Anno tricesimo

# Georgii II. Regis.

An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon, and other Victual (except Fish and Roots and Rice, to be exported to any Part of *Europe* Southward of *Cape Finisterre*) from His Majesty's Colonies and Plantations in *America*, unless to *Great Britain* or *Ireland*, or to some of the said Colonies and Plantations; and to permit the Importation of Corn and Flour into *Great Britain* and *Ireland*, in Neutral Ships; and to allow the Exportation of Wheat, Barley, Oats, Meal, and Flour, from *Great Britain* to the Isle of *Man*, for the Use of the Inhabitants there.

WHEREAS the Exportation of any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon, or any other Sort of Victual, from any of His Majesty's Colonies or Plantations in America, may, at this Time, be greatly prejudicial to His Majesty's Subjects; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, Preamble.

bled, and by the Authority of the same, That no Person or Persons whatsoever, at any Time or Times during the Continuance of the present War with France, shall, directly, or indirectly, export, transport, carry, convey, or cause or procure to be exported, transported, carried, or conveyed out of, or from any of the British Colonies or Plantations in America, or load, or lay on Board, or cause or procure to be laden, or laid on Board, any Ship or other Vessel or Boat, in order to be exported or carried out of the said Colonies or Plantations, any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon, or other Sort of Victual, whether the said Commodities shall, or shall not be, the Produce or Manufacture of, or made in the respective Colonies or Plantations from whence the same shall be designed to be exported, under the Penalties and Forfeitures herein after mentioned; that is to say, That all the said Commodities that shall be so exported, shipped, or laid on Board, or loaded to be exported, shipped, or carried out, contrary to this Act, shall be forfeited, and that every Offender or Offenders therein, shall forfeit the Sum of Twenty Shillings, of lawful Money of Great Britain, for every Bushel of Corn, Grain, Meal, Malt, or Flour, and Twelve Pence of the like Money, for every Pound Weight of Bread, Biscuit, Starch, Beef, Pork, Bacon, or other Victual, and so in Proportion for any greater or less Quantity, which shall be so exported, shipped, or put on Board to be exported, and also the Ship, Boat, or Vessel, upon which any of the said Commodities shall be exported, shipped, or laden to be exported, and all her Guns, Tackle, Apparel, and Furniture, shall be forfeited; and One Moiety of all such Penalties and Forfeitures shall be to the King's Majesty, His Heirs and Successors, and the other Moiety to him or them that will sue for the same; which said Penalties and Forfeitures shall be recovered in the High Court of Admiralty, or any other chief Court of Civil or Criminal Jurisdiction, in such respective Colonies or Plantations; and that the Master and Mariners of any such Ship, Boat, or Vessel, wherein any such Offence shall be committed, knowing such Offence, and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any such Courts as aforesaid, shall be imprisoned for the Space of Three Months without Bail or Mainprize.

Enumerated Commodities prohibited to be exported from the *British* Plantations, &c. during the War with *France*.

Penalties.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, being an Officer or Officers of the Customs,

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or being lawfully authorized in this Behalf by the Lord High Treasurer of Great Britain, or the Commissioners of the Treasury for the time being, or any Three or more of them, to take or seize all such of the said Commodities not allowed to be exported by this Act, or by His Majesty's Royal Proclamation, or such Order of Council in pursuance of this Act, as he or they shall happen to find, know, or discover, to be laid on Board any Ship or other Vessel or Boat at Sea, or in any Port, or in any navigable River or Water, to the Intent or Purpose to be exported, transported, or conveyed out of any of the said Colonies or Plantations, contrary to the true Intent of this Act; and also the Ship, Vessel, or Boat, in which the same shall be found, and to bring the said Goods to the King's Warehouse or Warehouses, belonging to the Custom-house next to the Place where such Seizures shall be made, or to some other safe Place (where there are no such Warehouses) in order to be proceeded against according to Law; and in case of Recovery, to be divided according to the Directions of this Act.

Officers impowered to seize the Vessels and Commodities;

and lodge the same in the King's Warehouses.

Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to prohibit the Exportation or carrying out of such or so much of the said Commodities as shall be necessary to be carried in any Ship or Ships, or other Vessel or Vessels in their respective Voyages, for the Sustenance, Diet, and Support of the Commanders, Masters, Mariners, Passengers, or others, in the same Ships or Vessels only, or for the Victualling or providing any of His Majesty's Ships of War, or other Ships or Vessels in His Majesty's Service, or for His Majesty's Forces, Forts, or Garrisons; any thing herein contained to the contrary notwithstanding.

Necessary Provisions for Ships on their Voyage;

and for the King's Ships;

Forces, Forts, or Garrisons excepted.

Provided also, and be it further enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to prohibit the Exportation of any of the said Commodities from the said Colonies or Plantations to Great Britain or Ireland, or from any of the said Colonies or Plantations, to any other of the said Colonies or Plantations, or from any Port or Place in any One of the said Colonies or Plantations, to any other Port or Place in such Colony or Plantation respectively, so as the Exporter do before the Shipping or laying on Board the same, declare the Kingdom, Island, Plantation, or Colony, and the Port or Place for which the said Commodities are respectively designed, and take out a Cocquet or Cocquets, expressing the Particulars of such Commodities, and do likewise become bound with Two Sureties of known Residence in the said Colonies or Plan-

The said Commodities may be carried from the said Colonies or Plantations to *Great Britain* or *Ireland*, &c.

taking out a Cocquet for the same, and giving Security.

tations, and of Ability to answer the Penalty mentioned in the Bonds, in Treble the Value of such Commodities, to the Chief Officer or Officers of his Majesty's Customs, or the Naval Officer, or some other Principal Officer belonging to the Port or Place where the same shall be shipped or put on Board, or to such Person or Persons as shall be appointed for that Purpose, by the Lord High Treasurer of Great Britain, or the Commissioners of the Treasury for the time being, or any Three or more of them (who are hereby impowered to take such Security in his Majesty's Name, and to his Majesty's Use) that such Commodities shall not be landed or sold in any Parts whatsoever, other than the Kingdom, Island, Plantation, Colony, Port, or Place respectively, for which the same shall be so declared, and that a Certificate under the Hand and Seal, or Hands and Seals of the Collector, Comptroller, or other Chief Officer of the Customs, or if no such, of the Naval Officer or some other Principal Officer of the Port or Place where the same shall be landed, or such Person or Persons as shall be appointed for that Purpose by the Lord High Treasurer of Great Britain, or the Commissioners of the Treasury for the time being, or any Three or more of them, shall, within the respective Times herein after-mentioned (the Danger of the Seas excepted) be returned to the Officer or Officers, or Person or Persons, to whom such Security shall have been given as aforesaid, that the said Commodities, expressing the Particulars thereof, have been landed at the Port or Place for which the same shall have been so declared; and for the taking of such Security, and giving such Cocquets and Certificates (which the respective Officers and Persons aforesaid are hereby on Demand required to give) no Fee or Reward shall be demanded or received; and if any such Officer or Person shall make any false Certificate of any such Commodities being so landed, such Officer or Person shall forfeit the Sum of Two hundred Pounds, and lose his Employment, and be incapable of serving his Majesty, his Heirs, or Successors, in any Office relating to the Customs; and if any Person shall counterfeit, raze, or falsify any Cocquet or Certificate, or knowingly publish any such counterfeit, razed, or false Cocquet or Certificate, he shall forfeit the Sum of Two hundred Pounds, and such Cocquet or Certificate shall be void and of none Effect; which said Penalties for Offences committed in America, shall be recovered in the same Courts, and in the same Manner, as the other Penalties inflicted by this Act are recoverable; and for Offences which shall be committed in

Penalty on Officer making a false Certificate;

and on Persons counterfeiting, &c. Certificates.

Penalties where to be recovered.

that Part of Great Britain called England, such Penalties shall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or before the Justices of Assize, or at the Great Sessions in Wales, or by Information at any General Quarter Sessions of the Peace for the County, City, Riding, Division, or Place, where the Offence shall be committed; and in such Suit no Essoin, Protection, Privilege, or Wager of Law shall be allowed; and for Offences which shall be committed in that Part of Great Britain called Scotland, by Action or summary Bill or Information in the Courts of Sessions or Exchequer in Scotland; and for Offences which shall be committed in Ireland, in His Majesty's Courts of Record in Dublin, or at the General Quarter Sessions of the Peace for the County, City, or Place, where the Offence shall be committed; and for Offences which shall be committed in any other of the Dominions belonging to the Crown of Great Britain in Europe, in the High Court of Admiralty, or any other Chief Court of Civil or Criminal Jurisdiction in such Dominions respectively; and such Penalties, when recovered, shall be divided in equal Moieties between His Majesty and the Informer; and upon all Actions, Suits, and Informations, that shall be brought, commenced, or entered in the said Colonies and Plantations upon this Act, the Offences may be laid or alledged to have been committed in any Colony, Province, County, or Precinct, within the said Plantations, at the Pleasure of the Prosecutor or Informer.

Officer suspecting Certificate to be false, not to vacate the Bonds.

Provided also, That in case the Officer or Officers, or Person or Persons, to whom any Certificate shall be returned, shall have Cause to suspect that such Certificate is false and counterfeit, the Bonds shall not be cancelled or the Security vacated, until such Officer or Officers, or Person or Persons, shall have been informed from the Person or Persons in whose Name such Certificate shall appear to have been granted, that the Matter and Contents of such Certificate are just and true.

Commodities may be carried by Land, or across Rivers, &c. from one Plantation to another.

Provided also, That nothing in this Act contained shall extend or be construed to extend to prohibit the transporting, carrying, or conveying any of the Commodities herein before mentioned, by Land, or across Rivers, by Common Ferries, or up or down the said Rivers, or across Harbours where Clearances have not usually been taken, from any one of the said Plantations or Colonies to any other Plantations or Colonies, or to any Part of the same Plantation or Colony, or to subject the Persons transporting, carrying, or conveying, or causing to

be transported, carried, or conveyed, any of the said Commodities in Manner aforesaid, to any of the Restrictions or Regulations herein before prescribed, with Respect to such Commodities exported by Sea, from one Colony to another.

Bonds to be sued within 3 Years.

Provided nevertheless, That the said Bond or Bonds (if not prosecuted within Three Years) shall be void.

Commodities cleared before 25 *March*, 1757, may be exported.

Provided always, and it is hereby declared, That nothing in this Act contained shall extend to any of the Commodities aforesaid, which shall be cleared out of any Custom-house in any of the Colonies or Plantations before the Twenty fifth Day of March, One thousand seven hundred and fifty seven; any thing herein contained to the contrary notwithstanding.

His Majesty by Proclamation, or Order in Council, may at any Time permit the Exportation of Corn, &c. from the Colonies or Plantations, &c.

Provided always, and be it enacted by the Authority aforesaid, That in case His Majesty at any Time or Times during the Continuance of this Act, shall (in His Royal Discretion) judge it to be expedient to permit the Exportation of Corn, and other the Commodities aforesaid, or any of them, from the said Colonies and Plantations, that then it shall and may be lawful to and for His Majesty by His Royal Proclamation or Proclamations to be issued, by and with the Advice of His Privy Council, or by His Majesty's Order in Council, from time to time, to permit and suffer all and singular His Majesty's Subjects (but not any particular Person or Persons) to export or carry out of all or any of the said Colonies or Plantations in any Ship or Ships, Vessel or Vessels, duly navigated, owned, and qualified according to Law to trade there, all or any of the Commodities aforesaid to all or any other Place or Places, and upon or without giving Security for the Landing thereof in such Place or Places, and returning Certificates of such Landing, as to His Majesty shall seem meet, and as in such Proclamation or Proclamations, or such Orders of Council, shall be expressed and declared; any thing to the contrary notwithstanding.

Times limited for returning the Certificates from the respective Ports where the Corn, &c. has been landed.

And be it further enacted by the Authority aforesaid, That all Certificates of the Landing and Discharging of the said Commodities to be exported, shall be returned within the respective Times following; that is to say, Where the Bonds are taken in Respect of any of the said Commodities to be exported to Great Britain or Ireland within Eighteen Calendar Months after the Date of the said Bonds; and in Respect of any of the said Commodities to be exported from any of the said Colonies or Plantations to any other of the said Colonies

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nies or Plantations, or from any Port or Place in any one of the said Colonies or Plantations, to any other Port or Place in such Colony or Plantation respectively, within Twelve Calendar Months after the Date of such Bonds respectively.

Prohibition not to extend to exporting of Rice.

Provided always, and be it further enacted by the Authority aforesaid, That this Act shall not extend to prohibit the Exportation of any Rice from the said Colonies or Plantations directly to any Part of Europe, Southward of Cape Finisterre, but that Rice shall and may be shipped and exported directly to any Part of Europe Southward of the said Cape, in such Manner as the same might have been exported if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Fish or Roots may be exported, or carried Coastwise.

Provided also, and be it further enacted by the Authority aforesaid, That this Act shall not extend to any Fish or Roots which shall be exported or carried Coastwise, but that Fish and Roots of all Sorts shall and may be exported and carried Coastwise, in such Manner as the same might have been exported or carried Coastwise, if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Act of this Session.

And whereas by an Act passed this present Session of Parliament, intituled, An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, it was enacted, That no Person, at any Time before the Twenty fifth Day of December, One thousand seven hundred and fifty seven, should export, or carry out of or from, the Kingdoms of Great Britain or Ireland, any Sort of Corn, Meal, Malt, Flour, Bread, Biscuit, or Starch, under the Penalties and Forfeitures therein mentioned; but with several Provisions and Savings in the said Act contained: And whereas the Inhabitants of the Isle of Man have, for several Years last past, been supplied with considerable Quantities of Corn, Meal, and Flour, from Great Britain and Ireland; and they are now in great Want thereof, no Provision or Saving having been made in the said Act for supplying them therewith; be it therefore enacted by the Authority aforesaid, That the said recited Act, or any thing therein contained, shall not extend to any Wheat, Barley, Oats, Meal, or Flour, to be transported out of or from the Ports of Southampton or Exeter only, unto the said Isle of Man, for the only Use of the Inhabitants of that Island, so as the Exporter, before the Lading of such Wheat, Barley, Oats, Meal, or Flour, or laying the same on Board, do become bound, with other sufficient Security

Wheat, &c. may be exported from *Southampton* and *Exeter* unto the Isle of *Man*.



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giving proper Security.

(which the Customer or Comptroller of either of the said Ports respectively hath hereby Power to take in His Majesty's Name, and to His Majesty's Use, and for which Security no Fee or Reward shall be given or taken) that such Wheat, Barley, Oats, Meal, or Flour, shall be landed in the said Isle of Man (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever, and to return the like Certificates of the Landing the same there, as are by the said Act required on the Exportation of the said Commodities to the British Colonies in America, and within the Time for that Purpose therein mentioned; and so as the whole Quantity of Wheat, Barley, Oats, Meal, or Flour, which, at any Time or Times after the passing of this Act, and before the said Twenty fifth Day of December, One thousand seven hundred and fifty seven, shall be shipped at both the said Ports for the said Isle of Man as aforesaid, shall not exceed in the Whole Two thousand five hundred Quarters; One Moiety whereof to be exported at the said Port of Southampton, and the other Moiety thereof to be exported at the said Port of Exeter; any thing in the said recited Act to the contrary notwithstanding.

Quantity not to exceed in the whole 2,500 Quarters.

One Moiety to be shipped at each of the said Ports.

Act of this Session.

And whereas by an Act made in this present Session of Parliament (intituled, An Act to discontinue, for a limited Time, the Duties upon Corn and Flour imported, and also upon such Corn, Grain, Meal, Bread, Biscuit, and Flour, as have been, or shall be, taken from the Enemy, and brought into this Kingdom) Corn and Flour is allowed to be imported into this Kingdom, Duty free, for and during such Time as in the said Act is mentioned: And whereas it is necessary that such Importation should be allowed to be made in Ships belonging to any State in Amity with His Majesty, as well as in Ships belonging to Great Britain, and from any Port or Place whatsoever; be it therefore enacted by the Authority aforesaid, That it shall be lawful, during the Time, and under the Regulations, mentioned in the said Act, for any Person or Persons whatsoever to import and bring into this Kingdom, in any Ship or Vessel belonging to Great Britain, or to any Kingdom or State in Amity with His Majesty, His Heirs, and Successors, from any Port or Place whatsoever, Corn and Flour, Duty free; any Act or Acts of Parliament to the contrary notwithstanding.

Corn and Flour may be imported Duty-free, from any Kingdom, &c. in Amity with His Majesty, into *Great Britain*,

And whereas, if the Importation of Corn and Flour into Ireland was permitted, for a limited Time to be made in Ships belonging to any State in Amity with His Majesty, the same may be of Advantage to His Majesty's

Subjects; be it therefore enacted by the Authority aforesaid, That it shall be lawful, at any Time or Times before the Twenty fourth Day of August next, for any Person or Persons whatsoever to import and bring into the Kingdom of Ireland, in any Ship or Vessel belonging to any Kingdom or State in Amity with His Majesty, His Heirs, or Successors, Corn and Flour from any Port or Place whatsoever; any Act or Acts of Parliament to the contrary notwithstanding. or *Ireland.*

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by the Authority, of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be Nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgement shall be given, upon any Verdict or Demurrer, against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law. General Issue. Treble Costs.

FINIS.