

# The MARYLAND GAZETTE. 1

[XIXth Year.]

THURSDAY, October 20, 1763.

[N<sup>o</sup>. 963.]

The following ACT, passed the last Session of Parliament, is published here for the Information of the Public.

Anno Regni tertio GEORGII III. REGIS.

An Act for the further Improvement of his Majesty's Revenue of Customs; and for the Encouragement of Officers making Seizures; and for the Prevention of the clandestine Running of Goods into any Part of his Majesty's Dominions.

Preamble, reciting Clause in Act 12 George I.

**W**HEREAS by an Act passed in the Twelfth Year of the Reign of his late Majesty King George the First, intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties*, the Commissioners of those Revenues are respectively impowered and directed to cause all Tea, Coffee, Foreign Brandy, Rum, or other Foreign exciseable Liquors, which shall be seized by any Officers of the Customs or Excise, after Condemnation, to be publicly sold to the best Bidder, at such Places as the said Commissioners shall think proper; and to allow the Officers making such Seizures, for their Encouragement, One Third Part of the full Sum arising from the Public Sale of all such Tea, Coffee, Foreign Brandy, Rum, or other exciseable Liquors, free from all Charges of Condemnation and Sale; and to cause the remaining Part of the Produce of such Sales, after paying the Reward to the Officer, and the Charges of Condemnation and Sale for such Seizures, to be paid into the Receipt of his Majesty's Exchequer, in Lieu of his Majesty's Moiety, as was then practised: And whereas by several subsequent Acts of Parliament, One Moiety of all Fines, Penalties and Forfeitures, imposed by any Act relating to the Duties of Excise, or any other Duty under the Management of the Commissioners of that Revenue, is given to his Majesty, his Heirs, and Successors, and the other Moiety to him or them who shall discover, inform, or sue for the same; in Pursuance of which Laws the Officers of Excise seizing any of the Commodities herein before enumerated, have been allowed a Moiety thereof; but the Provisions in those subsequent Laws, not extending to such Seizures when made by Officers of the Customs, they have hitherto been allowed only One Third of the Produce thereof, pursuant to the Directions of the before-cited Act of the Twelfth of George the First: And whereas the Power given by the said recited Act to the respective Commissioners of the Customs and Excise, to cause the Goods therein enumerated to be publicly sold, has been found very advantageous to the Revenue; and if the like Power was extended in general to all Sorts of Goods, it would prevent many Frauds, and illicit Combinations practised by Bidders, in the Court of Exchequer, to the great Detriment of the Public Revenue and the fair Trader: And whereas, it is highly reasonable and just, as well as of public Utility, that the Officers of the Customs and Excise should have equal Encouragement to be vigilant in the Exertion of their Duty, to suppress the pernicious Practice of Smuggling; to which End, 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 first Day of May, One thousand seven hundred and sixty-three, it shall and may be lawful to and for the Commissioners of his Majesty's Customs, to cause all Ships, Vessels, and Boats, and all Goods of what Kind soever they may be (excepting only such Vessels, Boats, and Goods, as are by Law liable to be burnt) which shall be seized by any Officers of the Customs, for unlawful Importation, or for Non-payment of Duties, or for any other Cause of Forfeiture, and condemned according to Law, to be sold publicly to the best Bidder, at such Places as the said Commissioners shall think proper; and all and every Officer who shall seize such Goods, shall, for his and their Encouragement be allowed by the said Commissioners, One Moiety of the nett Produce arising by the Sale of such Seizure, after deducting the Charges of Condemnation and Sale from the Whole; and the said Commissioners shall cause the other Moiety thereof to be paid into the Receipt of his Majesty's Exchequer, in Lieu of his Majesty's Share thereof (excepting in those Cases which are otherwise provided for by this Act) any Law, Custom, or Usage, to the contrary notwithstanding.

Goods or Goods seized by the Officers of the Customs to be publicly sold after Condemnation, at such Places as the Commissioners of the Customs shall think proper.

Moiety of Produce to be paid to the Officers; and the other to be paid to the Exchequer.

Provided always, and it is hereby declared and enacted by the Authority aforesaid, That after deducting the Charges of Condemnation and Sale from the gross Produce of all wrought Silks, Bengals, and Stuffs, mixed with Silk or Herba of the Manufacture of Persia, China, or East-India, and all Callicoos, painted, dyed, printed, or stained there, which shall be seized and condemned in pursuance of an Act passed in the Eleventh and Twelfth Years of the Reign of the late King William the Third, (intituled, *An Act for the more effectual employing the Poor, by encouraging the Manufactures of this Kingdom*) the said Commissioners of the Customs shall allow to the Officer or Officers who shall seize the same, Two Third Parts of such nett Produce, and cause the remaining Third Part thereof to be paid into the Receipt of his Majesty's Exchequer; and that for all Wool, and any other of the Species of Goods enumerated in an Act passed in the Twelfth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for taking off the Duties upon Woollen and Bay Yarn imported from Ireland to England, and for the more effectual preventing the Exportation of Wool from Great-Britain, and of Wool, and Wool manufactured, from Ireland to Foreign Parts*, after deducting the Charges of Condemnation and Sale, the Remainder of the Produce shall be paid to the Officer who shall seize the same, in such Manner as by the said Act is directed; and that for all Tobacco, Tobacco Stalks, and Snuff, which shall be burnt or destroyed in pursuance of an Act passed in the Twenty-fourth Year of the Reign of his late Majesty King George the Second (intituled, *An Act for the more effectual securing the Duties upon Tobacco*) the Officer or Officers seizing the same, shall be paid, in the Manner directed by that Act, Three Pence for every Pound Weight of such Tobacco and Snuff, and One Penny for every Pound Weight of Tobacco Stalks; and that for such Tea as shall be burnt or otherwise destroyed by Order of the respective Commissioners of the Customs or Excise, pursuant to the Laws now in being, the Officers making the Seizure, shall be rewarded in such Manner as the said Commissioners shall think proper, such Reward not exceeding Two Shillings and Six Pence for each Pound Weight of such Tea, in Lieu of all other Allowances; any Thing in this or any other Act to the contrary notwithstanding.

Provided also, and it is hereby further enacted by the Authority aforesaid, That if the Produce of any particular Seizure, sold in pursuance of this Act, shall not be sufficient to answer the Expences of Condemnation and Sale; or if upon the Trial of any Seizure, a Verdict shall be given for the Claimant, and the Ship or Goods shall not be condemned; in either of those Cases, it shall and may be lawful for the Commissioners of his Majesty's Customs, to order the Charges attending the seizing and prosecuting such Ship or Goods, to be paid out of any Branch of the Revenue of the Customs which is by Law applicable to the Payment of Incidents; any Thing in this or any other Act of Parliament to the contrary notwithstanding.

And whereas for the more effectual Prevention of the infamous Practice of Smuggling, it may be necessary to employ several of the Ships and Vessels of War belonging to his Majesty, his Heirs, and Successors, on the Coasts of Great-Britain and Ireland, and of the other Dominions and Colonies belonging to the Crown of Great-Britain; therefore for the better Encouragement of all the Officers and Seamen employed in such Service to do their Duty therein; be it enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, to direct and appoint the Moiety herein before mentioned, or any other Part of all and every the Seizure and Seizures that shall be made by such Officers or Seamen respectively, so employed as aforesaid, to be divided amongst all such Officers and Seamen of such Ship or Vessel of War, who shall make any such Seizure, as aforesaid, in such Proportions, and in such Manner, as his Majesty, his Heirs, and Successors, shall think fit to order and direct, by any Order or Orders of Council, or by any Proclamation or Proclamations to be made or issued, from Time to Time, for that Purpose; and such Moiety, or other Part of the said Seizure or Seizures, shall be so paid and divided to and amongst all the Officers and Seamen of such Ship or Vessel of War accordingly.

Officers to be allowed after all Charges deducted, a Third Part of the Produce upon wrought Silks, Bengals, Stuffs mixed with Silk or Herba, of Persia or East-India Manufacture, and Callicoos, seized and condemned in Pursuance of Act 11, 12, Will. III. the other Third to be paid into the Exchequer;

and upon Wool, and other Goods enumerated in Act 12 Geo. the Produce after Charges;

and upon Tobacco and Snuffs burnt, &c. pursuant to Act 24 Geo. II. 3d. lb.

and for Tobacco Stalks, 1d per lb.

and for Tea

not exceeding 2s. 6d. per lb.

Where the Produce of any Seizure shall not answer the Expences of Condemnation and Sale, or a Verdict be given for the Claimant, the Charges to be paid out of any Branch of the Revenue applicable to Incidents.

The King to direct, by Order of Council, or Proclamation, how the Share of such Seizures as shall be made by Vessels in his Service, shall be divided amongst the Officers and Men.

[To be concluded in our next.]