'on Payment of the reduced Duty herein-after mentioned:' Be it enacted by the Queen'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, as follows:

Foreign and Colonial Rum may be methylated in Customs Warehouse.

1. It shall be lawful for the Commissioners of Customs to permit and authorize any licensed Rectifier of Spirits, or any Person who shall be duly licensed under the said recited Act to make or mix Methylated Spirits, to mix in the Customs Warehouse, and under such Conditions and Regulations as the said Commissioners shall direct, Foreign or Colonial Rum of not less Degree of Strength than Twenty *per Cent.* over Proof, and in a Quantity not less at One Time than the Contents of the whole Cask in which the same shall have been imported, with not less than One Ninth of its Bulk Measure of Wood Naphtha or Methylic Alcohol, or with such other Article or Substance as in the said recited Act is mentioned, and thereupon such Mixture shall be allowed, chargeable only with the reduced or differential Duty herein-after mentioned, for Use for such Purposes and in such Manner as is allowed by the said recited Act, or any Act amending the same, with regard to Methylated Spirit: Provided that no such Rum shall be so mixed as aforesaid until Payment shall have been made to the said Commissioners of Customs of the Difference between the Duty of Customs chargeable on the Importation of such Foreign and Colonial Rum respectively and the Duty of Excise chargeable on Spirits distilled in the United Kingdom.

Wood Naphtha to be provided by Inland Revenue, and Rum, when mixed, to be denominated Methylated Spirit.

2. All Wood Naphtha or Methylic Alcohol, or other such Article or Substance as aforesaid, to be mixed with such Rum, shall be provided by the Commissioners of Inland Revenue for and at the Expense of the Person proposing to make such Mixture, and the said Mixture shall be denominated Methylated Spirit, and shall be removed, under the Certificate of the proper Officer of Customs, to some approved Store belonging to a Rectifier of Spirits or to a licensed Maker of Methylated Spirit.

Provisions of 18 & 19 Vict. c. 38. and 24 & 25 Vict. c. 91. applied to Spirits mixed under this Act.

3. All the Powers, Provisions, Clauses, Regulations, Forfeitures, Pains, and Penalties contained in the said recited Act and in the Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, in relation to Methylated Spirit, shall be applied and put in force with respect to all Spirits mixed under the Provisions of this Act.

Methylated Spirit may be exported.

4. It shall be lawful to export any Methylated Spirit mixed under the Provisions of this Act or of the said first-recited Act, under such Regulations as the Commissioners of Customs or Inland Revenue shall respectively make in that Behalf.

CAP. CIII.

An Act to amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters. [28th *July* 1863.]

'WHEREAS the Offence of taking Corn or other Food by a Servant from the 'Possession of his Master, contrary to his Orders, for the Purpose of giving the 'same or of having the same given to the Horses or other Animals of such Master, is by 'Law a Felony: And whereas it is desirable to alter the Law in this respect:' Be it enacted by the Queen'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, as follows:

Servants taking their Master's Corn, &c. without Authority, for the Purpose of giving the

1. If any Servant shall, contrary to the Orders of his Master, take from his Possession any Corn, Pulse, Roots, or other Food for the Purpose of giving the same or of having the same given to any Horse or other Animal belonging to or in the Possession of his Master, the Servant so offending shall not by reason thereof be deemed guilty of or be proceeded

same to their Master's Horses, &c., not guilty of Felony, but shall be liable to Imprisonment, &c.

proceeded against for Felony, but shall, on Conviction of such Offence before Two Justices of the Peace, at their Discretion, either be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay such Penalty as shall appear to them to be meet, not exceeding the Sum of Five Pounds, and if such Penalty shall not be paid, either immediately after the Conviction or within such Period as the said Justices shall at the Time of the Conviction appoint, the Servant so offending shall be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months, unless such Penalty be sooner paid: Provided always, that if upon the Hearing of the Charge the said Justices shall be of opinion that the same is too trifling, or that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they shall have Power to dismiss the Charge, without proceeding to a Conviction: Provided also, that if upon the Trial of any Servant for feloniously taking from his Master any Corn, Pulse, Roots, or other Food consumable by Horses or other Animals, such Servant shall allege that he took the same under such Circumstances as would constitute an Offence punishable under this Act, and thereof shall satisfy the Jury charged with his Trial, then it shall be lawful for such Jury to return a verdict accordingly; and thereupon the Court before which such Trial shall take place shall proceed to award such Punishment against such Servant as may be awarded by Two Justices of the Peace on the Conviction of any Person under the Provisions of this Act: Provided also, that in case of Nonpayment of any Penalty to be imposed by the Court on such Servant, he shall be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months, as the Court shall order, unless such Penalty be sooner paid.

Power to Justice to dismiss Case if deemed too trifling.

Power to appeal against Conviction.

2. Provided always, That if any Person shall think himself aggrieved by any Conviction under this Act, such Person may appeal to the next Court of General Quarter Sessions of the Peace which shall be holden not less than Twelve Days after the Day of such Conviction, for the County, Riding, Division, City, Borough, or Place wherein the Cause of Complaint shall have arisen: Provided also, that such Person shall give to the Informant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the said Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded, or, if such Appeal shall be against any Conviction whereby only a Penalty, with or without Costs, is adjudged to be paid, shall deposit with the Clerk of the convicting Justices such a Sum of Money as such Justices shall deem to be sufficient to cover the Penalty and Costs, if any, so adjudged to be paid, and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justices before whom such Recognizance shall be entered into or such Deposit shall be made shall liberate such Person, if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Affirmance of the Conviction shall order and adjudge the Appellant to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed the Court may order the Penalty and Costs, if any, thereby adjudged to be paid, together with the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid, the Clerk of the Peace or other proper Officer of the Court shall forthwith indorse on the Conviction a Memorandum that the same has been quashed; and whenever any Copy or Certificate of such Conviction shall be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such

such Conviction: Provided that the Right of Appeal against any Conviction under this Act shall not apply so as to enable any Person to appeal against any Verdict of a Jury as aforesaid.

No Certiorari, &c.

3. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Summary Proceedings may be under 11 & 12 Vict. c. 43.

4. Every Offence under this Act may be prosecuted and every Conviction under this Act may be enforced in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three; and all Provisions contained in the said Act shall, unless repugnant to any of the Provisions of this Act, be applicable to such Prosecution and Conviction, in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactments relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty for any such Offence.

Except in London and the Metropolitan Police District.

Extent of Act.

5. This Act shall extend to *England* only.

Commencement of Act.

6. This Act shall commence and take effect from the First Day of *September* One thousand eight hundred and sixty-three.

CAP. CIV.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Blackpool*, *Deal* and *Walmer*, *Exmouth*, *Rosehearty*, *Ilfracombe*, *Instow*, *Bangor*, *Chatham*, *Bray*, *Dartmouth*, and *Nairn*. [28th *July* 1863.]

'WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament:

'And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the Schedule hereto should be confirmed by Act of Parliament:'

Be it therefore enacted by the Queen'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, as follows:

Confirmation of Orders in Schedule.

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1863.

The SCHEDULE of Provisional Orders.

1. BLACKPOOL.—Construction of a Pier.
2. DEAL AND WALMER.—Amendment of former Order.
3. EXMOUTH.—Construction of a Pier.
4. ROSEHEARTY.—Improvement of the Harbour.
5. ILFRACOMBE.—Improvement of the Harbour.