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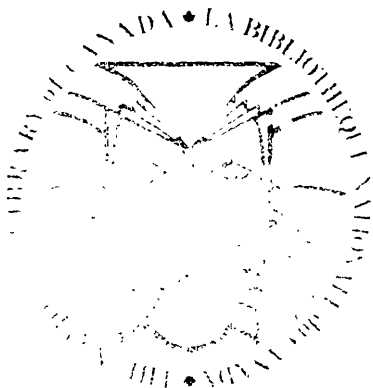
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C A P. L.

An Act for granting a Bounty upon the Importation of White Oak Staves, and Heading, from the *British* Colonies or Plantations in *America*.

 **W** H E R E A S the allowing a Bounty Preamble. upon the Importation of White Oak Staves, and Heading for Casks, from the British Colonies or Plantations in America into this Kingdom, under certain Restrictions, may tend to promote the Trade and Intercourse of the said Plantations with Great Britain, and be a Means of supplying the Manufacturers of Casks for the Use of the Brewers and Distillers in this Kingdom with such Materials at more reasonable Rates than they can at present be procured, as well as of saving great Sums of Money to his Majesty's Subjects, which are now expended for the Purchase thereof amongst Foreign Nations:

14 H 2

tions: **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 First Day of January, One thousand seven hundred and seventy-two, every Person or Persons who shall, within the Time appointed by this Act, import, or cause to be imported, into the Ports of London, Southampton, Poole, Exeter, Plymouth, Bristol, Liverpool, Whitehaven, Glasgow, Leith, Hull, Newcastle, and Yarmouth, or either of them, directly from any of the British Colonies or Plantations in America, in any Ship or Ships that may lawfully Trade thither, manned as by Law is required, any good, sound, and merchantable Staves, and Heading of White Oak, free from Saw, Wormholes, Knots, and Bites, of the following Dimensions, of the Growth or Product of the said Colonies or Plantations, shall have and enjoy as a Bounty or Premium for such Importation, the following Sums; that is to say,

After 1 Jan.
1772. Persons,
within the
Ports of
London, Southampton,
Poole,
Exeter,
Plymouth,
Bristol,
Liverpool,
Whitehaven,
Glasgow,
Leith,
Hull,
Newcastle,
and
Yarmouth,

sound and
merchantable
Staves and
Heading of
White Oak,
the Growth
of the Planta-
tions,

What Bounty
they shall en-
joy.

For every One thousand and two hundred (each hundred containing five Score) of Pipe Staves, each Stave not being less than five Feet Six Inches long, from four Inches and One-half of an Inch to Six Inches broad, and Two Inches thick at the thinnest Edge, which shall be so imported from the first Day of January, One thousand seven hundred and seventy-two, to the first Day of January, One thousand seven hundred and seventy-five, the Sum of Six Pounds, and in the like Proportion for any greater or less Number.

For every One thousand and eight such hundred of Hoghead Staves, each Stave not being less than four Feet Six Inches long, from four Inches and One-half of an Inch, to Six Inches broad, and One Inch and One-half of an Inch thick at the thinnest Edge, which shall be so imported from and after the said first Day of January, One thousand seven hundred and seventy-two, to the first Day of January, One thousand seven hundred and seventy-five, the Sum of Six Pounds, and in the like Proportion for any greater or less Number.

For every Two thousand and four such hundred of Barrel Staves, each Stave being from Three Feet Six Inches to Three Feet Eight Inches at the least in length, from four Inches to five Inches broad, and One Inch and One-half of an Inch thick at the thin-
nest

nearest Edge, which shall be so imported from and after the said first Day of January, One thousand seven hundred and seventy-two, to the first Day of January, One thousand seven hundred and seventy-five, the Sum of Six Pounds, and in the like Proportion for any greater or less Number.

For every Three thousand and six such hundred Pieces of Pipe Hoghead and Barrel Heading, each Piece of Pipe Heading being Two feet Eight Inches long, each Piece of Hoghead Heading being Two feet Four Inches long, and each Piece of Barrel Heading being Two feet and One Inch long at the least, and each such respective Piece of Heading being from five to Six Inches broad, and Two Inches thick at the thinnest Edge, which shall be so imported from and after the said first Day of January, One thousand seven hundred and seventy-two, to the first Day of January, One thousand seven hundred and seventy-five, the Sum of Six Pounds, and in the like Proportion for any greater or less Number.

For every One thousand two hundred such Pipe Staves; for every One thousand eight hundred such Hoghead Staves; for every Two thousand four hundred such Barrel Staves; and for every Three thousand six hundred Pieces of such Heading as above described, which shall be so imported from and after the said first Day of January, One thousand seven hundred and seventy-five, to the first Day of January, One thousand seven hundred and seventy-eight, the Sum of Four Pounds: And for every One thousand two hundred such Pipe Staves; for every One thousand eight hundred such Hoghead Staves; for every Two thousand four hundred such Barrel Staves; and for every Three thousand six hundred Pieces of such Heading, as above described, which shall be so imported from and after the said first Day of January, One thousand seven hundred and seventy-eight, to the first Day of January, One thousand seven hundred and eighty-one, the Sum of Two Pounds; to be paid on Demand to the Importer of such Goods, by the Collector of the Port where the same shall be respectively imported as aforesaid, out of any Money in his Hands arising by any of the Duties of Customs on Goods imported: And in case the Collector of the Customs where such Goods shall be imported shall not have Money sufficient in his Hands to pay the same, 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 said Premium or Bounty for the said Goods imported into England,

If the Collector, where the Goods are imported has not Money sufficient in his Hands to pay the Bounty, on certifying the same to

the Commis-
sioners of the
Customs, the
same to be
paid by the
Receiver-ge-
neral.
Officers of the
Customs, be-
fore Goods
are shipped in
the Colonies,
with Intent
to be import-
ed,

are carefully
to examine
such Goods.

Persons im-
porting such
Goods into
Britain, shall
produce to
the Collector
at the Port of
Importation,
a Certificate
from the Go-
vernour, &c.

Certificate to
express the
Number,
Quantity, &c.
of each Sort
of Goods.

to be paid by the Receiver-general of the Customs in England; and for such as shall be imported into Scotland, to be paid by the Receiver-general there.

And, in order to intitle the Importer of such Goods to the Bounty or Premium granted by this Act, and to prevent Frauds by importing Foreign or other Staves or Heading not intituled thereto, be it further enacted by the Authority aforesaid, That it shall and may be law-
ful for the proper Officer or Officers of His Majesty's Customs, before such Goods are laden on Board any Ship or Vessel in any of the said Colonies or Plantations, with an Intent to be imported into this King-
dom, for the Bounty or Premium herein before granted, carefully to examine such Goods, by such Means as he or they shall think proper, to find out and discover whether the same in every respect answer the Description herein before mentioned: And all and every Person and Per-
sons importing any such Goods into Great Britain as aforesaid, shall produce to the Collector, Comptroller, or Principal Officer of the Customs, at the Port of Im-
portation, a Certificate, under the Hand and Seal of the Governour, Lieutenant-governour, Collector of His Majesty's Customs, and Naval Officer, or any Two of them residing and being within the said Colonies or Plantations, that before the Departure of such Ship or Vessel the Person or Persons loading the same had made Oath before them, that the said Goods so shipped on Board were truly and bona fide of the Growth and Produce of some or One of the British Colonies or Plan-
tations in America, and specifying the Colony or Colo-
nies, Plantation or Plantations respectively, of which such Goods is or are the Growth or Produce, (which Oath the said Governour, Lieutenant-governour and Col-
lector of His Majesty's Customs, and Naval Officer, or any Two of them, are hereby authorized to administer); and the said Certificate shall also express the Number, Quan-
tity, Quality, and Species of each Sort of Goods respec-
tively, and that the same had been examined by the proper Officer or Officers of the Customs before the Ship-
ping thereof, pursuant to the Directions of this Act; which Officer or Officers is and are hereby required to certify therein, whether such Goods, or any Part thereof, are or are not made from White Oak, and good, sound, and merchantable, free from Sap, Wormholes, Knots, and Wites, and are or are not of the Dimensions and Descrip-
tions herein before respectively mentioned; and the Master, or other Person having the Charge or Command of the Ship or Vessel importing such Goods, shall, on his Arrival, make

make Oath before the Collector, Comptroller, or Principal Officer of the Customs, at the Port of Importation, that the said Goods so imported were truly laden on Board his Ship or Vessel, in One of the said Colonies or Plantations, and are the same Goods as are contained and mentioned in such Certificate.

And, for the better preventing Frauds in the entering any of the Goods before mentioned, in order to obtain the Bounty thereon, be it further enacted by the Authority aforesaid, That it shall and may be lawful for any proper Officer or Officers of the Customs, after the Entry, and at or after the Landing of such Goods, to take Samples thereof, in such Manner, and in such Proportion, as he or they shall judge proper, to examine the same; and if, upon such Examination, it shall appear, that in the whole Quantity so entered there are to the Amount of Ten Pieces in an hundred that do not, in all Respects, answer the Descriptions and Dimensions herein-before described, so as to be intitled to the Bounty herein-before granted; then, and in such Case, no Bounty shall be paid or allowed for any Part of the hundred Pieces in which such deficient Ten Pieces shall be found; and if more than Twenty Pieces in an hundred of the Quantity so entered shall be found, on such Examination, not to be intitled to the Bounty; then, besides the Loss of the said Bounty, the Importer shall also forfeit and lose the Sum of fifty Pounds; to be prosecuted and recovered as herein-after mentioned.

Officers of the Customs, after the Entry, to take Samples, for Examination.

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 delibering such Staves and Heading with respect to the Premium or Bounty allowed by this Act, or for the signing any of the Certificates in order to the receiving such Premium or Bounty, or for paying the same; and any such Officer demanding or taking such Fee or Reward, shall, for such Offence, forfeit his Office, and be for ever after incapable of executing any Office or Employment under His Majesty, His Heirs and Successors.

No Gratuity to be demanded by Officers for examining,

nor for signing any Certificates, for recovering the Bounty

And be it further enacted by the Authority aforesaid, That if any such Staves and Heading of the Growth or Product of any of the said Colonies or Plantations shall be again exported from Great Britain, then, and in every such Case, the Persons exporting the same shall, before

If any Staves, &c. of the Produce of the Colonies be exported from Britain,

the

the Entry thereof, pay unto the Collector of the Customs of the Port where the same shall be exported, or to the Chief Officer of the Customs there, the full Sum which is allowed as a Premium or Bounty by this Act on all such Staves and Heading as he intends to export.

Bounty to be paid by the Persons exporting the same.

Persons fraudulently exporting on Board any Ship Staves and Heading, without paying the Bounty,

to forfeit the same.

Collectors, &c. making false Certificates, &c.

or if any Master, &c. shall make any false Oath concerning the Identity of Staves,

or Persons counterfeiting any Certificates to obtain the Bounty, to forfeit 200*l*.

Forfeitures inflicted by this Act, to be recovered by Plaintiff or Information.

And be it further enacted by the Authority aforesaid, That if any Person, his, her, or their Agent or Agents, Assignee or Assigns, shall be found fraudulently to export or load on Board any Ship, Vessel, or Boat, in order to be exported, such Staves and Heading without paying such Premium or Bounty to the Chief Officer or Collector of the Customs as aforesaid, such Person and Persons shall forfeit and lose all such Staves and Heading, and double the Value thereof.

And be it further enacted by the Authority aforesaid, That if any Collector or Comptroller of the Customs, or Naval Officer, shall make any false Certificate; or if any Merchant, Trader, Factor, or other Person, shall make any false Oath with regard to the Growth of such Staves and Heading; or if any Master or Commander of any Ship or Vessel shall make any false Oath concerning the Certificate for or the Identity of such Staves and Heading; or if any Person or Persons shall counterfeit any such Certificate, as is herein-before directed to be made, in order to obtain any Premium or Bounty hereby granted; all and every such Person and Persons so offending in any of the Cases aforesaid, shall forfeit the Sum of Two hundred Pounds: And if any such Person so offending shall be a Collector, Comptroller, or Naval Officer, or any other Officer of the Customs, he shall also forfeit and lose his Office, and be incapable of serving His Majesty, His Heirs and Successors.

And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures by this Act inflicted shall and may be sued for, prosecuted, determined, and recovered, by Bill, Plaintiff, or Information, in any of His Majesty's Courts of Record at Westminster, or the Court of Exchequer in Scotland, or in any of the Courts of Admiralty in His Majesty's Colonies or Plantations in America respectively, where such Penalty or Forfeiture shall be incurred; wherein no Essoin, Protection, Wager of Law, or more than One Imparllance shall be allowed.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, shall, if incurred in Great Britain, be applied, One Moiety to the Use of His Majesty, His Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same; and all such Penalties and Forfeitures as shall be incurred in any of the said Colonies or Plantations, shall be applied, One-third Part thereof to the Use of His Majesty, His Heirs and Successors, One-third Part to the Use of the Governour of the Colony or Plantation where such Penalty and Forfeiture is incurred, and the remaining Third Part to such Person or Persons as shall sue for the same.

Application of Penalties.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit, if in Great Britain, shall be commenced within Six Calendar Months next after the Fact committed, and if in any of the said Colonies or Plantations, within Eighteen Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants, in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgement shall be given upon any Verdict, or Demurrer, against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

And be it further enacted by the Authority aforesaid, That if any Doubt or Dispute shall arise, whether the Staves and Heading, or any Part thereof, so to be imported or exported as aforesaid, are of the Growth or Produce of any of the said Colonies or Plantations, or of any other Growth or Produce; or if any Action shall be brought by the Owner or Claimer of such Goods, against any Officer of the Customs, or any other Person, for any Thing done in pursuance of this Act, and any Doubt or Question, shall thereupon arise concerning the Place of the Growth or Product of such Goods, the

Disputes how to be determined.

onus probandi shall lie on the Owner or Claimer of such Goods, or the Person claiming the Premium or Bounty, and not on the Person who seized or stopped the same, or against whom such Action shall be brought; any Law, Custom, or Usage, to the Contrary notwithstanding.

F I N I S.