

ANNO TRICESIMO NONO

GEORGII III. REGIS.

CAP. CV.

An Act to continue and amend so much of an Act made in the Thirty-third Year of the present Majesty, as permits Sir *William Bishop*, *George Bishop*, and *Argles Bishop*, to carry on the Manufacture of *Maidstone* Geneva.

[12th *July* 1799.]

Preamble. 33 Geo. III, cap. 59.

WHEREAS by an Act, passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act to continue certain Duties of Excise on Foreign Spirits imported into this Kingdom, for a limited Time; and also for continuing certain Laws of Excise therein mentioned*; reciting, that certain Rules, Regulations, Restrictions, Provisions, Fines, Penalties, and Forfeitures, were, by an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, provided, settled, and established, for the Manufacture of Spirits called *Maidstone Geneva*, established at *Maidstone* in the County of *Kent*, by *George Bishop* of that Place; and that certain Duties were, by the said Act, and by another Act made in the Thirty-first Year of the Reign of His said Majesty, imposed on the said *George Bishop* for and in respect of Wash produced by him from Malt or other Corn; and that the said *George Bishop* was lately dead, and Sir *William Bishop* Knight, *George Bishop*, and *Argles Bishop*, were become possessed of the Distillery and Premises, in which the said *George Bishop* deceased carried on the Manufacture of such *Maidstone* Geneva at *Maidstone* aforesaid; and that the said Sir *William Bishop*, *George Bishop*, and *Argles Bishop*, were desirous to carry on the Manufacture of and to make Spirits commonly called *Maidstone Geneva*, in the said Distillery and Premises at *Maidstone* aforesaid, under and subject to the like Duties, Rules, Regulations, Restrictions, Provisions, Fines, Penalties, and Forfeitures, as the said *George Bishop* deceased carried on the Manufacture of and made Spirits commonly called *Maidstone Geneva*; and that it was expedient to allow the said Sir *William Bishop*, *George Bishop*, and *Argles Bishop*, so to carry on such Manufacture, and to make such Spirits, it was enacted, that it should and might be lawful to and for the said Sir *William Bishop*, *George Bishop*, and *Argles Bishop*, and the Survivors and Survivor of them, possessed of the said Distillery and Premises, to carry on the Manufacture of and to make Spirits commonly called *Maidstone Geneva*, in the said Distillery and Premises at *Maidstone*, until and upon the Fifth Day of *July* One thousand

thouſand ſeven hundred and ninety-five, under and ſubject to the like Duties as were impoſed on the ſaid *George Biſhop* deceaſed, by the ſaid Acts of the Twenty-eighth and Thirty-firſt Years of the Reign of His ſaid Majeſty: And whereas by an Act paſſed in the Thirty-fifth Year of the Reign of His preſent Majeſty, the ſaid Permiſſion was continued until the Fifth Day of *July* One thouſand ſeven hundred and ninety-ſeven; and by another Act, paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, the ſaid Permiſſion was continued until the Fifth Day of *July* One thouſand ſeven hundred and ninety-nine: And whereas, it is expedient to allow the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, to continue and to carry on the ſaid Manufacture of and to make Spirits called *Maidſtone Geneva*, in the ſaid Diſtillery and Premiſes at *Maidſtone* aforeſaid, from and after the ſaid Fifth Day of *July* One thouſand ſeven hundred and ninety-nine, for a limited Time, under and ſubject to the Duties, Rules, Regulations, Reſtrictions, and Proviſions, herein-after mentioned: 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 Fifth Day of *July* One thouſand ſeven hundred and ninety-nine, and during the Continuance of this Act, there ſhall continue to be paid by the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, and the Survivors and Survivor of them, poſſeſſed of the ſaid Diſtillery and Premiſes at *Maidſtone* aforeſaid, for every One hundred and twenty Gallons of Waſh, and ſo in Proportion for any greater or leſs Quantity, which they or the Survivor or Survivors of them ſhall produce from a Weight of Malt or other Corn, including the Bran thereof, and not exceeding One hundred and twelve Pounds, the Sum of One Pound Seven Shillings and Three-pence.

Meſſ. *Biſhop* ſhall continue to pay for every 120 Gallons of Waſh produced from 112 lb. of Malt or Corn, 1*l.* 7*s.* 3*d.*

II. And be it further enacted, That for every One hundred and twelve Pounds Weight of Malt or other Corn before the ſame is ſeparated from the Bran thereof, ſo uſed by the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, there ſhall be allowed a Credit in the Books of the proper Officer or Officers of Exciſe, of not more than Eight Gallons and One Third Part of a Gallon of Spirits at the Strength of One in Six under Hydrometer Proof.

For every 112 lb. of Malt or Corn, the Exciſe Officer ſhall allow a Credit of 8 ⅓ Gallons of Spirits of One in Six under Hydrometer Proof.

III. And be it further enacted, That the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or any or either of them, ſhall not ſell or ſend out any Spirits whatſoever of a greater Degree of Strength than that of One in Six under Hydrometer Proof; and if the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or any or either of them, ſhall ſell or ſend out any Spirits whatſoever contrary to the true Intent and Meaning of this Act, ſuch Spirits, together with the Caſks and Veſſels containing the ſame, and the Horſes, Cattle, Carts, and Carriages, made uſe of in the Removal thereof, ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of Exciſe.

Meſſ. *Biſhop* ſhall not ſend out any Spirits of a greater Strength than One in Six under Hydrometer Proof, on Penalty of Forfeiture, &c.

IV. And be it further enacted, That if on caſting up the Stock of the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, any Officer or Officers of Exciſe ſhall find the Quantity of Spirits contained in ſuch Stock to exceed the Quantity for

Exceſs of Spirits in Stock beyond the Credit allowed, to be forfeited.

which the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, is entitled to Credit, at the Strength of One in Six under Hydrometer Proof, after deducting and allowing for the Quantity of Spirits for which Permit ſhall have been granted to the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, then and in every ſuch Caſe the Exceſs found ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of Exciſe.

Before uſing any Malt or Corn for making Waſh, 12 Hours Notice ſhall be given to the Exciſe Officer, on Penalty of 200*l.*

V. And be it further enacted, That before the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or any or either of them, ſhall make uſe of any Malt or Corn for the Purpoſe of making any Wort or Waſh, the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, ſhall give Twelve Hours Notice in Writing to the Officer of Exciſe, under whoſe Survey the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, ſhall then be, of the Intention of them the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, to uſe the ſame, in order that the ſaid Officer may attend to weigh ſuch Malt or Corn; and if the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, ſhall neglect to give ſuch Notice as aforeſaid, the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or the Survivors or Survivor of them, ſhall, for every ſuch Neglect, forfeit the Sum of Two hundred Pounds.

If the proper Officer find on Diſtillation by Stills provided for the Purpoſe, that 30 Gallons of Waſh produce more than 2 ⅛ Gallons of Spirits at the Strength of One in Six under Hydrometer Proof, the Whole Quantity of Waſh in the Poſſeſſion of Meſſ. *Biſhop* ſhall be charged with a Duty of 1*s. per* Gallon, and they ſhall forfeit beſides 6*d.* for every Gallon.

VI. And be it further enacted, That for the Purpoſe of enabling the proper Officer or Officers of Exciſe to aſcertain the Strength of the Waſh on which ſuch Duty as aforeſaid ſhall have been charged, the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, and the Survivors and Survivor of them, ſhall provide, and from Time to Time keep, in their Diſtillery Houſe at *Maidſtone* aforeſaid, a ſmall Still, with a Worm and Tub complete, of a proper Size, to diſtil at One Time Thirty Gallons of Waſh; and alſo another ſmall Still, with a Worm and Worm Tub complete, of a proper Size and convenient Sort, to diſtil the Low Wines drawn or extracted from ſuch Thirty Gallons of Waſh; and which Quantity of Waſh ſuch Officer or Officers is and are, for the Purpoſes aforeſaid, hereby empowered to take and diſtil, and alſo to diſtil the Low Wines drawn and extracted therefrom, when and as often as he or they ſhall think fit; and if Thirty Gallons of ſuch Waſh, ſo diſtilled, ſhall be found to produce Low Wines which, on Diſtillation, ſhall be found to produce more than Two Gallons and One Eighth of a Gallon of Spirits at the Strength of One in Six under Hydrometer Proof, then the Whole Quantity of Waſh at that Time, in the Poſſeſſion of them the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, and the Survivors and Survivor of them, ſhall be charged by the proper Officer or Officers of Exciſe with a Duty of One Shilling *per* Gallon, and which ſhall become payable immediately on ſuch Charge being made; and the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, and the Survivors and Survivor of them, ſhall alſo, for every Gallon of ſuch Quantity of Waſh, forfeit and loſe the Sum of Sixpence.

Meſſ. *Biſhop* ſhall not carry on the Trade of diſtilling Geneva in any other Places than thoſe

VII. And be it further enacted, That it ſhall not be lawful for the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, or any or either of them during the Continuance of this Act, to carry on the Trade of diſtilling Geneva in any other Place or Places than thoſe now occupied by them

now occupied by them, or uſe any larger Veſſels.

them for that Purpoſe at *Maidſtone*, or therein uſe any Stills, Bucks, or other Utenſils, of larger Dimenſions than thoſe now in uſe in the ſaid Manufactory.

Recovery and Application of Penalties.

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

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

IX. And be it further enacted, That the ſaid Duties by this Act impoſed ſhall be under the Management of the Commiſſioners of Exciſe in *England* for the Time being.

Powers of 14 *Car.* II, Cap. 24, (not hereby altered) to extend to this Act.

X. And be it further enacted and declared, 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 *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, upon Beer, Ale, and other Liquors, are provided or eſtabliſhed for managing, raiſing, levying, collecting, mitigating, or recovering, adjudging or aſcertaining, the Duties thereby granted, or any of them, (other than and in ſuch Caſes for which other Penalties or Proviſions are made and provided by this Act), ſhall be practiſed and put in Execution, in and for the managing, raiſing, levying, collecting, mitigating, recovering, and paying the ſaid Duties hereby granted, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Powers, Rules, Directions, Penalties, Forfeitures, Claims, Matters, and Things, were particularly repeated and re-enacted in this preſent Act.

Duties to be paid into the Exchequer.

XI. And be it further enacted, That all the Money ariſing by 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 the ſaid Monies, ſo paid into the ſaid Receipt of Exchequer as aforeſaid, ſhall be appropriated and applied to and for the ſame Uſes and Purpoſes in the ſame Proportions as the ſaid Rates and Duties now payable by the ſaid Sir *William Biſhop*, *George Biſhop*, and *Argles Biſhop*, are by the ſeveral Acts of Parliament for granting, impoſing, and appropriating the ſame, directed to be appropriated and applied.

Continuance of Act.

XII. And be it further enacted, That this Act ſhall commence and take Effect from and immediately after the Fifth Day of *July* One thouſand ſeven hundred and ninety-nine, and ſhall remain and continue in force for the Space of Five Years, to be computed from that Day.

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