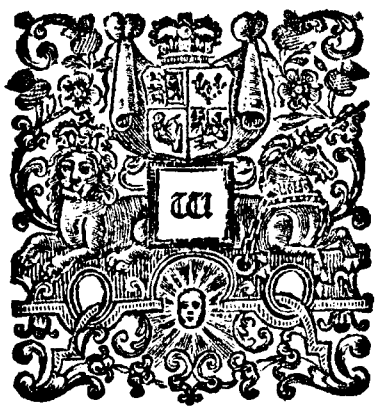
Anno tricesimo secundo

Georgii II. Regis.

An Act for the better preventing the Importation of the Woollen Manufactures of *France* into any of the Ports in the *Levant* Sea, by or on the Behalf of any of His Majesty's Subjects; and for the more effectual preventing the illegal Importation of Raw Silk and Mohair Yarn into this Kingdom.



WHEREAS the Importation of Woollen Broad Cloth of the Manufacture of France into any Ports or Places within the Levant Seas, by or on the Behalf of British Subjects, is not only a manifest Discouragement and Prejudice to the Woollen Manufactures of Great Britain, but is also a Means of affording Relief to the Enemy, and thereby enabling them to carry on the War against these Kingdoms: Now for the more effectually preventing such destructive Commerce for the future, may it 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 passing of this Act, no Woollen Broad Preamble.

No Woollen Manufactures of *France*, may be imported by or on Behalf of any *English* Subject, into any of the Ports in the *Levant* Seas;

Broad Cloth, or Woollen Goods, of the Manufacture of France, shall directly or indirectly be imported or carried into any Port or Place in the Levant Seas, within the Limits of any Letters Patent or Charter granted to the Governor and Company of Merchants of England trading into the Levant Seas, commonly called The Turkey Company, by or on the Account of any Member of the said Company, or any Subject of this Realm.

nor may *English* Goods be so imported, except directly from *Great Britain*,

And be it further enacted by the Authority aforesaid, That no Woollen Broad Cloth, or other Woollen Goods, of the Produce or Manufacture of this Kingdom, shall be imported into any Port or Place in the Levant Seas, within the Limits of the said Company's Charter, except directly from this Kingdom, by, for, or on account of, any British Subject; unless the Importer shall produce to his Majesty's Ambassador, or to the Consul or Vice Consul, or other proper Officer appointed by the Levant Company, at the Port or Place where such Goods shall be imported, a Certificate upon Oath from the Exporter or Shipper of such Goods, at the Port or Place where the same Goods were last exported from, that the same were brought or received from Great Britain; and in such Certificate shall be described the Name of the Ship or Vessel, and also of the Master thereof, and the particular Day or Time when the same Goods were imported into such last loading Port or Place from Great Britain; which Certificate shall be attested by the British Consul, or Person acting as Consul in his Absence, residing at such last loading Port or Place; and the said Shipper shall also produce to the said British Consul, or Person acting as Consul in his Absence, the Bill or Bills of Lading of the said Goods, which shall have been given or made out upon the shipping thereof from Great Britain; and the said Consul, or Person acting as Consul in his Absence, shall take Notice in the Attestation of such Certificate, that such Bill or Bills of Lading were produced to him.

unless Certificate attested by the Consul be produced from the last Place of Exportation, that the said Goods are originally *British*, &c.

and the Bills of Lading upon the Exportation from *Great Britain*, be also produced, and notified in the Attestation.

Consul to enter a Duplicate of such Certificate in a Book to be kept for that Purpose;

And be it further enacted by the Authority aforesaid, That upon granting every Certificate for the Exportation of British Cloths or other Woollen Manufactures of this Kingdom, for any Port or Place within the Limits of the Charter of the Levant Company, the Consul, Vice Consul, or Person acting as such, is hereby required to enter a Duplicate of the said Certificate in a Book to be by him kept for that Purpose; in which Book the said Duplicate being entered at the Time of granting the Certificate, shall be signed by the Exporter or Shipper of the Goods, taking the Oath before required to be taken upon making out such Certificate; which Book and En-

which is to be signed by the Exporter;

try of the Duplicates of all such Certificates shall be referred to, and received as final Evidence, in all Disputes which may arise with Respect to the Truth or Authenticity of such Certificates; and such Entries shall and may be examined by all Parties without Fee or Reward.

and the same may be admitted as Evidence, and examined *gratis*.

And be it further enacted by the Authority aforesaid, That in all Cases where the Consul, or Person acting as such, shall receive Information, upon Oath, setting forth good Reason to suspect the Truth or Authenticity of any Certificate, the said Consul, or Person acting as such, shall, and is hereby required, to signify such Information to the Importer, and to take Security in double the Value of the Goods; which Security shall be forfeited, in Case, upon a Reference to the Entries and Books of the Consul, or Person acting as such, at the Port from whence such Goods shall be pretended to be imported, it shall appear that no such Certificate was granted; such Security to be assigned to the Informer for his sole Use and Benefit.

Where the Certificate shall be suspected, the Consul is to signify the same to the Importer, and take double Security;

and if Fraud be discovered, the Security to be forfeited, and assigned to the Informer.

Provided always, and it is hereby enacted, That as often as any such Objections shall be made to any Certificate produced by any Importer of Woollen Cloths, or Manufactures, into any Port or Place within the Limits of the Charter of the Levant Company, and Security shall be taken of the said Importer as by this Act is directed to be taken; that in every such Case, the Ambassador, Consul, or Person acting as such, shall, by the first Opportunity, transmit to the Consul, or Person acting as such, at the Port or Place at which such disputed Certificate shall be alledged to have been granted, Notice of such Dispute, requiring from such Consul or Person, at the same Time, an Attestation under his Hand and Seal, determining whether the Certificate in Dispute was granted by him; and such Attestation shall be transmitted by the said Consul, or Person acting as such, by the first Opportunity, to the Ambassador, Consul, or Person acting as such, at the Port or Place where the Dispute shall arise, who is hereby required, upon the Receipt thereof, to lay such Attestation before the said Importer; and in case the Certificate be by such Attestation verified, the Security shall be immediately cancelled; but if the Certificate shall by such Attestation be found not to have been granted, the Ambassador, Consul, or Person acting as such, is hereby required to levy the Penalty by Distress and Sale of the Goods and Chattles of the Person or Persons giving the former Security, by Warrant under the Hand and Seal of such Ambassador, Consul, or Person acting as such; which Warrant he is

Notice of such disputed Certificate to be transmitted to the Consul at the Port where the same shall be alledged to have been granted;

who is to return an Attestation concerning the same, which is to be laid before the Importer, and the Security to be vacated, or forfeited accordingly.

hereby authorized to issue; and the said Penalty, when recovered, shall be applied in Manner as is before by this Act directed.

Woollen Goods imported without such Certificate, otherwise than directly from *England*, deemed to be *French*,

And be it further enacted by the Authority aforesaid, That all such Woollen Goods as shall be imported into any Port or Place within the Limits of the said Levant Company's Charter, by, for, or on the Account or Behalf of any British Subject, without such Certificate as aforesaid, other than such as shall be imported directly from England, shall be deemed, and construed, and taken, to be Woollen Goods of the Manufacture of France, within the true Intent and Meaning of this Act; and his Majesty's Ambassador, and the Consul, or Vice Consul, or other proper Officer appointed by the said Levant Company, are hereby impowered and required respectively to cause the same to be seized and confiscated,

and may be seized.

Factor to make Oath, before Exportation, that the Goods were not purchased with, or taken in Barter for, *French* Goods.

And be it further enacted by the Authority aforesaid, That every Merchant or Factor who shall be a Subject of Great Britain, or residing under the Protection of the British Ambassador, or any Consul, or Vice Consul, or the Person acting as such in his Absence, within the Limits of the said Company's Charter, shall, before the Exportation of any Goods or Merchandize whatsoever from any Port or Place within the Limits aforesaid, make Oath before the said Ambassador, or such Consul or Vice Consul, or the Person acting as such in his Absence as aforesaid, that such Goods or Merchandize so intended to be exported, were not purchased by such Merchant or his Factor, with his Knowledge, with the Produce of, or taken in Barter or Exchange for, French Woollen Broad Cloth, or any other Woollen Manufactures of France, since the passing of this Act;

Importer of *Turkish* Goods into *Great Britain*, to make Oath, before the Landing, that the same were not purchased with, or taken in Barter for, *French* Woollen Goods;

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, every Person who shall import into Great Britain or Ireland any Goods, Wares, or Merchandize whatsoever, of the Growth, Produce, or Manufacture, of the Turkish Dominions, within the Limits of the said Company's Charter, shall, before such Goods, Wares, or Merchandize, shall be permitted to be landed, make Oath before His Majesty's Commissioners of the Customs, or the Collector or Comptroller, or other Principal Officer of the Customs of such Port or Place where such Goods, Wares, or Merchandize, shall be imported, that the same, or any Part thereof, were, or was not, by himself, or his Correspondent, with his Knowledge, directly or indirectly purchased by or with the Produce of, or taken in Barter or Exchange for, any Kind of Woollen Broad Cloth, or any other

Woollen

Woollen Manufactures of France) since the passing of this Act, except such as shall have been condemned as lawful Prize.

except the same shall be Prize Goods.

And be it further enacted by the Authority aforesaid, That in case any Certificate to be granted pursuant to this Act shall happen to be lost or mislaid, the Master or other Person having Charge of the Ship or Vessel, on Board whereof the Goods to which such Certificate did relate shall be loaden, shall, before the Landing of such Goods, make Oath before his Majesty's Ambassador, or the Consul or Vice Consul of the Port of Discharge of the said Ship, whereby setting forth, according to the best of his Remembrance and Belief, the Purport of such Certificate, and that the same is so lost or mislaid, and that he doth not know what is become thereof, and that the same hath not been with his Privity, Consent, or Knowledge, delivered or disposed of to any Person or Persons whatsoever; and the said Master or other Person navigating the said Ship or Vessel, or the Consignee or Consignees of the Goods to which such Certificate did relate, shall also give sufficient Security, in the Penalty of Double the Value of the said Goods, to his Majesty's Ambassador, or to the Consul or Vice Consul, or the Person acting as such in his Absence, of the Port or Place where the said Goods shall be imported, for procuring and delivering to his Majesty's Ambassador, or to the said Consul or Vice Consul, or the Person acting as such in his Absence, within a reasonable Time to be by him appointed, a Duplicate of such Certificate so lost or mislaid: And, upon making such Oath, and giving such Security, as aforesaid, his Majesty's Ambassador or the said Consul or Vice Consul, shall grant the said Master, or the Consignee of the said Cargo, Leave or Licence to import the Goods mentioned in the said Oath; and the same shall and may thereupon be lawfully landed and imported.

If a Certificate shall be lost or mislaid, the Master to make Oath concerning the same, and the Purport thereof,

and give Security for producing a Duplicate thereof;

Licence thereupon to be granted to import the Goods.

Provided nevertheless, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to hinder or prevent the shipping, transporting, importing, selling, or disposing of, any Woollen Goods or Woollen Manufacture of any Country whatsoever, which shall have been taken from the Enemies of the Crown of Great Britain and condemned as lawful Prize, by any Ship or Ships of War, or Privateer, belonging to, or bearing Commission from, His Majesty, His Heirs, or Successors:

Prize Woollen Goods may be imported, &c.

Provided, That at the Time of the Importation of such Prize Cloths, a Copy of the Sentence of Condemnation, signed by the Person condemning the same, shall be

upon producing a Copy of the Sentence of Condemnation to the Consul.

be delivered to the Consul, or Person acting as such, at the Port or Place of Importation.

Recital of Clauses in Act 12 *Car.* II.

And whereas by an Act of Parliament passed in the Twelfth Year of the Reign of His late Majesty King Charles the Second, intituled, An Act for the Encouragement and Increasing of Shipping and Navigation; it was, amongst other Things, enacted, That no Goods or Commodities of Foreign Growth, Production, or Manufacture, and which should be brought into England, Ireland, Wales, the Islands of Guernsey or Jersey, or Town of Berwick upon-Tweed, in English built Shipping, or other Shipping, as therein before-mentioned, should be shipped or brought from any other Place or Places, Country or Countries, but only from those of the said Growth, Production, or Manufacture, or from those Ports where the said Goods or Commodities could only or usually had been first shipped for Transportation, and from none other Places or Countries, under the Penalty of the Forfeiture of all such Goods as should be imported from any other Place or Country, contrary to the true Intent and Meaning of the said Act, as also of the Ship in which the same were imported, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, One Moiety to His Majesty, His Heirs, and Successors, and the other Moiety to him or them that should seize, inform, or sue for the same, in any Court of Record, to be recovered as in the said Act is expressed: And it was by the same Act provided, That the said Act, or any Thing therein contained, should not extend or be meant to restrain and prohibit the Importation of any of the Commodities of the Streights or Levant Seas loaded in English built Shipping, and whereof the Master, and Three Fourths of the Mariners at least, were English, from the usual Ports or Places for Loading of such Commodities theretofore, within the said Streights or Levant Seas, though the same were not of the very Growth of the said Places: And whereas by

6 *Geo.* I. another Act of Parliament made in the Sixth Year of the Reign of His late Majesty King George the First, intituled, An Act for prohibiting the Importation of Raw Silk and Mohair Yarn of the Product or Manufacture of *Asia*, from any Ports or Places in the *Streights* or *Levant* Seas, except such Ports and Places as are within the Dominions of the *Grand Seignior*; after reciting the aforesaid Clause, and also the aforesaid Proviso in the said Act of the Twelfth Year of the Reign of His said late Majesty King Charles the Second, herein before recited, and also reciting that the Woollen Manufacture in France had since that Time been greatly increased, and very large

Quantities

Quantities of such Goods were then annually imported from thence to Turkey, in return whereof, were brought from thence Raw Silk, and other Commodities, to Marseilles, and other Ports in France, great Quantities whereof were carried into Italy, and from thence imported into Great Britain, in English Shipping, greatly to the Discouragement of the Woollen Manufactures of Great Britain, and the Advancement thereof in France, and that without some speedy Care therein, the British Trade to Turkey would be daily lessened, and was in Danger of being lost; it was by the said Act enacted, That from and after the Twenty ninth Day of September, One thousand seven hundred and twenty, the said recited Clause or Proviso, as to the Importation of Raw Silk and Mohair Yarn of the Product or Manufacture of Asia, should be, and was thereby repealed, excepting only as to the Ports and Places in the said Streights or Levant Seas, which were within the Dominions of the Grand Seignior: And whereas by another Act of Parliament passed in the Thirteenth and Fourteenth Years of the Reign of His said late Majesty King Charles the Second, intituled, An Act for preventing Frauds, and regulating Abuses, in His Majesty's Customs; reciting, that there were great Practices and Combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers and Informers, with Design and Intent to defraud the Force of the Law, and His Majesty, of His Duties and Customs, it was enacted, That no Ship or Ships, Goods, Wares, or Merchandizes, should be seized as forfeited, for or by reason of unlawful Importation, or Exportation, into, or out of, this Kingdom of England, Dominion of Wales, or Port and Town of Berwick, but by the Person or Persons who were or should be appointed by His Majesty to manage His Customs, or Officers of His Majesty's Customs for the time being, or such other Person or Persons as should be deputed and authorized thereunto, by Warrant from the Lord Treasurer, or Under Treasurer, or by Special Commission from His Majesty under the Great or Privy Seal; and if any Seizure should thereafter be made by any other Person or Persons whatsoever, for any the Causes therein beforementioned, such Seizure should be void and of none Effect: And whereas great Quantities of Raw Silk of the Product or Manufacture of Asia have been imported into this Kingdom, under various Denominations and Pretences, from Leghorn, and other Ports and Places from whence the same may not be lawfully imported into England, contrary to the said Acts prohibiting the same, and to the great Prejudice of the Trade of this Kingdom:

& 13 & 14 Car. II.

d

And for the more effectually preventing such illegal Practices for the future, be it further enacted by the Authority aforesaid, That in case any Raw Silk or Mohair Yarn, or any Ship or Vessel bringing the same into England, Ireland, Wales, the Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, at any Time from and after the passing of this Act, shall be seized, as forfeited by virtue of all or any of the said herein before in Part recited Acts of Parliament, then, and in any such Case, it shall not be lawful for any Officer or Officers, or other Person or Persons who shall make such Seizure, to release or abandon the same, or delay or omit to proceed to Judgement for the Condemnation thereof, as the Law in that Behalf directs, without first acquainting the Governor, Deputy Governor, Treasurer, or Husband, of the said Company, or their Successors, or their known Secretary for the time being, by Writing, of his or their Intentions to relinquish or abandon such Seizure; and such Officer or Officers, or other Person or Persons, shall, at the same Time, deliver to the said Governor, Deputy Governor, Treasurer, Husband, or Secretary of the said Company, or of their Successors, a Copy of the Schedule of such Seizure: And in case the said Governor and Company, or any Committee thereof, shall, within Seven Days after such Notice, give Bond, or offer to give Bond, under the Common Seal of their Corporation, in the penal Sum of One thousand Pounds, with Condition thereunder written for indemnifying and saving harmless such Officer or Officers, or other Person or Persons, of, from, and against, all Costs of Suit, Charges, Damages, and Expences, which such Officer or Officers, or other Person or Persons, shall be necessarily put to, or may pay or sustain, in case such Ship, Vessel, or Goods, so seized, shall not be adjudged, upon the Trial or Hearing concerning the Condemnation thereof, to have been forfeited; that then such Officer, or other Person or Persons, shall not voluntarily abandon or relinquish such Seizure, or omit to commence or bring, nor discontinue any Proceedings commenced for the Condemnation of such Ship, Vessel, or Goods, without the Consent of the said Company, or some Committee thereof; but shall, with all convenient Speed, proceed to Judgement concerning the Legality of such Seizure; any Law, or Construction of Law, to the contrary notwithstanding.

Where Raw Silk, or Mohair Yarn, or the Vessel importing the same, shall be seized, as forfeited by virtue of any of the recited Acts,

the Seizure may not be abandoned, without acquainting the Company of such Intention,

and delivering in a Schedule of the Seizure;

and where the Company shall give Bond to indemnify the Officer,

the Suit may not be discontinued without their Consent,

but be prosecuted to Judgement.

Provided nevertheless, That any Person, being a Member of the said Company, shall be admitted to give Evidence, either for the Plaintiff or Plaintiffs, Relator or Relators, or Defendant or Defendants, upon any Trial,

Member of the Company admitted to give Evidence upon the Trial.

Hearing, or Examination, concerning the Condemnation or Legality of the Seizure of the Goods, Ship, or Vessel, to which any such Bond, so to be given as aforesaid, shall relate any such Bond, or any Law, or Construction of Law, to the contrary notwithstanding.

Publick Act. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be, a Publick Act, and be judicially taken Notice of as such, by all Judges and other Persons whatsoever, without the same being specially pleaded.

General Issue. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if, upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his or their Action, then such Defendant or Defendants shall have Treble Costs to him or them awarded, against such Plaintiff or Plaintiffs.

Treble Costs.

Continuance of the Act. Provided always, That this Act, and every Thing contained therein, shall continue and be in Force during the present War with France, and no longer.

FINIS.