Anno tricesimo primo

Georgii II. Regis.

An Act to permit the Exportation of certain Quantities of Malt now lying in His Majesty's Storehouses; and to allow the Bounty upon such Corn and Malt as was shipped and cleared for *Ireland*, on or before a limited Time; and to authorize the Transportation of Flour, Meal, Bread, and Biscuit, to the Islands of *Guernsey* and *Jersey*, for the Use of the Inhabitants there, in lieu of the Wheat, Malt, or Barley, which may now, by Law, be transported to those Islands.

Preamble, reciting certain Clauses and Provisoes in Act 30 *Geo.* II.

WHEREAS by an Act of Parliament made in the last 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 or Persons whatsoever, at any Time or Times before the Twenty fifth Day of December, One thousand seven hundred and fifty seven, should directly or indirectly export, transport, carry, or convey, or cause or procure to be exported, transported, carried, or conveyed, out of or from Great Britain or Ireland, or load or lay on Board, or cause or procure to be laden or laid on Board, in any Ship or other Vessel or Boat, in order to be exported or carried out of the said Kingdoms of Great Britain or Ireland, any Sort of Corn,

Meal, Malt, Flour, Bread, Biscuit, or Starch, under the Penalties therein mentioned; and wherein is contained a Proviso, That the said Act, or any Thing therein contained, should not extend to any of the said Commodities which should be exported, or shipped to be exported, out of or from Great Britain to Ireland, or from Ireland to Great Britain, or from Great Britain or Ireland, to Gibraltar, or unto any of His Majesty's Islands or Colonies in America, that have usually been supplied with any of the said Commodities from Great Britain or Ireland, for the Sustentation of the Inhabitants of the said Islands, Colonies, or Dominions, or for the Benefit of the British Fishery in those Parts only, under such Restrictions, and subject to such Forfeitures and Penalties, as are therein mentioned; and also another Proviso, That the said Act, or any Thing therein contained, should not extend to any Wheat, Malt, or Barley, to be transported out of or from the Port of Southampton only, unto the Islands of Jersey and Guernsey, or either of them, for the only Use of the Inhabitants of those Islands, so as the Exporter complied with the Requisites therein mentioned, and so as the Quantity of Wheat, Malt, and Barley, which at any Time or Times after the passing of the said Act, and before the Twenty fifth Day of December, One thousand seven hundred and fifty seven, should be shipped at the said Port for Jersey and Guernsey, or either of them, as aforesaid, did not exceed in the Whole, Five thousand Quarters; and also another Proviso, That nothing in the said Act contained, should extend to any Malt declared or made for Exportation on or before the Fourth Day of December, One thousand seven hundred and fifty six, which should be exported, provided the Requisites therein mentioned, were complied with by the Proprietor or Proprietors thereof: And whereas the said Act was by an Act of Parliament made in this present Session of Parliament, further continued from the Expiration thereof, until the Twenty fourth Day of December, One thousand seven hundred and fifty eight; and in which said last-mentioned Act is contained a Proviso, That during the Continuance of such Act, the Bounty or Bounties granted by any Law upon the Exportation of any of the Commodities therein before-mentioned, should not be allowed or paid to any Person upon the Exportation thereof out of this Kingdom, to any Place whatsoever, or by whatsoever Authority the same may be exported: And whereas certain Quantities of Barley were making into Malt and declared for Exportation, by or on the Behalf of the Merchants of Norwich and Yarmouth, before, or about the Time of, the passing of the said first-mentioned

mentioned Act; and such Malt was actually made before the End of January, One thousand seven hundred and fifty seven; and the same Malt is now lying in His Majesty's Storehouses under the Care of the proper Officers of Excise: And whereas the said Malt is not fit for Home Consumption, but was manufactured for the Holland Market; and the said Merchants have not been able, by Reason of the Act passed in this Session for continuing the said former Act, to export the said Malt within the Time limited by an Act for granting a Duty upon Malt; 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, and by the Authority of the same, That it shall be lawful for the Merchants of the City of Norwich, and Borough of Yarmouth, in the County of Norfolk, to export, and ship to export, out of this Kingdom, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty eight, to any of the Ports in Holland, Two hundred Lasts of Malt, commonly called Long Malt, or any Part thereof, now lying in his Majesty's Storehouses, under the Care of the proper Officers of Excise, and which was entered and declared for Exportation, on or before the Thirty first Day of January, One thousand seven hundred and fifty seven, in the same Manner, as if no Act or Acts had ever passed to the contrary; so as the Exporter, before the Lading of such Malt, or Laying the same on Board any Ship or Vessel, do become bound with other sufficient Security, in the Treble Value thereof, to the Commissioners or other Chief Officer or Officers of his Majesty's Customs, belonging to the Port or Place where the same shall be shipped or put on Board (who is hereby impowered to take such Security 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 Malt shall be landed in Holland (the Danger of the Seas and the Enemy only excepted) and that such Malt shall not be landed or sold in any other Place whatsoever; any thing contained in any former Act or Acts of Parliament, to the contrary notwithstanding.

Merchants of *Norwich* and *Yarmouth* permitted to export to *Holland*, within a limited Time, 200 Lasts of *Long Malt*, lying in the King's Storehouses,

which were enter'd for Exportation on or before 31 *Jan.* 1757;

they giving Security for the due landing, &c. thereof in *Holland*;

And be it further enacted by the Authority aforesaid, That each and every of the Proprietors of the aforesaid Two hundred Lasts of Malt is and are hereby acquitted, freed, and discharged, of, and from all Penalties whatsoever, by any former Act of Parliament laid or inflicted on him or them respectively, or which he or they respectively may be subject or liable to, for not removing or clearing the said Two hundred Lasts of Malt, or any Part thereof,

Proprietors discharged from all Penalties in respect of not clearing the said Malt out of their Storehouses within the Time limited by Law.

of, out of the Storehouse or Storehouses, or other Place or Places, within Fifteen Months after the same was carried therein respectively; any thing contained in any former Act or Act of Parliament to the contrary in any wise notwithstanding.

Proprietors not intitled to any Bounty on the Exportation.

Provided always, That nothing herein contained shall intitle the Proprietor or Proprietors of the said Two hundred Lasts of Malt, or of any Part thereof, to any Bounty or Bounties on such Exportation; any thing herein contained to the contrary notwithstanding.

And whereas certain Quantities of Barley were making into Malt, and declared for Exportation, by or on the Behalf of several Persons inhabiting within the Districts of Lynn and Wells, in the Limits of the Lynn Collection of Excise in the County of Norfolk, on or before the Thirtieth Day of January, One thousand seven hundred and fifty seven, and the said Malt is now lying in His Majesty's Storehouses, and is not fit for Home Consumption; be it therefore further enacted by the Authority aforesaid,

Inhabitants of *Lynn* and *Wells*, permitted to export to *Holland*, under like Regulations, 350 Lasts of *Long Malt*, lying in the King's Storehouses;

That it shall be lawful for the Inhabitants of the said Districts of Lynn and Wells, to export, and ship to export, out of this Kingdom, on or before the said Twenty ninth Day of September, One thousand seven hundred and fifty eight, to any of the Ports in Holland, Three hundred and fifty Lasts of Malt, commonly called Long Malt, or any Part thereof, now lying in His Majesty's Storehouses, under the Care of the proper Officers of Excise, and which was entered and declared for Exportation, on or before the Thirtieth Day of January, One thousand seven hundred and fifty seven, in such and the same Manner, and under the like Regulations, as are herein before authorized and appointed with relation to the Exportation of Malt by the Merchants of Norwich and Yarmouth; and the Inhabitants of the said Districts, shall be, and are hereby also, in like Manner, freed and discharged from all Penalties incurred or to be incurred for not removing or clearing off the said Three hundred and fifty Lasts of Malt, out of the Storehouses or other Place or Places, within the Times limited by any former Law for that Purpose; but nothing herein contained shall intitle any Proprietor or Proprietors of the said Three hundred and fifty Lasts of Malt, to any Bounty or Bounties on such Exportation; any thing contained in any former Act or Acts of Parliament to the contrary notwithstanding.

which were enter'd for Exportation on or before 30 *Jan.* 1757;

and they are likewise discharged from all Penalties in relation thereto.

And whereas divers Persons within this Kingdom did actually ship, or cause to be shipped for Exportation to Ireland, divers Quantities of Corn and Malt, on or before the Twenty fourth Day of December, One thousand seven

hundred and fifty seven, and the Ships wherein the same were so shipped, were, on or before the said Twenty fourth Day of December, One thousand seven hundred and fifty seven, actually cleared; be it therefore further enacted by the Authority aforesaid, That the Bounty or Bounties granted on the Exportation of Corn and Malt by each and every of the Acts of Parliament now in being, shall be allowed and paid to each and every of the Exporter and Exporters of Corn or Malt which was shipped and cleared for Exportation to Ireland, on or before the Twenty fourth Day of December, One thousand seven hundred and fifty seven, in the same Manner as if the said Act made in this present Session of Parliament had never been made; any thing therein contained to the contrary notwithstanding.

Bounties granted by former Acts, on Exportation of Corn and Malt, to be allowed to Exporters of such Corn and Malt as was shipped for *Ireland*, on or before 24 *Dec.* 1757.

And whereas it would be of great Relief and Advantage to the Inhabitants of the Islands of Jersey and Guernsey, if a sufficient Quantity of Meal, Flour, Bread, and Biscuit, was allowed to be transported to the said Islands, for the only Use of the Inhabitants there, instead of the like Quantity of Wheat, Malt, or Barley, now allowed by Law to be transported to those Islands; be it therefore further enacted by the Authority aforesaid, That it shall be lawful at any Time or Times before the Twenty fourth Day of December, One thousand seven hundred and fifty eight, to transport from the Port of Southampton only, unto the said Islands of Jersey and Guernsey, for the only Use of the Inhabitants there, any Quantity or Quantities of Meal, Flour, Bread, or Biscuit, in lieu of the like Quantity or Quantities of Wheat, Malt, or Barley, now allowed by Law to be transported to the said Islands, so that the whole Quantity of Wheat, Malt, Barley, Meal, Flour, Bread, and Biscuit, transported to the said Islands before the said Twenty fourth Day of December, One thousand seven hundred and fifty eight, doth not exceed the Quantity of Wheat, Malt, or Barley, now limited by Law to be transported to the said Islands; and such Transportation hereby authorized and allowed, shall be made under such and the like Regulations, Penalties, and Forfeitures, as the Transportation of Wheat, Malt, and Barley, to the said Islands is now subject; any thing in any former Act or Acts contained to the contrary notwithstanding.

Liberty granted of exporting from the Port of *Southampton*, within a limited Time, and in limited Quantities, Meal, Flour, Bread, or Biscuit, for the Use of the Inhabitants of *Jersey* and *Guernsey*;

the same to be transported under certain Regulations.

And be it further enacted by the Authority aforesaid, That in order to ascertain the Amount of the said Transportation, every Seventy Pounds Averdupoise Weight of Bread or Biscuit, shall be deemed respectively, for the Purposes of this Act, equal to One Bushel of Wheat, Malt, or Barley.

70 *lb.* Averdupoise Wt. deemed equal to a Bushel.

And

Account to be laid before Parliament of the Quantities so exported.

And be it further enacted by the Authority aforesaid, That the Commissioners of the Customs for the time being, shall, and they are hereby required to give a full and true Account in Writing to both Houses of Parliament, at the Beginning of the next Session thereof, of all Flour, Meal, Bread, and Biscuit, that shall have been exported to each of the said Islands of Jersey and Guernsey, by virtue or in pursuance of this Act.

General Issue.

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

Treble Costs.

recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

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FINIS.