Technical and Bibliographic Notes / Notes techniques et bibliographiques

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ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

C A P. XLVII.

An Act to permit certain Articles, the Growth, Production, or Manufacture of Europe, to be laden and shipped on board Ships arriving with British North American Produce, and Fish taken by Settlers in the British North American Colonies, at any Port of Europe, in order to be exported to the principal Ports in the British Colonies and Plantations in North America. [12th May 1809.]

THEREAS it is expedient that the Permission granted by an Act of the Forty-fixth Year of the Reign of His present Majesty, for allowing an Intercourse between the Colonies of His Majesty in North America and Malta and Gibraltar, should be extended to other Parts of Europe; be it therefore 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 Fruit, Wine, Parliament assembled, and by the Authority of the same, That from &c. of the Produce of and after the passing of this Act any Fruit, Wine, Oil, Salt, or Cork, certain Parts the Produce of any Part of Europe South of Cape Finisterre, may be of Europe thipped and laden in any Port or Place whatever in such Parts of may be Europe for Exportation direct to the several Ports hereafter mentioned; for Exportation direct to the several Ports hereafter mentioned; for Exportation direct to

the feveral Posts bereinmentioned, in British Veffels. artiving with B.itifh American Produce, or Fish, &c to the Truth of which the Matters of Veilel. fhall make Oath, &c.

that is to fay, the Port of Saint John's in the Province of New Brunfwick, Saint John's in the Island of Newfoundland, Quebec in the Province of Canada, Sydney in the Island of Cape Breton, Halifax and Shelburn in the Province of Nova Scotia, and Charlotte Town in Prince Edward Mand, all in North America, on board any British Ship or Yessel owned, navigared, and registered according to Law, which shall have arrived at such Port or Place in Europe with Articles of the Growth or Produce of the faid Colonies," or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or Plantations, or from Great Britain or Ireland Provided always, that upon the Arrival of such Ship or Yellel in any Port of Europe with any such Cargo as aforefaid, the Master or other Person having or taking the Charge or Command of fuch Ship or Vessel shall make Oath before the British Consul there resident, or if there shall be no British Consul there resident, then before Iwo known British Merchants there relident; (which Oath he and they respectively is and are hereby authorized and required to administer), that the whole Cargo of such Ship or Vessel is entirely the Growth and Produce of the faid British Colonies, or the Produce of the British Fisheries in North America really and bonavide taken and cured by His Majesty's: Subjects carrying on the said Fisheries from some or one for the faid Colonies or Plantations, or from Great Britain or Ireland; and before the faid Ship or Vessel shall clear out from such Port or Place in Europe for any of the feveral enumerated Ports in the British Colonies in North America, the Mafter or other Person having the Charge of such shipses Vessel shall, in like Vlanner, make Oath before such Person or Persons as aforefaid, (which Ca h fuch Person or Persons are hereby authorized to administer), that the 'everal Articles the Produce of Europe, shipped on board fuch Ship or Vessel, have been so shipped in return for the Cargo of Articles of Produce of the British North American Colonies, or of the Fisheries carried on from thence, previously brought by such Ship or Vessel to such Port or Place in Europe as aforesaid.

Articles on Importation fubject to Duty.

II. And be it further enacted, That upon the Importation of the faid Articles, the Produce of Europe, into the leveral Ports before enumerated, the fame shall be subject and liable to the Payment of such Duties as Goods of the like Denomination or Description are now subject and liable to upon being legally imported into the faid feveral Ports.

No Goods but luch as before enumerated shall be exported, &c. on Pain of Forfeiture, except Silt for the British Fitheries of Nova Scotia, & c. and Wines of the Growth of Řζ,

III. And be it further enacted, That if any Goods, Wares, or Merchandize of the Growth, Production, or Manufacture of Europe, except fuch as are herein-before enumerated, shall be laden and shipped on board any such Ship or Vessel as aforefaid, in order to be exported to any of the said several other Ports before enumerated, or to any other Port or Place whatever to His Majesty belonging, or which shall hereaster belong to or be in the Possession of His Majesty, His Heirs and Successors, in Asia, Africa, or America, all such Goods, Wares, and Merchan. dize, together with the Ship or Veffel in or on board which the fame shall be laden or shipped, and all her Guns, Furniture, Ammunition, Tackle, and Apparel, shall be forfeited: Provided always, that the Madeiras, nothing herein contained shall subject to Forfeiture any Salt, the Produce of Europe, intended for the Use of the British Fisheries of Nova Scotia, Newfoundland, or Quebec, shipped in any Part of Europe whatever, or any Goods fit and necessary for the Fishery in any of the British Colonies

or Plantations in America, being the Growth, Produce, or Manufacture of Great Britain or Ireland, or of the Islands of Guernsey and Jersey, shipped and laden in the faid Islands respectively, by any of the Inhabitants thereof, or any Wines of the Growth of the Madeiras or the Western Islands of Azores, shipped and laden at these Places respectively, the said Goods, Wares, and Merchandize respectively being shipped and laden according to the Laws in force on and immediately before the passing of this Act.

IV. And be it further enacted, That any Ship or Vessel, or any Goods, Seizures to Wares, or Merchandize, subject to Forseiture under the Provisions of the made by any Officer. this A&, shall and may be seized by any Officer or Officers of the of the Cus-Customs in the said Colonies or Plantations respectively, or by the Com- toms, &c. mander of any of His Majesty's Ships or Vessels of War, and the same shall and may be profecuted, fued for, recovered, and divided in the same Manner and Form, and by the same Rules and Regulations, in all respects as far as the same are applicable, as any other Forfeiture imposed by any Act or Acts made for the Security of the Revenue or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force on and immediately before the passing of this Act, may be profecuted, fued for, recovered, and divided in any British Colony or Plantation in America.

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