, such Composition or Mixture put therein shall be charged with Duty therein as Part of the Wort or Wash in such Wash Back, and not distinctly and separately therefrom.

Wash shall be conveyed immediately from the Fermenting Back to the Jack Back.

LXI. And be it further enacted, That all Wash made or used by any Distiller licensed under this Act, shall be conveyed immediately from the Wash Back in which such Wash shall have been fermented into an entered Vessel called a Jack Back, and such Jack Back shall not have any Pipe or Communication with any Vessel or Vessels, Utensil or Utensils whatsoever, other than and except with such Wash Backs, by Means of the Wash Main Pipe, Open Trough, or other Conveyance for running or conveying the Wash from the Wash Back into such Jack Back, and with the Wash Charging Back by means of the Wash Pump; and that every such Vessel called a Jack Back shall have a sufficient Cover thereon, and a Pump placed and fixed therein for conveying the Wash from and out of such Jack Back to a Vessel called a Wash Charging Back, herein-after mentioned; and a proper Lock and Fastening, or proper Locks and Fastenings, shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing the Cover of such Jack Back and Wash Pump respectively, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed, excepting when the same shall be opened by the proper Officer of Excise, who shall attend when thereunto required by a Notice in Writing from such Distiller, for the Purpose of opening such Lock or Locks, and allowing the Wash to be pumped from such Jack Back and conveyed into the Wash Charging Back, to be from thence conveyed into the Still or Stills in the Manner herein-after mentioned; and that no such Jack Back shall have any Pipe or other Conveyance into or out of the same, other than as aforesaid, or any open Hole therein, except a Dipping Hole in the Cover thereof, of not more than One Inch in Length and Three-tenths of an Inch in Breadth; and if a Vessel called a Jack Back, constructed in the Manner aforesaid, shall not be provided in the Distillery of any such Distiller, or if a Pump shall not be placed and fixed therein for the Purposes aforesaid, or if such Jack Back shall be employed or used for any other Purpose than as aforesaid, or such Locks and Fastenings as aforesaid shall not be paid for and maintained, or if any Officer shall be prevented or hindered by any Person in the Distillery of such Distiller from affixing any Lock or Fastening as aforesaid, or if any of such Locks, Seals, and Fastenings as aforesaid shall be wilfully and injuriously opened, broken, or damaged, or if any Art or Contrivance whereby any Wash may or can be privately conveyed away into such Jack Back, or privately conveyed away from or out of such Jack Back, shall be made use of in the Distillery of such Distiller, or if such Distiller shall in any respect offend in any of the Matters or Things as aforesaid, every Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty on Distillers not complying with the Regulations herein mentioned, 200*l.*

Wash shall be conveyed

LXII. And be it further enacted, That all Wash made or used by any Distiller licensed under this Act, after being conveyed in manner afore-

aforesaid into the Jack Back before mentioned, shall be conveyed immediately from such Jack Back into an entered Vessel, called a Wash Charging Back, which shall not have any Communication with any Vessel or Vessels, Utensil or Utensils whatsoever, except with such Jack Back, by means of the fixed Pump therein, and which shall not have any Pipe or Pipes except one Pipe leading from such Pump, which Pipe shall be a close Pipe, and be made of some durable Metal, having one End thereof firmly and substantially fixed to the said Wash Pump, and the other End thereof firmly and substantially fixed to the Charging Back, and one other close Metal Pipe, having one End thereof firmly and substantially fixed to the Bottom of such Wash Charging Back, and the other End thereof firmly and substantially fixed to the Still, for the Purpose of conveying Wash into such Still; and that on such last-mentioned Pipe there shall be a Charging Cock, the Key of which shall be of one Piece, and so rivetted into the Cock, of which it is a Part, as to prevent the same from being taken out of the Body of such Cock, and that such Wash Charging Back shall have a sufficient Cover thereon, and shall be capable of containing the whole Quantity of Wash which any such Distiller shall intend to distil into Low Wines, during the Space of Twelve Hours, and shall in all Cases be placed in the Stillhouse, and not hidden or concealed, but shall be exposed to open View, and accessible to the Officers of Excise on all Parts thereof, and shall be situate as near as conveniently may be to the Still or Stills to which it shall form the Means of Charge; and that a proper Lock and Fastening, or proper Locks and Fastenings, shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing the Cover of such Wash Charging Back; and that such Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed, excepting when it shall appear necessary to the proper Officer to open the same for any special or particular Purpose; and that such Wash Charging Back shall not have any Pipe or other Conveyance into or out of the same, other than as aforesaid, nor any open Hole therein, except a Dipping Hole in the Cover thereof, of not more than One Inch in Length, and Three-tenths of an Inch in Breadth; and if such Vessel called a Wash Charging Back shall not be provided and constructed and placed in the Distillery of any Distiller in the Manner aforesaid, and of the Size aforesaid; or if the Pipes or Charging Cock as aforesaid shall not be provided, or shall not be fixed and rivetted in the Manner aforesaid; or if any such Wash Charging Back shall be employed or used for any other Purpose than as aforesaid; or such Locks and Fastenings as aforesaid shall not be paid for and maintained; or if the Officer shall be hindered or prevented by any Person in the Distillery of such Distiller from affixing any Locks or Fastenings as aforesaid; or if any such Lock, Seal, Fastening, Pipe, or Cock as aforesaid shall be wilfully and injuriously broken or damaged, or if there shall be any open Hole in such Wash Charging Back other than as aforesaid; or if any such Distiller, or any Person in his Employ, or at his Command, shall use any Art or Contrivance whereby any Wash may or can be privately conveyed into such Wash Charging Back, or privately conveyed from or out of such Wash Charging Back into any Still

from the Jack Back to an entered Vessel called a Wash Charging Back, which shall have no Communication but such as is herein described.

Locks and Fastenings to be provided.

Penalty on Distillers not complying with the Regulations herein mentioned, 200*l.*

Still or Stills, or into any other Vessel or Place whatsoever, or shall in any respect offend in any of the Matters or Things aforesaid, every such Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

When Distillers intend to run Wash from their Fermenting Backs to the Jack Back, they shall give Twelve Hours Notice in Writing to the proper Officer.

LXIII. And be it further enacted, That whenever any Distiller licensed under this Act, shall be desirous of running or conveying Wash into the Jack Back, for the Purpose of being pumped into the Charging Back, and from thence run into any Still or Stills in the Distillery of such Distiller, to be distilled into Low Wines, every such Distiller shall give or cause to be given to the proper Officer of Excise, under whose Survey such Distiller shall then be, a Notice in Writing at least Twelve Hours before the particular Time and Hour of the Day or Night when such Wash is intended to be run or conveyed as aforesaid, expressing in such Notice the particular Number of the Fermenting Wash Back from which such Wash is to be taken; and in case the running or conveying of such Wash from the Fermenting Wash Back into the Jack Back shall not be begun at the Time and Hour mentioned in such Notice, or within Two Hours next after the Expiration of such Time and Hour, then every such Notice shall be and is hereby declared null and void, and every such Distiller or Distillers shall be obliged to give or cause to be given another like Notice in Writing, before the Officer shall be bound to open the Discharge Cock or Wash Pump so locked and sealed as aforesaid.

Officers to attend agreeably to such Notices and remain in the House till the Wash is conveyed to the Charging Back, &c. and they shall compare the Decrease from the Fermenting Back with the Increase found in the Charging Back, and charge the Duty on every surplus Quantity found.

LXIV. And be it further enacted, That the Officers of Excise shall from Time to Time attend, agreeably to such Notice, so to be given as before directed, or at farthest within One Hour after the particular Time or Hour mentioned in any such Notice; and such Officer shall open the Wash Pump and the Discharge Cock of the Fermenting Wash Back specified in such Notice; and every such Distiller, or his, her, or their Servants, shall proceed, without unnecessary Delay, to run off into the Jack Back, and from thence to convey into the Wash Charging Back, the whole Quantity of Wash intended to be distilled into Low Wines within the next Twelve Hours, reckoning from the Time or Hour mentioned in such Notice to be given to the Officer as aforesaid; and such Officer shall continue in the House all the Time that such Wash is running into the Jack Back, and until the whole Quantity as aforesaid shall be pumped up to the Charging Back; and such Officer shall immediately thereupon lock and secure, as before, the Wash Pump and Discharge Cock of the Fermenting Wash Back from which the Wash was taken, and shall ascertain the Quantity of Wash decreased from such Wash Back, and shall also dip and gauge the Quantity conveyed into the Charging Back, before any Part thereof shall be run into the Still or Stills; and in case such Officer shall find a greater Quantity of Wash in the Charging Back than shall appear to be decreased from the Fermenting Wash Back, the whole Quantity in such Charging Back shall be deemed Wash of one and the same Quality; and every such Distiller shall be charged with and shall pay the Duties imposed by this Act on Wort or Wash, for every such surplus Quantity found by the Officers of Excise in such Charging Back, in the Manner aforesaid; and if any Quantity of Wash shall be run and conveyed into the Jack Back, from any Wash Back

Penalty on running Wash from

Back not particularly mentioned or described in the Notice as before mentioned; or if any Quantity of Wash shall be run or conveyed into any Still or Stills in the Distillery of such Distiller, before the Officer shall have gauged and ascertained the Quantity of Wash pumped into the Charging Back, such Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and it shall be lawful for the Officer to turn the Discharge Cock of any Still or Stills, to examine whether any Wash has been run or conveyed therein, and to gauge and ascertain the same; and every such Distiller shall be charged with and shall pay for the same, at the same Rate of Duty as for the Wash contained in the Charging Back at the Time when such Offence shall be committed.

any Back not mentioned in the Notice, or running Wash into the Stills before the Officer has gauged the Quantity pumped into the Charging Back, 200*l.*

LXV. And be it further enacted, That no Feints, or any other Liquor whatsoever, shall be mixed with or amongst the Wash in the Wash Charging Back, or in any Still or Stills, or other Vessel or Utensil whatsoever, in the Distillery of any Distiller; and if any Feints, or any other Liquor fit for Distillation, shall be mixed with or amongst the Wash in any such Wash Charging Back; or if any Officer of Excise shall find any Increase of the Quantity in such Wash Charging Back, over and above the Quantity found therein, on the Survey immediately preceding (except when Wash is conveyed therein according to Notice), every such Increase shall be deemed and taken to arise from Wash privately brought in, and which shall be held to be Wash of one and the same Quality with the Wash taken an account of in such Wash Charging Back, by the Officer on his Survey immediately preceding; and every such Distiller, for every such Increase so found as aforesaid, shall be charged with and shall pay the Duties granted by this Act on Wort or Wash; and such Distiller shall also for every such Offence forfeit and lose the Sum of Two hundred Pounds.

No Feints or other Liquor to be mixed with Wash in the Charging Back, or in any Still, &c. and all Increases found in the Charging Back above the Quantity on the Survey immediately preceding, shall be taken to be Wash privately brought in, Penalty 200*l.*

LXVI. And be it further enacted, That every Distiller licensed under this Act, who shall have given such Notice as before mentioned, and who shall have acted upon such Notice, by conveying Wash from the Fermenting Wash Back into the Jack Back, and from thence to the Charging Back, in the Manner before mentioned, shall continue from Time to Time (upon Notice being given to the Officer) to run and convey Wash from the same Fermenting Wash Back in the same Manner, until the whole Wash shall be run or conveyed therefrom into the Jack Back, and from thence into the Wash Charging Back, and from thence into the Still, and distilled into Low Wines, before it shall be lawful for any such Distiller to run Wash from any other Wash Back into the Jack Back, for the Purpose of being conveyed into the Charging Back, and thence into the Still; and all Notices given to any Officer of Excise contrary hereto, shall be and the same are hereby declared to be null and void to all Intents and Purposes whatsoever.

All the Wash contained in any Wash Back shall either be distilled off into Spirits and Feints, or into Low Wines, before it shall be lawful for any Distiller to run Wash from any other Wash Back.

LXVII. And be it further enacted, That there shall not be any fixed Pipe or other Conveyance whatever, leading to any Still or Stills in the Distillery of any Distiller licensed under this Act, save and except only one fixed Charging Pipe to each such Still leading from the entered Charging

Still not to have more than One fixed Charging Pipe and One Dis-

charge Cock, on Penalty of 200*l.*

Charging Back in such Distillery; and that there shall not be any Opening whatever in or from any such Still or Stills, save and except the Discharge Cock to each Still respectively belonging, and the Head of such Still terminating in the Worm, on pain that every such Distiller shall forfeit for every fixed Pipe or Conveyance leading to or from any such Still or Stills (other than as before excepted) the Sum of Two hundred Pounds.

Distillers to provide and affix a proper Air Conductor of a certain Construction to every Still.

LXVIII. And be it further enacted, That a proper and sufficient Air Conductor shall be provided and affixed to each and every Still used in the Distillery of any Distiller licensed under this Act, to the Satisfaction of the proper Supervisor or other superior Officer, which Air Conductor shall be in the Form of a Pipe, and so bent that one End thereof shall be clenched and soldered to the Still, and the other End thereof having small Holes of not more than Two-tenths of an Inch in Diameter perforated therein, shall rest on the Still; and that on such Air Conductor there shall be a Cock, the Key of which shall be of One Piece, and so rivetted into the Cock, of which it is a Part, as to prevent the same being taken out of the Body of such Cock; and every such Distiller, in whose Distillery any Still shall be set up or used, without such Air Conductor being provided and affixed thereto, shall forfeit and lose the Sum of Two hundred Pounds.

Penalty 200*l.*

Distillers, &c. to make Holes or Openings in the Breast of their Stills for the Use of the Officers, which shall not be less than Two Inches in Diameter, and may take Samples.

LXIX. And be it further enacted, That in the Breast of every Still used by any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, there shall be a Hole or Opening made, to the Intent that the Officers of Excise may be enabled to take Gauges and Samples, at the Time and in the Manner herein mentioned; which Hole or Opening shall be not less than Two Inches in Diameter, and so contrived, that the Officers may take a Sample or Samples from the Still with a Phial, to be drawn perpendicularly through the same; and also so as that any such Still may be cleansed, subject to such Directions as the said Commissioners of Excise may think fit to give in that Behalf; and proper Locks and Fastenings shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, Rectifier, or Compounder, for properly and sufficiently locking and securing the said Hole or Opening, and for securing the Head of each and every Still, and the Furnace Door of each and every Still respectively used by such Distiller, Rectifier, or Compounder, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise; and if any Still shall be set up or used in the Distillery of any such Distiller, Rectifier, or Compounder, in the Breast whereof such Hole or Opening of the Size aforesaid shall not be made; or if any Distiller shall not observe the Directions that may be given by the said Commissioners of Excise as aforesaid; or if such Locks and Fastenings shall not be paid for and maintained as aforesaid; or if the Officer shall be prevented or hindered by any Person in the Distillery of such Distiller, Rectifier, or Compounder, from affixing any Lock or Fastening as aforesaid; or if any of the Locks, Seals, and Fastenings as aforesaid, shall be wilfully and injuriously opened, broken, or damaged; or if by any Means, Device, or Contrivance whatsoever, any Furnace Door, or any Fastening on the Head of any Still, or on the Hole or Opening in the Breast

Not making such Holes or Openings, or not paying for and maintaining Fastenings for securing the same, or for securing the Still Heads and Furnace Doors, or if opening or damaging any Lock or Fastening, &c. to forfeit 200*l.*

Breast of any Still in the Distillery of any Distiller, Rectifier, or Compounder, shall be wilfully and injuriously opened by any such Distiller, Rectifier, or Compounder, or by any Person in his, her, or their Employ, or under his, her, or their Command, after the same shall have been locked and secured by the Officer of Excise; every such Distiller, Rectifier, or Compounder shall, for every such Offence or Neglect respectively, forfeit and lose the Sum of Two hundred Pounds.

Rectifiers or Compounders having Conveyances to or from Stills not hereby permitted, or not paying for Locks and Fastenings for securing the Charge and Discharge Cocks, or opening or breaking Locks or Fastenings, shall forfeit 200*l.*

LXX. And be it further enacted, That no Rectifier or Compounder of Spirits, licensed under this Act, shall have or keep any Opening, fixed Pipe, or other Conveyance whatever, leading to any Still or Stills belonging to or used by such Rectifier or Compounder, other than and except one Charging Pipe to each such Still, and one Hole or Opening made according to the Directions of this Act, to the Intent that the Officers of Excise may take Gauges and Samples; nor shall have or keep any Opening, fixed Pipe, or other Conveyance whatever, leading from any such Still or Stills, save and except the Discharge Cock to each Still respectively belonging, and the Head of such Still terminating in the Worm; and proper Locks and Fastenings shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Rectifier or Compounder, for properly and sufficiently locking and securing the Charge and Discharge Cock of each and every Still respectively used by such Rectifier or Compounder, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed when the Still is at Work; and if any such Rectifier or Compounder shall have or keep any such Opening, fixed Pipe, or other Conveyance (not before excepted), leading to or leading from such Still or Stills, or shall refuse to pay for and maintain such Locks and Fastenings as aforesaid, or shall prevent or hinder the Officer from affixing any Lock or Fastening as aforesaid, or shall wilfully open, break, or damage, or cause or suffer to be opened, broken, or damaged, any of such Locks, Seals, or Fastenings as aforesaid; every such Rectifier or Compounder shall, for every such fixed Pipe, Opening, or Conveyance (not before excepted), and for every such Lock, Seal, or Fastening, forfeit and lose the Sum of Two hundred Pounds.

Discharge Cock to be fixed in the Body of the Still to which it belongs, and shall not project more than Three Feet from the Body of any Still, nor more than 18 Inches from the Brickwork on which it is placed, on Penalty of 100*l.*

LXXI. And be it further enacted, That the Discharge Cock belonging to each and every Still of such Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, shall be so fixed and placed in the Body of the respective Stills, as that the Officers of Excise may have free and convenient Access to the same; and for that Purpose every such Discharge Cock shall be continued in a straight Line from the Body of the Still to which it is fixed, and such Discharge Cock shall not, in any Case, project more than Three Feet from the Body of any such Still, nor more than Eighteen Inches from the Brickwork or other Materials whereon the said respective Still or Stills shall be erected or placed; and if any such Distiller, Rectifier, or Compounder shall fix or place the Discharge Cock of any Still otherwise than as herein directed, or shall in any respect offend in any of the Matters or Things aforesaid, every such Distiller, Rectifier,

tifier, or Compounder shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Distillers, &c. shall have the Keys of every Charge Cock, and of every Discharge Cock made and constructed in the Manner herein mentioned, on Penalty of 100*l.*

LXXII. And be it further enacted, That the Keys of every Charging Cock, and of every Discharge Cock, that shall be made use of by any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, for charging or for discharging and emptying any Still or Stills, or any entered Back, Vessel, or Utensil, respectively made use of by such Distiller, Rectifier, or Compounder, shall be had, made, and constructed in manner following, and in no other Form or Manner whatever; that is to say, the Key of each and every such Cock shall be made with an open Eye or Hole in the Top Part thereof, and every such Eye or Hole shall be of such a Size as to be capable of receiving a Lever sufficient to turn the respective Cock or Cock at the Times when the Officers shall have Occasion to turn the same, in Execution of the Powers and Authorities to them given for that Purpose; and every such Key of every such Cock and Cocks shall be of One Piece; and such Charging Cocks and Discharge Cocks respectively shall not have any Hole or Place of Discharge but at the Mouth only; and no such Distiller, Rectifier, or Compounder shall, for any Purpose or on any Pretence whatsoever, fix or place or suffer to be fixed or placed any Grate, Strainer, or any other Thing whatsoever, on or before the Mouth of any such Charge Cock or of any Discharge Cock; but the Mouth of each and every such Cock shall be left free and clear from every thing that can or may prevent the Officers of Excise from searching and examining the Inside of the Mouth or Opening of each and every such Cock; and no such Distiller, Rectifier, or Compounder shall have or keep any Iron or other Cap or Covering upon any such Cock, so as to prevent the Officers of Excise from distinctly seeing and easily examining every such Cock; and if any such Distiller, Rectifier, or Compounder, shall make use of, or shall fix or place any Charge Cock or Discharge Cock to any Still or Stills, or to any other entered Backs, Vessels, or Utensils, of any other Construction or Make than that herein-before mentioned, or shall in any respect offend in any of the Matters or Things aforesaid, then and in every such Case every such Distiller, Rectifier, or Compounder, shall for each Offence respectively forfeit and lose the Sum of One hundred Pounds.

When Distillers, &c. are desirous to have the Furnace Doors of their Stills opened, and to light a Fire under the same, they shall give Notice in Writing 12 Hours previous to the Time, to the proper Officer of Excise.

LXXIII. And be it further enacted, That whenever any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, shall be desirous to have the Furnace Door of any Still or Stills in the Distillery of such Distiller, Rectifier, or Compounder unlocked, and to have a Fire lighted under such Still or Stills, such Distiller or Rectifier or Compounder shall give or cause to be given to the proper Officer of Excise, under whose Survey such Distiller, Rectifier, or Compounder shall then be, a Notice in Writing at least Twelve Hours before the particular Time and Hour of the Day or Night when such Distiller, Rectifier, or Compounder is desirous to have such Fire lighted; and in case any such Distiller, Rectifier, or Compounder shall not have a Fire lighted under such Still or Stills at the Time and Hour mentioned in such Notice, or within Two Hours next after the Expiration of such Time and Hour, then every such Notice shall be

and

and is hereby declared null and void; and every such Distiller, Rectifier, or Compounder shall be obliged to give another like Notice in Writing before the Officer shall be bound to open the Furnace Door of any such Still or Stills as aforesaid.

Directions relative to Officer's Attendance for opening the Furnace Doors of Stills.

LXXIV. And be it further enacted, That the Officers of Excise shall from Time to Time attend agreeably to such Notice so to be given as before directed, or at farthest within One Hour after the particular Time or Hour mentioned in any such Notice, and such Officer shall open the Furnace Door of any Still mentioned in such Notice: Provided always, that such Officer shall not on any Pretence open the Furnace Door of any Still belonging to any Rectifier or Compounder of Spirit which shall not be fully charged, nor until he hath examined the Contents of such Still or Stills, and hath seen the Head or Heads of such Still or Stills respectively actually put on and ready to be locked down, and that such Officer when attending on any such Notice, at the Stillhouse of any such Rectifier or Compounder, shall not be obliged to continue more than One Hour at any one Time; and if such Rectifier or Compounder shall not within that Time have charged the Still or Stills mentioned in such Notice, and have put on the Head or Heads of such Still or Stills respectively, so as such Head be ready to be locked down, every such Rectifier and Compounder shall be obliged to give another like Notice in Writing before the Officer shall be obliged to attend again to open the Furnace Door or Doors of any such Still or Stills.

Rectifiers or Compounders who do not charge their Stills as herein directed, or work them off within Eight Hours, to forfeit 100*l.*

LXXV. And be it further enacted, That every such Rectifier or Compounder of Spirits shall, before beginning to draw off any Spirits from any Still or Stills, charge the same with a Quantity of Liquor, in the Proportion of not less than Seven Parts in Ten of the Whole Quantity of Liquor which any such Still, including the Head, is capable of containing; and every such Still shall remain and continue so charged until the Rectifier or Compounder shall begin to draw off Spirits therefrom; and every such Still shall be worked off within Eight Hours, to be computed from the Time of the Officer's taking the Gauge of the Still or Stills respectively; and if any such Rectifier or Compounder shall begin to draw off any Spirits from any Still or Stills not so charged, or shall not work off the same respectively within such Eight Hours, such Rectifier or Compounder shall forfeit and lose the Sum of One hundred Pounds.

Distillers may charge their Stills with any Proportion of Liquor, and work them off as they shall think proper.

LXXVI. Provided always, and be it further enacted, That it shall and may be lawful for any Distiller of Spirits, licensed under this Act, to charge any Still or Stills in the Distillery of such Distiller, with any Proportion of Wash, Low Wines, or Feints, and to work off any Still or Stills when charged with Wash, Low Wines, or Feints, within any such Period of Time as such Distiller shall think proper and convenient.

Rectifiers or Compounders shall cause the Heads of

LXXVII. And be it further enacted, That every such Rectifier or Compounder of Spirits shall take off or cause to be taken off the Head or Heads of any Still or Stills when and so soon as any such Still or

their Stills to be taken off, so soon as the same shall cease to be worked, &c. on Penalty of 100*l.*

Stills shall have ceased to be worked, and the Head or Heads of such Still or Stills shall in no Case, nor on any Pretence, or on any Account, be put on such Still or Stills until each such Still shall be again charged and ready to work, nor until the Officer shall have examined the Quality of the Spirits then in each such Still; and if any such Rectifier or Compounder shall neglect to take off each and every Head from each respective Still when and so soon as each such Still shall have ceased to be worked, or shall in any Case, or on any Pretence or Account whatsoever, put on any such Head or Heads on any Still or Stills before such Still or Stills shall be charged and ready to work, and before the Officer shall have examined the Quality of the Spirits then in such Still or Stills; every such Rectifier and Compounder so offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Officers of Excise may take Still Gauges, and Samples of Liquor, and if they discover any Wash mixed with Low Wines, &c. in any Still, the Distiller, &c. so offending shall forfeit 500*l.* above all other Penalties.

LXXVIII. And be it further enacted, That it shall and may be lawful for the Officers of Excise, and they are hereby authorized and required to take Still Gauges, when they shall deem it necessary so to do, of all Liquors of any Kind whatsoever, which shall be put into any Still or Stills belonging to any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, at any Time or Times after any Still is charged, and before such Still has begun to work, and to take Samples of such Liquors at any Time or Times after such Still is charged, and before such Still has begun to work, and also after such Still or Stills are worked off; and if any Officer of Excise shall at any Time discover in any Still in the Distillery of any such Distiller, Rectifier, or Compounder, any Wash put into or mixed with any Low Wines, Feints, or Spirits, every such Distiller, Rectifier, or Compounder shall for every such Offence, over and above all other Penalties, forfeit and pay the Sum of Five hundred Pounds.

No Distiller, &c. to distil, rectify, or compound Spirits, till proper Fastenings are found for securing the Utensils, on Penalty of 200*l.*

LXXIX. And be it further enacted, That if any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, shall proceed to distil, rectify, or compound Spirits, before such Distiller, Rectifier, or Compounder respectively shall have found and affixed proper and sufficient Fastenings, Locks and Keys, provided, certified, and approved of in Writing by the proper Supervisor of the District, for locking and securing every Vessel, Utensil, Conveyance, Cock, Pipe, Pump, Article and Thing required in pursuance of the Directions of this Act to be so locked and secured, every such Distiller, Rectifier, or Compounder shall for each and every Neglect, Refusal, or Offence in any such Particular, forfeit and lose the Sum of Two hundred Pounds.

Officers to open Locks and Fastenings for cleaning or repairing Utensils.

LXXX. Provided always, and be it further enacted, That when and so often as it shall be found necessary to have any Lock or Fastening opened, for the Purpose of cleaning, repairing, or amending any Vessel, Utensils, Conveyance, Cock, Pipe, Pump, Article, or Thing required by this Act to be locked and secured, or either of them, then and in every such Case it shall be lawful for the Officers of Excise to open the same for all the Time the Workmen shall be actually employed in cleaning, repairing, and amending the same;

but in such Case the Officers shall lock and secure every Still Head, Wash Pump, and Furnace Door belonging to any Still every Night, when and as soon as the Workmen so employed shall leave off their Work; and such Officers shall attend at Six o'Clock each Morning, whilst such Repairs are doing, in order to open such Still Heads, Wash Pumps, and Furnace Doors.

Distillers may alter or enlarge the Size of Stills, or erect new Stills, without taking out a fresh Licence, upon complying with the Conditions herein contained.

LXXXI. And be it further enacted, That it shall and may be lawful for any Distiller licensed under this Act, upon giving Notice in Writing to the proper Officer of Excise, as required and directed by this Act, to alter or enlarge the Size or Capacity of any Still or Stills, used or employed in the Distillery of such Distiller, or to erect a new Still or Stills, without taking out a fresh Licence for the same, during the unexpired Term of any Licence of such Distiller then in force; provided that due Entry of such Still or Stills shall be made, pursuant to the Directions and in Manner herein-before mentioned with respect to any Still or Stills; and provided also, that in every such Case such Distiller shall apply to the Commissioners of Excise, or to the Person or Persons appointed by them, and authorized to grant Licences, or to the Collector and Supervisor of Excise, within whose Collection and District such Distiller or Distillers shall reside; and the said Commissioners or other Persons, or such Collector or Supervisor, shall endorse on the original Licence granted to any such Distiller the Size or Capacity of such Stills when so altered or enlarged, or of any new Still or Stills erected and set up by any such Distiller, together with the Time when such Alteration or Enlargement took place, or when any new Still or Stills was or were erected; and if any such Distiller or Distillers shall alter or enlarge any Still, or shall erect any new Still, without complying with the Particulars aforesaid, such Distiller shall be liable to all the Penalties imposed by this Act for working with unlicensed Stills.

Distillers may discontinue the working of Stills on giving Four Days previous Notice to the Officer.

LXXXII. And be it further enacted, That it shall and may be lawful for any Distiller licensed under this Act, at any Time to discontinue the working of any Still or Stills in the Distillery of such Distiller, at any Time during the Continuance of the Licence of such Distiller, upon giving Four Days previous Notice in Writing to the proper Officer of Excise, of the Intention of such Distiller so to do, expressing in such Notice the Day on which the working of such Still or Stills is to be discontinued.

How Excess of Spirits from Wash shall be charged on Discontinuance of working, or at the End of every 12 Weeks.

LXXXIII. And be it further enacted, That in case any Distiller shall not give Notice for discontinuing the working of any Still or Stills in his Distillery, at some Period before the Expiration of Twelve Weeks from the Time when he shall have first commenced the working of such Still or Stills, or from the Time when he shall have recommenced the working of any such Still or Stills, after having discontinued the working of the same; every such Distiller shall, at Ten of the Clock in the Evening of the last Day of every Twelfth Week successively from the Commencement or Re-commencement of working as aforesaid, cause every Still or Stills used by such Distiller to be worked off, and shall also at the same Time cause all the Low Wines

Wines and Feints in the Possession of such Distiller, to be worked up and distilled into Spirits, except the Feints arising from the last Charge of the Low Wine Still; and if such Distiller, during any such successive Period of Twelve Weeks as aforesaid, or during any shorter Period for which he may have worked any Still or Stills, shall have distilled, made, or produced any Quantity of Spirits, exceeding the Quantity of Spirits to be produced according to the Directions of this Act, in Proportion to the Gravity of the Wort or Wash made by such Distiller, and specified in the Licence of such Distiller; every such Distiller shall be charged with, and shall pay the Duties imposed by this Act on such Excess Quantity of Spirits, according to the several Rates in this Act before mentioned and expressed.

Stills not to be worked on Sunday, on Penalty of 500*l.*

LXXXIV. And be it further enacted, That if any Distiller, Rectifier, or Compounder of Spirits, licensed under this Act, shall work or charge any Still on the Lord's Day, commonly called *Sunday*; (that is to say), if any Still shall not be completely discharged and worked off at or before Eleven of the Clock on *Saturday* Night, and shall not continue uncharged until One of the Clock on *Monday* Morning following; or if any Still or Stills shall be found charged or at work, or filled with any Liquid other than Water, between the Hours of Eleven of the Clock on *Saturday* Night and One of the Clock on *Monday* Morning, then every such Distiller, Rectifier, or Compounder, in whose Premises such Offence shall be committed, shall forfeit and lose the Sum of Five hundred Pounds for each Offence, and for every Time any Stills shall be worked or charged on *Sunday*, or between the Hours aforesaid.

No Pipe, &c. to be fixed to End of the Worm of any Still, &c. on Penalty of 200*l.*

LXXXV. And be it further enacted, That no Pipe or other Conveyance shall be fixed or fastened, in the Distillery of any Distiller licensed under this Act, to the End of any Worm belonging to any Still in the Distillery of such Distiller, but that the End of the Worm belonging to each and every Still in such Distillery shall be left open and free, for the Officers of Excise to taste and examine the Low Wines, Feints, and Spirits respectively coming from such Still or Stills; and the Low Wines, Feints, and Spirits so coming from the Ends of the said respective Worms, shall openly and publicly run into a fixed open Safe, or other fixed open Vessel kept for that Purpose, which open Safe or open Vessel shall be so made and constructed as that the Sides and Ends thereof shall be of the same Depth, and that the Ends of the said respective Worms shall project through One of the Sides of the said Safe or other open Vessel; and if any such Pipe or other Conveyance shall be fixed or fastened in the Distillery of any such Distiller to the End of any Worm of any Still in such Distillery; or if the Low Wines, Feints, or Spirits shall run from the End or Ends of the Worm or Worms of any Still in such Distillery into any other Vessel than a fixed Safe, or other fixed open Vessel kept for that Purpose; or if such Safe or open Vessel shall not be made and constructed in the Manner aforesaid; every such Distiller or Distillers shall for each and every such Offence respectively forfeit and lose the Sum of Two hundred Pounds.

LXXXVI. And

LXXXVI. And be it further enacted, That there shall be provided and kept in the Distillery of every Distiller licensed under this Act, one entered Vessel, called a Low Wine Receiver, and one other Vessel called a Feint Receiver, and no such Distiller shall have more than one Low Wine Receiver and Two Feint Receivers in such Distillery; and every such Receiver shall have a sufficient Cover therein, and a Dipping Hole cut in the said Covers respectively, of not more than One Inch in Length, and Three-tenths of an Inch in Breadth; and the said Receivers shall be of sufficient Size to contain the whole Quantity of Low Wines and Feints respectively, which shall be run from any Still or Stills in the Distillery of such Distiller, at any Time during the Space of Four Hours at the least; and every such Distiller shall place and fix every such Low Wine Receiver and Feint Receiver in the Stillhouse, and as near as conveniently may be to the End or Ends of the Worm or Worms of the Still to which such Receiver respectively shall apply or belong; and the said Receivers shall not be hidden or concealed, but shall be exposed to the open View of the Officers of Excise, and shall not have any Pipe or other Communication with any Vessel or Utensil whatsoever, except by means of one close Metal Pipe into each of the said Receivers leading from the fixed Safe or other fixed open Vessel before mentioned, for the Receipt of such Low Wines or Feints from the Still or Stills, one End of which Pipe shall be fixed to such Safe or open Vessel, and the other End thereof shall be fixed to the Low Wine Receiver and Feint Receiver respectively; and except the fixed Pump placed in such Low Wine Receiver and Feint Receiver respectively, for conveying the Low Wines and Feints therefrom to a Vessel or Vessels called a Low Wine Charging Back and a Feint Charging Back, herein-after mentioned; and all the Low Wines distilled from Wash put into any Still or Stills in the Distillery of such Distiller, shall be run immediately and directly from such Safe or open Vessel into such Low Wine Receiver; and all the Feints extracted from the Low Wines put into any Still or Stills shall be run immediately and directly from such Safe or open Vessel into such Feint Receiver or Receivers, as the Case may be; and when and so soon as the whole Quantity of such Low Wines and Feints respectively, which shall have been run into the said Low Wine and Feint Receivers during the Space of Four Hours at the least, shall be collected therein, the proper Officer of Excise shall take a true Gauge and try the Strength of such Low Wines and Feints respectively, and shall cast and compute the same at the Strength of Seven *per Centum* above Hydrometer Proof, and shall keep an exact Account thereof; and such Officer of Excise shall take such Gauge and try the Strength immediately, at the Time and Hour mentioned by any such Distiller in his Notice in Writing, as herein-after mentioned; and it shall not be lawful for any such Distiller or Distillers at one and the same Time to have, keep, or continue in any such Low Wine Receiver as aforesaid, any Low Wines distilled from Wash made or prepared in different fermenting Wash Backs, or any Feints in such Feint Receiver as aforesaid, extracted from Low Wines distilled from Wash made or prepared in different fermenting Wash Backs, except the Feints extracted from the last Charge of Low Wines distilled from Wash made or prepared in any one individual Wash Back,

Receivers to be provided for the Low Wines and Feints produced from the Stills:

Directions for placing the same, &c.

Strength of Low Wines and of Feints to be tried.

and such Feint not being of sufficient Quantity for a Charge of the Low Wine Still; and if such Low Wine Receiver or Feint Receiver as is herein-before required and described, shall not be provided in the Distillery of any Distiller licensed under this Act, or shall not be placed in such Distillery in Manner before required, or shall have any Pipe or Communication with any other Vessel or Vessels, Utensil or Utensils, except as before mentioned, or shall have any open Hole other than the Dipping Hole in the Covers thereof respectively, of the Dimensions aforesaid; or if any Low Wines or Feints shall not be run or conveyed into the Low Wine and Feint Receivers respectively, or shall not be collected, pumped, and conveyed in Manner herein-before required; or if any Low Wines distilled from Wash made or prepared in different fermenting Wash Backs shall be kept at one and the same Time in such Low Wine Receiver; or if any Feints extracted from Low Wines distilled from Wash made or prepared in different fermenting Wash Backs shall be kept at one and the same Time in such Feint Receiver, save and except as is herein-before excepted; and if any Distiller shall in any respect offend in any of the Matters and Things aforesaid, then and in each and every such Case such Distiller so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty 200*l.*

Distillers to fix Pumps in their Low Wine and Feint Receivers for emptying the same, and pay for Locks and Fastenings for securing the Pumps and Covers, and shall not open, break, or damage any such Lock or Fastening, &c. on Penalty of 200*l.*

LXXXVII. And be it further enacted, That in the Distillery of every Distiller licensed under this Act, there shall be provided, placed, and fixed, a proper Pump in every Low Wine Receiver, and in every Feint Receiver, for the Purpose of emptying the said Receivers respectively; and proper Locks and Fastenings shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing such Pumps respectively, and for locking and securing the Cover or Covers of such Low Wine Receiver and Feint Receiver respectively, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed, excepting when the same shall be opened by the proper Officer of Excise, pursuant to a written Notice from such Distiller, as herein-after mentioned; and if such Pump shall not be provided, placed, and fixed in the Low Wine Receiver and Feint Receiver respectively, in the Distillery of such Distiller as aforesaid, or if such Locks and Fastenings shall not be paid for and maintained as aforesaid, or shall be wilfully or injuriously opened, broken or damaged, or if any other Art or Contrivance shall be used or put in Practice, whereby any Materials fit for Distillation may or can be privately conveyed into any Low Wine Receiver or Feint Receiver respectively, in the Distillery of any Distiller, or any Low Wines or Feints may or can be privately conveyed away from any such Low Wine Receiver or Feint Receiver respectively, every such Distiller shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Low Wines and Feints, before being put into any

LXXXVIII. And be it further enacted, That all and every Part of the Low Wines distilled from Wash, and all and every Part of the Feints extracted from Low Wines by any Distiller, before the same

respectively are put into any Still for Distillation into Spirits, shall be conveyed from the Low Wine and Feint Receivers before mentioned into an entered Vessel, called a Low Wine Charging Back, which shall have a sufficient Cover thereon, and a Dipping Hole cut in the said Cover, for the Purpose of enabling the Officers of Excise to take the Gauges thereat, which Dipping Hole shall not be more than One Inch in Length, and Three-tenths of an Inch in Breadth; and such Low Wine Charging Back shall not have any Pipe or Communication with any Vessel or Vessels, Utensil or Utensils whatsoever, other than and except the said Low Wine and Feint Receivers, by means of the fixed Pumps therein, and One close Metal Pipe leading from each of the said Pumps, which Pipes respectively shall have one End thereof firmly fixed to one of the said Pumps, and the other End thereof firmly fixed to the said Low Wine Charging Back; and except another close Metal Pipe for conveying the Low Wines and Feints into the Still, having one End thereof firmly fixed to the Bottom of the said Low Wine Charging Back, and the other End thereof firmly fixed to the Still, and on which Pipe there shall be a Charging Cock, the Key of which shall be of One Piece, and so rivetted into the Cock, of which it is a Part, as to prevent the same from being taken out of the Body of such Cock; and such Low Wine Charging Back shall in all Cases be placed in the Stillhouse, and not hidden or concealed, but exposed to open View, and accessible to the Officers of Excise on all Parts thereof, and shall also be placed as near as conveniently may be to the Still or Stills to which it forms the Means of Charge, and shall be capable of containing the whole Quantity of Low Wines and of Feints at any Time conveyed into the Low Wine and Feint Receivers respectively, whenever such Distiller or Distillers shall be desirous of mixing such Low Wines and Feints in the said Low Wine Charging Back; or if not, then such Low Wine Charging Back shall be capable of containing the whole Quantity, either of such Low Wines or of such Feints respectively as are contained at any Time in the Low Wine or Feint Receivers; and it shall be lawful for any such Distiller to distil Low Wines and Feints, either separately or mixed together, as such Distiller may think proper, provided that such Low Wines and Feints are mixed together in the Low Wine Charging Back only, and that only after the Officer has gauged and taken a separate Account thereof in the Low Wine and Feint Receivers, and has ascertained the Strength of such Low Wines and Feints respectively; and a proper Lock and Fastening, or proper Locks and Fastenings, shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing the Cover of the said Low Wine Charging Back, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed, excepting when the same shall be opened by the proper Officer of Excise for the Purpose of taking a Sample or Samples, which it shall be lawful for such Officer to do when and so often as he may think fit; and if any such Vessel, called a Low Wine Charging Back, with such Cover and Dipping Hole as aforesaid, shall not be provided in the Distillery of any Distiller; and if all and every Part of the Low Wines and Feints shall

Still, shall be conveyed into an entered Vessel, called Low Wine Charging Back, which shall have no Communication but such as is herein described.

Penalty on Distillers not complying with the Regulations herein mentioned, 200*l.*

shall not be pumped and conveyed from and out of the Low Wine and Feint Receivers into such Low Wine Charging Back, before the same are put into any Still or Stills for Distillation into Spirits as aforesaid; or if there shall be any open Hole in the said Low Wine Charging Back, other than the Dipping Hole, or any Pipe or Communication with any Vessel or Vessels, Utensil or Utensils, other than as aforesaid; or if such Pipes as aforesaid shall not be provided, or the Key of the Charging Cock shall not be rivetted as aforesaid; or if such Low Wine Charging Back shall not be placed in the Still-house, and in the Manner aforesaid; or if such Charging Back shall not be of the Size or Capacity as aforesaid; or if any of such Locks and Fastenings shall not be paid for and maintained as aforesaid; or shall be wilfully and injuriously opened, broken, or damaged; or if any other Art or Contrivance shall be used or put in Practice, whereby any Sort of Materials fit for Distillation may or can be privately conveyed into such Low Wine Charging Back; or any Low Wines or Feints privately conveyed away or out of such Low Wine Charging Back; or if any Low Wines distilled from Wash, made or prepared in different fermenting Wash Backs, or any Feints extracted from Low Wines distilled from Wash made or prepared in different fermenting Wash Backs (except as is herein-before excepted), shall be kept at one and the same Time in such Low Wine Charging Back; then and in each and every such Case, the Distiller in whose Distillery such Offence be committed, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Distiller may set up a separate Feint Charging Back.

Directions for the Use of it.

LXXXIX. Provided always, and be it enacted, That no Distiller or Distillers shall be subject or liable to any Penalty under this Act for not providing and fixing a Pipe leading from the Pump placed in the Feint Receiver to the Low Wine Charging Back before mentioned, or for pumping or conveying the Feints from the Feint Receiver to such Low Wine Charging Back, if such Distiller shall erect a separate Charging Back for containing Feints only; and in every such Case it shall be lawful for such Distiller to erect a Feint Charging Back for receiving the Feints from the Feint Receiver, after the Officer has gauged and taken an Account of the same in the said Feint Receiver, and has ascertained the Strength thereof; and every such Feint Charging Back shall have a Cover and a Dipping Hole cut therein, to enable the Officers of Excise to take their Gauges thereout, which Dipping Hole shall not be more than One Inch in Length, and Three-tenths of an Inch in Breadth, and such Feint Charging Back shall not have any Pipe or other Communication with any Vessel or Vessels, Utensil or Utensils whatsoever, except the said Feint Receiver, by means of the fixed Pump therein, and a close Metal Pipe leading from the said Pump, having one End thereof firmly fixed to the said Pump, and the other End thereof firmly fixed to the said Feint Charging Back, and except the Pipe for conveying the Feints from such Feint Charging Back to the Still, one End of which Pipe shall be firmly fixed to the Bottom of the said Feint Charging Back, and the other End shall communicate with and be attached to the Pipe leading from the Low Wine Charging Back before mentioned to the Still, so as there shall be only One Pipe or Conveyance into any Still, and only

One

One Charge Cock for any Still; and the said Feint Charging Back shall likewise be placed in the Stillhouse, and not hidden or concealed, but exposed to open View, and accessible to the Officers of Excise on all Parts thereof, and shall also be placed as near as conveniently may be to the Still or Stills to which it forms the Means of Charge, and shall be capable of containing the whole Quantity of Feints at any Time contained in the said Feint Receiver, and proper Fastenings shall be provided for securing the Cover of the said Feint Charging Back, in the same Manner as is directed respecting the Low Wine Charging Back before mentioned; and every such Distiller or Distillers who shall provide such Feint Charging Back, shall comply with all the Rules and Conditions aforesaid in respect to the Low Wine Charging Back, on pain of incurring a like Penalty for each and every Offence, except as before excepted; any thing herein-before contained to the contrary in anywise notwithstanding.

Receiver to be provided for the Spirits run from the Stills.

XC. And be it further enacted, That all and every Part of the Spirits extracted either from Low Wines or Feints, by any Distiller licensed under this Act, shall be immediately and directly run from the Safe or open Vessel before mentioned, for the Receipt of such Spirits from the Still, into a fixed Spirit Receiver, to be provided in the Distillery of every such Distiller, and duly entered and gauged for that Purpose, which Receiver shall be of a Capacity or Size sufficient to contain and hold the whole of the Spirits which shall or may be distilled by such Distiller, at any Time during the Space of Four Hours at the least, and shall have a Cover thereon, and a Dipping Hole cut in the same of not more than One Inch in Length, and Three-tenths of an Inch in Breadth, and shall be placed in the Stillhouse, and as near to the End of the Worm of the Low Wine Still as conveniently may be, and not hidden or concealed, but shall be exposed to the open View of the Officers of Excise; and such Spirit Receiver shall not have any Pipe or other Communication with any Vessel or Vessels, Utensil or Utensils whatsoever, except a close Metal Pipe, having one End thereof firmly fixed to the Safe or open Vessel, and the other End thereof firmly fixed to the said Spirit Receiver for running or conveying the Spirits therein; and in every such Spirit Receiver there shall either be a Pump placed and fixed for emptying the same, or a proper Discharge Cock for drawing off the Spirits from such Receiver; and no such Distiller shall at one and the same Time have, keep, or continue in such Spirit Receiver any Spirits extracted from Low Wines distilled from Wash made or prepared in different Fermenting Wash Backs; and when and so soon as the whole Quantity of Spirits which any such Distiller shall intend to run into the Spirit Receiver shall be collected therein, the proper Officer of Excise shall take a true Gauge, and draw a Sample, and try the Strength of such Spirits, and shall cast and compute the same at the Strength of Seven *per Centum* above Hydrometer Proof, and shall keep an Account thereof; and such Officer of Excise shall take such Gauge, and try the Strength immediately at the Time and Hour mentioned by any such Distiller, in the Notice in Writing herein-after mentioned; and proper Locks and Fastenings shall be provided and maintained by the proper Supervisor of the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking

In what Manner it shall be used.

ing and securing the Cover, Pump, or Discharge Cock of every such Spirit Receiver, which Locks and Fastenings shall be locked and sealed by the proper Officer of Excise, and shall be and remain always so locked and sealed, excepting when the same shall be opened by the proper Officer of Excise, pursuant to such Notice as aforesaid; and if such Spirit Receiver shall not be provided in the Distillery of any Distiller, or shall not be placed as herein-before directed; or if all and every Part of the Spirits extracted, either from Low Wines or Feints, shall not be run immediately and directly into such Spirit Receiver in the Manner aforesaid, or shall not be kept therein separate and apart from all other Spirits, until the proper Officer of Excise has taken a Gauge and tried the Strength of the same, and charged the Duty thereon; or if any Spirits extracted from Low Wines, distilled from Wash made or prepared in different Fermenting Wash Backs, shall be kept in such Spirit Receiver at one and the same Time; or if there shall be any open Hole, other than the Dipping Hole as aforesaid, in such Spirit Receiver; or if any such Lock or Fastening as aforesaid shall not be paid for and maintained; or if any such Lock, Seal, or Fastening shall be wilfully and injuriously opened, broken, or damaged; or if any other Art or Contrivance whatsoever shall be used or practised in the Distillery of such Distiller, whereby any Spirits may or can be privately conveyed away from or out of such Spirit Receiver; or if any such Distiller shall offend in any of the Matters or Things aforesaid, then and in each and every such Case the Distiller in whose Distillery any such Offence shall be committed, shall for every such Offence respectively forfeit and pay the Sum of Two hundred Pounds.

Penalty on Distillers not complying with the Regulations herein mentioned, 200*l.*

Notices for pumping Low Wines, Feints, and Spirits to be given to the Officer.

XCI. And be it further enacted, That every such Distiller shall make out and deliver or cause to be made out and delivered to the proper Officer of Excise a Notice in Writing, at least Four Hours before the particular Time and Hour when it is intended to pump off and convey any Low Wines, Feints, or Spirits, from the respective Low Wine, Feint, and Spirit Receivers; and the Officer shall from Time to Time attend at the Time and Hour mentioned in such Notice, and shall take a Gauge of such Low Wines, Feints, or Spirits respectively, and shall draw a Sample or Samples and ascertain the Strength thereof, and shall open the Locks and Fastenings of such Low Wine, Feint, or Spirit Receivers respectively, and shall attend until all the Low Wine, Feints, and Spirits respectively, shall be pumped off and conveyed from the said Receivers, and shall then lock and secure the same as before: Provided always, that it shall not be lawful for any such Distiller to give such Notice for pumping and conveying any Low Wines, Feints, or Spirits from the said respective Receivers oftener than once in Four Hours, and that any Notice given to the Officers of Excise contrary hereto, shall be and the same is hereby declared to be null and void.

No Spirits to be removed without a Permit, on pain of Forfeiture, with

XCII. And be it further enacted, That no Spirits whatever shall be sent out of the Stock, Custody, or Possession of any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, nor shall be removed from the Distillery, Still House, Building, or other Place wherein the same were made or manufactured, or rectified or compounded

pounded or kept, nor shall be carried from one Place to another, by Land or by Water, without a Permit granted and signed by the proper Officer of Excise of the Division, upon a Request Note, subscribed by such Distiller, Rectifier, or Compounder respectively, or by some Person on his Behalf, and delivered to such Officer, specifying therein the Quantity, Quality, and Strength of such Spirits, and whether the same are Raw *British* Spirits, rectified *British* Spirits, *British* Brandy, Spirits of Wine, or *British* Compounds, and also specifying the Casks or other Vessels containing the same, the Person from whom, the Person to whom, and the Place where such Spirits are to be sent, and by what Mode of Conveyance the same are intended to be sent, and whether by Land or by Water; which Permit shall be made to correspond in respect to all the Particulars aforesaid with such Request Note; and a reasonable Time shall be limited and specified in every such Permit, within which such Permit is to be in force; and no Permit shall be valid or of any Effect if the same shall be granted or any Request Note not made conformably to the Directions of this Act; and all Spirits which shall be sent out, removed, or carried, or found removing or carrying without such Permit as aforesaid, together with the Casks, Vessels, and other Packages containing the same, and also the Boats and other Vessels, and the Horses and other Cattle and Carriages made use of in the Removal or Conveyance thereof, shall and may be seized by any Officer or Officers of Excise; and if any such Distiller, Rectifier, or Compounder, shall send or carry, or knowingly permit or suffer to be sent or carried, any Spirits whatsoever, from or out of the Stock, Custody, or Possession of such Distiller, Rectifier, or Compounder respectively, or from or out of the House, Building, Work, or other Place, wherein such Spirits were made, manufactured, rectified, compounded, or kept, without such Permit as aforesaid, or with any Permit not corresponding to such Spirits in Quantity, Quality, or Strength, every such Distiller, Rectifier, or Compounder, shall, over and above the Forfeiture of the said Spirits, if seized, forfeit and lose the Sum of Twenty Shillings for every Gallon *English* Wine Measure, of the Spirits so sent out, carried, or conveyed, of whatever Strength the same may be, and whether the said Spirits shall or shall not be seized.

Forfeiture of the Vessels, &c. and 20*s.* per Gallon.

XCIII. Provided always, and be it enacted, That it shall and may be lawful for any Officer or Officers of Excise to stop and detain any Person or Persons who shall be found removing or carrying any Spirits of any Kind from the Stock of any Distiller, Rectifier, or Compounder, or Dealer in or Retailer of Spirits in *Scotland*, or from the Stock of any Person or Persons whatsoever, and to demand the Production of the Permit or Permits accompanying such Spirits; and on being satisfied that the Spirits are the same in Quantity, Quality, and Strength, as expressed in such Permit or Permits, that the Duty payable by Law in respect thereof shall have been paid for the same, such Officer or Officers shall endorse on such Permit or Permits the Time, Hour, and Place of such Examination, and shall sign his or their Name or Names thereto; and if any Person or Persons so found removing or carrying any such Spirits, shall refuse to produce such Permit or Permits as aforesaid, immediately on being required so to do by any Officer or Officers of Excise for the Purposes aforesaid, or shall be found removing or carrying any Spirits without a Permit, every

Officers of Excise authorized to stop any Person found removing or carrying Spirits, and examine the Permits.

Penalty 100*l.* on Persons refusing to produce the Permits.

every such Person shall for every such Offence forfeit and lose the Sum of One hundred Pounds, and it shall be lawful for such Officer or Officers, and he and they is and are hereby authorized, empowered, and required to stop, arrest, and detain every such Person or Persons, and to convey the said Person or Persons, together with the Spirits so found removing or carrying by or with him or them, before One or more of His Majesty's Justices of the Peace residing near to the Place where any such Person shall be so stopped or arrested; and it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby required, and shall have full Power and Authority, to hear and determine forthwith any Information against any such Person or Persons so stopped or arrested under the Provisions of this Act, and on the Confession of any such Person or Persons, or upon Proof on Oath by One or more credible Witness or Witnesses, to convict such Person or Persons in such Penalty respectively as aforesaid; and no such Penalty shall be mitigated by any Justice or Justices below One-fourth Part thereof; and every such Person so convicted as aforesaid, shall immediately on such Conviction pay down into the Hands of such Officer the said Penalty in which he or they shall be so convicted; and if any such Person or Persons so convicted shall not forthwith pay down the said Penalty, the said Justice or Justices shall, and he and they is and are hereby respectively authorized and required, by Warrant under his or their Hand and Seal, to commit the Person so convicted as aforesaid to any Gaol or Prison of the County, there to remain for the Space of Six Calendar Months, unless such Penalty be sooner paid.

Restriction as to Mitigation of Penalty.

Penalty on frustrating the Purpose of a Permit in the Removal of Spirits, 500*l.*

XCIV. And be it further enacted, That if any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, or any Dealer in or Retailer of Spirits in *Scotland*, shall deliver, remove, or receive any Spirits, for the Removal of which a Permit is by Law required, without such Permit, or any greater Quantity of Spirits, or of a different Kind or Quality than shall be expressed in such Permit, or having obtained such Permit, shall not send out therewith the Spirits therein described, or return the said Permit within the Time now by Law required; or if any Distiller, Rectifier, Compounder, Dealer or Retailer, or any other Person or Persons, shall sell, lend, deliver or employ, or make use of any such Permit, or shall cause or suffer any such Permit as aforesaid to be sold, lent, delivered, employed or made use of, to or for any other Use or Purpose whatsoever, than to accompany the actual Removal of the Spirits for which the same was obtained and granted, and which shall be therein expressed or described, or shall produce or cause or suffer any such Permit to be produced to any Officer or other Person, as having been received with any Spirits other than as aforesaid, or shall in any Manner use or employ, or cause or suffer to be used or employed, any Permit, so as that any Account of Spirits kept or checked, or to be kept or checked, by the Officer or Officers of Excise by such Permit, shall or may be frustrated or evaded, every such Distiller, Rectifier, Compounder, Dealer, Retailer, or other Person or Persons shall, for every such Offence, severally forfeit and lose the Sum of Five hundred Pounds, over and above all other Penalty and Penalties, Forfeiture and Forfeitures whatsoever; and every Permit used for any Purpose

whatsoever, other than to accompany the Removal of the Spirits for which such Permit was obtained and granted, and which shall be therein expressed or described, shall be deemed and taken to be a false Permit, and such unlawful Use thereof shall, over and above all other Penalties and Forfeitures, subject the Person or Persons so using the same to all and every the Penalties and Forfeitures imposed by Law upon any Person or Persons for using, giving, or receiving any false Permit.

No Distiller, &c. receiving Spirits, shall break Bulk till the Officer to whom Notice shall be given take an Account of the Strength and Quantity, Penalty 500*l.*

XCV. And be it further enacted, That no Distiller, Rectifier, or Compounder of Spirits licensed under this Act, receiving any Spirits into his, her, or their Custody or Possession, shall break Bulk or draw off any Part thereof, or add Water or any Thing thereto, or in any respect alter the same, or tap or open any of the Casks, or alter or change any of the Packages containing any Spirits, or the Spirits therein removed, until the proper Officer or Officers of Excise shall have taken an Account of the Strength and Quantity thereof; and every such Distiller, Rectifier, or Compounder as aforesaid, shall, on the Receipt of any Spirits, give Notice thereof to the proper Officer of Excise, and shall deliver to such Officer the Permit received by them with such Spirits, whereupon such Officer shall attend and take an Account of the Strength and Quantity of such Spirits; and if any such Distiller, Rectifier, or Compounder, who shall receive any such Spirits into his, her, or their Custody or Possession, shall fail to give such Notice and deliver such Permit as aforesaid, or shall break Bulk or draw off any Part of such Spirits, or add Water or any thing thereto, or in any respect alter the same, or tap or open any of the Casks, or alter or change any of the Packages containing any such Spirits, or the Spirits therein removed, until the proper Officer or Officers of Excise shall have taken an Account of the Strength and Quantity thereof, all such Spirits, or a Quantity equal thereto, shall be forfeited, and shall and may be seized out of any Part of the Stock of such Distiller, Rectifier, or Compounder, by any Officer or Officers of Excise; and every such Distiller, Rectifier, or Compounder so offending shall for every such Offence forfeit and lose the Sum of Five hundred Pounds: Provided always, that in case the proper Officer of Excise shall neglect to attend for the Purpose of taking such Account as aforesaid, within Three Hours after receiving such Notice, no Forfeiture or Penalty shall be incurred by such Distiller, Rectifier, or Compounder for any such Offence.

Distillers not to send out less than Nine Gallons of Spirits, nor of any higher Strength than 7 per Cent. above Proof, nor less than 10 per Cent. under Proof.

XCVI. And be it further enacted, That it shall and may be lawful for any Distiller licensed under this Act, to sell and send out, accompanied with a true and lawful Permit, to any Person or Persons, any Quantity of Spirits in any Cask or Package containing not less than Nine Gallons of Spirits of any Strength not exceeding Seven *per Centum* above Hydrometer Proof, nor less than Ten *per Centum* under Hydrometer Proof; and that if any Spirits shall be sold or sent out contrary hereto, all such Spirits, with the Casks or other Packages containing the same, and all Horses, Cattle, Carriages, and Boats made use of in removing such Spirits, shall be forfeited, and may be seized by any Officer or Officers of Excise.

Rectifiers, &c. may send out Spirits not exceeding 7 per Cent. above Proof, nor less than 10 per Cent. under Proof, except Spirits of Wine, which shall be made of the Strength of 42 per Cent. above Proof.

XCVII. And be it further enacted, That it shall and may be lawful for any Rectifier or Compounder of Spirits licensed under this Act, to sell and send out, accompanied with a true and lawful Permit, to any Person or Persons, any Quantity of Spirits at any Strength not exceeding Seven *per Centum* above Hydrometer Proof, nor less than Ten *per Centum* under Hydrometer Proof, except Spirits of Wine, which shall be made, kept, and sent out of the Strength of Forty-two *per Centum* above Hydrometer Proof at the least; and that if any Spirits shall be sold or sent out contrary thereto, all such Spirits, with the Casks or other Packages containing the same, and all Horses, Cattle, Carriages, and Boats made use of in removing such Spirits, shall be forfeited, and may be seized by any Officer or Officers of Excise; and no Allowance whatever shall be granted to any such Rectifier or Compounder for any Increase by Water, Sugar, Syrup, or Fruit; any thing contained in any Act or Acts of Parliament to the contrary in anywise notwithstanding.

No Spirits to be sent out or received into Stock, unless the Permit shall truly express the Strength, on pain of Forfeiture and Penalty of 100*l*.

XCVIII. And be it further enacted, That no Distiller, Rectifier, or Compounder of Spirits licensed under this Act, shall send out or remove from his, her, or their Stock, Custody, or Possession, nor shall any such Distiller, Rectifier, or Compounder receive into his, her, or their Stock, Custody, or Possession, any *British* Spirits, unless the Permit or Permits accompanying such Spirits shall truly express the Strength of all such Spirits at the Time of the Removal thereof; and all such Spirits so removed, sent out, or received, not being accompanied with true and lawful Permit or Permits expressing the Strength thereof, shall be forfeited, and may be seized by any Officer or Officers of Excise; and every such Distiller, Rectifier, or Compounder so sending out or receiving such *British* Spirits, shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

No Dealer or Retailer to send out or keep any British Spirits, except Spirits of Wine, of any higher Strength than herein specified.

XCIX. And be it further enacted, That no Dealer or Dealers in, or Retailer or Retailers of Spirits in *Scotland*, shall sell or send out, or have or keep in his or their Stock, Custody, or Possession, any *British* Spirits, except Spirits of Wine, of any greater or higher Degree of Strength than Seven *per Centum* above Hydrometer Proof, nor any Spirits of any less Degree of Strength than Seventeen *per Centum* under Hydrometer Proof, on pain of forfeiting all such Spirits as shall be sold, sent out, had, or kept contrary hereto, with the Casks or other Packages containing the same, which shall and may be seized by any Officer or Officers of Excise.

Officers to take an Account of the Stocks of Distillers, &c. every 30 Days, or oftener if necessary; and if any Excess be found, it shall be for-

C. And be it further enacted, That every Officer of Excise in *Scotland*, having under his Survey the Stock of any Distiller, Rectifier, or Compounder licensed under this Act, shall, once in every Thirty Days at the least, or oftener if necessary, take an accurate and true Account of the Quantity and Strength of all *British* Spirits in the Stock, Custody, or Possession of all and every such Distiller, Rectifier, or Compounder, and shall compute the same at the Strength of Seven *per Centum* above Hydrometer Proof; and if after making Allowance for the Spirits for which Permits shall have been granted since the last Reckoning of the Stock of such Distiller, Rectifier, or Compounder,

pounder, computing the same at the Strength aforesaid, it shall be found that the Quantity of Spirits remaining in the Stock, Custody, or Possession of such Distiller, Rectifier, or Compounder, shall exceed the Quantity for which such Distiller, Rectifier, or Compounder shall have Credit in the Books of the proper Officer, whether such Credit shall have arisen from what was on Hand at the last preceding Reckoning, or from what may have been lawfully made or received subsequent thereto, such Excess shall be deemed and taken to be Spirits illegally received, and a Quantity of Spirits equal to such Excess shall and may be seized out of any Part of the Stock of such Distiller, Rectifier, or Compounder, by any Officer or Officers of Excise; and the Distiller, Rectifier, or Compounder, in whose Stock, Custody, or Possession such Excess shall be found, shall forfeit and lose the Sum of Two hundred Pounds.

feited, and Distillers,&c. shall also forfeit 200*l.*

CI. Provided always, and be it enacted, That if any Still of any Rectifier or Compounder of Spirits shall happen to be charged, and at Work at the Time when any Officer shall take account of the Stock of any such Rectifier or Compounder, then and in every such Case all the Spirits produced from that Charge of the Still shall be kept separate and apart from the Rest of such Stock, till the Account of the Rest of such Stock shall have been completely taken, after which the Spirits produced from that Charge shall be added to such Stock.

Spirits produced from Rectifiers Stills at Work when Stocks are taken, to be afterwards added.

CII. And be it further enacted, That in all Cases where the Strength of any Part of the Stock of any Rectifier or Compounder of Spirits, by being mixed with any Sugar, Syrup, Seeds, Fruit, or any other Ingredients or Materials, cannot be easily ascertained by the Hydrometer, every such Rectifier or Compounder shall immediately, on being required by any Officer or Officers, cause the true Quantity and Degree of Strength of such Spirits so mixed to be legibly marked on the Outside of the Cask or Casks, or Vessel or Vessels, containing the same respectively; and if the Strength of such Spirits shall be found to have been untruly marked by such Rectifier or Compounder on the Outside of such Cask or Casks, or Vessel or Vessels, or if such Rectifier or Compounder shall, upon being required by the Officer or Officers of Excise as aforesaid, neglect immediately to mark the Quantity and Degree of Strength of such Spirits as aforesaid, such Spirits, Syrup, Seeds, Fruit, and other Ingredients, together with the Casks and Vessels containing the same, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and every such Rectifier or Compounder shall also, for each and every such Offence, forfeit and lose the Sum of Fifty Pounds.

Rectifiers or Compounders not marking the Quantity and Strength of mixed Spirits on Casks, or marking them untruly, to forfeit the same and 50*l.*

CIII. And for enabling the Officers of Excise the more readily to take the several Accounts by this Act directed, be it further enacted, That all standing or fixed Casks used for the keeping in Stock of any Raw *British* Spirits, Rectified *British* Spirits, *British* Brandy, *British* Compounds, or other Spirits, in the Distillery of any Distiller, Rectifier, or Compounder licensed under this Act, shall, before the same shall be made use of, be entered at the proper Office of Excise, and be truly gauged and inched, to the Satisfaction of the proper Officer or

Casks to be entered and gauged to the Satisfaction of the Officer, on pain of Forfeiture, with the Liquor therein, and 100*l.*;

Officers of Excise, upon pain of Forfeiture by the Owner or Owners thereof of the Sum of One hundred Pounds for every such Cask which shall be used without having been duly entered, gauged, and marked as aforesaid, and also of every such Cask, with the Liquor contained therein; and that every moveable Cask used for the sending out or keeping of Raw *British* Spirits, Rectified *British* Spirits, *British* Brandy, *British* Compounds, or other Spirits, by any Distiller, Rectifier, or Compounder, shall have the full Measure thereof in *English* Wine Gallons, or the Quantity of Liquor which such Cask is capable of containing, legibly painted or cut on both Ends or Heads thereof, upon pain that the Owner of any moveable Cask so used, not having such full Measure in *English* Wine Gallons, or such Quantity so painted or cut, or the Person sending out such Cask, shall forfeit and lose the Sum of Fifty Pounds for every such Default, Omission, or Offence.

Moveable Casks to have the Contents thereof painted or cut thereon, on pain of forfeiting 50*l.*

Officers may take Samples of British Spirits in the Stocks of Distillers, &c. on paying for the same.

CIV. And to the Intent that the Officers of Excise may the more conveniently examine into and give Proof (if necessary) of the Strength and Quality of any *British* Spirits; be it further enacted, That it shall and may be lawful to and for any Officer or Officers of Excise at all Times to take any Sample or Samples of any such Spirits whatsoever at any Time found in the Stock, Custody, or Possession of any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, paying for such Sample or Samples (if demanded) according to the Market Price for which Spirits of the like Quality shall be sold at the Time when such Sample or Samples shall be taken; and if any Distiller, Rectifier, or Compounder shall obstruct or hinder any such Officer or Officers in the taking any such Sample or Samples as aforesaid, such Distiller, Rectifier, or Compounder shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Persons hindering Officers from taking such Samples to forfeit 200*l.*

The Stills and other Utensils used by Distillers shall be liable for the Duties and Penalties incurred.

CV. And be it further enacted, That all and every the Stills, Vessels, and Utensils, and also all Materials for Distillation, and all Spirits in the Custody or Possession of any Distiller licensed under this Act, or in the Custody or Possession of any Person or Persons, to the Use of or in Trust for such Distiller; and all and every the Stills, Vessels, and Utensils used by such Distiller, into whose Hands soever such Stills, Vessels, or Utensils shall pass or come, and by what Conveyance or Title soever the same may be claimed, shall be subject and liable to, and the same are hereby made subject and liable to, and chargeable with, all Duties of Excise in arrear and owing by such Distiller, for or in respect of any Wort, Wash, or Spirits respectively made, prepared, or distilled in the Distillery of such Distiller; and shall also be subject to all Fines, Penalties, and Forfeitures incurred by such Distiller for any Offence against the Provisions of this Act; and it shall and may be lawful in all such Cases to levy such Duties, Fines, and Penalties, and to use such Proceedings as it may be lawful to do in case the Debtors or Offenders had been truly and really the Owners and Proprietors of the Stills, Vessels, and Utensils.

Not to affect the Provisions of 28 G. 3. c. 46. or

CVI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to repeal or in any Manner to alter or affect so much of an Act made in the

the Twenty-eighth Year of the Reign of His late Majesty King *George* the Third, among other things, for better regulating the Exportation of *British*-made Spirits from *England* to *Scotland*, and from *Scotland* to *England*, as was or remained in force immediately before the passing of this Act, nor to repeal or alter or affect so much of another Act, made in the Forty-fifth Year of the Reign of His said late Majesty, among other things, for better regulating the distilling of Spirits in *England* for Exportation to *Scotland*, and in *Scotland* for Exportation to *England*, as was or remained in force immediately before the passing of this Act, nor to the repeal, alter, or affect any other Law or Laws in force immediately before the passing of this Act, relating to Distillers making or distilling Spirits in *England* for Exportation from thence to *Scotland*, or in *Scotland* for Exportation from thence to *England*, or relating to such Spirits so made or distilled for such Exportation respectively; any thing herein-before contained to the contrary in anywise notwithstanding.

45 G.3. c.100. which remain in force, or any Law relating to the Exportation of Spirits from England to Scotland, or from Scotland to England.

CVII. And for the better enabling the Officers of Excise to detect the fraudulent Use of Stills by Chemists, and the making of Stills for the Use of private and illicit Distillers; be it further enacted, That from and after the Ninth Day of *November* One thousand eight hundred and twenty-two, no Person or Persons in any Part of *Scotland* shall use any Still or Stills in carrying on the Trade or Business of a Chemist, or any other Trade or Business requiring the Use of any Still or Stills (except that of a Distiller, Rectifier, or Compounder of Spirits); and that no Person or Persons shall make any Still in *Scotland*, unless such Person carrying on the Trade of a Chemist, or such other Trade as aforesaid, or making any such Still, shall first take out a Licence for using or making such Stills respectively; and that such Licence shall be granted at the Places and by the Person or Persons authorized and required by this Act to grant Licences to Persons carrying on the Business of a Distiller, Rectifier, or Compounder of Spirits, and which Licence such Person or Persons is and are hereby required to grant accordingly, to every Chemist or Maker of Stills applying for the same, upon the Payment of the Duty of Ten Shillings for each and every such Licence respectively; and every such Licence shall remain and continue in force for One Year from the Date thereof; and every such Person or Persons respectively who shall take such Licence as aforesaid, is and are hereby required to take out a fresh Licence Ten Days at least before the Expiration of Twelve Calendar Months after taking out the first Licence, and in like Manner to renew every such Licence from Year to Year, paying the like Duty for each and every new or renewed Licence as is by this Act required for the first Licence, in Manner and at the Places and Times herein-before mentioned.

No Chemist, &c. to use Stills without Licence;

and no Person to make Stills without Licence.

Who are to grant Licences.

CVIII. And be it further enacted, That every Licence granted to any Person or Persons in *Scotland*, who shall carry on the Trade or Business of a Chemist, or any other Trade or Business requiring the Use of any Still or Stills (except that of a Distiller, Rectifier, or Compounder of Spirits), shall specify the Name or Names, Trade and Business of the Person or Persons thereby licensed, and the Place where such Trade or Business is intended to be carried on, and the Number of Stills so

Licence to Chemists, &c. to specify certain Particulars.

licensed, if more than one, and the Capacity or Content of every such Still respectively; and no Chemist or other Person or Persons (except as aforesaid) shall use or have in his, her, or their Custody or Possession, in any Part of *Scotland*, any Still or Stills of any greater Capacity or Content than that of Fifty Gallons *English* Wine Measure, upon pain of forfeiting the Sum of Two hundred Pounds for every such Still; and if any such Chemist or other Person or Persons (Distillers, Rectifiers, and Compounders excepted), shall use any Still or Stills for any Purpose whatever, without first taking out such Licence for the same, or shall make use of any other Still or Stills than such as shall be specified in such Licence, or shall make use of any such licensed Still or Stills at any Place other than the Place which shall be specified in the said Licence, or in any House or Place other than his, her, or their usual Dwelling or known Place of carrying on his, her, or their Trade and Business, every such Person or Persons shall for every such Offence respectively forfeit and lose the Sum of One hundred Pounds.

Not to use any Still of greater Capacity than 50 Gallons, Penalty 200*l.*

Using a Still without Licence, or in any other than the usual Place of Residence, Penalty 100*l.*

CIX. Provided always, and be it enacted, That if it shall be made appear to the Satisfaction of the Commissioners of Excise in *Scotland*, that any useful Processes or Experiments in Chemistry in any Part of *Scotland* shall require a Still or Stills of greater Content or Capacity than that of Fifty Gallons *English* Wine Measure as aforesaid, it shall and may be lawful to and for the said Commissioners of Excise to grant or authorize and direct a Licence to be granted to the Owner or Owners of such Chemical Work or Works, to use for the Purposes aforesaid a Still or Stills of larger Content or Capacity than as aforesaid; and that it shall and may be lawful for any Officer or Officers of Excise, at all Hours in the Day-time, to visit such Work or Works, and such Still or Stills, belonging to any Person or Persons licensed under the Authority of this Act, and to examine by all proper Means the Liquor or Matter coming from the said Still or Stills, but not to open the said Still or Stills unless the said Officer or Officers shall not otherwise be allowed to examine the Liquor or Matter coming from the said Still or Stills; and if any such Still or Stills shall at any Time be used or employed for the Purpose of distilling Wort, Wash, Low Wines, or Spirits, contrary to the true Intent and Meaning of this Act, such Still or Stills, and all Utensils belonging thereto, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Owners and Users thereof shall be subject and liable to all the Pains and Penalties made and provided by this Act against Persons working with unlicensed Stills.

Licences for Stills of greater Capacity than 50 Gallons may be granted to carry on Chemical Experiments, &c.

CX. And be it further enacted, That before any Person in *Scotland* shall make any Still, such Person shall take out a Licence for that Purpose, as before mentioned, and shall permit and allow any Officer or Officers of Excise, at all Hours in the Day-time, to enter any Workhouse, Shop, or other Place made use of by such Person for making or keeping Stills, and to inspect and examine the same; and all Stills which shall be used by any Person or Persons so licensed, shall be made of Copper only, and not of any other Metal; and every such

Still Makers to take out a Licence; to allow Officers to examine their Stills; and to give Notice to the Officers of Excise, that

such Maker or Makers of Stills shall stamp his, her, or their Name or Names, and the progressive Number, and the Content or Capacity of every Still made by him, her, or them, upon the Shoulder of every such Still; and in order that the Content of the said Still or Stills may be distinctly ascertained, the said Maker or Makers shall, and he, she, and they is and are hereby required, within Three Days after finishing any Still, to give Notice to the proper Supervisor or Officer of the District or Division where such Still hath been so made, that the same is ready to be gauged and stamped; and such Supervisor or Officer is hereby required, within Three Days after such Notification, to gauge such Still, and to grant a Certificate, specifying the progressive Number, Content, and Maker's Name of such Still; and in case any such Maker or Makers shall not take out such Licence as aforesaid, or shall make any Still of any Metal other than Copper, or shall neglect to give such Notice to the Supervisor or Officer as aforesaid, or shall in any respect offend in any of the Particulars aforesaid, such Maker or Makers shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds.

Stills may be gauged and stamped, on Penalty of 50*l.*

CXI. And be it further enacted, That if any Person or Persons shall import or bring any Still or Stills into *Scotland*, from *England* or *Ireland*, or from Foreign Parts, such Person or Persons shall, within Three Days after the Arrival of such Still or Stills, give Notice of the same, and of the Place where the same is deposited, to the proper Supervisor or Officer of the District or Division, and such Supervisor or Officer shall, within Three Days after the Receipt of such Notice, gauge and cause to be stamped the said Still or Stills, in the same Manner as herein-before directed in the case of a Still or Stills being made in *Scotland;* and if any Person who shall so import or bring any Still or Stills into *Scotland*, shall neglect or omit to give such Notice thereof as aforesaid, such Person shall forfeit and lose the Sum of Fifty Pounds for every Still so imported or brought.

Persons importing Stills into Scotland to give Notice to the Officers, on Penalty of 50*l.*

CXII. And be it further enacted, That in case any Still or Stills shall be erected and made use of, or be found in the Custody or Possession of any Person or Persons in *Scotland*, without having been previously gauged by the proper Officer of Excise, and marked in the Manner herein-before mentioned, every such Still shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Owner and Owners thereof shall also forfeit and pay the Sum of Two hundred Pounds, over and besides all other Penalties and Forfeitures imposed by this Act for the unlawful using the same.

Stills found in the Custody of any Person, without having been gauged and marked, forfeited, and also 200*l.*

CXIII. And be it further enacted, That in case any Officer or Officers of Excise, shall know or have cause to suspect that any private or concealed Still, or any Back, Vat, Cooler, or other Vessel, or any Spirits, Low Wines, Wort, or Wash, or other Materials preparing or prepared for Distillation, are set up or kept in any House or Place by any Person not licensed under this Act, then and in such Case, upon Oath made by such Officer or Officers before One or more Justice or Justices of the Peace of the County, City, or Place where such Officer or Officers shall suspect the same to be set up and kept, setting forth the ground of such his or their Suspicion, it shall and may be lawful to

If any Officer shall know of or suspect any private Still, &c. and shall make Oath thereof before a Justice, such Justice may grant a special Warrant to break open

such suspected Houses, and to seize such Stills, &c.;

to and for the Justice or Justices before whom such Oath shall be made, if he or they shall judge it reasonable, by special Warrant under his or their Hands and Seals, to authorize and empower such Officer or Officers, by Day or by Night, to break open the Doors or any Part of such House or Place, where he or they shall so know or suspect that such private or concealed Still, Back, Vat, Cooler, or other Vessel, Spirits, Low Wines, Wort, Wash, or Materials for Distillation, are so set up or kept, and to enter into such House or Place, and to seize all and every such Stills, Backs, Vats, Coolers, and other Vessels, and all such Spirits, Low Wines, Wort, Wash, and other Materials, preparing or prepared for Distillation, which shall be there found and discovered, and either to detain and keep the same in the House or Place where found, or to remove the same to the Office of Excise next to the Place where the same shall be so discovered and found; and in case the same shall not within Ten Days next after such Seizure, be claimed by some Person as the true and lawful Owner thereof, then the said Stills, Backs, Vats, Coolers, and other Vessels, Spirits, Low Wines, Wash, and other Materials for Distillation, shall be absolutely forfeited, and the Proprietor of any such private or concealed Still, Back, Vat, Cooler, or other Vessel, or the Person in whose Custody the same shall be found, shall forfeit and lose for every Place in which every such Private Still, Back, Vat, Cooler, or other Vessel shall be so found, and also for every such Still, Back, Vat, Cooler, and Vessel found therein, the Sum of Two hundred Pounds; and if any Person or Persons shall obstruct, oppose, molest, or hinder any Officer or Officers of Excise, or others acting in their Assistance, in the seizing any such private or concealed Stills, Backs, Vats, Coolers, or other Vessels, or Spirits, Low Wines, Wort, Wash, or other Materials for Distillation, or in detaining or keeping the same in the Place where found, or in removing the same or any of them, after Seizure, to the next Office of Excise as aforesaid, then and in every such case every Person so offending shall forfeit the Sum of Two hundred Pounds.

and if not claimed within Ten Days shall be forfeited, and the Proprietor shall pay 200*l.* for every such Place and Still, &c. found therein.

Obstructing Officers in seizing private Stills, &c.

Penalty 200*l.*

Officers of Excise may search for and seize private Stills, &c. without a Warrant from the Justices, and Proprietors shall be subject to the same Penalties as if the Officers had a special Warrant.

CXIV. Provided always, and be it enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to make it unlawful for any Officer or Officers of Excise to search for and discover any private or concealed Still, Back, or other Vessel, for the making, preparing, or keeping of Wort, Wash, Low Wines or Spirits, or other Materials preparing or prepared for Distillation in any Part of *Scotland*, without such Warrant as aforesaid, or from seizing every such Still, Back, or other Vessel, and all such Low Wines, Spirits, Wort, Wash, and other Materials preparing or prepared for Distillation, which he or they shall so find and discover, or to do therewith in the same Manner as aforesaid; and every such Person with whom the same shall be found, or who shall obstruct any such Officer or Officers, or shall otherwise offend in any of the Particulars aforesaid, shall be subject and liable to the same Penalties and Forfeitures as if such Officer or Officers had been authorized by such Warrant as aforesaid; any thing herein-before contained to the contrary in anywise notwithstanding.

Persons not being entered Distillers, Brewers, or

CXV. And whereas Wort or Wash, and other Materials fit and proper for Distillation, are often found in the Custody and Possession of Persons notoriously concerned in private and illicit Distillation,

and such Offenders frequently escape from the Penalties of the Law, by the Removal and Concealment of their Still or Stills; for Remedy whereof, be it enacted, That all and every Person and Persons in *Scotland*, not being a licensed Distiller, Brewer, or Vinegar Maker, in whose Possession any Quantity of Wort or Wash, fermenting or fermented, exceeding the Quantity of Twenty Gallons, or any Quantity whatever of Low Wines or Feints, shall be found, shall severally forfeit and lose the Sum of One hundred Pounds, and all such Wort or Wash, Low Wines or Feints, together with the Casks or Vessels containing the same, shall and may be seized by any Officer or Officers of Excise, which said Penalty of One hundred Pounds it shall not be lawful for any Justice or Justices of the Peace in *Scotland*, by or before whom such Person or Persons shall be convicted, under any Pretence whatsoever, to mitigate or lessen under Twenty Pounds; and if the Penalty adjudged against such Person or Persons be not forthwith paid down to the Prosecutor, or to the Person authorized by him to receive the same, such Justice or Justices of the Peace, by or before whom such Person or Persons shall be convicted, are hereby authorized and strictly enjoined and required immediately, by his or their Warrant, under his or their Hands, to commit such Offender and Offenders to the Gaol or Prison of the County, for any Time not exceeding Twelve Months, nor less than Six Months, unless such Penalty shall be sooner paid.

Vinegar Makers, having Wash exceeding 20 Gallons, or any Quantity of Low Wines or Feints in their Possession, to forfeit 100*l.*

Restriction as to Mitigation of Penalty.

CXVI. And in order to deter Persons from aiding or assisting the Proprietors of private Stills in carrying on their fraudulent Practices, be it further enacted, That when any Officer or Officers of Excise in *Scotland* shall at any Time discover and find any private or concealed Still, Back, or Vessel, for the making, preparing, or keeping of Wash, Low Wines, or Spirits, or other Materials preparing or prepared for Distillation, and shall at the same Time discover in the Room or Place where such private Still, Back, or other Vessel shall be so found, any Person or Persons knowingly aiding, assisting, or anywise concerned in carrying on such private Distillation, every such Person and Persons so discovered shall (over and above all other Penalties and Forfeitures to which the Proprietor or Person in whose Custody or Possession the same shall be found, is subject and liable) forfeit and lose the Sum of Thirty Pounds each, for and in respect of every such Offence; and it shall and may be lawful for the Officer and Officers of Excise, and all other Persons acting in their Aid and Assistance, to stop, arrest, and detain all and every the Person and Persons so discovered in such Room or Place, and to convey the said Person and Persons before One or more Justice or Justices of the Peace of the County, City, or Place respectively, wherein any such Person or Persons shall be so discovered as aforesaid; and it shall and may be lawful to and for such Justice or Justices of the Peace respectively, on Confession of the Party, or by Proof, on the Oath of One or more credible Witness or Witnesses made of such Offence, to convict the Person or Persons so discovered as aforesaid, and the Person or Persons so convicted shall immediately on such Conviction severally pay the Sum of Thirty Pounds into the Hands of the Officer who shall have conveyed such Offender before such Justice or Justices of the Peace, to be applied in manner as herein-after is directed; and if any such Offender shall

Any Person who shall be found aiding and assisting in any private Distillery shall forfeit 30*l.*;

and shall be carried before a Justice.

On Default of paying the Penalty, Offender to be committed.

shall refuse or neglect to pay the said Sum of Thirty Pounds, the Justice or Justices so convicting as aforesaid, shall and may, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, commit the Offender to the Gaol or Prison of the County, there to remain for the Space of Six Calendar Months, and any Person so committed shall not be discharged until he or she shall have paid the said Sum of Thirty Pounds, or until the Expiration of the said Six Months; and in case any Person so convicted shall be again discovered in any Room or Place where any private Still, Back, or other Vessel shall be discovered and found as aforesaid, aiding, assisting, or otherwise concerned in carrying on any private Distillery, he or she so again offending shall, upon the like Conviction, forfeit and pay for such Second Offence the Sum of Sixty Pounds, and shall be committed to the Gaol or Prison in manner aforesaid, there to remain for and during the Term of One Year, unless the said Sum of Sixty Pounds shall be sooner paid.

Penalty 60*l.* on a Second Offence, and on Default of paying, Offender to be committed for One Year, or until the Penalty be paid.

Persons in whose Premises private Distilleries shall be carried on with their Knowledge, shall forfeit not exceeding 100*l.* nor less than 20*l.*

CXVII. And whereas Persons who are immediately concerned in the making of Spirits privately, or are connected with others employed in such unlawful Practices, frequently escape Punishment, because no direct Proof can be adduced that they were actually employed or connected with others in such private Distillation, although it may be evident that such private Distillation could not be carried on without their Knowledge and Consent; for Remedy whereof, be it further enacted, That in every Case where sufficient Proof shall not be adduced to convict the Party of having been actually employed or concerned in such private Distillation, it shall be lawful to offer Proof, and for the Court before whom the Case shall be heard to receive Proof that the private Distillery was carried on in some Part of the House, Outhouses, Yards, Gardens, Lands, or Premises belonging to or in the Occupation of the Party accused, and that from the Situation of the Place, or other Circumstances, such private Distillation was or must have been carried on with the Knowledge and Privity of the Party accused; and in such Case it shall be lawful for such Court to fine the Party in any Sum not exceeding One hundred Pounds nor less than Twenty Pounds; and in case the Fine be not immediately paid, to commit the Party to the Gaol or Prison of the County, for any Time not exceeding Twelve Months, nor less than Six Calendar Months, unless the Fine be sooner paid.

On Default of paying the Fine, Offender to be committed.

Officers empowered to spill and destroy all Spirits, Materials, and Utensils found at private Distilleries.

CXVIII. And whereas when the Officers of Excise have discovered private or unlawful Distilleries, it has often been found impossible or difficult to remove the Spirits, Materials, and Utensils to a Place of Safety; for Remedy whereof, be it further enacted, That when any Officer or Officers of Excise shall find or discover any unlawful Distillery in any Part of *Scotland*, it shall and may be lawful to and for such Officer or Officers, at his or their Discretion, immediately upon the Discovery of such private or unlawful Distillery, and the Seizure of any Spirits or Materials, Implements or Utensils for Distillation, effectually to spill, break up, and destroy the same; any thing hereinbefore contained to the contrary in anywise notwithstanding.

No Person in Scotland shall send out or receive any British Spirits exceeding the Quantity of Two Gallons without Permit, nor shall any Person carry the same, on pain of forfeiting 200*l.*

CXIX. And be it further enacted, That if any Distiller of or Dealer in Spirits, or other Person in *Scotland*, licensed or not licensed, shall sell or send out, or shall knowingly suffer to be sent out of his or her Stock, Custody, or Possession, or shall receive, or knowingly suffer to be received into his or her Stock, Custody, or Possession, or shall suffer any other Person, for his or her Use or Account, to receive at one Time any Quantity of *British* Spirits exceeding the Quantity of Two Gallons, without the same being accompanied with a true and lawful Permit; or if any Carrier, Boatman, or other Person in *Scotland*, shall knowingly carry, remove, or transport, or by means of his Horse, Cart, Vessel, Boat, or other Conveyance, shall knowingly suffer to be carried, removed, or transported, or shall be aiding or assisting in carrying, removing, or transporting from any Part of *Scotland* to another Part thereof, any Quantity of *British* Spirits at one Time, exceeding the Quantity of Two Gallons, without being accompanied with a true and lawful Permit; every such Distiller, Dealer, Carrier, Boatman, or other Person whatsoever shall, for each and every such Offence, forfeit and lose the Sum of Two hundred Pounds, over and above every other Penalty and Forfeiture to which he or she is or may be liable by virtue of this Act.

When Suits are commenced, what Proofs shall be given of the Permit having been obtained.

CXX. And be it further enacted, That when any Suit or Action shall be commenced, or any Information filed or exhibited against any Person receiving such *British* Spirits, unaccompanied with a true and lawful Permit, for the Recovery of any Penalty or Forfeiture in such Case by this Act imposed, it shall be sufficient for the Defendant or Defendants to prove that a lawful Permit to accompany the Removal of such Spirits was duly obtained by the Party selling or sending out the same, and that there had been a corresponding Decrease of the Stock of the Seller or Sender out thereof, to answer the Quantity of such Spirits so sent out and removed; and upon such Proof being made, such Spirits shall be adjudged to have been legally received, and according to the true Intent and Meaning of this Act: Provided always, that where any Person receiving such Spirits (not being an entered Distiller, Rectifier, or Compounder of, or Dealer in or Retailer of Spirits) shall, within Ten Days from the Receipt thereof, send or deliver to the nearest Officer of Excise the Permit which actually accompanied the same, every such private Person so delivering the Permit as aforesaid shall be held and deemed to have complied with the Provisions of this Act in respect to the receiving of such Spirits.

Treasury empowered to reward Officers for detecting or preventing illicit Distillation.

CXXI. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, by any Warrant, Order, or Instruction, signed by any Three or more of them, to authorize and empower the Commissioners of Excise in *Scotland* for the Time being, by any Order or Warrant, signed by any Three or more of them, to grant such Rewards to Officers, to be paid out of the Duties of Excise in *Scotland*, for Services performed by them in detecting and preventing illicit and fraudulent Distillation, as the said Commissioners of His Majesty's Treasury shall think proper, subject to such Rules, Conditions, Directions, and Modifications as the said Com-

Commissioners of His Majesty's Treasury shall prescribe, in order to make it the Interest of such Excise Officers that no illicit or fraudulent Distillation whatever shall be carried on within their respective Districts or Divisions.

Penalty for obstructing Officers, in Cases not otherwise provided for, 200*l.*

CXXII. And be it further enacted, That if any Distiller, Rectifier, or Compounder of Spirits licensed under this Act, or any Workman or Servant belonging to or employed or authorized by such Distiller, Rectifier, or Compounder, or any other Person or Persons whosoever, shall molest, disturb, hinder, oppose, or impede any Officer or Officers of Excise, in the due Execution of the Powers and Authorities by this Act granted, or any of them, except in such Cases for which any Penalties are by this Act specially provided; every such Distiller, Rectifier, or Compounder, or other Person or Persons so offending, shall forfeit and lose the Sum of Two hundred Pounds.

Distillers and Officers entering into collusive Agreement, to forfeit severally 500*l.*

CXXIII. And be it further enacted, That if any Officer of Excise, of whatever Rank or Degree he shall or may be, employed under the Authority of the Commissioners of Excise in *Scotland*, shall make any collusive Agreement with any Distiller, or with any other Person for or on his Behalf, as his Agent, to omit to do any thing belonging to the Execution of his Employment as such Officer, or to connive at or to conceal any Fraud or Breach or Neglect of the Law by such Distiller, or any Servants, Workmen, or Agent of such Distiller, or to make any false Return in respect of any of the Matters and Things required by this Act or any other Act of Parliament, for the better securing any Duty or Duties on Spirits made in *Scotland*, or for the Prevention of Smuggling in *Scotland*, or to do or to connive at, or to conceal or to omit to do any other Act, Matter, or Thing, by the doing or the Omission whereof His Majesty's Revenue shall be defrauded, or shall directly or indirectly ask or demand, or take or receive any Bribe, Gratuity, Fee, Recompence, or Reward, for the Neglect or Non-performance of any Part of his Duty, or for the restoring or abandoning any Seizure, or for the forbearing to make any Seizure of any Still or Utensil, or any Wort, Wash, Low Wines, Feints, or Spirits, or the Casks or Vessels containing the same, or any other Goods, Matters, or Things forfeited by Law, every such Officer therein offending, shall for each and every such Offence forfeit and lose the Sum of Five hundred Pounds, and shall be for ever after incapable of serving His Majesty in any Office or Employment, Civil or Military; and if any Distiller licensed under this Act, or any Person on his Behalf, or as his Servant or Agent, shall directly or indirectly give or promise, or offer to give or promise, any Bribe, Recompence, Fee, Gratuity, or Reward, for the Performance or Non-performance of the Duty of such Officer; or shall make any collusive Agreement with any Officer of Excise, to forbear or neglect the due Performance and Discharge of his Duty as such Officer, in any of the Matters and Things required by this Act, or by any other Act of Parliament, for better securing any Duty or Duties upon Spirits made in *Scotland*, or for the Prevention of Smuggling in *Scotland*; or to do, or to conceal, or to connive at, or to omit to do any Act, Matter, or Thing, by the doing or the Omission whereof any of the Provisions of this Act or any other Act or Acts shall be evaded or broken, or His Majesty's Revenue

Revenue injured, or to restore or to abandon any Seizure, or to forbear or to neglect to make any Seizure of any Still or Utensil, or any Wort, Wash, Low Wines, Feints, or Spirits, or the Casks or Vessels containing the same, or any other Goods, Matters, or Things forfeited by Law; every such Distiller and other Person as aforesaid shall for each and every such Offence (whether the Offer, Proposal, Promise, or Agreement be accepted or performed or not) forfeit and lose the Sum of Five hundred Pounds, One-third Part thereof, after deducting the Expences of recovering the same, to be paid to His Majesty, and Two-third Parts thereof to the Officer or Person who shall discover or disclose, or inform of any such Offence: Provided always, that in case any such Officer who shall have asked, taken, or received any such Bribe, Fee, Gratuity, Recompence, or Reward, or entered into such collusive Agreement as aforesaid, shall, before any Complaint shall have been made, or any Proceeding had against such Officer for asking, taking, or receiving, or for entering into the same, give Information to the said Commissioners of Excise, of the Gift or Offer of such Bribe, Fee, Gratuity, Recompence, or Reward, or of such collusive Agreement, and the said Commissioners shall think fit that such Information should be proceeded upon, so that the Penalty aforesaid shall be recovered against the Person who shall give or offer or propose to give such Bribe, Fee, Recompence, Gratuity, or Reward, or to make such collusive Agreement; or in case the Distiller or Person who shall give or offer any such Bribe, Fee, Gratuity, Recompence, or Reward, or enter into any such collusive Agreement, shall, before any Complaint shall have been made, or any Proceeding had against such Distiller or other Person for giving or offering, or entering into the same, give Information to the said Commissioners of Excise, of the asking, taking, or receiving any such Bribe, Fee, Recompence, Gratuity, or Reward, or of such collusive Agreement by any such Officer, and the said Commissioners shall think fit that such Information should be proceeded upon, so that the Penalty aforesaid shall be recovered against such Officer; then and in either of the said Cases, either of the said Parties so first giving such Information to such Commissioners, shall be exempted from and indemnified against the Penalties and Disabilities imposed on such Party for such Offence by this Act.

Penalty for obstructing Officers, in Cases not otherwise provided for, 500*l.*

Offender informing indemnified.

CXXIV. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act, for the recovering and levying whereof no Directions are expressly given by any Clause or Clauses in this Act before contained, shall be sued for, recovered, levied, or mitigated, by such Ways, Means, and 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 the Court of Exchequer in *Scotland*; 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.

Recovery and Application of Penalties.

CXXV. And be it further enacted, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters, and Things which in and by an Act made in the Twelfth Year of the Reign of King

Powers of 12 C. 2. c. 24. or any Law now in force relating to

the Excise, extended to this Act.

King *Charles* the Second, intituled *An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof*, or by any other Law now in force relating to His Majesty's Revenue of Excise, are provided and established, shall be practised, used, and put in Execution in and for the Purposes of this Act, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in this present Act.

Persons sued for Penalties under this Act, not liable to the Penalties of former Acts, &c.

CXXVI. Provided always, and be it enacted, That no Person who shall be sued or prosecuted for any of the Penalties or Forfeitures imposed by this Act, shall be liable to any Penalty or Forfeiture imposed for the same Offence by any former Act; nor shall any Person who shall be sued or prosecuted for any Penalty or Forfeiture imposed by any former Act, be liable to any Penalty or Forfeiture imposed for the same Offence by this present Act.

Commencement and Continuance of Act.

CXXVII. And be it further enacted, That this Act shall commence and take Effect, in all Matters and Things therein contained, upon and from the Tenth Day of *November* One thousand eight hundred and twenty-two, and that this Act shall continue in force for Two Years thereafter and no longer.

Act may be altered this Session.

CXXVIII. And be it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

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