

bring such ship, vessel, or boat into port, and to search and examine her cargo, and to examine the master upon oath, touching the cargo and voyage; and if there be any goods on board prohibited to be imported into this Island, such ship, vessel, or boat, and the cargo laden on board thereof, shall be forfeited; and if the said ship, vessel, or boat shall be foreign, and not navigated according to the law of Great Britain and Ireland, and shall have been found fishing, or preparing to fish, or to have been fishing, within such distance of such coasts, bays, creeks, or harbours of this Island, such ship, vessel, or boat, and their respective cargoes, shall be forfeited; and if the master or person in command thereof shall not truly answer the questions which shall be demanded of him in such examination, he shall forfeit the sum of one hundred pounds.

Further powers of Officers of Customs, &c.

Penalty on persons molesting or obstructing officers, &c.

Goods, vessels, &c., seized to be delivered to nearest Collector of Customs, who shall secure the same, &c.

Goods, vessels, &c., condemned to be sold at public auction.

Appropriation of proceeds of such sale.

Proviso.

Mode of recovery of penalties.

Judge of Court having jurisdiction in case of goods, vessels, &c., seized, may release the same on security being given therefor.

Bond to be taken for same.

Collectors to distribute amount of bond if goods, vessels, &c., be condemned.

Regulates the mode of prosecuting suits for penalties under this Act.

Onus of proof of illegality of seizure to be on claimant.

No claim to anything seized under this Act to be admitted until certain requisites be complied with.

No claim to be admitted until security be given.

II. And be it further enacted, that all goods, ships, vessels, and boats, liable to forfeiture under this Act, shall and may be seized and secured by any such officer of Her Majesty's Customs, officer of Impost and Excise, Sheriffs, Magistrates, or other person holding such commission as aforesaid, and every person who shall in any way oppose, molest, or obstruct any officer of the Customs, officer of Impost and Excise, Sheriff, Magistrate, or other person so commissioned and employed as aforesaid, in the exercise of his office, or shall in any way oppose, molest, or obstruct any person acting in aid or assistance of such officer of Customs, officer of Impost and Excise, Sheriff, Magistrate, or other person so commissioned and employed as aforesaid, shall, for every such offence, forfeit the sum of two hundred pounds.

III. And be it further enacted, that all goods, ships, vessels and boats, which shall be seized as being liable to forfeiture under this Act, shall be taken forthwith and delivered into the custody of the Collector of Customs, at the Custom-house next to the place where the same were seized, who shall secure and keep the same in such manner as other vessels and goods seized are directed to be secured by the Commissioners of Her Majesty's Customs.

IV. And be it further enacted, that all goods, ships, vessels, boats, or other things, which shall have been condemned as forfeited under this Act, shall, under the direction of the principal officer of the Customs or Excise, where such seizure shall have been secured, be sold by public auction to the best bidder, and the produce of such sale to be applied as follows, that is to say: the amount chargeable for the custody of said goods, ship, vessel, boat, or any other thing so seized as aforesaid, shall be first deducted and paid, and the residue divided into two equal moieties—one of which shall be paid to the officer or other person or persons legally seizing the same, without deduction, and the other moiety to the Government, and paid into the Treasury of this Island—all costs incurred having been first deducted therefrom: provided always, that it shall be lawful for the Lieutenant-Governor in Council to direct that any of such things shall be destroyed, or reserved for the public service.

V. And be it further enacted, that all penalties and forfeitures which may be hereafter incurred under this Act, shall and may be prosecuted, sued for, and recovered, in the Court of Vice-Admiralty having jurisdiction in this Island.

VI. And be it further enacted, that if any goods, or any ship, vessel, or boat shall be seized, as forfeited under this Act, it shall be lawful for the Judge or Judges of any Court having jurisdiction to try and determine such seizures, with the consent of the person seizing the same, to order the delivery thereof, on security, by bond, with two sufficient sureties, to be first approved by such seizing officer or person, to answer double the value of the same in case of condemnation, and such bond shall be taken to the use of Her Majesty, in the name of the Collector of the Customs, in whose custody the goods, or ship, vessel, or boat may be lodged, and such bond shall be delivered and kept in the custody of such Collector; and in case the goods, or ship, vessel, or boat shall be condemned, the value thereof shall be paid into the hands of such Collector, who shall cancel such bond, and distribute the money paid in such manner as is above directed.

VII. And be it further enacted, that no suit shall be commenced for the recovery of any penalty or forfeiture under this Act, except in the name of Her Majesty, and shall be prosecuted by Her Majesty's Advocate or Attorney-General, or, in his absence, by the Solicitor-General, for this Island; and if any question shall arise, whether any person is an officer of the Customs, Excise, Sheriff, Magistrate, or other person authorized to seize as aforesaid, *viva voce* evidence may be given of such fact, and it shall be deemed legal and sufficient evidence.

VIII. And be it further enacted, that if any goods, ship, vessel, or boat shall be seized for any cause or forfeiture under this Act, and any dispute shall arise whether the same have been lawfully seized, the proof touching the illegality thereof shall be on the owner or claimant of such goods, ship, vessel, or boat, and not on the officer or person who shall seize and stop the same.

IX. And be it further enacted, that no claim to anything seized under this Act and returned into Her Majesty's Court of Vice-Admiralty for adjudication, shall be admitted, unless such claim be entered in the name of the owner, with his residence and occupation, nor unless oath to the property in such thing be made by the owner, or by his attorney or agent, by whom such claim shall be entered, to the best of his knowledge and belief, and every person making a false oath thereto shall be deemed guilty of a misdemeanour, and shall be liable to the pains and penalties to which persons are liable for a misdemeanour.

X. And be it further enacted, that no person shall be admitted to enter a claim to anything seized in pursuance of this Act, and prosecuted in this island, until sufficient