



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 33.

An Act for continuing and enlarging the Term and Powers of Two several Acts, of the Thirty-second Year of the Reign of His late Majesty, and of the Twentieth Year of His present Majesty, charging a Duty of Two-pennies *Scots*, or One Sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale, Porter, and Beer, brewed for Sale, brought into, tapped, or sold, within the Town and Parish of *Kelso*, in the County of *Roxburgh*, for the Purposes therein mentioned. [30th April 1802.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King George the Second, intituled, *An Act for laying a Duty of Two-pennies Scots, or One Sixth Part of a Penny Sterling, upon every Scots Pint of Ale, Porter, and Beer, which shall be brewed for Sale, brought into, tapped, or sold, within the Town of Kelso, in the Shire of Roxburgh; for finishing a Bridge across the River Tweed; and for other Purposes therein mentioned; which Duty was to commence from and after the Twenty-fourth Day of June One thousand seven hundred and fifty-nine, and to have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas by another Act, passed in the Twentieth Year of the Reign of His present Majesty, the* 32 Geo. 3.

[Loc. & Per.] 6 C said

said recited Act was continued from the Expiration of the Term there-
 by granted, for and during the further Term of Twenty-one Years,
 and from thence to the End of the then next Session of Parliament:
 And whereas the Duties levied under the Authority of the said Acts,
 have been applied, by the Trustees, for the Purposes thereby directed,
 particularly towards the Charges of building and finishing the Bridge
 over the *Tweed*, mentioned in the said Acts, and discharging the Debts
 incurred thereby; but the said Bridge was within these few Years totally
 carried away and destroyed by a Flood in the River, and another is now
 erecting near the Scite of the old one, and adjoining to the Town of
Kelfo, the Inhabitants of which must be greatly benefited by the Ac-
 complishment of the Work: And whereas the other Purposes, for which
 the Duty was granted, are in a great Measure unaccomplished, and cannot
 be carried into Execution, unless the Term and Powers of the said recited
 Acts be continued and enlarged: 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 the said Imposition or Duty of Two-
 pennies *Scots*, or One Sixth Part of a Penny Sterling, made payable by
 the said Acts of the Thirty-second Year of the Reign of His late Majesty,
 and Twentieth Year of the Reign of His present Majesty, upon every
Scots Pint of Ale, Porter, or Beer, brewed for Sale, brought into, tap-
 ped, or sold, within the said Town and Parish of *Kelfo*, shall, from and
 after the Expiration of the Term granted by the said Act passed in the
 Twentieth Year of His present Majesty's Reign, be further continued,
 collected, and payable, for and during the further Term of Twenty-one
 Years, and from thence to the End of the then next Session of Parliament,
 and the said Duty shall be levied and paid by the same Means and Me-
 thods, and by and under the same Penalties and Forfeitures, and shall
 be subject and liable to the same Restrictions, Regulations, and Inspec-
 tions, as are prescribed, mentioned, and expressed in the said Two several
 Acts of the Thirty-second Year of the Reign of His late Majesty, and
 the Twentieth Year of the Reign of His present Majesty; and the
 Baillie of *Kelfo*, and the Stentmasters of *Kelfo*, all for the Time being,
 together with *James Haldane* of *Broomlands*, Esquire, shall be, and
 they hereby are nominated and appointed Trustees for levying the
 said Duty, or causing the same to be levied, and for managing the
 Proceeds thereof, with all the Powers vested in the Trustees appointed
 by the said former Acts; and the said Duty to be levied by virtue of the
 said former Acts and of this Act, shall be applied by the said Trustees
 towards the Expences of compleating the said Bridge over the *Tweed*,
 now erecting, and the Approaches thereto, or in Aid of the other Funds
 applicable for that Purpose; and for repairing the Streets of the said
 Town of *Kelfo*; and for building and erecting a Workhouse for main-
 taining and employing the Poor of the said Town and Parish, and pur-
 chasing proper Materials for setting such Poor to work; and for making,
 building, erecting, repairing, or accomplishing any other publick Work
 or Purpose which shall be deemed useful, beneficial, and advantageous to
 the Community of the said Town of *Kelfo*, according to the Discretion
 vested in the said Trustees by this and the said former Acts.

Acts conti-
nued.

Like Allow-
ance of Duty
as made by
the Excise.

II. And be it further enacted, That in charging and levying the said Duty from the Brewers liable in Payment, the same Deduction from the Quantity

Quantity of Ale, Porter, and Beer brewed by them, and chargeable with the said Duty, shall be made which is granted and allowed to them by His Majesty's Commissioners of Excise in charging the Duty of Excise.

III. And be it further enacted, That, for the more regular, easy, and certain Receipt and Recovery of the said Duty, it shall not be lawful for any Brewer or Seller of Ale, Porter, and Beer, to import any Ale, Porter, or Beer into the said Town and Parish of *Kelfo*, without giving previous Notice to One or more of the said Trustees or their Collector, specifying the respective Quantities to be imported, and agreeing to be charged with the said Duty; and in case any Brewer or Seller of Ale, Porter, or Beer, shall contravene or neglect to observe the foregoing Regulation, the Trustees hereby appointed, or any Five or more of them, shall summon the Offender or Offenders before them, and upon Conviction, the Party or Parties convicted shall forfeit and become liable in Payment of the said Duty, for all Ale, Porter, and Beer, brewed by him, her, or them, for and during the Twelve Months preceding; such Conviction, however, being always subject to the Appeal provided by the aforesaid Act of the Thirty-second Year of the Reign of His late Majesty, in case any Person shall think himself thereby aggrieved; and which Duty so forfeited and become payable shall be ascertained, levied, and paid by the same Rules, Means, and Methods, as are prescribed and specified in the said Two former Acts, for the Recovery of the said Duty; any Thing in the said Two former Acts to the contrary notwithstanding.

Beer not to be brought into the Town without Notice.

IV. And be it further enacted, That the said Trustees appointed by this Act, or any Five or more of them, shall be and they are hereby empowered, from Time to Time, by any Writing under their Hands to assign and make over the said Duty or any Part thereof, for any Time or Times during the Continuance of this Act, as a Security for any Sum or Sums of Money that shall be by them borrowed, not exceeding the Sum of One thousand five hundred Pounds Sterling, at an Interest not exceeding Five Pounds *per Centum per Annum*, for the more speedily answering the Ends and Purposes of the said recited Acts and this Act, to any Person or Persons who shall be willing to advance any Sum or Sums of Money upon such Security; and which Sum or Sums of Money so borrowed shall be applied in the First Place to pay off the Charges and Expences of obtaining this Act, and thereafter shall be applied and disposed of to and for such Purposes as the Duty hereby granted is directed to be applied and disposed of.

Trustees may borrow Money.

V. And be it further enacted, That along with Sir *George Douglas of Springwood Park*, Baronet, Sir *James Pringle of Stichell*, Baronet, Sir *Henry Hay Mackdougall of Macherstoun*, Baronet, *Hugh Scott of Harden*, Admiral *William Dickson of Sydenham*, Captain *Robert Scott of Rosebank*, and Captain *Robert Davidson of Pinnaclehill*, the only surviving Trustees appointed by and nominated in Terms of the aforesaid Two recited Acts, Sir *John Buchanan Riddell of Riddell*, Baronet, Sir *Alexander Don of Newton*, Baronet, Admiral *John Elliot of Effenside*, Major *John Rutherford of Edgerston*, *George Baillie of Jerviswoode*, *Andrew Douglas Esquire*, *George Waldie of Hendersyde*, *Robert Walker of Wooden*, *Robert Ker of Sunlaw*, *David Binning Monro of Softlaw*, *Alexander Chatto of Mainhouse*,

Overseers of Duty, and of Application thereof.

house, Charles Ker of Gateshaw, Captain Archibald Dickson younger, of Sydenham, Robert Pringle younger, of Stitchell, Alexander Don younger, of Newton, John Waldie younger, of Hendersyde, Adam Walker younger, of Wooden, Robert Davidson younger, of Pinnaclehill, and John Chatto younger, of Mainhouse, or any Three or more of them, shall be, and they are hereby appointed Overseers of the said Duty, and of the Receipts and Disbursements thereof, with the same Powers, in every respect, and to all Intents and Purposes, as are provided and granted by the said Act of the Thirty-second Year of the Reign of His late Majesty, to the Overseers thereby appointed.

Expences of
the Act.

VI. And be it further enacted, That the Expence of procuring and passing this Act shall be paid out of the Monies levied or borrowed by virtue of this or the said former Acts.

Publick Act.

VII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

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