ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XXXIV.

An Act for granting Bounties on the Importation into *Ireland* of Wheat, Barley, Rye, Oats, and Indian Corn, and of Barley, Rye, Oats, Indian Meal, and Wheaten Flour and Rice. [30th *April* 1801.]

Preamble.

WHEREAS it is expedient that Encouragement ſhould be given, for a limited Time, to the Importation into *Ireland* of Wheat, Barley, Rye, and Oats, and Indian Corn, and of Barley, Rye, Oats, and Indian Meal, and of Wheaten Flour and Rice: 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, from and after the paſſing of this Act, there ſhall be paid and allowed upon all Foreign Wheat, Barley, Rye, Oats, and Indian Corn, and Meal of any ſuch Corn or Grain, and upon all Wheaten Flour and Rice, imported or brought into *Ireland* before the Firſt Day of *October* One thouſand eight hundred and one, in Ships or Veſſels of the United Kingdom, or in Ships or Veſſels belonging to Perſons of any Kingdom or State in Amity with His Majeſty, however the ſame may be navigated, the ſeveral and

Bounties ſhall be paid on Foreign Wheat, &c. imported into *Ireland* before *Oct.* 1, 1801.

reſpective Bounties herein-after mentioned, and ſuch Bounties ſhall be payable and paid upon the ſeveral Terms and Conditions herein-after reſpectively ſet forth as to each of ſuch Articles.

Bounties to be regulated according to the Average Prices in the *Dublin Gazette*, the Third Week after Entry of the Articles.

II. And be it enacted, That the ſeveral and reſpective Bounties granted by this Act upon Wheat, Barley, Rye, and Oats, reſpectively, ſhall be regulated and paid according to the reſpective general Average Prices, aſcertained according to Law, which ſhall be publiſhed in the *Dublin Gazette* in the Third Week after the Entry of the Wheat, Barley, Rye, and Oats, or any ſuch Meal as aforeſaid, upon which any Bounty ſhall be claimed under this Act.

Bounties on Wheat, Barley, Rye, and Oats.

III. And be it enacted, That, from and after the paſſing of this Act, there ſhall be paid and allowed on every Quarter of Foreign Wheat, weighing Four hundred and twenty-four Pounds Weight Avoirdupois or upwards, which ſhall be imported into *Ireland*, a Bounty equal to the Sum by which the ſaid Average Price of Wheat, publiſhed in the *Dublin Gazette* in the Third Week after the Importation of ſuch Wheat, ſhall be leſs than One hundred Shillings *Britiſh* Currency *per* Quarter; on every Quarter of Foreign Barley, weighing Three hundred and fifty-two Pounds Weight Avoirdupois or upwards, which ſhall be imported as aforeſaid, a Bounty equal to the Sum by which the Average Price of Barley in *Dublin*, publiſhed as aforeſaid, ſhall be leſs than Fifty-two Shillings *Britiſh* Currency *per* Quarter; on every Quarter of Foreign Rye, weighing Four hundred and eight Pounds Weight Avoirdupois, which ſhall be imported as aforeſaid, a Bounty equal to the Sum by which the Average Price of Rye, publiſhed as aforeſaid, ſhall be leſs than Sixty-five Shillings *Britiſh* Currency *per* Quarter; on every Quarter of Foreign Oats, weighing Two hundred and ſixty-four Pounds Weight Avoirdupois or upwards, which ſhall be imported as aforeſaid, a Bounty equal to the Sum by which the Average Price of Oats, publiſhed as aforeſaid, ſhall be leſs than Forty Shillings *Britiſh* Currency *per* Quarter.

Bounties on Wheaten Flour (except *American*) Barley Meal, Rye Meal, and Oat Meal.

IV. And be it enacted, That, from and after the paſſing of this Act, there ſhall be paid and allowed upon all Foreign Wheaten Flour, (other than and except *American* Flour), and upon all Foreign Barley Meal, Rye Meal, and Oat Meal, imported as aforeſaid, ſuch and the like Bounties in every Reſpect as are by this Act before granted on Foreign Wheat, Barley, Rye, and Oats reſpectively; and that for the Purpoſe of aſcertaining and eſtimating ſuch Bounties, Two hundred and eighty Pounds Weight Avoirdupois of all Foreign Flour, upon which any Bounty is payable under this Act, (other than and except *American* Flour as aforeſaid), ſhall be deemed equal to One Quarter of Wheat, and One hundred and ninety-ſix Pounds Weight Avoirdupois of ſuch Barley Meal ſhall be deemed equal to One Quarter of Barley, and Two hundred and twenty-four Pounds Weight Avoirdupois of ſuch Rye Meal ſhall be deemed equal to One Quarter of Rye, and One hundred and ſeventy-ſix Pounds Weight Avoirdupois of Oat Meal ſhall be deemed equal to One Quarter of Oats.

No Bounty to be allowed unleſs the Articles are imported where

V. And be it enacted, That no Perſon ſhall be entitled to any Bounty allowed by this Act on any Corn, Grain, Meal, Flour, or Rice, unleſs the ſame ſhall be imported or brought into ſome Port where there is a Collector

Collector of Customs, or into any other Port that shall be approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Advice of His Majesty's Privy Council of *Ireland*. there is a Collector, or into some Port approved of by the Lord Lieutenant.

VI. And be it enacted, That the Register of Corn Returns in *Dublin* shall keep in a Book the Entries of all Returns of Corn or Grain that shall have been returned certified for the Purpose of Bounties being paid thereon under this Act, from all other Corn returned to such Register. Returns of Corn certified for the Bounty to be entered separate.

VII. And be it enacted, That in all Cases where any Wheaten Flour imported into *Ireland* from *America* before the First Day of *October* One thousand eight hundred and one, being of the usual Quality of Superfine Wheaten Flour, shall not, upon the First Sale thereof in *Ireland*, either by Auction or otherwise, as the Lord Lieutenant or other Chief Governor or Chief Governors of *Ireland* for the Time being, shall direct, produce the Sum of Seventy Shillings *British* Currency *per* Barrel, containing One hundred and ninety-six Pounds Weight Avoirdupois, there shall be paid and allowed, upon every such Barrel, a Bounty equal to the Sum by which the actual Price of each Barrel of such Flour so sold shall be less than Seventy Shillings *British* Currency, and so in Proportion for any greater or less Quantity; and where any such Wheaten Flour as aforesaid, being of the Quality of Fine Wheaten Flour, shall not, in such Sale as aforesaid, produce the Sum of Sixty-eight Shillings *British* Currency *per* Barrel as aforesaid, there shall be paid and allowed, upon every such Barrel, a Bounty equal to the Sum by which the actual Price of each Barrel of such Flour so sold shall be less than Sixty-eight Shillings *British* Currency, and so in Proportion for any greater or less Quantity. Bounty on Wheaten Flour imported from *America*.

VIII. And be it enacted, That in all Cases where any Indian Corn or Maize, weighing Four hundred and eight Pounds Weight Avoirdupois *per* Quarter, shall not, upon the First Sale thereof in *Ireland*, by publick Auction or otherwise as aforesaid, produce the Sum of Fifty-five Shillings *British* Currency *per* Barrel, there shall be paid and allowed, upon every such Barrel, a Sum equal to the Sum by which the actual Price of each Barrel of such Indian Corn or Maize so sold shall be less than Fifty-five Shillings *British* Currency: Provided always, That Three hundred and sixty-four Pounds Weight Avoirdupois of Indian Meal shall be deemed equal to One Quarter of Indian Corn or Maize. Bounty on Indian Corn.

IX. And be it enacted, That in all Cases where any Rice imported into *Ireland* from *America* before the First Day of *October* One thousand eight hundred and one, shall not, upon the First Sale thereof in *Ireland*, by publick Auction or otherwise as aforesaid, produce the Sum of Thirty-five Shillings *British* Currency *per* Hundred Weight, there shall be paid and allowed, upon every Hundred Weight thereof, a Bounty, equal to the Sum by which the actual Price of each Hundred Weight of such Rice so sold shall be less than Thirty-five Shillings *British* Currency. Bounty on Rice imported from *America*.

X. And be it enacted, That in all Cases where any Rice imported into *Ireland*, in any Ship which shall have cleared out from any Port in the *East Indies* before the First Day of *September* One thousand eight hundred and one, shall not, upon the first Sale thereof in *Ireland*, by publick Bounty on Rice imported from the *East Indies*.

publick Auction or otherwiſe as aforeſaid, made purſuant to the Regulations of this Act, produce the Sum of Thirty-five Shillings *Britiſh* Currency *per* Hundred Weight, there ſhall be paid and allowed, upon every One hundred Weight of ſuch Rice, a Bounty equal to the Sum by which the actual Price of each Hundred Weight of ſuch Rice ſo ſold ſhall be leſs than Thirty-five Shillings.

No Bounty to be paid on *American* Wheaten Flour, *&c.* unleſs ſold within a limited Time, *etc.*

XI. And be it enacted, That no Bounty ſhall be paid or payable under this Act, on any *American* Wheaten Flour, or on any Rice or Indian Corn or Meal, unleſs the ſame ſhall be ſold in *Ireland*, purſuant to the Directions of this Act, within Two Months after the Entry thereof at the Port of Importation, unleſs longer Time, under particular Circumſtances, be allowed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and His Majeſty's Privy Council of *Ireland*, for the Time being.

American Wheaten Flour, *&c.* exempt from Auction Duty.

XII. Provided always, and be it enacted, That all *American* Wheaten Flour, and all Rice, Indian Corn and Maize, ſold at any public Auction in *Ireland*, ſhall be exempted from any Duty payable on Sales by Auction.

Importers on Wheaten Flour and Rice ſhall give 14 Days publick Notice of Sales and like Notice to the Commiſſioners of the Cuſtoms, *&c.*; and the Lord Lieutenant ſhall appoint an Officer to attend to certify the Prices, *&c.*

XIII. And be it enacted, That the Importer or Importers, or Perſon or Perſons acting in his, her, or their Behalf, upon the Importation of any ſuch Wheaten Flour and Rice reſpectively, ſhall, within Forty-two Days after the Importation thereof, give or cauſe to be given, Notice by publick Advertiſement, Fourteen Days at the leaſt previous to the Day of Sale of ſuch Wheaten Flour and Rice reſpectively, ſpecifying the Time and Place of Sale, and the Quantity intended to be ſold, and ſhall alſo give or cauſe to be given a ſimilar Notice in Writing, Fourteen Days at the leaſt previous to the Day of Sale of ſuch Wheaten Flour and Rice reſpectively, to the Commiſſioners of the Cuſtoms, if in *Dublin*, or if not in *Dublin*, to the Collector of the Port into which the ſame ſhall have been imported; and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, ſhall appoint ſome Officer or other Perſon to attend ſuch Sale, in order that ſuch Officer or other Perſon may certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and to the ſaid Commiſſioners or Collector, the Prices at which ſuch Wheaten Flour and Rice reſpectively ſhall be *bonâ fide* publickly ſold, and the Quantities thereof, together with the State and Condition of the Whole, according to the Certificate of the Perſons who ſhall be appointed to inſpect the ſame under the Authority of this Act.

Perſons claiming Bounties to make Proof on Oath that the Sales were *bonâ fide* Sales.

XIV. Provided always, and be it enacted, That before any Bounty ſhall be paid on any Wheat, Barley, Rye, Oats, Indian Corn, or any Meal, or any Wheaten Flour or Rice, under the Regulations of this Act, the Perſon or Perſons claiming Bounty thereon ſhall make Proof on Oath before the Collector or other Principal Officer at the Port of Importation, or other Perſon authorized to adminiſter Oaths in ſuch Port, of the Day of the Sale of ſuch Wheat, Barley, Rye, Oats, Indian Corn, or Meal thereof, and that the Sale of ſuch Wheat, Barley, Rye, Oats, and Indian Corn and Maize, and Wheaten Flour and Rice reſpectively, was a fair and *bonâ fide* Sale, and that there was not any Fraud or Colluſion in the Sale of ſuch Articles reſpectively, for the Purpoſe of obtaining the Bounties thereon

XV. And

XV. And be it enacted, That the Bounty by this Act granted upon Rice imported into *Ireland*, from the *East Indies* shall be paid to the United Company of Merchants of *England* trading to the *East Indies*, for the Purpose of being paid over by the said Company to such Importer or Importers of such Rice, as shall be entitled thereto.

How Bounty on Rice imported from the *East Indies* shall be paid.

XVI. And be it enacted, That the said Bounties shall be under the Management of the Commissioners of His Majesty's Customs in *Ireland*, and shall be paid out of any Monies in their Hands arising by any of the Duties or Revenues under their Management, to the respective Importers or Consignees of such Wheat, Barley, Rye, Oats, or Indian Corn, or of such Meal or Wheaten Flour and Rice respectively: Provided always, That a due Entry be made with the proper Officers of the Port where such Articles shall be imported; and that the Collector of such Port do receive full and satisfactory Proof that the Articles for which any Bounty herein allowed is claimed is wholly and entirely without Mixture of any other Corn or Grain; and that in Default thereof, the said Bounties, or any of them, shall not be allowed or paid.

Bounties to be under the Management of the Commissioners of Customs in *Ireland*.

Entry to be made at the Port of Importation, and Proof given that the Articles are free from Mixture.

XVII. And be it enacted, That before any Wheat, Barley, Rye, Oats, Indian Corn, or Meal made of Barley, Rye, Oats, or Indian Corn, or Wheat Flour or Rice imported into *Ireland* for Bounty, under the Regulations of this Act, shall be delivered out of the Charge of the proper Officer or Officers of the Port where the same shall be so imported or brought, such Articles respectively shall be carefully and attentively inspected, examined, weighed and measured, and if the same are merchantable, certified and examined in Manner in this Act mentioned; and such Wheat, Barley, Rye, Oats, and Indian Corn, and Maize, weighed by such Officer or Officers of the Port as the said Commissioners shall direct, and Two indifferent and disinterested Persons, experienced in the Nature of the Article to be so inspected and examined; which Two Persons shall be appointed for that Purpose by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, subject nevertheless to the Controul or Removal of any such Person or Persons in any such Port or Ports, by the Lord Lieutenant or other Chief Governor of *Ireland* for the Time being; which Persons shall, upon having viewed such Wheat, Barley, Rye, Oats, or Indian Corn and Maize, and having weighed and measured such Quantities or Proportions thereof, as they may think sufficient for ascertaining the Average Weight and Measure thereof, certify and declare, upon their corporal Oaths first administered in the Port of *Dublin* by some Person authorized by the said Commissioners for that Purpose, and in the Outports by the Collector, or other Chief Officer of the Port where such Articles shall be imported, (who are hereby authorized and required to administer the same), whether the said Articles respectively are or are not merchantable, and whether any such Wheaten Flour is fit for making Bread, and also the Weight of such Wheat, Barley, Rye, Oats, and Indian Corn and Maize respectively; and such Persons shall grant such Certificates upon all Corn, Grain, Flour, and Meal, that shall by them have been deemed merchantable and in good Condition as aforesaid, within Two Days after the same shall have been inspected by them as aforesaid; and if the same shall appear by such Certificate to be merchantable, and of the respective Weights and Measures required by this Act, where such Weights and Measures are in this Act specified, and such Wheaten Flour shall appear to be fit for mak-

Articles imported to be inspected by the Officers of the Customs and Two experienced Persons appointed by the Lord Lieutenant, *etc.*

ing Bread, the Bounties reſpectively granted by this Act ſhall be paid and allowed thereon; but if the ſame ſhall appear by ſuch Certificate not to be merchantable, or ſuch Wheaten Flour not fit for making Bread, no Bounty granted by this Act ſhall be allowed or paid thereon.

Samples may be taken in order to aſcertain the Condition of the Articles.

XVIII. Provided always, and be it enacted, That if any ſuch Perſon or Perſons ſo appointed as aforeſaid, ſhall have any Doubt as to the State and Condition of any ſuch Wheat, Barley, Rye, Oats, or Indian Corn or Maize, or any Meal of any ſuch Corn as aforeſaid, or of any Wheaten Flour, it ſhall be lawful for ſuch Perſon or Perſons aforeſaid, to take a Sample thereof, not exceeding a Buſhel of any ſuch Corn, or a Peck of any ſuch Meal or Wheaten Flour, upon Payment of the reaſonable Value thereof, according to the laſt Average Price of ſuch Article, for the Purpoſe of grinding any ſuch Corn into Flour or Meal, and making Bread thereof, or making Bread of any ſuch Meal or Wheaten Flour, in order thereby to aſcertain the State and Condition of the ſame, and whether the ſame is fit for making Bread.

Recompence to be made to the Inſpectors.

XIX. And be it enacted, That the ſaid Perſons ſo appointed by the Lord Lieutenant to inſpect and examine the ſaid Articles, ſhall from Time to Time be paid by an Order of the Commiſſioners of His Majeſty's Cuſtoms in *Ireland*, or any Three or more of them, out of any Monies in their Hands, ariſing by any of the Duties or Revenues under their Management, the following Sums, by way of Recompence or Reward for their Trouble in ſo inſpecting, examining, and certifying, (that is to ſay), the Sum of One Penny *per* Quarter for all Corn or Grain, or Two hundred and eighty Pounds Weight Avoirdupois of Rice, inſpected, and examined and certified by them as aforeſaid, and ſo in Proportion for any greater or leſs Quantity, and the Sum of One Penny *per* Barrel of all Wheaten Flour inſpected, and examined and certified by them as aforeſaid, and ſo in Proportion for any greater or leſs Quantity.

Foreign Wheat, *etc.* arriving not in a merchantable State, may be warehouſed; and for ſuch as ſhall become merchantable, the Bounties ſhall be paid.

XX. And whereas it may happen that Foreign Wheat, Barley, Rye, Oats, and Indian Corn and Maize, imported into *Ireland*, may arrive heated and not in a merchantable State and Condition; be it therefore enacted, That in every ſuch Caſe it ſhall and may be lawful for the Owner or Conſignee thereof, to depoſit the ſame in ſome Warehouſe to be approved of by the Collector, or other Principal Officer of the Port where ſuch Corn or Grain ſhall be imported, under the Joint Locks of His Majeſty and of ſuch Owner or Conſignee; and the Officers of His Majeſty's Cuſtoms in the Town or Port where any ſuch Corn or Grain ſhall be depoſited, ſhall at all ſeaſonable Times in the Day Time permit the Owner or Conſignee of ſuch Corn or Grain, by his, her, or their Servants, to inſpect, examine, and turn ſuch Corn or Grain, and take all proper Steps for reſtoring the ſame to a merchantable Condition; and the Owner or Conſignee of all ſuch Corn or Grain, that ſhall, after any ſuch Caſe as aforeſaid, become merchantable, and ſhall be certified as ſuch in Manner by this Act directed, ſhall be entitled to the Bounties by this Act granted, in like Manner in every Reſpect as if the ſame had arrived in good and merchantable State, and ſuch Bounty ſhall be payable and paid according to the Average Price publiſhed in the *Dublin Gazette* in the Third Week after the Article upon which any ſuch Bounty ſhall be claimed ſhall have been certified as aforeſaid.

XXI. And

XXI. And be it enacted, That if any Ship or Veſſel has arrived or ſhall arrive at any Port in *Ireland*, where, according to the Regulations of this Act, the Bounty is not allowed, ſuch Ship or Veſſel ſhall and may lawfully depart from ſuch Port, without Moleſtation or Hindrance, with the ſeveral Articles on board, and may carry the ſame to any other Port of *Ireland* at which the ſame may be entered for the Bounty, and there enter, land, and deliver the ſame, ſubject nevertheleſs to all the Rules, Regulations, Conditions, and Reſtrictions of this Act.

Veſſels arriving at a Port where the Bounty is not allowed, may ſail to one where it is.

XXII. And be it enacted, That in caſe any of the ſaid Articles herein enumerated and deſcribed ſhall be ſo imported or brought from any of the Ports or Places herein mentioned, into any of the reſpective Ports herein alſo enumerated, ſubſequent to the Time limited by this Act, but before the Fifteenth Day of *October* One thouſand eight hundred and one, it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms in *Ireland*, to order the Bounty or Bounties reſpectively to be paid thereon, in like Manner as if the ſaid Articles had been imported within the Time limited by this Act; provided Proof ſhall be made to the Satisfaction of the ſaid Commiſſioners, that the Ships or Veſſels, on board of which reſpectively ſuch Articles ſhall be ſo imported or brought, actually and *bonâ fide* ſet ſail from ſuch reſpective Ports or Places for *Ireland* within ſuch Time as they might, in the ordinary Courſe of their Voyage, have arrived in *Ireland* before the ſaid Firſt Day of *October* One thouſand eight hundred and one, and Proof ſhall alſo be given and Entry ſhall be made, and the Articles inſpected and examined, and certified, in like Manner as is required by this Act, to authorize the Payment of Bounty on the ſaid Articles imported within the Time limited by this Act: Provided always, That nothing in this Clauſe contained ſhall extend, or be conſtrued to extend, to any Rice imported into *Ireland*, in any Ship or Veſſel that ſhall have cleared out from any Port in the *Eaſt Indies* before the Firſt Day of *September* One thouſand eight hundred and one, and that the Bounties by this Act granted on all ſuch Rice ſhall be payable and paid upon all Rice imported in any ſuch Ship or Veſſel, in every Caſe where the Voyage ſhall have been performed according to the Regulations that ſhall have been entered into with the Court of Directors of the ſaid Company in reſpect of ſuch Voyage.

Commiſſioners of Cuſtoms may pay Bounties on Articles imported before *Oct.* 15, 1801, on Proof of the Veſſels having ſailed at ſuch Times that they might, in the ordinary Courſe of Voyages, have arrived before *Oct.* 1.

Bounty on Rice imported in Veſſels cleared out in the *Eaſt Indies* before *Sept.* 1, 1801, ſhall be paid when the Voyage ſhall have been performed, according to the Agreement of the Court of Directors.

XXIII. And be it enacted, That all Fines, Penalties, and Forfeitures, inflicted by this Act, ſhall and may be ſued for, recovered, and levied, in ſuch Manner and Form, and by ſuch Ways and Means, and with ſuch Powers and Authorities, as are preſcribed, directed, and appointed in and by an Act of Parliament made in *Ireland*, in the Fourteenth and Fifteenth Years of the Reign of His late Majeſty *Charles* the Second, intituled, *An Act for the ſettling of the Exciſe or new Impoſt upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted*, or by any other Law or Laws relative to His Majeſty's Revenue of Exciſe in *Ireland*, as fully and effectually to all Intents, Conſtructions, and Purpoſes, as if the ſame were expreſſed in this Act, with like Remedy of Appeal to the Party or Parties who ſhall think him, her, or themſelves aggrieved, as by the ſaid Act, or any other Law or Laws relating to His Majeſty's Revenue of Exciſe in *Ireland*, is provided.

Recovery and Application of Forfeitures.

XXIV. And be it enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing by him, her, or

Limitation of Actions.

or them done, in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Three Months next after the Matter or Thing done, and ſhall be laid in the proper County, and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Actions, or be nonſuited, or Judgement ſhall be given againſt him, her, or them upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

Act may be altered or repealed this Seſſion.

XXV. And be it enacted, That this Act may be varied, altered, amended, or repealed, during this Seſſion of Parliament.

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