

PART II

1691.
First Act of Na-
vigation.

THAT which has usually been deemed the first Act of Navigation, is stat. 5. *Rich. 2.* st. 1. c. 3. which is expressed in the beginning of it to be made *for the increase of the navy of England, which was then greatly diminished.*

It was thereby ordained, that none of the king's liege people should from thenceforth ship any merchandize in going out, or coming within the realm of England in any port, but only in ships of the king's liegeance, under the penalty of forfeiting all the merchandize shipped in other vessels, or the value thereof; a third part to go to the informer; or, as it is expressed, "the person who *duly espieth and duly proveth* any offence against that statute."

BUT this attempt to encourage English shipping seems to have been made before the actual state of our navigation would quite warrant it; for in the very next session of parliament it was enacted, by stat. 6. *Rich. 2.* c. 8. that the said law should only take place "as long as ships of the said liegeance were to be found *able and sufficient* in the parts where the merchants happened to dwell." Again, in the 14th year of that king, the same regulation was repeated by parliament; but it was on that occasion accompanied with a qualification which suggests an important observation upon these laws of navigation; for when it was enacted by stat. 14. *Rich. 2.* c. 6. "that merchants of the realm of England should freight in the said realm the ships of the said realm, and not strange ships," this proviso was added, *so that the owners of the said ships take reasonable*

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