Anno vicesimo nono

Georgii II. Regis.

An Act for encouraging the Fisheries in that Part of *Great Britain* called *Scotland*.



WHEREAS the extending and improving of the British Fishery, is of great Importance to this Kingdom, as it not only adds considerably to the National Wealth, but is moreover a fruitful Nursery of able Seamen for the publick Service: And whereas the same is greatly obstructed by certain Restrictions, Exactions, and Regulations, to which the Fishers and Curers of Fish in North Britain are subject, either by Custom, or the Laws now in Force: And whereas it further appears that it would Preamble.

would be very advantageous to Trade in general, as well as to the Fishery, if the said Exactions and Restrictions were taken off, and such new Regulations made, as are more accommodated to the present Circumstances of both: And whereas by an Act made in the Third Session of the First Parliament of the late Queen Anne, in Scotland, intituled, An Act for advancing and establishing the Fishing Trade in and about that Kingdom, all Her Majesty's Subjects of that Kingdom are authorized and impowered to take and cure Herring and White Fish, in all and sundry the Seas, Chanels, Bays, Firths, Lochs, Rivers, and so forth, of that Her Majesty's Kingdom, and Islands thereto belonging, wheresoever Herring or White Fish are or can be taken; and, for their greater Conveniency, to have the free Use of all Ports, Harbours, Shores, Forelands, and others, for bringing in, pickling, drying, unloading, and loading the same, upon Payment of the ordinary Dues where Harbours are built, that is, such as are paid for Ships, Boats, and other Goods; and discharges all other Exactions, such as One Night's fishing in the Week, commonly called Saturday's Fishing, Top-money, Stallage, and the like: And for the further explaining, enforcing, and amending the said Law; May it 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 Twenty fifth Day of June, One thousand seven hundred and fifty six, all Persons whatsoever, Inhabitants of Great Britain, shall, and they are hereby declared to have Power and Authority, at all Times and Seasons, when they shall think proper, freely to take, buy from Fishermen, and cure any Herrings, Cod, Ling, or any other Sort of White Fish, in all and every Part of the Seas, Chanels, Bays, Firths, Lochs, Rivers, or other Waters, where such Fish are to be found, on the Coasts of that Part of Great Britain called Scotland, and of Orkney, Shetland, and all other Islands belonging to that Part of Great Britain called Scotland; any Law, Statute, or Custom, to the contrary in any wise notwithstanding: And if any Person or Persons whomsoever shall, after the Twenty fifth Day of June, One thousand seven hundred and fifty six, under any Pre-

Act of the 3d Session of Queen *Anne* in *Scotland*.

Power given to Inhabitants to take, buy from Fishermen, and cure, White Fish, in any of the Seas or Rivers in *Scotland*, or Islands thereto belonging.

tence whatſoever, preſume to obſtruct or hinder any Perſon or Perſons from Fiſhing as aforeſaid, in Moonlight Nights, or at any other Time whatſoever, in all or any, or in any Part of the ſaid Seas, Chanels, Bays, Firths, Lochs, Rivers, or other Waters as aforeſaid, or ſhall demand or receive any Gratuity or Allowance whatſoever, either in Money, Fiſh, or otherwiſe, under the Name of Saturday's Night Fiſhing, or under any other Name or Pretence whatſoever, from any Fiſherman or other Perſon, for the Liberty of Fiſhing in all or any, or in any Part of the ſaid Seas, Chanels, Bays, Firths, Lochs, Rivers, and other Waters, as aforeſaid, every ſuch Perſon ſhall, for every ſuch Offence reſpectively, forfeit the Sum of One hundred Pounds Sterling, to be recovered in Manner herein after directed; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

100 *l.* Penalty on Perſons obſtructing the Fiſhery, or taking any Gratuity for Liberty of Fiſhing.

And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons employed in the ſaid Fiſhery, on the Coaſts of that Part of Great Britain called Scotland, or on the ſaid Coaſts of Orkney, Shetland, or any of the ſaid Iſlands, ſhall have and exerciſe the free Uſe of all Ports, Harbours, Shores, and Foreſands, in that Part of Great Britain called Scotland, or in Orkney, Shetland, or any of the ſaid Iſlands, below the higheſt High Water Mark, and for the Space of One hundred Yards on any Waſte or uncultivated Land, beyond ſuch Mark, within the Land, for landing their Nets, Casks, and other Materials, Utenſils, and Stores, and for erecting Tents, Huts, and Stages, and for the landing, pickling, curing, drying, and reloading their Fiſh, without paying any Foreland or other Dues, or any other Sum or Sums of Money, or other Conſideration whatſoever, for ſuch Liberty, except as hereafter excepted; any Law, Statute, or Cuſtom whatſoever, to the contrary notwithſtanding: And if any Perſon or Perſons ſhall preſume to demand or receive any Dues, Sums of Money, or other Conſideration whatſoever, for the Uſe of any ſuch Ports, Harbours, Shores, or Forelands, within the Limits aforeſaid, ſo made uſe of for the Purpoſes aforeſaid, or ſhall preſume to obſtruct the Fiſhermen or other Perſons employed in the taking, buying, or curing of Fiſh in the Uſe of the ſame, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of

The Uſe of Ports, Harbours, and Shores, allowed for landing Nets, erecting Stages and Tents, and curing Fiſh.

100 *l.* Penalty on demanding or taking ſuch Conſideration-money.

One hundred Pounds Sterling, to be recovered and levied in Manner herein after directed.

Duties to be paid within artificial Harbours or Piers.

Provided always, That nothing in this Act contained shall extend to exempt the Vessels or Boats employed in the said Fishery, from the Payment of such Harbour or Pier Dues as are and by Law ought to be demanded for Ships, Vessels, or Boats, in Piers or Harbours, which are built or artificially made, but that such Harbour or Pier Dues shall be paid in like Manner as the same were liable to be paid before the passing of this Act.

Staves of Herring Barrels to be Half an Inch thick throughout,

And whereas it is found by Experience that the Barrels now used for packing and putting up of White Herrings and Wet White Fish, in that Part of Great Britain called Scotland, are not of proper Thicknes; be it further enacted by the Authority aforesaid, That from and after the Twenty fifth Day of June, One thousand seven hundred and fifty eight, the Staves of all Barrels in which such Fish shall be packed or put up, shall be at least One Half Part of an Inch in Thicknes throughout, of made Work; and if after the said Twenty fifth Day of June, One thousand seven hundred and fifty eight, any Barrel or Barrels containing such Fish, shall be found to be of a less Thickness than One Half Part of an Inch in any Part of the said Barrel, any Officer of Customs or Excise, or any Curemaster in Scotland, are hereby authorized and required to seize the same, and upon Proof thereof before any Two Justices of the Peace, the Owner or Proprietor of such Fish shall forfeit both Fish and Barrel.

on Penalty of being confiscated, with the Fish.

Recital of Clauses in Act 5 *Annæ*,

And whereas by an Act made in the Fifth Year of the Reign of Queen Anne, intituled, An Act for an Union of the Two Kingdoms of *England* and *Scotland*; it is enacted, That from and after the Union, the Laws and Acts of Parliament in Scotland for pining, curing, and packing of Herrings, White Fish, and Salmon, for Exportation, with Foreign Salt only, without any Mixture of British or Irish Salt, be continued in Force in Scotland, subject to such Alterations as shall be made by a British Parliament; and that for establishing an Equality in Trade, all Fish exported from Scotland to Parts beyond the Seas, which should be cured with Foreign Salt only, without any Mixture of British or Irish Salt, should have the same Eases, Premiums, and Drawbacks, as were or should be allowed to such Persons as export the like Fish from England, by which

enacting Clauſe the Curers of Fiſh in that Part of Great Britain called Scotland, are reſtricted and debarred from uſing either Britiſh Salt, or a Mixture of Britiſh and Foreign Salt, in the curing of any Kind of Fiſh for Exportation, and have not the Liberty of taking Salt free of Duty from the Salt Works for curing of Fiſh for Exportation, which Reſtriction and Prohibition are found by Experience to be very detrimental to the Fiſhing Trade of that Part of Great Britain called Scotland: And whereas by an Act made in the Fifth Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act for recovering the Credit of the *Britiſh* Fiſhery in Foreign Parts, and for better ſecuring the Duties on Salt; the Curers of Fiſh in that Part of Great Britain called England are allowed to uſe either Foreign or Britiſh Salt, or to mix them in curing of any Kind of Fiſh, and alſo to import Foreign Salt, and take Salt from the Salt Works without paying any Duty for the ſame, except the Cuſtoms payable on ſuch Foreign Salt at the Importation thereof, for curing of Fiſh for Exportation only: And whereas by an Act made in the Eighth Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act for taking off the Duty upon Salt uſed in the curing and making of White Herrings; and inſtead thereof laying a proportionable Duty upon all White Herrings conſumed at Home only, the Curers of White Herrings in that Part of Great Britain called England were allowed to uſe ſuch Foreign and Britiſh Salt as ſhould be delivered to them Duty-free, for the curing of Fiſh for Exportation, in the curing of White Herrings for Home Conſumption, upon Payment of a Duty of Three Shillings and Four Pence for every Barrel of ſuch White Herrings as ſhould be entered for Home Conſumption, under certain Regulations and Penalties in the ſaid Act mentioned: And whereas the extending the ſaid Proviſions and Regulations in the ſaid Acts made in the Fifth and Eighth Years of the Reign of His ſaid late Majeſty, would tend to the Encouragement and Improvement of the Fiſheries in Scotland, and to the Benefit and Advantage of the United Kingdom; be it therefore further enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of June, One thouſand ſeven hundred and fifty ſix, it ſhall and may be lawful for any Perſon or Perſons whomſoever in that Part of Great Britain called Scotland, to import Foreign Salt, and to take Britiſh Salt there from the Salt Works, without

5 *Geo.* I.

8 *Geo.* I.

Liberty given to import Foreign Salt, and to take *Britiſh* Salt,

and use the same for curing Fish for Exportation, Duty free; Customs on Importation excepted.

without paying any Duty for the same, for curing of Fish for Exportation only; except the Customs payable upon the Importation of such Foreign Salt; and that it shall and may be lawful for any Person or Persons whomsoever, in that Part of Great Britain called Scotland, to use any such Foreign or British Salt as shall be delivered Duty-free, for curing of Fish for Exportation, in the curing of White Herrings for Home Consumption; and that the said Act made in the Fifth Year of the Reign of His said late Majesty, intituled, An Act for recovering the Credit of the *British* Fishery in Foreign Parts, and for better securing the Duties on Salt; and also the said Act made in the Eighth Year of the Reign of His said late Majesty, intituled, An Act for taking off the Duty upon all Salt used in the curing and making of White Herrings; and instead thereof laying a proportionable Duty upon all White Herrings consumed at Home only; and every Clause, Regulation, Exemption, Penalty, Punishment, Proviso, Rule, Article, Matter, and Thing whatsoever in the said Acts contained, so far as relates to the curing of Fish for Exportation with Salt, without Payment of Duty; and likewise to the several Rates or Sums of Money allowed upon the Exportation of Fish from that Part of Great Britain called England, and also to the curing of White Herrings for Home Consumption (except the Imposition of the said Duty of Three Shillings and Four Pence per Barrel) shall be, and the same are hereby declared to extend to that Part of Great Britain called Scotland, in as full and ample Manner as if the same were repeated and re-enacted in this present Act; any thing in the said Acts or in any other Act of Parliament contained to the contrary notwithstanding.

Act 5 *Geo.* I.

and 8 *Geo.* I.

extended, under certain Restrictions, to *Scotland*.

A Duty of 1 *s.* *per* Barrel payable in *Scotland* on Herrings entered for Home Consumption.

And be it further enacted by the Authority aforesaid, That for every Barrel of White Herrings containing Thirty two Gallons, entered for Home Consumption in that Part of Great Britain called Scotland, the Proprietor of such Herrings shall pay a Duty of One Shilling, and so in Proportion for every Half Barrel; under the Regulations and Penalties prescribed and inflicted in the said last-mentioned Act, for the ascertaining, collecting, and recovering the said Duty of Three Shillings and Four Pence per Barrel.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to carry and bring from any Port of that Part of Great Britain called

Scotland, to any Port of that Part of Great Britain called England, White Herrings cured with British or Foreign Salt, the Persons bringing the said Herrings into England, Dominion of Wales, and Town of Berwick upon Tweed, paying at the Port to which the same shall be brought Three Shillings and Four Pence for every Barrel of such White Herrings, containing Thirty two Gallons, which shall be entered there for Home Consumption; and so in Proportion for every Half or Quarter Barrel.

and 3*s.* 4*d. per* Barrel for Herrings brought into *England*, and entered there for Home Consumption.

And whereas by an Act made in the Fifth Year of the Reign of His present Majesty, intituled, An Act for reviving the Duties on Salt for the Term therein mentioned; it was enacted, That it should and might be lawful to carry and bring from any Port of that Part of Great Britain called Scotland, to any Port of that Part of Great Britain called England, White Herrings cured with Salt made in Scotland, the Person or Persons bringing the said White Herrings into England paying at the Port to which the same should be brought, Two Shillings and Four Pence for every Barrel, containing Thirty two Gallons, of such White Herrings brought from Scotland, and in Proportion for Half Barrels, under certain Regulations, Restrictions, and Penalties, in the said Act mentioned: And whereas, if Liberty were also granted to bring Salmon, Cod, Ling, Tusk, and other White Fish cured with Salt made in Scotland, into any Port of that Part of Great Britain called England, for Home Consumption, the same would tend to the Benefit and Advantage of both Parts of the United Kingdom; be it therefore further enacted by the Authority aforesaid, That from and after the Twenty fifth Day of June, One thousand seven hundred and fifty six, it shall be lawful to carry and bring, from any Port of that Part of Great Britain called Scotland, to any Port of that Part of Great Britain called England, for Home Consumption, any Salmon, Cod, Ling, Tusk, and other White Fish, cured with Salt made in Scotland, for which the Duty hath been there paid or secured, the Person or Persons bringing such Fish into England, Dominion of Wales, and Town of Berwick upon Tweed, paying at the Port to which the same shall be brought, Two Shillings and Four Pence for every Barrel, containing Thirty two Gallons, of such Fish wet; and so in Proportion for a greater or lesser Quantity; and

Recital of Clauses in Act 5 *Geo.* II.

2*s.* 4*d. per* Barrel to be paid for Salmon, Cod, and other Fish wet, cured with *Scotch* Salt, and imported into *England* for Home Consumption;

and for Dry Fish 1 s. 2 d. per C. weight.

One Shilling and Two Pence for every Hundred Weight of such Fish dry; and so in Proportion for a greater or lesser Quantity.

Fish cured in *Scotland*, may be brought into *England* for Re-exportation.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to carry or bring, from any Port or Place of that Part of Great Britain called Scotland, or the Islands thereunto belonging, to any Port of that Part of Great Britain called England, for Re-exportation, any Herrings, Salmon, Cod, Ling, Tusk, and other White Fish, the Owner of the Fish, or Master of the Vessel, making Oath that such Fish was caught in North Britain, or on the Coasts thereof, and cured with Salt delivered Duty-free from some Part of Great Britain, and when and where the same was so delivered.

Bounty allowed on the Exportation of such Fish to Foreign Parts,

on conforming to Act 5 *Geo.* I.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of June, One thousand seven hundred and fifty six, all such Herrings, Salmon, Cod, Ling, Tusk, and any other White Fish, so brought Coastwise from Scotland into England, Dominion of Wales, and Town of Berwick upon Tweed, shall, upon Exportation thereof, or any Part thereof, to Foreign Parts, be intitled to the same Allowances or Bounties as by the said Act passed in the Fifth Year of the Reign of His late Majesty King George the First, intituled, An Act for recovering the Credit of the *British* Fishery in Foreign Parts; and for better securing the Duties on Salt, are granted on the Exportation of Fish cured in that Part of Great Britain called England; such Fish being subject to the same Rules and Regulations, in order to prevent the re-landing or re-importing thereof, and the Owners thereof subject to the same Penalties in case of re-landing, or any other fraudulent Proceeding, in order to obtain the said Bounties, as by the said Act are prescribed and inflicted, in regard to Fish cured in, and exported from, that Part of Great Britain called England; any thing to the contrary thereof in any wise notwithstanding.

Debenture to be granted for the said Bounty,

Provided always, and be it enacted, That no Allowance or Bounty granted by this Act, shall be paid in that Part of Great Britain called England, Dominion of Wales, and Town of Berwick upon Tweed; but the Chief Officer of the Customs, or his Deputy, at the Port or Place from which such Fish shall be respectively exported, shall, upon the Request of the Person or Persons

sons exporting the same, and Oath made before the Principal Officers of the said Port, who are hereby impowered to administer the same, of the shipping of the said Fish, and its not being re-landed, or intended to be re-landed, in Great Britain, give a Debenture under his Hand, without Delay, Fee, or Reward, for Payment of the said Allowances or Bounties; which Debenture being produced to the Commissioners of the Customs, or to the Commissioners of the Excise (at the Option of the Exporter or his Assigns) in that Part of Great Britain called Scotland, shall intitle the Exporter of such Fish, or his Assigns, to the Payment of the Bounties granted by this Act, which the said Commissioners are hereby required to pay out of any Money remaining in their Hands, arising by any Branch of His Majesty's Customs or Excise, Regard being had to the Priority of the Dates of the said Debentures in the Payment thereof.

and to be paid in *Scotland*.

Provided always, and be it further enacted, That the Proprietor or Proprietors of such Herrings, Salmon, and White Fish, as shall be shipped aboard any Ship or Vessel in any Port or Place in Scotland, or the Islands thereunto belonging, to be transported or carried to any Port or Place in England, Dominion of Wales, or Town of Berwick upon Tweed, whether for Home Consumption, or Exportation to Foreign Parts, or their respective Agents, shall, before any such Ship or Vessel depart from such Port or Place in Scotland, or the Islands thereunto belonging, make a full and particular Entry with the Collector, or other principal Officer of the Customs there, of the Fish so shipped, expressing the Number of Barrels of Wet Fish, with the Marks and Numbers thereof, and the Number and Weight of each Species of Dry Fish; and declare upon Oath, that the said Fish were cured in Scotland, or on the Coasts thereof; and whether they were cured with Salt delivered Duty free, or with Salt for which the Duty payable by the above-mentioned Act hath been paid or secured; and that the said Salt was taken on Board from some Port or Place in Great Britain; and when and where it was so put on Board; and that no Drawback for the same hath been had, or intended to be had, upon the Exportation of the said Salt; which Oath the said Collector, or other principal Officer of the Customs is hereby authorized to administer, and is likewise

Particular Entry to be made at the Port in *Scotland*, of all Fish shipped for *England*, or whether for Home Consumption, or Exportation;

and Officer there to administer an Oath for that Purpose.

and grant a Certificate, which is to be delivered to the Officer of the Customs in *England*, before the landing or re-shipping such Fish.

likewise required to grant and deliver to the Master of such Ship or Vessel without Delay, Fee, or Reward, a Certificate or Cocquet, under his Hand, that such Entry or Entries, Oath or Oaths, have been duly made; and that the Master of every Ship or Vessel, wherein such Fish shall be shipped, or put on Board, to be carried Coastwise, as aforesaid, or the Proprietor or Proprietors, or their respective Agents, do, before landing or putting on Shore the said Fish, or any Part thereof, or putting it on Board any other Ship or Boat, in any Port or Place in England, Dominion of Wales, or Town of Berwick upon Tweed, deliver the said Certificate or Cocquet to the proper Officer of the Customs in the Port or Place where the same shall be imported, brought in, or landed, or

Penalty

put on Board any other Ship or Boat, upon Pain of forfeiting all such Fish, and also double the Value thereof, that shall be imported, brought in, or landed, or put on Board any other Ship or Boat, contrary to the true Intent and Meaning hereof; and likewise the Casks or Vessels in which such Fish shall be found; to

Recovery and Application of the Penalty.

be recovered of the Importer or Proprietor of the Fish, or of the Master of the Ship or Vessel in which the same shall be imported and brought in, One Moiety of all which Penalties and Forfeitures to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to the Officer or Officers, who shall seize, sue, or inform for the same, to be sued for, recovered, and levied in such Manner, and with such Power of Mitigation, as any Fine, Penalty, or Forfeiture may be sued for, recovered, levied, and mitigated by any Law of Excise, or by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Privilege, or Wager of Law shall be granted or allowed, nor any more than One Imparlance; and all Officers

Officers of the Customs and Salt Duties, may seize all Fish imported contrary to this Act.

of His Majesty's Customs or Duties upon Salt are hereby authorized and impowered to seize all such Herrings, Salmon, Cod, Ling, Tusk, or any other White Fish imported, brought in, or landed, or put on Board any other Ship or Boat, contrary to the true Intent and Meaning of this Act; and also the Casks and Vessels in which any of the said Species of Fish shall be found.

And be it further enacted by the Authority aforesaid, That the several Rates and Duties which shall be charged

charged by virtue of this Act upon Fish brought from Scotland, or the Islands thereunto belonging, into England, Wales, or Berwick upon Tweed, as aforesaid, shall be levied, charged, brought in, applied, issued, and disposed of to the same Purposes, and in the same Proportions, as the Duties upon Salt and Rock Salt, and the Duties upon Red Herrings and White Herrings, are levied, charged, brought in, applied, issued, and disposed of by virtue of any Act or Acts of Parliament now in Force.

Application of the Duties on Fish imported into *England* from *Scotland*.

And be it further enacted, That if any Person or Persons do presume to counterfeit, raise, or alter any Certificate or Cocquet, by this Act directed to be made; or shall use any such Certificate or Cocquet, knowing the same to be so counterfeited, raised, or altered, such Person or Persons shall incur the Pains which are by Law inflicted on Persons found guilty of Forgery.

Counterfeiting, &c. any Cocquet, or using the same, deemed Forgery.

And be it further enacted by the Authority aforesaid, That so much of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled, An Act for reviving the Duties on Salt, as relates to the Importation of White Herrings from Scotland into England, be, and is hereby repealed.

Act 5 *Geo.* II. in part repealed.

And be it further enacted by the Authority aforesaid, That if any Person shall falsely make any Oath by this Act directed to be made, and shall thereof be legally convicted in any of His Majesty's Courts of Record in Great Britain, such Person so guilty shall forfeit the Sum of Two hundred Pounds, and be imprisoned for Twelve Months.

200 *l.* and One Year's Imprisonment, Penalty on Persons making a false Oath.

And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures in this Act mentioned, shall and may be prosecuted and determined by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in the Court of Exchequer in Scotland respectively, wherein no Essoin, Protection, or Privilege, Wager of Law, or more than One Imparlance shall be allowed; and One Moiety of the said Penalties and Forfeitures shall be to the Use of His Majesty, and the other Moiety to such Person or Persons as will sue for, or prosecute the same.

Penalties and Forfeitures how to be recovered and applied.

And, to the End that no Person in the Highlands of Scotland, or the remote Islands thereunto belonging, may pretend to be, or remain ignorant of those Regu-

Copy of this Act to be transmitted to the Parishes in *Scotland*, to be read by them to the Parishioners;

lations which more immediately concern them; be it therefore further enacted by the Authority aforesaid, That the Trustees for the Fishery and Manufactures of Scotland shall, as soon as may be, transmit One Copy of this Act to each of the Ministers of the several Parishes within the Synods of Argyle, Ross, Murray, Sutherland and Caithness, and Orkney; and that each of the said Ministers shall, immediately after Divine Service, on the last Sunday of the Month of May in every Year, for Four successive Years, commencing with the Year One thousand seven hundred and fifty seven, publickly, audibly, and distinctly read to his Parishioners, in the Language best understood by them, the former Part of this Act, from the Beginning thereof to the

and also by the Judges at their Circuit Courts.

Conclusion of the Third enacting Clause; and also that the Judges of Scotland shall order the said Part of this Act to be publickly, audibly, and distinctly read at the Opening of each Circuit Court, to be held at Inverara and Inverness every Year for Four Years successively, beginning in the Year One thousand seven hundred and fifty seven.

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, the Defendant or Defendants in any

General Issue.

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 or Plaintiffs shall be Nonsuited, or discontinue his or their Action or Actions, 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

Treble Costs.

and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants have in other Cases by Law.

7

FINIS.