

Their Order to be final.
Limitation of Actions.

General Issue.

Treble Costs.

Public Act.

to the common Gaol or Prison for the said Borough of *Saint Ives*, there to remain and be kept to hard Labour for the Space of six Calendar Months, unless the Money, which shall be adjudged to be forfeited, as well as the Costs ordered to be paid, shall be sooner paid; and such Order of such Justices, at their General or Quarter Sessions, shall be final, and shall not be removeable by *Certiorari* or otherwise.

XLVII. Provided likewise, and be it also enacted, 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 shall be brought within six Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County, City, or Place, in which such Offence shall be committed, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit so to be brought, 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 that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time limited for bringing the same as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his Action after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall be paid Treble Costs, and have such Remedy for Recovery of the same, as any Defendant or Defendants hath or may have in any Case to recover his, her, or their Costs by Law.

XLVIII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

C A P. XXXVII.

An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majesty's Sugar Colonies in *America*, and to the Island of *Saint Helena*, and to the other Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, and of Biscuit and Pease to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*; and for indemnifying all Persons with respect to advising or carrying into Execution his Majesty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles.

Preamble.
Act 13 Geo. III.
recited.

WHEREAS by an Act of Parliament, made in the thirteenth Year of his Majesty's Reign, (intituled, *An Act to regulate the Importation and Exportation of Corn*;) whenever the Prices of certain Species of *British* Corn or Grain exceed the Prices therein limited, the Exportation thereof from this Kingdom is prohibited under certain Penalties in the said Act mentioned, except in particular Cases allowed by that and several subsequent Acts of Parliament: And whereas certain Quantities of Wheat, Meal, Flour, Bread, and Biscuit, which were allowed to be exported to the *British* Sugar Colonies in *America*, for the Sustenance and Use of the Inhabitants of the said Colonies, and certain Quantities of Biscuit and Pease allowed to be exported to the Island of *Newfoundland*, for the Benefit of the *British* Fishery there, by two several Acts of Parliament, made in the fourteenth Year of the Reign of his present Majesty, the one intituled, *An Act to allow the Exportation of Corn, Grain, and other Articles, to his Majesty's Sugar Colonies in America; and to extend the Provisions of an Act, made in the last Session of Parliament, (intituled, "An Act to regulate the Importation and Exportation of Corn,") allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Islands of Guernsey and Jersey, to Bread, Biscuit and Pease; and to allow the Exportation of all the said Articles to the Island of Alderney;* and the other intituled, *An Act to allow the Exportation of a limited Quantity of Biscuit and Pease to the Island of Newfoundland, for the Benefit of the British Fishery there;* have been rendered insufficient by the Interruption which has been given to Trade, and the Troubles and Disturbances which are still subsisting in many of the Colonies in *North America*, and the Inhabitants of the said Sugar Colonies, and the *British* Subjects carrying on the Fishery at *Newfoundland*, and at other Parts in *America*, may be put under great Difficulties and Distress at this Time, without farther Supplies from this Kingdom: 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, it shall and may be lawful to ship and export, from the Ports of *London*, *Bristol*, *Liverpoole*, and *Glasgow* only, any Quantity of Wheat, Wheat Flour, Bread, Biscuit, and Meal; that is to say, Not exceeding in the Whole, from the Port of *London*, fifty thousand Quarters; from the Port of *Bristol* twenty thousand Quarters; from the Port of *Liverpoole*, twenty thousand Quarters; and from the Port of *Port Glasgow*, ten thousand Quarters; at any Time or Times before the First Day of *January* one thousand seven hundred and seventy-seven, to his Majesty's Sugar Colonies in *America*, for the Sustenance and Use of the Inhabitants of the said Colonies: And that it shall and may be lawful to ship and export Biscuit and Pease, out of and from the several Ports in this Kingdom herein after mentioned, to the several Places herein after named, for the Benefit of the *British* Fishery carried on in those Parts, so as the same do not exceed the several Quantities respectively limited to those Places, any Thing in the said recited Acts, or either of them, to the contrary notwithstanding; (that is to say)

Certain Quantities of Wheat, Bread, &c. allowed to be exported from *London*, *Bristol*, *Liverpoole*, and *Glasgow*.
Certain Quantities of Biscuit and Pease allowed to be exported to *Newfoundland*, &c. for the Benefit of the Fishery, from the Ports herein after mentioned.

From the Port of *London*,
To the Island of *Newfoundland*, two hundred and fifty Tons of Biscuit, and three hundred Quarters of Pease.—To *Nova Scotia*, two hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Bay Chaleur*,

Chaleur, two hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Labrador*, two hundred Tons of Biscuit, and three hundred Quarters of Pease.

From the Port of *Bristol*,

To *Newfoundland*, two hundred Tons of Biscuit, and two hundred and fifty Quarters of Pease.—To *Nova Scotia*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.—To *Bay Chaleur*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.—To *Labrador*, one hundred and fifty Tons of Biscuit, and two hundred Quarters of Pease.

From the Port of *Poole*,

To *Newfoundland*, three hundred Tons of Biscuit, and three hundred Quarters of Pease.—To *Nova Scotia*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.—To *Bay Chaleur*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.—To *Labrador*, one hundred Tons of Biscuit, and one hundred Quarters of Pease.

From the Port of *Dartmouth*,

To *Newfoundland*, three hundred and fifty Tons of Biscuit, and three hundred and fifty Quarters of Pease.—To *Nova Scotia*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.—To *Bay Chaleur*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.—To *Labrador*, one hundred and fifty Tons of Biscuit, and one hundred and fifty Quarters of Pease.

From the Ports of *Topsham* and *Tingmouth*, within the Port of *Exeter*, not exceeding in the Whole from both Places,

To *Newfoundland*, four hundred Tons of Biscuit, and six hundred Quarters of Pease.—To *Nova Scotia*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.—To *Bay Chaleur*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.—To *Labrador*, two hundred Tons of Biscuit, and two hundred Quarters of Pease.

From the Port of *Liverpoole*,

To *Newfoundland*, one hundred and fifty Tons of Biscuit, and one hundred and thirty Quarters of Pease.

From the Port of *Weymouth*,

To *Newfoundland*, sixty Tons of Biscuit, and one hundred and twenty Quarters of Pease.

From the Port of *Chester*,

To *Newfoundland*, one hundred Tons of Biscuit, and one hundred and twenty Quarters of Pease.

‘ II. And whereas by an Act, passed in the thirteenth Year of his present Majesty’s Reign, (intituled; *An Act to regulate the Importation and Exportation of Corn*) it was (among other Things) enacted, That nothing therein contained should extend to prohibit the Exportation from the Port of *London*, to the Island of *Saint Helena*, of any Quantity of Wheat, Meal, Flour, Rye, Barley, or Malt, not exceeding five hundred Quarters in the Whole, for the Sustenance and Use of the Inhabitants thereof, under the Restrictions and upon the Conditions therein mentioned: And whereas the said Quantity of five hundred Quarters of Wheat, Meal, Flour, Rye, Barley, or Malt, is not sufficient for the necessary Use and Consumption of the said Island of *Saint Helena*, and for the United *East India* Company’s Settlements in the *East Indies*;’ be it therefore enacted by the Authority aforesaid, That, from and after the passing of this Act, it shall be lawful for the said United Company to export annually from *Great Britain* to the said Island of *Saint Helena*, *Bencoolen*, and to their Settlements in the *East Indies*, or any of them, any Quantity of Wheat, Wheat Meal, Flour, Rye, Barley, or Malt, not exceeding one thousand Quarters in the Whole, under the Restrictions and upon the Terms and Conditions in the said recited Act provided and contained, as respecting the Quantity of Wheat, and other Articles, thereby allowed to be exported to the said Island of *Saint Helena*; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That the said Articles exported as aforesaid, in pursuance of this Act, shall be subject to the like Securities at the respective Ports from whence they are exported, that the same shall not be landed or sold in any Parts whatsoever other than the respective Places for which the same shall be entered and declared for Exportation, and in all other respects not altered by this Act shall be liable to such and the like Rules, Restrictions, and Regulations; and the Persons granting or making any false Certificate, or counterfeiting, erasing, or falsifying any Certificate, or knowingly publishing such Certificate so counterfeited, erased, or falsified, shall be subject to the same Disabilities, Penalties, and Forfeitures, as are respectively prescribed and directed by the said recited Acts, made in the fourteenth Year of his Majesty’s Reign; which Penalties and Forfeitures shall and may be sued for, prosecuted, and recovered, and applied, in the Manner directed by those Acts.

IV. And whereas his Majesty, by an Order in Council, bearing Date the thirtieth Day of *June* last, was pleased to order that a Quantity of Biscuit, not exceeding one thousand Tons, should be allowed to be exported to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*, from the Date thereof, until the twenty-fourth Day of *July* following, which Time was afterwards prolonged by his Majesty’s further Order in Council, bearing Date the eleventh Day of *August* last; and his Majesty, by another Order in Council, bearing Date the twelfth Day of *July* last, was pleased to order that two hundred Tons of Biscuit should be allowed to be exported to *Newfoundland*, from the Port of *Liverpoole*; and also that fifty Tons of Biscuit, and one hundred Quarters of Pease, should be allowed to be exported from the Port of *Weymouth*; and likewise two hundred Quarters of Pease from the Port of *Poole*; which said Orders could not be justified according to the strict Forms of Law, and yet were so much for the Service of the Public, and so necessary for the Safety and Preservation of his Majesty’s Subjects in those Parts, that the same ought to be justified by Act of Parliament; and all Persons advising, acting under, or in

East India Company empowered to export annually 1000 Quarters of Wheat, Flour, &c. from Great Britain to Saint Helena, Bencoolen, &c. The said Articles to be subject to the like Securities, &c. on Exportation, as directed by Act 14 Geo. III.

Clause for indemnifying all Persons advising or executing certain Orders of Council for allowing Exportation of Biscuit, &c.

'Obedience to the same indemnified;' be it therefore enacted by the Authority aforesaid, That all and every Person and Persons who have or shall have acted or done any Thing in advising or executing the said Orders of Council, or touching or concerning the same, or relating thereto, shall be and are hereby saved harmless, discharged, acquitted, released, and indemnified in that Behalf, as well against the King's Majesty, his Heirs and Successors, as against all and every other Person and Persons; and all Suits and Proceedings for any Manner of Thing discharged by this present Act, shall be utterly void and of none Effect, to all Intents and Purposes; any Law, Statute, or Usage, to the contrary notwithstanding.

C A P. XXXVIII.

An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.

Preamble.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can, and many of them are able to serve his Majesty by Sea or Land, yet are detained in Prison by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas such unhappy Debtors have always been deemed the proper Objects of public Compassion, and, by several Acts of Parliament, have been discharged on the Conditions in such Acts mentioned; for the Relief, therefore, of Insolvent Prisoners and Fugitives, who shall comply with the Terms contained in this Act, to be respectively observed by them, and faithfully discover upon Oath, and deliver up and assign all their Effects and Estates whatsoever, for the Benefit of their Creditors, and to prevent, as far as possible, the many Frauds and Abuses; which, in a great Measure, have obstructed the good Ends of such Acts; 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, all and every Gaoler or Keeper of any Prison, in any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, shall, is, and are hereby required to make a true, exact, and perfect List, alphabetically, of the Name or Names of all and every Person or Persons, who, upon the twenty-second Day of *January*, one thousand seven hundred and seventy-six, was or were, or at any Time since have been, under the Terms and Conditions herein mentioned, and at the Time of making out every such List shall be, really an actual Prisoner or Prisoners, in the Custody of any Gaoler or Gaolers, Keeper or Keepers of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, Contempt or otherwise; and an Account of the Time when such Prisoner or Prisoners was or were respectively charged in Custody, or received in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices of the Peace, at their first or second General Quarter Sessions of the Peace, to be held after the passing of this Act, or at some Adjournment thereof, for such County, Riding, Division, City, Town, Place, or Liberty respectively.

Alphabetical Lists to be made out of Prisoners in Custody for Debt on Jan. 12, 1776, or since that Date;

with the Time when charged, and at whose Suit. Lists to be delivered to the Quarter Sessions, Warden of the Fleet, &c. to take an Oath on delivering in Lists.

II. And be it further enacted, That the Warden of his Majesty's Prison of the *Fleet*, and Marshal of the *King's Bench Prison*, shall severally, on the delivering in of any such List of Prisoners in their respective Custody, take an Oath, in the open Court of such General Quarter Session of the Peace, or at some Adjournment thereof, to the Effect following; (that is to say)

The Oath.

'*I A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names is or are inserted and contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-second Day of *January*, one thousand seven hundred and seventy-six, really and truly Prisoners, in actual Custody, in the Prison or Gaol of [*insert the Name of the Prison*], at the Suit or Suits of the several Person or Persons therein respectively mentioned; and also, that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List, now by me delivered in and subscribed as aforesaid, have, since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, been committed or surrendered to the said Gaol or Prison of [*insert the Name of the Gaol or Prison*], at the Suit or Suits of the several Person or Persons therein respectively mentioned; except such Person or Persons who is or are in such List particularly mentioned and described to have died, been discharged, or removed to some other Prison, by Process of Law, since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six; and also except such Person or Persons, who is or are in such List particularly mentioned and described to have been permitted to have gone out of the said Prison, by Day-rules of the Court of [*Common Pleas, or King's Bench, as the Case shall be*], since the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, to transact their Affairs; and also except such Person or Persons who is or are therein also particularly mentioned and described to have, upon the said twenty-second Day of *January*, one thousand seven hundred and seventy-six, or since, been in the Rules of the said Prison of the [*Fleet, or King's Bench, as the Case shall be*], by Leave of the [*Warden or Marshal of the said Prison, as the Case shall be*]; and have, to the best of my Knowledge and Belief, really and truly, ever since, continued and remained in actual Custody in the said Prison, of the [*Fleet, or King's Bench, as the Case shall be*], or the Liberties thereof, at the Suit or Suits of the several Persons in the said List respectively mentioned; [*and if any Prisoner or Prisoners hath or have, since the said twenty-second Day of January, one thousand seven hundred and seventy-six, escaped out of either of the said Prisons, then insert*], except [*insert the Name or Names of the Prisoner or Prisoners who have escaped*], who, without my Knowledge, Privity, or Consent, hath or have escaped