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Anno Regni

GEORGI II.

REGIS

Magna Britannia, Francia, & Hibernia,
DECIMO QUARTO.

At the Parliament begun and holden at *Westminster*, the 14th Day of *January*, Anno Dom. 1734. in the Eighth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of GOD, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Eighteenth Day of *November*, 1740. being the Seventh Session of this present Parliament.



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Anno decimo quarto

GEORGI II. Regis.

An ACT for Licensing the Im-
portation of Victual from *Ire-
land*, and other Parts beyond
the Seas, into SCOTLAND,
in TIME of DEARTH and
SCARCITY.

WHEREAS by the Ninth Act Preamble.
passed in the Parliament of
Scotland, holden by her
late Majesty Queen *Anne*,
in the Year One thousand
seven hundred and three, intituled,
*An Act discharging Importation of
Irish Victual, Beef, and Cattle*, the
Importation of Victual from *Ireland*,
or any other Places beyond the Seas
into *Scotland*, and the buying, selling,
and

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and retailing the same, were restrained and prohibited under several Penalties mentioned and contained in the said Act, and in several former Acts of the Parliament of *Scotland*, therein mentioned and referred to, and thereby ratified and approved, with this Proviso, that when by Reason of Dearth the Prices of Victual should exceed the following Rates; *viz.* Wheat Twelve Pounds the Boll, Bear, Barley, Malt, and Meal, Eight Pounds the Boll, and Oats and Pease, Six Pounds the Boll, the Lords of her Majesty's Privy Council should have Power, after due Trial by them taken, to suspend and discharge the Execution of the said Prohibitory Acts for such Space and Time as the Exigence of the said Dearth should require, and no longer: And whereas by the Sixth Article of the Treaty of Union it is stipulated, agreed, and provided, That the Prohibition as then in Force by the Law of *Scotland* against Importation of Victual from *Ireland*, or any other Place beyond Sea into *Scotland*, should after the Union remain in the same Force as it then was, until more proper and effectual Ways should be

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provided by the Parliament of *Great Britain* for discouraging the Importation of the said Victual from beyond the Sea: And whereas by an Act made and passed in the first Parliament of *Great Britain*, in the Sixth Year of the Reign of her said late Majesty Queen *Anne*, intituled, *An Act for rendering the Union of the two Kingdoms more intire and compleat*; it was enacted, That from and after the First Day of *May*, in the Year of our Lord One thousand seven hundred and eight, the Queen's Majesty, her Heirs, and Successors, shall have but one Privy Council in or for the Kingdom of *Great Britain*, to be sworn to her Majesty, her Heirs, and Successors, as Sovereigns of *Great Britain*, and that such Privy Council should have the same Powers and Authorities as the Privy Council of *England* lawfully had, used and exercised at the Time of the Union, and no other, by Means whereof the Power of suspending the said Laws, prohibiting the Importation of Victual into *Scotland*, cannot in any Time of Dearth and Scarcity, or on any other Exigency, be exercised and put

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in Execution, which may be of dangerous and pernicious Consequence to His Majesty's Subjects of that Part of *Great Britain*; Wherefore, for preventing and providing against the same, 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 Power of suspending and discharging the Execution of the said Prohibitory Laws, which in and by the said Act of her late Majesty Queen *Anne*, passed in the Year One thousand seven hundred and three, in the Parliament of *Scotland*, was vested in the Lords of the Privy Council, shall, from and after the Twenty fifth Day of *March*, One thousand seven hundred and forty one, be vested in, and the same is hereby from thenceforth vested in the Judges of the Courts of Session, Justiciary, and Exchequer, in *Scotland*, in Manner following; and any Nine of the said Judges in Time of Session, and any Five of them in the Time of Vacance, shall and may, and they are hereby respectively authorized and required

Power of suspending Prohibitory Laws, to be vested in the Judges of the several Courts in *Scotland*.

required to exercise and execute the said Power of Suspension, in as full, ample, and extensive Manner, as the Lords of the Privy Council of *Scotland* might or could have exercised and executed the same, before the said Act of the Sixth of Queen *Anne*, for rendering the Union of the Two Kingdoms more compleat, subject nevertheless to the Rules and Directions of this present Act; and for the ascertaining and determining the Prices of Victual, in order to authorize and warrant the Suspension of the said Prohibitory Laws, according to the Tenor and Intention of the said Acts of the Parliament of *Scotland*, containing such Proviso for Suspension; be it enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of *March*, One Thousand seven hundred and forty one, in any Time of Scarcity and Dearth, it shall and may be lawful for any Person or Persons, desirous to import Victual from *Ireland*, or other Parts beyond the Seas, into *Scotland*, to apply by summary Petition, to the Judges of the Court of Session, for Licence to import such Victual from

How and when to apply for Licence to import Victual into *Scotland*.

from *Ireland*, or other Parts beyond the Seas, into *Scotland*; and the said Judges are hereby authorized and required immediately, upon such Petition, to make Intimation thereof, by transmitting a fair Copy of the same to the Clerk of the Peace for every Sheriffdom or Stewartry of *Scotland*; and to assign and appoint a Time, not exceeding Fifteen Days from the Time of such Application, for hearing and examining the Proofs and Evidence herein after directed to be had and taken, concerning the Premises; and in case such Application shall be made in Time of Vacance, then it shall and may be lawful to and for such Person or Persons to apply, during such Vacance, by a summary Petition to the Judge of the Court of Session, who shall sit upon the Bills, for such Licence for Importation, as aforesaid, who is hereby authorized and required, upon such Petition, to make Intimation, as aforesaid, and to assign and appoint a Time, not exceeding Twenty Days, from the Time of such Application, for the hearing and examining the Proofs and Evidence concerning the Premises, and to signify to the other
Judges

Judges of the said respective Courts, the Tenor and Purport of such Application, and the Time appointed for such Hearing and Examination thereupon, as aforesaid; and the said Judges, or any Nine of them in Time of Session, and any five of them in Time of Vacance, respectively, are hereby authorized and required to summon and convene before them, within the Session Court-house at *Edinburgh*, on the Day to be assigned and appointed, Two or more honest and substantial Persons, of the County of *Edinburgh*, not being Corn Merchants, nor Factors for Corn, nor any way interested or concerned in any Corn to be imported, and who shall each of them have, and be in Possession of a Land Estate of Four hundred Pounds *Scots per Annum* of valued Rent, and being skilful in the Price of Corn, and then and there, upon the Oaths of such Two or more Persons (and which Oath the said Judges, or any five of them, are hereby impowered to administer) and by such other Ways and Means as to them shall seem proper and necessary to examine, enquire into, and determine the common Mar-
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ket Prices of middling Corn and Grain, and Oatmeal of the respective Sorts and Kinds above mentioned, as the same shall and may be commonly bought in the said County and City of *Edinburgh*, and to fix and ascertain the same by a proper Act or Determination, to be subscribed under the Hand of One of the principal Clerks of the Session, an authentick Copy of which Judgment and Determination, shall be transmitted from the said Judges, to the chief Officer or Collector of the Customs at the Port of *Leith* for the Time being, and shall be, by such chief Officer or Collector, kept and hung up in the Custom-house at *Leith*, and there be Patent to all and every Person and Persons who shall desire to inspect the same, and shall and may be seen and inspected accordingly without Fee or Reward; and it shall and may be lawful for any Person or Persons intending to import Victual into any Part of *Scotland*, or desirous to have such Victual imported, or for any Justice of Peace within any County in *Scotland*, to require and demand an authentick Extract or Exemplification of such Act or Determination, from one

one of the said principal Clerks of Session, under his Hand and Seal, paying therefore the Price of One Shilling, and no more, and to deliver the same Extract or Exemplification to the Collector or Chief Officer of any Port or Ports in *Scotland*, to be by him kept, hung up, and made Patent as aforesaid; and that such Extract or Exemplification so delivered, kept, and hung up by such Collector or chief Officer in any Part of *Scotland*, which shall certify, declare, and ascertain the current Prices of Victual in the said City and County of *Edinburgh*, to exceed the Rates and Prices following; that is to say, Wheat Three Pounds *Scots*, or Five Shillings Sterling the *Winchester* Bushel, consisting of eight *Winchester* Gallons; Bear and Barley One Pound seven Shillings *Scots*, or Two Shillings and Three Pence Sterling the *Winchester* Bushel; Oats One Pound *Scots*, or One Shilling and Eight Pence Sterling; Pease and Beans One Pound Ten Shillings *Scots*, or Two Shillings and Six Pence Sterling the *Winchester*-Bushel; and Oatmeal Eight Pounds *Scots*, or Thirteen

Clerk's Fee.

Price of Victual.

teen Shillings and four Pence the Boll, weighing eight Stone *Troys*, shall be a sufficient Warrant to the Collector and other Officers of the several Ports in *Scotland*, to allow Viſual from *Ireland* or other Parts beyond the Seas, to be entered, unſhipped, and landed, without paying or being charged with any higher Duty than is herein after mentioned.

And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſame Perſons, who, for the Time being, are by virtue of this Act authorized and required to exerciſe and execute the ſaid Power of Suſpenſion, as aforeſaid, and they are hereby reſpectively authorized and required, once in every Thirty Days, from the Time that ſuch Suſpenſion ſhall have taken Effect (ſo long as there ſhall be an Occaſion or Neceſſity for the ſame) by the Ways and Means herein before mentioned, directed, and appointed, or any of them, to examine and enquire into, and determine the common Prices of middling Corn and Grain of the reſpective Sorts and Kinds above mentioned; and in caſe upon ſuch Enquiry

Perſons who have Power to ſuſpend Prohibitory Laws, have alſo Power to take off ſuch Suſpenſion.

ry it ſhall appear and be found that the current Price of Viſual in the ſaid City and County of *Edinburgh*, ſhall not exceed the Rates and Prices above mentioned (upon which the Suſpenſion directed and intended by this Act is to be founded) then, and in ſuch Caſe, they are hereby authorized and required, by a proper Act or Inſtrument to be ſubſcribed, as aforeſaid, to determine and aſcertain the ſame, and tranſmit, or cauſe to be tranſmitted authentick Extracts or Exemplifications of ſuch Act or Inſtrument to the Chief Officer or Collector of the Customs at the Port of *Leith* for the Time being, and to the Collectors or Chief Officers of all the other Ports in *Scotland*; and which ſaid Extracts or Exemplifications ſhall be by ſuch Officers reſpectively kept and hung up in the reſpective Custom-houſes or Offices to which they reſpectively belong, and there be patent to all Perſons who ſhall deſire to inſpect the ſame, and ſhall and may be ſeen and inſpected accordingly without Fee or Reward; and ſuch Extracts or Exemplifications ſhall be ſufficient Notice to the Collectors and other

other Officers of the several Ports in *Scotland*, that the Laws prohibiting the Importation of Victual from *Ireland*, or other Parts beyond the Seas, are again revived, and in Force, and and an Authority for them to stop the entring, unshipping, and landing the same.

Former Duties to be continued, and regulated by this Act.

And be it declared and further enacted by the Authority aforesaid, That such and the same Customs and Duties shall be paid for any Corn or Grain imported by Virtue and in Pursuance of this Act, as are charged and directed to be paid upon Foreign Corn imported, in and by an Act made and passed in the Two and twentieth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for Improvement of Tillage, and the Breed of Cattle*; and the said Custom and Duty shall be regulated by, and be collected and paid according to the Rites and Prices to be settled, ascertained, and determined in Pursuance of this Act, and not otherwise.

Act 22 Car. II. and 2 Geo. II. relating to Payment of Duties, to remain in Force.

And it is hereby further enacted, That all the Clauses and Provisions contained, as well in the said Act of the

the Two and twentieth of King *Charles* the Second, as in an Act made in the Second Year of His present Majesty, intituled, *An Act to ascertain the Custom payable for Corn and Grain imported; for better ascertaining the Price and Quantity of Corn and Grain, for which a Bounty is payable upon Exportation; for appropriating the Supplies granted in this Session of Parliament; and for giving Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts*; or in either of them, relating to the Payment and Recovery of such Duties, which are now in Force, and unrepealed, shall extend to take Place, and be in Force in that Part of the united Kingdom called *Scotland*; and that all Offences there committed against any Parts of the said Acts above mentioned, relating to the said Duties, shall and may be prosecuted in the Court of Session, or His Majesty's Exchequer at *Edinburgh*.

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