ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. LXXIV.

An Act for the better aſcertaining the Tonage and Burthen of Ships and Veſſels importing and exporting Goods into and from this Kingdom, or hovering upon the Coaſts thereof; for amending ſo much of an Act, made in the laſt Seſſion of Parliament, for lowering the Duty payable upon the Importation of Oak Bark, as relates to the ſuing for the Penalties and Forfeitures thereby inflicted in the Court of Exchequer in *Scotland*; for appropriating the Duty on Oak Bark, granted by the ſaid Act; and for obviating Doubts which have ariſen with reſpect to the allowing the Drawback upon certain Callicoes; and the Bounty upon *Britiſh*-made Cordage

exported to the Islands of *Madeira*, the *Canary* Islands, and the *Azores* or Western Islands.

Preamble.

Act 6 Geo. II.



WHEREAS by an Act of Parliament, made in the Sixth Year of the Reign of his late Majesty King George the First, intituled, An Act for preventing Frauds and Abuses in the publick Revenues of Excise, Customs, Stamp-duties, Post Office, and House Money, and by several subsequent Acts of Parliament, a Rule is prescribed for admeasuring of Ships and Vessels importing Brandy and other Spirits, and hovering upon the Coasts of this Kingdom with various Goods prohibited to be imported here; but no Rule being prescribed by Law for the admeasuring of Ships or Vessels exporting Spirits from Great Britain into foreign Parts, and in various other Cases where the Tonage and Burthen of Ships or Vessels, trading to and from this Kingdom, is necessary to be known and ascertained; and it being expedient that One certain Rule for this Purpose should be settled and established in all Cases, to prevent any Disputes that may arise concerning the Tonage and Burthen of such Ships or Vessels, 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 from and after the First Day of August, One thousand seven hundred and seventy-three, the Tonage and Burthen of any Ship or Vessel importing or exporting Brandy, or other Spirituous Liquors, or any other Goods whatsoever, into or from this Kingdom, or hovering upon the Coasts thereof, and where the

Rule by which Ships are to be measured for ascertaining the Tonage.

Owner or Proprietor, or other Person, shall be intitled to any Bounty or Allowance, according to the Tonage of any Ship or Vessel, and in all other Cases whatsoever where the Tonage and Burthen of any Ship or Vessel shall be necessary to be ascertained and known by any Act or Acts of Parliament made, or hereafter to be made, concerning the Revenues of Customs, Excise, or Salt Duty, the Rule for admeasuring such Ships or Vessels shall be as follows; that is to say, The Length shall be taken on a streight Line along the Rabbet of the Keel of the Ship, from the Back of the Main Stern Post to a perpendicular Line from the Forepart of the Main Stern under the Bowsprit, from which subtracting Three-fifths of the Breadth, the Remainder shall be esteemed the just Length of the Keel to find the Tonage; and the Breadth shall be taken from the Outside of the outside Plank, in the broadest Place of the Ship, be it either above or below the Main Whales, exclusive of all Manner of doubling Planks that may be wrought upon the Sides of the Ship, then multiplying the Length of the Keel by the Breadth so taken, and that Product by Half the Breadth, and dividing the Whole by Ninety-four, the Quotient shall be deemed the true Contents of the Tonage; according to which Rule the Tonage of all such Ships and Vessels shall be measured and ascertained, any Thing in the said recited Act of the Sixth of King George the First, or any other Act or Acts of Parliament to the Contrary notwithstanding.

Not to alter the Method of admeasuring Coal Vessels;

Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to make any Alteration in the Method of admeasuring Keels, Boats, and other Vessels, used in carrying Coals, pursuant to an Act, made in the Sixth and Seventh Years of the Reign of King William the Third, intituled, An Act for the better Admeasurement of Keels and Keel Boats in the Port

Nor of Veſſels employed in the White Herring Fiſhery.

of *Newcaſtle*, and the Members thereto belonging: Provided alſo, that nothing herein contained ſhall extend, or be conſtrued to extend, to make any Alteration in the Method of admeaſuring any Buſs or Veſſel uſed in carrying on the White Herring Fiſhery, purſuant to the ſeveral Acts made for the Encouragement of the Britiſh White Herring Fiſhery.

Act 12 *Geo.* III.

And whereas Doubts have ariſen upon the Conſtruction of an Act, made in the laſt Seſſion of Parliament, intituled, An Act for encouraging the Manufacture of Leather, by lowering the Duty payable upon the Importation of Oak Bark, when the Price of ſuch Bark ſhall exceed a certain Rate, for a limited Time, whether Oak Bark, ſeized and condemned within that Part of Great Britain called Scotland, in purſuance of the ſaid recited Act, and the Penalties and Forfeitures thereby inflicted, may be ſued for, proſecuted, and recovered, in the Court of Exchequer in Scotland; and by reaſon of ſuch Doubts great Frauds and Abuſes may be committed: Now, for removing and putting an End to the ſame; be it enacted by the Authority aforeſaid, That all ſuch Oak Bark which ſhall be ſeized and condemned within that Part of Great Britain called Scotland, in purſuance of the ſaid recited Act, and all Offences againſt the ſame, and all Penalties and Forfeitures whatſoever thereby inflicted, ſhall and may be reſpectively ſued for, proſecuted, recovered, and applied, in the Court of Exchequer in Scotland, by ſuch Perſons reſpectively, and in the ſame Manner, as fully and amply, to all Intents and Purpoſes, as they might in any of His Majeſty's Courts of Record at Weſtminſter, in like Caſes happening in that Part of Great Britain called England.

Penalties for Oak Bark ſeized and condemned in *Scotland*, may be recovered in the Court of Exchequer there, as in Courts of Record at *Weſtminſter*.

How the Duty of 1*d per* Hundred Weight upon Oak Bark imported into this Kingdom is to be applied.

And whereas the Duty of One Penny per Hundred Weight upon Oak Bark imported into this Kingdom, which was granted by the ſaid recited Act, is not appropriated

priated by Parliament; be it therefore further enacted by the Authority aforesaid, That all the Monies arising by the said Duty on Oak Bark, which was granted by the said recited Act, shall be accounted for by the several Officers of His Majesty's Customs, who shall collect and receive the same, to that Branch of the Customs which is called The Old Subsidy, and shall be applied and appropriated to the same Uses and Purposes as other Monies arising by the said Branch of Customs are applied and appropriated by virtue of any Act of Parliament now in Force.

And whereas by an Act of Parliament, made in the Sixth Year of the Reign of His present Majesty, intituled, An Act for repealing certain Duties in the *British* Colonies and Plantations, granted by several Acts of Parliament; and also the Duties imposed by an Act, made in the last Session of Parliament, upon certain *East India* Goods exported from *Great Britain*, and for granting other Duties instead thereof; and for further encouraging, regulating, and securing, several Branches of the Trade of this Kingdom, and the *British* Dominions in *America*, it is, amongst other Things, enacted, That a Drawback or Allowance of the Duty paid in pursuance of that Act shall be repaid, according to the respective Rates and Values therein expressed, upon the Exportation from this Kingdom to Africa of certain printed Callicoes of the Manufacture of Persia, China, or East India, in the said Act particularly enumerated: And whereas by another Act of Parliament, made in the Twelfth Year of His said Majesty's Reign, intituled, An Act for granting a Drawback of Part of the Customs upon the Exportation of Tea to *Ireland* and the *British* Dominions in *America*; for altering the Drawback upon Foreign Sugars exported from *Great Britain* to *Ireland*; for continuing the Bounty on the Exportation of *British*-made Cordage; for allowing

Act 6 Geo. III.

and Act 12 Geo. III. recited.

to

the Importation of Rice from the *Britiſh* Plantations into the Ports of *Briſtol, Liverpoole, Lancaſter,* and *Whitehaven,* for immediate Exportation to Foreign Parts; and to impower the Chief Magiſtrate of any Corporation to adminiſter the Oath, and grant the Certificate required by Law upon the Removal of certain Goods to *London,* which have been ſent into the Country for Sale, it is, amongſt other Things, enacted, That no Bounty ſhall be allowed for any Cordage which ſhall be exported, or entered for Exportation, to any Part of Aſia, Africa, or America, the Iſle of Man, or the Iſlands of Faro or Ferro: And whereas Doubts have ariſen, whether the Iſlands of Madeira, and the Azores or Weſtern Iſlands, are to be deemed Part of Africa, within the Intention of theſe Acts; and there is Reaſon to believe that ſuch Callicoes have been, and may be, entered for Exportation from this Kingdom to the ſaid Iſlands of Madeira, as well as to the Canary Iſlands, and the Azores or Weſtern Iſlands, and afterwards clandeſtinely landed in the Britiſh Plantations in America; and that Britiſh-made Cordage entered for Exportation from this Kingdom to the ſaid Madeira Iſlands, and the Azores or Weſtern Iſlands may be afterwards clandeſtinely landed in ſome Parts of Aſia, Africa, or America, whereby the good Purpoſes intended by the ſaid recited Acts may be fruſtrated; for Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the Firſt Day of Auguſt, One thouſand ſeven hundred and ſeventy-three, the Drawback granted by the Firſt recited Act, made in the Sixth Year of His Majeſty's Reign, upon the Exportation of the printed Callicoes therein mentioned; and the Bounty by the laſt recited Act, made in the Twelfth Year of His Majeſty's Reign, or by any other Act of Parliament upon the Exportation of Britiſh-made Cordage, ſhall not be paid

After *Auguſt* 1, 1773, the Drawback and Bounty granted by the before-recited Acts upon certain Goods therein mentioned not to be allowed on ſaid Goods exported to *Madeira,* the *Canary* Iſlands, &c.

or allowed upon the Exportation of such Goods respectively from this Kingdom to the said Islands of Madeira, the Canary Islands, the Azores or Western Islands, or to any or either of them; any Thing in the said recited Acts, or any other Act, Usage, or Custom, to the Contrary notwithstanding.

Penalty for entering Callicoes and Cordage to other foreign Parts, and landing them on said Islands.

And be it further enacted by the Authority aforesaid, That if any Merchant or other Person shall enter any such Callicoes or Cordage for Exportation to foreign Parts, other than to the said Islands, in order to obtain the Drawback or Bounty for the same, and such Goods shall nevertheless be carried to the said Islands, or either of them, and landed there, contrary to the true Intent and Meaning of this Act; that then, and in every such Case, the Drawback or Bounty paid, or to be paid, for the same shall be forfeited, and the Exporter of such Goods, and the Master of the Ship or Vessel, on Board which such Goods were loaden and exported, and every Person concerned or assisting in the Exportation or Landing thereof, shall forfeit Treble the Value of such Goods, and the Ship or Vessel on Board which such Goods were loaden and exported, with all her Tackle, Furniture, and Apparel, shall also be forfeited, and shall and may be seized and prosecuted by any Officer or Officers of the Customs in Great Britain; and the several Penalties and Forfeitures herein-before mentioned shall and may be sued for and recovered, in such and the like Manner as any Forfeiture incurred by any Law of the Revenue of Customs may be sued for and recovered in this Kingdom; One Moiety of which Penalties and Forfeitures, after deducting the Charges of Prosecution, shall be to the Use of His Majesty, His Heirs and Successors, and the other Moiety to such Officer or Officers of the Customs as shall sue or prosecute for the same.

After Aug. 1, 1773, the Islands of *Madeira*, &c. to be added to the Oath upon Debentures for Callicoes and Cordage exported.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of August, One thousand seven hundred and seventy-three, the said Islands of Madeira, the Canary Islands, and the Azores or Western Islands, shall be added to, and included in, the Oath, upon all Debentures for such Callicoes and Cordage exported, whereon the Exporter is to swear that the same are not landed, or intended to be landed, in Great Britain or Ireland.

FINIS.

ANNO REGNI

GEORGII III.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

DECIMO TERTIO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *May*, *Anno Domini* 1768, in the Eighth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued, by ſeveral Prorogations, to the Twenty-ſixth Day of *November*, 1772; being the Sixth Seſſion of the Thirteenth Parliament of *Great Britain*.



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MDCCLXXIII.

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