ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

****

CAP. II.

An Act to authorize His Majeſty, from Time to Time, to prohibit the Exportation of Proviſions or Food.

[24th *November* 1800.]

WHEREAS the publick Safety may require temporary Reſtraints on the Exportation of all or any Sort of Proviſions or Victual whatever, or any Articles uſed as Food for Man: May it therefore 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 it ſhall be lawful for His Majeſty, by Order in Council from Time to Time, to prohibit, for a Time to be limited in ſuch Order, either generally or particularly, and by Name or Deſcription, the Exportation from this Kingdom of all or any Sort of Proviſion or Victual, or any Article or Articles whatſoever uſed or which may be uſed as Food by Man, under ſuch Reſtrictions and Regulations as His Majeſty in Council ſhall think proper, and in like Manner from Time to Time to recall ſuch Order in Part, or in the Whole, or make ſuch Alteration therein as He ſhall think proper.

Preamble. His Majeſty, by Order in Council, may prohibit the Exportation of any Article uſed as Food by Man.

II. And be it further enacted, That all ſuch Proviſion, Victual, and every Article of Food whatſoever, included in His Majeſty's Order, which ſhall be afterwards exported, tranſported, carried, or conveyed, or laden or laid on board of any Ship, Veſſel, or Boat, in order to be exported, tranſported, carried, or conveyed, out of this Kingdom contrary to ſuch Order, ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms; and all and every Perſon or Perſons offending therein ſhall forfeit treble the Value of ſuch Proviſions or Food reſpectively, as ſhall be ſo exported, tranſported, carried, or conveyed

Any ſuch Article exported, or laid on board any Veſſel for ſuch Purpoſe, ſhall be forfeited, and the Offender ſhall forfeit treble the Value, and the Veſſ l, &c. may be ſeized.

conveyed out of this Kingdom, or laden or laid on board of any Ship, Veſſel, or Boat, for that Purpoſe; and ſuch Ship, Veſſel, or Boat, together with her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited, and the ſame ſhall and may be ſeized by any Officer or Officers of the Cuſtoms.

How Penalties are to be recovered, &c.

III. And be it further enacted, That all Penalties and Forfeitures contained in this Act ſhall and may be ſued for, proſecuted, recovered, and diſpoſed of in ſuch Manner, and by ſuch Ways, Means, and Methods, as any Penalties incurred on any Goods, Ships, or Veſſels, forfeited for any Offence againſt the Laws of Cuſtoms, may now be legally ſued for, proſecuted, recovered, and diſpoſed of; and the Officer or Officers concerned in Seizures or Proſecutions under this Act ſhall be entitled to and receive ſuch Share of the Produce ariſing from the Seizures as they are now by Law entitled to upon Proſecutions of Seizures for unlawful Exportation, and to ſuch Share of the Produce ariſing from any pecuniary Fine or Penalty, or Compoſition paid for any Offence againſt this Act, as they are now by any Law or Regulation entitled to, upon Proſecutions for pecuniary Penalties.

This Act and ſuch Orders not to extend to certain Caſes.

IV. Provided always, and be it further enacted, That this Act, or any Thing herein contained, and ſuch Orders, or any Thing therein contained, ſhall not extend, or be conſtrued to extend, to prohibit at any Time the Exportation or carrying out of ſuch and ſo much of any ſuch Proviſions, Victuals, and other Articles of Food, as ſhall be neceſſary to be carried in any Ship or Veſſel on its Voyage out and Home, for the Suſtenance, Diet, and Support of the Commander, Maſter, Mariners, Paſſengers, and others, or for the Uſe and Suſtenance of the Cattle, Live Stock, or other Animals, on board of ſuch Ship or Veſſel, or for victualling or providing any of His Majeſty's Ships of War, or other Ships or Veſſels in His Majeſty's Service, or for victualling or providing any of His Majeſty's Forces, Forts, or Garriſons, or to prohibit at any Time the Exportation to the *Britiſh* Forts, Caſtles, or Factories in *Africa*, or for the Uſe of *Britiſh* Ships trading upon that Coaſt, which have uſually been ſupplied with the ſame from *Great Britain*, or to prohibit at any Time any Perſon or Perſons from ſhipping or putting on board any Proviſions, Victuals, or other Articles of Food as aforementioned to be carried Coaſtwiſe, (that is to ſay), from any Port, Creek, or Member or Part of the Kingdom of *Great Britain* to any other Port, Creek, Member, or Part of the ſame reſpectively, having ſuch or the like Coaſt Sufferance, Cocquet, or other Coaſt Diſpatch for that Purpoſe; and on ſuch and the like Security being given for the landing and diſcharging the ſame, as now is or hereafter may be, by any Law or Laws, Act or Acts, required in relation to the carrying coaſtwiſe any Corn or other Articles, or any Goods, Wares, or Merchandizes.

Act not to prevent Evidence being received to prove, from the Smallneſs of the Quantity, that the ſame was on board without the Knowledge of the Maſter, *etc.*

V. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prevent Evidence from being received to the Satisfaction of the Commiſſioners of His Majeſty's Cuſtoms in *England* and *Scotland* reſpectively, in caſe any Ship or Veſſel ſhall be under Seizure by any Officer or Officers of the Cuſtoms for having any Proviſion or Victual, or other Articles of Food as aforeſaid, on board, contrary to the true Intent and Meaning of any ſuch Order of His Majeſty as aforeſaid, or to prevent Evidence from being received in any

Suit or Information brought for the Forfeiture of any Ship or Veſſel for or on Account of any ſuch Proviſion or Victual, or other Articles of Food as aforeſaid being on board, in order to ſhow, from the Smallneſs of the Quantity of ſuch Proviſion or Victual, or other Articles of Food as aforeſaid, that the ſame was on board ſuch Ship or Veſſel without the Knowledge and Privity either of the Owner or Maſter, or other Perſon having the Charge and Command thereof, and without any wilful Neglect or Default of reaſonable Care in the Diſcharge of the Duty of ſuch Owner, Maſter, or other Perſon having the Charge or Command of ſuch Ship or Veſſel, and in every ſuch Caſe, where Proof ſhall be ſo made reſpectively, ſuch Ship or Veſſel ſhall not be forfeited for or on Account of ſuch ſmall Quantity of Proviſion or Victual, or other Articles of Food prohibited to be exported or carried out of the Kingdom by any ſuch Order of His Majeſty as aforeſaid.

The Powers of 32 *Geo.* III, Cap. 50, and of any other Acts in force, for ſecuring the Revenue of Cuſtoms, &c. to extend to this Act.

VI. And be it further enacted, That all and every the Powers, Authorities, Proviſions, Clauſes, Matters, and Things contained in an Act paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act for the Relief of the Coaſt Trade of* Great Britain; *for exempting certain Coaſt Documents from Stamp Duties; for aboliſhing the Bond uſually called the* Iſle of Man Bond; *and for permitting Corn and Grain brought coaſtwiſe to be tranſhipped into Lighters, for the Purpoſe of being carried through the Canal from the* Forth *to the* Clyde; and in every other Act of Parliament in force on and immediately before the paſſing of this Act, by which any Conditions, Rules, Regulations, or Reſtrictions were made, eſtabliſhed, or directed, or any Powers, Authorities, or Proviſions were made for the better ſecuring the Revenue of Cuſtoms, or for the regular Importation into or Exportation from *Great Britain*, or the bringing or carrying Coaſtwiſe, or from Port to Port within the ſame Kingdom; or the taking and requiring, and putting in Suit and proſecuting any Cocquet, Bond, or other Security given in relation thereto, except where any expreſs Alteration is made by this Act, or by any Order of His Majeſty iſſued under the Authority of this Act, ſhall, and they are hereby declared to be and remain in full Force and Effect to the Subject of this Act, and to any Order iſſued by His Majeſty in purſuance thereof, and to all Rules, Regulations, and Reſtrictions contained in any ſuch Order, as far as the ſame are applicable thereto, and for carrying the ſame into Execution as fully and effectually as if they had been repeated and re-enacted in this Act.

Copies of Orders in Council to be laid before Parliament.

VII. And be it further enacted, That Copies of ſuch Orders as ſhall be made by His Majeſty in Council, for any of the Purpoſes mentioned in this Act, if made when Parliament is ſitting, ſhall be laid before both Houſes of Parliament within Three Days after the ſame ſhall have iſſued; and if made when Parliament is not ſitting, then within Fourteen Days after the Meeting of the next Seſſion of Parliament.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's moſt Excellent Majeſty. 1800.