Anno quarto

Georgii III. Regis.

CAP. XXVII.

An Act for granting, for a limited Time, a Liberty to carry Rice from His Majesty's Provinces of *South Carolina* and *Georgia*, directly to any Part of *America* to the Southward of the said Provinces, subject to the like Duty as is now paid on the Exportation of Rice from the said Colonies, to Places in *Europe* situate to the Southward of *Cape Finisterre*.

Preamble, reciting Clauſes in Act 3 & 4 *Anne*,



WHEREAS by an Act made in the Third and Fourth Years of the Reign of Her late Majeſty Queen Anne, intituled, An Act for granting to Her Majeſty a further Subſidy on Wines and Merchandizes imported, all Rice of the Growth or Production of the Engliſh Plantations in America, Aſia, or Africa, is obliged to be imported into England, Wales, or Berwick upon Tweed, or to ſome other of the ſaid Plantations, under ſuch Securities and Penalties as other enumerated Goods or Commodities of the Growth, Production, or Manufacture, of the ſaid Plantations, are ſubject to, by an Act made in the Twelfth Year of the Reign of the late King Charles the Second, intituled, An Act for encouraging and encreaſing of Shipping and Navigation, or by another Act made in the Five and twentieth Year of the Reign of the ſaid late King, intituled, An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade: And whereas an Act was made in the Third Year of the Reign of His late Majeſty King George the Second, intituled, An Act for granting Liberty to carry Rice from His Majeſty's Province of *Carolina* in *America*, directly to any Part of *Europe* Southward of *Cape Finiſterre*: And whereas by an Act made in the Eighth Year of the Reign of His ſaid Majeſty, the Liberty granted by the ſaid Act of the Third Year of His ſaid Majeſty was extended to His Majeſty's Province of Georgia in America: And whereas very great Advantages have ariſen from the Powers given by the ſaid Acts; and there is great Reaſon to apprehend, that not only the Produce of Rice in thoſe Parts, but that alſo the Exportation thereof would be greatly increaſed, for the mutual Benefit of this Kingdom and the ſaid Provinces,

12 *Car.* II.

25 *Car.* II.

3 *Geo.* II.

8 *Geo.* II.

vinces, if, notwithstanding the Laws relating to Navigation and Trade to and from the Plantations, Liberty or Licence was granted for Ships built in Great Britain, or in any of his Majesty's Colonies in America, to load Rice in either of the said Provinces, and to carry the same directly to any Part of America to the Southward of the said Provinces of Carolina or Georgia, without bringing the same first to Great Britain, as the Laws now require; whereby the same will arrive at such Places, in a seasonable Condition, for the Consumption thereof: For this End, and for providing proper Securities for your Majesty's Duties, and for preventing any Prejudice or Damage to this Nation which might happen thereby from any unlawful Commerce between the Plantations and any other Foreign Countries, as to any other enumerated Commodities, or otherwise, 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 the said Act, passed in the Third and Fourth Years of the Reign of her said late Majesty, so far as the same extends to the making of Rice, of the Growth and Produce of his Majesty's Plantations in America, an enumerated Commodity, shall be, and is hereby ratified and confirmed, as to all Persons, Ships, Vessels, or Places, in all Respects whatsoever; except as to such of the said Rice, as, by the said Acts of the Third and Eighth Years of his said Majesty King George the Second, and by this Act, are and shall be permitted or allowed to be exported from his Majesty's Provinces of South Carolina and Georgia in America, by such Persons, and in such Ships and Vessels, and to such Foreign Countries and Places, and under such Entries, Securities, Restrictions, Regulations, Limitations, Penalties, and Forfeitures, as are herein after particularly described, appointed, limited, and enacted, for that Purpose.

Act 3 & 4 *Annæ*, with respect to making Rice of the *British American* Colonies an enumerated Commodity, confirmed;

except as to such as by Acts 3 and 8 *Geo.* II. and by this Act, are permitted to be exported from *S. Carolina* and *Georgia*, &c.

Rice may be loaded on Board Ships navigated according to Law, and belonging to, *British* Subjects, in any Part of *South Carolina* and *Georgia*, and carried directly to any Parts of *America* Southward of the said Colonies;

'And be it further enacted by the Authority aforesaid, That from and after the Twenty ninth Day of June, One thousand seven hundred and sixty four, it shall and may be lawful, notwithstanding any of the Acts aforesaid, or any other Act of Parliament, for any of His Majesty's Subjects, in any Ship or Vessel built in Great Britain, or in His Majesty's Colonies in America, or belonging to any of His Majesty's Subjects, and navigated according to Law, that shall clear Outwards in any Part of the said Provinces of South Carolina or Georgia, to ship or load Rice in the said Provinces, and to carry the same directly to any Parts of America Southward of South Carolina or Georgia, without carrying the same to any other of His Majesty's Plantations in America, or to Great Britain; the Master or other Person having or taking Charge of such Ship or Vessel, before she clears Outwards, first taking a Licence, under the Hand of the Governor of the respective Province for the time being, for the carrying the same from the said Provinces respectively to some Part of America Southward of the said Provinces, as aforesaid; which Licence the said Governors respectively are hereby authorized and required to grant, upon a Certificate from the Collector or Comptroller of the Port where such Licence shall be desired, certifying that Bond has been given (which Bonds such Collector or Comptroller respectively is hereby authorized and required to take) with One or more sufficient Security, in the Sum of One thousand Pounds if the Ship be of less Burthen than One hundred Tons, and the Sum of Two thousand Pounds if the Ship shall be of that or a greater Burthen, that no Tobacco, Sugars, Cotton Wool, Indigo, Ginger, Fustick, or other dying Wood, Molasses, Tar, Pitch, Turpentine, Hemp, Masts, Yards, Bowsprits, Copper Ore, Beaver Skins, or other Furs, of the Growth, Production, or Manufacture, of any British Plantation in America, shall be loaden or taken on Board such Ship or Vessel at South Carolina or Georgia, or any other of His Majesty's Plantations in America, unless it be for the necessary Provisions of

the Master first taking out a Licence;

which is to be granted, upon a Certificate that Bond has been given;

that no enumerated Goods shall be taken on Board;

unless for necessary Provisions of the Ship;

of the Ship in their Voyage, and that such Ship or Vessel, after Landing the said Rice by Virtue of such Licence, shall return to the said Provinces of South Carolina or Georgia, or proceed to some Port in any of His Majesty's Colonies or Plantations in America, within the Space of Four Calendar Months from the Time of clearing out at such Port respectively; and that every Master or other Person taking Charge of such Ship or Vessel, for which such Licence shall be obtained for carrying Rice to any Parts of America Southward of the said Provinces of South Carolina or Georgia, shall produce such Licence to the Collector or Comptroller, or other proper Officer at such Port as he shall arrive at in any of His Majesty's Colonies or Plantations in America; which said Collector or Comptroller, or other proper Officer, is and are hereby authorized and required to give to the said Master a Certificate, certifying the Arrival of such Ship or Vessel at such Port within the Time herein before limited and appointed; and that in case the said Certificate be produced to the Collector or Comptroller of the said Provinces respectively within Twelve Calendar Months, the Bond taken as aforesaid shall be cancelled and given up, otherwise such Bond shall be forfeited to His Majesty, and shall and may be sued and prosecuted in any Court of Record in the said Provinces respectively.

and that the Vessel shall return to some of the *British* Colonies within 4 Months.

Licence to be produced at the Port of Arrival;

and a Certificate of Arrival to be thereupon granted the Master;

upon producing whereof within 12 Months, the Bond is to be discharged.

And, in order to ascertain the true Quantity of Rice exported from the said Provinces, pursuant to such Licence, and the Liberty granted by this Act, be it enacted by the Authority aforesaid; That before the same shall be shipped or put on Board, the Merchant, or other Person exporting the same, shall make an Entry thereof in Writing with the Collector of His Majesty's Customs, and the Naval Officer, and also with the Comptroller (where there is such an Officer) and thereupon there shall be payable to His Majesty so much as the Half Subsidy of the Rice so shipped in South Carolina or Georgia shall amount unto, which would have remained in case the said Rice had been first imported into Great Britain, and afterwards

Exporter to make an Entry of the Rice before shipping;

and pay the Half Subsidy before Clearance.

wards re-exported; and the Collector of the Port in which such Ship shall be entered to sail, may and shall demand the full Sum due for the Half Subsidy for all the Rice mentioned in such Entry; which said Payment shall be well and truly made to the Collector of such Port respectively, at or before the said Ship or Vessel obtains the Clearance; and the Merchant or other Person exporting such Rice shall also take out a Certificate or Coquet of such Entry, and shall, before the Rice be shipped or put on Board, indorse on the Back of such Coquet or Certificate the true Quantity intended to be shipped, mentioning the Marks, Number, and Contents of each Cask; and shall deliver the Coquet, so indorsed, to the Searcher or other Officer appointed for examining and shipping thereof; and if, upon the weighing and examining the Rice brought or intended to be shipped by virtue of such Coquet or Certificate, before or after the shipping thereof, the Quantity shall appear to be greater than is indorsed thereon; or if any Rice shall be laden or put on Board any Ship or Vessel having Liberty to trade by virtue of this Act, or any Hoy, Lighter, Bottom, Boat, or other Vessel, in order to be put on Board such Ship or Vessel before such Entry, or taking out such Coquet, and indorsing and delivering the same as aforesaid, contrary to the true Intent and Meaning hereof; all such Rice, so shipped or intended to be shipped, shall be forfeited, as also the Hoy, Lighter, Bottom, Boat, or other Vessel, employed in shipping the same; and the Owner of such Rice, or other Person employed in shipping the same, shall also forfeit Treble the Value thereof, to be recovered in the Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any Court of Record in any of His Majesty's Plantations in America, at the Election of the Informer or Prosecutor; One Third Part thereof to be to the Use of His Majesty, His Heirs, and Successors, One Third Part to the Governor of the said Provinces respectively, and the other One Third to the Informer or Prosecutor;

Coquet of such Entry to be taken out, and the Quantity to be shipped to be indorsed thereon.

which is to be delivered to the Searcher.

If the Quantity be found greater than what is so indorsed,

or Rice be put on Board before Entry, or in any other Vessel, in order to be fraudulently shipped;

such Rice, together with Vessel employed therein, to be forfeited,

and also Treble the Value.

Recovery and Application of the Forfeiture.

And be it further enacted by the Authority aforesaid, That this Act shall continue for Five Years from the Twenty fourth Day of June, One thousand seven hundred and sixty four, and from thence to the End of the then next Session of Parliament. Act to be in Force for 5 Years from 24 *June*, 1764.

And whereas great Quantities of Foreign Molasses and Syrups are clandestinely run on Shore in the British Colonies, to the Prejudice of the Revenue, and the great Detriment of the Trade of this Kingdom, and its America Plantations; to remedy which Practices for the future, be it further enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and sixty four, Bond and Security, in the like Penalty, shall also be given to the Collector or other Principal Officer of the Customs, at any Port or Place in any of the British American Colonies or Plantations, with One Surety besides the Master of every Ship or Vessel that shall lade or take on Board there any Goods particularly enumerated in the said Acts, being the Product or Manufacture of any of the said Colonies or Plantations, or Rice, by virtue of a Licence under this present Act, with Condition, that, in case any Molasses or Syrups, being the Produce of any of the Plantations not under the Dominion of his Majesty, his Heirs, or Successors, shall be laden on Board such Ship or Vessel, the same shall (the Danger of the Seas and Enemies excepted) be brought, without Fraud or wilful Diminution, by the said Ship or Vessel, to some of his Majesty's Colonies or Plantations in America, or to some Port in Great Britain; and that the Master or other Person having the Charge of such Ship or Vessel shall, immediately upon his Arrival at any Port or Place in Great Britain, or in the British American Colonies and Plantations, make a just and true Report of all the Goods laden on Board such Ship or Vessel, under their true and proper Denominations; and if any such non-enumerated Goods, or Rice, as before-mentioned, shall be laden on Board any such Ship or Vessel before such Bond shall be given, the Goods so laden, together with

From and after 29 *Sept.* 1764, where any enumerated Goods or Rice shall be shipped, Bond and Security is to be given,

that any Foreign Molasses or Syrups on Board shall be brought without Fraud to some of the *British* Colonies, or to *Great Britain*;

of which Report is to be made at the Port of Arrival.

Non-enumerated Goods, and Rice, laden before giving Bond, are forfeited.

together with the Veſſel.

the Ship or Veſſel, and her Furniture, ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Cuſtoms, and proſecuted, ſued for, and recovered, in any Court of Record, or in any Court of Admiralty in the ſaid Colonies or Plantations where ſuch Offence ſhall be committed, or in any Court of Vice Admiralty which may or ſhall be appointed over all America (which Court of Admiralty, or Vice Admiralty, are hereby reſpectively authorized and required to proceed, hear, and determine the ſame) at the Election of the Informer or Proſecutor.

Diviſion and Application of the Penalties.

And it is hereby further enacted, That all Penalties and Forfeitures ſo recovered there, under this or any former Act of Parliament, ſhall be divided, paid, and applied, as follows; that is to ſay, After deducting the Charges of Proſecution from the Groſs Produce thereof, One Third Part of the Nett Produce ſhall be paid into the Hands of the Collector of His Majeſty's Cuſtoms at the Port or Place where ſuch Penalties or Forfeitures ſhall be recovered, for the Uſe of His Majeſty, His Heirs, and Succeſſors, One Third Part to the Governor or Commander in Chief of the ſaid Colony or Plantation, and the other Third Part to the Perſon who ſhall ſeize, inform, and ſue for the ſame,

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FINIS.