Anno quarto

Georgii III. Regis.

CAP. XXVI.

An Act for granting a Bounty upon the Importation of Hemp, and rough and undreſſed Flax, from His Majeſty's Colonies in *America*.



WHEREAS the Encouragement of the Importation of Hemp, and rough and undreſſed Flax, from His Majeſty's Colonies and Plantations in America, will be a Means of furniſhing this Kingdom with Sail Cloth and Cordage (ſo eſſentially neceſſary for the Supply of His Majeſty's Royal Navy, as well as for Ships employed in the Merchants Service) at more reaſonable Rates than at preſent, and will alſo tend to make the Supply of the ſaid Materials cheaper and leſs precarious, and be a Means of employing and enriching His Majeſty's Subjects within the ſaid Colonies and Plantations: May it therefore pleaſe Your moſt Excellent 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 Twenty fourth Day of June, One thouſand ſeven hundred and ſixty four, every Perſon or Perſons who ſhall, within the Time appointed by this Act, import or cauſe to be imported into this Kingdom, directly from any of His Majeſty's Engliſh Colonies or Plantations in America, in any Ship or Ships that may lawfully trade to His Majeſty's Plantations, manned as by Law is required, any

Preamble.

Bounty allowed upon the Importation of Hemp, and rough and undreſſed Flax, from the *Britiſh American* Plantations,

Hemp, Water rotted, bright, and clean, or any rough and undreſſed Flax, ſhall have and enjoy as a Reward or Premium for ſuch Importation, the following Sum; that is to ſay,

viz. 8 *l. per* Ton for all imported between 24 *June*, 1764, and 24 *June*, 1771;

For every Ton of ſuch Hemp, or rough or undreſſed Flax, ſo imported from the Twenty fourth Day of June, One thouſand ſeven hundred and ſixty four, to the Twenty fourth Day of June, One thouſand ſeven hundred and ſeventy one, the Sum of Eight Pounds Sterling.

6 *l. per* Ton for all imported between 24 *June*, 1771, and 24 *June*, 1778;

For every Ton of ſuch Hemp, or rough or undreſſed Flax, ſo imported from the Twenty fourth Day of June, One thouſand ſeven hundred and ſeventy one, to the Twenty fourth Day of June, One thouſand ſeven hundred and ſeventy eight, the Sum of Six Pounds Sterling.

and 4 *l. per* Ton for all imported between 24 *June*, 1778, and 24 *June*, 1785;

And for every Ton of ſuch Hemp, or rough or undreſſed Flax, imported from the Twenty fourth Day of June, One thouſand ſeven hundred and ſeventy eight, to the Twenty fourth Day of June, One thouſand ſeven hundred and eighty five, the Sum of Four Pounds Sterling.

to be paid by the Collector at the Port of Importation;

To be paid upon Demand to the Importer of ſuch Hemp or Flax, by the Collector of the Port where the ſame ſhall be imported, out of the Cuſtoms: And in caſe the Collector of the Port where the ſame ſhall be imported, ſhall not have Money ſufficient in his Hands,

or upon his want of Money, then by the Receiver General of the Cuſtoms.

he is hereby required to certify the ſame to the Commiſſioners of the Cuſtoms, who ſhall cauſe the ſame to be paid by the Receiver General of His Majeſty's Cuſtoms; the Bounty of the Hemp and Flax imported into England, to be paid by the Receiver General of the Cuſtoms in England, and of that imported into Scotland, to be paid by the Receiver General there.

And to the end a particular Benefit may accrue hereby to His Majeſty's Royal Navy, and for the better Supply of the ſame with Naval Stores, be it further enacted,

The Pre-emption or Refuſal of ſuch Hemp or Flax to be tendered to the Commiſſioners of the Navy;

That upon the Importation of any ſuch Hemp or rough and undreſſed Flax from His Majeſty's ſaid Colonies and Plantations, for which a Reward or Premium is hereby granted, the Pre-emption or Refuſal of ſuch Hemp or Flax ſhall be offered and tendered to the Commiſſioners of His Majeſty's Navy, upon landing the ſame;

if they ſhall not contract for the ſame within 20 Days, Importer is at Liberty to diſpoſe of it otherwiſe.

and if within the Term of Twenty Days after ſuch Tender the ſaid Commiſſioners ſhall not contract or bargain for the ſame, it ſhall and may be lawful for the Importer or Importers, Owner or Owners, of the ſaid

Hemp or Flax, otherwise to dispose of the same for his or their best Profit and Advantage.

And, in order to intitle the Importer of such Hemp and Flax to the Premium granted by this Act, and to prevent Frauds by importing Foreign Hemp and Flax, be it further enacted by the Authority aforesaid, That all and every Person or Persons importing any such Hemp or Flax into Great Britain, shall produce to the Chief Officer or Officers of the Customs a Certificate or Certificates under the Hand and Seal of the Governor, Lieutenant Governor, Collector of his Majesty's Customs, and Naval Officer, or any Two of them, residing and being within any of his Majesty's Colonies and Plantations, that before the Departure of such Ship or Vessel, Ships or Vessels, the Person or Persons, Merchant, Trader, or Factor, loading the same, had made Oath before them, that the said Hemp or Flax so shipped on board (expressing in the said Certificate, the Number, Marks, and Packages of such Hemp and Flax) were truly and bona fide of the Growth and Produce of his Majesty's said Colonies and Plantations; which Oath the said Governor, Lieutenant Governor, Collector of his Majesty's Customs, and Naval Officer, or any Two of them, are hereby authorized to administer; as likewise upon Oath to be made in any Port of Great Britain, by the Master or Masters of such Ship or Vessel, Ships or Vessels, importing such Hemp and Flax, that the same were truly laden on board such Ship or Vessel, Ships or Vessels, within some of his Majesty's Colonies or Plantations in America, and that he or they know or believe that the said Hemp and Flax were the Produce of the said Colonies or Plantations.

Certificate to be produced at the Port of Importation of such Hemp or Flax being the Growth and Produce of the *British* Colonies, &c.

Oaths to be administered upon that Occasion.

And, that the Officers of the Customs may be the better able to discover any Frauds intended for receiving the aforesaid Premium, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Officers, and they are hereby required before they make out any such Certificate, to examine the said Hemp and Flax, by opening each Package, and shifting the same, in such Manner as to see the whole Contents, or by such other Means as they shall think proper, to find out and discover whether the said Hemp is Water rotted, bright, and clean, and the said Flax is good and merchantable, and free from any false Mixture.

Officers of the Customs to examine whether such Hemp and Flax is good and merchantable.

Provided always, That in case any Doubt or Dispute shall arise between the Surveyors or Officers of the Customs, and the Owners or Importers of such Hemp or Flax as is imported into the Port of London, as

In case of Doubt about the Quality of such as shall be imported into *London*,

8

Commissioners of the Customs may call in Two skilful Persons, who shall give their Opinion upon Oath;

to the Quality of the same, it shall and may be lawful for the Commissioners of His Majesty's Customs to call Two or more Merchants, Manufacturers, or others well skilled in the Commodity, who shall declare upon Oath, if required, their Opinion, as to the Quality of the same, and according to the best of their Judgement determine whether the said Hemp or Flax is intitled to the Premium hereby granted, or not: And if any Doubt or Dispute shall arise as to the Quality of any Hemp or Flax imported into any of the Out Ports in England, Samples thereof shall be taken, and sent up to the Commissioners of the Customs in London; and into the Out Ports in Scotland, to the Commissioners of the Customs at Edinburgh; in such Manner as the respective Commissioners shall direct, in order to be inspected and adjudged there as before mentioned.

and upon like Doubts in the Out Ports, Samples to be sent up to *London*, or *Edinburgh*, to be inspected and adjudged there.

Officers to take no Fee for doing their Duty,

And be it further enacted by the Authority aforesaid, That no Fee, Gratuity, or Reward, shall be demanded, taken, or received, by any Officer of His Majesty's Customs, for examining, viewing, or delivering such Hemp or Flax, with respect to the Premium or Reward allowed by this Act; or for the signing any of the Certificates in order to the receiving such Premium or Reward, or for paying the same; and any such Officer demanding or taking such Fee or Reward, shall, for such Offence, forfeit his Office, and such Officer shall also be incapable of serving His Majesty, His Heirs and Successors, and shall forfeit the Sum of One hundred Pounds:

on Penalty of being incapacitated, and forfeiting 100 *l.*

Premium allowed on the Importation, to be repaid on the Exportation thereof;

And be it further enacted by the Authority aforesaid, That if any such Hemp or Flax of the Growth of the British Colonies or Plantations in America, shall, after the Twenty fourth Day of June, One thousand seven hundred and sixty four, be exported from Great Britain; that then, and in every such Case, the Person or Persons so exporting the same shall, before the Entry thereof, pay unto the Collector of the Customs at the Port where the same shall be exported, or to the Chief Officer of the Customs there, the full Sum which is by this Act allowed as a Premium on all such Hemp or Flax as he intends to export, over and above any Duty the same is now by Law subject to pay at Exportation by any Act:

and Officer to make himself Debtor for the same,

Provided always, That the said Collector or Chief Officer of the Customs, upon receiving of such Premium from the Exporter of such Hemp or Flax as aforesaid, charge himself with the Money so received, or with the said Premium; and the Commissioners of His Majesty's Customs are to take particular Care that the same be

and the Commissioners to see the same brought to Account.

duly

duly brought to the Account of His Majesty, by such Collector or Chief Officer as aforesaid.

Such Hemp and Flax as shall be fraudulently exported without paying the Premium, is forfeited, with Double Value.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, their Agents or Assigns shall be found fraudulently to export such Hemp or Flax without paying such Premium to the Collector or Chief Officer of the Customs in Manner aforesaid, such Person or Persons shall forfeit and lose all such Hemp and Flax, and Double the Value thereof; One Moiety whereof shall be to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Informer or Prosecutor; to be prosecuted in any of His Majesty's Courts of Record at Westminster, or in the Court of Exchequer in Scotland respectively, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

In case of Doubt with respect to the Place of Growth of any Hemp or Flax to be exported, Proof to lie on the Owner.

Provided always, That if any Doubt or Dispute shall arise, whether any of the Hemp or Flax, or any Part thereof so to be exported, are of the Growth, Product, or Manufacture, of His Majesty's Plantations in America, or of foreign Growth, Product, or Manufacture, the Onus probandi shall lie on the Owner or Claimer thereof, and not on the Informer or Prosecutor; any Law, Custom, or Usage, to the contrary notwithstanding.

Master receiving Foreign Hemp or Flax on Board, and demanding, &c. the Premium, forfeits 100 *l.* and the Vessel.

And be it further enacted by the Authority aforesaid, That if the Master or Owner of any Ship or Vessel shall clandestinely import, or receive in such Ship or Vessel to be imported, into Great Britain, any Hemp or Flax, knowing the same to be Foreign Hemp or Flax, and shall demand or receive for any such Foreign Hemp or Flax the Reward or Premium hereby granted, such Master or Owner shall forfeit the Sum of One hundred Pounds, to be sued for and recovered in Manner as aforesaid; and the Ship or Vessel in which such Foreign Hemp or Flax shall be so fraudulently imported, with all her Guns, Tackle, Apparel, and Furniture, shall be forfeited to the King's Majesty, His Heirs and Successors.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That the several Directions and Provisions in this Act shall commence and take Effect from and after the Twenty fourth Day of June, One thousand seven hundred and sixty four, and shall continue and be in Force, from the said Twenty fourth Day of June, for the Term of Twenty one Years, and no longer.

FINIS.