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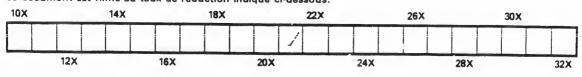
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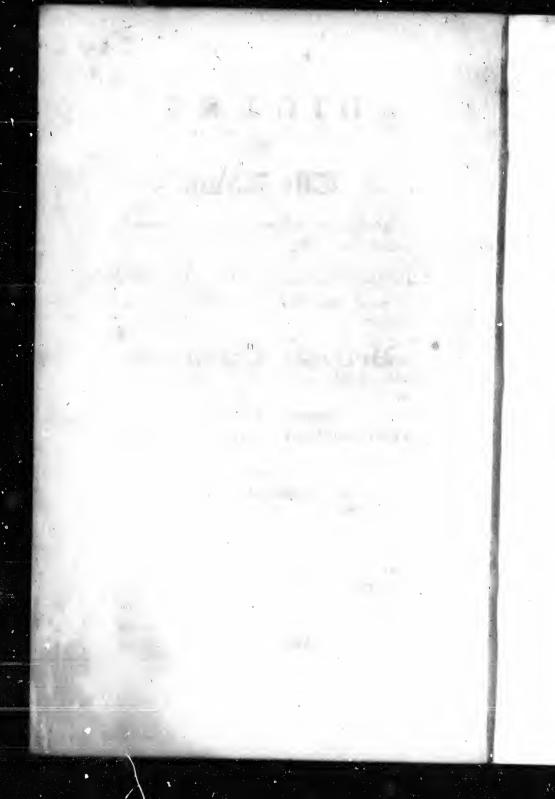
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# DIGEST

OF

# The Laws

(From 12 CHARLES II. to 58 GEORGE III. inclusive)

RELATING TO

SHIPPING, NAVIGATION, COMMERCE, AND REVENUE,

IN THE

# British Colonies

IN AMERICA AND THE WEST INDIES,

ABOLISHING THE SLAVE TRADE.

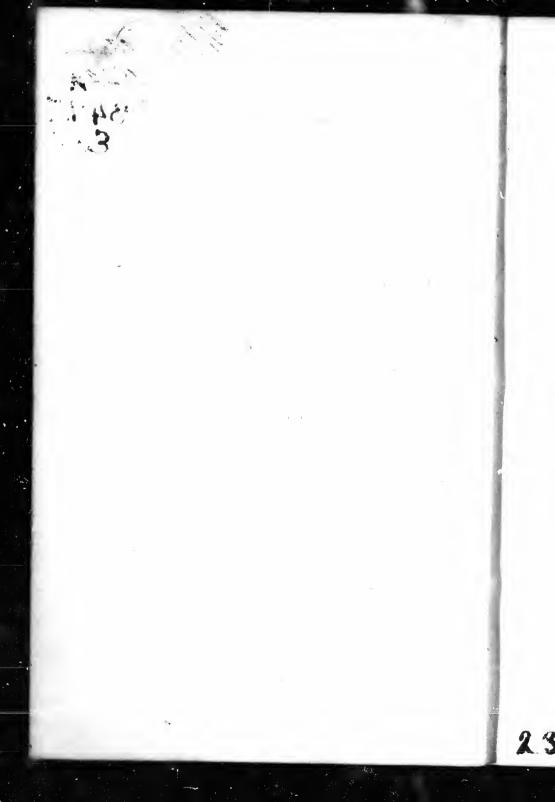
By WILLIAM EARNSHAW,

Solicitor for the Customs for the Northern Ports of England and Wales.

-PUBLISHED BY PERMISSION OF THE HONOURABLE THE COMMISSIONERS OF HIS MAJESTY'S CUSTOMS.

### LONDON:

PRINTED BY A. STRAHAN, L., W-PRINTER TO THE RING'S MOST EXCELLENT MAJESTY. 1818.



IN publishing a Work of this Nature it is necessary to premise that the European Colonies in America and the West Indies are of Two Descriptions-First where the Lands are claimed by Right of Occupancy only, by finding them desert and uncultivated and peopling them from the Mother Country; and, Secondly, when already cultivated, they have been either gained by Conquest or ceded by Treaties; and both these Rights are founded upon the Law of Nature, or at least, upon that of Nations. The Colonies belonging to Great Britain are, principally, of this latter Description, and therefore the Common Law of England, as such, has no Authority there, being distinct (though dependent) Dominions: They are subject, however, to the Controul of the Parliament of Great Britain, though not bound by any Act, unless particularly named.\*

With respect to Countries gained by Conquest, the Inhabitants, once received under the King's Protection, become Subjects, and are to be universally considered in that light, not as Enemies or Aliens; and although the King,

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without

<sup>\*</sup> Commentaries on the Laws of England.

without the Concurrence of Parliament, has a Power to alter the old and introduce new Laws in a conquered Country, he cannot exempt an Inhabitant from the Laws of Trade, or from the Power of the Parliament of Great Britain, or give him Privileges exclusive of his other Subjects.\*

The Form of Government in most of the *British* Colonies is borrowed from that of England; and the Laws passed by their General Assemblies and Council, with the Concurrence of the Governor, are of the same Validity in the Colonies, as Acts of Parliament are in the Mother Country; unless repugnant to any Law made in Great Britain relative to the Colonies, in which Case they are utterly void and of no Effect †.

It has been the Policy of the different Nations of Europe, with regard to their Colonies, to secure to themselves respectively the most important of their Productions, and retain exclusively the great Advantage of supplying them with European Produce and Manufactures; Commercial Monopoly is therefore the leading Principle of Colonial Intercourse.

The British Colonies in the West Indies (in so many respects dissimilar in Nature and Situation from those in North America) are of great Value and Importance, for their Cultivation is devoted to Objects which the Mother Country

cannot

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#### iv

<sup>\*</sup> Campbell v. Hall, (Cowper's Reports.)

<sup>+ 7 &</sup>amp; 8 W. III. Ch. 22.

cannot produce, and which, from their extensive Consumption, afford the surest Means of balancing her Foreign Trade.

They answer in every point of view all the Purposes and Expectations for which Colonies have at any Time been established. Their Productions are not only sufficient for the Consumption of the Mother Country, but afford the Means of a large Export to Foreign Markets, of many valuable and most necessary Commodities, none of which interfere in any respect with her own Productions, and most of which she cannot obtain on equal Terms elsewhere ; and, as many of these Commodities yield a Profit so much beyond what can be obtained from the Cultivation of Grain, it is true Economy in the Planter to buy Provisions from others rather than raise them by his own Labour. The Trade of the West Indies, therefore, supports and increases British Commerce and Navigation in Time of Peace, and very eminently tends to invogorate her Operations in War.

A Series of Regulations, Restrictions, and Prohibitions have therefore been devised, to secure to Great Britain the exclusive Trade of her Colonies; no Goods are to be imported or exported in Foreign Shipping; no Commodity whatever, the Growth or Production of Europe, is allowed to be imported into the Colonies, unless laden in the Mother Country, except certain Articles and Implements for the Fish-A 3 eries,

eries, and Wine from the Madeiras or Azores. Before the lading Sugar, Coffee, and many Articles of Colonial Production, Security must be given to convey them to some other British Colony, or to the United Kingdom. These latter Articles being enumerated in the Navigation Acts, have for that reason, been called "*Enumerated*." Other Articles, not included in the Enumeration; may be exported directly to any Countries of Europe, not being to the Northward of Cape Finisterre.

Amongst other Regulations for securing the due Execution of the Navigation Acts, a Duty was imposed upon 'the principal Enumerated Commodities when not intended to to be conveyed to Great Britain; for it had been found that, under colour of shipping the Articles for another British Colony or Plantation, they were often vended at Sea to the Shipping of other Nations, or transported to Europe direct.

The Enumerated Articles are of Two Sorts— First, such as are either the peculiar Produce of America, or as cannot be produced (or at least are not produced) in the Mother Country; —Secondly, such as are not the peculiar Produce of America, but which are or may be produced in the Mother Country, though not in such Quantities as to afford a sufficient Supply, and have therefore been obtained from European Countries.

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By confining the Enumerated Articles to the Home Markets, the Merchants are not only enabled to buy them cheaper in the Plantations, and consequently sell them at a better Profit at Home, but to establish between the Plantations and Foreign Countries an advantageous carrying Trade, of which Great Britain was necessarily to be the Centre or Emporium, as the European Country into which the Articles were first to be imported. The Importation of Articles of the Second Kind are so managed as to interfere, not with the Sale of those of the same Kind which were produced at Home, but, with the Sale of those imported from Foreign Countries, because, by means of proper Duties, they might be rendered always dearer than the former, and yet much cheaper than the latter. This was intended to operate as a Discouragement to the Produce, not of Great Britain, but of some Foreign Countries with which the Balance of Trade was held to be unfavourable to Great Britain.\*

This System has in view Two Objects—First, the Increase of our Naval Strength; Secondly, the securing to the Parent State all the Emoluments arising by the Monopoly both of the Imports and Exports; and another Advantage is, that we receive from our Colonies all the Products, Raw, and in the first state, and send to them every thing in the last stage of Manufacture. But " Laws, which made the Interest

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\* Dr. Adam Smith's Wealth of Nations.

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" of a whole People subservient to that of " another residing at the Distance of 3,000 " Miles, were not likely to execute themselves " very readily, nor was it easy to find many on " the Spot who could be depended upon for " carrying them into Execution †."

More effectually to prevent the Frauds and Abuses that had existed to the Prejudice of the British Navigation, and the Loss of a great Part of the Trade of the Colonies, many additional Regulations have been directed to be observed, the most material of which are-that the Masters of Ships coming into or going out of the British Colonies shall report, and, if inward bound, before proceeding to the Place of unlading; that all Ships and Goods shall be subject to the same Rules, Restrictions, Penalties, and Forfeitures to which Ships and Goods in England are subject by 13 & 14 Car. II. c. 11.; that Officers shall be appointed as often as may be needful; that no British Ships shall be qualified to trade to the said Colonies unless registered; that no Goods shall be shipped to be carried from one British Colony or Plantation to another, without a Sufferance from the proper Officers, nor conveyed from thence without a Cocket, except laden in Boats or small Vessels under Twenty Tons, and carried within inland Waters, and not farther out to Sea than One League; that no Ship carrying Goods to or

\* Mr. Reeve's History of Law of Shipping and Navigation. from

from the British Colonies, or from one Colony to another, shall be deemed qualified to trade, until the Master shall prove on Oath that she is the identical Ship registered, that she belongs to His Majesty's Subjects, and that no Foreigner has any Share or Interest therein.

It has been deemed expedient, however, to depart in some Measure from the Colonial System, by permitting the Exportation of most of the principal Enumerated Commodities from the Sugar Colonies direct to Malta and Gibraltar, and allowing the Exportation of a great Variety of European Articles from Malta and Gibraltar direct to the said Sugar Colonies, and to Newfoundland, Bermuda, and the Colonies in North America; also Oranges and Lemons from the Azores or Madeiras : To extend also the Trade of the North American Colonies and encourage the Fisheries, the Lading of other Articles is permitted in Ports of Europe South of Cape Finisterre, on board Ships arriving from the said Colonies, either with Articles the Production thereof, or with British American Fish; finally, Dutch Proprietors in Demerara, Berbice, and Essequibo, may export the Produce of their Estates to the Netherlands, and import from thence into those Colonies the necessary Articles of Supply for the Cultivation of such Estates, and the Clothing and Maintenance of the Residents thereon, and the Trade to and from the Netherlands may be carried on in Dutch Ships. Such

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Such is briefly the Nature of the Law and Policy regarding "the Trade with Europe;" and as none of the Countries South of Cape Finisterre are Manufacturing Countries, it is not considered that any Injury can arise in consequence of the Departure from our Colonial System in favour of those Countries.

With respect to the Trade "between the Colonies," both in the Enumerated and the Nonenumerated Commodities, it is perfectly free, except as to Hats, Wool, and Woollen Manufactures, the Exportation of which is wholly prohibited to any Place; this Prohibition was intended to prevent the Establishment of any Manufactures of such Commodities in the British Colonies, to the Injury of the Export Trade of the Mother Country.

Ever since the Independence of the "United States," the Trade of the British Colonies has been subject to particular Limitations and Restrictions, with respect to its Intercourse with that Country. Having broke off their Political Connexion with Great Britain, and become our Rivals in Trade and Manufactures, it was thought necessary to confine the "Imports" to Tobacco, Naval Stores, and such Articles as the British Colonies did not produce in sufficient Quantities for their Use and Consumption, and which could not be obtained elsewhere, and to confine the "Exports" to some Enumerated Commodities and Goods not prohibited to Foreign Countries

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in Europe; such Articles and Goods being imported and exported by British Subjects and in British Ships, except as to Importations into Bermuda of the Articles first-mentioned, and Exportations from the Bahamas of the Article of Salt.

To prevent a circuitous Trade in the Articles permitted to be imported direct, Articles of the like Description are prohibited to be imported from the Islands and Colonies under the Dominion of "Foreign European Sovereigns or States," except in Cases of public Emergency or Distress, when the Governors, with the Consent of their respective Councils, may authorize the Importation of the Articles for a limited Time from any of the said Islands or Colonies; but an Act passed in the last Session of Parliament\* to permit the Importation of some of the Articles for such Supply without Authority from the Governors; and by another Act of the last Sessionst His Majesty is authorized to open Ports in Nova Scotia and New Brunswick for the Importation of Lumber, Cattle, Corn, Provisions, and other Articles in British Ships or in Ships belonging to the Subjects of *xny* State in Amity with His Majesty, but none of the Articles are to be imported in Foreign Vessels, unless the Produce of the Country to which the Vessels importing the same shall belong. The Act also

\* 58 G, III. Ch. 27.

† 58 G. III. Ch. 19. This is a temporary Law to continue in force for Three Years, and until Six Weeks after the Commencement of the then next Session of Parliament.

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allows the Exportation of Goods from those Ports to Foreign Countries either in British or Foreign Vessels, but no Exportations are allowed in Vessels of the *latter Description*, unless they belong to *the Country* to which the Goods are to be exported.

A very lucrative Trade had always been connived at in the West Indies, between the Spanish and English Colonies; and Orders in Council were issued soon after the passing of the Navigation Act, which expressly directed that Spanish Ships should be allowed to import into our Colonies particular Articles of Commerce, notwithstanding the Provisions of the Navigation Acts.\*

It has since been considered that "opening Ports in the West Indies," for the more free Importation and Exportation of Goods under certain Restrictions and Limitations, would be productive of considerable Advantage to the Manufactures of the Mother Country, and be a Means of increasing and extending the Trade and Navigation of His Majesty's Dominions: Acts have therefore been passed to permit a Variety of Articles to be imported into Ports in the West Indies from Colonies under the Dominion of Foreign *European* Sovereigns or States, in Ships owned and navigated by the Inhabitants thereof; particular Commodities may also be exported in such Ships.

To point out, however, the specific Articles affected by our Colonial and Navigation System,

\* Mr. Reeve's Law of Shipping.

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and the particular Regulations applicable to so important a Branch of Commerce, is a Matter of much Difficulty, owing to the Multiplicity of Articles, and their being subject, in many Instances, to distinct Regulations provided by Acts passed at remote Periods, by which the legality of the Importation or Exportation, as the Case may be, will sometimes depend upon the Place or Country where the Article is produced or manufactured, or from whence shipped and brought; or the Port or Colony into which imported, or from whence exported ; the Built, Property, and Manning of the Ship; the Necessity of the Importation, and whether under proper Authority; and lastly, whether by His Majesty's Subjects or Aliens : These are important Considerations, as affecting our Colonial and Navigation System, and by which the Legislature appears to have been principally influenced in regulating and restricting the Trade and Commerce of the British Colonies. Independently of these Considerations, it is to be observed, that some Articles are absolutely prohibited to be exported to Foreign Countries ; others are subject to Duty on Importation under different Circumstances, such as the Place or Country of their Production, or from whence brought; some Articles are liable to Duty on Exportation, according to the Place to which exported, or the Circumstances under which shipped, and many Regulations are provided for the Security of the Revenue, and the regular landing and shipping of the Article.

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It occurred to the Compiler, that the Difficulty arising from the present perplexed state of these Laws could only be obviated, by arranging them under such appropriate Heads and Titles, as the Nature of the Subject might require. The Acts relating to the same Matters would thus be brought into the closest point of view, and arranged in such Order as might best contribute to render them intelligible; this Plan is an Improvement upon all former Compilations, where the Laws are classed under the general Head " Plantations " or " British Dominions Abroad," which occasions tedious and intricate research, whenever it is necessary to refer to the Laws applicable to a particular Colony or Country, such as "Canada," "Newfoundland," " Europe," " United States ;" or to particular Commodities, such as " Sugar," " Coffee," " Tobacco," " Wood ;" and a variety of Acts affecting each of these Countries and Articles, have passed at very remote Periods.

The present Alphabetical Digest has therefore been compleated, in which the whole Law is brought together under the specific Article, Country, or Subject treated of, and the Acts are arranged so as to shew their Connexion with and Dependance on each other.

In abstracting the different Laws, the Substance thereof is conveyed in the Words used by the Legislature, and although more concise, yet nothing has been omitted which can be in any way material for the Information of the Reader;

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Reader; and to give the utmost Facility to research, Marginal Notes have been framed by the Compiler with the greatest Care and Attention.

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ie ;; Some of the Acts of Parliament which relate to Trade and Navigation in the British Colonies and Plantations in America, equally apply to Trade and Navigation in the United Kingdom and other Parts of His Majesty's Dominions, particularly the Acts arranged under the Head, "Aliens," "Navigation of British Ships," and "Registry of British Ships ;" the present Work may therefore be considered of Utility to the Owners and Masters of British Ships generally.

The Policy of these Laws having been before adverted to, it seems necessary to apprize the Reader, that the Propriety of carrying them into Execution according to their strict enactment, became a Subject of mature Consideration in the Case of the "Betty Cathcart," libelled and condemned at Jamaica for trading without a Register; but upon appeal to the High Court of Admiralty, the Sentence was reversed by the present Judge of that Court; upon which Occasion his Lordship observed, that "the Revenue and " Navigation Laws are certainly to be construed " and applied with great exactness; they are " framed for the Security of great national In-" terests; and the Effect of such Laws, founded " on great Purposes of public Policy, must not " be weakened by a minute tenderness to par-" ticular Hardships; at the same time, it is " not to be said, that they are not subject to all " Con-

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" Considerations of rational Equity. Cases of " unavoidable Accident, invincible Necessity, " or the like, where the Party could not act " otherwise than he did, or has acted at least " for the best, must be concidered in this System " of Laws as in other Systems. Laws that " would not admit an equitable Construction to " be applied to the unavoidable Misfortunes or " Necessities of Men, or to the exercise of a fair " Discretion under Difficulties, could not be " Laws framed for human Societies. The Court " therefore will not deem it a departure from " the Duty of leg al Interpretation in such Cases " to give a fair Attention to Considerations of " this Nature\*."

In furtherance of the Principles here laid down, the Legislature, with a view to afford Relief to Merchants and Ship Owners, has empowered the Lords of the Treasury and the Commissioners of His Majesty's Customs to restore Ships or Goods seized under the Navigation Laws, if it shall appear to their Satisfaction that the Forfeiture arose without any Design of Fraud in the Proprietor; and in Cases where their Lordships or the Commissioners exercise the discretionary Power vested in them, no Proceedings can be had either against the Ship or Goods, or for the Recovery of the Share to which the Seizing Officer would be entitled after Condemnation.

\* See Robinson's Reports, Vol. I.

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## Actions.

1. IN case any Officer in the Plantations in America shall be sued or molested for any Thing done in the Execution of his Office, he may plead the General Issue, and give this and other Custom Acts in Evidence, and the Judge shall allow thereof; and such Officer shall enjoy the like Privileges and Advantages as are allowed by Law to the Officers of the Customs in England. 7 & 8 W. 34 c. 22. § 6.

2. In any Action commenced in Great Britain or America, against any Person for any Thing done in lowed Treble pursuance of this or any Act relating to the Customs, Cofts. the Defendant may plead the General Issue, and give the Act and Special Matter in Evidence upon any Trial to be had thereupon, and that the same was done by Authority of such Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs. 4 Geo. 3. c. 15. § 47.

## Alabaster, (Rough and Worked).

May be exported from Malta or any of the De- Importation pendencies thereof, or from Gibraltar, direct to any allowed from of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. e.4. §1.

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See GIBRALTAR. MALTA.

Malta or Gibraltar.

Defendants al-

1. No

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Not to act as Merchants or Factors.

Except in the Surrendered Colonies

-7

British Artificers and Manufacturers using or teaching their Art in a Foreign -Country deemed -Aliens.

Children of the King's Subjects, born out of Legiance of His Majesty, to be deemed British. 1. No Alien, or Person not born within the Allegiance of the King, or naturalized or made a free Denizen, shall exercise the Trade or Occupation of a Merchant or Factor in any Land, Island, Plantation or Territory to His Majesty belonging or in His Possession, or which may hereafter belong unto or be in the Possession of His Majesty, in America, upon Forfeiture of all his Goods and Chattels, or which are in his Possession; One Third to His Majesty, One Third to the Governor of the Plantation where such Person shall so offend, and the other Third to the Person that shall sue for the same in any of His Majesty's Courts in the Plantation where such Offence shall be committed. 12 Car. 2. c. 18. § 2.

2. Every Person, although an Alien born, and neither naturalized nor made a free Denizen, who shall reside in any Island or Place which has surrendered in the West Indies, or which shall hereafter surrender to His Majesty, and be in His Majesty's Possession, and who shall liave taken the Oath of Fidelity and Allegiance to His Majesty, according to the Terms of the Capitulation under which such Island or Place shall have surrendered, shall from the Time of such Surrender be entitled to exercise the Trade of a Merchant or Factor in any such Island or Place, so long as the same shall remain in the Possession or be under the Protection of His Majesty, according to such Laws and Regulations as His Majesty's Subjects shall be liable to in the same Island or Place. 34 Geo. 3. c. 42. §6.

3. If any of the King's Subjects within this Kingdom, being an Artificer or Manufacturer of or in Wool, Iron, Steel, Brass, or any other Metal, Clockmaker, Watchmaker, or any other Artificer or Manufacturer of Great Britain, shall go into any Country out of His Majesty's Dominions there to use or teach any of the said Trades or Manufactures to Foreigners, or shall not return within Six Months after Warning given hun by the British Ambassador, Minister, or Consul, Cr SoryPerson authorized by him, or by a Secretary of Suare, and from thenceforth continually inhabit in this Realm, he shall be deemed an Alien. 5 Geo. 1. c. 27. § 3.

4. The Children of natural-born Subjects, born out of the Legiance of the Crown of Great Britain, shall be entitled to the Rights and Privileges of natural-born Subjects of Great Britain, and shall be taken to be naturalborn Subjects, as if born in this Kingdom; provided that nothing in these Acts shall repeal or alter 5 Geo. 1. c. 27. ł

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c. 27. relative to Artificers or Manufacturers. (See No. 3.) 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. § 1. 6. 13 Geo. 3. c 21. § 1.

5. Provided that Children born out of the Legiance of But Children of the Crown of Great Britain, are not to be deemed natural- Persona liable to born Subjects, whose Fathers at the Time of the Birth of Treason or such Children were attainted of High Treason, or liable Felony, or in to the Penalties of High Treason or Felony in case of the Service of a returning to this Kingdom, or whose Fathers at the Time deemed Aliens. of the Birth of such Children were or shall be in the Service of any Foreign Prince or State then in Enmity with Great Britain. 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. § 2. 13 Geo. 3. c. 21. § 2.

6. His Majesty may at all Times, when it shall be Seamen serving found necessary to declare War against any Foreign during War on Power, publish a Proclamation to permit all Merchant Ships or Pri-Ships and other Trading Vessels and Privateers to be vateers for Two manued with Foreign Mariners and Seamen during such British. War; and upon the publishing such Proclamation every such Mariner and Seaman who shall have faithfully served during the Time of War on board any of His Majesty's Ships of War, or any Merchant or other Trading Ship or Privateer (which at the time of such Service shall belong to any of His Majesty's Subjects of Great Britain) for Two Years, shall be deemed to be a natural-born Subject of Great Britain, and enjoy all the Privileges, Powers, Rights, and Capacities which he would have enjoyed in case he had been a natural-born Subject of His Majesty, and actually a Native within Great Britain. 13 Geo. 2. c. 3. § 2. 4.

7. No Person who shall be naturalized by virtue of this sons disqualified Act shall thereby be enabled to be of the Privy Council, from being Offi-cers of State, or a Member of either House of Parliament, or to take any Members of Office or Place of Trust either Civil or Military, or have Parliament, any Grant of Lands, Tenements, or Hereditaments from the Crown to himself, or any other Person in Trust for having Grants him. 13 Geo. 2. c. 3. § 3.

8. All Persons born out of the Legiance of His Ma- Having resided jesty, having resided for Seven Years or more in any of His Majesty's Colonies in America, and who shall Colonies in not have been absent longer than Two Months at any America, and one time during the Seven Years, and shall take and taken certain subscribe the Oaths, and repeat and subscribe the Deals Oaths, &c. to be subscribe the Oaths, and repeat and subscribe the Decla- deemed British ration appointed by 1 Geo. 1. ch. 13, and shall make and Subjects. subscribe the Declaration of Fidelity, and take the Ab-

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board Trading Years deemed

cers of State, holding Offices of Land.

Seven Years in His Majesty's

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Allegie Denia Mertion or session, Posses of all his session; overnor nd, and he same n where 18. § 2. neither l reside in the to His ud who iance to tulation endered. titled to ny such n in the Majesty, lis Masland or

King-Wool, kmaker, facturer t of His of the hall not hua by Car Bary i State, Realm, § 3. orn out shall be rn Subnaturalprovided Geo. 1. c. 27.

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juration Oath, and also make and subscribe the Profession of his Christian Belief, before the Chief Judge or other Judge of the Colony wherein such Persons have so resided, shall be taken to be His Majesty's naturalborn Subjects of this Kingdom to all Intents and Purposes, as if born within this Kingdom; which said Oath or Affirmation, and Subscription of the said Declarations, the Judge of the Colony is empowered to administer and take; and the taking and subscribing of every such Oath or Affirmation, and the repeating and subscribing every such Declaration, shall be before such Judge in open Court, between the Hours of Nine and Twelve in the Forenoon, and shall be entered in the same Court, and also in the Secretary's Office of the Colony wherein such Person shall so reside; and every Judge of such Colony is required to make a proper Entry thereof in a Book to be kept for that Purpose in the said Court, for which Two Shillings and no more shall be paid, under Forfeiture of Ten Pounds for every Neglect or Omission; and every Secretary of the Colony wherein any Person shall so take the said Oaths or Affirmation, and repeat and subscribe the said Declarations respectively, is required to make a proper Entry thereof in a Book to be kept for that Purpose in his Office, upon Notification thereof to him by the Judge, under the like Forfeiture for every Neglect or Omission. 13 Geo. 2. c. 7. §1.

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9. All Foreign Protestants who conscientiously scruple the taking of an Oath, having resided for the Space of Seven Years or more in any of His Majesty's Colonies in America, and not been absent longer than Two Months at any one Time, and who shall subscribe the Declaration of Fidelity, and affirm the Effect of the said Abjuration Oath, and also subscribe the Profession of his Christian Belief before the said Judge, shall be taken to be natural-born Subjects of this Kingdom to all Intents and Purposes; which said Affirmation and Subscription of the said Declaration the Judge is empowered to administer and take; and the taking of such Affirmation, and the subscribing of such Declaration, shall be in such Manner and Place, and at such Times and Hours and such Entries made thereof, and for the same Fees, and under the same Penalties, as mentioned in 13 Geo. 2. c. 7. (See No. 8.) 20 Geo. 2. c. 44. § 1.

10. No Persons, except Quakers, and such as profess ized by virtue of the Jewish Religion, shall be naturalized by virtue of these

Protestants who scruple the taking of an Oath.

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Persons natural-

scruple pace of onies in Months )eclaraid Abı of his aken to Intents cription ered to mation, be in Hours e Fees, Gco. 2.

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these Acts, unless they shall have received the Sacrament these Acts must of the Lord's Supper in some Protostant and Reformed receive the Sa-Congregation within this Kingdom, or within some of Quakers and the said Colonies in America, within Three Months next Jews. before their taking and subscribing the said Oaths, or making such Affirmation, and making and subscribing the said Declaration, and who shall at the Time of taking and subscribing the said Oaths, and making and subscribing the said Declaration, produce a Certificate signed by the Person administering the said Sacrament, and attested by Two credible Witnesses, whereof an Entry shall be made in the Secretary's Office of the Colony wherein such Persons shall so reside, as also in the Court where the said Oaths shall be so taken, without any Fee or Reward. 13 Geo. 2. c. 7. § 2. 20 Geo. 2. c. 44. § 2.

11. Whenever any Person professing the Jewish Re- Jews taking the ligion shall present himself to take the Oath of Abjuration, the Words (" upon the true Faith of a Christian") shall be omitted, and the taking and subscribing the said Oath by such Person professing the Jewish Religion without the Words aforesaid, and the other Oaths appointed by the said Act, in like Manner as Jews were permitted to take the Oath of Abjuration, shall be deemed a sufficient taking the Oaths to entitle him to the Benefit of being naturalized. 13 Geo. 2. c. 7. § 3.

12. A Testimonial or Certificate under the Seal of any Certificate of of the said Colonies, of any Person's having resided there for Seven Years or more, to be specified in such Certificate, together with the particular Time of Residence in each Colony (whereof the Colony, under the Seal of which such Certificate shall be given, shall be one), and of his having taken and subscribed the said Oaths or Affirmation, and made and subscribed the said Declaration; and in case of a Quaker, of his having made and subscribed the Declaration of Fidelity, and taken and affirmed the Effect of the Abjuration Oath; and in the Case of a Person professing the Jewish Religion, of his having taken the Oath of Abjuration as aforesaid, within the same Colony under the Seal whereof such Certificate shall be given, shall be deemed to be a sufficient Testimony and Proof thereof, and of his being a natural-born Subject of Great Britain to all Intents and Purposes, and as such shall be allowed in every Court within Great Britain and Ireland, or in the said Colonies in America. 13 Geo. 2. c. 7. § 4.

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Oath of Abjuration.

Qualification as British Subjects.

13. Secre-

Protestants having served in the Royal American Regiment, or as Engineers, deemed British Subjects.

Children of Persons liable to the Penalties of Treason or Felony, or in the Service of a Foreign Prince, deemed Aliens.

May hold Offices or Places of Trust and Grant of Lands except in Great Britain and Ireland. 13. Secretaries of the said Colonies shall at the End of every Year transmit to the Office of the Commissioners for Trade and Plantations, kept in the City of London or Westminster, a true and perfect List of the Names of every Person who have in that Year entitled themselves to the Benefit of this Act, under the Forfeiture of  $\pounds 50$  for every Neglect or Omission, which Lists shall be regularly entered by the said Commissioners in a Book to be kept for that Purpose in the said Office, for public View and Inspection. 18 Geo. 2. c. 7. § 5.

14. All Foreign Protestants, as well Officers as Soldiers, who have served in the Royal American Regiment, or as Engineers in America, for Two Years, and shall take and subscribe the Oaths, and make, repeat, and subscribe the Declaration before mentioned (See Articles 8 & 9.), and shall at the Time of subscribing the said Oaths, and making and subscribing the said Declaration, produce Certificates, signed in Manner before directed, of their having received the Sacrament in some Protestant and Reformed Congregation within Great Britain, or some of the said Colonies in America, within Six Months before that Time, shall be deemed to be His Majesty's natural-born Subjects to all Intents and Purposes, as if they had been born within this Kingdom. 2 Geo. 3. c. 25. § 1.

15. But not to naturalize any Children whose Fathers at the Time of the Birth of such Children were attainted of High Treason, or liable to the Penalties of High Treason or Felony in case of their returning to this Kingdom, or whose Fathers at the Time of the Birth of such Children were or shall be in the actual Service of any Foreign Prince or State in Enmity with the Crown of Great Britain, all which Children shall remain in the same State and Condition as they would have been if these Acts had not been made. 13 Geo. 2. c. 7. 20 Geo. 2. c. 44. 2 Geo. 3. c. 25.

16. Every Person who has or shall become His Majesty's natural-born Subject by virtue of these Acts, shall be deemed to be capable of holding any Office or Place of Trust, either Civil or Military, and of holding any Grant of Lands, Tenements, and Hereditaments from the Crown to himself, or to any others in Trust for him, as well under the Great Seal of Great Britain as otherwise (except Offices and Places, and Grants of Laud, Tenements, and Hereditaments within Great Britain

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me His se Acts, Office or holding taments rust for itain as ants of Great Britain

Britain and Ireland), but shall not be thereby enabled to be of the Privy Council or a Member of Parliament. 2 Geo. 3. c. 25. § 6. 13 Geo. 3. c. 25. §. 1.

17. Any Subject of the Territories belonging to the Subjects of the United States of America, who shall come from thence with their together with his Family to any of the Bahama or Ber- Families, coming muda or Somers Islands, or to the Province of Quebec to settle in ceror Nova Scotia, or any of the Territories belonging to His Majesty, His Majesty in North America, for the Purpose of re- may import siding and settling there, having obtained a Licence for that Purpose from the Governor, or in his Absence the Hufbandry, and Lieutenant Governor of the said Islands, Colonies, or Clothing, Duty Provinces respectively, may import into the same, in a British Ship owned by His Majesty's Subjects, and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of £50 for every White Person that shall belong to such Family, and the Value of 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

18. No Person shall be deemed qualified to be the Persons who Master of a British Ship, or to be a British Seaman or Mariner, within the Meaning of any Act now in force, Masters of except the natural-born Subjects of His Majesty, or Per- British Shipe, sons naturalized by Act of Parliament, or made Denizens Seamen, or Mariners. by Letters of Denization, or except Persons who have become His Majesty's Subjects by virtue of Conquest or Cession of some newly acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into His Majesty's Possession, except as is herein-after provided. 34 Geo. 3. c. 68. § 6.

19. Every Foreign Seaman or Mariner who has served or who shall serve on board any of His Majesty's Ships of War, in Time of War, for Three Years, either in the same Ship or in different Ships, and who shall have obtained a Certificate from the Captain or Captains thereof, or, in case of Death, upon the Certificate of the Officer who shall have been next in Rank to such Captain, testfying that he has so served, and his faithful Service and good Behaviour during the Time of such Service, and who shall also have taken the Oath of Allegiance to His Majesty before some Justice of the Peace or Principal **B**4 Magistrate

United States tain Colonies of Furniture, free.

Seamen, or

Serving Three Years on board Ships of War deemed British under particular Restrictions and Regulations.

Magistrate of some City or Town in His Majesty's Dominions, or before the Principal Officer of His Majesty's Customs in any of His Majesty's Dominions, and who shall obtain a Certificate from such Justice of the Peace, Principal Magistrate, or Chief Officer, of his having taken such Oath (which Certificate they are required to give upon Payment of One Shilling), shall be entitled to be employed as a Master of a British Ship, or as a British Seaman or Mariner on board any British Ship, within the Meaning of any of the Laws now in force; but no such Foreigner shall be entitled to become Master of any British Ship or to be employed as a British Seaman or Mariner, unless he shall have delivered the beforementioned Certificate or Certificates of the Time he shall have served, and of his faithful Service and good Behaviour, and the before-mentioned Certificate of his so having taken the Oath of Allegiance, to the Collector or other Chief Officer of His Majesty's Customs in London, Chatham, Portsmouth, or Plymouth, or in Dublin, Cork, Galway, or Londonderry, to be filed by such Collector or other Chief Officer of the Customs, who are required to deliver to such Foreign Sailor, Seaman, or Mariner, an attested Copy thereof upon paying One Shilling. 34 Geo. 3. c. 68. § 7. 42 Geo. 3. c. 61. § 8.

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20. No Person qualified to be the Master of a British Ship, or a British Sailor, Seaman, or Mariner, by Birth, Naturalization or Denization, Conquest, or Service, in manner before-mentioned, and who shall take any Oath of Allegiance to any Foreign Sovereign or State, for any Purpose except under the Terms of some Capitulation, upon the Conquest of any of the Dominions of His Majesty by the Enemy, for the Purpose of obtaining the Benefit of such Capitulation only, shall be deemed to be qualified to be the Master of a British Ship, or a British Sailor, Seaman, or Mariner, within the Meaning of any of the Laws of Navigation, unless such Person shall have taken such Oath of Allegiance before he became so qualified ; and any Person who shall, after having become disqualified by taking such Oath of Allegiance, take the Command of any British Ship, shall for every Offence forfeit £100; and every Person who shall, after having become so disqualified, engage to serve as a British Sailor, Seaman, or Mariner on board any such Ship, shall forfeit for every Offence 210; such Forfeitures to be recovered upon Conviction before a Justice of the Peace, if any such

Persons taking Oath of Alleg<sup>2</sup>ance to a Foreign Sovereign or State not to be deemed British Subjects, unless such Oath was taken before their Qualification, except in certain Cases.

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British y Birth, vice, in iy Oath for any ulation. lis Maing the d to be British of any all have o qualime disike the Offence having Sailor, l forfeit covered if any such

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such Offence shall be committed in Great Britain, and before any Member of the Supreme Court of Justice or any Justice of the Peace, if such Offence shall be committed in Guerusey, Jersey, or Man, or in any Colony, Plantation, or Territory to His Majesty belonging in America ; but no Ship on board whereof any Person dis- Ships not forqualified shall be employed as Master, Seaman, or Ma- feited if Disriner, shall be forfeited by reason thereof, if the Owners shall shew that the Disqualification of the Master was Owners and unknown to such Owners or to their Agent, and that the Master respec-Disqualification of the Seaman or Mariner was unknown to such Owners or to their Agent, and to the Master of such Ship, at the Time of engaging such Person so disqualified; and in the Navigation on the Seas of Ame- Negroes may be rica and the West Indies, from any Port of America employed in and the West Indies to any Port of America and the the Seas of West Indies, any Negroes belonging to Persons having America and the become His Majesty's Subject: as aforesaid and with the Qualifications aforesaid, and in the Seas to the Eastward of the Cape of Good Hope, from any Port to the Eastward of the Cape of Good Hope to any other Port to the Eastward of the Cape of Good Hope, Lascars and other Natives of any of the Countries to the Eastward of the Cape of Good Hope, may be employed as British Sailors, Seamen, or Mariners, in manner heretofore practised 34 Geo. 3. c. 68. § 8.

21. But nothing in this Act shall extend to take away Proclamation or restrain the Effect of any Proclamation His Majesty under 13 Geo. 3. may make by virtue of 13 Geo. 3. c. 2. (See No. 6.) 34 Geo. 3. c. 68. § 9.

qualification

unknown to

Navigation on

West Indies.

tively.

## Almonds, Amber, Anchovies, Aniseed,

May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundlaund, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR. MALTA.

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A Free Port.

## Antigua.

The Port of Saint John's in Antigua, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

## Antonio.

A Free Port.

Must be taken on board Ships

trading to the

West Indies.

One of the Free Ports in Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 5 Geo. 3. c. 57.

See FREE PORTS.

## Apprentices.

Every Master of any Merchant Ship trading to His Majesty's Colonies and Plantations in the West Indies, shall have on board, at the Time of clearing out from Great Britain, One Apprentice under the Age of 17 Years, duly indentured for Three Years, for every 100 Tous Admeasurement, according to the Certificate of Registry; and the Indenture of every Apprentice shall be enrolled at the Custom-house of the Port from whence such Ship shall clear out, with the Collector or Comptroller, within One Month after the Execution thereof; and such Apprentice shall be exempt from serving in His Majesty's Navy for Three Years from the Date of the Indenture; and the Owners or Master neglecting to enrol the Indenture shall forfeit  $\pounds 10$ . One Moiety by the Owners, and the other by the Master. 37 Geo. 3. c. 73. § 4.

## Argol.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo 3. c. 4. § 1.

See GIBRALTAR. MALTA.

## Artificers.

If any of the King's Subjects within this Kingdom, being an Artificer or Manufacturer of or in Wool, Iron, Steel, Brass, or any other Metal, Clockmaker, Watchmaker, 10

Importation allowed from Malta or Gibraltar.

British Artificers and Manufacturers using or teaching

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## Artificers.

maker, or any other Artificer or Manufacturer of Great their Art in Britain, shall go into any Country out of His Majesty's Dominions, there to use or teach any of the said Trades or Aliens. Manufactures to Foreigners, or shall not return within Six Months after warning given him by the British Ambassador, Minister, or Consul, or any Person authorized by him, or by a Secretary of State, and from thenceforth continually inhabit in this Realm, he shall be deemed an Alien. 5 Geo. 1. c. 27. § 3.

## Ashes (Pot and Pearl).

1. No Pot or Pearl Ashes of the Production or Must be brought Manufacture of the British Plantations in America shall to Great Britain he shipped or conveyed from ony of the said Disputcient or Ireland, or be shipped or conveyed from any of the said Plantations some British to any Place, unless to some other Plantation belonging Plantation. to His Majesty, or to Great Britain or Ireland, there to be laid on Shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

2. For every Ship which shall sail from Great Britain Bond to be given or Ireland for any British Plantation in America, Bond not to land shall be given with One Suraty to the Chief Offer shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of  $\pounds$ 1,000 if the Ship be of less Burthen than 100 Tons, and of £2,000 if of greater Burthen, conditioned, that in case the said Ship shall load any Pot or Pearl Ashes, or any enumerated Article (for the whole of which See "Goods Enumerated," No.1.), at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, the Danger of the Seas only excepted. And for every Ship coming from any other Port or Place to any of the aforesaid Plantations, which are permitted to trade there, the Governor shall, before the Ship be permitted to load any Pot or Pearl Ashes (or any enumerated Article), take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

3. The Master before he departs from any British Certificates to be Plantation, where he receives his Lading, shall take a taken by the Masters of Shipa. Certificate

a Foreign Country deemed

#### Ashes (Pot AND PEARL.)

Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs there, that Bond hath been given pursuant to the Directions aforesaid, and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Plantation, on Forfeiture of  $\pounds 100.$  4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1, 3. 33 Geo. 3. c. 63. § 2. 39 & 40 Geo. 3. c. 67. Art. 6.

4. If any Ship shall take on board any Pot or Pearl Ashes (or other enumerated Article) before Bond is given to the Governor that the Ship shall carry the said Articles to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland, that such Bond has been there duly given, or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place, other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on shore, every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demarara, Berbice, or Essequibo, in the Province of Guiana, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4, 8: See GUIANA.

6. In Cases where the Governor or Officers in any of the Plantations shall have reasonable Ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security

Forfeiture if shipped before Bond given, or if carried to other Places.

But not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

Governors or Officers suspecting Certificates to be false not to cancel Bonds, and Penalty on falsifying Certificates.

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## Ashes (Pot and PEARL).

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rity given in the Plantations, until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit \$ 500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

7. If any Officer of the Customs in Great Britain or Pendty on Ireland shall give any Warrant for or suffer any Pot or Officers suffering Pearl Ashes (or any enumerated Article) to be carried carried to other into any other Country or Place, until they have been Places. first put on shore in some Port in Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. §1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

8. The Governors or their Commanders in Chief of Governors or the said Plantations, are Once a Year at least, to return their Command-ers in Chief to to the Officers of the Customs in London, or to such transmit Lists of other Person as His Majesty shall appoint to receive the Bonds yearly to same, a List of all Ships as shall have laden any Pot or the Customs. Pearl Ashes (or any enumerated Article) in such Plantations, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations shall be found to have unloaded in any Port of Europe, other than Great Britain or Ircland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2. c. 26. \$12. 4 Geo. 3. c. 15. §27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

9. In all Bonds to be taken in the Plantations, the Per- Condition of sons therein named shall be of known Residence and Bond, and who Ability there for the Value mentioned in the Bond, the Obligors when Condition of which shall be, within 18 Months after the taken in the Date thereof (the Danger of the Seas excepted), to produce Plantations. a Certificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ireland, otherwise such Bond or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

10. In

#### Ashes (Pot and Pearl).

When taken in Great Britain or Ireland.

Bonds void if not prosecuted within Two Years of the Date, or if Judgment not obtained within Two Years after Prosecution. 10. In all Bonds which shall be entered into in Great Britain or Ireland, in pursuance of any Act, whereby the Goods therein enumerated are to be brought to Great Britain or Ireland, such Bonds shall be with Condition that, within 18 Months from the Date thereof (the Danger of the Seas excepted), a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced and Judgment to be obtained within the Times limited) shall be void, and all Bonds so void shall be delivered up by the Officers, to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

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#### **Assistance**, See "Writs of Assistance."

#### Azores.

1. Wines of the Growth of the Azores may be there laden for Exportation to any of the Plantations, Colonies, or Territories to His Majesty belonging or in His Possession in America. 15 Car. 2. c. 7. § 6.

2. Oranges and Lemons, the Produce of the Azores, may be shipped there for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports in British-built Ships owned, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

#### Bahamas and Bermuda.

1. No Goods shall be imported from any of the Territories belonging to the United States of America into the Bahama or Bermuda or Somers Islands, on Forfeiture thereof and the Ship, except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Headingboards, Timber, Shingles, and Lumber of any Sort, Horses.

Wines may be imported from thence;

also Oranges and Lemons.

No Goods to be imported from the United States, except the Articles hereinmentioned, and these only in British Ships; n Great reby the o Great Condireof (the be prohe Port ave been nds shall 15. § 27. Art. 6. or some he Bond if upon ce of the vo Yeárs n default ment to oid, and ficers, to 1. c. 13.

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## Bahamas and Bermuda.

Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, such Commodities being the Growth or Production of any of the Territories of the United States, but not to be so imported, except by British Subjects, and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 1, 2.

2. Except also Household Furniture, Utensils of Hus- and except cerbandry, and Clothing, by Subjects of the United States, brought by who shall come from thence, together with their Families, Settlers in such for the Purpose of residing and settling in the Islands, Shipping. having first obtained a Licence for that Purpose from the Governor, or, in his Absence, the Lieutenant Governor of the Islands respectively; provided such Household Furniture, &c. are imported in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the whole the Value of \$50 for every White Person that shall belong to the Family, and 40s. for every Negro there brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

3. Any of the Articles enumerated in 28 Geo. 3. Certain Articles c. 6. (See No. 1.) may be imported into the Port of in Foreign Ships St. George or the Port of Hamilton in Bermuda, from into St. George the United States, in any Foreign Vessel belonging to and Hamilton; any Country in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50. § 1.

4. In addition to the said Articles, it shall be lawful to also Fruit and import from the United States, in Ships of the Descrip- Vegetables. tion mentioned in the said Acts, (Nos. 1. and 2.) and under the like Regulations, Penalties, and Forfeitures, Fruit and Vegetables, being the Produce of the said States. 57 Geo. 3. c. 28. § 1.

5. None of the Articles enumerated in 28 Geo. 3. The like Articles ch. 6. shall be imported into the Bahama, Bermuda, or be imported from Somers Islands, from any Island in the West Indies, or Colonies under any Colony or Plantation on the Continent of South Foreign Euro-America, under the Dominion of any Foreign European except in Cases Sovereign or State, on Forfeiture thereof, and of the of Emergency, Ship, except by Authority of the respective Governors, and from Portuin case of public Emergency or Distress, for the Supply Trinadado and of the Inhabitants; except also from the Territories or Porto Rico. Dominions belonging to the Crown of Portugal in South America,

tain Articles

may be imported

#### Bahamas and Bernuda.

America, or from the Free Ports, and except certain Articles from Trinidado and Porto Rico. 28 Geo. 3. c.6. § 10, 11. 31 Geo. 3. c. 38, § 1. 33 Geo. 3. c. 50. § 13. 45 Geo. 3. c. 57. § 2. 51 Geo. 3. c. 47. § 5.

Sce FREE PORTS.

UNITED STATES.

Articles imported for the Supply of the Inhabitants, not to be exported; and before shipping Articles of the like Sort. Proof to be made that they were not imported for such Supply.

False Oaths decmed Perjury.

American Ships in Ballast may be laden with Salt in Turks Island.

Masters to report and answer **Ouestions** respecting the Voyage.

6. None of the Articles enumerated in 28 Geo. 3. c. 6. (See No. 1.) which have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into the Bahama, Bermuda, or Somers Islands, for the Supply of the Inhabitants, shall be exported from the said Islands, or put on board any Vessel or Boat, or brought to any Quay, with intent to be so exported, on Forfeiture thereof, and of the Vessel or Boat in which laden; and before shipping any Article of the like Denomination or Description, whether in a manufactured or unmanufactured State, that may lawfully be exported from the said Islands, the Exporter shall make Oath that the same or any Part thereof had not been imported, for the Supply of the Inhabitants, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. ' 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. §3, 4.

7. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

8. Any Ship belonging to the Inhabitants of the said United States of America, coming in Ballast and not otherwise, may enter the Ports of Turks Island, for the Purpose of being there laden with Salt only. 28 Geo. 3. **c.** 6. § 5.

9. The Master of such Ship shall, immediately after the Arrival in any Port in the said Islands, make a just and true Entry of his Ship upon Oath before the Collector or other principal Officer, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the Port, in order that such Ship may undergo the Search and Examination of the proper Officers

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## Bahamas and Bermuda.

Officers of the Customs; and such Master shall truly answer npon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other principal Officer, upon Forfeiture of £ 100. 28 Geo. 3. c. 6. § 6.

10. There shall be paid, for the Use of His Majesty, A Tonnage a Tonnage Duty of 2s. 6d. Sterling in Dollars, at the Duty to be paid, Rate of 5s. 6d. per Ounce, for every Ton of every such Tonnage to be Ship, and the Tonnage shall be ascertained by such ascertained. Officers as shall be appointed by the Commissioners of the Customs or any Four of them, who shall admeasure such Ship according to the following Method, viz.

" Drop a Plumb Line over the Stern of the Ship, and " measure the Distance between such Line and the " after Part of the Stern Post at the Load Water " Mark; then measure from the Top of the said " Plumb Line, in a parallel Direction with the " Water, to a perpendicular Point immediately over " the Load Water Mark, at the fore Part of the " Main Stern , subtracting from such Measurement " the abov Distance, the Remainder will be the " Ship's extreme Length, from which is to be de-" ducied Three Inches for every Foot of the Load " Draught of Water for the Rake abaft, and also " Three-fifths of the Ship's Breadth for the Rake " forward, the Remainder shall be esteemed the just " Length of the Keel to find the Tonnage, and the " Breadth shall be taken from Outside to Outside of " the Plank in the broadest Part of the Ship, either " above or below the Main Wales, exclusive of all " manner of Sheathing or Doubling that may be " wrought upon the Side of the Ship; then mul-" tiply the Length of the Keel for Tonnage by the " Breadth so taken, and that Product by half the " Breadth, and dividing by 94, the Quotient shall " be deemed the true Contents of the Tonnage." 28 Geo. 3. c. 6. § 7.

11. The Tonnage Duty shall be paid to the Collector Receipt and of the Customs, at the Port where he shall be appointed Appropriation to reside, before any Salt shall be laid on board, and such Duty shall be under the Management of the said Commissioners, and be paid and recovered in the like manner and under such Penalties and Forfeitures as any other Duties payable to His Majesty on Goods imported into any of the Plantations, Colonics, or Territorics belonging

of the Duty.

#### Bahamas and Bermuda.

to or under the Dominion of His Majesty in America or the West Indies are paid and recovered, and shall be subject to the Payment of the Salaries of the Officers and other incidental Charges of the Port; and the Residue shall be remitted to the Receiver General of the Customs in England, to be paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

12. No Goods shall be exported from Turks Island to any Part of His Majesty's Dominions in America or the West Indies, or be laden or laid on board any Ship for that Purpose, except Salt; and no Gooás shall be exported from the said Islands to Great Britain or Ireland, or laid on board any Ship for that Purpose, except Salt, and except such Goods as may be imported into Great Britain or Ireland from all other Countries free of Duties, under the Forfeiture of such Goods as shall be so exported or laden, and also of the Ship. 28 Geo. 3. c. 6. § 9.

13. Until 25th March 1819, any Ship helonging to the United States coming in Ballast, and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exnma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt only, subject to the Rules, Regulations, and Restrictions provided by the 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turks Island. 57 Geo. 3. c. 42. § 1.

14. Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic, Woods for Dyers Use, Hides, Skins, Tallow, Furs, Tortoise Shell, Hardwood or Mill Timber, Mahogany Wood for Cabinet Ware, Horses, Asses, Mules, Cattle, Corn, Bullion, Diamonds, Precious Stones, Rice, Grain, and Flour, may be imported into New Providence, Crooked Island, Bermuda, and the Bahamas, in any Foreign Ship, being owned and navigated by Persons inhabiting any of the Colonies, Plantations, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 47 Geo. 3. c. 34. 48 Geo. 3. c. 125. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

Sec FREE PORTS.

15. Sugar and Coffee of any Foreign Colony or Plantation may be imported into Nassau in New Providence, Pitt's

Only certain Articles may be exported from the Turks Islands.

American Ships may enter in Ballast certain Ports to be laden with Salt.

Articles which may be imported into certain Ports in Ships owned and navigated by Inhabitants of Colonics belonging to Eoreign Furopean States.

Certain Ports for the Importation of Sugar or Lo the M Ac

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ging to the wise, may the Ports a Islands, only, subs provided oming for c. 42. § 1. al, Drugs, se, Hides, od or Mill , Horses, nds, Pree imported auda, and wned and Colonies, America, eign Euro-47 Geo. 3. 52 Geo. 3.

or Plantrovidence, Pitt's

#### Bahamas and Bermuda.

Pitt's Town, or Crooked Island, and into such Ports in and Coffee in the Bahama Islands, the principal Port in Bermuda, and such Ports in the Caicos as shall be approved by and the Export-ation thereof. His Majesty, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods therein enumerated ; and such Sugar and Coffee may be so imported and exported without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

See FREE PORTS.

16. Any Ship described in 45 Geo. 3. c. 57. may come in Ballast, or import into any Port of the Bahama imported into Islands where there is a Custom-house, the Articles enu- and exported merated in the said Act, and may export the Articles allowed by the said Act to be so exported in Foreign Ships, and may also export Salt, subject to the Duty of Tonnage, and under the Regulations of 28 Geo. 3. c.6 .--52 Geo. 3. c. 99. §1.

See FREE PORTS.

SALT.

17. Any British Ship owned and navigated according to Law may export from any Port of the Bahama Islands any Quantity of Salt, without entering into the Bond and Security required by 6 Geo. 3. c. 52.-52 Geo. 3. c. 99. § 2.

See Goods Non-ENUMERATED.

18. Spirits, being the Produce or Manufacture of any Exportation of of His Majesty's Sugar Colonies in the West Indies, Spirits from legally imported into Bermuda, may be exported to the Bermua. Province of Lower Canada, and admitted to Entry on Payment of the same Duty as if imported directly from any of His Majesty's Sugar Colonies in the West Indies, and under the Conditions and Restrictions of 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from the said Sugar Colonies. 49 Geo. 3. c. 16. § 1.

See Spirits.

19. Such Spirits legally imported into Nova Scotia, From North New Brunswick, Cape Breton, Prince Edward's Island, American Colonies to or Newfoundland, from Bermuda, may be exported to Canada. Lower Canada, and admitted to Entry upon Payment of the same Duty as if imported directly from any of His Majesty's Segar Colonies under the Regulations of this Act. 51 Geo. 3. c. 48. § 1.

See Spirits.

20. Such Spirits legally imported into Bernnuda from From Bernuda His Majesty's Sugar Colonies in the West Indies, may to certain North

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Other Articles which may be from the Bahamas.

Exportation of Salt without Bond.

Bermuda to

be Colonies.

#### Bahamas and Bermuda.

be exported to Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island or Newfoundland, and admitted to Entry upon the same Duty as if imported directly from any of His Majesty's said Sugar Colonies, and under the Conditions and Restrictions contained in 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if imported directly from the said Sugar Colonies. 51 Geo. 3. c. 62. § 1, 2.

Sce Spirits.

21. Sugar, Coffee, Rum, and Melasses, the Produce of any British Colony in the West Indies, imported into Bermuda in any British Ship, may be exported from the Port of St. George, or the Port of Hamilton in Bermuda, to the Territories of the United States, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c 79. § 1. 53 Geo. 3. c. 50. § 1. 57 Geo. 3. c. 28. § 1.

22. Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards, and Plank Timber, Shingles, and Lumber of any Sort, Horses, New Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort, Bread, Biscuit, Flour, Pease, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Producion of the Territories belonging to the United States, legally imported into St. George, or Hamilton in Bermuda, may be exported from the said Ports by any of His Majesty's Subjects to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 3. 53 Geo. 3. c. 50. § 1.

23. Any Article the Production or Manufacture of Bermuda, or which has been legally imported into Bermuda, may on certain Conditions be exported direct to Malta, or the Dependencies thereof, or to Gibraltar. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

24. Certain Articles enumerated in the Schedule marked (B.) of 55 Geo. 3. c. 29. may be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to Bernuda, under the Regulations and Restrictions therein mentioned. 55 Geo. 3. c. 29. § 9. 57 Geo. 3. c. 4. § 1.

> See GIBRALTAR. MALTA.

Exportation of certain Articles to the United States in Foreign Ships from Bermuda :

Of certain Articles of the United States to West Indies in British Ships.

Other Articles to Malta and Gibraltar.

Articles from Malta or Gibraltar. N cies jesty Nev nies Ship

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Produce rted into from the ermuda, Foreign His Ma-79. §1.

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Schedule xported or from ions and **29.** § 9.

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### Barbadoes.

The Port of Bridgtown in Barbadoes, one of the Ports Bridgtown a for the Importation and Exportation of certain Articles in Free Port. Foreign Vessels. 45 Geo. 3. c. 57.

See FREE PORTS.

# Beaver Skins. See "Furs."

### Berbice. See "Guiana."

#### Bills at Sight.

All Foreign Goods which the Officers of the Customs Foreign Goods shall permit to be landed, and taken up by Bills at Sight, amined by Bill Bills at View or Sufferance, shall be landed at the most at Sight; Officers convenient Keys or Wharfs, and not elsewhere; and to perfect the there or in His Majesty's Storehouse of the Ports, at the Election of the Officers, shall be measured, weighed, and numbered by and in their Presence; which Officers shall perfect the Entry, and thereunto subscribe their Names, and the next Day shall give Account and make Report of every Entry so perfected to the Collector and Comptroller, or in Default thereof shall forfeit £100, unless reasonable Cause can be shewn for the Omission. 13 & 14 Car. 2. c. 11. § 21. 7 & 8 W. 3. c. 22. § 6.

#### Bigcuit. See "Provisions."

#### Botargo,

May be exported from Malta or any of the Dependen- Importation cies thereof, or from Gibraltar, direct to any of His Ma- allowed from jesty's Sugar Colonies or Plantations in America, or to Gibraltar. Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law.

55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4. §1. See GIBRALTAR. MALTA.

Bor Mood. See "Wood." Bowsprits. See "Wood."

Bread. See "Provisions." C 3

Entry.

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## Bridgetown.

One of the Free Ports in the British Plantations for the Importation and Exportation of certain Articles in Foreign Ships. 57 Geo. 3. c. 74. See FREE PORTS.

Brimstone,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. See GIBRALTAR.

MALTA.

#### Britain.

The Union of England and Scotland;

also of Great Britain and Ireland.

Teaching Trades

in Foreign Countries.

1. England and Scotland united into One Kingdom, by the Name of "Great Britain," and all the Subjects thereof, shall have full Freedom and Intercourse of Trade and Navigation within all the Dominions thereunto belonging. 5 Anne, c. 8. § 1.\*

2. Great Britain and Ireland united into One Kingdom, by the Name of "The United Kingdom of Great Britain and Ireland," and all the Subjects thereof shall be on the same Footing, as to Encouragements and Bounties on the like Articles, being the Produce or Manufacture of either Country respectively, and generally in respect of Trade and Navigation in all Ports and Places in the United Kingdom and its Dependencies; and in all Treaties with any Foreign Power, His Majesty's Subjects of Ireland shall have the same Privileges, and be on the same Footing, as His Majesty's Subjects of Great Britain. 39 & 40 Geo. 3. c. 67. Art. 6. +

#### British Subjects.

1. Any of the King's Subjects, being Artificers or or Manufactures Manufacturers of Great Britain, going to Countries out

> \* By virtue of this Act, the Words " England" and " English," in the several Acts made before the Union with Scotland, are in this Digest changed into the Words "Great Britain" and "British." † This Act for the Union of the Two Countries was agreed to by the Parliament of Ireland, by Act 40 Geo. 3. c. 38. in which there is a similar Article.

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British Subjects.

of His Majesty's Dominions, to use or teach their Trades or Manufactures to Foreigners, or not returning after Warning given them, are deemed Aliens. 5 Geo. 1. c. 27. § 3.

See Aliens

2. The Children of Natural-born Subjects, born out Children of the of the Legiance of the Crown of Great Britain, shall be entitled to the Rights and Privileges of Natural-born Subjects of Great Britain, and shall be taken to be Na- Majesty to be tural-born Subjects, as if born in this Kingdom; pro- deemed British : vided that nothing in these Acts shall repeal or alter 5 Geo. 1. e. 27. as to Artificers and Manufacturers. 7 Ann. c. 1. § 3. 4 Geo. 2. c. 21. § 1.6. 13 Geo. 3. c. 21. § 1. 3.

See AllENS, No. 3.

3. Persons born out of the Legiance of the Crown of But Children of Great Britain are not to be deemed Natural-born Sub- Persons liable to jects, whose Fathers at the Time of the Birth of such the Penalties of Treason or Children were attainted of High Treason, or liable to Felony, or being the Penalties of High Treason or Felony in case of re- in the Service of turning to this Kingdom, or whose Fathers at the Time are deemed of the Birth of such Children were or shall be in the Aliens. Service of any Foreign Prince or State then in Enmity with Great Britain. 7 Ann. c. 5. § 3. 4 Geo. 2. c. 21. §.2. 13 Geo. 3. c. 21. § 2.

4. As to the Naturalization of Aliens, and how they Naturalization may become entitled to be employed as Masters, Seamen, of Aliens, or Mariners of British Ships,

See ALIENS.

#### Bullion,

1. May be imported from any of the Colonies or Plan- May be imtations in America, or from any Country on the Conti- ported into the nent of America, belonging to or under the Dominion of Free Ports in any Foreign European Savaroign on State into the The Foreign Vessels, any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel owned and navigated by Persons inbabiting any of the said Colonies or Plantations or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

2, May be exported from Malta or any of the Depen- Importation dencies thereof or from Gibraltar, direct to any of His dilowed from Majesty's Sugar Colonies or Plantations in America, or Gibraltar. C 4

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ingdom, Subjects of Trade into be-

ie Kingof Great f shall be Bounties iufacture 1 respect es in the Treaties s of Irehe same Britaiu. King's Subjects born out of the Legiance of His

a Foreign Prince,

#### Bullion.

to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5.9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR. MALTA.

#### Caicos.

May be approved for importing Sugar and Coffee.

His Majesty authorized to approve Ports in these Islands for the Importation of Sugar and Coffee in Foreign Ships.  $45 \text{ Geo. } 3. \text{ c. } 57. \S 4.$ 

See FREE PORTS.

### Canada.\*

The Boundary and Limits of the Province of Quebee.

1. All the Territories, Islands, and Countries in North America belonging to the Crown of Great Britain, bounded on the South by a Line from the Bay of Chaleurs along the High Lands which divide the Rivers that empty themselves into the River Saint Lawrence, from those which fall into the Sea, to a Point, in Fortyfive Degrees of Northern Latitude, on the Eastern Bank of the River Connecticut, keeping the same Latitude directly West through the Lake Champlain, until in the same Latitude it meets the River Saint Lawrence, from thence up the Eastern Bank of the said River to the Lake Ontario, thence through the Lake Ontario, and the River commonly called Niagara, and thence along by the Eastern and South eastern Bank of Lake Eric, following the said Bank until the same shall be intersected by the Northern Boundary granted by the Charter of the Province of Pensylvania, in case the same shall be so intersected, and from thence along the said Northern and Western Boundaries of the said Province, until the said Western Boundary strike the Ohio; but in case the said Bank of the said Lake shall not be found to be so intersected, then following the said Bank until it shall arrive at that Point of the said Bank which shall be nearest to the North-western Angle of the said Province of Pensylvania,

\* At the Time of the Caplure of this Province, it was denominated "Quebec," and so described in many Acts, until the 31 Geo. 3. c. 31. by which it appears that His Majesty divided it into Two Provinces, to be thereafter called "Upper Canada and Lower Canada."

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#### Canada.

and thence by a right Line to the said North-western Angle of the said Province, and thence along the Western Boundary of the said Province, until it strike the River Ohio, and along the Bank of the said River Westward to the Banks of the Mississippi, and Northward to the Southern Boundary of the Territories granted to the Merchants Adventurers of England trading to Hudson's Bay; and also all such Territories, Islands, and Countries Royal Proclawhich have, since the Tenth of February 1763, been made Part of the Government of Newfoundland, shall be annexed to and made Part of the Province of Quebec, as created and established by the Royal Proclamation of the Seventh October 1763. 14 Geo. 3. c. 83. § 1.

2. But nothing herein contained, relative to the Boundary or Boundary of the Province of Quebec shall in anywise affect the Boundaries of any other Colony. 14 Geo. 3. c. 83. § 2.

3. And nothing in this Act shall extend to make void not to affect any or to alter any Right, Title, or Possession derived under Right to Grants any Grant, Conveyance, or otherwise, of any Lands within the said Province, or the Provinces thereto adjoining. 14 Geo. 3. c. 83. § 3.

4. Such Parts of the Coast of Labrador, from the Parts of the Coast River Saint John to Hudson's Streights, and the Island Separated from of Anticosti, and all other smaller Islands annexed to the Government of Newfoundland by the Proclamation of the Seventh of October 1763, except the Islands of Madelaine, but afterwards annexed to Canada by 14 Geo. 3. c. 83. shall be separated from Canada, and be annexed to the Government of Newfoundland. 49 Geo. 3. c. 27. \$14.

5. His Majesty's Subjects professing the Religion of Free exercise of the Church of Rome, of and in the said Province of Religion. Quebec, may enjoy the free Exercise of the Religion of the said Church, subject to the King's Supremacy, declared and establishe I by 1 Elizabeth, c. 1. over all the Dominions and Countries which then did or thereafter should belong to the Imperial Crown of this Realm. 14 Geo. 3. e. 83. § 5.

6. No Person professing the Religion of the Church of Oath of Persons Rome, and residing in the said Province, shall be obliged profeffing the to take the Oath required by the said Statute or any Religion of the to take the Oath required by the said Statute, or any Church of other Oaths substituted by any other Act in the Place Rome. thereof; but every such Person who by the said Statute is required to take the Oath therein mentioned, shall take

mation in 1763.

other Colonies;

of Lands, &c.

Canada.

and

and subscribe the following Oath before the Governor, or such other Person in such Court of Record as His Majesty shall appoint, viz.

A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to His Majesty King George, and him will defend, to the utmost of my Power, against all traiterous Conspiracies 6 and Attempts whatsoever which shall be made against 6 his Person, Crown, and Dignity; and I will do my 6 utmost Endeavour to disclose and make known to His ' Majesty, His Heirs and Successors, all Treasons and ' traiterous Conspiracies, and Attempts which I shall · know to be against him or any of them ; and all this ' I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardous and Dispensations, from any Power or Person ' whomsoever to the contrary. So help me GOD.'

14 Geo. 3. c. 83. § 7.

Disability for not taking the Oath.

His Majesty's Subjects to enjoy their Pro perty and Civil Rights according to the Laws of Canada.

Lands may be conveyed and bequeathed.

7. Every such Person who shall neglect or refuse to take the Oath before mentioned, shall be liable to the same Penalties, Forfeitures, Disabilities and Incapacities, as he would have been liable to for neglecting or refusing to take the Oath required by 1 Elizabeth. 14 Geo. 3. c. 83. §7.

8. His Majesty's Canadian Subjects within the Province of Quebec (the Religious Orders and Communities ouly excepted) may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, as may consist with their Allegiance to His Majesty, and Subjection to the Crown and Parliament of Great Britain; and in all Matters of Controversy relative to Property and Civil Rights, resort shall be had to the Laws of Canada as the Rule for the Decision of the same; and all Causes that shall hereafter he instituted in any of the Courts of Justice to be appointed within and for the said Province by His Majesty, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of Canada, until they shall be varied or altered by any Ordinances that shall be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, by and with the Advice and Consent of the Legislative Council for the same. 14 Geo. 3. e. 83, \$ 8.

9. Every Owner of any Lands, Goods, or Credits in the said Province, and that has a Right to alienate the 12sante

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#### Canada.

same in his or her Lifetime by Deed of Sale, Gift, or otherwise, may devise or bequeath the same, at his or her Death, by his or her last Will and Testament, such Will being executed either according to the Laws of Canada, or according to the Forms prescribed by the Laws of England. 14 Geo. 3. c. 83. §10.

10. Provided that nothing in this Act shall make void, within the said Province of Quebec, any Act of the Parliament of Great Britain heretofore made for prohibiting, re- in force. straining, or regulating the Trade or Commerce of His Majesty's Colonies and Plantations in America; but the said Acts, and all Acts of Parliament heretofore made respecting the said Colonies and Plantations, shall be in force within the said Province of Quebec and every Part thereof. 14 Geo. 3. c. 83. §18.

11. Within each of the Provinces of Upper and Lower Legislative Canada there shall be a Legislative Council and an Council and Assembly, and His Majesty shall have Power, during the Assembly may make Laws, not Continuance of this Act, by and with the Advice and Con- being repugnant sent of the Legislative Council and Assembly, to make to this Act, for Laws for the Peace, Welfare, and good Government the Peace and Government of thereof, such Laws not being repuguant to this Act; the Province. and all such Laws being passed by the Legislative Council and Assembly of cither of the said Provinces, and assented to by His Majesty, or assented to in His Majesty's Name, by such Person as His Majesty shall appoint to be the Governor or Lieutenant Governor of the Province, or by such Person as His Majesty shall appoint to administer the Government within the same, shall be binding to all Intents and Purposes. 31 Geo. 3. c. 31. §2.

12. All Laws and Ordinances in force at the Commence- Laws not exment of this Act, within either of the Provinces, shall con- pressly repealed time in force therein, except such as are expressly re- to remain in force. pealed or varied by this Act, or may hereafter by any Law or Ordinance under the Anthority thereof. 31 Geo. 3. c.31. § 3.

13. Nothing in this Act shall prevent or affect the Not to affect Execution of any Law which hath been or shall be former Laws as made by His Majesty and the Parliament of Great Commerce, or Britain, for establishing Regulations or Prohibitions, Revenue, passed or for imposing or collecting Duties for the Regulation of Navigation, or for the Regulation of the Commerce to be carried on between the said Two Provinces of Upper and Lower Canada, or between either of the said Provinces and any other of His Majesty's Dominions,

Acts regulating

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or between either of the said Provinces and any Foreign Country or State, or for appointing and directing the Payment of Drawbacks of such Duties so imposed, or to give to His Majesty any Power or Authority, by and with the Advice and Consent of such Legislative Councils and Assemblies respectively, to vary or repeal any such Laws or any Part thereof, or in any Manner to prevent or obstruct the Execution thereof. 31 Geo. 3. c. 31. § 46.

14. Provided that the Net Produce of all the Duties which shall be so imposed, shall at all Times hereafter be applied to and for the Use of each of the said Provinces, and in such Manner only as shall be directed by any Law which may be made by His Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of such Province. 31 Geo. 3. c. 31. & 47.

15. There shall be collected and paid to His Majesty, upon the following Goods imported and brought into any Part of the Province of Quebec, over and above all other Duties now payable in the said Province by any Act of Parliament, the several Duties following; that is to say,

For every Gallon of Brandy or other Spirits of the Manufacture of Great Britain, Three-pence:

For every Gallon of Run, or other Spirits, which shall be imported from any of His Majesty's Sugar Colonies in the West Indies, Sixpence :

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any other of His Majesty's Colonies or Dominions in America, Nine-pence:

For every Gallon of Foreign Brandy or other Spirits of Foreign Manufacture, imported or brought from Great Britain, One Shilling :

For every Gallon of Rum, or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, imported from any other Place except Great Britain, One Shilling:

For every Gallon of Molasses and Syrups which shall be imported or brought into the said Province, in Ships or Vessels belonging to His Majesty's Subjects in Great Britain or Ireland, or to His Majesty's Subjects in the said Province, Three-pence:

For every Gallon of Molasses and Syrups which shall be imported or brought into the said Province in any other Ships or Vessels in which the same may be legally imported, Sixpence; and after those Rates for any 14 greater

Appropriation of Duties.

Duty on Spirits, Molasses, and Syrups, imported into Quebec. / Foreign ecting the sed, or to and with incils and uch Laws prevent or 31. § 46. he Duties reafter be Provinces, any Law with the nd Assem-

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greater or less Quantity of such Goods respectively. 14 Geo. 3. c. 88. § 1.

16. The said Duties shall be deemed to be Sterling Collection and Money of Great Britain, and shall be collected and paid Appropriation. to the Amount of the Value which such nominal Sums bear in Great Britain; and may be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and shall be raised and recovered in the same Manner, and by such Rules and Means, and under such Penalties and Forfeitures, (except in such Cases where any Alteration is made by this Act,) as any other Dutins payable to His Majesty upon Goods imported into any British Colony or Plantation in America are or shall be raised and recovered by any Act of Parliament; and all the Monies that shall arise by the said Duties (except the necessary Charges of raising the same) shall be paid by the Collector of His Majesty's Customs into the Hands of His Majesty's Receiver General in the said Province, and shall be applied, in the first place, in making a more certain Provision towards defraying the Expences of the Administration of Justice, and of the Support of Civil Government, in the said Province; and the Commissioners of His Majesty's Treasury are empowered from Time to Time, by any Warrants under their Hands, to cause such Money to be applied out of the said Produce of the said Duties towards defraying the said Expences; and the Residue of the Duties shall remain and be reserved in the Hands of the said Receiver General, for the future Disposition of Parliament. 14 Geo. 3. c. 88. § 2.

17. If any Goods chargeable with the Duties before Spirits brought mentioned shall be brought into the Province by Land into the Province Carriage, the same shall be carried through the Port of by Inland Navi-Saint John's near the River Sorrel; if by other Inland Carriage must Navigation than the River Saint Lawrence, such Goods pass through shall be carried upon the River Sorrel by the said Port, certain Places and there entered, and the Duties paid to such Officer as are to be paid. His Majesty shall appoint; and if any such Goods coming by Land Carriage or Inland Navigation as aforesaid shall pass by or beyond the said Place without Entry and Payment of the Duties, or shall be brought into any Part of the said Province by or through any other Place whatsoever, such Goods shall be forfeited, and the Persons assisting in the Removal, or to whose Hands the Goods shall come, shall forfeit Treble the Value, with the Cattle and Carriage made use of in the Removal. 14 Geo. 3. c. 88. § 3.

#### Canada.

His Majesty's Subjects may bring Spirits into any Parts of the Province.

Ships which have landed Lumber, &c. in the Sugar Colonies may land Spirits in Quebec Dutyfree;

or Ships which attend to load a Cargo of Lumber, &c. for the said Colonics in their next clearing out, may land Spirits Duty-free.

The Articles must be the Growth of Quebec.

Value of the Spirits and Lumber, &c to be estimated by 18. His Majesty's Subjects may freely bring by Land Carriage or Inland Navigation into any Parts of the Province not heretofore comprehended within the Limits thereof by Proclamation of the 7th of October 1763, any Quantity of Rum or other Spirits, notwithstanding the Act 14 Geo. 3. c. 88.—15 Geo. 3. c. 40. § 1.

19. Where Spirits of the British Sugar Colonies in the West Indies shall be imported into the Province of Qnebec from the said Sugar Colonies in any Ship which in her last preceding Voyage had exported to and landed in any of the said Colonies a Cargo of Lumber and Provisions, Horses or Neat Cattle, from the said Province, it shall be lawful to land any Quantity of Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle landed) without Payment of the said Duty of Sixpence per Gallon. 28 Geo. 3. c. 39. § 1.

20. Where Spirits, the Produce of any of the said Colonies, imported into Quebec in any Ship which, in her next clearing out from the said Province after such Importation, shall load with a Cargo of Lumber, Provisions, Horses, or Neat Cattle, and which shall carry to and land the same in any of the said Colonies, it shall be lawful to admit to Entry and land any Quantity of such Spirits not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle, so loaded, without Payment of the said Duty of Sixpence per Gallon; provided that the Owner of such Vessel which shall have imported such Spirits, or, in case of his not residing in the said Province, the Master of the Ship, with One or more sufficient Sureties residing within the said Province, shall, before such Spirits be admitted to an Entry, give Bond to His Majesty in £500, with Condition that the Ship shall, on her next clearing out from the said Province, be laden with a Cargo of Lumber, Provisions, Horses, or Neat Cattle, equal in Value to the Spirits admitted to Entry, and that the said Lumber, &c. shall be carried to and landed in some of the said Colonies in the 28 Geo. 3. c. 39. § 2. West Indies.

21. The Lumber (except White Oak Staves), Provisions, Horses and Cattle, exported under the Provisions of the said Act, shall be the Growth or Produce of Quebec and no other. 30 Geo. 3. c. 8. § 2.

22. The Value of the Spirits and of the Lumber, &c. shall be estimated according to the Valuations contained in the Schedule annexed to this Act; provided that His Majesty, te A pe R

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ber, &c. ontained that His Majesty,

#### Canada.

Majesty, with the Advice of His Privy Council, by Order the following to be issued and published, may alter the Valuations and Schedule. Articles contained in the Schedule, whenever it shall appear necessary or proper, upon any Representation or Report of the Governor and Council of the said Province. 53 Gco. 3. c. 37. §1,2.

#### The SCHEDULE mentioned and referred to in this Act.

Sterling.
$\mathcal{L}$ s. d.
Flour, 1st Sort $-2$ per Barrel of 1 cwt. 3 ors
Ditto, $2d$ Soft $-1$ 17 6 Ditto.
Discurt 1 per Cwt.
Pease $ 4 6$
Oats 2 -
Barley $3 - $ per Bushel.
Flax Seed 5 [*
Potatoes I 8
Indian Corn <sup>4</sup> 4 6
Wheat $         -$
Ditto 3 per Barrel.
Salted Pork 6 15 - per Tierce.
Ditto 4 10 — per Barrel.
Butter - $-$ 10 per lb.
Soap 7 per lb. Monld Candles 1 2 Dipped Ditto 1 1 Per lb.
Monld Candles 1 27
Dipped Ditto $  1$ $1$ } per 1b.
Saunon $-210 - 100$
Ditto - $-3.15$ — per Tierce
Herrings and $\left\{ -1 \right\}$ per Barrel.
Allwives $\int -1 - per Barrel.$
Shad Fish $-1$ 5 — per Ditto. Dry Cod Fish $-1$ 6 — per Cwt.
Dry Cod Fish $-16$ – per Cwt.
Seal, Porpoise, and Cod Oil $\left\{ -77 \right\}$ per Hhd. of 63 Galls.
and Cod Oil $\int -7$ per Hhd. of 63 Galls.
Canadian Porter $-3$ — Ditto Burton Ale $3$ 15 — Ditto Mild Ditto $3$ — - $        -$
Ditto Burton Ale 3 15 - Der Ditto
Ditto Mild Ditto 3
Onions 1 nor Thousand
Onions $-1$ per Thonsand. Essence of Spruce $-1 - 3$ per lb.
Oak Timber
$\begin{cases} \text{Oak Timber} \\ \text{Squared} \end{cases} = 1 - \text{per Cubic Foot,} \end{cases}$

Oak

Canada:

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Sterling.
£ s. d.
Oak Plank 3 to 4 Inches thick } 5 per Superficial Foot.
Ditto, $\frac{1}{2}$ to $\frac{2}{3}$ — 3 per Ditto.
Puncheon Staves
31 Feet long, 4
Inches broad, 10 - per 1200 Pieces.
and 1 Inch
thick $   '$
Puncheon Head-
$\operatorname{ing}_{\Sigma} 2^{\frac{1}{2}}$ Feet
long, 5 to 6 Inches broad, {10 - per 1000.
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thick
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Squared { 4 per Cubic Foot.
Pine Boards 12
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upwards, and $\begin{bmatrix} 2 & 15 \\ 2 & 15 \end{bmatrix}$ ficial Feet
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Ditto, 10 Feet
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Inches thick
Wooden Hoops 5 per Thousand Hoops.
12 Feet long $\int$ Feet long $\int$ Ditto.
Ditto, 10 Ditto
Ditto, 7 Ditto - 2 10 - Ditto.
Ditto, 10 Ditto $-4$ $-2$ $10$ $-$ Ditto. Ditto, 7 Ditto $-2$ $10$ $-$ Ditto. Shingles $  -15$ $-$ per Thousand, Puncheon Packs $ 12$ $-$ each.
Puncheon Packs - — 12 — each.
Bar Iron $ -$ 1 10 $-$ per Cwt.
Horses - $-15$
Horned Cattle - $8$ pcr Head.
Sneep $         -$
Turkeys $  2$ 6.
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RumJ Jamaica Ditto 2 - Ditto.
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Any Spirits, being the Produce or Manufacture of Spirits may be His Majesty's Sugar Colonies in the West Indies, legally imported into Bermuda, may be imported into Lower Canada, and landed and admitted to an Entry upon Pay- upon the same ment of the same Rate of Duty as if the same had been imported directly from any of His Majesty's Sugar Co- ported direct lomes in the West Indies, and under the Conditions from Sugar Coand Restrictions contained in 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from any of the said Sugar Colonies. 49 Gco. 3. c. 16.

See Spirits.

23. Spirits, being the Produce or Manufacture of any also from the His Majesty's Sugar Colonies in the West Indies, legally Colonies or and directly imported into Nova Scotia, New Brunswick, Bermuda to Cape Breton, Prince Edward's Island, and Newfound- Lower Canada. land, in North America, from the said Sugar Colonies, or from Bermuda, may be exported from either of the Provinces or Islands to Lower Canada, and landed and admitted to an Entry, upon Payment of the same Rate of Duty as if the same had been imported directly from any of His Majesty's Sugar Colonies under the Regulations of this Act. 51 Geo. 3. c. 48. § 1.

See SPIRITS.

24. No Goods shall be imported from the United Goods of the States of America by Sea or Coastwise into Quebec, or the Countries or Islands within the Government thereof, or up the River St. Lawrence from the Sea, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. §14.

25. His Majesty in Council, by Order to be issued except Bread, and published, may authorize, in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, into the Province of Quebec, and into all the the Supply of Countries bordering on the Gulf of St. Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United States of America, for the Supply of the Persons employed in carrying on the Fisheries; provided that such Bread, &c. shall not be imported except in conformity to such Regulations as shall be specified in such Order, and except by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of the Vessel. 29 Geo. 3. c. 16. § 1.

exported from Bermuda to Lower Canada Duty and Conditions as if imlouies;

North American

United States not to be imported into Quebec by Sea or Coastwise ;

&c. by Order in Council, in case of Necessity, for Persons carrying on the Fisheries ;

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except also, in case of Emergency, Live Stock, &c. for the Supply of the Inhabitants.

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Subjects of the United States intending to settle in the Province, may import Household Furniture, Utensils of Husbandry, and Clothing.

By whom Seizures may be made.

No Gords to be brought into the Province from the United States by Inland

26. In case of public Emergency and Distress, the Governor of Quebec, or Lieutenant Governor, or Commander in Chief, with the Consent of the Council, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or the Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from the United States of America, for the Supply of the Inhabitants of the Province, and of the Countries or Islands within the Government thereof; provided that the said Articles shall not be brought except by British Subjects, and in Britishbuilt Ships owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of 30 Geo. 3. c. 8. § 1. the Vessel.

27. Any Subject of the Territories belonging to the United States of America, who shall come from thence, together with his Family, to any of the Bahama, or Bermuda, or Somers Islands, or to the Province of Quebec or Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there, having obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor of the said Islands, Colonies, or Provinces respectively, may import into the same, in British Ships owned by His Majesty's Subjects, and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of £50 for every White Person that shall belong to such Family, and the Value of 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. §1.

See SETTLERS.

28. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or may be seized by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 30 Geo. 3. c. 8.

29. No Goods, except of the Growth, Produce, or Manufacture of the Territories of the United States of America, shall be brought from the Territories of the said States, by Inland Navigation or Land Carriage, into the

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tress, the or Comncil, may wise into vithin the Lawrence oultry, or Potatoes, Grain, or he United bitants of within the icles shall n Britishand naviof and of

ng to the m thence, , or Berof Quebec onging to ose of reicence for sence the lonies, or same, in , and na-Furniture, Duty, not ery White the Value te Person.

these Acts f His Mamissioned, l by them, Customs. c. 8. oduce, or States of ies of the riage, into the

#### Canada.

the Provinces of Lower or Upper Canada, on Forfeiture of the said Goods, or the Value thereof, with the Vessel or Carriage in which the same shall be brought, to be duce of the sued for, recovered, and distributed in like manner as is States. directed in any Act in the Case of Offences being committed against the Laws of Customs in any of His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

30. Any Goods the Growth or Production of any of Goods of the Countries bordering on the Province of Quebec, brought by Land or Inland Navigation into the said Provinces comformably to the Regulations established by into the Province Law, may be imported into any Part of Great Britain from Quebec, and admitted to Entry, and charged with may be imported Duty, or exempted from Duty, in like Manner as such into Great Goods would be charged with or exempted from Duty if Britain or Ireland the same were of the Growth or Production of Quebec, of Quebec. and were imported directly from thence into Great Britain or Ireland; provided it shall appear by Certificate under the Hands and Seals of the Collector and Comptroller of the Customs, and the Naval Officer there, that the same were brought into the Province, conformably to Law, by Land or Inland Navigation, from the Countries bordering thereon, specifying from what Places the same were respectively brought into the said Province; and provided that the Rules, Regulations, Restrictions, and Conditions are observed on their being imported, as are required for the like Goods imported into Great Britain from the said Province, and subject to the like Conditions, Penalties, and Forfeitures, and to the like Modes for Recovery and Application thereof. 30 Geo. 3. c. 29. §2. 

31. Salt for the Fisheries may be laden in any Part of Salt may be im-S1. Sait for the risneries may be fatter in any reaction for any ported from any part of Europe British-built Vessel, owned, navigated, and registered for the Fisheries. according to Law. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 7. 48 Geo. 3. c. 22. § 1.

32. Any Person inhabiting in the Islands of Jersey or Craft and Ar-Guernsey may lade in the said Islands, and transport ticles necessary directly from thence to any of the British Colonies in may be imported America where the Fishery is carried on, on board any from Jersey or Vessel which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on beard the Vessels, or on shore, in carrying on the said  $D_2$ Fishery,

Navigation or Land Carriage, except the Pro-

Countries bordering on Quebec, brought by Land or Inas of the Growth

Guernsey;

Fishery, such Craft, Clothing, or other Goods, being the Produce or Manufacture of Great Britain, or of the said Islands of Jersey or Guernsey, and such Food or Victuals being of the Growth or Produce either of Great Britain or Ireland, or the said Islands of Guernsey or Jersey. 9 Geo. 3 c. 28. § 1.

upon a Certificate and Oath as herein directed.

33. Provided the Master shall produce to the proper Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Lieutenant or Deputy Governor, or Commander in Chief, that Oath has been made by the Shipper before the Magistrates of the Royal Courts in Jersey or Guernsey respectively, or any Three of them, that the Goods and Victuals so shipped are of such Growth, Product, or Manufacture; which Cerificate shall also be attested by the Principal Officer of the Customs in the said Island respectively, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Food, &c. and the Vessel importing the same, shall be liable to be seized and forfeited, in the same Manner as they would have been liable if this Act had not been made. 9 Geo. 3. c. 28. § 2.

34. Any of His Majesty's Subjects residing in the Isle of Man may export from thence, and import into any of the British Colonies or Plantations in America, in Britishbuilt Vessels owned, navigated, and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

35. Any of His Majesty's Subjects residing in the Isle of Man may ship and lade there, and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Vessel which may lawfully trade or fish there, any Provisions, Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Vessels carrying out the same, and the Craft belonging to and employed by such Vessels in the said Fishery, such Provisions, Hooks, Lines, Nettings, or other Tools or Implements, being the Produce and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

36. Provided the Master of such Vessel shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand

Herrings may be imported from the Isle of Man;

also Lines, Nets, 'Fools, and Implements for the Fishery ;

under certain Oath and Certificate. s, being or of the Food or of Great rnsey or.

e proper he shall al of the or Com-Shipper ersey or that the rth, Proalso be is in the the said e of proe Vessel and foreen liable §2.

i the Isle to any of 1 Britishaccording the same aid Colo-58. § 4. n the Isle t directly Fishery is ny Vessel rovisions, plements Crews of it belong-Fishery, ier Tools facture of 5 Geo. 3.

l produce Colony or under the Hand

#### Canada.

Hand and Seal of the Collector or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, &c. that the same are of the Product and Manufacture of Great Britain, Ireland, or Isle of Man respectively, as the Fact may be, and that the several Articles before mentioned, except the Provisions, specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Vessel carrying out the same, and by the Craft belonging to and to be employed by such Vessel in the said Fishery, and for no other Use or Purpose whatsoever (which Oath and Certificate such Collector or other Officer is hereby authorized and required to administer and grant without Fee or Reward); and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the Articles, and the Vessels having the same on board, shall be forfeited in the same Manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

37. Fruit, Wine, Oil, Salt, or Cork, the Produce Vessels from the of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe, for Exportation direct to rica, arriving with Quebec, on board any British Vessel owned, navigated, and registered according to Law, which shall have in Europe South arrived at any Port or Place of Europe with Articles the of Cape Finis-Growth or Produce of Quebec, or with Fish taken and cured by His Majesty's Subjects carrying on the Fishery, from any of the British Colonies in North America, or from any Part of the United Kingdom, or with any of Cork, the Prothe Goods herein-after mentioned (see No. 39.) from the Province of Canada, whether the Growth or Produce of Canada, or brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

38. Upon the Importation thereof into Quebec, the Duties payable Goods shall be subject to the Payment of such Duties as thereou. Goods of the like Denomination or Description are subject to upon being imported into Quebec from Great Britain, and no other or higher Duties. 51 Geo. 3. c. 97. § 3.

39. The several Articles her in-after mentioned may be Corn, Grain, 39. The several Articles ner-in-anter mentioned may be camber, &c. may be exported from Canada in a British-built Vessel, owned, Lumber, &c. may be exported navigated, and registered according to Law, into any to Europe within Port of Europe within the Limits aforesaid, without any the said Limits D 3 Oath without any

British Colonies the Produce thereof at Places terre, may import from thence Fruit, Wine, Oil, Salt, or duce of Europe.

Oath or Certificate as to the Growth.

Oath being required of their being the Growth or Produce of the said Province, or any Certificate being required of the Country from whence they came; that is to say, Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed and undressed Hoops, Pine Plank and Boards: and the Master of any British-built Vessel laden with any of the said Articles shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, (which Certificate such Officer of the Customs or Naval Officer is hereby authorized and required to grant upon satisfactory Proof being made, upon Oath or otherwise); and the Master of such Vessel shall produce the same at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. ·51 Geo. 3. c. 97. §4, 5.

40. Before shipping any Pickled Fish or Dry Fish for the Purpose of Exportation to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the British Colonies; and, on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, which Certificate only the Master of such Vessel shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of the

Oath must be made before shipping Pickled or Dry Fish that it is the Produce of the British Fishernes, ti N c.

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the Officer of the Customs or the Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. §4. 6.

41. His Majesty's Subjects may export from any of Certain Articles His Majesty's Colonies or Plantations in North America may be exported to any Articles the Production or Manufacture of the direct to Malta said Colonies or Plantations, or any Articles which have been legally imported into any such Colony or Plantation, direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

42. Oranges and Lemons, the Growth of the Azores Oranges and or the Madeiras, may be shipped and laden at those Lemons may be Islands respectively for Exportation direct to any of the imported from Islands respectively for Exportation direct to any of the the Azores or British Colonies in North America, in any British Vessel Madeiras. owned, registered, and navigated according to Law. 57 Geo. 3. c. 89. § 1.

+3. Vessels not exceeding Thirty Tons Burthen, and Vessels in the not having a Deck, and being employed solely in the Fisheries not Fisheries on the Banks or Shores of Quebec, or in required to be trading Coastwise there not required to be trading Coastwise there, not required to be registered. 27 Geo. 3. c. 19. § 8.

Sce REGISTRY OF BRITISH SHIPS.

44. Vessels built at Quebec on account of Owners residing in His Majesty's European Dominions, may be registered upon the Husband or Principal Agent taking the Oath required by 26 Geo. 3. c. 60.; and the Register shall be of full Force and Effect until the Vessel's Arrival at some Port in His Majesty's European Dominions, where they may be registered on the Oath of the Owners, but no longer. 27 Geo. 3. c. 19. § 9.

See REGISTRY OF BRITISH SHIPS.

#### Cantharides.

May be exported from Malta or any of the Depend- Importation encies thereof, or from Gibraltar, direct to any of His allowed from Malestu's Sugar Colonias in American direct to any of His Malta or Majesty's Sugar Colonies in America, or to Newfound- Gibraltar. land, Bermuda, or any of the British Colonies in North-America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR. MALTA.

or Gibraltar.

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The Husband or Principal Agent may take the **Register** Oath if Owners reside in Europe.

#### Cape Breton.

No Goods to be imported from the United States except Pitch, Tar, and Turpentine.

Except also Lumber, Cattle, Corn, &c. in case of Distress, for the Supply of the Inhabitants :

also Scantling, &c. for Re-exportation to other Colonies;

and Household Furniture, Utensils of Husbandry, and Clothing, brought by Subjects of the United States who intend to settle.

By whom Seizerus to be made. 1. No Goods shall be imported from any of the Territories of the United States of America into Cape Breton, on Forfeiture thereof and the Vessel; except Pitch, Tar, and Turpentine, the Production of the said Territories, imported by British Subjects, and in Britishbuilt Ships owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

2. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief for the Time being, with the Advice and Consent of the Council of the Island, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the Island; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 13.

3. The Governor, Lieutenant Governor, or Comunander in Chief, with the Advice and Consent of the Council of Cape Breton, may authorize the Importation of the Articles enumerated in No. 2. for a limited Time, from any of the Territories of the United States, for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

4. Subjects of the United States, who shall come from thence, together with their Families, for the Purpose of residing and settling in any British Colony in North America, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor, may import Honsehold Furniture, Utensils of Husbandry, and Clothing, provided the Articles are imported in British Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the whole the Value of £50 for every White Person that shall belong to the Family, and 40 Shillings for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See Settlers.

5. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, rai Of

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#### Cave Breton.

rant, or Petty Officer specially authorized by them, or any Officer of the Customs. 28 Geo. 3. c. 6. 33 Geo. 3. c. 50.

6. Fruit, Wine, Salt, or Cork, the Produce of Europe Vessels arriving South of Cape Finisterre, may be laden in any Port of with certain Articles at Places Europe, for Exportation direct to the Port of Sydney in in Europe South Cape Breton, on board any British Ship, owned, navi- of Cape Finisgated, and registered according to Law, which shall have terre, may imarrived at any such Part of Europe with Articles the Fruit, &c. the Growth or Produce of the British Colonies in North Produce of America, or with Fish taken and cured by His Majesty's Europe. Subjects carrying on the Fisheries, from any of the British Colonies in North America, or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

Sce EUROPE.

7. Spirits of His Majesty's Sugar Colonies in the West Spirits may be Indies, legally imported into Cape Breton from the said Sugar Colonies, or from Bernuda, may be exported from on the same . Cape Breton to Lower Canada, and admitted to Entry, on Payment of the same Rate of Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 48. § 1.

Sce Spirits.

8. Spirits of His Majesty's Sugar Colonies in the and may be im-West Indies, imported into Bermuda from the said Bermuda on the Colonies, may be exported from Berunda to Cape Bre- same Duty and ton, and admitted to Entry on Payment of the same Conditions as Duty as if imported direct from the Sugar Colonies; and Colonies. under the Condition of 28 Geo. 3. c. 39. may be imported into Cape Breton without Payment of Duty, in the same manner as if imported directly from any of the said Sugar Colonies. 50 Geo. 3. c. 62. § 1.

See Spirits.

9. Goods fit and necessary for the Fishery in the Goods for the British Colonies in America may be exported to Colonies Guernsey or where such Fishery is carried on, direct from Guernsey Jersey. or Jersey. 9 Geo. 3. c. 28. § 1, 2.

See GUERNSEY. JERSEY.

10. Herrings cured in the Isle of Man may be ex- Herrings from ported from thence to any of the British Colonies in the Isle of Man. same manner as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.

Sec MAN.

port from thence

exported to Lower Canada Duty as from Sugar Colonies;

from Sugar

Fishery from

11. Tools

#### Cape Breton.

Tools and Implements from thence.

Certain Articles may be ex ported direct to Malta or Gibraltar. 11. Tools and Implements necessary for the said Fishery may be exported to the said Colonies direct from the Isle of Man. 15 Geo. 3. c. 31. § 5.

See MAN.

12. Any Article the Production or Manufacture of His Majesty's Colonies or Plantations in North America, or any Article which has been legally imported into any such Colony or Plantation, may be exported from thence by His Majesty's Subjects direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Oranges and Lemons may be imported from the Azores or Madeiras.

Importation allowed from: Malta or Gibraltar. 13. Oranges and Lemons, the Growth of the Azores or the Madeiras, may be laden at those Islands respectively for Exportation direct to any of the British Colonies in North America, in any British Vessel owned, navigated, and registered according to Law. 57 Geo. 3. c.89. §1.

## Capers. Cascasoo.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, into Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR. MALTA.

## Cattle and Live Stock.

May be imported from the United States into West India Islands and Colonies in Guiana, in British Vessels; 1. Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, the Production of any of the Territories of the United States, may be imported from thence into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demarara; Berbice, or Essequibo, in the Province of Guiana; but not to be so imported except by British Subjects, and in British-built Vessels owned and navigated vig the the in -Sti sai in 118 53 vel of Ca of tio Li the for Ce Su ace Ve pu em cas of the the no Re Oı Br La c. ( ma Ca sei po or of Aı jes

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#### Cattle and Live Stock.

vigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. §1, 2. 56 Geo. 3. c. 91. §1.

2. Such Cattle and Live Stock may be imported from and into Berthe said States into St. George or Hamilton in Bermuda, unda in Foreign Vessels, and in any Foreign Vessel belonging to any Kingdom or exported by State in Amity with His Majesty, and exported from the British. said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Vessels owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § ]

3. In case of public Emergency or Distress, the Go- Maybe imported vernors, Lieutenant Governors, or Commander in Chief into Nova Scotia, of Nova Scotia, New Brunswick, or of the Islands of States for the Cape Breton or St. John's, with the Advice and Consent Supply of Inhaof their respective Councils, may authorize the Importa- bitants. tion of Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants, provided that the said Cattle, &c. shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 12.

4. His Majesty in Council, by Order to be issued and Live Stock may published, or by Warrant under His Sign Manual, may be imported from empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Live Stock from any land, for the Supof the Territories of the United States of America, for ply of Inhabitants the Supply of the Inhabitants and Fishermen, for the in case of Nethen ensuing Season; provided that such Live Stock shall cessity. not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c.6. §13.

5. The Governor, Lieutenant Governor, or Com- Importations into mander in Chief of Nova Scotia or New Brunswick, or Cape Breton or Saint John's, with the Advice and Con- tion to other sent of their respective Councils, may authorize the Im- Colonies, may be portation of Horses, Neat Cattle, Sheep, Hogs, Poultry, Governors. or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § I.

the said States into Newfoundand Fishermen,

Nova Scotia, &c. for Re-exportaallowed by the

6. Any

May be imported into Nova Scotia or New Brunswick in Foreign Vessels, and exported to the United Kingdom or any of His Majesty's Possessions;

subject to such Rules and Regulations as His Majesty may think fit by Order in Council.

Limitation of the Act.

Live Stock may, in case of Necessity, be imported from the United States into Quebec and Labrador, for the Supply of Persons carrying on the Fisheries;

and Cattle, &c. may be imported from the said 6. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Conntry to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 53 Geo. 3. c. 19. §1,2,3.

7. His Majesty with the Advice of His Privy Council may make such Rules and Regulations for the Importation and Exportation of the said Articles at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

8. This Act shall continue in force during the Space of Three Years from and after the passing of the same<sup>\*</sup>, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3, c. 19, §7.

9. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Live Stock as well into Quebec as into all the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United States of America, for the Supply of the Persons employed in carrying on the Fisheries; provided that such Live Stock shall not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order, and except by British Subjects, in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 29 Geo. 3. c. 16. § 1.

10. In case of public Emergency and Distress, the Governor of Quebec, or the Licutenant Governor or

#### \* 8th May 1818.

Commander

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#### Cattle and Live Stock.

Commander in Chief, with the Advice and Consent of States for the the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or Islands within the Government thereof, or of public Emerup the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the Province, and of the Countries and Islands within the Government thereof; but the said Articles shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 30 Geo. 3. c. 8. § 1.

11. Any Article forfeited by these Acts may be seized By whom by the Commanders of any of His Majesty's Ships or made. Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially anthorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c.6. § 16. 29 Geo. 3. c. 16. § 2. 56 Geo. 3. c. 91.

12. Any Horses, Asses, Mules, and Cattle, being the Maybe imported Production of any Colonies or Plantations in America, Ports in Foreign or of any Country on the Continent of America belong- Vessels, ing to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

13. For the Conditions upon which Vessels, which Vessels landing land Horses or Neat Cattle at any of the British Sugar Colonian in the West Indian may import Spirits mithaut Colonies in the West Indies, may import Spirits without free. Payment of Duty into certain Provinces and Islands belonging to His Majesty in North America. 28 Geo. 3. c. 39. § 1, 2. 30 Geo. 3. c. 8. § 2. 53 Geo. 3. c. 37. § 1. · See Spirits.

#### Cabier.

May be exported from Malta or the Dependencies Importation thereof, or from Gibraltar, direct to any of His Majesty's allowed from Malta or Sugar Colonies or Plantations in America, into New- Gibralta. foundland, Bermuda, or any of His Majesty's Colonies or Plantations in America, in British Ships owned, 21avigated,

Supply of Inhabitants of Quebec, in case gency and Distress.

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#### Cavier.

vigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c 4. § 1. See GIBRALTAR.

MALTA.

#### Certificates.

Suspected to be false, Bond not to be cancelled.

Penalty for counterfeiting or using.

To be taken by Masters of Ships of having given Bond, and to be delivered up at the Port of Discharge.

If Masters do not produce such Certificates, the Ship forfeited.

1.\* Where the Governor or Officer of the Customs shall have reasonable ground of Suspicion that any Certificate from the Officers of the Customs in Great Britain or Ireland, of Bond having been given for carrying enumerated Goods to some other British Plantation, or to Great Britain or Ireland, is false, such Governor or Officers shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security given in the Plantation, until informed from the Commissioners of the Customs that the Matter of the said Certificate is true; and any Person who shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or shall knowingly make use thereof, shall forfeit  $\pounds$  500, and the Certificate shall be of no effect. 12 Car. 2. c. 18. §19. 7 & 8 W. 3. c. 22. §10. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. Before the Master of any Ship departs from any British Colony or Plantation where he receives his Lading, he shall take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (to be granted without Fee or Reward), that Bond hath been given pursuant to the Directions of this or any other Act, as the Case shall require; and the Master shall keep such Certificate in his Custody till the Voyage is completed, and then deliver the same to the Collector or other Chief Officer of the Customs at the Port where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony or Plantation, on Forfeiture of  $\pounds 100.4$  Geo. 3. c. 15. §24. 39 & 40 Geo. 3. c. 67. Art. 6.

3. If any British Ship, laden in any British Colony or Plantation with any Goods the Produce or Manufacture thereof, shall be discovered by any Officer of the Customs within Two Leagues of the Shore of any such Colony or Plantation, and the Master shall not produce a Certificate that Bond has been given, pursuant to the Directions of 0. h o' sl lc c

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s from any his Lading, Seals of the stoms there Bond hath or any other r shall keep age is comtor or other ere he shall nd, or any orfeiture of .67. Art.6. n Colony or Ianufacture he Customs Colony or e a Certifi-Directions of

### Certificates.

of this or any other Act, as the Case may require, or if he shall not produce such Certificate to the Collector or other Chief Officer of the Customs of the Port where he shall arrive in Great Britain, Ireland, or any British Colony or Plantation, the Ship shall be forfeited. 4 Geo. 3. c. 15. § 25. 39 & 40 Geo. 8. c. 67. Art. 6.

4. Where, by any Act relative to the Trade of the To be produced British Colonies and Plantations in America or the West from the Officers Indies, an Affidavit shall be required to be made by the Planter or Grower of any Article intended to be shipped not any Justices for Exportation to Great Britain or Ireland, to prove before when the that such Article is the Produce of such Colony or Plantation, and there shall not be any Justices of the Peace before whom such Affidavit can be made, the Planter or Grower may make the same before the Collector and Comptroller or other Chief Officer of the Customs, or any Two of them, at the Port or Place from whence such Articles may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation; and upon the Importation of such Articles into Great Britain or Ireland, the same shall be admitted to Entry at such Duties as are charged upon Articles when accompanied with the Certificate now required by Law, subject to the Regulations, Restrictions, Penalties, and Forfeitures to which such Articles are liable on Importation. 47 Geo. 3. c. 48. § 2.

#### Cheese (PARMASAN). Cunnabar.

May be exported from Malta or any of the Depend- Importation encies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or Malta or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. See GIBRALTAR.

MALTA.

#### Cloth,

The Manufacture of the British Plantations in America, prohibited to be exported.

See Wool and Woollen MANUFACTURES.

Clothing. See "Settlers."

of Colonies at make Affidavits.

Gibraltar,

### Cochineal.

May be imported into the Free Ports in Foreign Vessels,

and exported to the United Kiingdom.

Must be brought to Great Britain or Ireland, or some British Plantation.

Bond to be given not to land elsewhere.

1. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. 57 Geo. 3. c. 74. c. 99.

#### See FREE PORTS.

2. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57.

See FREE PORTS.

### Coffee and Cocoa Ruts.

1. No Coffee or Cocoa Nuts of the Production of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. §18. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of  $\pounds 1000$  if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Coffee or Cocoa Nuts, or any enumerated Article, (for the whole of which see "Goods,") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, the Danger of the Seas only excepted; and for every Ship coming from any other Port or Place to any of the aforesaid Plantations, which are permitted

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to trade there, the Governor shall, before the Ship be permitted to load Coffee or Cocoa Nuts, or any enumerated Article, take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. §11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1.3. 39 & 40 Geo. 3. c. 67. Art. 6.

3. The Master, before he departs from any British Certificates to Plantation where he receives his Lading, shall take a be taken by the Certificate under the Hand and Soal of the Collector or Masters of Ships Certificate under the Hand and Seal of the Collector or which lade in other Principal Officer of the Customs there, that Bond the Colonies. hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of £100. 4 Geo 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 33 Geo. 3. c. 63. § 2. 39 & 40 G. 3. c. 67. Art. 6.

4. If any Ship shall take on board any Coffee or Cocoa Forfeiture if Nuts, or other enumerated Article, before Bond is given shipped before to the Covernor that the Ship shall cover the said Bond given, or to the Governor that the Ship shall carry the said if carried to Articles to some other British Plantation, or to Great other Places; Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on Shore; every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 39 & 40 Geo. 3. c. 67. Art. 6. 20 Geo. 3. c. 10. § 1. 3. 4 Geo. 3. c. 15. § 27.

5. But the said Acts are not to prevent the Subjects but not to extend of the King of the Netherlands, being Dutch Proprietors to the Produce in Demerara, Berbice, or Essequibo, in the Province of Dutch Proprie-Guiana, from exporting from the said Colonies to the tors in Guiana. Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United King-E dom.

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dom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

See GUIANA.

Governors or Officers suspecting Certificates to be false, not to cancel Bonds; and Penalty on falsifying Certificates.

Penalty on Officers suffering Goods to be carried to other Places,

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

6. In Cases where the Governor or Officers in any of the Plantations shall have reasonable ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officers shall not cancel the Security given in the Plantations, until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be .f no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

7. If any Officer of the Customs in Great Britain or Ireland shall give any Warrant for or suffer any Coffee or Cocoa Nuts, or any enumerated Article, to be carried into any other Country or Place, until they have been first put on shore in some Port in Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

8. The Governors or their Commanders in Chief of the said Plantations are Once a Year at least to return to the Officers of the Customs in London, or to such other Person as His Majesty shall appoint to receive the same, a List of such Ships as shall have laden any Coffee or Cocoa Nuts, or any enumerated Article, in such Plantations, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantions shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited, and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo 3. c. 67. Art. 6.

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in Chief of to return to such other e the same, 7 Coffee or such Planiem; and in ty's Pla i amy Port of , such Ship & 23 Car. 2. o. 3. c. 10.

9. In

### Coffee and Cocoa Nuts.

9. In all Bonds to be taken in the Plantations, the Condition of the Persons therein named shall be of known Residence and Bond, and who Ability there for the Value mentioned in the Bond, the Obligors when Condition of which shall be, within 18 Months after the taken in the Date thereof (the Danger of the Seas excepted) to produce a Certificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ireland; otherwise such Bond or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 26 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

10. In all Bonds which shall be entered into in Great Condition whe Britain or Ireland, in pursuance of any Act whereby the Britain or Goods therein enumerated are to be brought to Great Ireland, Britain or Ireland, such Bonds shall be with Condition, that within 18 Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 G. 3. c. 15. § 27. c. 67. Art. 6.

11. In case there shall be no Prosecution for some Bonds void if Breach or Non-performance of the Condition of the Bond not prosecuted within Three Years after the Date thereof, or if, upon Years of the Prosecution for some Breach or Non-performance of the Date, or if Condition, Judgment be not obtained within Two Years Judgment not after Prosecution commenced then such Bond (in de obtained within after Prosecution commenced, then such Bond (in de- Two Years after fault of such Prosecution to be commenced, and Judgment Prosecution. to be obtained, within the Times limited) shall be void, and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

12. There shall be paid to His Majesty One Penny Duty payable for every Pound Weight of Cocoa Nuts shipped in His when not shipped Maiesty's Plantations, if Bond is not first given with One for Great Britain Majesty's Plantations, if Bond is not first given with One or Great Surety to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Lading thereof. 25 Car. 2. c. 7. § 2.

Plantations.

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To be paid in Sterling Money.

To be levied by the Commissioners.

Officers may accept a Proportion of the Commodity.

Bond to be given although the Duty paid.

Laws and Customs in the Plantations repugnant to this Act, null and yoid.

Penalty on Persons concerned in the Loading without Payment of Duty, or to whose Hands the Goods shall come.

Not to be shipped until the Planter or his

13. The Duty shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and according to the Proportion of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

14. The Duty shall be levied by the Commissioners of the Customs in England, under the Directions of the Lords of the Treasury. 25 Car. 2. c. 7. § 3.

15. In case any Person liable to pay the Duty shall not have Money to answer the same, the Officer shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the Current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. §4.

16. Notwithstanding the Payment of the Duty, the Cocoa Nuts shall not be shipped until such Security shall be given as is required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. to carry the same to Great Britain or Ireland, or tosome other of His Majesty's Plantations, under the Forfeiture of Ship and Goods. 7 & 8 W. 3. c. 22. §8.

17. All Laws, Bye-laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are anyways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Laws shall relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22 § 9.

18. If the Goods shall be loaden on board any Vessel before the Duties are paid, every Person assisting or otherwise concerned, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value of the Goods, to be computed according to the best Price that the Commodity bears at the Place where the Offence is committed; and all the Boats made use of in the Loading shall be seized and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

19. No Coffee or Cocoa Nuts shall be put on board any Vessel in any of His Majesty's Colonies and Plantations

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### Coffee and Cocoa Ruts.

tions in America, until the Planter or Grower, or his Agent shall known Agent, shall make Oath or Affirmation in Writing make Oath of before Two of His Majesty's Justices of the Peace in or near the Place where the said Coffee grew, that the same tices, of which a is actually of the Growth and Produce of such Planter's or Grower's Plantation lying in the District, Division, or Parish of , within the Island or Colony of

; which Oath or Affirmation shall be pro-

duced to the Collector, Comptroller, and Naval Officer. or any of them, by the Person who shall enter or ship such Coffee or Cocoa Nuts, before the Entry and Shipping thereof; and such Person shall likewise make Oath or Affirmation before the said Officers, or any Two of them, that the Coffee or Cocoa Nuts then to be shipped are the same as mentioned in such Oath or Affirmation; and the Collector and Comptroller, and Naval Officer. shall deliver a Certificate of such Affidavit or Affirmation, under their Hands and Seals, to the Master of such Vessel; and, before Clearing, such Master shall make Oath that he has received such Coffee on board his Vessel. and that he has no Coffee or Cocoa Nuts on board other than such for which Proofs shall be made as aforesaid, and that he will not take or receive any more on board before his Arrival in Great Britain or Ircland, and making a Report of his Lading there; for which Affidavit or Affirmation and Certificate the Collector and Comptroller, or Naval Officer, shall receive Five Shillings and no more; and all Certificates of such Affidavits or Affirmations shall, by the Master of such Vessel importing the Coffee or Cocoa Nuts into Great Britain or Ireland, be produced to the Collector and Comptroller of the Customs at the Port where the Vessel shall unlade, at the Time of making his Report, and the Master shall at the same Time deliver to them a Certificate under the Hands and Seals of the Collector and Comptroller of the Customs and Naval Officer of the Place where such Coffee or Cocoa Nuts shall have been shipped (or any Two of them) testifying the particular Quantities laden, and of which such Proofs have been made, specifying the Packages, with the particular Marks, Numbers, and Weights of each; and the Master shall likewise make Oath, or, if he be one of the People called Quakers, solemnly affirm before them, that the Coffee or Cocoa Nuts mentioned in the Certificate was taken on board as therein expressed, E 3 and

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and that, after his Departure from the Place where such Coffee or Cocoa Nuts was laden, he did not take on board his Vessel at Sea or elsewhere any Coffee or Cocoa Nuts, and that all the Coffee or Cocoa Nuts on board is mentioned in the Certificate. 5 Geo. 2. c. 24. § 3. 23 Geo. 3. c. 79. § 7. 39 & 40 Geo. 3. c. 67. Art. 6.

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20. If there are not any Justices of the Peace before whom such Affidavit can be made, the Planter or Grower may make the same before the Collector and Comptroller or other Chief Officer of the Customs, or any Two of them, at the Port or Place from whence the Article may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. §2.

21. No Person having Charge of any Vessel shalltake in, or permit to be taken in, at any of the British Plantations in America, or at Sea, or in any Place in America, or land or suffer to be landed in any of the said Plantations, any Cocoa Nuts of the Growth of any Foreign Country, (except such as shall be regularly exported from Great Britain,) on Forfeiture thereof, and of 200, and likewise shall suffer 12 Months Imprisonment, to be sued for in any Court of Record in Europe or the Plantations; and what shall be recovered in Europe shall be one Moiety to His Majesty, and the other to the Informer; and in the Plantations, One-third to His Majesty, One-third to the Governor or Commander in Chief, and the other Third to the Informer. 23 Geo. 3. c. 79. § 8. 22. Persons falsely making any Oath or Affirmation shall forfeit £200, and be imprisoned Twelve Months; and if any Person shall forge or counterfeit a Certificate of the said Oath or Affirmation, or shall publish such Certificate, knowing the same to be forged, shall forfeit £200, one Moiety to His Majesty, and the other to the Informer. 23 Geo. 3. c. 79. §9.

23. Coffee and Cocoa Nuts may be exported from the West India Islands to any Territories belonging to the United States, on Payment of the same Duties to which Coffee and Cocoa Nuts exported to any British Colony are liable; and the Duties shall be raised, recovered, and applied in the same Manner as the Duties on Cocoa Nuts

If there are no Justices, the Oath may be made before Two principal Officers of the Customs,

Cocoa Nuts of a Foreign Country not to be taken on board either at Sea or in any Place in America, or landed in the British Plantations,

Penalty on taking false Oaths or counterfeiting Certificates.

May be exported to United States on Payment of Duty.

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where such t take on or Cocoa n board is c. 24. § 3. rt. 6. ace before or Grower omptroller y Two of rticle may ate which er, or any pper, they es of the lantation.

shalltake e British Place in any of the rth of any ularly exof, and of isonment, pe or the rope shall o the In-Majesty, hief, and . 79. §8. firmation Months; Certificate lish such all forfeit er to the

from the ig to the to which 1 Colony red, and n Cocoa Nuts

### Coffee and Cocoa Ruts.

Nuts exported to any British Colony or Plantation in America, are raised, recovered, and applied; but no Coffee or Cocoa Nuts shall be so exported, other than by British Subjects, in British-built Ships owned and navigated according to Law, under Forfeiture thereof, and also of the Vessel. 28 Geo. 3. c. 6. § 3.

24. Coffee, the Produce of any British Colony in the Coffee may be West Indies, imported into the Island of Bermuda in Exported from Bermuda to the any British Vessel, may be exported from Saint George United States in or Hamilton in Bermuda to any Part of the Territories Foreign Vessels. of the United States of America, in any Foreign Vessel belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50.

25. Where, on Exportation of Goods to any British If Bond required, Colony or Plantation in America, a Bond is required for when exported to the due Landing thereof, \* and a Certificate is required to a british Colony similar Bond to discharge such Bond, a similar Bond shall be required be required on on Exportation of such Goods to the United States, and Exportation to such Bond shall be discharged upon Cartifacte under the United such Bond shall be discharged upon Certificate under States. the Hand and Seal of the British Consul or Vice-Consul; or in case there shall not be any such Consul or Vice-Consul, then under the Hand and Scal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate, by the Master of the Ship, that the Goods were duly landed. 53 Geo. 3. c. 50. § 4.

26. Cocoa of the Growth or Production of any of the Cocoa imported Colonies or Plantations in America, or Countries on the into the Free Continent of America, belonging to or under the Domi-Continent of America, belonging to or under the Domi- exported to the nion of any Foreign European Sovereign or State, im- United Kingported into any of the Free Ports, may be exported from dom. thence to any Part of the United Kingdom, under the Rules and Regulations of 12 Car.2. c. 18. 22& 23 Car.2. c. 26. and 20 Geo. 3. c. 10. 45 Geo. 3. c. 57. § 11. See FREE PORTS.

\* A Bond is required upon the Exportation of Coffee and Cocoa Nuts to the British Colonies by 12 Car. 2. c. 18. § 19. See No. 2.

a British Colony,

27. Any

May be exported from Sugar Colonies to Ports in Europe South of Cape Finisterre;

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upon Licence and Bond and cortain Regulations being complied with.

### Coffee and Cocoa Ruts.

27. Any of His Majesty's Subjects may ship, in any of His Majesty's Sugar Colonics or Plantations in America, any Coffee or Cocoa the Consult of any such Colony or Plantation, and may evoort the same direct to any Port in Europe to the Southward of Cape Finisterre, and import into the said Colonies or Plantations any Sort of Corn or Grain direct from any such Ports in Europe, or from any Place on the Coast of Africa to the Northward of the Thirt'eth Degree of North Latitude, in such Ships, and under Licences, Securities, Regulations, Penalties, and Forfeitures herein-after limited for that Purpose. 52 Geo. 3. c. 98. § 1.

28. No Coffee or Cocoa shall be so laden in any of the said Colonies or Plantations, except in British-built Ships owned, navigated, and registered according to Law, nor unless a Licence shall have been first taken out for that Purpose, under the Hands and Seals of the Collector and Comptroller of the Port at which such Coffee or Cocoa is intended to be shipped, subject to the Regulations herein-after mentioned; (that is to say), that Notice be first given in Writing by the Master, or by One or more Owner or Owners of the Ship, to the Col lector and Comptroller of such Port, of their Intention that such Ship shall, when laden, proceed direct to some Port in Europe to the Southward of Cape Finisterre, and export from thence, or from some Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, Corn or Grain, to be carried directly to the Colony or Plantation from which such Ship shall have sailed; and the Exporter shall then make Oath before the Collector and Comptroller of the Port, that it is his full Intention and Resolution to load the Ship with Coffee or Cocoa for Exportation direct to some Port in Europe to the Southward of Cape Finisterre, and to no other Place; and the Master or Owners, together with the Exporter, shall thereupon enter into Bond, to the Use of His Majesty, in Treble the Value of the Goods, with Condition that, in case a Licence shall be granted as aforesaid, such Ship shall proceed direct to some legal Port of Destination, specifying the same; and that no Goods, except Coffee or Cocoa, shall be taken on board, unless for the necessary Use of such Vessel during her Voyage; and also that, before the Expiration of Two Years from the Date of such Licence, the same shall be delivered up to the Collector or Comptroller of the Customs of the Port where the Coffee or Cocoa was shipped, 10 together

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any of His ierica, any or Plantain Europe ort into the n or Grain any Place e Thirt<sup>-</sup>eth l under Li-Forfeitures 3. c. 98. § 1. in any of ritish-built cording to first taken Seals of the which such bject to the o say), that ster, or by to the Col · Intention ect to some Finisterre, n the Coast Degree of directly to Ship shall nake Oath Port, that it e Ship with ne Port in and to no gether with ond, to the the Goods, granted as some legal nd that no n on board, during her on of Two n**e sha**ll-be of the Cusas shipped, together

### Coffee and Cocoa Ruts.

together with a Certificate, signed and sealed by the Consul, or Two known British Merchants of good Credit at the Port or Place where such Coffee was landed, certifying the Landing thereof, with the Number of Casks and other Packages so landed, and the Mark, Number, and Contents of each, together with the Name of the Ship and Master, and that they verily believe no other Goods than Coffee or Cocoa have been there landed out of such Ship. 52 Geo. 3. c. 98. § 2.

29. In case any licensed Ship shall take on board, in Of a Foreign any of the said Sugar Colonies or Plantations, or in her Voyage from thence, any Coffee or Cocoa being the Produce of any Foreign Colony or Plantation, such Coffee or in the Voyage and Cocoa shall be forfeited with Double the Value, and the Master and Shipper thereof shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty in America, or in any Court of Record there, at the Election of the Prosecutor; One Third Part to be for the Use of His Majesty, One Third to the Governor of the Colony, and the other One Third to the Prosecutor. 52 Geo. 3. c. 98. § 3.

30. Before any Coffee or Cocoa shall be laden for any Regulations to Port in Europe to the Southward of Cape Finisterre, the bc observed Exporter shall make an Entry thereof in Writing with Coffee or Coccoa the Collector and Comptroller of His Majesty's Customs, Nuts for Ports expressing the Name of the Ship and the Master, and in Europe South of Cape Finis-terre. the Goods are to be laden, or first water-borne, which shall be within such Port only where a Custom-house is established, and where an Officer shall be appointed to attend the Shipping, or at such Places as shall be mentioned in a Sufferance from the Collector and Comptroller; and the Exporter shall thereon take out from the said Collector and Comptroller a Cocket or Warrant, whereon shall be endorsed by the Exporter the Marks, Numbers, and Contents or Denominations of such Coffee or Cocoa; and the Cocket or Warrant so endorsed shall be delivered to the Officer appointed for the examining and shipping thereof; and the same shall be shipped in the Presence of such Officers, or at such Places, as shall be mentioned in the Sufferance or Warrant, and such Officers shall examine the same before put on board; and if, before or alter the shipping thereof, the Number of Casks or Packages shall be greater than endorsed, or if there shall be found any other Coffee or Cocoa

Colony taken on board in the Sugar Colonies from thence.

before lading

Cocoa than shall be so endorsed, or any other Goods than Coffee or Cocoa shall be discovered on board, or brought to be shipped in or put into any Vessel for that Purpose, before Entry, or taking out such Cocket or Warrant, endorsing and Delivery of the same, and not being shipped in the Manner aforesaid, but shall be put on board, or attempted to be put on board, contrary to this Act, such Coffee and Cocoa shall be forfeited, as also the Vessel or Carriage employed therein, with the Ship in which such Goods shall be laden, and the Owner shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty held in 'any of His Majesty's Plantations in America, or in any Court of Record there, at the Election of the Prosecutor; One Third to be to the Use of His Majesty, Oue Third to the Governor, and the other One Third to the Prosecutor; and before such Ship shall depart, the Master shall receive the said Licence from the Collector or Comptroller, with a Certificate endorsed thereon, or affixed thereto, under their Hauds and Seals of Office, who are to make Two Copies of such Licence, Endorsements, or Certificates, for which no more shall be taken than the legal and accustomed Fees; and the Master shall, before he receives the said Licence, attest the Copies which are to be left with the Collector and Comptroller, who are to transmit One of the Copies of the Endorsements or Certificates to the Commissioners of the Customs in England, and record in a Book the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted, together with the Clearance; but in case any Goods not allowed by this Act shall be found on board, or carried by any such Ship to any Foreign Port, then the Liberty granted by such Licence shall become void, and such Ship and the Master, and all others concerned, shall be liable to the same Penalties and Forfeitures as they would have been in case this Act had not been made. 52 Geo. 3. c. 98. § 4.

Bond may be discharged on Certificate. 31. Upon such Licence being returned to the Collector and Comptroller of the Customs of the Port where the Coffee or Cocoa was shipped, and an Account of the Lading being endorsed thereon or annexed thereto, and upon such Certificate of the Consul or Two known British Merchants of good Credit being produced, and the several other Matters required being duly complied with within Two Years from the Date of such Licence, the Bond

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Bond shall be discharged and delivered up, otherwise shall be forfeited and prosecuted in the Malner before directed. 52 Geo. 3. c. 98. § 5.

32. Upon the Master or Owner of such Vessel con- Vessels exportforming to the Conditions of the Li care ad Bond, and ing Coffee and Cocco Nuts may obtaining a Certificate from the Constant: Two known load Corn er British Merchants as aforesaid, such V sel may load in Grain at Ports the Port of Delivery, or at any Port or Place on the in Europe, or Coast of Africa to the Northward of the Latitude of Africa. Thirty Degrees North, any Corn or Grain, the Produce of Europe or Africa, for Exportation, direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 6.

33. All Penalties and Forfeitures incurred by this Act How Penalties (except where it is otherwise provided) shall be prose- and Forfeitures cuted in any of His Majesty's Courts of Record at Westminster or Dublin, or the Court of Exchequer in Scotland; one Moiety whereof to be for the Use of His Majesty, and the other Moiety to the Prosecutor; wherein no Essoign, Protection, or Wager of Law shall be allowed, nor any more than One Imparlance. 52 Geo. 3. c. 98. § 7.

34. If any Person shall be sued for any thing done in General Issue pursuance of this Act, he may plead the General Issue, and Treble Costs and give this Act and the special Matter in Evidence; allowed, and if the Plaintiff or Prosecutor shall become nonsuit, or forbear the Prosecution, or discontinue his Action, or if Verdict shall pass against him, the Defendant shall have Treble Costs, and the like Remedy for recovering the same as in Cases where Costs are by Law given to Defendants. 52 Geo. 3. c. 98. § 8.

35. If any Person shall grant a false Certificate, or Granting false counterfeit, erase, or alter any Licence, Oath, or Certificate which shall be made pursuant to this Act, or shall Documents. knowingly publish or make we thereof, such Person shall forfeit  $\pounds$  500, to be recovered and disposed of in the Manner before directed ; and the Licence, Oath, or Certificate so falsified, counterfeited, erased, or altered, shall be of no Effect. 52 Geo. 3. c. 98. §9.

36. The Growth of any of His Majesty's Sugar Colo- Of the Sugar nies or Plantations in America, may be shipped and exported direct to the Island of Malta or the Dependencies Malta or thereof, or to Gibraltar, in such Vessels, and under such Gibraltar. Licences, Entries, Securities, Regulations, Penalties,

to be recovered.

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r brought Purpose, Warrant, eing shipon board, this Act. s also the Ship in ner shall the Court s Plantathere, at be to the nor, and fore such said Lia Certifider their o Copies ates, for d accusceives the left with smit One es to the 1 record r of the granted, oods not r carried Liberty nd such shall be as they n made.

Collect where it of the eto, and wn Briand the ed with ice, the Bond

and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR.

MALTA.

Duty upon Importation of Foreign Coffee.

How to be col-

lected and paid.

37. There shall be paid to His Majesty upon Coffee, the Produce of any Colony or Plantation in America not under the Dominion of His Majesty, which shall be imported or brought into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Hundred Weight Avoirdupois of such Foreign Coffee, which shall be imported from any Place except Great Britain, Two Pounds Nineteen Shillings and Nine-pence. 4 Geo. 3. c. 15. § 1.

38. The Duties shall be collected and paid in the same Manner, and by such Ways and Means, and under such Penalties and Forfeitures (not otherwise altered by this Act), as are mentioned in 6 Geo. 2. c. 13. with respect to the Collection and Payment of the Duties thereby granted upon Sugar; and all Powers, Penalties, Provisions, Articles, and Clauses in that Act contained and referred unto, except in such Cases where any Alteration is made by this Act, shall be applied and put in Execution for the raising, levying, collecting, and answering the Duties hereby granted. 4 Geo. 3. c. 15. § 7.

See Sugar.

Appropriation thereof.

Duty upon Importation of British Coffee,

How to be collected, recovered and appropriated 39. The said Duties (except the necessary Charges of raising, paying, recovering, and accounting 'or the same) shall be paid into the Receipt of His Majesty's Exchequer, and be entered separate and apart from all other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of defending and securing the British Colonies in America. 4 Geo. 3. c. 15. § 11, 41.

40. There shall be paid unto His Majesty, His Heirs and Successors, the Duties herein-after mentioned : that is to say,

For every Hundred Weight Avoirdupois of Coffee of the Growth of any British Colony or Plantation in America, which shall be imported or brought from thence into any other British Colony or Plantation in America, Seven Shillings. 6 Geo. 3. c. 52. § 4.

41. The said Duties shall be deemed Sterling Money of Great Britain, and received to the Amount of the Value

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### Coffee and Cocoa Ruts.

Value which such nominal Sums bear in Great Britain, according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and shall be collected, paid, and recovered by such Rules, Penalties, and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into the said Colonies or Plantations are or may be collected, paid, and recovered by any Acts of Parliament now in force; and all the Monies that hall arise by the said Duties (except the necessary Charges of collecting, recovering, paying, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, and entered separate and apart from all other Monies paid or payable to His Majesty, and shall be disposed of by Parliament towards defraying the necessary Expences of defending and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

42. But no Duty shall be paid for any British Coffee British Coffee imported or brought into any British Colony or Planta- warehoused for tion in America, if demosited in Warehouses availed at Exportation to tion in America, if deposited in Warehouses provided at Great Britain, the sole Expence of the Importer or Proprietor of such Ireland, or some Coffee, with the Privity and Approbation and under other British the Care and Inspection of the Collector and Comp. no Duty the Care and Inspection of the Collector and Comp- to be charged. troller or other Principal Officer of the Customs at the Place where such Coffee shall be imported, and secured under the separate Locks of such Officers and the Proprietor, and, within Twelve Calendar Months from the landing and warehousing the same, shall be shipped directly from thence for Exportation to Great Britain or to Ircland, or some other British Colony or Plantation in America, under the Securities and Restrictions required by Law. 6 Geo. 3. c. 52. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

43. No Duty shall be paid for any Foreign Coffee Foreign Coffee imported or brought into any British Colony or Planta- may be ware-housed on Imtion on the Continent of America, if deposited in Ware- portation into houses provided at the sole Expence of the Importer or Colonies on the Proprietor of such Coffee, with the Privity and Appro- Continent of America, and bation and under the Care and Inspection of the Col- on Exportation lector and Comptroller, or other Principal Officer of the thereof Bonics Customs at the Place where such Coffee shall be ini- be given. ported, and shall also be secured under the separate Locks of such Officers and Proprietor, and within Twelve Calendar Months from the landing and warehousing the same, shall be shipped for Exportation as herein-after is expressed :

expressed; that is to say, before such Foreign Coffee shall be taken out of such Warehouse for Exportation, the Exporter shall become bound with sufficient Security, in the Penalty of  $\pounds 5$  for every Hundred Weight of such Coffee, that the same shall be exported according to the Entry, and not relanded in any Part of the British Dominions in America; which Bond the Collector and Comptroller, or other Principal Officer of the Customs at the Port from whence such Foreign Coffee shall be intended to be exported, are required to take to the Use of His Majesty; and the said Bond, with respect to such Coffee as shall be exported to Great Britain, Ireland, or to any other Place under the Dominion of His Majesty where Custom-house Officers are or may be established, shall be with further Condition to return a Certificate, within Eighteen Calendar Months from the Date of such Bond, from the Collector and Comptroller or other Principal Officer of the Customs at such Place, that such Coffee has been there landed accordingly; and with respect to such Coffee as shall be exported to any Place not under the Dominion of His Majesty, or where no such Officers are appointed, such Bond shall continue in force for Two Years from the Date thereof; and in case no Fraud shall appear within that Time, it shall be lawful for the Commissioners of His Majesty's Customs in England, or any Four or more of them, to direct the said Bond to be cancelled and delivered up. 6 Geo. 3. c. 52. § 16. 39 & 40 Geo. 3. c. 67. Art. 6.

44. If the Importer or Proprietor of any such Foreign Coffee warehoused as atoresaid shall not pay the Duties nor export the Goods within Twelve Calendar Months, the Collector and Comptroller or other Principal Officer of the Customs may cause the same to be publicly sold, and the Money arising by such Sale shall be in the first place applied in Discharge of the Duties and Charges attending the Sale, and the Surplus (if any) after Payment of the said Duties and Charges, shall be paid to the Importer or Proprietor, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52, §17.

45 Cocoa, the Production of any of the Colonies in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Colonies or Countries into the Free Ports, in any Foreign Vessel owned and navigated by Persons inhabiting

If Duties not paid or the Gnods exported, they may be sold by the Officers.

Cocoa of Foreign Colonies may be imported into the Free Ports in Foreign Veffels. ha on Do 45

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reign Coffee Exportation, ent Security, Weight of ed according of the British ollector and e Customs at shall be into the Use of pect to such un, Ireland, nion of His or may be to return a ths from the Comptroller such Place, dingly; and orted to any ty, or where all continue eof; and in e, it shall be ty's Customs to direct the 6 Geo. 3.

uch Foreign y the Duties dar Months, cipal Officer ublicly sold, e in the first and Charges ter Payment l to the Imas shall be 3. c. 52. §17. Colonies in of America, ny Foreign ed from any ree Ports, in Persons inhabiting

### Coffee and Cocoa Ruts.

habiting any of the said Colonies in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. § 1.

See FREE PORTS.

46. Coffee, the Production of any Foreign Colony Coffee of Foreign or Plantation, may be imported into Nassau in New Providence, Pitt's Town in Crooked Island, or into such Foreign Vessels Ports in the Bahama Islands, or into the principal Port into Ports to be of Bermuda, or into such Ports in the Caicos as have been or may hereafter be approved by His Majesty, in such ported without Foreign Vessels, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods herein enumerated; and such Coffice may be so imported and again exported without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

See FREE PORTS.

47. His Majesty, with the Advice of His Privy Coun- also into and cil, may permit the Importation into Road Harbour in under the same the Island of Tortola, one of the Virgin Islands, and the Rules, &c. and Exportation from thence into Great Britain, of Foreign such other as Coffee, in the same Manner, and subject to the same Rules, may direct: Regulations, Restrictions, Penalties, and Forfeitures, as are provided in 45 Geo. 3. c. 57. respecting Importation and Exportation of Coffee from Nassau, and further subject to such Rules, &c. as shall be directed by His Majesty. 46 Geo. 3. c. 72. § 1.

See FREE PORTS.

48. Any Foreign Vessel described in 45 Geo. 3. c. 57. and into and may come in Ballast, or import into any Part of the the Bahama Bahama Islands where there is a Custom-house, any Islands where Coffee allowed in the said Act to be imported into cer- there is a Custain Ports therein mentioned in Foreign Vessels, and may also export such Coffee conformably with the Regulations of the said Act. 52 Ceo. 3. c. 99. § 1.

See FREE PORTS.

### Coin.

1. Copper Coin, not 'r ang the legal Copper Coin of Counterfeir, a this Kingdom, and counterfeit Gold or Silver Coin to be exported from Great Brimade to the Similitude or Resemblance, or intended to tain to the resemble, any Gold or Silver Coin of this Kingdom, or British Colonies. of any other Country, which shall under any Description be exported or put on board any Vessel or Boat for the

Colonies may be approved by His Majesty, and ex-Payment of Duty :

His Majesty

from any Part of tom-house.

Purpose

Purpose of being exported from Great Britain to any of His Majesty's Islands or Colonies in the West Indies or America, shall be forfeited, and may be prosecuted and recovered in such Courts, and by the like Means, and the Froduce thereof disposed of and applied in the like manner, and to such Uses, as any Forfeiture incurred by any Law respecting the Revenue may now be prosecuted or recovered, disposed of, and applied in Great Britain, or in any of His Majesty's Islands in the West Indies. 38 Geo. 3. c. 67. § 1.

2. Every Person who shall export, or put on board any Vessel or Boat in order to be so exported, or shall cause or procure to be so exported or put on board any Vessel or Boat, or who shall have in his Custody in order to be so exported, any such Coin, shall forfeit £200, and Double the Value of such Coin, to be recovered by Action or Information in any of His Majesty's Courts of Record at Westminster. 38 Geo. 3. c. 67. § 2.

3. All Coin may be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel owned and navigated by Persons inhabiting any of the said Colonics or Plantations or Countries. 45 Geo. 3. c. 57.<sup>1</sup> 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

### Copper Dre,

Of the Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo. 1. c. 18. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

For the Restrictions, Penalties, and Forfeitures, to secure the Landing in the Plantations or in Great Britain or Ireland, (See "Ashes, Pot and Pearl.")

#### Coral,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's

Penalty on the Exporters or Persons having such Coin in their Custody.

Importation allowed into the Free Ports in Foreign Vessels.

Must be landed in some other British Plantation, or in Great Britain or Ireland.

Importation allowed from Malta or Gibraltar. Ma to Col bui to l

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it on board ed, or shall board any ody in order £200, and covered by sty's Courts · § 2. of the Colo-Country on under the m or State, owned and id Colonies 49 Geo.3.

s in Ameriany of the some other to Great 19. 22 & 13. 8 Ann. 5. § 24. 27. . 3. 39 &

feitures, to in Great Pearl.")

the Depenany of His Majesty's Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. S. 57 Geo. 3. c. 4. § 1. See GIBRALTAR.

MALTA

#### Cork.

1. The Produce of Europe South of Cape Finisterre, Vessels from may be shipped and laden in any Port or Place of British Colonies Europe South of Cape Finisterre, for Exportation direct rica, arriving with to any of the Ports herein-after mentioned; (that is to the Produce say), Saint John's in New Brunswick, Saint John's in thereof at Places in Europe South Newfoundland, Quebec in Canada, Sydney in Cape of Cave Finis-Breton, Halifax and Shelburn in Nova Scotia, and terre, may im-Charlotte Town in Prince Edward's Island, all in North port from thence America, on board of any British String and an initial Cork the Pro-America, on board of any British Ship owned, navigated, duce of Europe. and registered according to Law, which shall have arrived at any Port or Place of Europe South of Cape Finisterre with Articles of the Growth or Produce of the said Colonies or Plantations, 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 any Part of the United Kingdom, or with any of the Goods hereinafter mentioned, 'rom Canada, whether such Goods shall be the Huduce of Canada, or shall have been brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

2. Upon the Importation of Cork into any of the said What Dunies Ports, the same shall be subject to the Payment of such liable to. Duties as Goods of the like Denomination are liable to upon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

3. The Person exporting any Cargo from any Port in On Exportation the Provinces of Nova Scotia or of New Brunswick, for from Nova any Port of Europe South of Cape Finisterre, shall make Scotia or New Brunswick, Oath Oath at the Port of Shipment before the Chief Officer to be made that of the Customs, or before the Naval Officer in Command the Cargo is the at such Port, that the Cargo so shipped is the Command Produce of the at such Port, that the Cargo so shipped is the Growth Province, or of and Produce of the Province, or the Produce of the the British British Fisherics in North America, really taken and "tsherics; and cured by His Majesty's Subjects carrying on the said thereof to be Fisheries from some of the Colonies or Plantations; and produced.

such

such Officer shall certify such Oath under his Hand; and the Certificate shall be produced by the Master of the Vessel on board of which any such Cargo is shipped, on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Vessel shall go for the Delivery of the Cargo; and the Master of such Vessel shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was the Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Planks, and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were of the Growth of or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to, in manner aforesaid, by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

5. Before shipping any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the British Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof signed with his

Certain Articles may be exported from Canada without such Oath, on producing the Certificate of the regular Importation by Land or Inland Mavigation.

Oath to be made, before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

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Beans, Oats, Staves, and Planks, and make Oath anada; and ny Port of be required icer of the at Quebec, or brought established t or Inland ereon, and ns or Naval Proof being henticity of r aforesaid, Delivery in 3. c. 97.§5. ry Fish for rope within ssession the landed from until shipe the Chief Command the British n and cured id Fisheries such Oath Customs or signed with his

his Hand, which Certificate only the Master of the Vessel shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

6. Any Ship or Goods subject to Forfeiture under this By whom Ships Act may be seized by any Officer of the Customs in the be seized and Goods may said Colonies or Plantations, or by the Commander of prosecuted. any of His Majesty's Vessels of War, and shall be prosecuted and the Produce divided in the same manner, and by the same Regulations, as any other Forfeiture imposed by any Act made for the Security of the Revenue, or the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, before the passing of this Act, in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

7. May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1,

See GIBRALTAR. MALTA.

#### Corn and Grain.

1. Flour, Peas, Beans, Wheat, Oats, Barley, or Maybe imported Grain of any sort, of the Growth of any of the Territories of the United States, may be imported from the said India Islands and Territories into His Majesty's West India Islands (in Colonies in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo, in the Province of Guiana; but not to be so imported, except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

2. Any of the said Articles, being the Growth of the and into Bersaid Territories, may be imported from thence into Saint Vessels. George, or Hamilton, in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies in  $F_2$ British-

and Goods may

from United Guiana in British Vessels;

muda in Foreign

Not to be imported from Colonies under Foreign European Sovereigns,

except in case of Distress, for the Supply of the Inhabitants.

So imported for the Supply of the Inhabitants not to be exported, and Oath to be taken before shipping Articles of the like Denomination. British-built Vessels owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

3. No Flour, Peas, Beans, Wheat, Oats, Barley, or Grain, shall be imported into His Majesty's West India Islands, including the Bahama and Bermuda or Somers Islands, or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3 c. 91. § 1.

4. In case of public Emergency or Distress, it shall be lawful for the Governors, Lieutenant Governors, or Commanders in Chief of any of the said Islands in the West Indies under the Dominion of His Majesty, or for the Governors &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, to authorize the Importation of the said Articles, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; provided that such Articles shall not be so imported except by British Subjects, and in British-built Vessels owned and navigated according to Law, on Forfeiture thereof and of the Vessel. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1

5. None of the said Articles which shall have been imported from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat or brought to any Quay with Intent to be so exported, on Forfeiture thereof, and also of the Vessel or Boat in which laden; and before shipping of any Article of the like Denomination that may lawfully be exported from any such Islands or Colony, the Exporter shall make Oath that the same or any Part thereof had not been imported for the Supply of the Inhabitants from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European

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have been or Colony ne Domiitate, into olonies of ply of the id Islands · Boat or orted, on Boat in cle of the rted from nall make not been from any Continent y Foreign European

#### Corn and Grain.

European Sovercign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

6. Any Person convicted of taking a false Oath touch- Persons taking ing any of the Facts required to be testified on Oath, shall false Oaths. be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

7. Grain of all Sorts or Flour may be imported from Grain and Flour any Colonies or Plantations in America, belonging to or may be imported in Foreign Verunder the Dominion of any Foreign European Sovereign sels into the or State, into the Free Ports in the West Indies, in any Free Ports. Foreign Vessel manued and navigated by Persons inhabiting any of the said Colonies or Plantations belonging to any Foreign Sovereign or State, under the like Authority, Restrictions, Rnles, Regulations, Penalties, and Forfeitures provided in 45 Geo. 3. c. 57. with respect to Articles therein enumerated. 45 Geo. 3. c. 57. 48 Geo. 3. c. 125. § 2. 49 Geo. 3. c. 22. 52 Geo. 3. c. 44. 57 Geo. 3. c. 74.

#### See FREE PORTS.

8. During the Continuance of the Treaty with Portu- Of the Portugal, any Person may import into any of the said West guese Settle-India Islands, including the Bahama and Bermuda or imported into Somers Islands, or Colonies of Demerara, Berbice, or the West Indies Essequibo, any Flour, Peas, Beans, Wheat, Oats, or Colonies in Barley, or Grain of any Sout, such Articles Lain et al. Guiana. Barley, or Grain of any Sort, such Articles being the Growth or Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America, and imported direct from the said Territories or Dominions in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

9. Grain, Peas, Beans, and Flour may be imported May be imported into any of His Majesty's Colonies or Plantations in the Indies and Co-West Indies, or on the Continent of America, for the lordes on the Supply of the Inhabitants thereof, in British-built Ships, Comment, for registered and navigated according to Law, from any the Inhabitants, Colony or Plantation in the West Indies, or on the Con- from Colonies tinent of America, under the Dominion of any Foreign European European Sovereign or State. 58 Geo. 3. c 27. § 1.

10. Peas and Beans, the Growth of any of the Colonies Peas and Beans or Possessions in the West Indies or on the Continent of of Celonies under

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May be imported from the United States for the Supply of Inhabitants of Nova Scotia, &c. in case of Distress;

and Flour and Indian Corn for the Supply of the Inhabitants and Fishermen at Newfoundland;

and Flour, &c. for the Purpose of being re-ex-

### Corn and Grain.

America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported into any of the Ports in His Majesty's Colonies or Plantations in the West Indies enumerated in 45 Geo. 3. c. 57. 46 Geo. 3. c. 72. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. and 57 Geo. 3. c. 74. in Vessels of the like Description, and subject to the like Rules, Regulations, and Restrictions as are required by the aforesaid Acts, permitting certain Articles to be imported into the Ports enumerated therein in Vessels of the like Description, and subject to the like Rules, &c. as are required by 50 Geo. 3. c. 21.\*—58 Geo 3. c. 27. § 2.

11. In case of public Emergency or Distress, it shall be lawful for the Governor, Lieutenant Governor, or Commander in Chief of Nova Scotia or New Brunswick, Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, to authorize the Importation of Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any Sort, for a limited Time, from any of the Territories belonging to the said United States, for the Supply of the Inhabitants of the said Provinces and Islands; but such Corn, &c. shall not be so imported, except by British Subjects, and in British built Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

12. His Majesty in Council, by Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Flour and Indian Corn from any of the Territories of the United States of America, for the Supply of the Inhabitants and Fishermen for the then ensuing Season; provided that such Flour and Indian Corn shall not be so imported except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

13. Any of the Governors, Lieutenant Governors, or Commanders in Chief for the Time being of Nova Scotia

\* This Act (which was made perpetual by 54 Geo. 3. c. 48.) permitted the Importation and Exportation of the Articles under the Rules and Regulations of 45 Geo. 3. c. 57. in any Foreign Vessel, although having more than One Deck. or with in lin Stat to 48 ing any in

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#### Corn and Grain.

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s, it shall ernor, or rnnswick, and Conthe Ims, Barley, m any of tates, for nces and imported, ult Ships Forfeiture

be issued Mannal, to antho-Hour and e United tants and ded that imported ons, and or Wartish-built on For-5. §13. nors, or va Scotia

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or New Brunswick, or of Cape Breton or Saint John's, ported from with the Advice and Consent of their respective Councils, Ac. to other may authorize the Importation of the Articles enumerated Colonies. in 28 Geo. 3. c. 6. (viz. Flour, &c. See No. 1.) for a limited Time, from any of the Territories of the United States of America, for the Purpose of being re exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

14. Any British Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may sels into Port. import into such Ports as shall be specially appointed within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Flour, Peas, Beans, Wheat, Oats, Barley, or Grain of any Sort; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

15. His Majesty, with the Advice of His Privy Council, under such Remay make such Rules and Regulations for the Import- gulations as His Majesty may ation and Exportation of the said Articles at the said think fit. Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

16. This Act shall continue in force for the Space of Limitation of Three Years from and after the passing of the same,\* the Act. and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

17. His Majesty in Council, by Order to be issued Flour and Indian and published, may authorize, in case of Necessity, the imported in Importation of Flour and Indian Corn as well into the said British Ships Province of Quebec as into all the Countries bordering from the United on the Gulf of Saint Lawrence, and into the Islands within Quebec and the said Gulf, and also to the Coast of Labrador, for the Labrador for then ensuing Season only, from any of the Territories be- the Use of Perlonging to the United States, for the Supply of the Persons employed in or carrying on the Fisheries; provided in case of Nethat such Flour and Indian Corn shall not be so imported cessity; except in conformity to such Rules, Regulations, and

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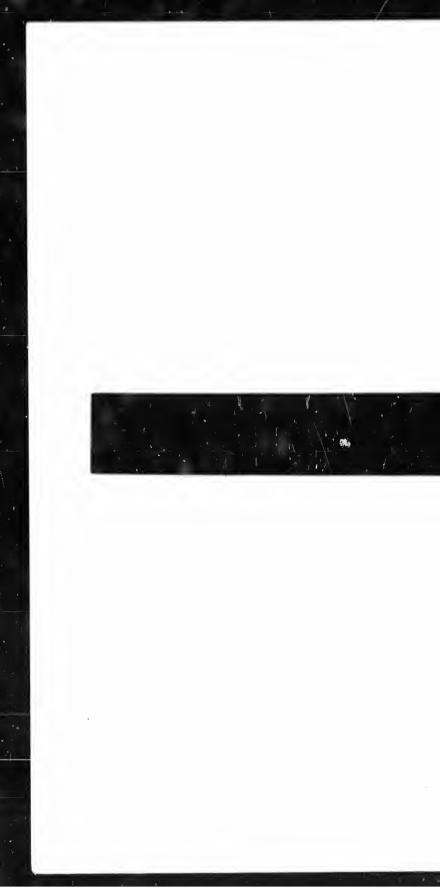
May be imported either in British or Foreign Ve approved of m the Province of Nova Scotia ur New Brunswick, and re-exported to the United Kingdom or other of His Majesty's Possessions,

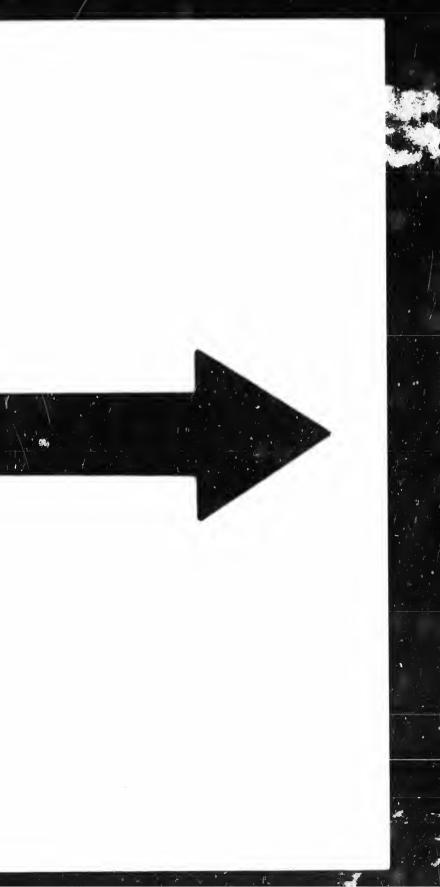
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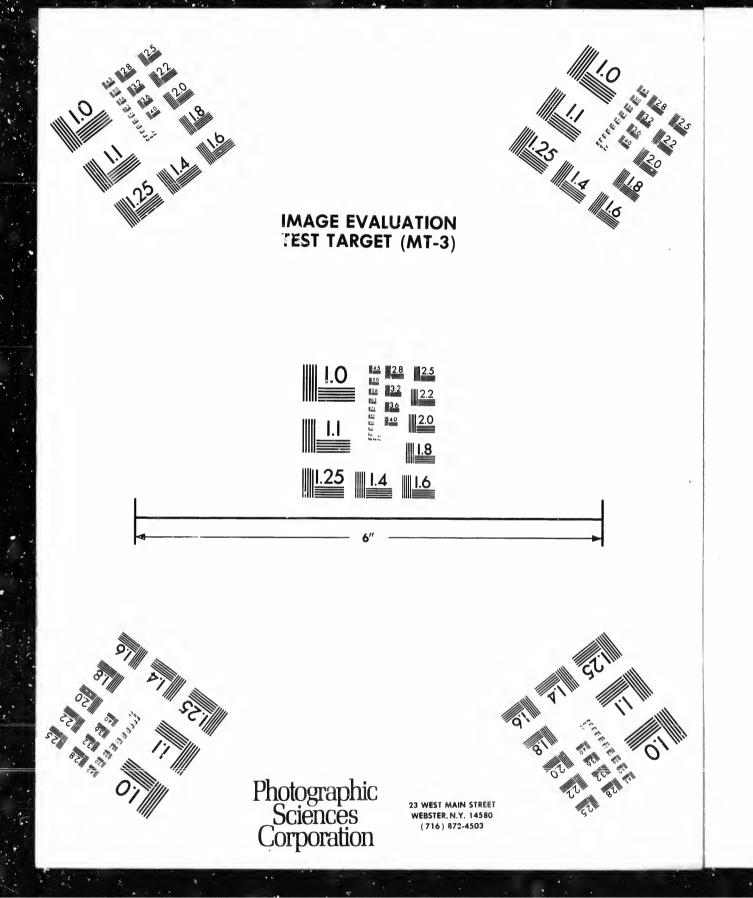
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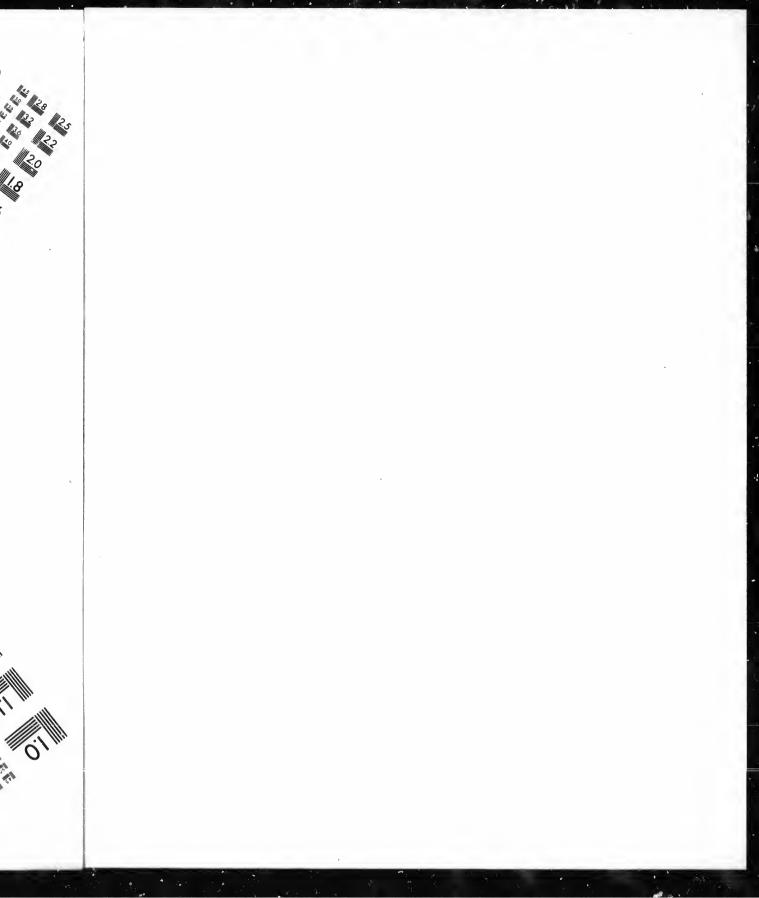
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Restrictions as shall be specified in such Order, and except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 29 Geo. 3. c. 16. § 1.

18. In case of public Emergency and Distress, the Governor of Quebec, or the Lieutenant Governor or Commander in Chief, with the Advice and Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or Islands within the Government thereof, or up the River St. Lawrence from the Sea, of Peas, Beans, Wheat, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Province, and of the said Countries and Islands within the Government thereof; but the said Articles are not to be so imported except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 30 Geo. 3. c. 8, §1.

19. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91. 20. The Master of Section 20 Geo. 3.

20. The Master of every Ship, taking on board Corn, Meal or Flour at Quebec, or any of the British Colonies or Plantations in North America, for Exportation to Great Britain or Ireland, shall bring with him a Certificate or Certificates from the Chief Officer or Officers of the Customs in the Port where such Corn, Meal, or Flour shall be put on board, expressing the Quantity and Sort of Corn, Mcal, or Flour mentioned in the Bill or Bills of Lading, with the Names or Places of Abode of the Exporters, and the Names or Places of Abode of such other Persons who shall have sworn that the Corn, Meal, or Flour therein mentioned is bonâ fide of the Growth or Production of Quebec, or the other British Colonies or Plantations in North America respectively, and where and to whom consigned; and the Master or other Person having or taking the Charge or Command of the Ship importing or bringing in the same shall, on Arrival in Great Britain or Ireland, make Oath before the Collector

and Peas, &c. into Quebec for the Supply of the Inhabitants, in case of public Emergency.

By whom Seizures to be made.

Shipped at Quebec for Exportation to Great Britain or Ireland, Oath to be made that the Articles are the Growth of the British Colonies.

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Corn and Grain.

tor or Comptroller, or other Chief Officer of the Customs at the Port where such Ship shall arrive (who are hereby authorized to administer the said Oath), that the Corn, Meal, or Flour imported or brought in such Ship is the same which is mentioned and contained in the said Certificate or Certificates; on Failure whereof, such Corn, Meal, or Flour shall be deemed and taken not to be of the Growth or Production of the Province of Quebec, or the other British Colonies or Plantations in North America, but shall be considered within the Meaning of this Act, as Corn, Meal, or Flour imported or brought into Great Britain from some other Foreign Country. 31 Geo. 3. c. 30. §17. 39 & 40 Geo. 3. c. 67. Art. 6.

21. The several Articles hereafter mentioned may be Such Oath not exported from Canada in a British-built Ship, owned, na- to be required vigated, and registered according to Law, to any Port of from Canada to Europe South of Cape Finisterre, without any Oath being Places South of required of their being the Growth or Produce of the Cape Finisterre, said Province, or any Certificate being required of the but a Certificate said Province, or any Certificate being required of the must be produced Country from whence they came; that is say, Wheat, of the Importa-Flour, Peas, Beans, Oats, Barley, Indian Corn, and tion by Land or Rye; and the Master of any such British-built Ship tion. laden with any of the said Articles shall only be required to produce a Certificate from the Chicf Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth of or brought into Canada, conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon; which Certificate such Officer of the Customs or Naval Officer is required to grant upon satisfactory Proof being made upon Oath or otherwise, and the Authenticity of such Certificate shall be sworn to by the Master of such Vessel at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

22. Any Ship having obtained a Licence under this Of Europe may Act for the Exportation of Sugar, Coffee, or Cocoa, from any of His Majesty's Sugar Colonies direct to any Part Europe or of Europe Southward of Cape Finisterre, may load at Africa, for Exthe Port of Delivery, or at any Place on the Coast of Portation to Africa to the Northward of the Latitude of 30 Degrees North, any Sort of Corn or Grain, the Produce of Europe, for Exportation direct to the said Sugar Colonies, and there land the same. 52 Geo. 3. c. 98. §1. See EUROPE.

Inland Naviga-

be laden at certain Parts of Sugar Colonies.

23. Any

Importation allowed from Malta or Gibraltar. 23. Any Corn, Grain, Meal, Flour, Beans or Peas, may be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

Sce GIBRALTAR. MALTA.

### Cotton Wool.

1. No Cotton Wool of the Production or Manufacture of the British Plantations in America shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

2. For every Ship which shall sail from Great Britain or Ireland for any British Plantation in America, Bond shall be given with One Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail, to the Value of  $\pounds1000$  if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Cotton Wool, or any enumerated Article, (for the whole of which see "Goods,") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded (the Danger of the Seas only excepted); and for every Ship coming from any other Port . or Place to any of the aforesaid Plantations which are permitted to trade there, the Governor shall, before the Ship be permitted to load any Cotton Wool, or any enumerated Article, take Boud in like manner to the Value aforesaid that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

3. The Master. before he departs from any British Plantation where he receives his Lading, shall take a Certificate

Must be brought to Great Britain or Ireland, or some British Plantation.

Bond to be given not to land elsewhere.

Certificate to be taken by the Ce

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lanufacture shipped or any Place, is Majesty, l on shore, full Value 4 Geo. 3. 0 Geo. 3.

eat Britain rica, Bond Officers of Ship shall s Burthen Burthen, load any the whole ish Plantme other land, and only exother Port . which are before the , or any er to the the said sh Plant-2 Car. 2. 0 Geo. 3.

y British l take a ertificate

#### Cotton Wool.

Certificate under the Hand and Seal of the Collector or Masters of Ships other Principal Officer of the Customs there, that Bond which lade in the hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of £100. 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Årt. 6.

4. If any Ship shall take on board any Cotton Wool, Forfeiture if (or other enumerated Article), before Bond is given to shipped before the Governor that the Ship shall carry the said Articles if carried to to some other British Plantation, or to Great Britain or other Places; Ireland, or before Certificate produced from the Officer of some Custom House of Great Britain or Ireland that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on shore ; every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 39 & 40 Geo. 3. c. 67. Art. 6. 20 Geo. 3. c. 10. § 1. 3. 4 Geo. 3. c. 15. § 27.

5. But the said Acts are not to prevent the Subjects of but not to ex the King of the Netherlands, being Dutch Proprietors tend to the Fro-up Demorara Berbica or Essential from another duce of Estates in Demerara, Berbice, or Essequibo, from exporting of Dutch Profrom the said Colonies to the Netherlands the Produce prietors in of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

See GUIANA.

6. In Cases where the Governor or Officers in any Governors or of the Plantations shall have reasonable ground of Sus-picion that the Certificate of having given Security in be false, not to Great Britain or Ireland is false, they shall require suf- cancel Bonds; ficient Security for the Discharge of the Plantation and Penalty on Lading in Great Britain or Iroland, and where there fakifying Cer-Lading in Great Britain or Ireland; and where there tificates. shall be Cause to suspect that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officer shall not cancel

Colonies.

Guiana.

cancel the Security given in the Plantation until they shall be informed from the Commissioners of the Customs in Great Britain or Ircland, as the Case may be, that the Matter of the said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, cr knowingly or wilfully make use thereof, such Person shall forfeit £500, and the Certificate shall be of no Effect. 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

7. If any Officer of the Customs in Great Britain or Officers suffering Ireland shall give any Warrant for or suffer any Cotton Wool, or any enumerated Article, to be carried into any other Country or Place, until first put on shore in some Port of Great Britain or Ireland, every Officer for such Offence shall forfeit his Place and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Gco. c. 67. Art. 6.

8. The Governors or their Commanders in Chief of the said Plantations are Once a Year at least to return to the Officers of the Customs in London, or to such other Pcrsons as His Majesty shall appoint to receive the same, a List of such Ships as shall have laden any Cotton Wool (or any enumerated Article) in such Plantations, as also a List of all Bonds taken by them; and in case any Ship bclonging to any of His Majesty's Plantations, which shall have on board any of the said Articles, shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2 2.26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3 c. 10. § 1. 5 39 & 40 Geo. 3. c. 67. Art. 6.

9. In all Bonds to be taken in the Plantations, the Persons therein named shall be of known Residence and Ability there for the Value mentioned in the Bond, the Condition of which shall be, within 18 Months after the Date thereof (the Danger of the Seas excepted) to produce a Ccrtificate of having landed and discharged the Goods therein mentioned in one of His Majesty's Plantations, or in Great Britain or Ircland; otherwise such Bond, or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief to whom such Bond was given, shall be in force, and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27.

Penalty on carried to other Places.

Governors or their Commanders in Chief to transmit Lists of Bonds yearly to the Customs.

Condition of the Bond, and who are to be the Obligers when taken in the Plantations.

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1 until they of the Cusise may be, rue; and if / any Cery or wilfully £500, and & 8 W. 3. c. 10. § 1.3.

t Britain or 'suffer any be carried ut on shore verv Officer ie Value of c. 15. § 27. . Art. 6. Chief of the turn to the other Perhe same, a otton Wool is, as also a ny Ship bewhich shall ll be found than Great ed and her c. 15. § 27. 67. Art. 6. ations, the idence and Boud, the is after the d) to proarged the tv's Plantwise such the Hand ef to whom allowed of lantations, / the Pro-3. c. 15.

§ 27.

§ 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

10. In all Bonds which shall be entered into in Great Condition when Britain or Ireland, in pursuance of any Act whereby the Britain or Britain or Goods therein enumerated are to be brought to Great Ireland. Britain or Ireland, such Bonds shall be with Condition that within 18 Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

11. In case there shall be no Prosecution for some Bonds void if Breach or Non-performance of the Condition of the mot prosecuted Bond within Three Years after the Date thereof, or if, Years of the upon Prosecution for some Breach or Non-performance Dite, or if of the Condition, Judgment be not obtained within Two obtained within Years after Prosecution commenced, then such Bond (in Two Years after default of such Prosecution to be commenced, and Judg- Prosecution. ment to be obtained within the Times limited) shall be void; and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

12. Any Person may import any Cotton Wool of Fo- Of Fore ign Proreign Produce into any British Island in the West Indies, auce may be imported into in any Ship that may lawfully trade to and from the said West Indies Islands, navigated according to Law, without Payment Duty-free. of Duty or other Imposition whatsoever. 6 Geo. 3. c. 52. § 18.

13. No Duty or other Imposition whatsoever shall be Exportation paid in any British Colony or Plantation in America for any Sort of Cotton Wool exported from thence. 6 Geo. 3. c. 52. § 19.

14. The Growth of any of the Colonies or Plantations Importation in America, or of any Country on the Continent of allowed into America, belonging to or under the Dominion of any in Foreign Foreign European Sovereign or State, may be imported Vessels. from any of the said Countries into the Free Ports in any Foreign Ship whatsoever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. § 1.

See FREE PORTS.

15. Of the Growth of any of the Colonies or Plant- May be exported ations in America, or Countries on the Continent of from the Free Ports to the

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the Free Ports

America, United Kingdom,

America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18.—22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. § 11.

See FREE PORTS.

### Crooked Island.

Pitt's Town a Free Port.

Foreign Vessels may be there laden with Salt.

Importation allowed from Malta or Gibraltar. 1. The Port of Pitt's Town in Crooked Island, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

2. Until 25th March 1819, any Ship belonging to the United States coming in Ballast, and not otherwise, may enter the Port of Crooked Island for the Purpose of being there laden with Salt, and for no other Purpose whatever, subject to the Rules, Provisions, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turk's Island. 57 Geo. 3. c. 42. § 1.

See BAHAMA ISLANDS.

# Cumminseed, Currants, Dates,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA,

### Debts.

1. In any Action or Suit brought in any Court of Law or Equity in any of the British Plantations in America, relating to any Debt or Account wherein any Person residing in Great Britain shall be a Party, the Plaintiff or Defendant, and any Witness to be examined in such Action or Suit, may verify or prove any Matter or Thing by Affidavit in Writing upon Oath, or in case the Person making

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In Actions of Debt, Aftidavits made before the Magistrates in Great Britain to be of the same Force as if the Party had appeared and of any Foted into the Ports to any ules, &c. of 20 Geo. 3. enumerated.

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#### Dates,

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making such Affidavit be one of the People called sworn to the Quakers, then upon his solemn Affirmation, made before Matters viva any Mayor or other Chief Magistrate of the City, Borough, or Town Corporate in Great Britain where or near to which the Person shall reside, to be certified and transmitted under the Common Seal of such City, Borough, or Town Corporate, or the Seal of the Office of such Mayor or other Chief Magistrate, which Oath and solemn Affirmation every such Mayor and Chief Magistrate is empowered to administer; and every Affidavit or Affirmation so made, certified, and transmitted, shall be allowed to be of the same Foree and Effect as if the Person making the same upon Oath or soleinn Affirmation had appeared and sworn or affirmed the Matters contained in such Affidavit or Affirmation vivâ voce in open Court, or upon a Commission issued for the Examination of Witnesses, or of any Party in any such Action or Suit respectively ; provided that in every such Affidavit and Affirmation there shall be expressed the Addition of the Party making such Affidavit or Affirmation, and the particular Place of his or her Abode. 5 Geo. 2. c. 7. § 1.

2. In all Suits brought in any Court of Law or Equity, Witnesses may by or on behalf of His Majesty, in any of the said Planta- be examined in tions, for or relating to any Debt or Account, His Ma- like manner on jesty may prove His Debt and Account, and examine Majesty. His Witnesses by Affidavit or Affirmation, in like manner as any Subject may do by this Act. 5 Geo. 2. e. 7. § 2.

3. If any Person making such Affidavit or Affirmation Persons taking shall be guilty of falsely and wilfully swearing or affirming false Oaths. any Matter or Thing, which, if the same had been sworn upon an Examination in the usual Form, would have amounted to wilful and corrupt Perjury, every Person, being thereof lawfully convicted, shall incur the same Penalties and Forfeitures as by the Laws and Statutes of this Realm are provided against Persons convicted of wilful and corrupt Perjury. 5 Geo. 2. c. 7. § 3.

4. The Houses, Lands, Negroes, and other Heredita- Property in the ments, and Real Estates, within any of the said Plantations, belonging to any Person indebted, shall be chargeable with all just Debts, Duties, and Demands owing by ing Debts and any such Person to His Majesty or any of His Subjects, and shall be Assets for the Satisfaction thereof, in like manner as Real Estates are by the Law of England liable to the Satisfaction of Debts due by Bond or other Specialty, and shall be subject to the like Remedies and Process

behalf of His

Plantations may be seized towards satisfy-Duties due to His Majesty.

Process in any Court of Law or Equity in any of the said Plantations, for seizing, extending, selling, or disposing of any such Houses, Lands, Negroes, and other Hereditaments and Real Estates, towards the Satisfaction of such Debts, Duties, and Demands, and in like manner, as Personal Estates in any of the said Plantations respectively are seized, extended, sold, or disposed of for the Satisfaction of Debts. 5 Geo. 2. c. 7. § 4.

#### Demerara. See "Guiana."

#### Diamonds,

Importation allowed into the Free Ports in Foreign Vessels. May be imported from any of the Colonies or Plantations in America, or from any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Ship owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 47 Geo. 3. c. 34. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. See FREE PORTS.

### Domínica.

A Free Port.

Governor's Orders for the Importation and Exportation of Articles in Foreign Vessels declared valid. 1. The Port of Rosseau in Dominica, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

2. Whereas His Majesty's Governor of the Island of Dominica has found himself under the Necessity of opening, with the Advice of his Council, the Ports of the said Island, for a limited Time, for the Importation of certain Articles necessary for their Supply in Foreign Bottoms, and in like Manner for the Exportation of certain Articles the Produce of the said Island in return for the same: And whereas such Importation and Exportation as aforesaid are contrary to 12 Car. 2. and other Acts, but being permitted from the Necessity of the Occasion, the same ought to be justified and rendered valid and of due Force in Law; and all Persons advising or issuing any Order or Permission of the said Governor, or Person acting as such, ought to be respectively justified:

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the Free of certain

Island of of opents of the rtation of Foreign rtation of in return and Exr. 2. and ity of the rendered s advising Jovernor, vely justified :

### Dominica.

fied; be it therefore enacted, That the said Orders and Permissions be and be deemed valid accordingly, and of due Force in Law; and that all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Per, son for having advised or issued or carried into Execution any such Order or Permission at any Time before the passing of this Act, shall be discharged and made void by virtue of this Act; and if any Action or Suit shall be prosecuted or commenced against any Person for or by reason of any such Act, Matter, or Thing so advised, commanded, or done, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff in any Action or Snit so to be prosecuted or commenced in that Part of the United Kingdom called England, or that Part called Ireland, or in the said West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff, the Defendant shall recover his Double Costs, for which he shall have the like Remedy as in Cases where the Costs hy Law are given to the Defendants; and if any such Action or Suit shall be commenced or prosecuted in that Part of Great Britain called Scotland, the Court before which such Action or Suit shall be commenced or prosecuted shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs of Suit in all such Cases. 58 Geo. 3. c. 7. § 1.

3. If any Action or Suit hath been already commenced and if any Acagainst any Person for any such Act, Matter, or Thing Proceedings may so advised, commanded, or done, the Defendants or De- be flayed. fenders in such Actions or Suit respectively, in whatever Court in the United Kingdom of Great Britain and Ireland, or in the said West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is hereby required to make Order for that Purpose accordingly; and the Court making such Order shall award to the Defendants or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where the Costs are by Law given to the Defendants or Defenders. 58 Geo. 3. c. 7. § 2.

### Drugs.

Importation alowed into the Free Ports in Foreign Vessels.

1. The Growth or Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. e. 74.

#### See FREE PORTS.

Imported into the Free Ports, may be exported to the United Kingdom,

May be put

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2. The Growth or Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. § 11.

See FREE PORTS.

#### Dutch Colonies. See "Guiana."

### Duties.

1. The Customs and other Duties imposed by any Act of Parliament upon Goods imported into or exported from any British Colony or Plantation in America, may be put under the Management of such Commissioners, to reside in the said Plantations, as His Majesty, by His Commission under the Great Seal of Great Britsin, shall judge to be most for the Advantage of Trade, and Security of the Revenue of the said Colonies or Plantations. 7 Geo. 3. c. 41. § 1.

2. The Commissioners or any Three or more of them shall have the same Powers and Authorities for carrying into Execution the Laws relating to the Revenues and Trade of the said Colonies, as were exercised by the Commissioners of the Customs in England; and His Majesty in such Commission may make Provision for putting in Execution

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Execution the Laws relating to the Customs and Trade of the said Colonies. 7 Geo. 3. c. 41. § 2.

3. All Deputations and other Authorities granted by Deputations the Commissioners of the Costoms in England before the granted in Engpassing of this Act, or which may be granted by them force. before any Commission shall issue in pursuance of this Act, to any Officer acting in the said Colonies or Plantations, shall continue in force, as if this Act had not been made, until the Deputations or other Authorities so granted to such Officer shall be revoked or made void by the Lords of the Treasury. 7 Geo. 3. c. 41. § 3.

4. The King and Parliament of Great Britain shall not Not to be imimpose any Duty, Tax, or Assessment payable in any of the Regulation of His Majesty's Colonies, Provinces, and Plantations in Commerce, and North America or the West Indies, except only such to be applied for the Use of the Duties as it may be expedient to impose for the Regula- Colony, tion of Commerce; the Net Produce to be applie ' to the Use of the Colony, Province, or Plantation wherein levied, in such Manner as other Duties collected by Authority of the General Courts or Assemblies are ordinarily applied. 18 Geo. 3. c. 12. § 1.

5. Payable upon Ships coming in Ballast from the Tonnage Duty United States of America to the Turks Islands, Nassau, on American Exuma, and Crooked Island, for the Purpose of being laden with Salt. 28 Geo. 3. c. 6. § 5. 57 Geo. 3. c. 42. § 1.

See SALT.

6. Payable upon Dying Wood, Logwood, Tobacco, Dying Wood, Indigo, Ginger, and Cocoa Nuts exported from the British Logwood, Tobacco, Plantations, if Bond is not given to bring the same to Ginger, Great Britain or Ireland. 25 Car. 2. c. 7. § 2.

> See Cocoa Nuts. Товассо. GINGER. WOOD. INDIGO.

7. Payable upon Molasses imported into any British Molasses. Colony or Plantation. 6 Geo. 3. c. 52. § 4.

Sce MOLASSES.

8. Payable upon Sugar, the Produce or Manufacture Sugar. of any Colony or Plantation in America, not under the Dominion of His Majesty, imported into any British Colony or Plantation. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 1.

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See SUGAR.

9. Payable

Cocoa Nuts.

he Colonies on the Con-Dominion of nay be im-Free Ports, vigated by Plantations, c. 22. 52

he Colonies e Continent nion of any ed into the any Part of 12 Car. 2. . 3. c. 10. 45 Geo. 3.

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by any Act orted from nay be-put s, to reside s Commisll judge to rity of the 7 Geo. 3.

re of them or carrying enues and , the Comlis Majesty putting in Execution

9. Payable upon Indigo, the Produce or Manufacture of any Colony or Plantation in America, not under the Dominion of IIis Majesty, imported into any British Colony or Plantation. 4 Geo. 3. c. 15. § 1.

#### See INDIGO.

Pimento.

10. Payable upon Pimento, the Production of any British Colony or Plantation, imported into any British Colony or Plantation. 6 Geo. 3. c. 52. § 4.

#### See PIMENTO.

11. Payable upon Coffee, the Growth of any Colony or Plantation in America not under the Dominion of His Majesty, imported into any British Colony or Plantatic.1. 4 Geo. 3. c. 15. § 1.

See COFFEE AND COCOA NUTS.

British Coffee.

Foreign Coffee.

Colony or Plantation in America, imported into any other British Colony or Plantation. 6 Geo. 3. c. 52. § 4.

Spirits into Quebec.

Spirits into Newfoundland.

Wine.

Glass, Lead, Painters Colours, and Papers.

# 12. Payable upon Coffee, the Growth of any British

#### See COFFEE AND COCOA NUTS.

13. Payable upon Spirits imported into the Province of Quebec, from His Majesty's Sugar Colonies, or any other His Majesty's Dominions in America, or from Great Britain, or Colonies and Plantations not in the Possession of or under the Dominion of His Majesty. 14 Geo. 3. c. 88. §1.

#### Sec Spirits.

14. Payable upon Spirits imported into Newfoundland, from any British Colony or Plantation in the West Indies, or on the Continent of America or from Great Britain or Ireland, or the Colonies of Demerara, Berbice, or Essequibo. 15 Geo. 3. c. 31. §10. 52 Geo. 3. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

#### See Spirits.

15. Payable upon Wine imported into the British Colonies or Plantations from Great Britain, Ireland, or the Netherlands, or from any Island or Place from whence the same may be lawfully imported. 4 Geo. 3. c. 15. § 1. 51 Geo. 3. c. 97. § 1. 56 Gco. 3. c. 91. § 4. 55 Gco. 3. c. 29. § 6. 57 Geo. 3. c. 4.

#### See WINE.

16. Payable upon Glass, Red Lead, White Lead, Painters Colours, and Paper, imported into any British Colony Co 7 6

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e Province ies, or any a, or from not in the Majesty.

Newfoundon in the a or from Demerara, 52 Gec. 3.

ie British reland, or lace from 4 Geo. 3. c. 91. § 4.

ite Lead, ny British Colony Duties.

Colony or Plantation from Great Britain or Ireland. 7 Geo. 3. c. 46. § 1.

> See GLASS. LEAD. PAINTERS COLOURS. PAPER.

17. No Duty of Gunpowder shall be received by any Of Gunpowder Officer in the Free Ports for any Entry, Cocket, Clear-ance, or Passport for any Foreign Vessel, or any Goods Foreign Vessels imported into or exported from the said Islands in in the Free such Foreign Vessel. 45 Geo. 3. c. 57. § 14.

Ports.

See FREE PORTS.

#### Emery Stone.

May be exported from Malta, or any of the Depen- Importation aldencies thereof, or from Gibraltar, direct to any of His lowed from Majesty's Sugar Colonies or Plantations in America, or raltar. to Newfoundland, Bermuda, or to any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

> See GIBRALTAR. MALTA.

#### England and English.

These Words, in the several Acts made before the Altered by the Union with Scotland, are, in the Quotations in this Digest, "British." changed into the Words "Great Britain" and "British," by virtue of 5 Anne, c. 8. §1.

### Essences of Bergamot, Citron, Lemon, Drange, Labender, Roses, and Rosemary,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or to any of His Majesty's Colonies or Plantations in North America, in British-G 3 built

Malta or Gib-

Importation al. lowed from Malta or

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## Essences of Bergamot, ec.

built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

> See Gieraltar. Malta.

### Essequibo. See "Guiana."

### Europe.

Malta deemed in Europe.

Goods of Europe must be laden in Great Britain or Ireland.

Vessels not to be cleared out from Great Britain or Ireland unless the whole Cargo there laden. 1. The Island of Malta and its Dependencies shall be deemed and taken to be in Europe. 57 Geo. 3. c. 36. §10.

2. No Commodity, of the Production or Manufacture of Europe, shall be imported into any Island, Colony, Territory, or Place to His Majesty belonging, or which shall hereafter belong unto or be in the Possession of His Majesty, in America, but what shall be bonâ fide and without Frand laden and shipped in Great Britain or Ireland in British-bnilt Shipping, owned, navigated, and registered according to Law, and which shall be carried directly thence to the said Islands, Colon'es, Territories, or Places, and from no other Place, under the Penalty of the Loss of such Commodities as shall be imported from any other Place, by Land or Water, and if by Water, of the Ship in which imported. 15 Car. 2. c. 7. § 6. 39 & 40 Geo. 3. c. 67. Art. 6.

3. No Vessel shall, upon any Pretence whatsoever, be cleared outwards from any Port of Great Britain or Ireland, for any Island, Colony, Territory, or Place to His Majesty belonging, or which shall hereafter belong unto or be in the Possession of His Majesty, in America, unless the whole and entire Cargo shall be bonâ fide and withont Fraud laden and shipped in Great Britain or Ireland; and any Officer of His Majesty's Customs is empowered to stop any British Ship arriving from any Part of Europe, which shall be discovered within Two Leagues of the Shore of any of the British Colonies or Plantations in America, and seize as forfeited any Goods for which the Master shall not produce a Cocket or Clearance from the proper Officer of His Majesty's Customs, certifying that the said Goods were laden on board the Ship in some Port of Great Britain or Ireland. 4 Geo. 3. c. 15. § 30. 39 & 40 Geo. 3, c. 67. Art. 6.

4. Salt

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European Commodities may be imported to the British Colonies, although not shipped in Great Britain or Ireland; that is to say

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soever, be Britain or r Place to er belong America, â fide and Britain or ustoms is fron1 any thin Two olonies or ly Goods locket or Majesty's laden on · Ireland. Art. 6. 4. Salt

4. Salt may be laden in any Part of Europe Exception as to for the Fisheries in Newfoundland, Nova Scotia, Oranges, and or Quebec; Wines of the Madeiras, and of the Lemons; Western Islands of Azores, may be there laden for Exportation to any of the British Colonies or Plantations; and Oranges and Lemons of the Azores or Madeiras, may be shipped from thence for any of the British Colonies or Plantations in North America. 4 Geo. 3. c. 15. § 31. 48 Geo. 3. c. 22. § 1. 4 Geo. 3. c. 19. § 1. 57 Geo. 3. c. 89.

5. Any Person inhabiting in Jersey or Guern- also Articles sey, may ship in the said Islands, and transport necessary for directly from thence to Newfoundland, or to any other of the British Colonies or Plantations in America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships or on Shore in carrying on the said Fishery there, such Craft, Clothing, or other Goods being the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Victuals being of the Growth or Produce either of Great Britain, Ireland, or Jersey or Guernsey. 9 Geo. 3. c. 28. § 1.

6. Provided the Master of such Ship shall provided a Cerproduce to the proper Officer of the Custonis in tificate is prothe Colony or Plantation where he shall arrive, duced as herein a Certificate under the Hand and Soch of the directed. a Certificate under the Hand and Scal of the Governor, Lientenant or Deputy Governor, or Commander in Chief for the Time being, that Oath had been made by the Shipper of such Goods, before the Magistrates of the Royal Court, or any Three of them, that the Goods and Victuals so shipped are of such Growth, Product, or Manufacture as aforesaid; which Certificate shall also be attested by the Principal Officer of the Customs in the said Ish hds, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Craft, Food, Victuals, Clothing, or other Goods found on board any Ship, and the Ship importing the same, shall be liable to be G 4

Salt, Wine,

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the Fishery;

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be seized and forfeited, in the same Manner as they would have been liable if this Act had not been made. 9 Geo. 3. c. 28. § 2.

7. Any of His Majesty's Subjects inhabiting and residing in the Isle of Man, may export from thence to any of the British Colonics or Plantations in America, in British-built Ships or Vessels, navigated and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

8. Any of His Majcsty's Subjects residing in the Isle of Man may lade and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks, Lines, Nettings, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the said Fishery; such Provisions, Hooks, Lines, Nettings, or other Tools or Implements, being the Product and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. §5.

9. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath had been made before him by the Shipper of such Provisions, &c. that the same are the Manufacture of Great Britian or Ireland, or the Isle of Man, and that the said Articles (except the Provisions) specifying the Quantities and Particular of each Sort, are to be used in the Fishery, by the Crcw of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Purpose, (which Oath and Certificate is to be administered and granted without Fee or Reward); and on Failure of producing such Certificate, or if any such Tools or Implements are used or disposed of for any other Purpose,

Tools and Implements for the Fishery from the said Isle.

Provided a Certificate is produced as herein directed. European Commodities may be imported into the British Calonies, although not shipped in Great Britain or Ireland ; that is to say

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#### Europe.

pose, the same and the Ship shall be seized and forfeited in the same Manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

10. It shall be lawful to export in any British Except also Ship owned and navigated according to Law, Goods imported into the Free from any of the Islands enumerated in these Acts, Forts. to any British Colony or Plantation in America or the West Indies, any Goods of the Manufacture of Europe, and also any Goods which shall have been legally imported into any of the said Islands from any of the Colonies or Plantations in America, or any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State; and if any Doubts shall arise whether any such Goods have been legally imported into the said Islands, the Legality of such Importation shall be made appear to the Satisfaction of the Collector and Comptroller, or other proper Officer of the Customs at the Rort of Exportation, before such Goods shall be suffered to be shipped. 45 Geo. 3. c. 57. § 9, 10. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

#### See FREE PORTS.

 $B_{ut}$  European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say

11. Any of His Majesty's Subjects may export And Goods in any British-built Ship, owned and navigated British West according to Law, from any one of the Islands India Islands or in the West Indies belonging to His Majesty, to Colonies on the any other of the said Islands, or to any of the British Colonies on the Continent of America, and from any one of the said British Colonies in America, to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony or Plantation on the Continent of America, any Goods of the Manufacture of Europe, and also any Goods or Merchandizes, or Prize Goods, which have been legally imported into the said Islandsor Colonies under the Regulations of 45 Geo. 3. c. 57.-52 Geo. 3. c. 100. § 1.

12. Any of His Majesty's Subjects may export in any British-built Vessel, owned and navigated according to Law, from Newfoundland to any of the Islands in the West Indies belonging to His Majesty, or to any of the British Colonies on the Continent of America, and from the Islands

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Also from Newfoundland,

Islands in the West Indies belonging to His Majesty, or from any one of the British Colonies on the Continent of America, into Newfoundland, any Goods of the Manufacture of Enrope, and also any Goods, Wares, or Merchandize, or Prize Goods, which shall have been legally imported into any of the said Islands or Colonies, under the Regulations of 45 Geo. 3. c. 57.— 57 Geo. 3. c. 29.

13. Fruit, Wine, Oil, Salt, or Cork, the Produce of Europe South of Cape Finisterre, may be shipped in any Port or Place of Europe South of Cape Finisterre, for Exportation direct to any of the several Ports herein after mentioned; that is to say, St. John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, in North America, on board of any British Ship, navigated and registered according to Law, which shall have arrived at any Port or Place in Europe with Articles the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with any of the Goods herein-after mentioned from the Province of Canada, whether the Growth or Produce of Canada, or brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. §2.

14. Upon the Importation thereof into any of the Ports before enumerated, the Goods shall be subject to the Payment of such Duties as Goods of the like Denomination or Description are subject to, upon being imported into any of the said several Ports from Great Britain, and no other. 51 Geo. 3. c. 97. § 3.

15. The Person exporting any Cargo from any Port in Nova Scotia, or of New Brunswick, for any Port of Europe, under this Act, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or the Naval Officer in Command, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America,

Except also Fruit, &c. into Dritish C lomes in North America from Places in Europe South of Cape Finisterre.

On Payment of the same Duty as from Great Britain. But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say

Oath to be made, on Exportation from Nova Scotia or New Brunswick, that the Cargo is the Produce of the British Colonies. g to His Colonies ewfound-'Europe, chaudize, en legally Colonies, c. 57.---

ork, the inisterre, f Europe on direct ter menw Brunsuebec in ifax and te Town erica, on nd regise arrived Articles onies, or Majesty's n any of : of the e Goods vince of duce of vince by .97.§2. to any of shall be s Goods tion are iy of the and no

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America, really and bona fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies; and such Officer shall certify such Oath under his Hand; which Certificate shall be produced by the Master on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was a Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

16. The following Articles may be exported On Exportation from Canada in a British-built Ship, navigated and registered according to Law, into any Port Canada, such of Europe within the Limits aforesaid, without Oath may be any Oath being required of their being the Growth or Produce of the said Province, or any Certificate being required of the Country from whence they came; that is to say, Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Plank, and Boards; and the Master of any such British-built Ship, lading any of the said Articles, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were either the Growth, or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs, or Naval Officer, is hereby required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to in Manner aforesaid, by the Master of such Ship at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

17. Before the Shipment on board any such Persons in whose Custody Pickled Fich or Dry Fich British Ship of any Pickled Fish, or Dry Fish, or Dry Fish has for

of certain Articles from dispensed with.

#### remained, to make Oath to the Identity,

Except also Corn or Grain on board certain Licensed Vessels. But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland ; that is to say

And the several Articles herein enumerated from Malta or Gibraltar,

### Europe.

for the Purpose of Exportation from Canada toany Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it until the same shall be shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really and bona fide taken and cured by His Majesty's Subjects carrying on the said Fisheries, from some of the said Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs, or Naval Officer, shall grant Certificate thereof, signed with his Hand, which Certificate only the Master shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Anthenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

18. Any Ship having obtained a Licence under this Act for the Exportation of Sugar, Coffee, or Cocoa, from any of His Majesty's Sugar Colonies direct to any Part of Europe to the Southward of Cape Finisterre, may load at the Port of Delivery, or at any Port or Place on the Coast of Africa to the Northward of the Latitude of 30 Degrees North, any Sort of Corn or Grain, the Produce of Europe, for Exportation direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 1. 6.

See SUGAR.

20. Any Ship being British-built, owned, navigated, and registered according to Law, may load at the Island of Malta, or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the following Schedule, marked (B.), for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or into Newfoundland, the Island of Bermuda, or any of His Majesty's Colonies or Plantations in North America; and any of the said Articles may be landed in any such Colony or Plantation, being first duly entered with the proper Officer of the Customs, provided that the said. mada to foresaid, ame has , landed e taking Exporta-Ófficer in Comhe Pros, really Iajesty's es, from ch Oath r of the t Certiich Certo proe within h of the er afore-

ce under offee, or Colonies iward of of Deli-Coast of e of 30 ain, the ct to the and the

ed, naw, may Depenie Arti-, markof His n Ameof Bernies or of the Colony with the hat the said But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say

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said Articles, Goods, and Merchandize (Wine excepted)shall, upon Importation into any of the said Colonies or Plantations, be liable to the Payment of such Duties as Goods of the like Denomination or Description are or may be liable to upon being imported into the said Colonies or Plantations from Great Britain, and no other Duties. 55 Geo. 3. c. 29. § 5.9. 57 Geo. 3. c. 4.

#### SCHEDULE B.

Dry and Wet ) In Jars	Safflower.
Dry and Wet Fruit, Brandy and Sugar Bottles	L.usk.
and Sugar Bottles	Incense.
Pickles in Ditto.	Essence of Bergamot.
Olives.	Do. of Citron.
Figs.	Do. of Lemon.
Raisins.	Do. of Orange.
Currants.	Do. of Lavender.
Pistaccio Nuts.	Do. of Roses.
Almonds.	Do. of Rosemary.
Dates.	Marble, Rough &
Capers.	Alabaster, Worked.
Wine.	Brimstone.
Brandy.	Cork.
Oil of Cloves.	Aniseed.
Oil of Almonds,	Cumminseed.
Gum Arabic.	Ostrich Feathers.
Mastic.	Honey.
Myrrh.	Sponges.
Sicily.	Amber.
Ammoniac,	Coral.
Opium.	Bullion.
Manna.	Precious Stones.
Senna.	Pearls.
Cantharides.	Corn.
Oris Root.	Vermilion.
Rhubarb.	Ochres.
Mill Timber.	Cinnabar.
Box Wood.	Orange Buds and Peel.
Argol.	Juniper Berries.
Jalop.	Punk.
Scammony.	Pumice Stone.
Quicksilver.	Emery Stone.
Sarsaparilla.	Whetstone.
Saffron.	Paintings and Prints.
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s to be paid	Britain or Ireland; that is to soy,		Rice. Maccaroni or Vermi- cella. Cascasoo. Parmesan Cheese. Bologna and other Sausages. Anchovies. Caviar. Botargo. in pursuance of these
Wine.		Acts shall be imported into any of His Majosty's	

hall be imported into any of His Majesty's Sugar Colonies or Plantations in America or Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, from the Island of Malta, or the Dependencies thereof, or from Gibraltar, shall be subject to the Payment of such Dutics, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations directly from Madeira. 55 Geo. 3. c. 29. §6. 57 Geo. 3. c.4.

22. Any of the Subjects of the King of the Netherlands, being Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, may import from the Netherlands into the said Colonies all the usual Articles of Supply for their Estates in the said Colonies, being necessary and requisite as Supplies for the Cultivation of such Estates, or the Clothing, Maintenance, and Comfort of the Residents thereon, and not to exceed what may be deemed necessary for the particular Estates for which they are to be imported, and to be actually applied to such Purposes, and not for Trade; and in case of Seizure by any Officer of the Customs of any such Articles, on the Ground of their being imported not as Supplies, the Proof that such Articles are Supplies, and imported under the Couditions of the Convention concluded between His Majesty and the King of the Netherlands, shall lie on the Dutch Proprietor importing the same; and in case of such Proof being given, in conscquence of any Dispute arising thereupon, before the Collector or Principal Officer of the Customs, (who is hereby empowered to administer an Oath, or take Affidavit for the Purposes of any such Examination

Duties upon V

Except also necessary Sup plies from the Netherlands for the Estates of Dutch Proprietors in Guiana.

But European Commodities may be imported into the British Colonies, although not shipped in Great

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of these Majesty's ierica or His Ma-America, endencies ect to the r, as are ted into directly o. 3. c.4. g of the the Cooo in the Nether-Articles Colonies, s for the lothing, lesidents deemed ich they plied to n case of of any eing imch Arti-Condieen His ls, shall e same; conse-, before ustoms, n Oath, ny such ination

But European Commodities may be imported into the British Colonies, although not shipped in Great Britain or Ireland; that is to say

Examination and Proof,) the Goods shall be admitted to Entry, provided the Importer, before Entry, enter into Bond, with Two Sureties, in a sufficient Sum, to ubide the Decision of the Board of Customs in England upon such Seizure : Provided also, that Wine, as a Medicine and necessary Article of Supply, may be so imported, to such a limited Extent as may be necessary for the Purposes of such Supply as a Medicine, and shall be liable to the Duty of 10s. per Ton, and no 56 Geo. 3. c. 91. § 4. more.

23. All Subjects of the King of the Nether- What Persons lands, resident in His said Majesty's European are to be deemed Dutch Proprie-Dominions, who were, at the Date of the Sig- tors of Estates nature of the said Convention, Proprietors of in the said Estates in the said Colonies; and all Subjects of His said Majesty who may hereafter become possessed of Estates then belonging to Dutch Proprietors therein; and all such Proprietors as being then resident in the said Colonics, and being Natives of His Majesty's Dominions in the Netherlands, may have declared within Three Months after the Publication of the aforesaid Convention in the said Colonies, that they wish to continue to be considered as such; and all Subjects of His said Majesty the King of the Netherlands, who may be the Holders of Mortgages of Estates in the said Colonies, made prior to the Date of the Convention, and who may, under their Mortgage Deeds, have the Right of exporting from the said Colonies to the Netherlands the Produce of such Estates, shall be deemed Dutch Proprietors under this Act; provided that where both Dutch and British Subjects have Mortgages upon the same Property in the said Colonics, the Produce to be consigned to the different Mortgagees shall be in proportion to the Amount of the Debts respectively due to them. 56 Geo. 3. c. 91. § 5.

24. All such Importation from the Nether- Articles for the lands into the said Colonies, for the Supply of <sup>Supply</sup> of the Estates may be carried on in any Shine Estates may be Estates therein, may be carried on in any Ships imported from being the Property of Subjects of the King of the Netherlands the Netherlands, wherever built, and without any in Dutch Ships. Restriction as to the Mariners navigating the same, for Five Years commencing from the First

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First Day of January 1816; provided that the Master of every such Ship shall produce to the proper Officer of His Majesty's Customs in the said Colonies, satisfactory Proof of the said Vessels being owned by a Subject of His Majesty the King of the Netherlands; and his said Majesty the King of the Netherlands may at any Time before the Expiration of the Five Years, if he should think proper, order that such Trade shall be carried on only in such Ships as are Dutch-built, and whereof the Master and Three Fourths of the Crew are the Subjects of His said Majesty: Provided also, that after the Expiration of the Five Years, no such Trade shall be carried on except in Vessels Dutch-built, and whereof the Master and Three Fourths of the Crew are Subjects of His Majesty the King of the Netherlands. 56 Geo. 3. c. 91. § 6.

25. All such Importations shall be subject to the same Duties as are payable by His Majesty's Subjects on Importations of the like Articles into the said Colonies. 56 Geo. 3. c. 91. § 7.

26. Sugar, Coffee, Cocoa, Rum, Melasses, Pimento, Indigo, Ginger, Dying Wood, being the Produce of any of His Majesty's Sugar Colonies or Plantations, or any Articles which may now or may hereafter be by Law imported into the said Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar; and any Articles, the Production or Manufacture of Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, and any Articles which may have been lawfully imported into Newfoundland, &c. may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, under the Rules and Regulation of these Acts. 55 Geo. 3. c. 29. § 1. 8. 57 Geo. 2. c. 4.

See GIBRALTAR. MALTA.

#### Eruma.

Until 25th March 1819, any Ship belonging to the United States, coming in Ballast and not otherwise, may enter the Port of Exuma for the Purpose of being there laden with Salt, and for no other Purposewhatever, subject to the Rules, Provisions, Regulations, and Restrictions of 28 Geo. 3.

Articles allowed to be exported direct to Malta or Gibraltar.

Vessels of the

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But Commodities may be imported into the British Colonies, &c

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#### Eruma.

28 Geo. 3. c. 6. respecting Ships coming for the same Purpose to Turk's Island. 57 Geo. 3. c. 42. § 1. See BAHAMA AND BERMUDAS.

### Falmouth.

One of the Free Ports in the Island of Jamaica, for A Free Port. the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. § 1.

See FREE PORTS.

#### ffees.

1. The Officers of the Customs in any British Colony Allowed to or Plantation in America appointed by Deputation or Officers of the Commission from the Commissioners of His Majesty's America and Customs in England, may receive such Fees as they and the Islands in their Predecessors have been generally and usually the West Indics. accustomed to receive before 29th September 1764, provided such Fees are not contrary to the Direction of any Act made in Great Britain; and in every Port in any British Island in the West Indies, where no Fees have been received, such Officers shall be entitled to the same Fees as have been generally and usually received by the like Officers, in the nearest Port in the Island, before the 29th September 1764; and if no Fees have been received by any Officer in any Port in the Island, such Officer shall be entitled to such Fees as have been generally and usually received by the like Officers in the Island of Barbadoes before the said Day; and in every Port or Place on the Continent of America, within His Majesty's Dominions, where no Fees have been received by any Officer of the Customs, such Officer shall be entitled to the same Fees as have been generally and usually received by the like Officers, in the nearest Port, on or before the said Day; and if no Fees have been received by any Officer in such Port, such Officers shall be entitled to such Fees as have been generally and usually received by the like Officers, in the nearest Port within any British Colony or Plantation, on or before the said Day; and if no Fees have been generally and usually received by any Comptroller of His Majesty's Customs for any Port or Place within any Colony or Plantation, or if the Fees received by such Comptroller before the said Day have not been equal to One Third Part of the Fees received Н by

by the Collector of His Majesty's Customs within the same Port or Place, in every such Case such Comptroller may receive for his Fees, for any Entry, or other Business done by him in the Execution of his Employment, a Sum equal to One Third Part of the Fees generally and usually received by such Collector for the like Business; and every such Officer shall have and be entitled to the same Remedy for Recovery of such Fees as has been heretofore allowed to any Collector or other Officer; and if any Collector, Comptroller, or other Officer of the Customs in America, shall require or receive any other or greater Fees than herein allowed to be taken, he shall for the First–Offence forfeit  $\pounds 50$ , and for the SecondOffence forfeit his Place, and be for ever incapable of executing any Office or Employment in the Customs. 5 Geo. 3. c. 45. § 28. 10 Geo. 3. c. 37. § 1.

2. A Fee not exceeding Two Shillings and Sixpence inay be taken by Officers of the Customs at Newfoundland for each Report of the Master of every Vessel fitted and cleared out from Great Britain as Fishing Ships, upon his first Arrival there, and at his clearing out from thence, and no other Fee shall be taken or demanded by any Officer of the Customs there relative to the said Fishery. 12 Geo. 3. c. 31. §7.

3. So long as 10 Geo. 3. c. 37. shall remain in force\*, the Officers of His Majesty's Customs in Newfoundland shall be entitled to receive such Fees for all Business done by them in the Execution of their Duty, as were legally demanded and taken by the like Officers of the Customs at the Port of Halifax in Nova Scotia on or before 1st January 1768, provided the said Fees are not contrary to the Directions of any Act made in Great Britain; and the said Officers shall have the like Remedy for the same, and be liable to the same Forfeitures and Disabilities for receiving any greater or other Fees than are allowed to be taken, as are inflicted in such Cases by 5 Geo. 3. c. 45. and 10 Geo. 3. c. 37.—16 Geo. 3. c. 47. § 3. 45 Geo. 3. c. 68. § 5.

4. For every Certificate granted upon the shipping of Coffee and Cocoa Nuts in pursuance of these Acts, the Collector and Comptroller and Naval Officer shall re-

\* This Act was made perpetual by 45 Geo. 3. c. 68. § 5.

ceive

Taking greater Fees than allowed.

Upon each Report of Fishing Vessels at Newfound ind,

Officers in Newfoundland to have the same Fees for all Business done as were allowed at Halifax.

For Certificates upon shipping Coffee, eei 110

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1 and boai Sixpence ewfoundssel fitted ng Ships, out from anded by the said

in force\*, oundland ness done re legally Customs before 1st ontrary to tain; and the same. oilities for llowed to . 3. c. 45. 5 Geo. 3.

ipping of Acts, the shall re-

8. § 5. ceive

ecive as a Fee or Reward the Sum of Five Shillings, and no more. 5 Geo. 2. c. 24. § 3. 23 Geo. 3. c. 79. § 7.

See Coffee and Cocoa Nuts.

5. The Fees now payable upon the Registry or Trans- Upon the Refer of Property in any Vessel shall continue to be paid as gistry or Transheretofare, except upon the First Registry, in pursuance ships. of this Act, of any Ship built and registered before 1st May 1786. 26 Geo. 3. c. 60. § 37.

See REGISTRY OF BRITISH SHIPS.

6. The Collectors and Comptrollers in the British On the Delivery 6. The Collectors and Competitions in the Entries of Lists of the Colonies and Plantations may receive Two Shillings and Crew and Wages Sixpence of the Masters of British Ships upon delivering due to such as the List of the Crew on board such Ships at the Time of have died, and Arrival in the said Colonies or Plantations, and also of the same, the Wages due to such as may have died during the Voyage, and may receive One Shilling from any Person inspecting such List. 37 Geo. 3. c. 73. § 5.

7. No Fees shall be demanded or received by any Of- Not to be paid ficer in the Free Ports, for any Entry, Cocket, Clear-Goods under the ance, or Passport for any Foreign Vessel, or for any Free Port Acts. Goods imported into or exported from the said Islands in any such Foreign Vessels, under the like Pains and Penalties as are inflicted upon Officers receiving greater Fees than are allowed by any Act now in force. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

### figs,

May be exported from Malta, or any of the Depen- Importation aldencies thereof, or from Gibraltar, direct to any of His lowed from Malta or Gib-Majesty's Sugar Colonies or Plantations in America, or raltar, to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. See GIBRALTAR.

MALTA.

### Fisheries.

1. Salt for the Fisheries of Newfoundland, Nova Scotia, Salt may be imand Quebec, may be laden in any Part of Europe on Part of Europe, board any British-built Vessel owned, navigated, and 11.2 registered

fer of British

ported from any

Also Goods fit and necessary for the Fishery from Guernsey or Jersey;

upon the Conditions herein mentioned.

Herrings may be imported from the Isle of Man;

also Tools and Implements from the said Isle ; registered according to Law. 15 Car. 2. c. 7. § 6. 2 Geo. 3. e. 24. § 7. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. e. 19. § 1. 48 Geo. 3. c. 22. § 1.

2. Any Person inhabiting in Jersey or Guernsey may lade in the said Islands, and transport directly from thenee to any of the British Colonies in America where the Fishery is earried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Vietuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships, or on Shore, in earrying on the said Fishery there; provided such Craft, Clothing, or other Goods, are the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Vietuals are the Growth or Produce either of Great Britain, Ireland, or the said Islands. 9 Geo. 3. c. 28. § 1.

3. Provided also, that the Master of the Ship produce to the proper Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Deputy Governor, or Commander in Chief, that Oath had been made by the Shipper of such Goods, before the Magistrates of the Royal Court in Jersey or Guernsey, or any Three of them, that the Goods and Vietuals so shipped are of such Product or Manufacture, which Certificate shall also be attested by the principal Officer of the Customs in the said Island, who shall certify that the said Oath was taken in his Presence; and on Failure of producing the Certificate, such Food, &c. found on board any Ship, and the Ship importing the same, shall be seized and forfeited, in the same Manner as if this Aet had not been made. 9 Geo. 3. c. 28. § 2.

4. Any of His Majesty's Subjects residing in the Isle of Man may export from thenee to any of the British Colonies or Plantations in America, in British-built Ships owned, navigated, and registered according to Law, Herrings eaught and cured by them, in the same Manner as Vietuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. e. 58. § 4.

5. Any of His Majesty's Subjects residing in the Isle of Man may ship and lade there, and transport directly from thence to any Part of America where the Fishery is now or shall hereafter be carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks, 10

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hip produce olony where d and Seal mmander in oper of such al Court in m, that the Product or attested by said Island, ı in his Pretificate, such he Ship im-, in the same 9 Geo. 3.

in the Isle the British 1-built Ships ig to Law, same Manuid Colonies 58.§4. in the Isle of lirectly from hery is now Ship which ons, Hooks, Lines.

### Fisheries.

Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Vessels in the Fishery; such Provisions, Hooks, Lines, Netting, or other Tools or Implements, being the Product and Manufacture of Great Britain, Ireland, or the said Isle of Man. 15 Geo. 3. c. 31. § 5.

6. Provided the Master of such Ship shall produce to Upon the Conthe proper Officer of the Customs in the Colony or Plant-ation where he shall arrive a Contiferent mentioned. ation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Provisions, Hooks, Lines, Netting, or other Tools and Implements, that the same are of the Product and Manufacture of Great Britain or Ireland, or the Isle of Man, and that the several Articles before mentioned (except the Provisions), specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the said Fishery, and for no other Use or Purpose whatsoever (which Oath and Certificate such Collector or other Officer is required to administer and grant without Fee or Reward); and on Failure of producing such Certificate, or if any such Hooks, Lines, Netting, Tools, and Implements, are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited, as they would have been if this Act had not been made. 15 Geo. 3. c. 31. § 6.

7. Fish taken and cured by His Majesty's Subjects Fish may be carrying on the Fishery from any of the following Ports exported to any in North America, that is to say Saint John's in Now Part of Europe in North America, that is to say, Saint John's in New South of Cape Brunswick, Saint John's in Newfoundland, Quebec in Finisterre. Canada, Sydney in Cape Breton, Halifax and Shelburne in Nova Scotia, and Charlotte Town in Prince Edward's Island, or taken and cured by His Majesty's Subjects carrying on the Fishery from any Part of the United Kingdom, may be exported from any of the said Colonies to any Part of Europe South of Cape Finisterre, on board any British-built Vessel owned, navigated, and registered according to Law; and any such Ship, after discharging the Cargo of Fish, may lade in any such Part of Europe Fruit, Wine, Oil, Salt, or Cork, for Ex-H 3 portation

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Oath to be made that the Fish is British taken and cured, and Certificate produced at the Port of Arrival in Europe.

The Person in whose Possession the Fish continued until shipped, to make Oath to the Plentity,of which a Certhicate is to be granted.

Vessels employed in the Fishery, or in trading Coastwise, not required to be registered. portation direct to the said Colonies, under the Regulations hereafter mentioned. 51 Geo. 3. c. 97. § 2.

8. The Persons exporting a Cargo from any Port in Nova Scotia or New Brunswick to any such Part of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or the Naval Officer, that the Cargo so shipped is the Produce of the British Fisheries in North America, and bonâ fide taken and cured by His Majesty's Subjects carrying on such Fisheries from some of the said Colonies, and such Officer of the Customs or Naval Officer shall certify such Oath under his Hand, which Certificate shall be produced by the Master, on his Arrival at the Port in Europe to which such Cargo shall be conveyed, or to which she shall go for the Delivery of the Cargo, and the Master shall make Oath before the British Consul there, or if no Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

9. Before shipping any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fishery from some of the said Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, signed with his Hand, which Certificate the Master of such Ship shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in Manner aforesaid. 51 Geo. 3. c. 97. § 6.

10. Vessels not exceeding Thirty Tons Burthell, not having a Deck, employed solely in the Fishery on the Banks or Shores of Newfoundland, the Province of Quebec, Nova Scotia, New Brunswick, adjacent to the Gulf of Saint Lawrence, and to the North of Cape Canso, or the Islands within the same, or in trading 6 Coastwise Co reg

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Fish for pe within Ocssession ng landed g it, until efore the Officer in roduce of aken and the said on such er of the · e thereof, Master of e Port of and shall ificate in

then, not y on the ovince of it to the of Cape i trading Coastwise

### Fisheries.

Coastwise within the said Limits, are not required to be registered. 26 Geo. 3. c. 60.

#### See Registry of British Ships.

11. Certain Articles, the Produce or Manufacture of Articles may be the United States of America, may be imported into the United Newfoundland and Quebec for the Use of the Fisheries States. 28 Geo. 3. c. 6. § 13. 29 Geo. 3. c. 16. § 1. there.

See NEWFOUNDLAND.

QUEBEC.

12. The Right of carrying on the Fishery at New- The Right of foundland, and going on Shore for the Curing, Salting, Fishing and curing Fish at Drying, and Husbanding Fish, vested in His Majesty's Newfoundland. Subjects. 10 & 11 W. 3. c. 25. § 1. 12 Geo. 3. c. 31. § 4. 51 Geo. 3. c. 45. § 2.

See NEWFOUNDLAND.

13. Oil and Blubber taken and caught on the Banks Certificate reand Shores of Newfoundland by British Subjects shall quired on Exnot be admitted to Entry as such in Great Britain, and Blubber unless accompanied with a Certificate under the Hand from Newfoundand Seal of the Governor, Deputy Governor, Naval and. Officer, or other Principal Officer, or a Justice of the Peace, testifying that Oath had beer made before him that the Oil and Blubber was really the Produce of Fish, or Creatures living in the Sea, taken by His Majesty's Subjects carrying on such Fishery, and usually residing in Newfoundland, or in His Majesty's Enropean Dominions. 55 Geo. 3. c. 125.

See NEWFOUNDLAND.

flar. See "Hemp."

flour. See "Corn."

#### Free Ports.

1. Wool, Cotton Wool, Indigo, Cochineal, Drugs of Certain Articles all Sorts, Cocoa, Logwood, Fustic, and all Sorts of Wood may be imported into the Free for Dyers Use, Hides, Skins, and Tallow, Beaver and all Ports herein Sorts of Furs, Tortoise Shell, Hard Wood or Mill Tim- mentioned in ber, Mahogany, and all other Woods for Cabinet Ware, Vessets owned and navigated by Horses, Asses, Mules and Catt'e, the Growth or Produc- Persons inhabittion of any of the Colonies or Plantations in America, or ing Colonies of any Country on the Continent of America, belonging under Foreign European States. to or under the Dominion of any Foreign European HI Sovereign

imported from

### Free Ports.

Sovereign or State, Coin, Bullion, Diamonds, Precious Stones, may be imported from any of the said Countries, into the Ports hereafter mentioned; that is to say,

Ports.	ISLANDS.
Kingston, Savannah La Mar, Montego Bay, Santa Lncen, Antonio, Saint Anne, Falmouth, and Maria	Jamaica.
Saint George	Grenada.
Rosean	Dominica.
Saint John's	Antigua.
San Josef	Trimdad.
Scarborough	Tobago.
Road Harbonr	Tortola.
Nassau	New Providence.
Pitt's Town	Crooked Island.
Kingston	Saint Vincent.
The Principal Port -	Bermada.
Any Port where there is a Custom-house - }	Bahamas.
Bridootomu	13 1 1

Bridgetown - | Barbadoes.

In any Foreign Sloop, Schooner, or other Vessel \*, being owned and navigated by Persons inhabiting any of the said Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

2. Tobacco, the Growth or Production of any Island in the West Indies, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any such Island or Country, into any of the Ports herein-before enumerated, in the like Foreign Vessels, and be again exported from thence to any Part of the United Kingdom, under the same Restrictions, Penalties, and Forfeitures, as are in this Act contained with regard to the Goods herein-before enumerated. 45 Geo. 3. c. 57. § 2.

\* So much of the 45 Geo. 3. c. 57. as confined the Trade to Vessels not having more than One Deck, is repealed by the Acts 50 Geo. 3. c. 21. and 54 Geo. 3. c. 48.

3. It

Tobacco may be imported in such Vessels, and exported to the United Kingdom,

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Precious Countries, ıy,

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ny Island itinent of f any Foimported he Ports ssels, and e United ties, and rd to the 57. § 2.

Trade to y the Acts

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#### Free Ports.

3. It shall be lawful to import into the said Port of Sugar and Coffee Nassau in the Island of New Providence, and into the of Foreign Colosaid Port of Pitt's Town in Portland Harbour in Crooked ported into cer-Island, and into such other Ports in the said Bahama tain Ports in Islands, and into the principal Port in the Island of Bermuda, and into such Ports in the Islands called Caicos as shall be approved by His Majesty in Council, Sugar and Coffee, the Produce of any Foreign Country or Plantation, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to the Goods and Merchandize hereinbefore enumerated; and such Sugar and Coffee may be so imported into and exported from any of the said Ports without Payment of any Duty of Customs. 45 Geo. 3. c. 57. § 4, 5.

4. His Majesty, by and with the Advice of the Privy Certain Articles Council, may permit the Importation into the Port of imported into Road Harbour in the Island of Tortola, one of the Vir- and exported gin Islands, and the Exportation from thence into this from Road Kingdom, of all Goods permitted to be imported into the Tortola in Port of Nassan in the Island of New Providence, and to Foreign Vessels; be exported from thence to this Kingdom, in the same manner, on the same Duties and Drawbacks, and subject to the same Rules, Regulations, Restrictions, Penalties, and Forfeitures, as are provided in 45 Geo. 3. c. 57. respecting Importation into and Exportation from the Port of Nassau, and further subject to such Rules, Regulations, Conditions, and Restrictions, as shall from Time to Time be directed by His Majesty, by and with the Advice aforesaid. 46 Geo. 3. c. 72. § 1.

5. His Majesty, by and with the Advice of His Privy also Sugar Council, may permit the Importation into the Port of without Pay-Road Harbour in Tortola, and Exportation from thence, without Payment of any Duty of Customs, of all Sugar, subject to such Rules, Regulations, and Restrictions as may be directed by His Majesty, by such Advice as aforesaid; and all Sugar imported into the United Kingdom from Tortola, (except such Sugar as shall be of the Growth and Produce of the British Virgin Islands, and exported as such under the Certificates of the Collector and Comptroller of the Customs of the said Islands, which Certificate shall be given in such Form as shall be directed by His Majesty, by and with the Advice of His Privy Council, and shall not be given in any one Year for any greater Quantity than 5,880,000 Pounds Weight), shall

nies may lie inisuch Vessels.

Harbour in

ment of Duty.

shall be deemed to be Foreign Sngar, and be imported into the United Kingdom as such, and subject to all Rules, Regulations, and Restrictions relating thereto. 46 Geo. 3. c. 72. § 2.

6. In addition to the Articles enumerated in 45 Geo. 3. c. 57. it shall be lawful to import, under the like Anthority, Restrictions, Rules, Regulations, Penalties, and Forfeitures provided in the said Act, Rice, Grain of all Sorts, and Flour, from any Colonies or Plantations in America, belonging to or nuder the Dominion of any Foreign European Sovereign or State, into any of the Ports enumerated in No. 1, in any Foreign Vessel whatever, manned and navigated by Persons inhabiting any of the said Colonies or Plantations 48 Geo. 3. c. 125. § 2.

7. No Goods except such as are before enumerated shall be imported in any Foreign Vessel from any of the Colonies or Plantations in America, or any Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, into any of the before-mentioned Ports, on Forfeiture thereof, with the Vessel in which imported; and the same may be seized by any Officer or Officers of His Majesty's Customs or Navy anthorized to make Seizures, and shall and may be prosecuted in manner herein-after directed. 45 Geo. 3. c. 57. § 7.

8. It shall be lawful to export from any of the said Ports (See No. 1.) to any of the Colonies or Plantations in America, or any Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, in any Sloop, Schooner, or Vessel owned and navigated by Persons inhabiting any such Colony, Plantation, or Country, Rum of the Produce of any British Island \* which shall have been brought into the said Islands in British-built Ships owned, navigated, and registered according to Law; and all Goods which shall have been legally imported into the said Islands, except Masts, Yards, or Bowsprits, Pitch, Tar, and Turpentine, and except such Iron as shall have been brought from the British Colonies or Plantations in America, 45 Geo. 3. c. 57. § 8.

\* Negroes were also allowed to be exported to Foreign American Colonics, but such Exportation is now prohibited by the Acts for abolishing the Slave Trade, See "Slaves."

Rice, Grain, and Flour may be imported into the Ports enumerated in No. 1. and in Foreign Vessels.

No other Goods to be imported into the Free-Ports in Foreign Vessels.

Certain Articles may be exported from the said Ports in Foreign Vessels.

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f the said antations of Ame-7 Foreign ooner, or iting any the Prowe been s owned, and all into the s. Pitch. as shall · Planta-

American Acts for

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#### Free Ports:

9. It shall be lawful to export in any British Ship, Goods of Europe, owned and navigated according to Law, from any of the or which have said Ports to any British Colony or Plantation in Ame- into the Free rica or the West Indics, any Goods of the Manufacture of Ports, may be Europe, and any Goods which shall have been legally im- exported from thence to other. ported into any of the said Ports from any of the Colonies British Colonies. or Plantations in America, or in any Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. §9.

10. But if any Doubts shall arise whether any such In cases of Goods intended to be so exported shall have been legally Doubt, the Lc-gality of Imimported into the said Ports, the Legality of such Impor- portation to be tation shall be made appear to the Satisfaction of the made appear to Collector and Comptroller, or other Principal Officer of the Officers. the Customs at the Port of Exportation, before such Goods shall be suffered to be shipped for Exportation. 45 Geo. 3. c. 57. § 10.

11. All Wool, Cotton Wool, Indigo, Cochineal, The Anicles Drugs of all Sorts, Cocoa, Logwood, Fustick, and all the free Porte Sorts of Wood for Dyers Use, Hides, Skins, and Tallow, may be ex-Beaver and all Sorts of Furs, Tortoise Shell, Maliogany, and all other Woods for Cabinet Ware, of the Growth or dom, Production of any of the Colonies or Plantations in Americe, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, shall be allowed to be exported from any of the said Ports, (See No. 1) to any Part of the United Kingdom of Great Britain and Ireland, under the Restrictions, Securities, Penalties, and Forfeitures provided in 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57. § 11. 49 Geo; 3. c. 22. § 1.

12. No Goods of the Production or Manufacture of East India the East Indies, or other Places beyond the Cape of Good Goods not to be Hope, shall be exported from any of the Free Ports to other British any other British Colony or Plantation in America or Colony. the West Indies, upon Forfeiture thereof with the Ship. 45 Geo. 3. c. 57. § 12.

13. If any Foreign Vessel, arriving at any of the afore- East India Goods said Ports, shall have on board any Goods of the Produc- found on board tion or Manufacture of the East Indics, or other Places forfeited, beyond the Cape of Good Hope, such Goods shall be forfeited, with the Ship in which brought, whether such Goods

imported into ported to the United King-

exported to any

Foreign Vessels

No Fees to be charged by the Officers,

How Fenalties and Forfeitures to be recovered and divided.

Feas and Beans may be imported into the Ports enumerated in No. 1. and in the like Vessels. Goods shall be intended to be landed, or whether Bulk shall have been broken or not. 45 Geo. 3. c. 57. § 13.

14. No Duty of Gunpowder, nor any Fee, shall be received by any Officer in the Free Ports for any Entry, Cocket, Clearance, or Passport for any Foreign Vessel, or for any Goods imported into or exported in such Foreign Ships or Vessels, under the like Pains and Penalties as are inflicted upon Officers receiving greater Fees than are allowed by any Act of Parliament now in force for regulating the Fees of the Officers of the Customs in His Majesty's Colonies and Plantations in America. 45 Geo. 3. c. 57. § 14.

15. All Penalties and Forfeitures imposed by this Act may be prosecuted, sued for, recovered, and divided in Great Britain, or in any of His Majesty's Colonies or Islands in America, 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 Penalties and Forfeitures imposed by any Act of Parliament made for the Security of the Revenue of the Customs, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force before the passing of this Act, may be prosecuted, sued for, recovered, and divided in any of His Majesty's Colonies or Islands in America. 45 Geo. 3. c. 57. § 15.

16. Peas and Beans, the Growth of any of the Colonies or Possessions in the West Indies, or on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported into any of the Ports in His Majesty's Colonies or Plantations in the West Indies enumerated in 45 Geo. 3. c. 57. 46 Geo. 3. c. 72. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. and 57 Geo. 3. c. 74. in Vessels of the like Description, and subject to the like Rules, Regulations, and Restrictions, as are required by the said Acts, permitting certain Articles to be imported into the Ports enumerated therein in Vessels of the like Description, and subject to the like Bescription, and Subject to the like Rules, Regulations, as are required by 50 Geo. 3. c. 21. 58 Geo. 3. c. 27. § 2.

\* This Act (which was made perpetual by 54 Geo. 3. c. 48.) permitted the Importation and Exportation of the Articles, under the Rules and Regulations of 45 Geo. 3. c. 57. in any Foreign Vessel, although having more than one Deck.

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### Free Ports.

17. Any Foreign Vessel described in 45 Geo. 3. c. 57. Foreign Vessels may come in Ballast into any Port of the Bahama Islands and other where there is a Custom-house, and export the Articles Articles from allowed by the said Act to be exported, conformably with the Bahamas. the Regulations of the said Act, and also export Salt, subject to the Duty of Tonnage, and under the Regulations imposed by 28 Geo. 3. c. 6.-52 Geo. 3. c. 99.

See " SALT."

18. Any of His Majesty's Subjects may export, in any Certain Goods British-built Vessel owned and navigated according to may be exported Law, from any of the Islands in the West Indies belong- Island in the ing to His Majesty to any other of the said Islands, or to West Indies, or any of the British Colonies on the Continent of America, Colonies on the Continent, to and from any one of the said British Colonies in America another. to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony or Plantation on the Continent of America, any Goods of the Manufacture of Europe, and any Goods or Prize Goods which have been legally imported into any of the said Islands or Colonies, under the Rules, Regulations, and Restrictions of 45 Geo. 3. c. 57.-52 Geo. 3. c. 100.

19. Any of His Majesty's Subjects may export, in any The like Goods British-built Vessel owned and navigated according to from Newfound-Law, from the said Island of Newfoundland to any of the land to the said Islands in the West Indies belonging to His Majesty, or Islands and to any of the British Colonies on the Continent of America, from thence to and from any one of the said Islands in the West Indies be- Newfoundland. longing to His Majesty, or from any one of the said British Colonies on the Continent of America, into Newfoundland, any Goods the Manufacture of Europe, and any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies under the Rules, Regulations, and Restrictions contained in 45 Geo. 3. c. 57.-57 Geo. 3. c. 29.

#### Fruit.

1. The Produce of Europe South of Cape Finisterre Vessels from may be shipped and laden in any Port of Europe South British Colonies of Cape Finisterre for Exportation direct to any of the rica, arriving Ports herein-after mentioned; that is to say, Saint John's with the Produce in New Brunswick, Saint John's in Newfoundland, thereof at Places Quebec in Canada, Sydney in Cape Breton, Halifax of Cape Finisand Shelburn in Nova Scotia, and Charlotte Town in terre, may im-Prince Edward's Island, all in North America, on board port from thence Fruit the Pro-

from one British

may be exported Colonies, or

in North Ameof duce of Europe.

her Bulk 7. § 13. all be reiy Entry, n Vessel, such Fo-Penalties Fees than force for ns in His 5 Geo. 3.

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divided lonies or orm, and ets, as far lties and made for r for the Regulain force ed, sued y's Colo-15. he Colo-Continent n of any imported r Planta-3. c. 57. 3. c. 99. cription, Restricg certain l therein the like uired by

3. c. 48.) les, under y Foreign

7. Any

of any British Ship owned, navigated, and registered according to Law, which shall have arrived at any Port of Europe Sonth of Cape Finisterre with Articles of the Growth or Produce of the said Colonics, 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 any Part of the United Kingdom, or with any of the Goods herein-after mentioned (See 'No. 4.) from the Province of Canada, whether such Goods shall be the Produce of Canada, or shall have been bronght into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

2. Upon the Importation thereof into any of the snid Ports, the same shall be subject and liable to such Duties as Goods of the like Denomination are liable to npon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

3. The Person exporting a Cargo from Nova Scotia or New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment before the Chief Officer of the Customs, or before the Naval Officer in Command at such Port, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations, and such Officer shall certify such Oath under his Hand; which Certificate shall be produced by the Master of the Ship on board of which any such Cargo is shipped, on his Arrival at the Port in Europe, within the Limits aforesaid, to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, and Heading, dressed or undressed, Hoops, Pine Plank and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required

Duties thereon.

On Expotation from Nova Scotia ot New Brunswick, Oath to be made that the Cargo is the Produce of the Province or of the British Fisheries; and Certificates thereof to be produced.

Certain Articles may be exported from Canada without such Oath, on producing a Certificate of the regular iniportation by

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va Scotia South of of Shipor before that the f the said héries in Majesty's ne of the all certify shall be of which e Port in ch Cargo ill go for all make ill be no sh Merthe Cerand was

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quired to produce a Certificate from the Chief Officer of Land or Inland the Customs, or the Nuval Officer in Command at Quebec, that the said Articles were the Growth of or brought into Canada conformably to the Regulations established by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs, or Naval Officer, is required to grant upon satisfactory Proof being made npon Oath or otherwise, and the Anthenticity of such Certificate shall be sworn to in manner aforesaid by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

5. Before the Shipment of any Pickled Fish or Dry Oath to be made Fish for Exportation from Canada to any Port of Europe before shipping within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being Canada, that it is landed from the Fishing Vessel employed in taking it, the Produce of until shipped for Exportation, shall make Oath before Fisheries. the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and, upon such Oath being taken, the said Officer of the Customs, or Naval Officer, shall grant Certificate thereof signed with his Hand, which Certificate only the Master of such Vessel shall be required to produce at the Port of Delivery, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. § 6.

6. Any Goods subject to Forfeiture under this Act By whom Ships may be seized by any Officer of the Customs in the said and Goods may Colonies or Plantations, or by the Commander of any of prosecuted. His Majesty's Ships or Vessels of War, and may be prosecuted, sued for, recovered, and divided in the same Manner, by the same Rules and Regulations, as far as the same are applicable, as any other Forfeiture imposed by any Act 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 the passing of this Act. 51 Geo. 3. c. 97. § 7.

DRY AND WET, IN BRANDY AND SUGAR, IN JARS AND BOTTLES.

7. May be exported from Malta, or any of the De- Importation pendencies thereof, or from Gibraltar, direct to any of allowed from Malta or

Navigation.

Pickled or Dry Fish from

His Gibraltar.

His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Lew. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

#### See GIBRALTAR.

#### MALTA.

Of the United States may be imported into Bermuda in Foreign Vessels.

8. The Produce of the United States of America may be imported from the said States into Saint George or Hamilton in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, under the Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures provided by 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. — 57 Geo. 3. c. 28. § 1.

#### See Bermuda.

May be imported in Foreign Vessels into Ports to be approved by His Majesty in Nova Scotia or New Brunswick.

Subject to such Rules and Regulations as His Majesty may direct.

1 imitation of the Act.

9. Any British-built Vessel owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Fruits into such Ports as shall be specially appointed for that Purpose within the Provinces of Nova Scotia or New Brunswick; provided that the said Fruits shall not be imported in any Foreign Vessel unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Fruits may be exported either to the United Kingdom, or any other of His Majesty's Possessions, in any British-built Vessel owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

10. His Majesty, with the Advice of His Privy Conncil, may make such Rules and Regulations for the Importation and Exportation of the said Fruits at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

11. This Act shall continue in force for the Space of Three Years from and after the passing of the same\*, and until Six Weeks after the Commencement of the then next Session of Parliament 58 Geo .3. c. 19. § 7.

\* 8th May 1818.

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lis Privy is for the ts at the s for the ry to His 8 Geo. 3.

Space of e same\*, nt of the 19. § 7.

1. Beaver Skins, and other Furs, of the Production or Not to be ex-Manufacture of the British Plantations in America, shall not be shipped or conveyed from any any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo 1. c. 15. § 24. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. §6. 20 Geo. 3. c. 10 § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. §4. 8.

For the Restrictions, Penalties, and Forfeitures, to secure the landing in the British Plantations, or in Great Britain or Ireland,

See Ashes, Pot, and Pearl.

2. The Production of any of the Colonies or Planta- Maybeimtions in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Fo reign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel whatever, being owned and navigated by Persons inhabiting any of the said Colonies or Plantations. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

3. The Production of any of the Colonies or Planta- and exported tions in America, or Countries on the Continent of from thence to the United America, belonging to or under the Dominion of any Kingdom. Foreign European Sovereign or State, imported into the Free Ports, may be exported from thence to any Part of the United Kingdom under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

### Gíbraltar.

The Trade between Gibraltar and His Majesty's Co-the Trade to be under the be under the be under the lonics and Plantations in America shall be carried on in same Regulalike manner, and under the like Rules, Regulations, and tions as with Restrictions, and subject to the like Penalties and For-Malta. feitures, as are provided by 55 Geo. 3. c. 29. with respect to the Island of Malta and Hi- Majesty's Colonies and Plantations in America, as if the same were particularly repeated in the Body of this Act. 57 Geo. 3. c. 4. See MALTA.

ported, unless to some other Plantation, or Great Britain or Ireland.

ported into the Free Ports in Foreign Vessels;

Not to be exported, unless to some other Plantation, or Great Britain or Ireland. 1. The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. §18, 19. 22 & 23 Car. 2. c. 26 § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3 29 & 40 G. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

Ginger.

For the Restrictions, Penalties, and Forfeitures, to secure the landing in the British Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. There shall be paid to His Majesty One Shilling for every 112lbs. Weight of Ginger shipped in His Majesty's Plantations, if Bond is not first given with One sufficient Surety to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Lading thereof. 25 Car. 2. c. 7. § 2.

3. The said Duty shall be levied by the Commissioners of the Customs in England, under the Direction of the Lords of the Treasury, and shall be deemed to be Sterling Money of Great Britain, and paid to the Amount of the Value which such Nominal Sums bear in Great Britain, and according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 25 Car. 2. c.7. § 3. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

4. In case any Person liable to pay the Duty shall not have Money to answer and pay the same, the Officers shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the Current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. § 4.

5. Notwithstanding the Payment of the said Duty, no Ginger shall be shipped until the Security required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of Ship and Goods. (See No. 1.) 7 & 8 W. 3. c. 22. § 8.

6. All Laws, Usages, or Customs, in Force or Practice in any of the said Plantations, repugnant to this Act, are null and void. 7 & 8 W. 3. c. 22. § 9.

Duty upon Exportation.

How to be levled and disposed of.

Officers may accept a Proportion of the Commodity.

Bond to be given to bring the same to Great Britain, Ireland, or some British Plantation.

Laws void, if repugnant to this Act.

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7. If the Goods shall be laden before the Duties are Shipped without paid, every Person assisting or otherwise concerned in the Loading Outwards, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value of the Goods, to be computed according to the best Price that the Commodity bears at the Place where the Offence is committed; and all the Boats whatsoever made use of in the Loading shall be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 8, 9. 4 Geo. 3. c. 15. § 37.

8. May be exported from the West India Islands to Duty on Exany Place within the Territories belonging to the United United States, States of America, on Payment of the same Duties to which the Article is liable if exported to any British Colony or Plantation in America; and the said Duties shall be raised, recovered, and applied in the same manner as the Duties on Ginger exported to any British Colony or Plantation in America; provided that no Ginger shall be so exported other than by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law, under Forfeiture thereof, and also of the Ship. 28 Geo. 3. c. 6. § 3.

9. Where, on Exportation of any Goods to any British Where Bond is Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate is required British Colony, to discharge such Bond \*, a similar Bond shall be required a similar Bond on Exportation of such Goods to the United States; and Exportation to such Bond shall be discharged upon Certificate under the the United Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificates; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Vessel, that the Goods were there duly landed. 28 Geo. 3. c. 6. § 4.

Payment of the Duty.

required on Exportation to a States.

\* A Bond is required on the Exportation of Ginger. See No. 1. 10. The 1.2

May be exported to Malta or Gibraltar. 10. The Growth of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported from thence direct to the Island of Malta or the Dependencies thereof, or to Gibraltar, in such Ships or Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. See GIBRALTAR.

MALTA.

# Glass.

1. There shall be paid to His Majesty, upon the Sorts of Glass hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Cwt. Avoirdupois of Crown, Plate, Flint, and White Glass, Four Shillings and Eight-pence:

For every Cwt. Avoirdupois of Green Glass, One Shilling and Two-pence. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. The Duties shall be deemed Sterling Money of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, in the same Manner, and by such Rules, Penalties, and Forfeitures, as any other Duties payable upon Goods imported into the said Colonies or Plantations may be paid and recovered; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, recovering, and accounting for the Same) shall be applied in making Provision for the Administration of Justice and the Support of Civil Government in such of the said Colonies and Plantations where it shall be found necessary, and the Residue shall be paid into His Majesty's Exchequer, and be entered separate from other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 39 & 40 Geo. 3. c. 67. Art. 4.

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Duty on the Importation from Great Britain or Ireland.

'To be recovered as other Duties, and applied for the Use of the Colonies where found necessary, and the Residue paid into the Exchequer. gar Colopped and Malta or ich Ships ecurities, ein partieo. 3. c. 4.

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# Glass.

3. His Majesty, by any Warrant under His Royal His Majesty Sign Manual, countersigned by the High Treasurer, or may appropriate any Three of the Commissioners of the Treasury, may the Use of all or cause such Monies to be applied out of the Produce of any of the the Duties granted by this Act, as His Majesty shall think necessary for defraying the Charges of the Administration of Justice and the Support of Civil Government within all or any of the said Colonies or Plantations. 39 & 40 Geo. 3. c. 67. Art. 5.

### Goods.

1. Every Person importing by Land any Goods into Imported by Colony, Territory or Place to His Mujesty belong any Colony, Territory, or Place to His Majesty belong- to be delivered ing or in His Possession in America, shall deliver to to Governor. the Governor of such Colony, &c. or to such Officer as shall be by him thereunto authorized, within Twentyfour Hours after such Importation, his Name and Surname, and a true Inventory and Particular of such Goods. No Ship coming to any such Colony, &c. shall Ships not to lade or unlade any Goods, until the Master shall have Master shall made known to the Governor, or such Officer so autho- make known his rized, the Arrival of the said Ship, with her Name, and Arrival to the the Name of the Master, and have shewn to such Gover- delivered Innor or Officer that she is British-built, and registered and voice : navigated according to Law; nor until the Master shall have delivered to such Governor or Officer a true Inventory or Invoice of the Lading, with the Places at which the Goods were taken on board, or. Forfeiture of the Ship, and all such Goods, the Manufacture of Europe, as were not laden in Great Britain or Ireland. 15 Cal. 2. **c.** 7. § 8. 7 & 8 W. 3. c. 22. § 2. 3 & 4 Ann. c. 6. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. No Ship required to be registered, and carrying any nor until the Goods to or from the British Plantations in A aerica, or Master makes to or from one Plantation to another, shall be permitted Oath to the Particulars to trade, or be deemed qualified for that Purpose, until herein menthe Master shall, upon Oath (or in case of a Quaker, tioned, before upon his solomn Affirmation) before the Governor or upon his solemn Affirmation), before the Governor or Collector of the Collector of the Customs of the Plantation where he shall Customs. arrive, give a true Account of the Name and Burthen of the Ship, and other Particulars, according to the Form following; that is to say,

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A. B. maketh Oath (or, if a Quaker, solennly
affirms) that the Ship called the whereof
he (this Deponent or Affirmant) is the Master, or
hath the Charge or Command, being of the Burthen
of Tons, came last from and
that she is, as he verily believes, the same Ship or
Vessel described, meant, and intended in and by
the Certificate now produced by him; and that the
same does now, as he believes, belong wholly to His
Majesty's British Subjects, and that no Foreigner
has directly or indirectly any Share, Property, or
Interest therein, to his Knowledge or Belief.'

And in case any Ship shall unload any Goods in any of His Majesty's Plantations in America before such Proof shall be made, such Ship shall be forfeited and prosecuted in like Manner as if she had not been registered. 15 & 16 Geo. 2. c. 31. § 1.

3. The Master of every Ship arriving in any British Colony or Plantation in America shall, before he proceeds to the Place of unloading, come directly to the Custom-house for the Port or District where he arrives, and make a just and true Entry upon Oath before the Collector and Comptroller, or other Principal Officer of the Customs there, of the Burthen, Contents, and Lading of such Ship, with the particular Marks or Numbers, Qualities and Contents, of every Parcel of Goods therein laden, to the best of his Knowledge, also where and in what Port she took in her Lading, of what Country built, how manned, who was Master during the Voyage, and who are Owners thereof, and whether any and what Goods, during the Course of such Voyage, had or had not been discharged out of such Ship, and where and the Master of every Ship going out from any British Colony or Plantation in America, before he shall lade any Goods to be exported, shall in like manner enter and report Outwards such Ship, with her Name and Burthen, of what Country built, and how manned, with the Names of the Master and Owners thereof, and to what Place he intends to pass or sail; and, before he shall depart, he shall also deliver unto the Collector and Comptroller or other Principal Officer of the Customs at the Port or Place where he shall lade, a Content in Writing under his Hand of the Name of every Person who shall have laden any Goods, together with the Marks and Numbers of

The Master to come direct to the Customhouse, and make Entry of his Ship, before he proceeds to the Place of unloading;

and before Departure he is to deliver a Content in Writing to the Officer, ls in any ore such ited and en regis-

y British he proly to the e arrives, efore the Officer of d Lading Numbers, ls therein e and in itry built, yage, and and what d or had ere / and y British shall lade enter and Burthen, he Names Place he lepart, he troller or Port or ng under hall have Numbers of

of such Goods; and the Master of every Ship, either com- to answer upon ing into or going out of any British Colony or Plantation, whether laden or in Ballast, shall publicly in the open shall be de-Custom-house, to the best of his Knowledge, answer upon manded of him Oath to such Questions as shall be demanded of him by the Collector and Comptroller or other principal Officer of the Customs, concerning such Ship, and the Destination of her Voyage, or concerning any Goods laden on board, upon Forfeiture of £100 Sterling Money of Great Britain for every Neglect; to be prosecuted, recovered, and divided in the same manner, and by the same Rules and Regulations, as other pecuniary Penalties for Offences against the Laws of the Customs, or Trade of His Majesty's Colonies in America. 7 Geo. 3. c. 46. § 9.

4. No Goods shall be imported into or exported out Not to be imof any Colony or Plantation in America belonging to cr ported into or in the Possession of His Majesty, or shall be laden in or the Plantations, carried from any one Port or Place in the said Colonies except in Britishor Plantations to any other Port or Place in the same, or to Great Britain or Ireland, in any Ship but what is as Prize, or of the Built of Great Britain, Ireland, the Islands of under the Slave Guernsey, Jersey, the Isle of Man, or some of the Colonies, Plantations, Islands, or Territories in Asia, Africa, or America, belonging to or in the Possession of His Majesty; except Ships taken by any of His Majesty's Ships of War, or any private or other Ship, and condemned as Prize in any Court of Vice Admiralty, and also except Ships condemned as forfeited in any Court of Record in Great Britain, or in any Court of Admiralty, for any Offence in relation to the Slave Trade; such Ships respectively being owned by British Subjects, navigated and registered according to Law; on Forfeiture of all Goods otherwise imported, as also the Ship; and the Commanders of Ships of War are to seize as Prize all Ships offending, and to deliver them to the Court of Admiralty. 12 Car. 2. c. 18. §1. 7 & 8 W. 3. c. 22. § 2. 26. Geo. 3. c. 60. 27 Geo. 3. 39 & 40 Geo. 3. c. 67. Art. 6. c 19. §13. 54 Geo. 3. c. 59. §1.

Oath to such

exported from built Ships, or Ships condemned Trade Acts.

For the Regulations, Restrictions, Penalties, and For- Navigation and feitures respecting the Navigation and Registry of Registry. British Ships,

See NAVIGATION OF BRITISH SHIPS.

REGISTRY OF BRITISH SHIPS.

I 4

(1.) Ships

### Goods.

(1.) Ships belonging to the Inhabitants of the United States of America, from coming in Ballast to the Turks Islands, Nassau, Exuma, or Crooked Island, for the Purpose of being there laden with Salt. 28 Geo. 9. c. 6. § 5, 6, 7.

See SALT.

(2.) Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic, Wood for Dyers Use, Hides, Skins, Tallow, Furs, Tortoiseshell, Hardwood, or Mill Timber, Mahogany, Wood for Cabinet Ware, Horses, Asses, Mules, Cattle, Corn, Bullion, Diamonds and Precious Stones, Rice, Grain and Flour, Sugar and Coffee, from being imported into and exported from the Free Ports in the West Indies, in any Foreign Ship, being owned and navigated by Persons inhabiting any Colony or Plantation in America, or Country on the Continent of America belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 48 Geo. 3. c. 35. 50 Geo. 3. c. 21. 52 Geo. 3. c. 99. 54 Geo. 3. c. 48.

#### See FREE PORTS.

(3.) Any Foreign Ship whatever, described in 45 Geo 3. c. 57. from coming in Ballast, or importing into any Port of the Bahama Islands where there is a Custom House, the Articles allowed in the said Act to be imported into the Ports therein mentioned, and also exporting the Articles allowed by the said Act to be exported in Foreign Vessels, or exporting Salt subject to the Duty of Tonnage, and under the Regulations of 20 Geo. 3. c. 6.—52 Geo. 3. c. 99.

#### See FREE PORTS.

SALT.

(4.) Sugar, Coffee, Rum, or Molasses, the Produce of any British Colony in the West Indies, imported into the Island of Bermuda in any British Vessel, from being exported from the Port of Saint George or the Port of Hamilton in the said Island, to any Part of the Territories of the United States of America, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28. (5.) To-

#### But American Ships may export Salt from certain Islands.

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Ships owned and navigated by Persons inhabiting Colonies under Foreign European Sovereigns may import and export certain Articles from the Free Ports.

prevent

But nothing in 12 Car. 2. c. i8. or in the other Acts (see No. 4.) is to

and import and export certain Goods into and from the Bahama Islands.

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Ships in Amity may export certain Articles from Bermuda to the United States. 6

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ochineal, or Dyers oiseshell, , Wood Cattle. Stones, e, from he Free yn Ship, habiting Country g to or ean So-Geo. 3. c. 99.

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ribed in llast, or Islands Articles into the ting the orted in t to the tions of

ses, the est Ina in any om the amilton rritories Foreign vith His Geo. 3. c. 28. 5.) ToGoods.

(5.) Tobacco, Pitch, Tar, Turpentine, Hemp, and import cer-Flax, Masts, Yards, Bowsprits, Staves, Heading tain Articles into Bermuda Boards and Plank Timber, Shingles, and Lumber, from the said Horses, Neat Cattle, Sheep, Hogs, Poultry and States; Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Production of any of the Territories of the United States of America, from being imported from the said Territories into the Port of Saint George, or the Port of Hamilton in the Island of Bermuda, in any Foreign Ship belonging to any State in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50.

(6.) Fruit or Vegetables, the Growth of the also Fruit and United States, from being imported into the Ports Vegetables. mentioned in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Vessels of the Description mentioned in the said Acts, and under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures therein provided. 57 Geo. 3. c. 28. § 1.

(7.) The usual and necessary Articles of Sup- Dutch Ships may ply for the Estates of Dutch Proprietors in the import from Colonies of Demerara, Berbice, and Essequibo, in Supplies for the the Province of Guiana in South America, from Estates of Dutch being exported from the Netherlands into the said Proprietors in Colonies respectively, on board any Ships being the Property of Subjects of the King of the Netherlands, wherever built, and without any Restriction or Limitation as to the Mariners navigating the same, for the Space of Five Years, commencing from the First Day of January 1816; but the Master of every such Ship shall produce to the proper Officer of the Customs in the said Colonies, satisfactory Proof of the Ship being owned by a Subject of the King of the Netherlands; provided that the King of the Netherlands may, at any Time before the Expiration of the said Five Years, direct that such Trade shall be carried on only in such Ships as are Dutch-built, and whereof the Master and Three-fourths of the Crew are Subjects of his said Majesty; provided also, that at the Expiration of the said Five Years, no such Trade shall be carried on, except in Ships Dutchbuilt, and whereof the Master and Three-fourths of the Crew are Subjects of the King of the Netherlands. 56 Geo. 3, c. 91. § 3, 4. 6.

the Netherlands Guiana ;

(8.) The

### Goods.

and such Ships may export the Produce of such Estates to the Netherlands.

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Ships of States in Amity may import certain Articles into Nova Scotia or New Brunswick;

and export certain Articles from the said Provinces.

Not to be imported from the United States into British West India Islands or Guilana, except certain Articles in British Ships; (8.) The Produce of the Estates of Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo, from being exported from the said Colonies to the Netherlands, on board such Ships as are described in the preceding Article. 56 Geo. 3. c. 91. § 4. 6.

See GUIANA.

(9.) Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock of any Sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, Tobacco, from being imported into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty. 58 Geo 3. c. 19. § 1. See Nova Scotia AND New BRUNSWICK.

(10.) Gypsun, Grindstones, or other Produce or Manufacture of the said Provinces of Nova Scotia or New Brunswick, and any Produce or Manufacture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods which have been lawfully imported into the said Provinces, from being exported from such Ports as shall be specially appointed for that Purpose by His Majesty, within the said Provinces, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, to which the said Articles shall be exported. 58 Geo. 3. c. 19. § 4. \*

See NOVA SCOTIA AND NEW BRUNSWICK.

7. No Goods shall be imported from any of the Territories belonging to the United States of America, into any of His Majesty's West India Islands, in which Description the Bahama Islands, and the Bermuda or Somers Islands are included, or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, on Forfeiture thereof, and also the Ship; except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts,

\* The Act 59 Geo. 3. c. 19. is to continue in force for Three Years from 8th May 1818, and until Six Weeks after the Commencement of the then next Session of Parliament.

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Yards,

Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort; Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of every Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; such Commodities being the Growth or Production of the Territories of the said States, imported by British Subjects, and in Britishbuilt Ships, owned and navigated according to Law. 28 Geo. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50. § 1.

See UNITED STATES.

8. Except also Houshold Furniture, Utensils of Hus- also Household bandry, and Cloathing, by Subjects of the United States, Utensils of Huswho may come to reside in the Bahama or Bermuda bandry, and Islands, or in the Province of Quebec, Nova Scotia, or Clothing, by any of the Territories belonging to His Majesty in North America, having first obtained a Licence for that Pur-30 Geo. 3. c. 27. § 1. pose.

Sec Settlers.

9. And except Fruit and Vegetables, the Production of also Fruit and the said States, into the said Islands and Colonies in the Vegetables. like Description of Ships, and under the same Restrictions, Penalties, and Forfeitures. 57 Geo. 3. c. 28. § 1.

10. None of the Articles so allowed to be imported Articles of the into the West India Islands, or the Colonies of Berbice, Demerara, or Essequibo, from the United States (See ported from No. 7.), shall be imported into the said Islands or Colo- Colonies under nies from any Island in the West Indies, or any Colony or Plantation on the Continent of South America, under vereigns, except the Dominion of any Foreign European Sovereign or in certain Cases. State, on Forfeiture thereof, and of the Ship; except in case of public Emergency or Distress, and except certain Articles from the Free Ports, or from the Territories or Dominious belonging to the Crown of Portugal in South America. 28 Geo. 3. c. 6. § 10. 11. 31 Geo. 3. c. 38. § 1. 33 Geo. 3. c. 50. § 13. 45 Geo. 3. c. 57. § 2. 48 Geo. 3. c. 125. § 2. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1.

#### See UNITED STATES.

11. No Goods shall be imported from any of the Ter- Not to be imritories belonging to the United States of America into ported into the the Province of Nova Scotia, New Brunswick, or American Colo-Quebec, the Island of Cape Breton, Saint John's, or nies from the Newfoundland, or any Country or Island within their United States, respective Governments, on Forfeiture thereof, and of except in certhe Ship; except certain Articles, the Production of the said

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like Description not to be im-

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said Territories, in case of Emergency or Distress, and for the Use of the Inhabitants and Fishermen at Newfoundland or Quebec, and except also certain Articles into Nova Scotia or New Brunswick. 28 Geo. 3. c. 6. § 12, 13, 14. 29 Geo. 9. c. 16. § 1. 30 Geo. 3. c. 8. § 1. 39 Geo. 3. c. 50. § 14. 58 Geo. 3. c. 19.

> See CAPE BRETON. NEWFOUNDLAND. NOVA SCOTIA. QUEBEC.

NEW BRUNSWICK. SAINT JOHN'S.

12. No Goods, except the Produce or Manufacture of the Territories of the United States of America, shall be brought from the said Territories by Inland Navigation or Land Carriage into the Provinces of Upper or Lower Canada, on Forfoiture thereof, or the Value, with the Vessel or Carriage in which the same shall be brought; to be sned for, recovered, and distributed in the like manner as in case of Offences committed against the Laws of Customs in His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

See UNITED STATES.

13. No Goods shall be exported from Turk's Islands to any Part of the British Dominions in America, or the West Indies, or laid on board any Ship in those 1-lands, except Salt, nor from Turk's Islands to Great Britain or Ireland, except Salt, or such Goods as may be imported into Great Britain or Ireland from all other Countries free of all Duties, on Forfeiture thereof, and of the Ship. 28 Geo. 3. c. 6. §7, 8.

See TURK'S ISLANDS.

14. Any of His Majesty's Subjects may export, in any British-built Ship, owned and navigated according to Law, from any one of the Islands in the West Indies belonging to His Majesty, to any other of the said Islands, or to any of the British Colonies on the Continent of America, and from any of the British Colonies in America, to any of the Islands in the West Indies belonging to His Majesty, or to any other British Colony on the Continent of America, any Goods the Manufacture of Europe, and also any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies, under the Regulations and Restrictions of 45 Geo. 3. c. 57. 52 Geo. 3. c. 100. § 1.

See EUROPE.

15. Any of His Majesty's Subjects may export, in any British-built Ship, owned and navigated according to Law, from Newfoundland to any of the Islands in the West 14

Nor brought by Land or Inland Navigation into Canada, unless the Produce of the United States.

Not to he exported from Turk's Islands, except Articles herein mentioned.

May be exported from one British Island in the West Indies, or Colony on the Continent, to another;

and may also be exported from Newfoundhand to the said

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West Indies belonging to His Majesty, or to any of Islands or Colothe British Colonies on the Continent of America, and mies, or from thence to Newfrom any of the said Islands in the West Indies belong- foundland. ing to His Majesty, or from any of the said British Colonies on the Continent of America, into the said Island of Newfoundland ; any Goods of the Manufacture of Europe, and also any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies under the Regulations and Restrictions of 45 Geo. 3. c. 57.-57 Geo. 3. c. 29.

See EUROPE.

16. Any Article legally imported into any of His Certain Articles Majesty's Sugar Colonies or Plantations in America, or to Maka or any Articles the Production or Manufacture of New- Gibrahar. foundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, or which have been legally imported into any such Colony or Plantation, may, under certain Regulations, be exported to the Island of Malta, or the Dependencies thereof, or to Gibraltar. 55 Geo. 3. c. 29. § 1. 8. 57 Geo. 3. c. 6. § 1. 58 Geo. 3. c. 19.

> See GIBRALTAR. MALTA.

17. No Ship shall be cleared Outwards for any Colony, Ships clearing Territory, or Place to His Majesty belonging, or in the Britain or Ire-Possession or under the Dominion of His Majesty, in land, the whole America, unless the whole and entire Cargo shall be Cargo must be laden in Great Britain or Ireland; and any Officer of there laden, and a Cocket or His Majesty's Customs may stop any British Ship arriv- Clearance proing from any Part of Europe, which shall be discovered duced. within Two Leagues of the Shore of any such Colonies, &c., and seize as forfeited any Goods (except as hereinafter mentioned) for which the Master shall not produce a Cocket or Clearance from the Collector or proper Officer of His Majesty's Customs, in some Port of Great Britain or Ircland, certifying that the Goods were there laden. 4 Geo. 3. c. 15. § 30. 20 Geo. 3. c. 10. § 13. 39 & 40 Geo. 3. c. 67. Art. 6.

18. Any Person who shall counterfeit, erase, alter, or Counterfeiting, falsify any Cocket or Clearance required by this Act, or &c. the Docushall knowingly or wilfully make use of any Cocket or the same. Clearance so counterfeited, &c., shall forfeit £500, and the same shall be of no Effect. 4 Geo. 3. c. 15. § 32.

### Goods.

(1.) Salt laden in any Part of Europe, for the Fisheries in Newfoundland, Nova Scotia, and Quebec, or for any other Place to which Salt is allowed by Law to be carried for the Use of the Fisheries; Wines laden in the Madeiras of the Growth thereof; Wines of the Growth of the Western Islands or Azores, laden there; Oranges or Lemons of the Azores or Madeiras, shipped from thence for Exportation to any of the Ports the British Colonies in North America. in 15 Car. 2. c. 7. \$ 6. 2 Geo. 3. c. 24. § 7. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1. 57 Geo. 3. c. 89. § 1.

(2.) Goods the Growth, Produce, or Manufacture of Great Britain, Ireland, Guernsey, or Jersey, fit and necessary for the Fisheries carried on in any of the British Colonies shipped by the Inhabitants of Guernsey or Jersey; Tools or Implements necessary for the Fishery, manufactured in the Isle of Man; and Herrings cured there and shipped from the said Isle. 9 Geo. 3. c. 28. §1,2.
12 Geo. 3 c. 58. §4. 15 Geo. 3. c. 31. §5. ee EUROPE.

(3.) Fruit, Wine, Oil, Salt, or Cork, laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation direct to certain Colonies in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port of Europe with the Articles enumerated in this Act. 51 Geo. 3. c. 97. § 1.

See CORK. FRUIT. OIL. SALT. WINE. (4.) Corn or Grain laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation to any of His Majesty's Sugar Colouies, on board any Ship having landed a Cargo of Sugar, Coffee, or Cocoa, imported from the said Sugar Colonies, under the Regulations cf this Act. 52 Geo. 3. c. 98. §<sup>\*</sup>.

See CORN AND GRAIN.

COCOA. COFFEE. SUGAR.

(5.) Articles

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Not to prevent the lading of Salt, Wine, Oranges, or Lemons, at certain Places herein mentioned.

Certain Articles for the Fisheries, and Herrings from Guernsey, Jersey, and Man.

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or in the other Acts (see No. 17.) is to forfeit for want of such Clearance

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But nothing in 4 Geo.

Fruit, Wine, Oil, Salt, or Cork, from Parts of Europe South of Cape Finisterre in Ships arriving from the Colonies;

also Corn and Grain from any Part of Europe South of Cape Finisterre. But nothing in 4 Geo. 3. c.15. or in the other Acts (see No. 17.) is to forfit for want of such Clearance

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, for the otia, and h Salt is se of the as of the h of the Oranges shipped he Ports America. 24. § 7. 19. § 1. § 1.

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Articles

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(5.) Articles requisite as Supplies for the Cul- Supplies into the tivation of the Estates in Demerara, Berbice, and Province of Essequibo in the Province of Guiana, or the Netherlands for Clothing, Maintenance, and Comfort of the Resi- the Estates of dents thereon, shipped in the Netherlands by the Dutch Proprie-Subjects of the King of the Netherlands being Dutch Proprietors in such Colonies respectively. 56 Geo. 3. c. 91. § 4.

See GUIANA.

No. 17.) is to forfeit for want of such Clearance

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(6.) Articles enumerated in the following Sche- Certain Articles dule marked (B.), shipped at Malta, or the Depen- into the Sugar dencies thereof, or Gibraltar, on board any from Malta or British-built Ship, owned, navigated, and regis- Gibraltar. tered according to Law, for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of the British Colonies or Plantations in North America. 55 Geo. 3. c. 29. 57 Geo. 3. c. 4.

#### SCHEDULE B.

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c. 15. or in the other Acts (see	Dry and Wet In Jars	Cantharides.
C	Fruit in Brandy & &	Oris Root.
cts	and Sugar. J Bottles.	Rhubarb.
4	Pickles in Ditto.	Mill Timber.
hen	Olives.	j Box Wood.
of	Figs.	Argol.
the	Raisins.	Vermillion.
in	Currants.	Ochres.
or	Pistaccio Nuts.	Cinnabar.
5.	Almonds.	Orange Buds and Peel.
5	Dates.	Juniper Berries.
	Capers.	Punk.
	Wine.	Pumice Stone.
Ge	Brandy.	Emery Stone.
4	Oil of Olives.	Whetstone.
in	Oil of Ahnonds.	Paintings and Prints.
ing	Gum Arabic.	Mosaic Works.
But nothing in 4 Geo. 3.	Mastic.	Medals.
ис	Myrrh.	Lava and Malta Stone
But	—— Sieily.	for building.
	Amnioniae.	Pezzolana.
į	Opium.	Jalop.
	Manna.	Scamony.
J	Senna.	Quicksilver.
		Sarsaparilla.
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	د ۲	Sarsaparilla.	Ambe.
	<u>.</u>	Saffron,	Coral.
	8	Safflower.	Bullion.
	(see No. 17.) &c.	Musk.	Precious Stones.
		Incense.	Pearls.
	Ň	Essence of Bergamot.	Corn.
	see	Do. of Citron.	Grain.
		Do. of Lemon.	Meal or Flour.
	Sc.	Do. of Orange.	Beans.
		Do. of Lavender.	Peas.
19.	c. 15. &c.	> Do. of Roses.	Lentils.
13.		Do. of Rosemary.	Rice.
	3	Marble, 7 Rough &	Maccaroni or Vermi-
	eo	Alabaster, f worked.	celli.
	14	Brimstone.	Cascasoo.
	in	Cork.	Parmesan Cheese.
	20	Aniseed.	Bologna and other Sau-
	this	Cumminseed.	
	no	Ostrich Feathers.	sages. Anchovies.
	But nothing in 4 Geo. 3.	Honey.	Caviar.
		Sponges.	
arrals	<b>L</b>	NUL VI I CI	Botarga.

On board Vessels hovering within the Limits of a Port and not proceeding on the Voyage.

20. Where any Vessel of the Burthen of Fifty Tons or under, laden with customable or prohibited Goods, shall be found hovering within the Limits of any Port on the Coasts of any of the Dominions or Territories belonging to the Crown of Great Britain, and not proceeding on her Voyage for Foreign Parts, Wind and Weather permitting, any Officer of the Customs may go on board and take an Account of the Lading, and take Security from the Master, by his own Bond to His Majesty, in Treble the Value of such Foreign Goods then on board, with Condition that such Vessel, as soon as Wind and Weather and her State and Condition will permit, shall proceed regularly on the Voyage, and · land such Foreign Goods at some Foreign Port; and if the Master shall upon Demand refuse to enter into such Bend, or having entered into the same, shall not proceed regularly on such Voyage, as soon as Wind and Weather and the State and Condition of the Vessel will permit (unless suffered to make a longer Stay by the Collector, or in his Absence the principal Officer of such Port, not exceeding Twenty Days), then all the Foreign Goods on board shall, by the Direction of the Collector or other principal Officer, be taken out and brought on Shore and secured; and in case the Goods are customable, the Duties

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### Goods.

### Goods.

Duties shall be paid, and any prohibited or other Goods liable to Forfeiture, which may be found on board, shall be forfeited, and the Officer of the Customs shall prosecute the same, as also the Vessel in case she shall be liable to Condemnation; and after the Goods are secured, such Bonds shall be void, and delivered up without Fee or Reward, and, not being otherwise discharged, shall, on a proper Certificate returned under the Common Seal of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of Two known British Merchants upon the Place, that such Goods were there landed, or upon Proof by credible Persons that such Goods were taken by Enemies, or perished in the Seas, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs) shall be vacated and discharged. 5 Geo. 1. c. 11. § 6. 3 Geo. 3. c 22.

21. If any Foreign Ship shall be found at Anchor or On board hovering within Two Leagues of the Shore of any Plantation, Colony, Territory, or Place in the Possession Two Leagues of or under the Dominion of His Majesty in America, and the Shore, and shall not depart from the Coast, and proceed upon her Voyage to some Foreign Port or Place, within 48 Hours the Goods after the Master shall be required so to do by any Officer therein laden of His Majesty's Customs, unless in case of unavoidable Necessity, and Distress of Weather, such Ship, with all the Goods therein laden, shall be forfeited, whether Bulk shall have been broken or not, and be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 33.

22. But not to extend to any Ship belonging to the Subjects of the French King, which shall be found fishing, and not carrying on any illicit Trade, on that tain Part of Part of the Island of Newfoundland which stretches from Newfoundland. Cape Bonavista to the Northern Part of the said Island, and from thence running down to the Western Side, reaches as far as Point Riche. 4 Geo. 3. c. 15. § 34.

23. The Officers of the Customs and their Deputies May in certain may go on board any Ship of War or Merchant Ship, and bring on Shore all Goods prohibited or uncustomed Officers. (except Jewels) if they be Outwards bound, and if they be Ships Inward bound, from thence to bring on Shore unto His Majesty's Storehouse, all small Parcels of Goods which shall be found in Cabins, Chests, Trunks, or other small Package, or in any private or secret Place,

Foreign Ships at not departing within 48 Hours, forfeited.

Not to extend to French Ships fishing on a cer-

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ifty Tons d Goods, any Port tories beproceedind and oms may ding, and nd to His n Goods l, as soon Condition yage, and t; and if into such t proceed Weather ll permit Collector, Port, not Goods on or other hore and able, the Duties

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in or out of the Hold of the Ship, which may occasion a just Suspicion that they were intended to be fraudulently conveyed away, and all other Sorts of Goods for which the Duties were not paid within 20 Days after the First Entry of the Ship, to remain in the Storehouse until His Majesty's Duties thereupon be satisfied, unless the said Officers shall see Cause to allow a longer Time; and the Officers and their Deputies may remain aboard until all the Goods are delivered; and if the Master of any Ship, or any other Person, shall suffer any Truss, Bale, Pack, Fardel, Cask, or other Package to be opened aboard the said Ship, and the Goods therein to be embezzled, carried away, or put in any other Form or Package, after the Vessel comes into the Port of her Discharge, in every such Case the said Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 4. 7 & 8 W. 3. c. 22. § 6.

24. In case, after the cleaving of any Ship, and discharging the Watchmen or Tidesmen from Attendance thereupon, there shall be found on board any Goods which have been concealed from the Knowledge of the Officers, and for which the Duties due upon the Importation thereof have not been paid, the Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6.

25. All Goods which shall be found concealed in any Place on board any Ship, at any Time after the Master thereof shall have made his Report to the Collector or other proper Officer of the Customs, and which shall not be comprized in the said Report, shall be forfeited, and may be seized and prosecuted by any Officer of the Customs; and the Master (in case it can be made appear that he was anyways consenting or privy to such Fraud or Concealment, shall forfeit Treble the Value of the Goods. 4 Geo. 3. c. 15. § 36.

26. Any Officer authorized by Writ of Assistance under the Seal of the Superior or Supreme Court of Justice, having Jurisdiction within the Colony or Plantation in America, may take a Constable, Headborough, or other Public Officer inhabiting near unto the Place, and in the Day-time enter into any House, Shop, Cellar, Warehouse, or Room, or other Place, and in case of Resistance, break open Doors, Chests, Trunks, and other Package, there to seize and from thence to bring any Goods prohibited or uncustomed, and secure the same in His Majesty's Storehouse, in the Port next to the Place where

Altering Package and embezzling Goods, or putting them into any other Form or Package.

Found concealed after discharging the Officers.

Found concealed after the Master has made his Report.

Officers may enter Houses, &c. to seize prohibited and uncustomed Goods.

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27. If any Action or Suit shall be commenced in Ame- The Defendant rica, against any Person for any Thing done in pursuance in any Action of this Act, the Defendant in such Action or Snit may plead the General Issue, and may give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Treble Costs Remedy for the same as Defendants have in other Cases allowed. by Law. 7 Geo. 3. c. 46. § 11.

28. If any Goods liable to the Payment of Duties in Shipped, un. any British Colony or Plantation in America, shall be shipped, or loaden on board any Ship outward bound, or shall be Payment of unshipped or landed from any Vessel inward bound, be- Duty. fore the Duties due thereon are paid agreeable to Law; or if any prohibited Goods shall be imported into or exported out of any of the said Colonies or Plantations, contrary to this or any other Act of Parliament; every Person who shall be assisting or otherwise concerned in the loading outwards, or in the unshipping or landing inwards such Goods, or to whose Hands the same shall knowingly come after the loading or unshipping thereof, shall for every Offence for feit Treble the Value of such Goods, to be estimated and computed according to the best Price the Commodity bears at the Place where such Offence was committed; and all the Boats, Horses, Cat- Penalty. tle, and other Carriages whatsoever, made use of in the loading, landing, removing, carriage, or conveyance of any of the aforesaid Goods, shall also be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 37.

29. Every Merchant passing any Goods inwards or Marks, &c. to outwards shall, by himself, or his known Servant, Factor, Merchant on or Agent, subscribe one of his Bills of every Entry with one of his Bills the Mark, Number, and Contents of every Parcel of such of Entry. Goods as are rated by the Piece, or Measure or Weight of the whole Parcel of such Goods as are rated to pay by the Weight, without which the Officer shall not suffer

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13 & 14 Car. 2. c. 11. § 10. any Entry to pass. W. 3. c. 22. §6.

30. All Foreign Goods permitted to be landed, and taken up by Bills at Sight, View, or Sufferance, shall be landed at the most convenient Quays appointed by the Officers, and not elsewhere; and there, or in His Majesty's Storehouse of the Port, at the Election of the Officers, shall be measured, weighed, and numbered by and in the Presence of the Officers to be thereunto particularly appointed, who are to perfect the Entry, and subscribe their Names, and the next Day give Account to the Collector and Comptroller, on Forfeiture of £100, unless reasonable Cause (to be allowed by the Collector or Comptroller) can be shewn for the Delay. 13 & 14 Car. 2. 7 & 8 W. 3. c. 22. § 6. c. 11. §21.

31. No Goods shall be laden on board any Ship in any of the British Colonies or Plantations in America, to be carried from thence to any other British Colony or Plantation, without a Sufferance or Warrant first had and obtained from the Collector or other proper Officer of the Customs at the Port or Place where such Goods shall be intended to be put on board; and the Master shall, before the Ship be removed from the Port of Lading, take out a Cocket, expressing the Quantity and Quality of the Goods, and Marks of the Package, with the Merchants Names by whom shipped, and to whom consigned, and if they are Goods that are liable to Duty either upon the Importation into or Exportation from the said Colonies or Plantations, the Cocket shall distinctly specify that the Duties have been paid for the same, referring to the Times or Dates of Entry and Payment of such Duties, and by whom they were paid; which Cockets shall be produced by the Master to the Collector, or other principal Officer of the Customs at the Port or Place where such Vessel shall arrive in any of the British Colonies or Plantations in America, before any Part of the Goods are unladen; and if any Goods shall be shipped without such Sufferance or Warrant, or the Ship shall depart without such Cocket, or the Goods shall be landed before it is produced at the Port or Place of Discharge, or if the Goods do not agree in all respects therewith, the same shall be forfeited; and any Officer of His Majesty's Customs may stop any such Ship which shall be discovered within Two Leagues of the Shore of any of the Bri-10 tish

Not to be carried from one British Colony or Plantation to another without a Sufferance, and the Master to take out a Cocket.

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rant in Cı and in w tish Colonies or Plantations in America, and seize all Goods which shall be found on board for which no such Cocket shall be produced to him. 4 Geo. 3. c.15. §29.

32. Not to require any Sufferance or Cocket for any Documents not Goods the Growth, Product, or Manufacture of the British Colonies or Plantations in America, which are not by any Act of Parliament made in Great Britain liable to any Duty either upon the Importation into or Exportation from the said Colonies or Plantations, nor are prohibited to be exported from thence, which shall be laden in any Boat, Flat, Shallop, or other Vessel without a Deck, not exceeding the Burthen of 20 Tons, and shall be carried within any River, Lake, or any other inclosed Waters within the said Colonies or Plantations, and shall not be carried out to Sea further than One League from the Shore. 5 Geo. 3 c. 45. § 25.

33. Any Person who shall counterfeit, rase, alter, or Counterfeiting falsify any Affidavit, Certificate, Sufferance, Cocket, or Documents, or Clearance required or directed by this Act, or knowingly thereof. or wilfully make use of the same, shall forfeit £100, and such Affidavit, &c. shall be invalid and of no effect. 4 Geo. 3. c. 15. § 32.

34. No Goods shall be laden in any of His Majesty's Not to be laden 34. No Goods shall be latten in any or this inagesty of for Africa to Dominions, with Intent to be carried to Africa, to be be bartered for there bartered for Slaves, or otherways employed in the slaves. African Slave Trade. 46 Geo. 3. c. 52. 47 Geo. 3. c. 36.

See SLAVES.

35. Goods found upon any Persons that were stolen Stolen or carried or carried off from any Ship stranded, or in danger of be- ships. ing stranded, upon the Coast of any of His Majesty's Dominions, shall immediately upon Demand be delivered to the Owner, or in default thereof the Person on whom found shall be liable to pay Treble the Value, to be recovered by Action at Law. 12 Ann. stat. 2, c. 18. §4.

See SHIPS STRANDED.

36. Upon Information on Oath before a Justice of the Warrants may Peace of any Part of the Cargo, or Effects of any Ship searching for lost or stranded upon or near the Coasts of any of His such Goods. Majesty's Dominions, being unlawfully conveyed away, or concealed in any Place, or of some reasonable Ground of Suspicion thereof, such Justice may grant his Warrant for searching for such Goods; and if they are found in Custody of any Person not legally entitled to keep them, and the Owner or Occupier of the Place, or the Person in whose Custody they are found, shall not immediately deliver K 3

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deliver them upon Demand to the Owner or Person lawfully authorized to demand them, or not giving a good Account how he came by them, such Person shall be committed to Gaol for Six Months, or until he pays the Owner Treble the Value of the Goods. 26 Geo.2. c. 19. § 3.

#### See Ships STRANDED.

37. Such Goods suspected to have been unlawfully taken away and offered to Sale, may be seized by the Person to whom they are offered, or by any Officer of the Customs or Excise, or any Peace Officer, who shall carry them to or give Notice of the Seizure to a Justice of the Peace, and if the Person who offered them to Sale does not, within Ten Days, prove to the Satisfaction of the Justice the Property to be in him, or the Person who employed him, the Goods shall, by Order of the Justice, be delivered over to the Use of the Owner, upon Payment of a reasonable Reward for the Seizure, to be ascertained by the Justice, who is also to commit the Person who offered them to Sale to Gaol for Six Months, or until he has paid Treble the Value of the Goods to the Owner. 26 Geo. 2. c. 19. §4.

#### See SHIPS STRANDED.

38. Before any Ship shall be cleared out for Great Britain or Ireland, with any Goods from any Port or Place in any Colony, Plantation, or Territory belonging to or under the Dominion of the Crown of Great Britain, the Master of such Ship shall deliver a Manifest or Content in Writing, signed by such Master, to the Collector of the Customs, if there be such an Officer at or near to such Place, and if there shall not be a Collector there, then to the Chief Officer of the Customs, and if there shall not be any Officer of the Customs, then to the principal Officer or Magistrate, or some other Person by him specially appointed for that Purpose, resident at or nearest to such Place, containing the Names of the Ports or Places where the Goods in such Manifest or Content mentioned shall have been respectively laden, the Name and Built of such Ship, and the true Tonnage thereof according to the Register, with the Christian and Surname of the Master, and the Port or Place to which such Vessel truly belongs, and a correct and particular Account of all the Cargo, and of all Packages of Goods taken on board, with the Marks thereon, and of the Particulars of the Cargo which is stowed loose, and of the following Particulars in Words

May be seized by any Person to whom they are offered to Sale, and Offenders may be com mitted to Gaol.

Manifests of Goods on board Ships clearing out for Great Britain or Ireland to be delivered to the Officers.

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at Length, (that is to say) the Numbers of the Packages, Particulars to be with a particular Description thereof, whether Leaguer, Pipe, Butt, Puncheon, Hogshead, Barrel, or other Cask or Package, describing such other Cask or Package by its ordinary Name, whether Case, Bale, Pack, Truss, Chest, Box, Bundle, or other Package, or by such other Name or Description as the same is usually called or known; and such Collector, Chief Officer, or Magistrate, or other Person by him appointed, shall cause a Duplicate of such Manifest to be made, and indorse upon the Original his Name, with the Day and Year on which the same was produced, and return the Original to the Master on or before the clearing of such Ship; and such Collector or Duplicate to be . other Chief Officer or Magistrate, or other Person, shall, upon the clearing of such Ship, immediately transmit the and the Original said Duplicate to the Collector and Comptroller of the indorsed. Customs at the Port in Great Britain or Ireland to. which the Goods are consigned, and to which the Manifest refers. 26 Geo. 3. c. 40. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

39. A Manifest, under the Hands and Seals of the Officers, required for Tobacco laden at any of His Majesty's Colonies, Plantations, or Territories, to be conveyed to Great Britain or Ireland. 29 Geo. 3. c. 68. §17. 39 & 40 Geo. 3. c. 67. Art. 6.

See Товассо.

# GOODS (ENUMERATED),

For which Bond is required that the same shall be Enumerated carried to and landed in some other British Plantation, or Articles required to be carried to in Great Britain or Ireland.

		50.	
See the several enumerated Articles; that is to say,			
Ashes (Pot and Pearl).	Molasses.	tio Br	
Coffee and Cocoa Nuts.	Pimento.	lan	
Copper Ore,	Pitch, Tar, and Turpentine.		
Cotton Wool.	Rice.		
Furs.	Silk (Raw).		
Ginger.	Skins.		
Hides.	Sugar.		
Indigo.	Tobacco.		
Masts, Yards, and Bow-	Whale Fins.		
sprits.	Wood (Dying).		
12 Ĉar. 2. c. 18. § 18. 3 &	4 Anne, c. 5. § 12. 8 Geo. 1.		
e. 15. § 24. 8 Geo. 1. c. 22.	§6. 2 Geo. 2. c. 35. § 16.		
4 Geo. 3. c. 15. § 27.	,		

inserted therein.

sent to the Port of Consignment, ,

Articles required ' some other ritish Plantaon, or Great ritain or Irend.

# GOODS (NON-ENUMERATED).

Iron and Lum ber may be landed in any Part of America and in Africa, but in no Part of Lurope except Great Britain or Ireland.

Condition of the Bond.

But Lumber may be carried to the Madeiras or Western Isles, or any Part of Europe South of Cape Finisterre, upon the Bond herein directed.

1. No Iron or Wood called Lumber, the Growth, Production, or Manufacture of any of the British Plantations in America, (that is to say) Deals of several Sorts, Timber Balks of several Sizes, Barrel-boards, Clap-boards, Pipe-boards, or Pipe-bolt, White-boards for Shoe-makers, Boom and Cant Spars, Bow Staves, Capravens, Clap-bolt, Ebony Wood, Heading for Pipes, Hogsheads, and Barrels, Hoops for Coopers, Oars, Pipe and Hogshead Staves, Barrel and Firkin Staves, Trunnels, Speckled Wood, Sweet-wood, small Spars, Oak Plank, and Wainscot, shall be laden in any of the said Plantations until sufficient Bond shall be given, with One Surety besides the Master of the Ship, to the Collector or other principal Officer of the Customs at the Loading Port, in the Penalty of Double the Value of the Goods, with Condition that the said Goods shall not be landed in any Part of Europe, except Great Britain or Ireland; which Bonds shall be discharged in the Manner hereafter mentioned; (that is to say,) for such of the said Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be to bring a Certificate in Discharge thereof within 18 Months from the Date of the Bond, and within Six Months for such of the said Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which respective Certificates shall be under the Hands and Seals of the Collector, or other principal Officer of the Customs resident at the Port or Place where such Goods shall be landed, testifying the Landing thereof; and for such of the said Goods as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond or Bonds shall be discharged in either of the said Cases by Proof upon Oath, by credible Persons, that the said Goods were taken by Enemies, or perished in the Seas. 4 Geo. 3. c. 15. § 28. 5 Geo. 3. c. 45. §23. 39 & 40 Geo. 3. c. 67. Art. 6.

2. Any of the said Wood called Lumber, of the Growth, Production, or Manufacture of any British Colony or Plantation in America, may in like manner be there laden on board any Ship or Vessel, to be carried from thence to the Madeiras, or the Western Isles called the Azores, or to any Part of Europe to the Southward of Cape ditie

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# GOODS (NON-ENUMERATED).

Cape Finisterre, upon sufficient Bond being given, in the Penalty and in the Manner directed by the said Act, with Condition that the said Goods shall be there landed accordingly, and not in any other Part of Europe, except Great Britain or Ireland; and that Certificates, testifying the Landing thereof, shall be produced to the Collector, or other Principal Officer, where Bond shall have been given, within 18 Months from the Date of such Bond, under the Common Seal of the Chief Magistrate, or under the Hand and Seal of the British Consul, or Hands and Seals of Two known British Merchants residing where such Goods shall be landed; and upon the producing of such Certificate, or Proof upon Oath being made by Two eredible Persons that the said Goods were taken by Enemies, or perished in the Seas, the said Bond shall be discharged. 5 Geo. 3. c. 45. § 23. 39 & 40 Geo. 3. e. 67. Art. 6.

3. No Rum or other Spirits shall be shipped or laden Rum not to be on board any Ship in any British Colony or Plantation landed on the in America, but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as are prescribed in 12 Car. 2. and 25 Car. 2. or either of them, with respect to the Goods in those Acts particularly mentioned. 5 Geo. 3. c. 39. § 5.

See Ashes (Pot and Pearl).

4. The Master of every Ship that shall take on board Goods not parany Goods not particularly enumerated in any of the ticularly enume-Plantation Laws, shall, together with One Surety, give rated in the Bond in the like Panalty as is provided for Court, give Plantation Laws, Bond in the like Penalty as is provided for Goods enu- not to be landed merated; and such Boud shall also be given to the Col- in any Part of lector or other Principal Officer of the Customs at any Northward of Port or Place in any of the British American Colonies or Cape Finisterre, Plantations where the Vessel shall be laden, with Con- except Great dition that such Goods shall not be landed at any Dat dition that such Goods shall not be landed at any Part Ireland. of Europe to the Northward of Cape Finisterre, except in Great Britain or Ireland; which Bond shall be discharged in the Manner hereafter mentioned; that is to say, For such of the said Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in Discharge thereof within 18 Months from the Date of such Bond, and within Six Months for such of the said Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificates shall be under

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# **Goods** (Non-Enumerated).

under the Hands and Seals of the Collector and Comptroller, or other Principal Officer of the Customs resident at the Port or Place where such Goods shall be landed, testifying the Landing thereof; and for such of the said Goods as shall be entered for or landed at any other Place where the same may be legally landed, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bonds shall be discharged in either of the said Cases by Proof, upon Oath made by credible Persons, that the said Goods were taken by Enemies, or perished in the Seas; and if any such Non-enumerated Goods shall be laden on board any such Ship in any British Colony or Plantation in America, before such Bond shall be given, the Goods so laden, together with the Ship, shall be forfeited, and shall and may be seized by any Officer of the Customs, and prosccuted in such manner as any other Forfeiture against the Laws of the Revenue may be prosecuted. 6 Geo. 3. c. 52. § 30, 31. 7 Geo. 3. c. 2. § 1. 20 Geo. 3. c. 10. 39 & 40 Geo. 3. c. 67. Art. 6.

Exception as to certain Ports.

Non ...numerated Goods (except Rum) may be landed in Guernsey or Jersey.

Masters of Ships to take Certificates that Bonds have been given, to be delivered up at the Port of unlading. 5. Not to extend to Ships which shall be bound to some of the Ports of Spain within the Bay of Biscay. 6 Geo. 3. c. 52. § 31.

6. Any Non-enumerated Goods (except Rum) laden in any British American Colony or Plantation, may be landed in Guernsey or Jersey; and all the Regulations of the 6th Geo. 3. c 52., so far as the same relates to the Bond and Security for landing such Non-enumerated Goods in Great Britain, shall extend to Guernsey and Jersey, as fully as if the said Islands had been excepted and named in the said Act, and may be cancelled and discharged by the Certificate under the Hands and Seals of the Magistrates of the Royal Ccurts of Jersey or Guernsey respectively, or any Three of them, and the Principal Officers of the Customs in the said Islands respectively, testifying the lauding of such Goods, in the same manner as if the Goods had been landed in Great Britain or Ireland. 9 Geo. 3. c. 28. § 3.

7. Every Person having the Charge of any Ship, shall, before he departs from any British Colony or Plantation where he receives his Lading, take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (which Certificate such Officers O th th M V to th eit C O O c.

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# GOODS (NON-ENUMERATED).

Officers are required to grant, without Fee or Reward, that Bond hath been given pursuant to the Directions of this or any other Act, as the Case shall require; and the Master shall keep such Certificate in his Custody till the Voyage is completed, and shall then deliver the same up to the Collector or other Chief Officer of the Customs at the Port or Place where he shall discharge his Lading, either in Great Britaiu, Ireland, or any British American Colony or Plantation, on Forfeiture of £100 for every Offence. 4 Geo. 3. c. 15. § 24. 39 & 40 Geo. 3. c. 67. Art. 6.

6. If any British Ship laden as aforesaid with any If Certificates Goods of the Produce or Manufacture of any British not produced, Colony or Plantation in America, shall be discovered by Cargo forfeited. any Officer of His Majesty's Customs within Two Leagues of the Shore of any British Colony or Plantation in America, and the Person taking Charge of such Ship shall not produce a Certificate that Bond has been given pursuant to the Directions of this or any other Act, as the Case may require; or if he shall not produce such Certificate to the Collector or other Chief Öfficer of the Customs where he shall arrive in Great Britain, Ireland, or any British American Colony or Plantation; such Ship and all the Goods therein laden shall be forfeited. 4 Geo. 3. c. 15. § 25. 39 & 40 Geo. 3. c. 67. Art. 6.

# GOODS (EAST INDIA).

1. No Commodity of the Growth, Product, or Manu- Not to be imfacture of the East Indies, or other Places within the laden in Great Limits of the Company's Charter, shall be imported or Britain or carried into any Plantation, Colony, Territory, or Place Ireland. to His Majesty or to the Crown of Great Britain belonging in America, unless bonâ fide and without Fraud laden in Great Britain or Ireland, in Ships navigated according to Law, on Forfeiture of such Goods or the Value thereof, together with the Ship in which imported; and such Ship and Goods shall and may be seized, and the same or the Value thereof shall and may be prosecuted in any of His Majesty's Courts of Record at Westminster or in Dublin, or in any of His Majesty's Courts in such Land, Island, Colony, Territory, or Place where the Offence shall be committed, by Bill, Plaint, or Information, where no Essoign, Protection, or Wager of Law shall be allowed, nor any more than One Imparlance; One

One Third Part of the said Forfeiture shall be for the

Use of His Majesty, One Third Part to the Governor of

such Land, Island, Colony, or Place where the Offence

shall be committed, and the other Third Part to the

Informer or Prosecutor; and if any Officer of the Cus-

toms in the said Colonies, Plantations, Territories, or

Places aforesaid, shall willingly or knowingly connive at

the fraudulent Importation of any such Commodities; or

if any such Officer shall take upon him to seize any of the

said Commodities, and shall by Frand or Collusion desist

or delay the Prosecution thereof to Condemnation, he

shall forfeit  $\pounds$ 500, to be such for and recovered in

Officets conniving at fraudulent Importation.

Not to be exported from the Free Ports to other Colonies ;

or brought into those Parts in Foreign Ships,

To take Oaths for the due Ob-

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relating to the

Plantations,

1. The Governors or Commanders in Chief of any British Colony or Plantation shall, at their Entrance upon their respective Governments, or within Six Months after the same, take a solemn Oath before such Persons as shall be appointed by His Majesty, to do their utmost that all the Matters contained in any Act of Parliament heretofore made and now in force relating to the said Colonies and Plantations, and all the Clauses contained in 4 Geo. 3. c. 15. shall be punctually observed, according

manner aforesaid; and such Officer shall also for the future be incapable of holding any Office or Employment mider His Majesty. 7 Geo. 1. st. 1. c. 21. § 9. 39 & 40 Geo. 3. c. 67. Art. 6. 2. No Goods of the Growth, Production, or Mannfacture of the East Indies, or other Places beyond the Cape of Good Hope, shall, upon any Pretence whatever, be exported from any of the Free Ports, to any other British Colony or Plantation in America or the West Indies, on Forfeiture thereof, and of the Ship. 45 Geo. 3. c. 57. § 12. See FREE PORTS.

3. If any Foreign Ship arriving at any of the Free Ports shall have on board any Goods of the Growth, Production, or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, such Goods shall be forfeited, together with the Ship in which the same shall be brought, whether such Goods shall be intended to be landed or not, or whether Bulk shall have been broken or not. 45 Geo. 3. e. 57. § 13.

See FREE PORTS.

# Governors.

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the Free Growth, or other ods shall he same intended ve been

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Governors.

cording to the true meaning thereof, so far as appertains unto them; and upon Complaint and Proof made before His Majesty, or such as shall be by him therenuto authorized and appointed, by the Onth of Two or more credible Witnesses, that any of the said Governors or Commanders in Chief have neglected to take the said Oath, or lave been wittingly negligent in doing their Duty, the Governor so neglecting or offending shall be removed from his Government, and forfeit £1000. 7 & 8 W. 3. c. 22. § 4. 8 & 9 W. 3. c. 20. § 69. 4 Geo. 3. c. 15, § 39.

2. Nuvnl Officers are within Two Months, or as soon Naval Officers as convenient after their Entrance upon their Offices, to to give Security, otherwise the give Security to the Commissioners of the Customs, for Governors to be His Majesty's Use, for the faithful Performance of their answerable. Duty, and in Default thercof, shall be disabled to execute the Office; and nutil such Security is given, and the Person appointed is approved by the Commissioners, the Governors shall be answerable for any the Offences, Neglects, or Misdemeanors of the Persons by them appointed. 7 & 8 W. 3. c. 22. § 5.

3. No Officer in any Colony, Plantation, or Foreign No Officer to be Possession belonging to the Crown of Great Britain, appointed in the shall be granted either by Patent under the Great Seal, any longer time or by Commission under His Mnjesty's Sign Manual, or than he shall by any other Commission or Instrument under which reside therein officiant execute the Officers in Colonies have been heretofore or may here- Duty in Person. after be granted, for any longer Time than during such Time as the Person appointed shall reside in the Colony, Plantation, or Foreign Possession, and execute the Duty of such Office in Person, and behave well therein. 22 Geo. 3. c. 75. § 1. 54 Geo. 3. c. 61. § 1.

4. If any Person holding such Office shall be wilfully Wilfully absent absent from the Colony or Plantation wherein the same or misbehaving, may be amoved. ought to be exercised, without a rensonable Cause, to be allowed by the Governor and Council of such Colony or Plantation, or shall neglect the Duty of such Office, or otherwise misbehave therein, such Governor and Conneil may amove such Person from his Office; and in case any Person so amoved shall think himself aggrieved, he may appeal therefrom, as in other Cases of Appeal from such Colony or Plantation; whereon such Amotion shall be finally judg ed of by His Majesty in Council. 22 Geo. 3. c. 75. § 2.

5. But

# Governors.

Leave of Absence may be granted by Governor and Council.

Leave of Absence to be reported, and if not confirmed by Secretary of State, the Offi cer must return to the Colony.

Penalty for not reporting Leave of Absence.

A Return of absent Officers to be laid before Parliament.

Not to affect certain Appointments. 5. But the Governor and Council of any Colony or Plantation may give such Leave of Absence as they shall see Occasion; and in such Case, as likewise in the Case of Vacancy occasioned by Death or Amotion, may provide for the due Discharge of the Duties of such Offices until the King's Pleasure shall be known. 22 Geo. 3. c. 75. § 3.

6. In all Cases in which the Governor and Council of any Colony, Plantation, or Foreign Possession, shall hereafter grant Leave of Absence to any Person holding an Office within the same, to which he shall have been appointed subsequent to the passing of this Act, the Governor or Lieutenaut Governor, or other Person administering the Government, shall, within One Week after granting the Leave of Absence, report the same to One of His Majesty's Principal Secretaries of State for Confirmation; and in case it shall not be confirmed within One Month from the Date of such Report having been received by the Secretary of State, the Officer shall forthwith return to the Colony, Plantation, or Foreign Possession, and in default thereof shall be deemed to have vacated the Office, and his Appointment shall be considered void. 54 Geo. 3. c. 61. §2.

7. Every Governor, Lieutenant Governor, or other Person administering the Government of any Colony, Plantation, or Foreign Possession, who shall neglect to report as before directed such Leave of Absence, shall for such Neglect forfeit a Sum not exceeding  $\pounds 100$ , to be recovered by Action of Debt in any of His Majesty's Courts of Westminster, within One Year after the Arrival in England of the said Governor, or Person administering the Government. 54 Geo. 3. c. 61. § 3.

8. Within Six Weeks after the opening of every Session of Parliament there shall be laid before the House of Commons, a Return of all Persons holding Offices in the Colonies, appointed thereto subsequent to the passing of this Act, who may not be present in the Execution of the Duties of their Offices; and such Return shall be made in the Form prescribed in the Schedule (A.) to this Act annexed. 54 Geo. 3. c. 61. § 4.

9. Nothing in this Act contained shall operate to the Prejudice of any subsisting Grant of any Office, or shall be construed to affect any Appointment, or any Leave of Absence granted previous to the passing of this Act, or any

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### Governors.

any renewed Grant of Office which may be made in consequence of the Demise of the Crown to any Person now holding the same; and no Provision of this Act shall be # applicable to any Office granted or to be granted by the East India Company, or to any Rules, Regulations, or Provisions made by the Company, with respect to the Appointment or Leave of Absence of any of their Civil or Military Servants. 54 Geo. 3. c. 61. § 5.

10. In Cases where the Governor or Officers of the May require Customs of any British Colony or Plantation shall have Security for handing Plantareasonable Ground of Suspicion that the Certificate re- tion Goods if quired by these Acts from the Officers of the Customs in Certificate Great Britain or Ireland, of Bond having been given for suspected to be carrying enumerated Goods to some other British Plantation, or to Great Britain or Ireland, is false or counterfeit, the Governor or Officers shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and such Governor or Officer shall not in such Case cancel or vacate the Security, until informed from the Commissioners of the Customs, that the Matter of the Certificate is true; and any Person who shall counterfeit, rase, or falsify any Certificate for any Vessel or Goods, or knowingly or wilfully make use thereof, shall forfeit £500, and the Certificate shall be of no effect. 12 Car. 2. c. 18. § 19. 7 & 8 W. 3. c. 22. § 10. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

11. The Governors or their Commanders in Chief of Lists of Bonds His Majesty's Plantations are, once a Year at least, to turn to His Majesty's Officers of His Customs in the Port Goods to be of London, or such other Person as His Majesty shall ap- sent annually to point to receive the same, a List of all such Ships as Customs. shall have laden any enumerated Goods in such Plantations, as also a List of all the Bonds taken by them. 22 & 23 Car. 2. c. 26. § 12.

12. No Ship coming to any Plantation, Colony, or Masters of Ships Place to His Majesty belonging in America, shall lade to make known the Arrival to or unlade any Goods, until the Master shall have made Governor, and known to the Governor thereof, or such Officer as shall deliver Invoice. be by him thereunto appointed, the Arrival of the Ship, with her Name, and the Name of the Master, and shewn that she is British-built, navigated and registered according to Law, nor until he shall have delivered to such Governor or other Officer a true Inventory or Invoice of the Lading, together with the Places in which the Goods were taken on board, under pain of the Loss of the

and Ships taking enumerated Officers of the

the Ship, and of all such Goods, the Production or Manufacture of Europe, as were not bonâ fide laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 7 & 8 W. 3. c. 22. § 2. 4 Ann. c. 6. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. Art. 6.

13. Sugar, Indigo, or Wine, unshipped or landed before due Entry and Payment of Duties, or without a Warrant signed by the proper Officer, may be seized by the Governor or Commander in Chief of the Colony or Plantation where so unshipped or landed, or by any Person by him authorized. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.

14. The Governors, Lieutenant Governors, or Commanders in Chief of the British Colonies or Plantations, and the Principal Officers of the Customs there, authorized to make Registry of British Ships, and grant Certificates of such Registry. 15 Geo. 2. c. 31. § 2. 26 Geo. 3. c. 60. § 3.

See REGISTRY OF BRITISH SHIPS.

15. The Governors, Lieutenant Governors, or Commanders in Chief of the British Colonies or Plantations, shall appoint Persons to examine and admeasure every Ship previous to Registry, and who are to deliver a true Account in Writing of the Particulars of the Built, Description, and Admeasurement of every such Ship, to the Person authorized to make Registry, and grant Certificate thereof. 26 Geo. 3. c. 60. § 12.

See REGISTRY OF BRITISH SHIPS.

16. The Governors of any Colony or Territory belonging to or under the Dominion of His Majesty, or any Person executing the Office or Function of Governor, by Authority from His Majesty, may grant Licence for the Removal of Slaves from one British Colony to another. 46 Geo. 3. c. 52. § 13, 14. 51 Geo. 3. c. 23. § 4.

See SLAVES.

17. The Governor, or Lieutenant Governor, or other Person exercising the Authority of Governor in any British Colony or Plantation, may authorize the Collector or Chief Officer of the Castoms to take the Care and Custody of Slaves captured as Prize of War, or seized as forfeited under any Act passed for the Abolition of the African Slave Trade, during the Proceedings and until the Court shall have made its Decree, condemning or restoring the said Slaves. 55 Geo. 3. c. 172. § 1.

See SLAVES.

May seize certain Articles landed before Entry.

To make Registry of British Ships.

To appoint Persons to admeasure Ships.

May grant Licence for the Removal of Slaves.

To take Charge of Slaves captured or seized. T Port Artie

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# Grenada.

The Port of Saint George in Grenada, one of the Free St. George, a Ports for the Importation and Exportation of certain Free Port. Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

# Gríndstones. See "Gypsum."

# Guernsey and Jersey.

1. Any Person inhabiting Jersey or Guernsey, may Food and lade in the said Islands, and transport directly from Articles for the Fishery may be thence to any of the British Colonies or Plantations in there laden. America where the Fishery is carried on, on board any Ship which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use and Support of the Mariners or other Persons employed on board the Ships, or on Shore, in carrying on the Fishery there; provided such Craft, Clothing, or other Goods are the Produce or Manufacture of Great Britain, or of Jersey or Guernsey, and such Food or Victuals are the Produce of Great Britain, Ireland, or of Guernsey or Jersey. 9 Geo. 3. c. 28. § 1.

2. Provided also that the Master produces to the But a Certificate proper Officer of the Customs in the Colony where he must be proshall arrive, a Certificate under the Hand and Seal of duced as to their Produce and the Governor, Lieutenant or Deputy Governor, or Com- Manufacture. mander in Chief, that Oath had been made by the Shipper before the Magistrates of the Royal Courts, or any Three of them, that the Goods and Victuals so shipped are of such Product or Manufacture; which Certificate shall also be attested by the principal Officer of the Customs in the said Islands, who shall certify that the said Oath was taken in his Presence; and on Failure of producing such Certificate, such Food, &c. found on board any Ship, and the Ship importing the same, shall be seized and forfeited, in the same manner as they would have been if this Act had not been made. 9 Geo. 3. c.28. § 2.

3. Any non-enumerated Goods (except Rum, Iron, and Lumber,) laden in any British American Colony, may be landed in Guernsey or Jersey. 9 Geo. 3. c. 28. § 3. See Goods, NON-ENUMERATED.

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The Act 28 Geo. 3. c. 6. regulating Intercourse with the United States, extended to the Colonies in Guiana.

Duty on Rura in Newfoundland.

Supplies for the Estates of Dutch Proprietors, may he imported from the Netherlands.

In case of Dispute, Proof to be on the Dutch Proprietors. 1. The Privileges and Advantages, Regulations, Restrictions, Penalties, and Forfcitures in 28 Geo. 3. c. 6. with respect to Trade between His Majesty's Colonies and Plantations in North America and the West India Islands, and the Countries belonging to the United States of America, and between His Majesty's Subjects and the Foreign Islands in the West Indies, shall extend to the Colonics of Demerara, Berbice, and Essequibo in the Province of Guiana. 56 Geo. 3. c. 91. § 1.

See UNITED STATES.

2. There shall be collected and paid, upon Rum imported into Newfoundland from Demerara, Berbice, and Essequibo, the Sum of Sixpence for every Gallon, to be recovered and applied in the like Manner, and under the like Penalties and Forfeitures, as are provided by 52 Geo. 3. c. 106. with respect to Rum imported into the said Island from any British Colony or Plantation in the West Indies. 56 Geo. 3. c. 91. § 2.

See Spirits.

3. Any of the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo, may import from the Netherlands into the said Colonics respectively, all the usual and necessary Articles of Supply for their Estates, or the Clothing, Maintenance, and Comfort of the Residents thereon, not to exceed what may be deemed necessary for the particular Estates for which they are to be imported, and to be actually applied to such Purposes, and not for Trade ; and in case of Seizure of any such Articles on the Ground of their being imported in the way of Trade and not as Supplies, the Proof that such Articles are Supplies, and imported under the Conditions of the Convention concluded between His Majesty and the King of the Netherlands, shall lie on the Dutch Proprietor importing the same; and if such Proof is given, in consequence of any Dispute arising thereupon, before the Collector or principal Officer of the Customs (who are empowered to administer an Oath or take Affidavit for the Purposes of any such Examination and Proof), the Goods shall be admitted to Entry; provided the Importer enters into Bond with Two Suretics, in a sufficient Sum, to abide the Decision of the Board of Customs in England upon such Seizurc; and Wine as a Medicine, and necessary Article of Supply, may be imported to such a limited Extent

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Nether-Berbice, s into the necessary Clothing, reon, not he partil, and to r Trade : e Ground d not as olies, and ion con-• Netherrting the e of any or prind to adposes of shall be ers into to abide nd upon ecessary limited Extent

Extent as may be necessary as a Medicine, and shall be liable to the Duty of 10s. per Ton. 56 Geo. 3. c. 91. § 3.

4. The Subjects of the King of the Netherlands, being Dutch Proprietors in the said Colonies of Demerara, to the Nether-Berbice, or Essequibo, may export from thence to the lands the Pro-Netherlands the Produce of their Estates. 56 Geo. 3. duce of their c. 91. §4.

5. All Subjects of the King of the Netherlands, resi- Who are to be dent in His said Majesty's European Dominions, who were, at the Date of the Signature of the said Convention, Proprietors of Estates in the said Colonies; and all Subjects of His said Majesty, who may hereafter become possessed of Estates then belonging to Dutch Proprietors therein; and all such Proprietors as being then resident in the said Colonies, and being Natives of His Majesty's Dominions in the Netherlands, who may have declared within Three Months after the Publication of the Convention in the said Colony, that they wish to continue to be considered as such; and all Subjects of the King of the Netherlands who may be the Holders of Mortgages of Estates in the said Colonies, made prior to the Date of the Convention, and who may under their Mortgage Deeds have the Right of exporting from the said Colonies to the Netherlands the Produce of such Estates, shall be deemed Dutch Proprietors; provided that where both Dutch and British Subjects have Mortgages upon the same Property, the Produce to be consigned to the different Mortgagees shall be in proportion to the Amount of the Debts respectively due to them. 56 Geo. 3. c. 91. § 5.

6. All such Importation from the Netherlands into the Such Importasaid Colonies for the Supply of Estates therein, and Exportation of the Produce of such Estates to the Nether- be carried on in lands, may be carried on in any Ships being the Pro- Dutch Ships. perty of Subjects of the King of the Netherlands, whereever built, and without any Restriction or Limitation as to the Mariners navigating the same, for Five Years, commencing from the 1st Day of January 1816; provided the Master of such Ship shall produce to the proper Officer of His Majesty's Customs in the Colony, satisfactory Proof of the said Ships being owned by a Subject of the King of the Netherlands; provided also, that the King of the Netherlands may, at any Time before the Expiration of the Five Years, direct that such Trade shall be carried on only in such Ships as are 13 Dutch-

Dutch Proprietors may export Estates.

deemed Dutch Proprietors.

portations may

To be liable to the same Duties and Restrictions as the like Articles are subject to.

Dutch Proprietors not to export the Produce of their Estates to His Majesty's Dominions.

Importations in consequence of the Convention to be deemed lawful.

Importation allowed from Malta or Gibraltar.

## Guiana.

Dutch-built, and whereof the Master and Three-fourths of the Crew are the Subjects of His said Majesty; and that after the Expiration of the said Five Years, no such Trade shall be carried on, except in Ships Dutch-built, and whereof the Master and Three-fourths of the Crew are Subjects of His said Majesty the King of the Netherlands. 56 Geo. 3. c. 91. § 6.

7. All such Importations and Exportations shall be subject to the same Duties as are payable by His Majesty's Subjects on Importations and Exportations of the like Articles, and be subject to the same Regulations and Restrictions for the due landing of any such Produce in the Netherlands, as are provided by the Acts now in force for the Landing of the like Articles in Great Britain, so far as applicable. 56 Geo. 3. c. 91. § 7.

8. But it shall not be lawful for Persons who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, to export the Produce of their Estates within the said Colony to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 8.

9. All Importations and Admissions to Entry made in consequence of any of the Articles of the Convention, shall be lawful and effectual, as if the same had been made in pursuance of this Act, and all Persons concerned therein shall be indemnified in respect thereof. 56 Geo. 3. c. 91. § 9.

# Gums—Arabic, Mastic, Myrrh, Sicily, and Ammoniac,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonics or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonics or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. See GIBRALTAR. MALTA. fo N an or A Fo su wl c.

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# Gypsum, Grindstones.

1. May be exported from any Ports specially appointed May be exfor that Purpose by His Majesty, within the Province of ported in Foreign Ships from Porte Nova Scotia or New Brunswick, in any British Vessel, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty; provided that the Articles shall not be exported from the said Ports to any wick; Foreign Country or Place in any Foreign Vessel, unless such Foreign Vessel shall belong to the Country to which the Articles shall be exported. 58 Geo. 3. c. 19: § 1. 4, 5.

2. His Majesty, with the Advice of His Privy subject to such Council, may make such Rules and Regulations for the His Majesty Exportation of the said Articles at the said Ports, with shall think fit. such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

3. This Act shall continue in force during the Space Limitation of of Three Years from and after the passing of the same \*, and until Six Weeks after the Commencement of the then Session of Parliament. 58 Geo. 3. c. 19. § 7.

#### hats and Felts.

1. No Hats or Felts shall be put on board any Ship Not to be exin any Place within the British Plantations, nor laden Place whatever. upon any Horse, Cart, or other Carriage, to the Intent to be shipped off or conveyed out of the said Plantations, to any other of the British Plantations, or to any Place whatever. + 5 Geo. 2. c. 22. § 1.

2. If exported, shipped off, or loaden contrary to this Forfeited if Act, shall be forfeited, and the Offender shall forfeit Penalty on £500 for every Offence; and every Master Mariner of Offenders. any Ship, or Porter, Carter, Waggoner, Boatman, or other Person knowing such Offence, and wittingly aiding and assisting therein, shall forfeit £40. 5 Geo. 2. c. 22. § 2.

3. Any Person may seize, and secure in His Majesty's Intended to be exported may be next Warehouse, all such Hats and Felts as he shall dis- seized by any cover to be on board any Ship or Boat, or brought or Persons. laid on Shore at or near the Sea, or any navigable River

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to be appointed by His Majesty in Nova Scotia or New Bruns-

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shipped, and

<sup>\* 8</sup>th May 1818.

<sup>+</sup> By 52 Geo. 3. c. 100. and 57 Geo. 3. c. 29. any Goods the Produce or Manufacture of Europe, or any Prize Goods, may be exported from one British Colony to another. See " Europe." 00

or Water, to the Intent to be exported, or to be laden or on any Horse, Cart, or other Carriage to the Intent to be exported or conveyed into any other Plantation or Place; and such Person seizing any Commodities shall be indemnified for so doing. 5 Geo. 2. c. 22. § 3.

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4. If any Commissioner, or other Officer of the Customs of any Place within the British Plantations, or any Officer employed in the Management of the Revenues, shall take any Entry ontward, or sign any Cocket, Warrant, or Sufferance for the shipping or exporting any Hats or Felts, or shall wittingly suffer the same to be done, in every such Case such Commissioner, &c. signing such Cocket, Warrant, or Sufferance, or passing such Entry, or conniving thereat, shall for every Offence forfeit his Office and £500. 5 Geo. 2. c. 22. § 4.

5. Every Offence against this Act may be inquired of, heard, and determined in the County where any such Goods shall be laden, or in the County or Place, either in Great Britain or the Plantations, where such Offender shall be apprchended for such Offence, or where any of the Goods shall be scized or brought in; and the Trial shall be in such Manner and Form as if the Offence had been wholly committed in the same County or Place where tried in pursuance of this Act. 5 Geo. 2. c. 22. § 5.

# hemp and flar.

1. The Growth or Production of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana; but the said Articles shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c.  $6. \S 1, 2. 56$  Geo. 3. c.  $91. \S 1$ .

2. The Growt's or Production of the said Territories, may be imported from thence into Saint George, or Hamilton in the Island of Bermuda, in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-

Penalty on Officers signing Documents for the Exportation or conniving thereat.

Offences may be heard in the County where Goods laden or Offender apprehended.

Of the United States may be imported into the West India Islands and Colonies in Guiana in British Ships;

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### hemp and Flax.

British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

3. Not to be imported into His Majesty's West India Not to be im-Islands (including the Bahama and Bermnda or Somers Colonies under Islands), or into the Colonies of Demerara, Berbice, or Foreign Euro-Essequibo, from any Island in the West Indies, or pean States; Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forseiture thereof and of the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § I.

4. In case of public Emergency or Distress, the except in case Governor, Lieutenant Governors, or Commanders in of Emergency, Chief of any of the said Islands in the West Indice Chief of any of the said Islands in the West Indies, the Inhabitants. under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation of Hemp and Flax, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of Sonth America, belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonics respectively; provided that such Hemp and Flax shall not be so imported except by British Subjects, and in Britishbuilt Ships owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

5. In case any Hemp or Flax which shall have been Imported for the imported from any Island in the West Indies, or Colony Supply of the Inhabitants, not on the Continent of South America, under the Dominion to be exported; of any Foreign European Sovereign or State, into any of and before ship-His Majesty's West India Islands, or Colonics of Deme- ping Hemp or Flax that may be rara, Berbice, or Essequibo, for the Supply of the Inha- exported, Proof bitants as aforesaid, shall, after such Importation, be ex- to be made that ported or put on board any Ship, Vessel, or Boat, or the Articles brought to any Quay with Intent to be so exported, the portd for such same shall be forfeited, as also the Ship, Vessel, or Boat Supply. in which laden; and before shipping of any Hemp or Flax, whether in its manufactured or unmanufactured State, that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies, or Colony on the Continent L4

## hemp and Flax.

Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

False Oaths deemed Perjury.

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May be imported from the Portuguese Dominions in South America.

By whom Seizures may be made.

Not to be exported unless to some other Plantation, or Great Britain or Ireland. 6. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 2, 3. 31 Geo. 3. c. 38. § 5.

7. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama or Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, any Flax or Hemp being the Growth or Production of some of the Territories or Dominions of the Crown of Portugal in South America; provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law: 51 Geo. 3. c. 47. §5. 56 Geo. 3. c. 91.

8. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially anthorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 56. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

## hides and Skins,

1. Of the Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W.3. c. 22. § 13. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1, 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

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#### Hides and Skins.

2. The Froduction of any of the Colonies or Planta- May be imtions in Americe, or of any Country on the Continent of Pree Ports in America, alor ing to or under the Dominion of any Foreign Vessels; Foreign Lu on a Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Ve sel whatever, being owned and navigated by Personal inhubiting any of the said Colonies, Plantations, or Countries. 45 Geo 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

Sec FREE PORTS.

3. The Production of any of the Colonies or Planta- and exported tions in America, or Countries on the Continent of Ame- the United the United rica, belonging to or under the Dominion of any Foreign Kingdom. European Sovereign or State, imported into the Free Ports, may be exported from any of the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23. Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 19 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

HOGS. See "Cattle."

#### Honey,

May be exported from Malta or any of the Dominions Importation althereof, or from Gibraltar, direct to any of His Majesty's Maha or Sugar Colonies or Plantations in America, or to New. Gibraltar. foundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

#### horses. See "Cattle."

#### household Furniture. See "Settlers."

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## Jalap,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfonudland, Bermuda, or any of His Majesty's Colcnies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5, 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

## Jamaíca.

1 rec Ports.

1. Certain Articles allowed to be imported into and exported from Kingston, Savannah la Mar, Montego Bay, Sauta Lucea, Antonio, Saint Ann, Falmouth, and Maria, in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

British Ships not to sail to or from Saint Domingo,

Foreign Ships from thence, not to enter any Port or land any Person on the Island,

Not to prohibit intercourse with Places under the Spanish Government.

Ships under Convoy may touch at Jamaica, 2. No British Ship shall, under any Preteuce, sail from any Place in Jamaica to any Place in Saint Domingo, nor from any Place in Saint Domingo to any Place in Jamaica, except as herein-after provided, under the Forfeiture of such Ship, together with her Cargo, 52 Geo. 3. c. 35. § 1.

3. No Foreign Ship, whether laden or in Ballast, shall come into any Port in Jamaica, if such Ship shall have come from, or shall in the course of her Voyage have touched at, any Place in Saint Domingo; and if any such Foreign Ship shall land any Person, or shall continue in any Port or Harbour of Jamaica for 48 Hours after Notice shall be given by the Principal Officer of the Castoms resident at the Port to depart therefrom, such Foreign Ship shall be forfeited, together with her Cargo. 52 Geo. 3. c. 35. § 2.

4. But not to extend to the prohibiting of any Intercourse which may be carried on by any Law now in force between Januaica and any Port or Place in Saint Domingo which now is or shall be in the Possession of and under the Dominion of the Spanish Government, while the same shall continue under such Possession and Dominion; nor to prevent any of His Majesty's Ships of War from sailing from any Place in Januaica to any Place in Saint Domingo, nor from any Place in Saint Domingo to any Place in Januaica. 52 Geo. 3. c. 35. §3.4.

5. Provided also, that British Ships, or Ships belonging to any State in Amity with His Majesty, and bound to an from of H Jama Nava the F Trad land out a Seal Islan or th appoi shall and i other Licer c. 35. 6. Act, Maje sione thori and and b nres Ame Reve sued c. 10 the C and I mam Offic Custo shall Act 1 ing a Acta Color 7. to si incur rica 1 Ge Dependen-His Maica, or to ty's Colcitish-built g to Law.

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### Jamaica.

to any Place within His Majesty's Dominions, sailing but no Person from any Place in Saint Domingo, under Convoy of One Licence. of His Majesty's Ships, may touch at such Port of Jamaica as may have been appointed by His Majesty's Naval Officers for the Rendezvous or Assembling, for the Purpose of Convoy of the general Homeward-bound Trade; but no Person from on board such Ship shall land upon or otherwise communicate with Jamaica, without a special Licence to that Effect, under the Hand and Seal of the Governor or Lieutenant Governor of the Island, the Admiral commanding in chief on the Station, or the Senior Officer commanding His Majesty's Ships appointed to convoy the said Ship, which Licence they shall not grant, except in Cases of urgent Necessity; and if any Person belonging to such Ship shall land or otherwise communicate with the Shore without such Licence, the Borfeitures and Penalties of 52 Geo. 3. c. 35. shall take effect. 53 Geo. 3. c. 3. § 1.

6. All Ships and Goods liable to Forfeiture under this By whom Ships Act, may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or any Commissioned, Warrant, or Petty Officer by him specially authorized, or by any Officer of His Majesty's Customs; and may be sued for and prosecuted in the like manner, and by the same Rules and Regulations, as any Forfeitnres incurred in the British Colonies or Plantations in America, by force of any Act relating to the Trade and Revenues of the said Colonies or Plantations may now be such for and prosecuted in pursuance of 49 Geo. 3. c. 107.; and such Ships and Goods shall be deposited in the Custody of the Officers mentioned in the said Act, and be subject to the other Provisions thereof, in like manner as if herein repeated; and the Commanders or Officers of any Ships of War, and the Officers of the Customs, in making or prosecuting any such Seizures, shall have the Benefit of all the Provisions made by any Act for the Protection of Officers seizing and prosecuting any Ships or Goods, for any Offence against any Act relating to the Trade and Revenues of the British Colonies or Plantations in America. 52 Geo. 3. c. 35. § 5.

7. The Forfeitures incurred by this Act shall belong How Forfeiture to such Persons, and in such Shares, as any Forfeitures to be divided. incurred in the British Colonics or Plantations in America now belong to and may be distributed under 4 Geo. 3. c. 15.-52 Geo. 3. c. 35. § 6.

to land without

may be seized and prosecuted.

8. If

## Jamaica.

In case of Dispute the Proof to lie upon the Owner or Claimer.

If Forfeiture arose without any fraudulent Intent, the Ship may be restored.

8. If any Ship or any Goods laden thereon shall lie' scized under this Act, and any Dispute shall arise whether the said Vessel had sailed, or the Goods laden thereon had been brought from any Place in Jamaica to any Place in Saint Domingo, or from any Place in Saint Domingo to any Place in Jamaica, contrary to this Act, the Proof thereof shall lie upon the Owner or Claimer of such Ship or Goods, and not upon the Officer who shall seize the same; and in case no sufficient Proof shall be given by the Owner or Claimer of such Ship, or the Goods laden thereon, of the Place from and to which such Goods had been brought, and such Ship did really and bonâ fide sail, then such Ship shall, without any further Proceeding, be held to have sailed, and the Goods laden thereon shall be held to have been brought, from one of the said Islands to the other, contrary to this Act. 52 Geo. 3. c. 35. § 7.

9. In case any Ship or Goods shall be seized as forfeited in pursuance of this Act, the Commissioners of the Customs in England, or any Four or more of them, on Evidence being given to their Satisfaction that the Forfeiture arose without any fraudulent Proceeding or Intention of Fraud in the Proprietor, may, by any Writing signed by any Four of them, order the same to be restored to such Proprietor, on such Conditions as under the Circumstances of the Case shall appear to the said Commissioners to be just and reasonable; and if the said Proprietor shall comply with the Conditions prescribed, the same shall be restored, and it shall not be lawful for the Officer, or any other Person on his Behalf, to proceed in any manner for the Condemnation thereof; but if such Proprietor shall not comply therewith, such Officer shall be at Liberty to proceed for the Condemnation of such Ship or Goods, as if this Law had not been made; provided always, that if such Proprietor shall accept the Conditions, he shall not be entitled to any Recompence or Damages on account of the Seizure or Detention of such Ship or Goods, or have or maintain any Action for the same. 52 Geo. 3. c. 35. § 8.

## Jmplements. See "Fisheries."

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#### Ancense:

May be exported from Malta or any of the Dependen- Importation alvies thereof, or from Gibraltar, direct to any of His lowed from Malta or Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Vessels, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

### Indígo.

1. The Production or Manufacture of the British Not to be ex-Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, Plantation, or unless to some other Plantation belonging to His Majesty, Great Britain or or to Great Britain or Ireland. 7 & 8 W. 3. c. 22. § 13. 22 & 23 Car. 2. c. 26. § 11. 12 Car. 2. c. 18. § 18. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

Sce Ashes, Pot and Pearl.

2. There shall be paid to His Majesty Two-pence for Duty upon Exevery Pound Weight of Indigo shipped in His Majesty's portation. Plantations, if Bond is not given, with one sufficient Surety, to bring the same to Great Britain or Ireland; and the said Duty shall be paid at such Places and to such Officers as shall be appointed to receive the same, before the Landing thereof. 25 Car. 2. c. 7. § 2.

3. The Duty shall be deemed to be Sterling Mone / Receipt and of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and (the necessary Charges of raising nd paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. et 1. c. 12. § 4-4 Geo. 3. c. 15. § 41.

4. The Duties shall be levied by the Commissioners of By whom to be the Customs in England, under the Authority and Directions of the Lords of the Treasury. 25 Car. 2. 2.7 §3.

5. In case any Person liable to pay the Duty shall not Officers may achave Money where with to answer the same, the Officer shall top a Propor-

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on shall be arise wheods laden Jamaica to ce in Saint o this Act, Claimer of who shall f shall be p, or the vhich such really and ny further ods laden om one of this Act.

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accept, instead of the Money, such Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the current Rate of the Commodity in the Plantation. 25 Car. 2. c. 7. § 4.

6. Notwithstanding the Payment of the said Duty, no Indigo shall be shipped until the Security required by 12 Car. 2. c. 18., and 22 & 23 Car. 2. c. 26., has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations. 7 & 8 W. 3. c. 22. § 8.

7. All Laws, Bye-Laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are any ways repugnant to this Act, or to any other Law hereafter to be made in this Kingdom, so far as such Laws shall relate and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

8. If the Goods shall be loaden on board any Vessel before the Duties due thereon are paid, every Person assisting or otherwise concerned in the loading Outwards, or to whose Hands the same shall knowingly come after the Loading thereof, shall for every Offence forfeit Treble the Value, to be computed according to the best Price the Commodity bears at the Place where the Offence is committed; and all the Boats made use of in the Loading shall be forfeited, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 5. c. 15. § 37.

9. The Production of any of the Colonies or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Vessel whatever, being owned and navigated by Personsinhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

10. The Production of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreigu European Sovereign or State, having been imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10., with respect

Bond must be given although the Duty paid.

Laws or Customs in the Plantations repugnant tc this Act, void.

Penalty on Persons concerned in the Loading before Duty paid, or to whose Hands the Goods shall come.

May be imported into the Free Ports in Foreign Vossels;

and exported from thence to the United Kingdom. res] 49

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respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. See FREE PORTS.

11. The Production of any of His Majesty's Sugar May be ex-Columies or Plantations in America, may be shipped and exported direct to the Island of Malta, or the Dependencies thereof, or to Gibraltar, in such Ships, and under the Licences, Entries, Securities, Regulations, Penaltics, and Forfeitures herein particularly mentioned. 55 Geo. 3. c. 29. §1. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

12. There shall be paid unto His Majesty upon Indigo, of the Produce or Manufacture of any Colony or Plantation in America not under the Dominion of His Majesty, Importation into which shall be imported or brought into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following ; that is to say,

For every Pound Weight Avoirdupois of such Indigo, Sixpence. 4 Geo. 3. c. 15. § 1.

13. The Duties shall be collected and paid in the same To be collected Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, (not otherwise altered by this Act) as are mentioned and expressed in 6 Geo. 2. c. 13. (See "Sugar") with respect to the collecting and Payment of the Duties thereby granted; and all Powers, Penalties, Provisions, Article, and Clauses in that Act contained and referred unto, (except in such Cases where any Alteration is made by this Act) shall be applied and put in Execution for the collecting and answering the Duties hereby granted, as effectually as if the same were particularly re-enacted in this Act. 4 Geo. 3. c. 15. § 7.

14. The Duties (except the necessary Charges of To be paid into raising, paying, recovering, and accounting for the same) shall be paid into the Receipt of His Majesty's Exche- the Disposition quer, and be entered separate and apart from all other of Parliament. Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of defending and securing the British Colonies in America. 4 Geo. 3. c. 15. § 11.

15. No Duty whatsoever shall be paid for any Foreign Duty not to be Indige, which shall be imported or brought into any housed on Im-British Colony or Plantation on the Confinent of Ame- pertation and rica, provided, upon the Landing thereof, the same shall exported within

ported to Malta or Gibraltar.

Not of the British Plantations, Duty on British Colonies.

and paid as former Duties.

Le 12 Months.

be immediately secured in Warehouses at the sole Expence of the Importer or Proprietor of such Indigo, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller, or other Principal Officer of the Customs, and under the Locks of such Officers and the Proprietor; provided that within 12 Calendar Months the same shall be shipped for Exportation to Great Britain or Ireland, under the like Securities, Regulations and Restrictions, Penalties and Forfeitures, as are particularly mentioned and expressed in any Act of Parliament with respect to Indigo of the Growth or Produce of any British Colony or Plantation. 6 Geo. 3. c. 52. § 16. 39 & 40 Geo. 3. c. 67. Art. 6.

16. If the Importer or Proprietor of any Indigo, warehoused as aforesaid, shall not pay the Duties due for the same, nor export the Goods within 12 Calendar Months, the Collector and Comptroller, or other Principal Officer of the Customs at the Port or Place where such Goods shall be secured, may cause the same to be publicly sold to the best Advantage, and the Money arising by such Sale shall be in the first Place applied in Discharge of the Duties, and the Charges attending the Sale, and the Surplus of the Money (if any), after Payment of the said Duties and Charges, shall be paid to the Importer or Proprietor who landed and warehoused the Goods, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. §17.

17. Nor shall any Duty be paid upon Indigo of Foreign Produce or Manufacture, imported into any British Island in the West Indies, provided a due Entry thereof is made in the Custom-house at the Port of Importation, and the Goods are landed in the Presence of the proper Officer; otherwise the same shall be liable to the Duties as if this Act had not been made. 6 Geo. 3. c. 52. § 18.21.

## Insurances.

Not to be effected relative to Slave Trade. No Person residing within His Majesty's Dominions shall effect any Insurance in respect to any of the dealing, removing, or other Transactions which by the Acts for restraining or prohibiting the African Slave Trade are declared to be unlawful. 46 Geo. 3. c. 72. 47 Geo. 3. c. 36.

Sec SLAVES.

If Duty not paid, or Goods ex. ported, they may be sold.

Exemption on Importation into West India Islands.

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sole Exgo, with are and or other e Locks t within for Exthe like ties and *spressed* o of the intation. Art. 6. , waree for the Months, Officer Goods cly sold by such harge of and the the said rter or s, or to receive

of Fo-British thereof rtation, proper Duties 18.21.

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### Freland.

1. Any Goods the Product or Manufacture of the Bri- Trade allowed tish Colonies or Plantations in America or the West to and from Indian, under Indies, and which by any Act of Parliament are required the like Rules, to be imported from such Colonies or Plantations into &c. as Trade to Great Britain, and also any other Goods which, having and from Great Britain is subbeen in any way legally imported into the said Colonies ject. or Plantations, may now or hereafter be legally exported from thence to Great Britain, may be laden in and exported from such Colonies or Plantations, and in like manner imported directly from thence into Ireland; and the Officers in the Colonies or Plantations shall grant the like Documents and Certificates for Ireland, the same as for Great Britain, and under the like Penalties and Forfeitures; and any Goods the Production or Manufacture of Ireland, or of Great Britain legally exported from thence into Ireland, or of the Production or Manufacture of any other Part of Europe, and any Goods of the Product or Manufacture of the East Indies, or other Places beyond the Cape of Good Hope, which are required to be shipped or laden in Great Britain, to be carried directly from thence to any British Colony or Plantation in America, as also any other Goods which may be legally shipped in Great Britain, to be carried directly from thence and imported into any Colony or Plantation in America or the West Indies, maybe shipped at any Port in Ireland, and exported directly from thence, and in like manner imported into any British Colony or Plantation in America or the West Indies, provided that the Ships in or on board which such Goods shall be so imported or exported, shall be subject to the same Rules, Visitations, Searches, Penalties and Forfeitures, to which Ships importing or exporting the like Goods from or to Great Britain are subject by the Laws in force. 3 & 4 Ann. c. 8. § 2, 3. 18 Geo. 3. c. 55. § 2. 20 Geo. 3. c. 10. § 1. 33 Geo. 3. c. 63. § 2.

2. No Goods which by this or any Act may be legally imported from Ireland into any of the British Colonies or Plantations in America or the West Indies, shall be subject to Forfeiture by 4 Geo. 3. c. 15.\* provided the Master Clearance is of the Ship carrying such Goods shall produce a Cocquet or Clearance from the proper Officer or Officers of

No Goods from Ireland to be forfeited if Cocket or preduced.

\* This Act forfeited all Goods for which a Cocket or Clearance was not produced, certifying that they were laden in some Port of Great Britain. M

His

His Majesty's Customs, certifying that the said Goods were laden on board the said Ship in some Port of Great Britain or Ireland respectively. 20 Geo. 3. c. 10. § 4.

3. But this Act shall not allow any Person to trade to, from, or in any Colony or Plantation in America, during such Time and in such Manner as the Trade or Intercourse of Great Britain with such Colony or Plantation is or shall be prohibited or restrained by any Act made or hereafter to be made in this Kingdom; but whenever Trade and Intercourse shall be permitted between Great Britain and such Colonies, the same Trade and Intercourse shall in like manner be permitted and allowed between Ireland and the said Colonies. 20 Geo. 3. c. 10. § 7.

4. His Majesty's Subjects of Great Britain and Ireland shall be entitled to the same Privileges, and be on the same Footing as to Encouragements and Bounties on the like Articles, being the Produce or Manufacture of either Country, and generally in respect of Trade and Navigation, in all Ports and Places in the United Kingdom and its Dependencies; and in all Treaties made by His Majesty, His Heirs and Successors, with any Foreign Power, His Majesty's Subjects of Ireland shall have the same Privilege and be on the same Footing as His Majesty's Subjects of Great Britain. \* 39 & 40 Geo. 3. c. 67. Art. 6.

### Aron,

The Production or Manufacture of any British Colony be landed except or Plantation in America, shall not be there laden to be carried from thence, until sufficient Bond be given, with One Surety besides the Master of the Ship, to the Collector or other Principal Officer of the Customs at the loading Port, in Double the Value of the Goods, with Condition that the same shall not be landed in any Part of Europe, except Great Britain or Ireland; which Bond shall be discharged in the manner hereinafter mentioned: that is to say, for such Iron as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in discharge thereof

> \* The Act passed by the Parliament of Ireland for the Union of the Two Countries, (viz. 40 Geo. 3, c. 38.) contains an Article precisely similar to the present.

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No Trade allowed when prohibited with Great Britain.

Subjects of the Two Countries to be on the same Footing as to Trade and Navigation.

Bond to be given that it shall not at Places herein mentioned.

id Goods t of Great 10. § 4. trade to, a, during or Inter-

lantation lct made whenever een Great nd Interl allowed 0 Geo. 3.

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h Colonv den to be ven, with the Colns at the ods, with any Part ich Bond entioned: ed for or on of the e thereof

Union of in Article

within

within 18 Months from the Date of the Bond, and within 6 Months for such Iron as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificates shall be under the Hands and Seals of the Collector or other Principal Officer of the Customs resident at the Port or Place where landed, testifying the Landing thereof; and for such Iron as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within 12 Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond shall be discharged by Proof upon Oath made by credible Persons, that the Iron was taken by Enemies or perished in the Seas. 4 Geo. 3. c. 15. § 28. 5 Geo. 3. c. 45. § 22. 39 & 40 Geo. 3. c. 67. Art. 6.

#### Juniper Berries,

May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. °. c. 4.

See GIBRALTAR. MALTA.

### Austices.

Any Justice of the Peace who shall subscribe his Name Subscribing their to any Paper or Parchment purporting to be an Affidavit, Names to Affi-for the Purpose directed by A Goo 2 , a 15 and the davits where the for the Purpose directed by 4 Geo. 3. c. 15., and the Party does not Person purporting to make such Affidavit shall not have appear before appeared before him, and sworn to the Truth of the Affi- them. davit, every such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. §2.

See SUGAR. SPIRITS.

#### Kingston.

One of the Free Ports of Jamaica for the Importation A Free Furt. and Exportation of certain Articles in Foreign Ships. 45 Geo. 3, c. 57.

See FREE PORTS.

M 2

Malta or

Importation allowed from Malta or Gibraltar. May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

#### Laws.

Of the Colonies void, if repugnant to any Law of Great Britain.

May be made to bind the Colonies and People of America.

Duty upon Importation from Great Britain or Ireland.

To be recovered as other Dutics, and applied for the Use of the Colonics where necessary, and 1. All Laws, Bye-Laws, Usages, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of His Majesty's Plantations in America, which are in anywise repugnant to any Law made in this Kingdom, so far as such Laws relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. §9.

2. The Colonies and Plantations in America are subordinate unto and dependent upon the Crown and Parliament of Great Britain, and the Parliament hath full Power and Authority to make Laws to bind the Colonies and People of America in all Cases whatsoever; and all Resolutions and Proceedings in any of the said Colonies or Plantations, whereby such Power and Authority of the Parliament to make Laws is denied or drawn into Question, are null and void. 6 Geo. 3. c. 12.

Lead.

1. There shall be paid to His Majesty upon Lead hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For every Cwt. Avoirdupois of Red Lead or White Lead, Two Shillings. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. The Duties shall be deemed Sterling Money of Great Britain, and recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, T ship any Am any ing

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s at this or endeae, in any ch are in gdom, so id Plantc. 22. §9. are suband Parhath full Colonies ; and all Colonies hority of rawn into

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or White 0 Geo. 3.

Ioney of Amount in Great tion and Junce in Silver,

Silver, in the same manner, and by such Rules, Penalties, the Residue paid and Forfeitures, as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations may be paid and recovered ; and the Monies that shall arise thereby (except the necessary Charges of collecting, recovering, and accounting for the same) shall be applied in making Provision for the Charge of the Administration of Justice, and the Support of Civil Government in such of the Colonies and Plantations where it shall be found necessary, and the Residue shall be paid into the Exchequer, and entered separate and apart from other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 7 Geo. 3. c. 46: § 4.

3. His Majesty, by any Warrant under His Royal His Majesty 3. His Majesty, by any warrant under this troyat may appropriate Sign Manual, countersigned by the High Treasurer, or the Duties for any Three or more of the Commissioners of the Trea- the Use of all or sury, may cause such Monies to be applied out of the any of the Produce of the Duties granted by this Act, as His Majesty shall think necessary, for defraying the Charges of the Administration of Justice and the Support of the Civil Government, within all or any of the said Colonies or Plantations. 7 Geo. 3. c. 46. § 5.

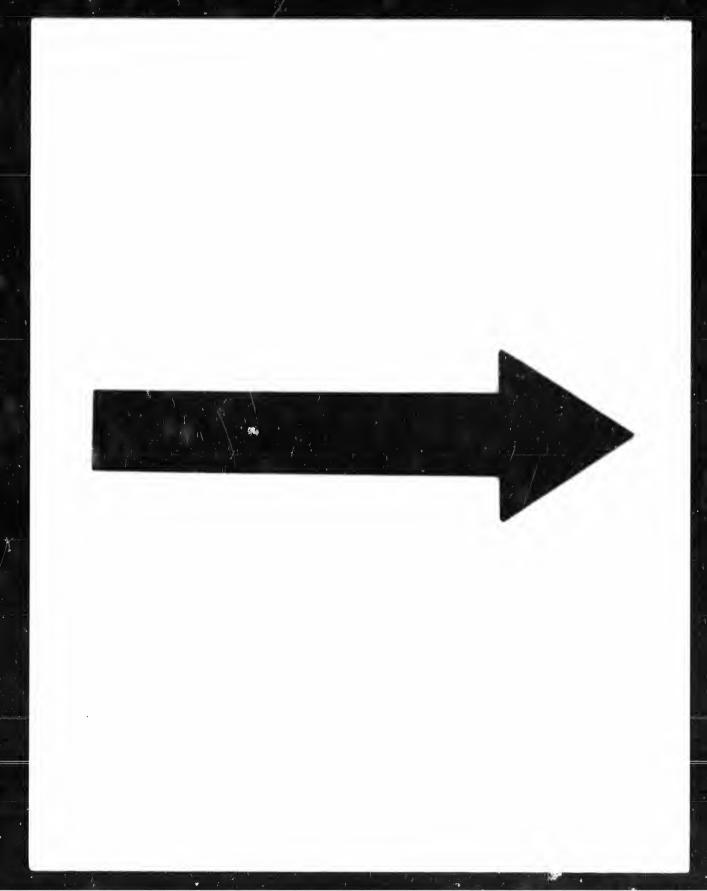
#### Lemons,

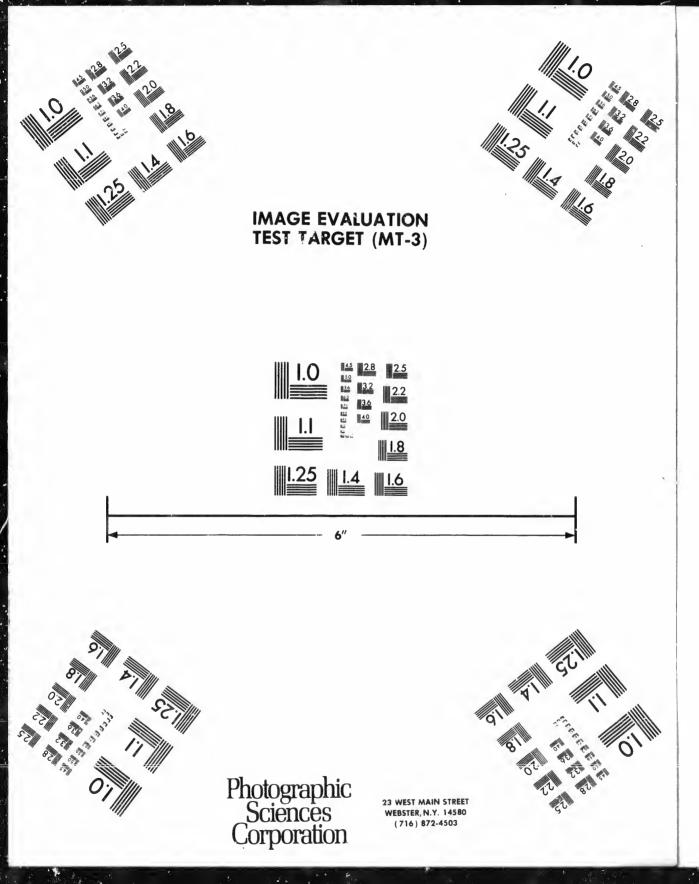
The Produce of the Azores or Madeiras, may be Importation allowed from shipped in the said Islands for Exportation direct to the Azores or any of the Ports in the British Colonies in North Madeiras, America, and may be imported into the said Ports, in any British-built Ship, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

#### Lentils,

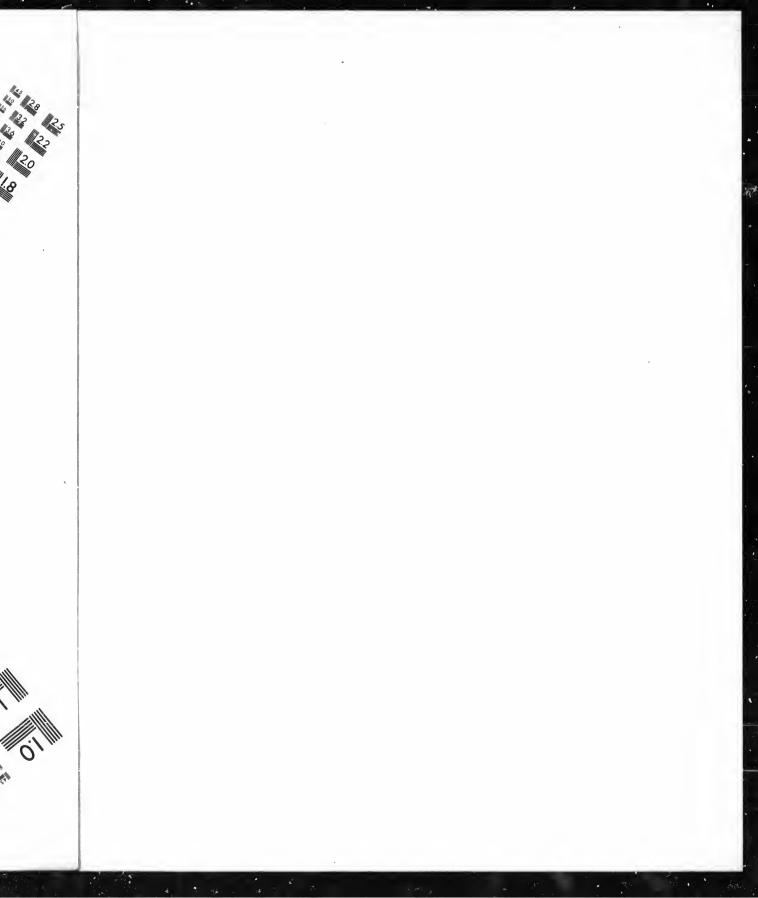
May be exported from Malta or any of the Depen- Importation May be exported from Malta or any of the Depender allowed from dencies thereof, or from Gibraltar, direct to any of His Malta or Majesty's Sugar Colonies or Plantations in America, or Gibrahar. to Newfoundland, Bermuda, or any of His Majesty's Colonics or Plantations in North America, in Britishbuilt M 3

into the Exchequer,





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## Lentils.

built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. See GIBRALTAR. MALTA.

## Live Stock. " See Cattle."

## Logwood, " See Wood."

## Maccaroni or Uermicelli,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. §5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

# Madeiras and Mestern Islands.

Wines may be there laden ;

Importation allowed from

Malta or

Gibraltar.

also Oranges and Lemons.

Malta in Europe.

Certain Articles may be exported direct to Malta or Gibraltar; 1. Wines the Growth of the Madeiras and of the Azores, may be laden in those Islands for Exportation to any cf the Plantations, Colonies, or Territories to His Majesty belonging, or in his Possession, in America. 15 Car. 2. c. 7. § 6.

2. Oranges and Lemons the Produce of the Azores or Madeiras, may be shipped in the said Islands for Exportation direct to any of the Ports in the British Colonies in North America, and may be imported into the said Ports in any British-built Ship, registered and navigated according to Law. 57 Geo. 3. c. 89. § 1.

## Balta and Gibraltar.

 The Island of Malta and its Dependencies shall be deemed and taken to be in Europe. 57 Geo. 3. c. 36. §10.
 His Majesty's Subjects may ship, in any of His Majesty's Sugar Colonies or Plantations in America, any of the Articles enumerated in the following Schedule marked (A), being the Produce of any such Colony or Plantation, Pla pol to in s and c. 2

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#### Balta and Gíbraltar.

Plantation, or any Article which may by Law be imported into the said Colonies, and export the same direct to Malta or the Dependencies thereof, or to Gibraltar, in such Ships, and under such the Regulations, Penalties, and Forfeitures herein-after mentioned. 55 Geo. 3. c. 29. §1. 57 Geo. 3. c. 4.

#### SCHEDULE (A.)

Sugar.	
Coffee.	
Cocoa.	
Rum.	
Molasses.	

Pimento. Indigo. Ginger. Fustic, or other Dying Wood.

3. None of the said Articles shall be shipped except under the Con. in British-built Ships navigated and registered according ditions and Reto Law, nor unless a Licence shall have been first taken mentioned, out under the Hand and Seal of the Collector and Comptroller of the Customs at the Port at which they are so intended to be shipped, and of which Notice must be first given in Writing by the Master or the Shipper to the Collector and Comptroller of such Port, of such Intention; and that the Ship shall, when laden, proceed direct to Malta or the Dependencies thereof, or to Gibraltar; the Shipper shall then make Oath before the Collector and Comptroller of the Port, that it is his fuil Intention and Resolution to load such Ship with such Articles for Exportation direct to Malta or the Dependencies thereof, or to Gibraltar, and to no other Place; and the Master, together with the Shipper, shall thereupon enter into Bond in Treble the Value of such Goods, with Condition, that in case the Licence shall be granted such Ship shall proceed direct to Malta or the Dependencies thereof, or to Gibraltar, and that no Goods except such as shall be included in the Licence, and such as may now by Law be exported from the said Colonies or Plantations to Malta or the Dependencies thereof, or to Gibraltar, shall be taken on board; and also that before the Expiration of Two Years from the Date of such Licence, the same shall be given up to the Collector and Comptroller of the Customs at the Port where the said Articles were shipped, together with a Certificate, signed and sealed by the Governor or Deputy Governor of Malta or Gibraltar, or by the Principal Officer of the Customs there, certifying the Landing of the said Articles, together M 4

## Balta and Gibraltar.

ther with the Contents, Weight, or Quantity, and the Marks and Numbers of the Packages landed, and the Name of the Ship and Master thereof from which landed. 55 Geo. 3. c. 29. § 2. 57 Geo. 3. c. 4. § 1.

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4. In case any licensed Ship shall take on board in any of the said Colonics or Plantations, or on her Voyage from thence, any other Articles, such Articles shall be forfeited, and the Master and Shipper shall severally forfeit Double the Value, to be recovered in any Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any other Court of Record in any of His jesty's Plantations in America; One Third Part to be for the Use of His Majesty, One Third Part to the Governor of the Colony, and the other Third Part to the Informer or Prosecutor. 55 Geo. 3. c. 29. § 3. 57 Geo. 3. c. 4. § 1.

5. Before any of the said Articles shall be put on board the Ship, the Person intending to export the same shall make an Entry thereof in Writing with the Collector and Comptroller of His Majesty's Customs, expressing the Name of the Ship and the Master, and where she lies, and also the Wharf where the Articles are to be first waterborne in order to be laden, which shall be within such Port only where a Custom-house is established, and where an Officer shall be appointed to attend the shipping thereof, or at such Place as shall be mentioned in a Sufferance or Warrant to be taken out from the Collector and Comptroller for that Purpose; and the Exporter shall take a Cocket or Warrant accordingly, whereon shall be indorsed the particular Weight and Quantity, with the Marks, Numbers, and Contents, and proper Denomination of such Articles, and deliver the Cocket or Warrant so indorsed to the Officer appointed for the examining and shipping thereof, and shall ship the said Articles in the Presence of such Officer, and at such Place as shall be mentioned in the Sufferance or War-The proper Officer shall examine the same before rant. they are put on board, and if, before or after shipping, the Weight of Quantity of Goods, or the Number of Packages, shall be found to be greater than is indorsed, or if any other Articles shall be discovered to have been put on board, or shall be brought to be shipped, or put into any Vessel in order to be put on board such Vessel, before Entry, or taking ont such Cocket or Warrant, indorsing and delivering of the same, and not being shipped in

No other Articles to be taken on board.

Entry to be made.

Cockets to be taken out.

Weight or Quantity greater than indorsed, or other Goods put on board.

#### Malta and Gibraltar.

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in the Manner aforesaid, but shall be put or attempted to be put on board contrary to this Act, all such Articles shall be forfeited, and also the Boat or other Vessel or Carriage employed in shipping or attempting to ship any Goods other than those enumerated in the said Schedule, with the Vessel on which such Goods shall be so laden; and the Owner shall forfeit Double the Value thereof, to be recovered in any Court of Vice Admiralty held in any of His Majesty's Plantations in America, or in any other Court of Record there, One Third to the Use of His Majesty, One Third to the Governor, and the other Third to the Prosecutor; and before such Ship Licence to be shall depart from the said Colonics with any of the said indorsed, and Copies of the Articles, the Master shall receive the suid Licence from Indorsement, the Collector or Comptroller, with a Certificate indorsed Licence, &c. to thereon, or affixed thereto, under their Hands and Seals missioners of of Office, who are to make Two Copies of such Entries, Customs. Indorsements, and Certificates, for which Entries, Cockets, Indorsements, and Certificates, or Copies, no more shall be taken by the said Officer than the legal and accustomed Fees; and the Master shall, before he receives the Licence, attest the said Copies under his Hand, which are to be left with the Collector and Comptroller, who are to transmit one of the said Copies of the Licence, Indorsements, and Certificates to the Commissioners of the Customs in England, and record, in a Book to be kept for that Purpose, the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted for the Exportation of the Articles, together with the Clearance; but in case any Articles shall If other Geods be found on board, or carried by any such Ship to Malta shipped, the Licence void; or the Dependencies thereof, or to Gibraltar, which shall not be mentioned in the Licence, then the Licence shall become void; and such Ship, and also the Master and all others concerned, shall be subject to the same Penalties and Forfeitures as they would have been subject to in case this Act had not been made. 55 Geo. 3. c. 29. § 4. 57 Geo. 3. c. 4.

6. Any such Ship, or any other Ship, being British- Certain Articles built, navigated and registered according to Law, may may be imported load at Malta or any of the Dependencies thereof, or at Gibraltar. Gibraltar, any of the Articles enumerated in the following Schedule, marked (B.), for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, or Newfoundland, Bermuda, or any of His Majesty's

Majesty's Colonies or Plantations in North America; and any such Articles may be landed in such Colony or Plantation, being first duly entered with the proper Officers of the Customs there; and the Articles (Wine excepted) shall, upon Importation into any of the said Colonies or Plantations, be subject to such Duties as Goods of the like Denomination or Description are subject to upon being imported from Great Britain, and no other Duties. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

SCHEDULE (B.) referred to.

(b.) referred to.	
Dry & Wet Fruit in Brandy & Sugar. Pickles in Ditto. Olives. Figs. Raisins. Currants. Pistaccio Nuts. Almonds. Dates. Capers. Wine. Brandy. Oil of Olives. Oil of Almonds. Gum Arabic. Myrrh. Sicily. Ammoniac. Opium. Manna. Senn Cantharides, Oris Root. Rhubarb.	<ul> <li>Orange Buds and Peel.</li> <li>Juniper Berries.</li> <li>Punk.</li> <li>Pumice Stone.</li> <li>Emery Stone.</li> <li>Whetstone.</li> <li>Paintings and Prints</li> <li>Mosaic Works.</li> <li>Medals.</li> <li>Lava and Malta Stone for building.</li> <li>Pezzolana.</li> <li>Jalop.</li> <li>Scamony.</li> <li>Quicksilver.</li> <li>Sarsaparilla.</li> <li>Safflower.</li> <li>M…k.</li> <li>In _nse.</li> <li>Essence of Bergamot.</li> <li>Do. of Citron.</li> <li>Do. of Citron.</li> <li>Do. of Crange.</li> <li>Do. of Roses.</li> <li>Do. of Roses.</li> <li>Do. of Rosemary.</li> </ul>
Oris Root. Rhubarb. Mill Timber.	Do. of Lavender. Do. of Roses.
Box Wood. Argol. Vermilion. Ochres. Cinnabar.	Alabaster, { Worked. Brimstone. Cork. Aniseed. Cumminsced.

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#### Balta and Gibraltar.

Ostrich Feathers.

Precious Stones.

Meal or Flour.

Honey.

Amber.

Bullion.

Coral.

Pearl.

Corn.

Grain.

Sponges.

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Peel.

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Ostrich

Beans. Peas. Lentils. Rice. Maccaroni or Vermicelli. Cascasoo. Parmesan Cheese. Bolognaand other Sausages. Anchovies. Caviar. Botarga.

7. Any Wine, which in pursuance of this Act shall Duty upon be imported or brought into any of His Majesty's Sugar Colonies or Plantations in America from Malta or the Dependencies thereof, or from Gibraltar, shall be liable to the Payment of such Duties, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations directly from Madeira. 55 Geo. 3. c. 29. § 6. 57 Geo. 3. c. 4. § 1.

8. Upon such Licence being returned to the Collector and Comptroller of the Port where the Articles enume-to Goods exrated in Schedule (A.) were shipped, and an Account ported from the of the Lading being indorsed thereon or annexed there-to, and also upon such Certificate of the Governor or <sup>Colonies to</sup> Malta or Gib-raltar, Deputy Governor or Principal Officer of the Customs being produced as aforesaid, and the several other Matters required by this Act being duly complied with within Two Years from the Date of such Licence, the Bond given before granting such Licence shall be discharged and delivered up, otherwise shall be forfeited, and may be prosecuted in the Manner directed by this Act. 55 Geo. 3. c. 29. § 7. 57 Geo. 3. c. 4. § 1.

9. It shall be lawful to export from Newfoundland, Certain Articles may be exported Bermuda, or any of His Majesty's Colonies or Planta- may be exp tions in North America, direct to Malta or the Depen- Gibraltar. dencies thereof, or to Gibraltar, any Articles of the Production or Manufacture of such Colony or Plantation, or any Articles which have been legally imported into such Colony or Plantation, in such Ships, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein-before mentioned as to Exportation from His Majesty's Sugar Colonies or Plantations in America. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4. § 1.

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### Malta and Gibraltar.

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General Issue may be pleaded, and Treble Costs allowed to Defendants.

Granting false Certificates, and counterfeiting or altering Documents. 10. If any Person shall be prosecuted for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff shall become nonsuit, or forbear Prosecution, or discontinue his Action, or if a Verdict shall pass against him, the Defendant shall have Treble Costs, and have the like Remedy for the same as in Cases where Costs are by Law given to Defendants. 55 Geo. 3. c. 29. § 14. 57 Geo. 3. c.4. § 1.

11. Any Person who shall grant a false Certificate, or counterfeit, erase, or alter any Licence, Oath, or Certificate, which shall be made or given pursuant to this Act, or shall knowingly or wittingly publish or make use thereof, shall forfeit £500, to be recovered and disposed of in the Manner directed by this Act; and such Licence, Oath, or Certificate, so falsified, counterfeited, erased, or altered, shall be invalid. 55 Geo. 3. c. 29. § 15. 57 Geo. 3. c. 4. § 1.

## Man, Isle of.

Spirits not to be landed there.

Herrings may be exported from thence to the British Colonies;

as also Articles necessary for the Fisheries ; 1. No Spirits shall be shipped in any British Colony or Plantation in America, but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as are prescribed and mentioned in 12 Car. 2. c. 18. and 25 Car. 2. c. 7. with respect to the Goods in those Acts enumerated. 5 Geo. 3. c. 39. § 5.

See Goods ENUMERATED.

2. Any of His Majesty's Subjects residing in the Isle of Man may export from thence to any of the British Colonics or Plantations in America, in British-built Ships navigated and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonies or Plantations from Ireland. 12 Geo. 3. c. 58. § 4.

3. Any of His Majesty's Subjects residing in the Isle of Man may lade and transport directly from thence to any Part of America where the Fishery is carried on, on board any Ship which may lawfully trade or fish there, any Provisions, Hooks, Lines, Nettings, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the 6 said said Fishery ; such Provisions, &c. being the Product and Manufacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

4. The Master of such Ship shall produce to the upon the Con-ditions herein proper Officer of the Customs in the Colony or Plant- mentioned. ation where he shall arrive, a Certificate under the Hand and Seal of the Collector, or other Principal Officer of the Customs in the Port where he shall have fitted out, that Oath liath been made before him by the Shipper of such Provisions, &c. that the same are the Product and Manufacture of Great Britain or Ireland, or the Isle of Man, as the Fact may be, and that the said Articles (except the Provisions), specifying the Quantities and Particulars of each Sort, are to be used in the Fishery, by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Purpose, (which Oath and Certificate is to be administered and granted without Fee or Reward); and on Failure of producing such Certificate, or if any such Tools or Implements are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited, in the same manner as they would have been if this Act had not been made. 15 Geo. 3. c. 31. §6.

#### Danifests. See "Goods, No. 38." " Tobacco, No. 20."

#### Manufacturers. See "Aliens, No.3."

### Manna, **Barble**, (Rough and Worked),

May be exported from Malta or any of the Depend- Importation encies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or raltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

Malta or Gib-

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## Maria.

A Free Port.

Importation allowed from

Malta or

Gibraltar,

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One of the Free Ports in Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

ADeal or Flour. See "Corn and Grain."

#### Bedals,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

## Polasses.

1. Of the Production or Manufacture of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 8 Geo. 1. c. 18. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 9. 39 & 40 Geo. 3. c. 67. Art. 6.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. May be exported from the West India Islands to any Place within the United States of America, by British Subjects, and in British-built Ships owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 3.

3. Where, on Exportation of Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate required

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Not to be exported unless to some other British Plantation or to Great Britain or Ireland,

Exportation allowed to United States.

If Bond required on Exportation to British Colonies, similar

#### Molasses.

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to discharge such Bond,\* a similar Bond shall be re- Bond to be given quired on Exportation of such Goods to the United on Exportation to the United States, and such Bond shall be discharged upon Certi- States. ficate under the Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Ship that the Goods were there duly landed. 28 Geo. 3. c. 6. §4.

4. The Growth and Produce of any of His Majesty's May be ex-Sugar Colonies or Plantations in America, may be ported to shipped and exported direct to Malta or the Depend - Gibraltar. encies thereof, or to Gibraltar, in such Ships, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

5. The Produce of any British Plantation in the West May be ex-Indics, which shall have been legally imported into Ber- ported from muda in any British Ship, may be exported from thence United States. to the United States, in the Description of Vessels and under the Regulations provided in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50.—57 Geo. 3. c. 28. § 1.

See BERMUDA.

6. There shall be paid unto His Majesty, for every Duty on Im-Gallon (Wine Measure) of Molasses and Syrups which portation into shall be imported or brought (except as is herein-after Colonies, mentioned) into any Colony or Plantation in America under the Dominion of His Majesty, One Penny. 6 Geo. 3. c. 52. § 4.

7. The Duty shall not be charged upon Molasses or Exemption as Syrups imported into any British Colony on the Conti-nent of America from Dominica, for which a Certificate Dominica. is produced to the Collector or other Principal Officer of

\* A Bond is so required upon the Exportation of Molasses. See No.2.

Bermuda to

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the Customs at the Port of Importation, under the Haud and Seal of the Collector or other Principal Officer of the Customs at the Port of Exportation in Dominica, certifying that the said Duty hath been there paid for such Molasses or Syrups. 6 Geo. 3. c. 25. § 5.

8. The Duty shall be deemed to be Sterling Money of Appropriation of Great Britain, and be received to the Amount of the Value which such nominial Sums bear in Great Britain, and according to the Proportion and Value of 5s. 6d. the Ounce in Silver, and shall be levied, collected, paid, and recovered in the same Manner, by such Rules and Means, and under such Penalties and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into the said Colonies or Plantations may be levied, collected, paid, and recovered; and the Monies that shall arise by the said Duty (except the necessary Charges of collecting, levying, recovering, paying, and accounting for the same), shall be paid into the Exchequer, and entered apart from all other Monics, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

## Posaíc Morks,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

Dules. See " Cattle."

#### Musk,

Importation allowed from Malta or Gibraltar.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies

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nies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

### Passau.

1. One of the Free Ports in New Providence for the A Free Port. Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

2. Until 25th March 1819, any Ship belonging to the American Ships United States coming in Ballast, and not otherwise, may kiden with Salt. enter the Port of Nassau for the Purpose of being laden with Salt, subject to the Rules, Provisions, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Vesse's coming for the same Purpose to Turks Islands. 57 Geo. 3. c. 42. §1.

See BAHAMA ISLANDS.

#### Raturalization. See "Aliens."

### Paval Officers.

1. No Ship coming to any Plantation, Colony, or Ships not to lade Territory to His Majesty belonging, or in His Possession, or unlade until in Amorica, shall lade on unlade our Coaste until the Arrival made in America, shall lade or unlade any Goods until the known to the Master shall have first made known to the Governor, or Governor or such Officer as shall be by him appointed, the Arrival of <sup>Naval</sup> Officer, the Shim with he Newson and the New State and Invoice the Ship, with her Name, and the Name of the Master, delivered, and shall have shewn that she is British-built, and registered and navigated according to Law, and have delivered to such Governor or Officer a true Inventory or Invoice of her Lading, with the Places in which the Goods were laden, on Forfeiture of the Ship, and all Goods the Manufacture of Europe as were not laden in . Great Britain or Ireland. 15 Car. 2. c. 7. §8. 3 & 4'Ann. c. 6. § 2. 7 & 8 W. 3. c. 22. § 2. 20 Geo. 3. c. 10. § 1. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. Art 6.

2. Within Two Months, or as soon as convenient after To give Security 2. Within 1 wo Months, or as soon as conventent are to to the Commis-their Entrance upon their Offices, Naval Officers are to sioners of the give sufficient Security to the Commissioners of the Customs, othertoms, for His Majesty's Use, for the faithful Performance wise Governors N

of to be answerable.

of their Duty, and in default thereof, shall be disabled to execute the Office; and until such Security is given, and the Person appointed to the Office be approved by the Commissioners, the Governor shall be answerable for any the Offences, Neglects, or Misdemeanors of the Person by him appointed. 7 & 8 W.3. c. 22. § 5.

3. In the British Colonies shall be entitled to such Fees as their Predecessors had been generally and usually accustomed to receive, before the 29th September 1764, and shall have the like Remedy for recovering the same as has been heretofore allowed to any Collector, or other Officer of the Customs; and if any Naval Officer shall require or receive any greater or other Fees than are allowed by this Act, he shall forfeit for the First Offence £50, and for the Second Offence shall forfeit his Office, and be for ever incapable of executing any Office or Employment in the Customs or Navy. 10 Geo. 3. c. 37. § 2.

## Ravigation of British Ships.

1. His Majesty may at all Times, when it shall be found necessary to declare War against any Foreign Power, publish a Proclamation, to permit all Merchant Ships and other Trading Vessels and Privateers, to be manned with Foreign Mariners and Seamen during such War; and upon the publishing such Proclamation, every such Foreign Mariner or Seaman, who shall have faithfully served during the Time of War on board any of His Majesty's Ships of War, or any Merchant or other Trading Ship or Vessel, or Privateer (which at the Time of such Service shall belong to any of His Majesty's Subjects of Great Britain), for the Space of Two Years, shall be deemed to be a natural-born Subject of Great Britain, and enjoy all the Privileges, Powers, Rights, and Capacities which he could have enjoyed in case he had been a natural-born Subject of His Majesty, and actually a Native within Great Britain. 13 Geo. 2. c. 3. § 2. 4.

2. No Person who shall be naturalized by this Act, shall be enabled to be of the Privy Council, a Member of either House of Parliament, or to take any Office or Place of Trust, either Civil or Military, or have any Grant of Lands, Tenements, or Hereditaments from the Crown to himself, or any other Person in Trust for him. 13 Geo. 2. c. 3. § 3.

To what Fees entitled.

During War Trading Vessels may be manned with Foreign Mariners who have served Two Years on board British Ships, and such Mariners to be deemed naturalborn Subjects.

Not to be enabled to be of the Privy Council, &c.

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#### Pavigation of British Ships.

5. No Ship registered or required to be registered as a 'Ships required British Ship in any of the Ports of Great Britain, Guernsey, Jersey, or of the Isle of Man, or of any of the gated by a Colonies, Plantations, Islands, or Territories belonging Master and to His Majesty, shall be navigated but by a Master and Three-fourths at least of the Mariners British Subjects, except as is herein-after provided. 34 Geo. 3. c. 68. § 9. 42 Geo. 8. c. 61. § 3.

4. Where it is required that the Master and the Whole The Mariners or any Proportion of the Mariners of any Ship, shall be must be British British Subjects, the Intent and Meaning is, that the Voyage except Master and the Whole or such Proportions shall be in certain Cases. British Subjects during the whole Voyage, unless in case of Sickness, Death, Desertion, or of the Whole or Part of the Crew being taken Prisoners in the Voyage; and in such Case the Master of such Ship shall specify the same in his Report; but nothing in this Act shall alter or in anywise affect any Regulation for the Navigation or Manning of Ships employed in any of the Fisheries carried on from this Kingdom, or any Part of His Majesty's Dominions, for which any special Provision has been made before the Commencement of this Act. 34 Geo. 3. c. 68. § 5. 42 Geo. 3. c. 61. § 5.

5. No Person shall be deemed qualified to be the What Persons Master of a British or Irish Ship, or to be a British or deemed qualified to be the Master Irish Seaman or Mariner within the Meaning of this or of a British Ship any other Act now in force, except the natural-born Sub- or British Scajects of His Majesty, or Persons naturalized by virtue of man or Mariner. any Act of Parliament, or made Denizens by Letters of Denization, or except Persons who have become His Majesty's Subjects by virtue of the Conquest or Cession of some newly-acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly-acquired Country came into His Majesty's Possession, except as is herein-after provided. 34 Geo. 3. c. 68. § 6. 42 Geo. 3. c. 61. § 7.

6. Every Foreign Sailor, Scaman, or Mariner, who Foreign Sailors shall have served or who shall serve on board any of His or Mariners Majesty's Ships of War in Time of War, during the Space Years on board of Three Years, either in one and the same Ship, or in Ships of War different Ships, and who shall have obtained a Certificate deemed British from the Captain or Captains of such Ships on board of Conditions. which he shall have so served; or in case of the Death of any such Captain, then upon the Certificate of the Officer  $N_2$ then

to be registered must be navi-Three-fourths British Subjects.

# Ravigation of British Ships.

then living who shall have been next in Rank to such Captain, testifying that he has so served, and his faithful Service and good Beliaviour during the Time of such Service; and who shall have also taken the Oath of Allegiance to His Majesty before some Justice of the Peace, or principal Magistrate of some City or Town of His Majesty's Dominions, or before the Principal Officer of His Majesty's Customs in any Port of His Majesty's Dominions, and who shall obtain a Certificate from such Justice of the Peace, principal Magistrate, or Chief Officer, of his having taken such Oath, (which Certificate they are thereby anthorized and required to give, upon Payment of 1s.) shall be entitled to be employed as a Master of a British Ship, or as a British Seaman or Mariner on board any British Ship, within the Meaning of any of the Laws now in force; provided that no such Foreigner shall be entitled to become the Master of any British or Irish Ship, or to be employed as a British or Irish Seaman or Mariner, unless he shall have delivered the before-mentioned Certificate of the Time he shall have served, and of his faithful Service and good Behaviour, and the before-mentioned Certificate of his so having taken the Oath of Allegiance, to the Collector or other chief Officer of the Customs in the Port of London, Chatham, Portsmouth, or Plymouth, or to the Collector or chief Officer of the Customs in the Port of Dublin, or in the Ports of Cork, Galway, or Londonderry. 34 Geo. 3. 42 Geo. 3. c. 61. § 8. c. 68. § 7.

Percons taking Oath of Allegiance to a Foreign State not to be deemed British Subjects, unless such Oath was taken before their Qualification, except in certain Cases.

7. No Person qualified to be the Master of a British or Irish Ship, or to be a British or Irish Seaman or Mariner, by Birth, Naturalization, Denization, Conquest, or Service, in Manner before mentioned, and who shall take any Oath of Allegiance to any Foreign Sovereign or State for any Purpose, except under the Terms of some Capitulation upon the Conquest of any of the Dominions of His Majesty by the Enemy, for the Purpose of obtaining the Benefit of such Capitulation only, shall be deemed qualified to be the Master of a British Ship, or a British Seaman or Mariner within the Meaning of any of the Laws of Navigation, nuless such Person shall have taken such Oath of Allegiance before he became so qualified; and any Person who shall, after having become disqualified by taking such Oath of Allegiance, take the Command of any British Ship, shall for every such Offence forfeit £100; and every Person who shall, after having become

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## Ravigation of British Ships.

become so disqualified, engage to serve as a British Seaman or Mariner on board any such Ship, shall forfeit £10; such Forfeitures to be recovered upon Conviction before a Justice of the Peace, if such Offence shall be committed in Great Britain; and before any Member of the Supreme Court of Justice, or any Justice of the Peace, if such Offence shall be committed in the Islands of Guernsey, Jersey, or Man, or in any Colony, Plantation, or Territory to His Majesty belonging in America; but no Ship on board whereof any Person so dis- Ships not forqualified shall be employed as Master, shall be forfeited by reason thereof, if the Owners shall shew that such unknown to Disqualification of such Master was unknown to them or Owners and to their Agent, and that such Disqualification of such tively. Seaman or Mariner was unknown to such Owners respectively, or to their Agents, and to the Master of such Ship, at the Time of engaging such Person so disqualified; and in the Navigation on the Seasof America and the West Negroes and Indies, from any Port of America and the West Indies to Lascars may be employed in the any Port of America and the West Indies, any Negroes Navigation of belonging to any Persons having become His Majesty's the Seas of Subjects in Manner aforesaid, and with the Qualifications America, &c. aforesaid, and in the Seas to the Eastward of the Cape of Good Hope from any Port to the Eastward of the Cape of Good Hope to any other Port to the Eastward of the Cape of Good Hope, Lascars and other Natives of any of the Countries to the Eastward of the Cape of Good Hope, may be employed as British Seamen or Mariners in manner heretofore practised. 34 Geo. 3. c. 68. § 8. 42 Geo. 3. c. 61. § 9.

8. But nothing in this Act shall extend to take away Proclamation or restrain the Effect of any Proclamation His Majesty, under 13 G. 3. His Heirs or Successors, are empowered to make by virtue of 13 Geo. 3. c. 2. (see No. 1.) - 34 Geo. 3. c. 68. 42 Geo. 3. c. 61. § 12. δ9.

9. If any Goods shall be imported or exported con-Forfeiture if trary to the Provisions of this Act, such Goods, and also Goods are imthe Ship in which the same shall be imported or exported, shall be forfeited; and if any Ship shall sail in to this Act, or Ballast, or being required to be manned and navigated if Ships not with a Master and a certain Proportion of British M. riners, in manner herein-before directed, shall not be manned and navigated according to the Provisions of this Act, such Ship and all the Goods on board shall be forfeited. 34 Geo. 3. c. 68. §10. 42 Geo. 3. c. 61. §13. N 3 10. The

feited if Disqualification Masters respec-

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ported or exported contrary manned as required.

#### by whom Goods and Ships may be seized.

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Ships found at S2a, having a greater Number of Foreign Mariners than allowed.

Asiatic Sailors, although born in the Territorics under His Majesty or the East India Company, not deemed British.

## Radigation of British Ships.

10. The Goods and Ships forfeited by this Act shall be seized by the Commander of any of His Majesty's Ships of War, or any Commissioned, Warrant, or Petty Officer specially appointed by him, or by any Officer of His Majesty's Customs. 34 Geo. 3. c. 68. § 11. 42 Geo. 3. c. 61. § 14.

11. In case any British or Irish Ship shall be found at Sea, having on board a greater Number of Foreign Mariners than are allowed by Law, and the Master of such Ship shall produce a Certificate of the Necessity of engaging such Foreign Mariners in some Foreign Port, by occasion of the Sickness, Death, or Desertion of the like Number of British Mariners, or of the same having been taken Prisoners during his Voyage, and that British Mariners could not be engaged at such Foreign Port to supply their Room, and that for the Navigation of such Ship it became necessary to engage and employ such Foreign Mariners, under the Hand of His Majesty's Consul at the Foreign Port where the said Foreign Mariners were so engaged, or if there is not any such Consul there, under the Hands of Two known British Merchants at such Foreign Port; it shall not be lawful for any of the Persons authorized by this Act to make Seizures of Ships navigated contrary to the Directions thereof, to detain any such Ship, or to hinder her from proceeding on her Voyage, but such Persons are hereby required to indorse the Certificate so produced, testifying the Production thereof, and when and where met with at Sea, and that the Number of Fo.eign Mariners correspond with the Certificate of such British Consul, or such known British Merchants, for the Consideration and Investigation of the Commissioners of the Customs. 34 Geo. 3. c. 68. § 12. 42 Geo. 3. c. 61. § 15.

12. No Asiatic Sailor, Lascar, or Native of any of the Territories, Countries, or Places within the Limits of the Charter of the East India Company, although born in Territories, Countries, or Places under the Government of His Majesty, or of the East India Company, shall at any Time be deemed to be a British Sailor, Seaman, or Mariner, within the Meaning of 34 Geo. 3. c. 68. or of any other Act relating to the Navigation of British Ships by Subjects of His Majesty, for the Purpose of entitling any Ship to be deemed to be a British Ship, navigated according to Law, and to have the Privileges and Advantages of a British Ship having the Master and Three Fourths of the Mariners British

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Act shall Majesty's or Petty **Officer** of 2 Geo. 3.

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any of e Limits lthough der the ia Com-British ning of to the Majesty, emed to and to h Ship ariners British

### Ravigation of British Ships.

British Subjects; but no Ship belonging to any Port within the Limits of the Charter of the said Company, or usually navigated by such Asiatic Sailors, Lascars, or Natives, as Mariners, shall, while carrying on Trade to and from India to the United Kingdom, forfeit any Privileges or Advantages of a British-built Ship, to which she may be by Law entitled, by reason of having any Proportion of such Mariners without the due Proportion of British Mariners, until the Expiration of Twelve Months of continued Peace after the Conclusion of the present War; and His Majesty by Proclamation, upon or after the Commencement of any Hostilities may permit Merchant Ships, or any other Trading Vessels, and Privateers, to be manned wholly, or in any such Proportions as shall be specified in any such Proclamation, with such Asiatic Sailors, Lascars, or Natives, during such Periods as shall be specified in such Proclamation. 55 Geo. 3. c. 116. §6.

13. Every such Ship duly registered, and carrying on East India Ships Trade to and from India and the United Kingdom, and Lascars to be manned inpart with Lascars or Natives of India, and which deemed legally shall be commanded by a British Master, and navigated navigated if there by Seven British Seamen, as Part of the Crew, for every Scamen for every 100 Tons of her registered Burthen, and so in propor- 100 Tons. tion for any Part of a 100 Tons, shall be deemed to be navigated according to Law, as to the Crew of such Ship, although the Number of such British Seamen shall not be equal to the Proportion of Three Fourths of the whole 55 Geo. 3. c. 116. § 7. Crew.

14. Any of the Governments of the East India Com- If a sufficient pany in India, or any Governor or Lieutenant Governor Number of of any Colony, Territory, or Island belonging to His cannot be pro-Majesty within the Limits of the Charter, are required, cured, Licence on Application made by the Owner or Commander of any may be granted to sail with a Ship, and after having ascertained by due Inquiry that less Proportion. a sufficient Number of British Seamen cannot be procured for the Crew of any Ship sailing from India, within Ten Days from such Application, to certify the same, and license such Ship to sail with a less Proportion of British Seamen than required by Law; and every Ship having on board such Licence, shall be deemed to be navigated according to Law, notwithstanding such Deficiency of British Seamen, until her Arrival at the Port of Destination in the United Kingdom; but shall, on the Voyage back from the United Kingdom, have the full N 4 and

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British Seamen

Exception as to Ships trading within certain Limits.

# Mavigation of British Ships.

and proper Proportion of Seven British Seamen to every 100 Tons. 55 Geo. 3. c. 116. § 8.

15. But not to require any Number of British Seamen to be on board as Part of the Crew or Mariners of any Ship employed in Trade only between Ports and Places with a the Limits of the Charter of the Company, including the Cape of Good Hope, or to prevent any such Ship, while so employed, being manned and navigated wholly, or in any Proportion as to Asiatic Sailors, or Lascars, or Natives of any Territories, Countries, or Places within the Limits of the said Company. 55 Geo.3. c. 116. § 9.

## Retherlands.

Supplies for Estates in Guima if ay be imported 'rom the Netherlands. The Subjects of the King of the Netherlands, being Dutch Proprietors in the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, may import into the said Colonies, from the Netherlands, the necessary Articles of Supply for their Estates, and export to the Netherlands the Produce of their Estates, in Foreign Ships. 56 Geo. 3. c. 91.

See GUIANA.

## Rewfoundland.

Certain Parts of the Coast of Labrador annexed to the Government of Newfoundland.

His Majesty's Subjects to have a Free Trade to and from Newfoundland, and Liberty of Lishing. 1. Such Parts of the Coast of Labrador from the River Saint John to Hudson's Straits and the Island of Anticosti, and all other smaller Islands annexed to the Government of Newfoundland by Proclamation of the 7th Day, of October 1763, (except the said Islands of Madelaine), but afterwards made Part of Canada by the 14 Geo. 3. c. 83. shall be separated from the Government of Canada, and be annexed to the Government of Newfoundland. 49 Geo. 3. c. 27. § 14.

2. All His Majesty's Subjects residing within Great Britain or Ireland, or the Dominions thereunto belonging, trading to Newfoundland, and the Seas, Rivers, Lakes, Creeks, Harbours, in or about Newfoundland, or any of the Islands adjoining or adjacent thereunto, shall have, use, and enjoy the Free Trade and Traffic, and Art of Merchandize and Fishery, to and from Newfoundland, and peaceably use and enjoy the Freedom of taking Bait, and fishing in any of the Rivers, Lakes, Creeks, Harbours, or Roads in or about Newfoundland and the said said & Liber or an and l and **t** makii Hure selves all ot their heret Subje rupti or St shall Sort the I c. 25 3. least made hath shall By-b and a in th Sea Mast make Offic Ship pany and t and Fee 4. to N every man, c. 23 5. fittec any. salti

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## Pewfoundland.

said Seas, or any of the Islands adjacent thereunto, and Liberty to go on Shore on any Part of Newfoundland, or any of the said Islands, for the curing, salting, drying, and husbanding of their Fish, and for making of Oil, and to cut down Wood and Trees there for building and making or repairing of Stages, Ship-rooms, Train-fats, Hurdles, Ships' Boats, and other Necessaries for themselves, and their Servants, Seamen, and Fishermen, and all other Things which may be useful or advantageous to their Fishing Trade, as fully and freely as at any Time heretofore hath been used on enjoyed there by any of the Subjects of His Majesty, without any Hindrance, Interruption, or Disturbance from any Person; and no Alien or Stranger, not residing within Great Britain or Ireland, shall at any Time hereafter take any Bait or use any Sort of Trade or Fishing in Newfoundland, or in any of the Islands or Places before mentioned. 10 & 11 W. 3. c. 25. §1. 51 Geo. 3. c. 45. § 2.

3. Every Master of a By-boat shall carry with him at How By-beats least Two fresh Men in Six; viz. One Man that hath and Fishing Vessels to be made no more than One Voyage, and one Man that manued; hath never been at Sea before; and every Inhabitant shall be obliged to employ two such fresh Men, as the By-boat Keepers are obliged for every Boat kept by them; and all Masters of Fishing Ships shall carry with them, in their Ships' Company, at least One fresh Man never at Sea before, in every Five Men they carry; and the Master of each By-boat and each Fishing Ship shall make Oath before the Collector or other principal Officer of the Customs of the Port from whence such Ship intends to sail, that each Ship and By-boat's Company have such fresh Men therein as this Act directs; and the said Officer is required to administer the said Oath, and give a Certificate thereof under his Hand, without Fee or Reward. 10 & 11 W. 3. c. 25. § 9.

4. Every Master and Owner of any Fishing Ship going also Fishing to Newfoundland, shall have, in his Ship's Company, Ships going to every Fifth Man a Green Man, (that is to say) not a Sea- Newfoundland. man, or having been ever at Sea before. 10 & 11 W. 3. c. 25. § 10.

5. The Master and Crews belonging to any Ships Vacant Spaces fitted out and employed in the Fishery, in pursuance of may be used for any Act, may occupy and use, for the Purpose of curing, the Purpose curing Fish. salting, drying, and husbanding their Fish, any vacant or void

the Purpose of

void Space on any Part of Newfoundland which is not then occupied and used for the said Fishery, without any Disturbance or Hindrance from any Person, although such unoccupied Places may not before have been reputed "Ships' Rooms," and all such unoccupied Places shall from henceforth be deemed Ships' Rooms. 15 Geo. 3. c. 31. § 2.

6. The Privilege of drying Fish on the Island of Newfoundland shall not be enjoyed by any of His Majesty's Subjects arriving at Newfoundland from any other Country, except Great Britain or Ireland, or one of the British Dominions in Europe. 15 Geo. 3. c. 31. § 4. 29 Geo. 3. c. 53. § 1.

7. The following Ships' Rooms, situated in the Town of Saint John's, (that is to say), the Ship's Room No. 1. Rotten Row, or Pye Corner; Ship's Room No. 2; Darkus's Ships' Rooms, No. 2.; Lady's Ships' Rooms, No. 2.; Gallow's Hill Ship's Room, No. 3.; Breakheart Hill Ship's Room, No. 3.; Churchill Ship's Room, No. 4; Hudson's Ship's Room, No. 5.; Admiral Ship's Room, No. 6.; as the same are laid down, distinguished and named in a Plan of the Town and Harbour of Saint John's, dated October 1804, and deposited in the Government House there, shall no longer be deemed to be Ships' Rooms, and occupied during the Fishing Season as such, but the same may be granted, let, and possessed as private Property, as any other Portion of Land in Newfoundland may be. 51 Geo. 3. c. 45. § 1.

8. All Ships fitted and cleared out as Fishing Ships in pursuance of this Act, or of 10 & 11 W. 3. c. 25. which shall be actually employed in the Fishery, or any Boat or Craft employed in carrying Coastwise, to be landed or put on board any Ships, any Fish, Oil, Salt, Provisions, or other Necessaries for the Use of the Fishery, shall not be liable to any Restraint or Regulation with respect to Days or Hours of Working, nor to make any Entry at the Custom-house at Newfoundland, xcept a Report to be made by the Master on his first Arrival there, and at his Clearing out from thence; and a Fee not exceeding 2s. 6d. may be taken by the Officers of the Customs at Newfoundland for each Report; and no other Fee shall be taken by any Officer of the Customs there relative to the Fishery. 15 Geo. 3. c. 31, § 7.

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Places which are no longer to be deemed Ships' Rooms.

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#### Mewfoundland.

9. In case any such Fihing Ships shall, at her last But Ships exclearing out from Newfoundland, have on board or ex-port any Goods except Fish, or Oil made of Fish, such or Oil, subject Ship and the Goods thereon laden shall be liable to the to Entry. same Securities, Restrictions, and Regulations in all Respects as if this Act had not been made. 15 Geo. 3. c. 31. § 8.

10. No Master of any Ship trading to or from Persons em-Newfoundland shall carry as Passengers any Fishermen, Fishery not to Sailors, Artificers, or others employed in carrying on be conveyed to the Fishery, from the Island to any Part of the Con- Continent of tinent of America, without the Permission under the Governor's Hand and Seal of the Governor, under the Penalty of Permission. £200. 15 Geo. 3. c. 31. § 12.

11. No Person residing in or carrying on the Fishery Utensils, Bait, in Newfoundland shall sell or exchange any Ship, Vessel, and other or Boat, or any Tackle, Apparel, or Furniture which be sold to may be used by any Ship, Vessel, or Boat, or any Seans, Foreigners. Nets, or other Implements or Utensils for catching or curing Fish, or any Bait or Fish Oil, Blubber, Seal Skins, Peltry, Fuel, Wood, or Timber, to or with any Person except His Majesty's Subjects. 26 Geo. 3. c. 26. § 14.

12. Persons concerned in selling, &c. such Articles to Pena'ty on Perthe Subjects of any Foreign State may be arrested by sons concerned Warrant of the Governor or his Surrogates, or any therein. Justice of the Peace, and committed to Prison, on Oath of One or more credible Witness, and on Conviction shall forfeit the Value of the Articles. 26 Geo. 3. c. 26. § 15.

13. Any Person residing in or carrying on the Fishery Goods not to be in Newfoundland, who shall there purchase or take in purchased of Exchange or by way of Barter any Goods from the Sub- Foreigners. ject of any Foreign State, or assist in so doing, may be apprehended and committed to Prison, and shall forfeit Double the Value of the Goods. 26 Geo. 3. c. 26. § 16.

14. All Penalties imposed by any Act made or to be How Penalties made relating to the Island of Newfoundland or the to be recovered Fishery thereof, may be recovered in a summary way and applied. in the Supreme Court, or in any Surrogate Court; and those of £10, or under, may be recovered in the Court of Session, or before any one or more Justices of the All Money arising from such Penalties and Peace. Forfeitures shall be applied towards defraying the Expences of carrying the Act into Execution. 49 Geo. 3. c. 27. § 16.

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Certain Vessels not required to be registered.

Vessels built for E) ropean Owner, the Husband or Agent may take Register Oath.

From what Parts of Europe, Salt and Wine may be imported ;

Oranges and Lemons from the Azores or Madeiras,

Goods necessary for the Fishery from Guernsey or Jersey.

Shipper to make Oath that they are the Produce of Great Britain or the Islands.

15. Vessels not exceeding 30 Tons, and not having a Deck, employed solely in the Fishery on the Banks or Shores of Newfoundland, or in trading Coastwise there, are not required to be registered. 27 Geo. 3. c. 19. §8.

See REGISTRY OF BRITISH SHIPS.

16. Ships and Vessels built in Newfoundland on account of Owners who reside in His Majesty's European Dominions, may be registered, upon the Husband or Agent's taking the Oath required by the Register Acts. 27 Geo. 3. c. 19. § 9.

See Registry of British Ships.

17. It shall be lawful to lade in British-built Ships, owned, navigated, and registered according to Law, in any Part of Europe, Salt for the Fisheries of Newfoundland; and to lade in the Madeiras and Azores, Wines of the Growth thereof, and export the same to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 6. 4 Geo. 3. c. 15. § 31.

18. Oranges and Lemons of the Azores or Madeiras may be laden at the said Islands for Exportation direct to any of the British Colonies in North America, in British Ships, navigated and registered according to Law. 57 Geo. 3. c. 89.

19. Any Inhabitant of Jersey of Guernsey may transport direct from thence to Newfoundland, or any of the British Colonies in America where the Fishery is carried on, in any Ships which may lawfully trade there, any Sort of Craft, Food, Victuals, Clothing, or other Goods fit and necessary for the Fishery in those Parts, or for the Use of Mariners or other Persons employed on board the Ships or on Shore in carrying on the said Fishery; such Craft, &c. being the Produce or Manufacture of Great Britain or the said Islands, and such Food or Victuals being the Growth or Produce of Great Britain, Ireland, or the said Islands. 9 Geo. 3. c. 28. §1.

20. The Master of the Ship shall produce to the Officer of the Customs in the Colony where he shall arrive, a Certificate under the Hand and Seal of the Governor, Deputy Governor, or Commander in Chief, that Oath had been made by the Shipper before the Magistrates of the Royal Courts in the said Islands respectively, that the Goods are the Produce or Manufacture aforesaid; such Certificate to be attested by the Officer of the Customs, who shall certify that the said Oath was taken in his Presence; on Failure of producing

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such Certificate the Goods and Ship shall be forfeited. 9 Geo. 3. c. 28. § 2.

21. Any of His Majesty's Subjects residing in the Isle Herrings from of Man may export from thence, and import into any of the Isle of Man; the British Colonies, in British Ships manned and navigated according to Law, Herrings caught and cured by them, in the same Manner as Victuals of and from Ireland may be imported into the said Colonies by 15 Car. 2. c. 7. 12 Geo. 3. c. 58. § 4.

22. Any of His Majesty's Subjects residing in the Isle also Provisions of Man may ship there and transport directly to New- Implements for foundland, or any Part of America where the Fishery is the Fishery. carried on, on board any Ship which may lawfully trade or fish there, any Provisions, and also any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships carrying out the same, and the Craft belonging to and employed by such Ships in the said Fishery; such Provisions, &c. being the Produce or Manufacture of Great Britain or Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

23. The Master of such Ship shall produce to the Shipper to make proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand the Tools, &c. and 'Seal' of the Collector or other Principal Officer of the and that they are Customs in the Port where he shall have fitted out, that to be used in the Fishery. Oath hath been made before him by the Shipper of such Provisions, &c. that the same are of the Product or Manufacture of Great Britain or Ireland, or the Isle of Man, as the Fact may be; and that the several Articles before mentioned (except the Provisions) specifying the Quantities and Particulars of each Sort, are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the Fishery, and for no other Use or Purpose; and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the same, and the Ship having the Articles on board, shall be seized and forfeited as if this Act had not been made. 15 Geo. 3. c. 31. § 6.

24. Fruit, Wine, Oil, Salt, or Cork, the Produce of Fruit, Wine, Europe South of Cape Finisterre, may be laden in any Oil, Salt, and Cork from Ports Port of Europe for Exportation direct to Saint John's of Europe South in Newfoundland, on board any British Ship owned, of Cape Finisnavigated, and registered according to Law, which shall have arrived at any such Port of Europe with Articles the 1

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## Rewfoundland.

the Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the British Colonies in North America, or from any Part of the United Kingdom. 51 Geo. 5. c. 97. § 2.

ee	CORK.
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Other Articles from Malta or Gibraltar. 25. Certain Articles enumerated in the Schedule annexed to this Act marked (B.) may be imported into Newfoundland from Malta, or any of the Dependencies thereof, or from Gibraltar, in British-built Ships owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

26. There shall be paid upon Spirits imported into Newfoundland the following Duties; that is to say,

For every Gallon of Rum or other Spirits imported from any British Colony or Plantation in the West Indies, Sixpence :

For every Gallon of Rum imported from Berbice, Demerara, ar Essequibo, Sixpence :

For every Gallon of Rum or other Spirits imported from any other of His Majesty's Colonies or Plantations on the Continent of America, or from Great Britain or Ireland, One Shilling and Sixpence. 52 Geo. 3. c. 106. §1. 56 Geo. 3. c. 91. § 2.

27. The said Duties shall be paid to the Amount of the Value of which such nominal Sums bear in Great Britain, and may be received according to the Proportion and Value of 5s. 6d. the Ounce in Silver; and shall be recovered in the same Manner, and by such Rules, and under such Penalties and Fordebares, and other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America; and all the Monies that shall arise by the said Duties, (except the necessary Charges of raising, paying, and accounting for the same) shall be paid into the Exchequer. 15 Geo. 3. c.31. §20. 52 Geo. 3. c. 106. §1. 56 Geo. 3. c. 91. §2.

28. The Duties upon Goods brought or imported into or exported or carried from Newfoundland by virtue of these or any other Acts of Parliament, and the Officers of the the Cu Execu Reven rection under of the c. 106 29.

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the Customs appointed for executing and carrying into be under the Execution the several Laws relating to the Trade and Management of the Commission-Revenue there, shall be under the Management and Di- ers. rection of the Commissioners of the Customs in England, under the Authority and Direction of the Commissioners of the Treasury. 15 Geo. 3. c. 31. § 35. 52 Geo. 8. c. 106. § 1. 56 Geo. 3. c. 91. § 2.

29. If any Action or Suit shall be commenced against General Issue any Person or Persons for any thing done in pursuance may be pleaded, and Treble Costs of these Acts, the Defendant may plead the General allowed. 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 thereof; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. 15 Geo. 3. c. 31. §36. 52 Geo. 3. c. 106. §1. 56 Geo. 3. c. 91. §2.

30. Spirits, the Produce of His Majesty's Sugar Co-. Spirits may be lonies in the West Indies, legally and directly imported exported to Lower Canada into Newfoundland from the said Colonies, or from Ber- on the same muda, may be exported from Newfoundland to the Province of Lower Canada, and admitted to Entry, on Payment of the same Duty as if imported direct from His Majesty's Sugar Colonies. 51 Geo. 3. c. 48. §1.

See SPIRITS.

31. Spirits, the Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Bermuda from the said Sugar Colonies, may be exported from Bermuda to Newfoundland, and landed and admitted to Entry upon Payment of the same Duty as if imported directly from any of the said Sugar Colonies; and under the Conditions and Restrictions contained in 28 Geo. 3. c. 39. may be imported without Payment of Duty, in the same Manner as if such Spirits had been imported into Newfoundland directly from the said Sugar Colonies. 51 Geo. 3. c. 62. §1, 2.

See SPIRITS.

32. No Goods shall be imported from any of the Ter- No Goods to be ritories belonging to the United States of America into imported from Newfoundland, or into any Country or Land within the the United States: Government thereof, on Forfeiture of the Goods and the Ship. 28 Geo. 3. c. 6. § 12.

Duty as from Sugar Colonies.

May be imported from Bermuda on the same Conditions as from Sugar Colonies.

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By whom Ships and Goods may be seized.

Certain Articles may be exported in Malta or Gibraltar.

Outh to be mide by the Shipper of Oil or Blubber that it is the Produce of Fish caught by His Majesty's Subjects.

## Rewfoundland.

33. But His Majesty in Council, by any Order to be issued and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, from any of the Territories belonging to the said United States, for the Supply of the Inhabitants and Fishermen of Newfoundland for the then ensuing Season only; provided such Bread, Flour, Indian Corn, and Live Stock, is imported in conformity to such Rules, Regulations, and Restrictions, as shall be specified in such Order or Warrant, and by British Subjects and in British-built Ships, owned and navigated according to Law, under the Forfeiture mentioned in (No. 32.) 28 Geo. 3. c. 6. § 13.

34. Goods and Ships forfeited by this Act shall be seized by the Commanders of any of His Majesty's Ships of War, or any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. § 16.

35. Articles, the Production or Manufacture of Newfoundland, or which may have been legally imported into the Island, may be exported from thence direct to Malta, or any of the Dependencies thereof, or to Gibraltar, under certain Regulations. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4. § 55.

See GIBRALTAR.

MALTA.

36. Before any Blubber and Train Oil imported into Great Britain, as being taken and canght on the Banks and Shores of Newfoundland and Parts adjacent, wholly by His Majesty's Subjects carrying on the Fishery from that Island, shall be admitted to Entry ou Payment of the Duty payable on such Oil, the Master shall deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of Newfoundland, or of the Collector or other Chief Officer of the Customs of the Port or Place in Newfoundland where the Oil or Blubber shall have been taken on board; or if no such Officer or Governor or Deputy Governor shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer or other principal Officer of the said Port or Place, or of one of His Majesty's Justices of the Peace for the District, testifying that Oath had been made before him (who is required to administer such Oath,

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## Newfoundland.

Oath, and to grant such Certificate) by the Shipper of such Blubber or Oil, that the same was really and bona fide the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty Subjects carrying on such Fishery, and usually residing in the Island of Newfoundland, or in His Majesty's European Dominions; and the Master of the Ship in which the Blubber or Oil shall be imported, shall make Oath before such Collector or other Chief Officer at the Port of Importation, that the Blubber or Oil so imported is the same as mentioned and referred to in the said Certificate; and the Importer or Consignee of such Blubber or Proof of Identity Oil shall also make Oath before the Collector or Comptroller, or other proper Officer of the Customs, at the Britain or Time of Entry, that, to the best of his Knowledge and Ireland. Belief, the Blubber and Oil so imported was actually caught and taken by British Subjects usually residing in Newfoundland, or in His Majesty's European Dominions; and on Failure of such Certificate being produced, and Proof on Oath being made, such Blubber and Oil shall be deemed to be of Foreign Fishing, and charged with Duty accordingly. 55 Geo. 3. c. 135.

37. Any of His Majesty's Subjects may export, in any Goods which may British-built Ship, owned and navigated according to Law, from Newfoundland to any of the Islands in the Islands and Colo-West Indies belonging to His Majesty, or to any of the mes on the British Colonies on the Continent of America, and from the Islands in the West Indies belonging to His Majesty, thence. or from any one of the British Colonies on the Continent of America, into Newfoundland, any Goods the Manufacture of Europe, and any Goods or Prize Goods which shall have been legally imported into any of the said Islands or Colonies, under the Regulations and Restrictions contained in 45 Geo. 3. c. 57.-57 Geo. 3. c. 29.

See FREE PORTS.

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The Port of Nassau, one of the Free Ports for the Nassau a Free Importation and Exportation of certain Articles in Fo- Port. reign Ships. 45 Geo. 3. c. 57. § 1.

See FREE PORTS.

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### Rova Scotia & New Brunswick.

No Goods to be imported from the United States except Pitch, Tar, and Turpentine;

and Household Furniture, Utensils of Husbandry, and Clothing,brought by Subjects of the said States who intend to settle :

Except also Lumbør, &c. in case of Distress, for the Supply of the Inhabitants;

or for Re-exportation to other Colonies. 1. No Goods shall be imported from the Territories of the United States of America, into Nova Scotia or New Brunswick, or any Country or Island within the Governments thereof, on Forfeiture of such Goods, and the Vessel, except Pitch, Tar, and Turpentine, the Production of the said Territories, which may be imported into the said Provinces in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

2. Except also Household Furniture, Utensils of Husbandry, and Clothing, by Subjects of the United States, who shall come from thence, together with their Families, to Nova Scotia, or any of the Provinces belonging to His Majesty in North America, for the Purpose of residing and settling there, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor of the said Islands or Provinces respectively; provided such Household Furniture, &c. are imported in British Ships, owned by His Majesty's Subjects, and navigated according to Law, and shall not exceed in the Whole the Value of £50 for every White Person that shall belong to such Family, and Forty Shillings for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

#### See Settlers.

3. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chief, with the Advice and Consent of the Council of the Provinces of Nova Scotia and New Brunswick respectively, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beaus, Potatoes, Wheat, Rice, Oats, Barley, or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Provinces; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

4. Any of the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia or New Brunswick, with the Advice and Consent of their respective Councils, 8 may

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### Rova Scotia & Rew Brunswick.

may authorize the Importation of the aforesaid Articles, for a limited Time, from any of the Territories of the United States of America, for the Purpose of Reexportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

5. Goods and Vessels forfeited by these Acts may be By whom Goods seized by the Commanders of any of His Majesty's Ships and Vessels may of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officers of His Majesty's Customs. 28 Geo. 3. c. 6. 33 Geo. 3. c. 50.

6. Salt for the Fisheries of Nova Scotia may be laden Sa't from any in any Part of Europe for Exportation to any of the Part of Europe. British Colonies or Plantations, on board any Britishbuilt Vessel, owned, navigated, and registered according to Law. 2 Geo. 3. .. 24. 4 Geo. 3. c. 15. § 31.

See Europe.

7. Wines of the Madeiras or of the Western Islands or Azores may be there laden for Exportation to any of the British Colonies or Plantations. 15 Car. 2. c. 7. § 7.

8. Goods fit and necessary for the Fisheries in the Goods from British Colonies in America may be exported to Colonies where such Fishery is carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.

See GUERNSEY.

JERSEY.

9. Herrings cured in the Isle of Man may be ex- Herrings from ported from thence to any of the British Colonies or the Isle of Man; Plantations, in the same manner as Victuals from Ireland. 12 Geo. 3. c. 58. § 4.

See MAN.

10. Tools and Implements necessary for the Fisheries also Tools and in the British Colonies may be exported direct to the said Colonies from the Isle of Man. 15 Geo. 3. c. 31. § 5.

See MAN.

11. Spirits of His Majesty's Sugar Colonies in the Spirits may be West Indies, legally imported into Nova Scotia or New exported to Brunswick from the said Sugar Colonies, or from Ber- on the same muda, may be exported from the said Provinces to Lower Duty as from Callada, and admitted to Entry on Payment of the same Rate of Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. e. 48. § 1, 2.

12. Spirits the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, imported into Bernuda on the Bermuda from the said Colonies, may be exported from same Duty and Bermuda into Nova Scotia or New Brunswick, and ad-02

be seized.

Wines from the Western Islands.

Guernsey and Jersey.

Implements.

Lower Canada Sugar Colonies;

and may be imported from Conditions as from Sugar mitted Colonies.

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mitted to Entry on Payment of the same Duty as if imported direct from the said Sugar Colonies; and under the Conditions contained in 28 Geo. 3. c. 39. may be imported into the said Provinces without Payment of, Duty, in the same Manner as if such Spirits had been imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 62. § 1, 2.

See Spirits.

13. Fruit, Wine, Oil, Salt, or Cork, the Produce or Manufacture of Europe South of Cape Finisterre, may, be shipped in any Port of Europe South of Cape Finisterre for Exportation direct to Saint John's in New Brunswick or Halifax, and Shelburn in Nova Scotia, on board any Ship arriving at any Port in Europe with Articles the Produce of the British Colonies in North, America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

Sce Cork. Fruit. Oil. Salt. Wine.

14. Any British-built Ship, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the Schedule marked (B.) annexed to 55 Geo. 3. c. 29. for Exportation, direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

#### MALTA.

15. Articles, the Production or Manufacture of His Majesty's Colonies or Plantations in North America, or which may have been legally imported into such Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

16. Oranges and Lemons, the Growth of the Azores or Madeiras, may be there laden for Exportation direct to any of the British Colonies in North America, on board

Certain Articles may be imported from Malta or Gibraltar.

Certain Articles may be exported direct to Malta or Gibraltar.

Oranges and Lemons may be imported from the Azores or Madeiras,

Fruit, &c. may

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#### Rova Scotia & New Brunswick.

any British Ship, navigated and registered according to 57 Geo. 3. c. 89. Law.

17. Any British-built Vessel, owned and navigated Ports may be according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Ma- Scantling, &c. jesty, may import into such Ports as shall be specially in Foreign Ships. appointed for that Purpose by His Majesty, within the Province of Nova Scotia or New Brunswick, the following Articles; videlicet, Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, and Tobacco; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth, Produce, or Manufacture of the Country to which the Vessels importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or to any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

18: Any British Vessel, or any Vessel belonging to the Gypsum, &c. Subjects of any Sovereign or State in A nity with His Majesty, may export from the said Ports so to be ap- said Ports in the pointed for that Purpose, Gypsum, Grindstones, or other like Ships: Produce or Manufacture of the said Provinces, and also any Produce or Manufacture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods whatever which have been legally imported into the said Provinces; provided that none of the aforesaid Articles shall be exported from the said Ports to any Foreign Country or Place, in any Foreign Vessel, unless such Foreign Vessel shall belong to the Country to which the said Articles shall be exported. 58 Geo. 3. c. 19. § 4, 5.

19. His Majesty, by and with the Advice of His Privy Under such Council, may make such Rules and Regulations for the Regulations as His Majesty may Importation and Exportation of Goods aforesaid at the think necessary. said Ports, with such Penalties and Forfeitures for Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

20. This Act shall continue in force during the Space Limitation of the of Three Years from and after the passing of the same\*,

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Act.

and

## Rova Scotia & New Brunswick.

and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

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21. Vessels not exceeding 30 Tons, and not having a Deck, employed sole<sup>1</sup>y in the Fisheries on the Banks or Shores of Nova Scotia or New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or of the Islands within the same, or in trading Coastwise within the Limits, are not required to be registered. 27 Geo. 3. c. 19. § 8.

See REGISTRY OF BRITISH SHIPS.

22. Ships or Vessels built in those Parts of the said Provinces adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, on account of Owners who reside in His Majesty's European Dominions, may be registered upon the Husband or Agent taking the Oath required by 26 Geo. 3. c. 60. 27 Geo. 3. c. 19. § 9.

See REGISTRY OF BRITISH SHIPS.

#### Dchres,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bernuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

### Officers.

1. The Lords of the Treasury, and the Commissioners of the Customs in England, may constitute and appoint such and so many Officers of the Customs in any City, Town, River, Port, Harbour, or Creek, of or belonging to any of the Islands, Tracts of Land, and Properties in America, when and as often as the same shall seem needful. 7 & 8 W. 3. c. 22. § 11.

2. May be appointed by the Governors or Commanders in Chief in the British Plantations for the Purpose of seizing Sugar, Indigo, and Wine, landed without Payment of Dnty, or without a Warrant signed by the proper Officer. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.7. 3. Every

Certain. Vessels not required to be registered.

Vessels built for European Owners, the Husband or Agent may take Register Oath.

Importation allowed from Malta or Gibraltar.

May be appointed by the Treasury and Commissioners;

and by the Governor or Commander in Chief, for the Purpose of seizing Sugar, Indigo, and Wine.

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#### Dfficers.

3. Every Person who, upon the Day of the Demise of May hold their His present Majesty, shall hold any Office Civil or Mili- Offices upon the tary under the Crown during Pleasure, shall, without any Majesty without new or other Patent, Commission, Warrant, or Autho- any new Apity, continue and be entitled in all respects, notwith- pointment. standing the Demise of His Majesty, to hold the same during the Pleasure of the King or Queen who shall succeed to the Crown; and the Right and Title to hold and enjoy the same under the Authority of this Act shall be determinable in such manner by the King or Queen who, upon the Demise of His Majesty, shall succeed to the Crown, as the Right or Title to any Office, Place, or Employment granted by such succeeding King or Queen during Pleasure would by Law be determinable; provided that this Act shall not deprive the Heirs and Successors of His Majesty of the Power of removing and discharging any Person from his Office, in such manner as they might have done if this Act had not been passed. 57 Geo. 3. c. 45. §1.

4. Naval Officers are within Two Months, or as soon Naval, to give as convenient after their Entrance upon their Office, to Security, othergive sufficient Security to the Commissioners of the nors to be an-Customs, for His Majesty's Use, for the faithful Perform- swerable, ance of their Duty, and in default thereof, shall be disabled to execute the Office; and until such Security is given, and the Person appointed to the said Office be approved by the said Commissioners, the respective Governors. shall be answerable for any the Neglects or Misdemeanors of the Persons so appointed. 7 & 8 W. 3. c. 22. § 5.

5. No Office in any Colony or Settlement, Plantation, Offices not to be or Foreign Possession belonging to the Crown of Great longer Time Britain, shall be granted either by Patent under the than the Grantee Great Seal, or by Commission under His Majesty's Sign shall execute the Manual, or by any other Commission, Warrant, or Instrument, for any longer Time than during such Time as the Grantee thereof shall reside in the Colony, Settlement, Plantation, or Foreign Possession, and execute the Duty of such Office in Person, and behave well therein. 22 Geo. 3. c. 75. § 1. 54 Geo. 3. c. 61. § 1.

6. If any Person holding such Office shall be wilfully Misbehaving, absent from the Colony or Plantation, without a reasonable may be amoved Cause to be allowed by the Governor and Council, or shall and Council. neglect the Duty of such Office, or otherwise misbehave therein, such Governor and Council may amove such Person from any such Office ; and in case any Person so amoved  $O_4$ 

by the Governor

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Who may grant Leave of Absence, and pro vide for Vacancies.

Leave of Abscnce to be reported to Secretary of State, and if not confirmed, the Officer must return to the Colony.

Neglecting to report Leave of Absence.

A Return to be made of Officers absent, to the House of Commons.

## Dfficers.

amoved shall think himself aggrieved thereby, he may appeal therefrom as in other Cases of Appeal from such Colony or Plantation. 22 Geo. 3. c. 75. § 2.

7. But the Governor and Council of any Colony or Plantation may give such Leave of Absence as they shall see Occasion; and in such Case, as likewise in the Case of Vucancy occasioned by Death or Amotion, may provide for the due Discharge of the Duties of such Office, until the King's Pleasure shall be known. 22 Geo. 3. c. 75. § 3.

8. In all Cases in which the Governor and Council of any Colony, Settlement, Plantation, or Foreign Possession, shall hereafter grant Leave of Absence to any Person holding an Office within the same, to which he shall have been appointed subsequent to the passing of this Act, the Governor, or in his Absence the Lieutenant Governor, or other Person administering the Government, shall within One Week report the same to One of His Majesty's Principal Secretaries of State for Confirmation; and in case the Leave of Absence shall not be confirmed within One Month from the Date of such Report having been received by the Secretary of State, the Person to whom the Leave of Absence may have been granted shall forthwith return to the Colony, &c. in which his Office is situated; and in default thereof, shall be deemed to have vacated such Office, and his Appointment shall be considered void. 54 Geo. 3. c. 61. § 2.

9. Every Governor, Lieutenant Governor, or other Person administering the Government of any Colony, &c., who shall omit or neglect to report in Manner before directed such Leave of Absence, shall for every such Omission or Neglect forfeit a Sum not exceeding £100, to be sued for and recovered by Action of Debt in any of His Majesty's Courts of Westminster within One Year after the Arrival in England of the said Governor, Lieutenant Governor, or other Person administering the Government. 54 Geo. 3. c. 61. § 3.

10. Within Six Weeks after the opening of every Session of Parliament, there shall be laid before the House of Commons, a Return of Persons holding Offices in the Colonies, appointed thereto subsequent to the passing of this Act, who may not be present in the Execution of the Duties of their Offices, and such Return shall be made in the Form prescribed in the Schedule (A.) to this Act annexed. 54 Geo. 3. c. 61. § 4.

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### Difficers.

11. Nothing in this Act shall operate to the Prejudice Not to affect of any subsisting Grant of any Office, or shall affect any Appointments or Appointment or any Leave of Absence granted previous granted before to the passing of this Act, or any renewed Grant of any this Act, Office which may be made in consequence of the Demise of the Crown to any Person now holding the same; and no Provision of this Act shall be applicable to any Office granted or to be granted by the East India Company, or to any Rules, Regulations, or Provisions made by the said Company, with respect to the Appointment or Leave of Absence of any of their Civil or Military Servants 54 Geo. 3. c. 61. § 5.

12. The Duties imposed by any Act upon Goods im- The Duties imported into, exported or carried from, any British Co- posed by any Act lony or Plantation in America, may be put under the the Management Management and Direction of such Commissioners, to of Commissionreside in the said Plantations, as His Majesty, by His ers to reside in Commission under the Great Soul of Great Britain the Plantations. Commission under the Great Seal of Great Britain, shall judge to be most for the Advantage of Trade and Security of the Revenue. 7 Geo. 3. c 41. § 1.

13. The said Commissioners, or any Three of them, To have the shall have the same Powers and Authorities for carrying the Commis-into Execution the Laws relating to the Revenues and sioners in Eng-Trade of the British Colonies in America, as were before land. the passing of this Act exercised by the Commissioners of the Customs in England, by virtue of any Act in force; and His Majesty in such Commission may make Provision for putting in Execution the several Laws relating to the Customs and Trade of the said British 7 Geo. 3 ... 41. § 2. Colonies.

14. All Deputations and other Authorities granted by Deputations the Commissioners of the Customs in England, before the granted by the passing of this Act, or which may be granted by them in England to rebefore any Commission shall issue in pursuance of this main in force. Act, to any Officer acting in the said Colonies or Plantations, shall continue in force as fully as if this Act had not been made, until the Deputations or other Authorities so granted to such Officer shall be revoked or made void by the Lords of the Treasury. 7 Geo. 3. c. 41. § 3.

15. Where any Officer shall, by any Person armed Abused or with Club or any Manner of Weapon, be forcibly hin- wounded in the dered, abused, beaten, or wounded, either on board any Execution of their Office. Ship, or upon the Land or Water, in the due Execution of his Office, every Person so hindering, &c. such Officer, or any Person acting in the Aid or Assistance, shall,

may be put under

shall, by the next Justice of Peace or other Magistrate, be committed to Prison, there to remain till the next Quarter Sessions; and the Justices of the Quarter Sessions shall punish the Offender by Fine, not exceeding £100; and the Offender shall remain in Prison till he be discharged, both of the Fine and of the Imprisonment, or discover the Person that set him on work, to the end he may be legally proceeded against. 13 & 14 Car. 2. c. 11. § 6. 7 & 8 W. 3. c. 22. § 6.

16. Or any of their Assistants resisted in seizing Sugar, Indigo, or Wine, landed without Payment of Duty, or without a Warrant, the Offenders are to forfeit £50, and to be imprisoned for Three Months. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1. 7.

See Indigo.

SUGAR.

WINE.

All Persons to aid and assist them, and who are saved harmless.

May plead the General Issue.

Allowed Treble Costs. 17. All Officers belonging to the Admiralty, Captains and Commanders of Ships, Forts, Castles, and Blockhouses, and all Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, and Headboroughs, and all fue King's Officers, Ministers, and Subjects whom it may concern, shall be aiding and assisting every Person appointed by His Majesty to manage the Customs, and the Officers of the Customs and their Deputies, in the due Execution of every Act and Thing by these Acts required : and all such who shall be aiding and assisting them in the due Excecution hereof shall be defended and saved harmless. 13 & 14 Car. 2. c. 11. § 32. 7 & 8 W. 3. c. 22. § 6.

18. In case any Officer in the Plantations shall be sued or molested for any thing done in the Execution of his Office, he may plead the General Issue, and give this and other Custom Acts in Evidence, and the Judge shall allow thereof; and such Officer shall have the like Privileges and Advantages as are allowed by Law to the Officers of the Customs in England. 7 & 8 W. 3. c. 22. & 6.

19. If any Action shall be commenced in Great Britain or America against any Person for any thing done in pursuance of any Act relating to the Customs, the Defendant may plead the General Issue, and give the said Acts and special Matter in Evidence upon any Trial to be had thereupon, and that the same was done by the Authority of such Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff mand o by Law express detain t make I due, or his Wa mages. c. 22. § 22.

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### Officers.

Plaintiff shall be nonsuited, or discontinue his Action after the Defendant has appeared, or if Judgment shall be given upon Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases. 4 Geo. 3. c. 15. § 47.

20. Any Officer of the Customs in Great Britain who Suffering enushall give any Warrant for, or suffer any enumerated merated Commo-Article to be carried into any Country, until they have ried to other been first unladen in Great Britain or Ireland, such Countries than Officer shall forfeit his Place and the Value of the Goods Great Britain or he shall give Warrant for, or suffer to pass into any other Country. 15 Car. 2. c. 7. § 9. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

21. If any Person employed in the Customs shall de- Liable to Double mand or take any other or greater Sum of Money than Costs and Damaby Law is due, or put any Person out of his turn without Cases. express Order of the superior Officers, or shall illegally detain the Goods of any Person, or neglect or refuse to make Repayments and Allowances which are or shall be due, or shall not, after due Notice, give ont and execute his Warrant, he shall be liable to Double Costs and Damages. 13 & 14 Car. 2. c. 11. § 34. 7 & 8 W. 3. c. 22. § 6.

22. Taking a Bribe, Recompence, or Reward, or Taking Bribes conniving at any false Entry, or making any collusive or doing Acts Seizure or Agreement, or doing any other Act by which may be evaded; His Majesty shall be defrauded in his Duties, or any Goods prohibited shall be suffered to pass, either inwards or outwards, or whereby the Forfeitures and Penalties inflicted by any Act relating to the Customs in America may be evaded, shall forfeit #500, and be rendered incapable of serving His Majesty in any Employment Civil or Military; and if any Person shall give, offer or Persons offering promise to give, any Bribe or Reward to any Officer of them. the Customs, to do, conceal, or connive at any thing whereby any of the Provisions made by any Law relating to His Majesty's Customs in America may be evaded or broken, such Person shall for every Offence (whether the Offer or Promise be accepted or performed or not) forfeit £ 50. 4 Geo. 3. c. 15. § 38.

23. Allowing the Privilege of a British-built Ship to Allowing the any Ship coming into any Port and making Entry of any Privilege of Bri-Goods, until Examination whether the Master and Three- out Examination. fourths

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fourthis of the Mariners are British, shall for the First Offence be put out of his Office. 12 Car. 2. c. 18. § 11.

24. Knowingly conniving at the fraudulent Importation of any East India Commodities, or seizing any of the said Commodities, and by Fraud or Collusion desisting or delaying the Prosecution thereof to Condemnation, shall forfeit  $\pounds$  500, and be incapable of holding any Office or Employment nuder His Majesty. 7 Geo. 1. st. 1. c. 21. § 9.

25. Taking any Entry Outwards, or signing any Cocket, Warrant, or Sufferance for the shipping or exporting any Hats or Felts, or suffering the same to be done, or conniving thereat, forfeit their Office and  $\pounds$  500. 5 Geo. 2. c. 22. § 4.

26. Knowingly couniving at the fraudulent Importation or Landing any Sugar, Indigo, or Wine, or seizing the same for having been landed without Payment of Duty, or without a Warrant signed by the proper Officer, and by Fraud or Collusion desisting from or delaying the Prosecution thereof to Condemnation, shall forfeit £50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 13. § 6. 4 Geo. 3. c. 15. § 1.

27. If any Person required by this Act in respect of his Office to perform any Act or Thing required to be done pursuant to the Provisions of this Act, shall wilfully neglect or refuse to perform the same, he shall on Conviction forfeit  $\pounds 500$ ; and for the Second Offence  $\pounds 600$ , and be rendered incapable of serving His Majesty in any Employment relative to the Revenue, or any Civil Capacity whatever. 26 Geo. 3. c. 60 § 40.

28. All Persons examined as Witnesses on any Inquiry directed by the Commissioners of the Customs in England or any Four or more of them, to be made in America or the West Indies, relative to the Revenue or other Duties there, or to the Conduct of the Officers employed in the Collection thereof, by or before any Collector or Comptroller of the Customs, or either of them, at any Port in the British Colonies and Plantations in America or the West Indies, or by or before such other Person as shall be appointed by the said Commissioners, or any Four of them, for the Purpose aforesaid, are required to deliver their Testimony on Oath, to be administered by the Officer. 49 Geo. 3. c. 46. § 1.

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Conniving at the fraudulent Importation of East India Goods, or delaying Prosecution.

Taking Entries or signing Documents for Hats or Felts.

Conniving at the fraudulent Importation of Sugar, &c. or delaying Prosecution.

Neglecting to perform Acts required of them under Register Act.

On Inquiries relative to the Revenue, Persons examined to deliver their Testimony on Octh.

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## Dfficers.

29. If any Person shall be convicted of taking a false False Oaths Oath touching any of the Facts required to be testified on. deemed Perjury. Oath, or of giving false Evidence on Examination on Oath, the Person so convicted shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury. 49 Geo. 3. c. 46. § 2.

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1. The Produce of Europe South of Cape Fi- Vessels from uisterre, may be shipped and laden in any Port or, British Colonies Place of Europe South of Cape Finisterre for Export- America, ation direct to any of the Ports herein-after mentioned ; arriving with the that is to say, Saint John's in New Brunswick, Saint Produce thereof at Places in Eu-John's in Newfoundland, Guebec in Canada, Sydney in rope South of Cape Breton, Halifax and Shelburn in Nova Scotia, and Cape Finisterre, Charlotte Town in Prince Edward's Island, all in North may import from thence Oil the America, on board of any British Ship, owned, navigated, Produce of and registered according to Law, which shall have arrived Europe. at any Port or Place of Europe South of Cape Finisterre with Articles the Produce of the said 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 any Part of the United Kingdom, or with any of the Goods herein-after mentioned from Canada, whether such Goods shall be the Produce of Canada, or shall have been brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

2. Upon the Importation of such Oil into any of the What Duties said Ports, the same shall be subject and liable to the liable to. Payment of such Duties as Goods of the like Denomination are liable to upon being imported into any of the said several Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

3. The Person exporting any Cargo from Nova Sco- On Exportation tia or New Brunswick, for any Port of Europe South from Nova of Cape Finisterre, shall make Oath at the Port of Ship- Brunswick, Oath ment before the Chief Officer of the Customs, or before to be made that the Naval Officer in Command at such Port, that the Car-the Cargo is the Produce of the said Proviness on a Produce of the go so shipped is the Produce of the said Provinces, or of Province or of the British Fisheries in North America, really taken and the British cured by His Majesty's Subjects carrying on the said Fish-Fisheries, and eries from some of the said Colonies on Diopteting and Certificate eries from some of the said Colonies or Plantations ; and thereof to be the said Officer shall certify such Oath under his Hand; produced. which

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which Certificate shall be produced by the Master of the Ship on board of which any such Cargo is shipped, on his Arrival at the Port of Europe within the Limits aforesaid to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants there resident, that the Certificate so produced was the Certificate of the Officer of the Customs or Naval Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

4. The Exporter of Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading dressed or undressed, Hoops, Pine Plank and Boards, from Canada, shall not be required to make Oath that the said Articles are the Produce of Canada; and the Master of the Ship, on his Arrival at any Port of Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the said Articles were the Growth of or brought into Canada conformably to the Regulationestablished by Law in the said Province (if any), by Land or Inland Navigation, from Countries bordering thereon: and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to, in manner aforesaid, by the Master of such Ship, at the Port of Delivery in Europe within the aforesaid Limits. 51 Geo. 3. c. 97. § 5.

5. Before the Shipment of any Pickled Fish or Dry Fish for Exportation from Canada to any Port of Europe within the Limits aforesaid, the Person in whose Possession the same has continued from the Time of its being landed from the Fishing Vessel employed in the taking it, until shipped for Exportation, shall make Oath before the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, really taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate

Certain Articles may be exported from Canada without such Oath, on producing a Certificate of the regular Importation by Land or Inland Navigation.

Oath to be made before shipping Pickled or Dry Fish from Canada, that it is the Produce of the British Fisheries.

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tificate thereof, signed with his Hand, which Certificate only the Master of such Ship shall be required to produce at the Port of Delivery in Europe within the Limits aforesaid, and shall make Oath of the Authenticity of such Certificate in manner aforesaid. 51 Geo. 3. c. 97. §6.

6. Any Ship or Goods subject to Forfeiture under By whom Ships this Act, may be seized by any Officer of the Customs and Goods may in the said Colonies or Plantations, or by the Commander be seized and in the said Colonies or Plantations, or by the Commander prosecuted. of any of His Majesty's Ships of War; and the same may be prosecuted, sued for, recovered, and divided in the same manner and by the same Rules and Regulations, as far as the same are applicable, as any other Forfeiture imposed by any Act 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 or immediately before the passing of this Act, in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

7. Before any Train Oil or Blubber imported into Great Britain, as being taken and caught on the Banks from Newfoundand Shores of Newfoundland and Parts adjacent, wholly land, that it is by His Majesty's Subjects carrying on such Fishery from the Produce of that Island, shall be admitted to Entry on Payment of His Majesty's the Duty payable upon such Oil or Blubber, the Master Subjects. of, the Ship in which the same shall be imported shall deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of Newfoundland, or of the Collector or other Chief Officer of the Customs of the Port or Place in Newfoundland where the Train Oil or Blubber shall have been taken on board, or if no such Officer or Governor or Deputy Governor shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer or other Principal Officer of the said Place, or of One of His Majesty's Justices of the Peace for the District, testifying that Oath had been made before him by the Shipper of such Oil or Blubber, that the same was really the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty's Subjects carrying on such Fishery, and usually residing in the Island of Newfoundland, or in His Majesty's European Dominions; and the Master of the Ship in which the Blubber or Train Oil shall be imported

Oath to be made

Oath of Identity on Importation into Great Britain.

The like Proof to be made as to Oil the Produce of Fish caught in the Gulf of Saint Lawrence, &c.

Importation allowed from Malta or Gibraltar.

ported into Great Britain, shall make Oath before such Collector or other Chief Officer at the Port of Importation, that the Blubber or Train Oil is the same as referred to in the said Certificate; and the Importer or Consignee of such Blubber or Train Oil shall also make Oath before the proper Officer of the Customs, at the Time of Entry, that to the best of his Knowledge or Belief the Blubber or Train Oil so imported was actually caught and taken by British Subjects usually residing in Newfoundland, or in His Majesty's European Dominions; and on Failure of such Certificate being produced, and Proof on Oath being made, such Blubber and Train Oil shall be deemed to be of Foreign Fishing, and charged with the Duty imposed on such Articles of Foreign Fishing. 55 Geo. 3. c. 135. § 1.

8. The like Duties as are now payable on Oil and Blubber, the Produce of Fish and Creatures living in the Sea, taken and caught on the Banks and Shores of Newfoundland and Parts adjacent wholly by His Majesty's Subjects carrying on the Fishery from that Island, and residing therein, shall be paid, on the Importation into Great Britain of Oil and Blubber the Produce of Fish or Creatures living in the Sea, taken and caught in the Gulf of Saint Lawrence, or on the Shores of any British Colony or Plantation in North America, or the Parts adjacent, wholly by His Majesty's Subjects usually residing in any of the said Colonies or Plantations, and carrying on such Fishery from thence, on the like Proofs and Certificates as are required on the Admission of Oil and Blubber of the Newfoundland Fishery to the Duty imposed thereon by Law. 56 Geo. 3. c. 118.

## Dil of Almonds, Dil of Cloves, Opium, and Drange Buds,

May be exported from Malta, or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. c. 4. § 1. See GIBRALTAR. MALTA. The shippe of the and m bnilt \$ to Lay

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## Dranges,

The Produce of the Azores or Madeiras, may be Importation shipped in the said Islands for Exportation direct to any allowed from of the Ports in the British Colonies in North America, Ine Azore Madeiras. and may be imported into the said Ports in any Britishbuilt Ship, owned, navigated, and registered according to Law. 57 Geo. 3. c. 89. § 1.

#### Root, Dstrich Feathers, Drig and Paintings.

May be exported from Malta, or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. to Law. See GIBRALTAR.

MALTA.

#### Painters Colours.

1. Not being the Manufacture of Great Britain or Duty on the Ireland, imported from Great Britain or Ireland into Importation from Great Britain or any Colony or Plantation in America under the Domi- Ireland. nion of His Majesty, the following Duties shall be paid; that is to say,

For every Cwt. Avoirdupois of Painters Colours, Two Shillings. 7 Geo. 3. c. 46. § 1. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6,

2. The said Duties shall be deemed Sterling Money To be recovered of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in the Use of the Great Britain, and received according to the Proportion Colonies where and Value of 5s. 6d. the Ounce in Silver, in the same and the Residue Manner, and by such Rules, Penalties, and Forfeitures, paid into the as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations may be paid and recovered by any Act now in force; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, recovering, or accounting for the same) shall be applied in making a more adequate Provision for the Charge of the Administration of Justice and the Support of Civil Government in such of the said Colonies and Plantations where it shall

the Azores or

allowed from Malta or Gibraltar.

as other Duties, and applied for Exchequer.

be

be found necessary; and the Residue of such Duties shall be paid into the Receipt of His Majesty's Exchequer, and entered separate and apart from all other Monies payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 10 Geo. 3. c. 17. § 4.

3. His Majesty, by any Warrant under His Sign Manual, countersigned by the High Treasurer, or any Three or more of the Commissioners of the Treasury, may cause such Monies to be applied out of the Produce of the Dunes granted by this Act, as His Majesty shall think proper or necessary, for defraying the Charges of the Administration of Justice and the Support of the Civil Government within all or any of the said Colonies or Plantations. 10 Geo. 3. c. 17. § 5.

Paper.

1. Upon the respective Sorts of Paper, Pasteboards, Millboards, and Scaleboards hereafter mentioned, not being the Manufacture of Great Britain or Ireland, which shall be imported from Great Britain or Ireland into any Colony or Plantation in America, under the Dominion of His Majesty, the following Duties shall be paid; that is to say,

For every Ream of Paper usually called or known by the Name of Atlas Fine, 12s.

For every Ream of Paper called Atlas Ordinary, 6s.

For every Ream of Paper called Bastard or Double Copy, 1s. 6d.

For every single Ream of Blue Paper for Sugar-Bakers, 101d.

For every Ream of Paper called Blue Royal, 1s. 6d. For every Bundle of Paper containing 40 Quires, 6d.

For every Ream of Brown Cap, 9d.

For every Ream of Cartridge Paper, 1s. 11d.

For every Ream of Paper called Chancery Double, 1s. 6d.

For every Ream of Paper called Genoa Crown Fine, 1s.  $1\frac{1}{2}d$ .

For every Ream of Paper called Genoa Crown Second, 9d.

For every Ream of Paper called German Crown, 9d.

For every Ream of Paper called Fine Printing Crown, 9d.

His Majesty may appropriate the Daties for the Use of all of 20% of the Colonies

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For For For For-1s. 6d. For 1s. 11c For 1s.  $1\frac{1}{2}$ For For 2s.  $5\frac{1}{4}d$ For 1s. 110 For Second For For Foolsca For Printin For Fine, 1 For Fine S For ( For Imperia For e For a For 18. 103 For Mediur For For 15. 103 For a For a For 6åd. For Pot, 1s

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For every Ream of Faper called Second Ordinary Printing Crown, 6<sup>3</sup>/<sub>4</sub>d.

For every Ream of Paper called Demy Fine, 3s.

For every Ream of Paper called Demy Second, 1s. 41d.

For every Ream of Paper called Demy Printing, 1s. 3d. For every Ream of Paper called Genoa Demy Fine, 1s. 6d.

For every Ream of Paper called Genoa Demy Second, 1s.  $1\frac{1}{2}d$ .

For every Ream of Paper called German Demy, 1s.  $1\frac{1}{2}d$ .

For every Ream of Paper called Elephant Fine, 6s.

For every Ream of Paper called Elephant Ordinary, 2s. 5<sup>1</sup>/<sub>4</sub>d.

For every Ream of Paper called Genoa Foolscap Fine, 15. 13d.

For every Ream of Paper called Genoa Foolscap. Second, 9d.

For every Ream of Paper called German Foolscap, 9d, For every Ream of Paper called Fine Printing Foolscap, 9d.

For every Ream of Paper called Second Ordinary Printing Foolscap, 6<sup>3</sup>/<sub>4</sub>d.

For every Ream of any other Paper called Foolscap Fine, 1s. 10<sup>1</sup>/<sub>2</sub>d.

For every Ream of any other Paper called Foolscap Fine Second, 1s. 6d.

For every Ream of Paper called Imperial Fine, 12s.

For every Ream of Paper called Second Writing Imperial Fine, 8s. 3d.

For every Ream of Paper called German Lombard, 9d. For every Ream of Paper called Medium Fine, 4s. 6d. For every Ream of Paper called Genoa Medium, 1s. 103d.

For every Ream of Paper called Second Writing Medium, 3s.

For every Ream of Painted Paper, 6s.

For every Ream of Paper called Fine Large Post, 18, 10<sup>1</sup>/<sub>2</sub>d.

For every Ream of Paper called Small Post, 1s. 12d.

For every Ream of Paper called Fine Genoa Pot, 6<sup>1</sup>/<sub>2</sub>d. For every Ream of Paper called Second Genoa Pot, 6<sup>1</sup>/<sub>2</sub>d.

For every Ream of other Paper called Superfine Pot, 1s. 6d.

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For every Ream of other Paper called Second Fine Pot, 1s. 1<sup>1</sup>/<sub>2</sub>d.

For every Ream of Paper called Ordinary Pot, 63/d.

For every Ream of Paper called Super Royal Fine, 9s. For every Ream of Paper called Royal Fine, 6s.

For every Ream of Paper called Fine Holland Royal,  $2s. 5\frac{1}{4}d.$ 

For every Ream of Paper called Fine Holland Second, 1s. 6d.

For every Ream of Paper called Second Fine Holland Royal, 1s. 6d.

For every Ream of Paper called Ordinary Royal, 9d.

For every Ream of Paper called Genoa Royal, 2s. 5<sup>1</sup>/<sub>4</sub>d. For every Ream of Paper called Second Writing

Royal, 4s. 1<sup>1</sup>/<sub>2</sub>d.

For every Ream of Paper called Second Writing Super Royal, 6s.

For every Cwt. Avoirdupois of Pasteboards, Millboards, and Scaleboards, 3s. 9d.

All other Paper (not being particularly rated and charged by this Act) shall pay the several and respective Duties that are charged by this Act upon such Paper as is nearest above in Size and Goodness to such unrated Paper.

A Ream of Paper chargeable by this Act, shall be understood to consist of 20 Quires, and each Quire of 24 Sheets. 7 Geo. 3. c. 46. § 1, 2, 3. 10 Geo. 3. c. 17. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

2. The said Duties shall be deemed Sterling Money of Great Britain, and shall be recovered and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and received according to the Proportion and Value of 5s. 6d. the Ouuce in Silver, and shall be levied, collected, paid, and applied in the same Manner, and by such Rules, &c. as the Duties upon Painters Colours are levied, collected, paid, and applied. 7 Geo. 3. c. 46. § 4, 5.

#### Passengers.

1. Before the sailing of any Ship from any Place in the United Kingdom to Newfoundland or the Coast of Labrador with Passengers, the Master and the Owners shall give Bond in  $\pounds 500$ , with Condition that there shall not be taken on board any more Passengers than are herein-

To be paid in the same Manner and by such Rules, &c. as the Duty on Painters Colours.

On board Ships clearing from the United Kingdom for Newfoundland or Labrador,

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#### Passengers.

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herein-after permitted, which Bond shall be taken by and not to be landed deposited with the Collector and Comptroller or Principal delivered. Officer of the Customs at the Port from which such Ship shall sail ; and the Master, previous to his leaving the Port, shall deliver to the Collector and Comptroller or Principal Officer, a List containing the Number of the Passengers, with their Names, Ages, and Descriptions, for the Purpose of being registered at such Port, together with a Copy of the same, which Copy shall be certified by the Officers as being correct, and shall be delivered to the Master of such Ship, to be kept on board, subject to the Inspection of any of His Majesty's Ships of War or Vessels in the Service of the Customs or Excise: and upon the Arrival of such Ship at either of the said Places, the Master shall deliver the aforesaid Copy of the List to the Governor or other Person acting for him, or to the Naval Officer or Chief Officer of the Customs at the Port of Arrival, or to the nearest Justice of the Peace, who shall examine the Passengers within 24 Hours after their Arrival; and no Passenger shall be Passengers not allowed to land until such List is compared with the to land until List examined. Passengers by the Governor, or Person acting for him, or some Person anthorized by either of them for that Purpose. 56 Geo. 3. c. 83. § 1.

2. If the Master shall take on board, or if the Owners Penalty for shall engage to take on board, more Persons than the taking a greater Number allowed, they shall forfeit  $\pm 10$  for each Person. Number than allowed. 56 Geo. 3. c. 83. § 2.

3. Ships from any Place in the United Kingdom, or What Number from Guernsey and Jersey, shall not carry to any Part of may be carried in Proportion to Newfoundland or Coast of Labrador, a greater Number the Tonnage. of Passengers than in the following Proportion; that is to say, any British Ship having a Second Deck may take Passengers at the Rate of One for every unoccupied Space being Six Feet in Length by Two Feet in Breadth, and being of the full perpendicular Height between the Two Decks; or any British Ship which shall have only One Deck over her Hold, may take Passengers at the Rate of One for every Space between the Cargo stowed in the Hold and the Deck, being Six Feet in Length and Two Feet in Breadth, and being the Height of Five Feet perpendicular above the Cargo; and being independent in either Case of the Space which may be requisite for the Stowage of the Water and Provisions and Baggage of the Passengers; and the full Space before men-P 3 tioned

until a List is

#### Passengers.

tioned shall accordingly be allotted for the Accommodation of each Passenger taken on board. 56 Geo. 3. c. 83. § 3.

4. Every Ship shall be furnished at the Time of her Departnre with at least Ten Weeks Supply of Water, so as to supply Five Pints per Day for every Passenger, exclusive of the Crew; and the Water shall be stowed below the Deck; and every Ship shall also be furnished with such a Supply of Provisions as will afford an Allowance for every Passenger, exclusive of the Crew, during Ten Weeks, of 11b. of Bread or Biscuit, and 11b. of Beef, or Three Quarters of a Pound of Pork, per Day; and also 2lbs. of Flonr, 3lbs. of Oatmeal, or 3lbs. of Peas or Pearl Barley, and Half a Pound of Butter, Weekly; the Weekly Allowance to commence on the Day the Ship puts to Sea. 56 Geo. 3. c. 83. § 4.

5. The Master of any Ship failing to give out the Allowance of Provisions and Water before specified, shall forfeit £10 for every Neglect. 56 Geo. 3. c. 83. § 5.

6. An Abstract of this Act, stating the Number of Passengers allowed to be taken, and the Daily and Weekly Allowance of Water and Provisions, shall be exposed in some conspicuous Part of the Ship, to which the Passengers have Recourse; in Failure of which the Master shall forfeit £10. 56 Geo. 3. c. 83. § 6.

7. The Master of any Ship engaging to take on board Passengers from Newfoundland or the Coast of Labrador, for the Purpose of returning from thence to the United Kingdom, shall conform to the Regulations before enacted, as to the Number of Passengers which it "shall be lawful for him to take, and shall be liable to the like Penalties for any Breach of such Regulations, as with respect to Ships proceeding from the United Kingdom to Newfoundland or the Coast of Labrador. 56 Geo. 3. c. 83. § 7.

8. Every such Ship returning from Newfoundland or the Coast of Labrador to any Place of the United Kingdom with Passengers, shall be furnished at the Time of her Departure with at least Seven Weeks Supply of Water, so as to supply Five Pints per Day for every Passenger, exclusive of the Crew, and the Water shall be stowed below the Deck; and every such Ship shall also be furnished with such a Supply of Provisions as will afford the same Allowances before mentioned (See No. 4.) for every Passenger, exclusive of the Crew. 56 Geo. 3. c. 83. § 8. 9. The

To be supplied with a certain Quantity of Water and Pro-Visiolis.

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Not giving out the Allowance.

An Abstract of the Act to be exposed in the Ship.

Taking Passengers from Newfoundland or Labrader, to conform to the like Regulations.

Quantity of Water and Provisions on the Return from Newfoundland and Labrador.

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#### Passengers.

9. The Master or Person having Command of any Not giving out Ship failing to give out the Allowance of Provisions and the Allowance. Water before specified, shall forfeit £10 for every Neglect. 56 Geo. 3. c. 83. § 9.

10. Penalties and Forfeitures may be recovered in a How Penalties summary Way, on the Oath of One Witness, before any tobe recovered One of His Majesty's Justices of the Peace of any County, and applied. City, Riding, Shire, or Place in the United Kingdom, where such Ship shall depart from or come to, or in a summary Way in any Surrogate Court of Session having Jurisdiction in Newfoundland; and such last-mentioned Penalties and Forfeitures as shall be recovered in Newfoundland, shall be paid to the Governor, or other Person acting for him, or some Person authorized by either of them for that Purpose, to be applied under the Direction of such Governor, &c. in defraying the Passage home of such Persons as ought to be sent to that Country to which 56 Geo. 3. c. 83. § 10. they belong.

11. But not to extend to the Conveyance of any Persons Not to extend on board of any such Ship, whether Fishermen, Young- to Servants in sters, or others, being hired Servants, to be employed on the Establishment of their Masters or Hirers in the Prosecution of the Fisheries carried on from Newfoundlaud or the Coast of Labrador. 56 Geo. 3. c. 83. § 11.

12. No Ship shall sail with Passengers from any Place On board Ships in the United Kingdom, to any Place in Upper or Lower United Kingdom Canada, Nova Scotia, New Brunswick, Cape Breton, for Canada; &c. or Prince Edward's Island, unless the Master and the not to be landed Owner or Owners shall before the sailing enter into Bond until a List is to His Majesty, in £500, with Condition that there shall not be taken on board any more Passengers than are herein-after allowed, and that every Passenger, if alive, shall be landed at the Place to which such Passenger shall have contracted to be conveyed; which Bond shall be taken by and deposited with the Collector and Comptroller or other Principal Officer of the Customs at the Port from which such Ship shall sail; and the Master, previous to his leaving the Port, shall deliver to the Collector and Comptroller or other Principal Officer of the Customs, a List containing the Number of the Passengers, with their Names, Ages, and Descriptions, and the Places to which they are to be conveyed, for the Purpose of being registered at such Port, together with a Copy of the same, which Copy shall be certified by the said Officer as being correct, and delivered to the Master, to

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to be by him kept on board the Ship, subject to the In spection of any of His Majesty's Ships of War, or Vessels in the Service of the Customs or Excise; and upon the Arrival of such Ship at either of the aforesaid Colonics, the Master shall deliver the Copy of the List to the Governor or Person acting for him, or to the Naval Officer or Chief Officer of the Customs at the Port of Arrival, or to the nearest Justice of the Peace, who shall examine the Passengers within 24 Hours after their Arrival; and no Passenger shall be allowed to land until such List is compared with the Passengers by the Governor or Person acting for him, or some Person authorized by them for that Purpose. 57 Geo. 3. c. 10. § 2.

13. If the Master of such Ship shall take on board, or if the Owners shall engage to take on board, more Persons than the Number allowed, they shall forfeit  $\pounds 50$  for each Person. 57 Geo. 3. c. 10. § 3.

14. Ships from any Place in the United Kingdom, or from Guernsey and Jersey, shall not carry to any Place in Upper or Lower Canada, Nova Scotia, New Brunswick, Cape Breton, or Prince Edward's Island, a greater Number of Passengers than in the Proportion of One adult Person, or of Three Children under Fourteen Years of Age, for every One Ton and a Half of the Burthen, as described in the Certificate of Registry; and if any such Ship shall be partly laden with Goods, then the Master shall not receive or take on board a greater Number of Persons than in the Proportion of One adult Person, or of Three Children under Fourteen Years of Age, for every One Ton and a Half of that Part remaining unladen. 57 Geo. 3. c. 10. § 4.

15. Every such Ship shall be furnished, at the Time of her Departure, with at least Twelve Weeks Supply of Water, so as to supply Five Pints of Water per Day for every such Passenger, exclusive of the Crew, to be stowed below the Deck; and shall be furnished with such a Supply of Provisions as will afford an Allowance for every Passenger, exclusive of the Crew, during the said Period of Twelve Weeks, of 1 lb. of Bread or Biscuit, and 1 lb. of Beef or Three Quarters of a Pound of Pork per Day; and also 2 lbs. of Flour, 3 lbs. of Oatmeal, or 3 lbs. of Peas or Pearl Barley, and Half a Pound of Butter, weekly; the weekly Allowance to commence on the Day the Vessel puts to Sea. 57 Geo. 3. c. 10. §5. 16. The

#### Penalty for taking a greater Number than allowed.

What Number may be carried in Proportion to the Tonnage.

To be supplied with a certain Quantity of Water and Provisions,

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### Bassengers.

16. The Master of any Ship failing to give out the Not giving out Allowance of Provisions and Water before specified, shall the Allowance. forfeit £10 for every such Neglect. 57 Geo. 3. c. 10. §6.

17. An Abstract of this Act, stating the Number of An Abstract of Passengers allowed to be taken, and the daily and weekly the Act to be Allowance of Water and Provisions, shall be exposed in the some conspicuous Part of the Ship, to which the P some conspicuous Part of the Ship, to which the Passengers have Recourse; in Failure of which the Master shall forfeit £10. 57 Geo. 3. c. 10. § 7.

18. Penalties and Forfeitures may be recovered in a How Penalties summary Way, on the Oath of One Witness, before any and Forfeitures One of His Majesty's Justices of the Peace of any to be recovered County, City, Riding, Shire, or Place in the United Kingdom, where such Vessel shall depart from or come to, or in a summary Way in any Court of Session having Jurisdiction in the Port or Place at which such Ship shall arrive; and One Moiety of such Penalty shall be applied to the Use of His Majesty, and the other Moiety to the Use of such Person as shall first sue for the same. 57 Geo. 3. c. 10. § 8.

19. But not to affect any Law or Custom now in force Not to affect in the United Kingdom, for the Restriction or Regula- Ships taking tion of Artificers and others from or in going or passing from the said Kingdom to Parts beyond Sea, or to regulate the Ships conveying such Artificers, or the Masters of such Ships; but that such Laws and Customs shall remain in force as if this Act had not been made. 57 Geo. 3. c. 10. § 9.

#### Pearls,

May be exported from Malta, or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or raltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55.Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1.

See GIBRALTAR. MALTA.

Deas. See "Corn."

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and disposed of.

Artificers.

To be deemed

May be mitigated or remitted by the Treasury.

Upon such Terms and Conditions as they may think fit.

Importation allowed from Malta or Gibraltar.

## Penalties.

1. All Penalties incurred in the British Colonies or Phintations in America, under any Law relative to Trade or Revenue, shall be sued for and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises; and in Cases where there shall happen to be no such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Cause of Prosecution arises, and (the necessary Charges for the Recovery thereof being first deducted) shall be divided, One Moiety to His Majesty, and the other Moiety to the Prosecutor. 4 Geo.3. c. 15. § 40. 49 Geo. 3. c. 107. § 1.

2. Money imposed as Penalties by any Act of Par-Sterling Money. liament relating to the Customs, which shall be incurred or recovered in any of the British Colonies or Plantntions in America, shall be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be taken according to the Proportion and Value of 5s.6d, the Ounce in Silver. 4 Geo. 3. c. 15. § 41.

3. The Commissioners of the Treasury, or any Three or more of them, may mitigate or remit any Penalty which shall have been incurred, or any Part of any such Penalty, under any Law relating to the Trade and Navigation of this Kingdom. 54 Geo. 3. c. 171. § 1.

4. In any Case wherein the said Commissioners of the Treasury shall exercise the Powers hereby vested in them, such Penalties, or any Part thereof, shall be remitted or mitigated in such Manner, and upon such Terms and Conditions, as to Costs or otherwise, as under the Circumstances of the Case the said Commissioners shall think fit to direct; and no Person shall be entitled to the Benefit of any such Order, unless the Terms and Conditions shall be complied with. 54 Geo. 3. c. 171. § 2.

#### Dickles,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBPALTAR. MALTA.

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#### Pimento.

1. Of the Production or Manufacture of the British Not to be ex-Plantations in America, shall not be shipped or conveyed ported, unless to from any of the said Plantations to any Place, inless to plantation, or some other Plantation belonging to His Majesty, or to Great Britain Great Britain or Ireland. 12 Car. 2. c. 18. §18. 4 Geo. 3. or Ireland. c. 15. § 27., 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4.8.

For the Restrictions, Penalties, and Forfeitures to secure the landing in the Plantations, or in Great

Britain or Ireland,

See Ashes, Pot and Pearl.

2. There shall be paid unto His Majesty, for every Duty upon Im-Pound Weight Avoirdupois of British Pimento which portation of British Pimento. shall be imported into any British Colony or Plantation in America, One Halfpenny, (except only such British Pimento as shall be warehoused under the Regulations and Restrictions herein-after mentioned); and such Duty shall be deemed and taken to be Sterling Money of Great Britain, and be received to the Amount of the Value which such nominal Sums bear in Great Britain, and may be taken according to the Proportion and Value of 5s. 6d. the Ounce in Silver 6 Geo. 3. c. 52. § 4. 12.

3. The Duty shall be collected, paid, and recovered How to be colin the same Manner and Form, and by such Rules, and appropriated. Ways, and Means, and under such Penalties and Forfeitures, as any other Duties now payable to His Majesty upon Goods imported into the said Colonies or Plantations are or may be collected, &c. by any Act now in force, as effectually as if the Clauses relating thereto were particularly repeated and again enacted in this Act; and all the Monies that shall arise by the said Duties (except the necessary Charges of collecting, levying, recovering, paying, and accounting for the same) shall be paid into the Receipt of His Majesty's Exchequer, entered separate and apart from all other Monies paid or payable to His Majesty, and shall be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 3. c. 52. § 12.

4. Provided that no Duty shall be paid for any British If warehoused Pinento which shall be imported or brought into any to Great Britain British Colony or Plantation in America, if upon landing or Ireland, or thereof it is immediately deposited in Warehouses pro- some other

lected, recovered,

vided British Colony,

the Duty not to be charged.

vided at the sole Expence of the Importer or Proprietor of such Pimento, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller or other Principal Officer of the Customs at the Port or Place where the Pimento shall be imported, and shall be secured under the separate Locks of such Officers and the Proprietor, and within the Space of Twelve Calendar Months from the Landing and Warehousing the same, be shipped directly from thence for Exportation, either to Great Britain, Ireland, or to some other British Colony or Plantation in America, under the like Securities and Restrictions as are required by Law for the same. 6 Geo. 3. c. 52. § 15. 39&40 Geo. 3.c. 67. Art. 6.

Bimento.

5. If the Importer or Proprietor of any Pimento warehoused as aforesaid, shall not pay the Duty, nor export the Goods within Twelve Calendar Months, the Collector and Comptroller, or other Principal Officer of the Customs at the Port or Place where such Goods shall be secured, may cause the same to be publicly sold to the best Advantage; and the Money arising by such Sale shall be in the first Place applied in Discharge of the Duties, and the Charges attending such Sale, and the Smplus (if any) shall be paid to the Importer or Proprietor who landed and warchoused such Pimento, or to such other Person as shall be duly authorized to receive the same. 6 Geo. 3. c. 52. § 17.

6. May be exported from the West India Islands to the Territories of the United States of America by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law. 28 Geo. 3. c. 6. § 3.

7. Where, on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods, and a Certificate is required to discharge such Bond \*, a similar Bond shall be required on Exportation to the United States; and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul, or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Pur-

\* A Bond is so required on the Exportation of Pimento. See No. 1.

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Not exported or Duty paid, the Goods may be sold.

May be ex. ported to the United States.

If Bond required when exported to a British Colony, Bond to be required on Exportation to the United States. roprietor tion and ctor and istoms at mported, of such Space of d Wareence for to some a, under iired by 0 Geo. 3.

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#### Pimento.

pose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate by the Master of the Ship that the Goods were duly landed. 28 Geo. 3. c. 6. § 4.

8. The Growth and Produce of any of His Majesty's Exportation al-Sugar Colonies or Plantations in America, may be shipped lowed to Malta and exported direct to the Island of Malta or the Dependencies thereof, or to Gibraltar, in such Ships or Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

> See GIBRALTAR. MALTA.

#### Pistaccio Ruts,

May be exported from Malta or any of the Dependen- Importation cies thereof, or from Gibraltar, direct to any of His allowed from Malta or Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA.

#### Pitch, Tar, and Turpentine.

1. Of the Production or Manufacture of the British Not to be ex-Plantations in America, shall not be shipped or con-ported, unless to some other veyed from any of the said Plantations to any Place, Plantation, or unless to some other Plantation belonging to His Ma- Great Britain or jesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. e. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8. For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great

Britain or Ireland,

See Ashes, Pot and Pearl.

Ireland.

#### May be imported from rit United States into the West po India Islands and Guiant in British Vessels; into

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and into Bermuda in Foreign Vessels,

Not to be imported from Colonies under European Sovereigns;

except in case of Distress, for the Supply of the Inhabitants;

#### Bitch, Tar, and Turpentine.

2. The Production or Manufacture of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana; but not to be so imported except by British Subjects, and in Britishbuilt Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

3. The Production or Manufacture of the said Territories, may be imported from thence into St. George or Hamilton, in the Island of Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Vessels, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

4. Not to be imported into His Majesty's West India Islands (including the Bahama and Bernuda or Somers Islands), or into the Colonies of Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantations on the Continent of South America, under the Dominion of any Foreign Enropean Sovereign or State, on Forfeitnre thereof and the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

5. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils; may authorize the Importation of Pitch, Tar, and Turpentine, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies respectively; but not to be so imported except by British Subjects, and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

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Bitch, Tar, and Turpentine.

6. During the Continuance of the Treaty with Por- and from the tugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, Pitch, Tar, and Turpentine, being the Production or Manufacture of some of the Territories or Dominions belonging to the Crown of Portugal in South America; such Pitch, &c. being imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. e. 47. § 5. 56 Geo. 3. c. 91.

7. In case any Pitch, Tar, or Turpentine, which shall have been imported from any Island in the West Indies, or Golony on the Continent of South America, under the Dominion of any, Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Articles of the Inhabitants, (See No. 5.) shall be exported from any of like Denominathe said Islands or Colonies, or put on board any Vessel or Boat, or brought to any Quay with Intent to be so exported, the same shall be forfeited, as also the Ship or Boat in which laden; and before shipping any Pitch, Tar, and Turpentine, that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

8. If any Person shall be convicted of taking a false False Oaths Oath, touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. §3. 31 Geo. 3. c. 38. §5.

9. Goods and Vessels forfeited by these Acts may be By whom Goods seized by the Commanders of any of His Majesty's Ships and Vessels may or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c.6. § 16. 29 Geo. 3. c. 56. § 4. 31 Geo. 3. c. 38. 56 Geo 3. c. 91. 10. Of

Portuguese Colonies.

Having been imported for Supply of Inhabitants, not to be exported ; and Oath to be taken before shipping tion.

deemed Perjuiv.

be seized.

# Ditch, Tar, and Turpentine. 10. Of the Production or Manufacture of any of the Ter-

ritories of the United States of America, may be imported

from thence into the Provinces of Nova Scotia or New

Brunswick, by British Subjects and in British-built Ships, owned by His Majesty's Subjects and navigated accord-

11. Any British-built Vessel owned and navigated

according to Law, or any Vessel belonging to the Sub-

jects of any Sovereign or State in Amity with His Ma-

jesty, may import Pitch, Tar, and Turpentine into such

Ports as shall be specially appointed by His Majesty,

with the Advice of His Privy Council, for that Purpose,

within the Provinces of Nova Scotia or New Brunswick;

provided that the said Articles shall not be imported in

Foreign Vessels, unless of the Growth or Produce of the

Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel owned

12. His Majesty, with the Advice of His Privy Coun-

cil, may make such Rules and Regulations for the Import-

ation and Exportation of the said Articles at the said

Ports, with such Penalties and Forfeitures for the Breach

thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

Three Years from and after the passing of the same\*,

and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

13. This Act shall continue in force for the Space of

and navigated according to Law.

33 Geo. 3. c. 50. § 14.

May be imported into Nova Scotia or New Brunswick in British Ships ;

ing to Law.

§ 1, 2, 3.

and into Ports to be approved by His Majesty in the said Provinces in Ships of States in Amity;

under such Rules as His Majesty shall think fit.

Limitation of the Act.

A Free Port.

In Crooked Island, one of the Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

Pitt's Lown.

#### Porto Rico.

Any Person may import, in British-built Ships, owned, navigated, and registered according to Law, into the

\* 8th May 1818.

Islands

58 Geo. 3. c. 19.

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Timber may be imported from thence.

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Coun-Importthe said Breach Majesty, **19**. § 6. Space of sange\*, he then 7.

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Islands

### Porto Ríco.

Islands under the Dominion of His Majesty in the West Indies, from Porto Rico, certain Species of Timber, the Growth or Production thereof. 33 Geo. 3. c. 50. § 13. See WOOD.

### Portuguese Colonies.

Certain Articles which may be imported into His Ma- The same jesty's West India Islands, and the Colonies of Demerara, imported from Berbice, and Essequibo, from the United States, in thence as from British-built Ships, owned, navigated, and registered the United according to Law, may also be imported into the said States. Islands and Colonies from any of the Territories or Dominious belonging to the Crown of Portugal in South America. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1. See UNITED STATES.

#### Doultry. See "Live Stock,"

#### 100330lona,

May be imported from Malta or any of the Dependen- Importation cies thereof, or from Gibraltar, direct to any of His Ma- allowed from jesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law, 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

> See GIBRALTAR. MALTA.

#### Precious Stones,

1. May be imported from any of the Colonies or May be im-Plantations in America, or from any Country on the ported into the Continent of America, belonging to or under the Domi- Foreign Vessels. nion of any Foreign European Sovereign or State, into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. c. 22.

See FREE PORTS.

2. May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Malta or Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Q

Malta or Gibraltar.

# Precious Stones.

to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

# prince Edward's Island.

Wines from the Madeiras or

for the Fishery.

1. Wines of the Madeiras, or of the Western Islands or Azores, may be there laden for Exportation to any of Western Islands, or Azores, may be there later in 1970 and 19700 and

2. Goods fit and necessary for the Fishery in the British Colonies in America, may be exported to Colonies where such Fishery is carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.

See GUERNSEY.

#### JERSEY:

Hermis from the Isle of Man.

Fools and Imple-

ments for the

Fisheries from

Spirits may be

Lower Canada

exported to

on the same

Duty as from

Sugar Colonies,

thenre.

3. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies or Plantations, in the same Manner as Victuals from Ireland. 12 Geo. 3. c. 58. §4.

See MAN.

4. Tools and Juplements necessary for the Fisheries in the British Colonies, may be exported direct to the said Colonies from the Isle of Man. 15 Geo. 3. c. 31. §5. See MA.

5. Spirits, the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, legally imported into Prince Edward's Island from the said Sugar Colonics, or from Bermuda, may be exported from the said Island to Lower Canada, and admitted to Entry on Payment of the same Duty as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 48. § 1. See Spirits.

6. Spirits, the Produce or Manufacture of His Majesty's Sugar Colonies in the West Indies, imported direct into Bermuda from the said Colonies, may be ported from Bermuda to Prince Edward's Island, and admitted to Entry on Payment of the same Duty as it imported direct from the said Sugar Colonies; and under the Conditions of 28 Geo. 3. c. 39. may be imported into the said Island without Payment of Duty, in the same manner as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 62, §1, 2.

See Spirits.

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May be im ported from Bermuda on the same Conditions as if direct from Sugar Colonies.

7. Fruit.

Majesty's in Britishaccording 3. c. 4.

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rn Islands to any of c. 7. § 7. ery in the o Colonies Guernsey

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His Maimported y be 🛋 and, and uty as if **id u**nder rted into he same id Sugar

. Fruit.

# prince Edward's Island.

7. Fruit, Wine, Oil, Salt, or Cork, the Produce of Fruit, Wine, Europe Sonth of Cape Finisterre, may be laden in any Port or Place of Europe within the said Limits, for Exportation direct to Charlotte Town in Prince Edward's Island, on board any British Ship, owned, navigated, South of C and registered according to Law, which shall have arrived at any Port or Place of Enrope with Articles the Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with any of the Goods mentioned in this Act, from Canada, whether the Produce of Canada or brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

Sec	CORK.
	FRUIT.
	Oil.
	SALT.
	WINE.

8. Any British-built Ship, navigated and registered Certain Articles 8. Any Bruisn-built Ship, havigated and registered may be imported according to Law, may load at Malta or any of the from Malta or Dependencies thereof, or at Gibraltar, any of the Articles Gibraltar. enumerated in the Schedule (B.) annexed to 55 Geo. 3. c. 29. for Exportation direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

9. Any Article the Production or Manufacture of any Certain Articles of His Majesty's Colonies or Plantations in North may be exported America, or any Article which has been legally imported Gibraltar. into such Colonies or Plantations, may be exported from thence direct to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

See GIBRALTAR.

MALTA.

10. Oranges and Lemons, the Growth of the Azores Oranges and or Madeiras, may be there laden for Exportation direct Lemons may be imported from to any of the British Colonies or Plantations in North the Azores or America, on board any British Ship navigated and re- Madeiras. gistered according to Law. 57 Geo. 3. c. 89.

Cork, may be imported from Ports of Europe South of Cape

Importation allowed from Malta or Gibraltar. May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. See GIBRALTAR.

MALTA.

### Provisions.

1. Bread, Biscuit, and Potatoes, the Production of any of the Territories of the United States of America, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama and Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the **Province of Guiana**; but the said Articles shall not be so imported except by British Subjects and in Britishbuilt Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship 28 Geo. 3. c. 6. § 1, 2. 56 Geo. 3. c. 91. § 1.

2. Bread, Biscuit, and Potatoes, the Production of the said Territories, may be imported from thence into Saint George or Hamilton in Bermuda, in any Foreign Vessel belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in Britishbuilt Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

3. No Bread, Biscuit, or Potatoes shall be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 10. 31 Geo. 3. c. 38. § 1.

4. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commanders in Chief of any of the said Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of Demerara, Berbice, or Essequibo, with the Advice and Consent Conse Impor Time, Planta to any Supply except owned thereo c. 38.

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6. been Colon Domi into a rara, i bitant Island Boat, the sa Boat i the lik any su before Part t rity as Colon Domi 29 G 56 G 7. Oath on Oa and b

and Potatoes may be exported from the United States into the West India Islands and Colonies in Guiana, in British Ships;

Bread, Biscuit,

and into Bermuda in Foreign Ships, and exported by British.

Not to be imported from Colonies under Foreign European Sovereigns;

except in case of Distress, for the Supply of the Inhabitants.

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#### Provisions.

Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, and Potatoes, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but the said Articles shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

5. During the Continuance of the Treaty with Por- and from thetugal, any Person may import into any of the said Portuguese West India Islands (including the Bahama and Bermuda South America. or Somers Islands), or Demerara, Berbice, or Essequibo, any Bread, Biscuit, or Potatoes, being the Growth or Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America, and imported directly from the said Territories or Dominions in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 1.

6. In case any of the said Articles which shall have Imported for thebeen imported from any Island in the West Indies, or Supply of the Colony on the Continent of South America, under the to be exported; Dominion of any Foreign European Sovereign or State, and Oath to be into any of His Majesty's West India Islands, or Demerara, Berbice, or Essequibo, for the Supply of the Inha- of the like Debitants, (see No. 4.) shall be exported from any of the said nomination. Islands or Colonies, or put on board any Ship, Vessel, or Boat, or brought to any Quay with Intent to be exported, the same shall be forfeited, as also the Ship, Vessel, or Boat in which laden; and before shipping any Article of the like Denomination that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs that the same or any Part thereof had not been so imported under such Authority as aforesaid, from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 31 Geo. 3. c. 38. § 3, 4.. 29 Geo. 3. c. 56. § 1, 2. 56 Geo. 3. c. 91. § 1.

7. If any Person shall be convicted of taking a false Taking false Oath touching any of the Facts required to be testified Oaths deemed Perjury. on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons.

#### May be imported from the United States for the Supply of the Inhabitants of Nova Scotia, &c. in case of Distress.

And in case of Necessity, Bread may be imported for the Supply of the Inhabitants and Fishermen of Newfoundland.

Bread, Biscuit, and Potatoes may be imported to be re-exported from Nova Scotia, &c.

May be imported into Ports to be approved of in Nova Scotia or New Brunswick, in Vessel: of State, in Amity; sons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

8. In case of public Emergency or Distress, the respective Governors, Lieutenaut Governors, and Commanders in Chief of Nova Scotia or New Brunswick, Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, or Potatoes, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants of the said Provinces or Islands; but such Commodities shall not be imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

9. His Majesty, by Order in Council to be issued and published, or by Warrant under his Sign Manual, may empower the Governor of Newfoundland to authorize, in case of Necessity, the Importation of Bread from any of the Territories belouging to the said United States, for the Supply of the Iuhabitants and Fishermen of the said Island, for the then ensuing Season only; but such Bread shall not be imported except in conformity to such Regulations and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in Britishbuilt Ships, owned and navigated according to Law, on Forfeiture thereof, with the Ship. 28 Geo. 3. c. 6. § 13.

10. Any of the Governors, Lieutenant Governors, cr Commanders in Chief for the Time being of Nova Scotia or New Brunswick, or Cape Breton, or Saint John's, with the Advice and Consent of their respective Councils, may authorize the Importation of Bread, Biscuit, ot Potatoes, for a limited Time, from any of the Territories of the United States of America, for the Purpose of being re-exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 8.

11. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import into such Ports as shall be specially appointed for that Purpose within the Provinces of Nova Scotia or New Brunswick, the following Articles, viz. Bread, Biscuit, and Potatoes; provided that none of the said said Ar of the Vessel said An Kingdo any Br to Law 12.

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#### Provisions.

said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. §1, 2, 3.

His Majesty, with the Advice of His Privy upon such Con-12. Council, may make such Rules and Regulations for the Importation and Exportation of the said Articles at the think fit, said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. §6.

13. This Act shall continue in force for the Space of Limitation of Three Years from and after the passing of the same\*, the Act. and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. §7.

14. His Majesty in Conncil, by Order to be issued and published, may authorize, in case of Necessity, the Importation of Bread as well into Quebec as into all the Supply of the Countries bordering on the Gulf of Saint Lawrence, and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories of the United States of America, for the Supply of the Persons employed in or carrying on the Fisheries; but such Bread shall not be imported except in conformity to such Regulations and Restrictions as shall be specified in such Order, and except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 29 Geo 3. c. 16. § 1.

15. In case of public Emergency and Distress, the Bread, Biscuit, Governor of Quebec, or the Lieutenant Governor or or Potatoes may Commander in Chief, with the Consent of the Council of De imported into Quebec, &c. for the Province, may authorize the Importation by Sea or the Supply of Coastwise into Quebec, or into the Countries or Islands the Inhabitants. within the Government thereof, or up the River Saint Lawrence from the Sea, of Bread, Biscuit, or Potatoes, for a limited Time, from the United States of America, for the Supply of the Inhabitants of the Province, and of

\* 8th May 1818.

ditions as His Majesty shall

Bread may be imported into Quebee for the Persons carrying on the Fisheries.

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the said Countries and Islands within the Government thereof; but the said Articles shall not be imported except by British Subjects in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

16. The Goods and Ships forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships of War, or by any Commissioned, Warrant, or Petty Officer specially anthorized by them, or by any Officer of the Customs. 26 Geo. 3. c. 6. 29 Geo. 3. c. 16. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8, 31 Geo. 3. 56 Geo. 3. c. 91. c. 38.

17. The Inhabitants of Guernsey and Jersey may lade on those Islands, and transport directly to the British North American Colonies where the Fishery is carried on, any Sort of Food or Victuals fit and necessary for the Fishery, or for the Support of the Mariners or Persous on board the Ships or on Shore in carrying on the the said Fishery; such Food or Victuals being the Produce or Mainfacture of the said Islands, or of Great Britain or Ireland. 9 Geo. 3. c. 28. § 1.

See GUERNSEY.

JERSEY.

18. The Inhabitants of the Isle of Man may export from thence to the British Colonies or Plantations in America, in British-built Ships, owned, navigated, and registered according to Law, Herrings caught and cured by them, in the same Manner as Victuals may be imported into the said Colonics or Plantations from Ireland. 12 Geo. 3. c. 58 §4.

See MAN.

19. For the Conditions upon which Vessels which land Provisions at any of the British Sugar Colonies in the West Indies, may import Spirits without Payment of Duty into the following Provinces and Islands belonging to His Majesty, in North America, viz. Canada, Nova Scotia, New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland, See SPIRITS. 28 Geo. 3. c. 39. 30 Geo. 3. c. 8. 51 Geo. 3. c. 62. 53 Geo. 3. c. 37.

# pumice Stone and punk,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or 6 to

Herrings from the Isle of Man.

Vessels landing Provisions may import Spirits Duty-free.

Importation allowed from Malta or Gibraltar.

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to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. Law.

See GIBRALTAR. MALTA.

# **Muchec.** See "Canada." Duicksilver, Raisins, and . Rhubarb.

May be exported from Malta or any of the Depend- Importation encies thereof, or from Gibraltar, direct to any of His Allowed from Malta or Majesty's Sugar Colonies or Plantations in America, or Gibraltar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. Law. See GIBRALTAR.

MALTA.

#### Registry of British Ships.\*

1. Every Ship or Vessel having a Deck, or being of Ships having a the Burthen of Fiftcen Tons or upwards, belonging to Deck, or being any of His Majesty's Subjects in Great Britain, Guern- be registered. sey, Jersey, the Isle of Man, or of any of the Colonies, Plantations, or Territories in Asia, Africa, or America, in the Possession of His Majesty, shall be registered; and the Persons claiming Property therein shall obtain a Certificate of Registry from the Collector and Comptroller of the Customs in Great Britain or the Isle of Man, or from the Governor, Lieutenant Governor, or Commander in Chief, and Principal Officers of the Customs in Guernsey or Jersey, or in any of the said Colonies, Plantations, or Territories; and the Form thereof shall be as follows; viz.

N pursuance of an Act passed in the 26th Year of the Reign of King George the Third, intituled

An Act (here insert the Title of the Act, the Names,

<sup>6</sup> Occupation, and Residence of the Subscribing

\* A similar Act passed in Ireland for the Registry of Ships in that Part of the Kingdom .- See Irish Act, 27 Geo. 3. c. 23. Owners)

of 15 Tons, to

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#### Registry of British Ships.

' Owners) having taken and subscribed the Oath required by this Act, and having sworn that he (or ' they) together with (Names, Occupation, and Resi-' dence of Non-subscribing Owners) is (or are) sole · Owner (or Owners) of the Ship or Vessel called the (Ship's Name) of (Place to which the Vessel belongs) whereof (Master's Name) is at present Master, and that the said Ship or Vessel was (when and where built or captured, and Date of Condemnation); and (Name and Employment of the Surveying Officer) having certified to us that the said Ship or Vessel is (whether British, Foreign, or British Plantation-built), has (Number of Decks) Decks and (Number of Masts) Masts; that her Length from the Fore-part of the Main Stem to the After-part of the Stern Post Aloft is (Number of Feet and Inches), her Breadth ' at the broadest Part, whether above or below the Main-Wales (Number of Feet and Inches), her Height between Decks (Number of Feet and Inches if more than One Deck, and if not, then the Depth of the Hold, Number of Feet and Inches), and admeasures (Burthen) Tons; that she is (Kind of Vessel and how built), has (whether any or no Gallery) Gallery and (Kind of Head, if any) Head; ' and the said Subscribing Owners having consented and agreed to the above Description and Admeasurement, and having caused sufficient Security to be given, as is required by the said Act, the said (Kind and Name of the Vessel) has been duly registered at the Port of (Name of the Port).

' Given under our Hands and Seals of Office, at · the Custom-house in the said Port of (Name of ' the Port) this (Date) Day of (Name of the ' Month) in the Year (Words at Length).' 26 Geo. 3. c. 60. § 3.

2. No Registry shall be made in any other Port than that to which the Ship shall belong, (except Ships condemned as Prize in Guernsey, Jersey, or Man, which shall be registered in Manuer herein-after directed); and every Register granted in any Port to which any such Ship does not belong, shall be void, unless the Officers shall be specially empowered to grant it in any other Port, by Order under the Hands of any Four of the Commissioners of the Customs in England, or any Three of the Commissioners in Scotland. 26 Geo. 3. c. 60. § 4. 10 3. The

And at the Post to which the Vessel belongs, unless by Order of the Commissioners, except Vessels condemned as Prize in Guernsey, &c.

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5. No a whole Fishery the Part Nova S of Saint of the 1 within t 27 Geo 6. N

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rt thau s collh shall ; and y such **Officers** r Port, Comiree of § 4. . The

#### Registry of British Ships.

3. The Port to which any Ship shall be deemed to What to be belong, shall be the Port from and to which she shall deemed the Port usually trade, or (being a new Ship) shall intend to trade, helongs. and at or mear which the Husband, or acting and managing Owner, usually resides. 26 Geo. 3. c. 60. § 5.

4. No Ship of War or other Vessel the Property of Exception as to His Majesty or the Royal Family, or any Lighters, Vessels of the Royal Family, Barges, Boats, or Vessels of any Description used solely or used solely in in Rivers or Inland Navigation, shall be required to be Inland Navigaregistered. 26 Geo. 3. c. 60. § 6.

5. No Vessel not exceeding 30 Tons, and not having Also as to cera whole or fixed Deck, and being employed solely in the tain Vessels en-Fishery on the Banks or Shores of Newfoundland, and of ployed in Fishing the Parts adjacent, or on the Banks or Shores of Quebec, Trade in the Nova Scotia, or New Brunswick, adjacent to the Gulf North American of Saint Lawrence, and to the North of Cape Canso, or of the Islands within the same, or in trading Coastwise within the said Limits, shall be subject to be registered. 27 Geo., 3. c 19. § 8.

6. No Subject of His Majesty whose usual Residence Owners residing is in any Country not under the Dominion of His in Countries not Majesty, shall be entitled (during the Time he shall minion of His continue so to reside) to be the Owner in whole or in Majesty. part of any British Ship required to be registered, unless he be a Member of some British Factory, or Agent for or Partner in any House or Copartnership actually carrying on Trade in Great Britain or Ireland. 26 Geo. 3. c. 60. § 8.

7. No Registry shall be made until the following Oath Oath to be taker. be taken, before the Persons authorized to make Registry, by the Owners on by the Owner, if owned by One Person, or if Two a certain P Owners, then by both, if both resident within Twenty Owners. Miles of the Port where such Register is required, or by one if one or both of them shall be resident at a greater Distance from such Port; or if the Number of Owners shall exceed Two, then by the greater Part, if the greater Number shall be resident within Twenty Miles of such Port, not in any Case exceeding Three, or by one of such Owners if all shall be resident at a greater Distance.

LA. B. of (Place of Residence and Occupation), do make Oath that the Ship or Vessel (Name) of ' (Port or Place) whereof (Master's Name) is at ' present Master; being (Kind of Built, Burthen, &c. ' as described in the Certificate of the Surveying ' Officer), was (when and where built, or if Prize, Capture

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## Begistry of British Ships.

' Capture and Condemnation); and that I the said A. B. (and the other Owners Names and Occupa-' tions if any, and where they respectively reside, ' videlicet, Town, Place, or Parish, and Country; or · if Member of and resident in any Factory in Foreign ' Parts, or in any Foreign Town or City, being an ' Agent for or Partner in any House or Copartner-' ship actually carrying on Trade in Great Britain or ' Ireland, the Name of such Factory, Foreign Town, ' or City, and the Names of such House or Copart-' nership) am (or are) sole Owner (or Owners) of the ' said Vessel; and that no other Person or Persons ' whatever hath or have any Right, Title, Interest, ' Share or Property therein or thereto; and that I the said A. B. (and the said other Owners, if any) am (or ' are) truly and bona fide a Subject (or Subjects) of Great ' Britain; and that I the said A. B. have not (nor ' have any of the other Owners to the best of my Knowledge and Belief) taken the Oath of Allegiance ' to any Foreign State whatever, (except under the ' Terms of some Capitulation, describing the Par-' ticulars thereof,) or that since my taking (or his or their taking) the Oath of Allegiance to (naming the ' Foreign States respectively to which he or any of ' the said Owners shall have taken the same), and prior to the passing of an Act in the Twenty-sixth Year of the Reign of King George the Third, inti-' tuled ' An Act for the further Increase and Encouragement of Shipping and Navigation,' I have (or ' he or they hath or have) become a Subject (or Subiects) of Great Britain, (either by His Majesty's Letters Patent as a Denizen or Denizens, or natu-' ralized by Act of Parliament, as the Case may be, ' naming the Dates of the Letters of Denization, or ' the Act or Acts of Parliament for Naturalization, ' respectively), or (as the case may be) I have (or he or ' they hath or have) become a Denizen (or Denizens, ' or naturalized Subject or Subjects, as the case may ' be) of Great Britain, by His Majesty's Letters · Patent, or by an Act of Parliament passed since ' the First Day of January One thousand seven hun-' dred and eighty-six, (naming the times when such ' Letters of Denization have been granted respectively, ' or the Year or Years in which such Act or Acts for ' Naturalization have passed respectively); and that 6 110

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#### Registry of British Ships.

' no Foreigner, directly or indirectly, hath any Share

or Part or Interest in the said Ship or Vessel.' 26 Geo. 3. c. 60. § 10.

8. Any Oath taken for the sole Purpose of acquiring the Rights of a Citizen or Burgher in any Foreign City or Town in Europe, to be enjoyed during the Time that the Person taking such Oath shall reside in such City or State. Town, and for a limited Time after such Residence shall have expired, shall not be deemed an Oath of Allegiance to a Foreign State. 27 Geo. 3. c. 19. § 4.

9. In case the Number of joint Owners shall amount Addition to the to Three or more, and Three shall not personally attend to take the Oath, then such Owners as shall attend shall Three Owners, further make Oath that the Part Owners then absent are not resident within Twenty Miles of such Port, and have not (to the best of their Knowledge or Belief) wilfully absented themselves to avoid taking the Oath, or are prevented by Illuess from attending. 26 Geo. 3. c. 60. § 11.

10. On obtaining Registry of a Ship belonging to the Who may take East India Company, or other Body Corporate, the Oath the Ships belong to may be taken by the Secretary of such Company, &c. Corporate or any other Officer authorized by them, as follows; Bodies, videlicet,

**T** A. B. Secretary or Officer (Name of Company · I or Corporation) do make Oath that the Ship or ' Vessel (Name) of (Port or Place) whereof (Master's ' Name) is at present Master, being (Kind of Built, ' Burthen, &c. as described in the Certificate of the Surveying Officer) was (when and where built, or if ' Prize, Capture and Condemnation); and that the same doth wholly and truly belong to (Name of ' Company or Corporation.)' 27 Geo. 3. c. 19. § 5.

11. Ships built in Newfoundland, and in those Parts Ships built in of Quebec, Nova Scotia, and New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, on ac- Husband or count of Owners residing in His Majesty's European Dominions, may be registered in Newfoundland and its Dependencies, or in the Ports of Quebec, Nova Scotia, or New Brunswick, adjacent to the Gulf of Saint Lawrence and to the North of Cape Canso, or in the Islands within the said Limits, upon the principal Husbands or Agents of the Ships taking the Oath required instead of the Owners; and the Certificates granted shall be of the like Force as if granted upon the Oath of the Owners, until

What shall not be deemed an Oath of Allegiance to a Foreign

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North America for European Owners, the Agent may take the Oath.

# Registry of British Ships.

until such Ships arrive in some Port of His Majesty's European Dominions, where they may be registered upor the Oath of the Owners; and whenever such Ships shalt first arrive in any such Port of His Majesty's Dominions, the Register granted in pursuance of this Act shall be void, and be delivered up to be cancelled, and such Ships shall be registered de novo, upon the Oath of the Owners, and the other Requisitions of 26 Geo. 3. c. 60. being complied with. 27 Geo. 3. c. 19. § 9.

12. Persons appointed by the Commissioners of the Customs, or by the Governor, Lieutenant Governor, or Commander in Chief in Guernsey, Jersey, and Man, or of the Colonies, Plantations, or Territories, taking to their Assistance (if they shall judge it necessary) any Person skilled in the Building and Admeasurement of Ships, shall accurately examine and admeasure every Ship as to every Particular contained in the Form of the Certificate, in the Presence of the Master or of any Person who shall be appointed for that Purpose on the Part of the Owners, or in their Absence by the Master, and shall deliver a true Account in Writing of such Particulars, of the Built, Description, and Admeasurement, as are specified in the Form of the Certificate, to the Person authorized to make Registry; and the Master or Person attending shall sign his Name to the Certificate of such surveying or examining Officer, in Testimony of the Truth thereof, provided he shall agree to the Particulars described therein. 26 Geo. 3. c. 60. § 12.

13. Any Person so appointed who shall wilfully deliver to any Per on authorized to make Registry a false Description of any of the Particulars required, or any Person authorized to make Registry who shall knowingly make any false Register, or grant any false Certificate in regard to the Particulars required, on being convicted in any of His Majesty's Courts of Record at Westminster, in the Court of Justiciary or the Court of Exchequer in Scotland, or in any Court of Record in the Colonies, Plantations, or Territories, or in the Royal Court in Guernsey or Jersey, the in the Superior Court of Justice in the Isle of Man, shall forfeit  $\not\equiv$  100, and be incapable of holding any Office or Employment under His Majesty. 26 Geo. 3, c. 60, § 13.

14. The Tonnage of any Ship, when afloat, shall be ascertained by the following Method, viz.

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# Registry of British Ships.

' Drop a Plumb Line over the Stern of the Ship, and ' measure the Distance between such Line and the ' After-part of the Stern Post at the Load Water ' Mark; then measure from the Top of the said · Plumb Line in a parallel Direction with the ' Water, to a perpendicular Point immediately over ' the Load Water Mark at the Fore-part of the ' Main Stem, substracting from such Measurement ' the above Distance, the Remainder will be the ' Ship's extreme Length, from which is to be de-' ducted Three Inches for every Foot of the Load ' Draught of Water for the Rake abait, and also ' Three Fifths of the Ship's Breadth for the Rake ' forward, the Remainder shall be esteemed the ' just Length of the Keel to find the Tonnage; and ' the Breadth shall be taken from Ontside to Out-' side of the Plank in the broadest Part of the Ship, ' either above or below the Main Wales, exclusive ' of all Manner of Sheathing or Doubling that may ' be wrought upon the Side of the Ship; then mul-' tiplying the Length of the Keel for Tonnage by ' the Breadth so taken, and that Product by Half ' the Breadth, and dividing by Ninety-four, the ' Quotient shall be deemed the true Contents of ' the Tonnage.'

Provided always, that nothing herein-before contained Not to alter shall in anywise be construed to alter the Manner of the Manner of Admeasurement of the Tonnage of any Ship heretofore Admeasurement practised for ascertaining the Light Duties, or other Duties. Duties or Imposts whatever payable according to the Tonnage of any Ship or Vessel. 26 Geo. 3. e. 60. § 14.

15. At the Time of Registry, sufficient Security by Bond to be Bond shall be given to His Majesty by the Master, and given that the such of the Owners as shall personally attend, such Security to be approved of and taken by the Person authorized the Ship for to make Registry, in the Penalties following; (that is to which granted, say), if a Decked Vessel, or above 15 Tons and not livered up when exceeding 50 Tons, in £100; if exceeding 50 Tons and the Ship is sold, not exceeding 100 Tons, in £300; if exceeding 100 Tons and not exceeding 200 Tons, in £500; if exceeding 200 Tons and not exceeding 300 Tons, in £800; and if exceeding 300 Tons, in £1000; and the Condition of every Bond shall be, that such Certificate shall not be sold, lent, or otherwise disposed of to any Person, und that the same shall be solely made use of for the Service

#### Registry of British Ships.

vice of the Ship for which it is granted; and that in case such Ship shall be lost or taken by the Enemy, burnt or broken up, or otherwise prevented from returning to the Port to which she belongs, the Certificate, if preserved, shall be delivered up within One Month after the Arrival of the Master in any Port or Place in His Majesty's Dominions, to the Collector and Comptroller of some Port in Great Britain, or of the Isle of Man, or of the British Plantations, or to the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or Jersey; and that if any Foreigner, or any Person for his Use and Benefit, shall purchase or otherwise become entitled to the Whole or any Part or Share of, or any Interest in such Ship, and the same shall be within the Limits of any Port in Great Britain, Guernsey, Jersey, Man, or the British Colonies, Plantations, Islands, or Territories aforesaid, then the Certificate of Registry shall, within Seven Days after such Purchase or Transfer of Property, be delivered up to the Person authorized to make Registry at such Port; and if such Ship shall be in any Foreign Port when such Transfer of Property shall take place, then that the same shall be delivered up to the British Consul or other Chief British Officer resident at or nearest to such Foreign Port; or if such Ship shall be at Sea when such Transfer of Interest or Property shall take place, then that the same shall be delivered up to the British Consul or Chief British Officer at the Foreign Port or Place in or at which the Master shall first arrive after such Purchase or Transfer of Property at Sea, immediately after his Arrival at such Foreign Port; but if such Master, who had the Command at the Time of such Purchase or Transfer of Property at Sea, shall not arrive at a Foreign Port, Lit at some Port of Great Britain, Guernsey, Jersey, Man, or His Majesty's said Colonies, Plantations, Islands, or Territories, then that the same shall be delivered up in Manner aforesaid, within Fourteen Days after the Arrival of such Ship, or of the Person who had the Command thereof, in any Port of Great Britain, Guernsey, Jersey, Man, or any of His Majesty's said Colonies, Plantations, Islands, or Territories; and that if any Mediterranean Pass shall have been obtained for any such Ship, then that the same shall be delivered up at the same Time with the Certificate of Registry, to the Person authorized to receive such Certificate; and such Certificates so delivered up shall forthwith

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# Registry of British Ships.

with be transmitted to the Commissioners of the Customs in England and Scotland, and such Mediterranean Pass shall be transmitted to the Commissioners of the Admiralty, in order that the same may be cancelled. 26 Geo. 3. c. 60. §15.

16. The Commissioners of the Customs, or the The Bond may Governor or Lieutenant Governor, or Commander in Chief of any of the Colonies, Plantations, or Territories Commissioners belonging to His Majesty, in Asia, Africa, or America, may judge fitting. in any Case where it shall appear to them expedient, may permit the said Bond to be taken before any Person and in such Mantler as they shall judge fitting, and such Bond shall be of the like Force as if taken by Persons anthorized to make Registry. 27 Geo. 3. c. 19. §6.

17. When the Master of any Ship registered shall be Upon the changed, the Person who shall become Master shall give Change of Masters, fresh Security by Bond under the Penalties and Conditions of Bond to be given. 26 Geo. 3. c. 60. and this Act; and on such fresh Security being given, and being made to appear by Endorsement on the original Bond, by the Officers in whose Custody it shall be, such original Bond (so far as it relates to the former Master) shall from thenceforth be void, except with respect to any Breach of the Conditions which may have been committed before such Endorsement. 27 Geo. 3. c. 19. § 7.

18. Upon any Transfer of Property to another Port, the Ship shall be registered de novo, upon delivering up the former Certificate to be cancelled; and in case there is any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship after registering Rout to be acthereof, such Sale shall be acknowledged by Endorsement Endorsement. on the Register before Two Witnesses, in order to prove that the entire Property in such Ship remains to the Subjects of England, if any Dispute arises concerning the same. 7 & 8 W. 3. c. 22. § 21.

19. In every Case of any Alteration of the Property in Addition to the any Ship, in the same Port to which she belongs, besides Endorsement on the Endorsement required by 7 & 8 Wm. 3. c. 22., there Property in the shall also be endorsed on the Certificate of Registry, same Port. before Two Witnesses, the Town, Place, or Parish where every Person to whom the Property or any Part thereof shall be so transferred shall reside; or if such Person usually resides in any Country not under the Dominion of His Majesty, but in some British Factory, the Name

be taken before such Persons as

If transferred to another Port, to be registered de novo; and a Sale in the same Port to be ac-

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Certificate to be recited in the Bill of Sale.

fransfers void, if not in Writing.

On Alteration of Property in the same Port, the Endorsement on the Register to be in the Form herein mentioned.

# Registry of British Ships.

of such Factory of which such Person is a Member; or if such Person resides in any Foreign Town or City, and is not a Member of some British Factory, the Name of such Foreign Town or City where such Person usually reaides; and also the Names of the House or Copartnership in Great Britain or Ireland for or with whom such Person is Agent or Partner, shall be endorsed on the Certificate; and the Person to whom the Property shall be so transferred shall also deliver a Copy of such Endorsement to the Persons authorized to make Registry and grant Certificates of Registry, who are required to cause an Entry thereof to be endorsed on the Oath or Affidavit upon which the original Registry was obtained; and make a Memorandum of the same in the Book of Registers, and forthwith give Notice thereof to the Commissioners of the Customs in England or Scotland. 26 Geo. 3. c. 60. § 16.

20. When the Property in any Ship belonging to any of His Majesty's Subjects shall be transferred to any other of His Majesty's Subjects, in whole or in part, the Certificate of the Registry of such Ship shall be truly and accurately recited in Words at Length in the Bill or Instrument of Sale; otherwise such Bill or Instrument of Sale shall be null and void. 26 Geo. 3. c. 60. § 17.

21. No Transfer, Contract or Agreement for Transfer of Property in any Ship, shall be valid for any Purpose whatever, either in Law or Equity, unless such Transfer shall be by Bill of Sale or Instrument in Writing containing the Recital of the Register in Words at Length. 34 Geo. 3. c. 68. § 14. 42 Geo. 3. c. 61. § 16.

22. Upon any Alteration of Property in any Ship in the same Port to which she belongs, an Endorsement on the Register shall be made in the following Form, and be signed by the Person transferring the Property, or by some Person legally authorized for that Purpose; and a Copy of such Endorsement shall be delivered to the Person authorized to grant Registry; otherwise such Sale, or Contract or Agreement for Sale, shall be void; and such Persons authorized to grant Registry are to cause an Entry thereof to be endorsed on the Oath upon which the Original Certificate was obtained, and to make a Memorandum of the same in the Book of Registry, and give Notice thereof to the Commissioners of the Customs.

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# Registry of British Ships.

Form of Endorsement on Change of Property.

BE it remembered, that (I or we) (Names, Residence, and Occupation of the Persons selling) ' have this Day sold and transferred all (my or our) "Right, Share, or Interest in and to the Ship or ' Vessel (Name of the Ship or Vessel) mentioned in the within Certificate of Registry unto (Names, Re-' sidence, and Occupation of the Purchasers.) Wit-' ness (my or our Hand or Hands) this (in Words at ' full Length).

' Signed in the Presence of (Two Witnesses).'

34 Geo. 3. c. 68. § 15. 42 Geo. 3. c. 61. § 17. 23. But if any Ship shall be at Sea, or absent from the If Ship at Sea, a Port to which she belongs, at the Time when such Altera- Copy of the Bill tion in the Property shall be made, so that an Endorse- livered to the ment or Certificate cannot be immediately made, the Officers, and the Sale, or Contract or Agreement for the Sale thereof, Endorsement to shall notwithstanding be made by Bill of Sale, or other ship's Return. Instrument in Writing, as before directed, and a Copy of such Bill of Sale or Instrument shall be delivered, and an Entry thereof be endorsed on the Oath, and a Memorandum thereof be made in the Book of Registry, and Notice of the same shall be given to the Commissioners of the Customs; and within Ten Days after such Ship shall return to the Port to which she belongs, an Endorsement shall be made and signed by the Owner, or some Person legally authorized for that Purpose, and a Copy thereof shall be delivered in manner before mentioned, otherwise such Bill of Sale, or Contract or Agreement for Sale, shall be void; and Entry thereof shall be endorsed, and a Memorandum thereof made, in the manner before directed. 34 Geo. 3. c. 68. §16. 42 Geo. 3. c. 61. § 18.

24. Where the Owners of any Ship shall reside in any Country not under the Dominion of His Majesty, as tor the ir where the Member of some British Factory, or Agent for or Part- Owners reside ner in any House carrying on Trade in Great Britain or out of the King's Ireland, at the Time when he shall transfer such Property, so that an Endorsement cannot be immediately made, nor a Copy of such Bill of Sale or Instrument in Writing be delivered, nor an Entry thereof endorsed on the Oath, nor a Memorandum thereof made in the Book of Registers, nor Notice of the same given to the Commissioners of the Customs, the same may be done at any R 2 Time

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Regulations for the Transfer, Dominions.

### Registry of British Ships.

Time within Six Months after such Transfer; and within Ten Days \* after such Owner, or some Person legally authorized for that Purpose, shall arrive in this Kingnow, if such Ship shall then be in any Port of this Kingdom; and if not, then within Ten Days after such Ship shall so arrive, an Endorsement shall be made by the Owner, or some Person legally anthorized, and a Copy thereof shall be delivered in manner before mentioned, otherwise such Bill of Sale, or Contract or Agreement, shall be void; and Entry thereof shall be endorsed, and a Memorandum thereof made, in the manner before directed. 34 Geo. 3. c. 68. § 17. 42 Geo. 3. c. 61. § 19.

25. When the Property in any Ship belonging to His Majesty's Subjects shall by Sale be transferred in whole or in part to any other of His Mnjesty's Subjects, and such Ship shall be required to be registered de novo, the Officer empowered to make Registry may require the Bill or Instrument of Sale to be produced; and in case such Bill or Instrument shall not be produced, the Officer shall not grant a Certificate of Registry de novo, but the Commissioners of the Customs, and the Governor, Lieutenat Governor, or Commander in Chief of Gnernsey, Jersey, or of any British Plantation, if Application shall be made to any of them, upon due Consideration of the Case, may give Directions for registering such Ship de novo, notwithstanding such Bill or Instrument of Sale shall not have been produced, provided all other Regulations required by Law be complied with. 34 Geo. 3. c. 68. § 20. 42 Geo. 3. c. 61. § 22.

26. In case there shall be may Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship, after registering thereof, and the Owners who are Owners thereof at the Time such Ship was last registered, or whose Property therein has not been so transferred, shall be desirous of having the Ship registered de novo, the Officers may register such Ship de novo, provided all the Requisites of the Laws concerning the Registry de novo be complied with. 34 Geo. 3. c. 68. § 21. 42 Geo. 3. c. 61. § 23.

\* The Act 42 Geo. 3. c. 61. as to Ships arriving in Ireland. allows 20 Days after the Arrival of the Ship, or the Owner, for making the Endorsement and delivering the Copy to the Officers.

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On Registry de novo, Bills of Sale to be produced, unless dispensed with by the Commissieners,

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# Registry of British Ships.

27. As often as any Transfer of Property in any Ship As soon as the shull be made while upon the Sea, on a Voyage to a Foreign Port, in case the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship shall proceed directly to the Port for which the Cargo is destined, or to the Port to which she belougs, or any other Port in which she may be registered, and may take on board, in the Port for which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as shallbe destined and may again registered, be legally carried to the Port where she may be registered unless by special de novo; und if such Transfer shall be made while such Ship is in any Foreign Port, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having delivered the Cargo, shall sail from such Port to the Port to which she belongs, or to any other such Port in which she muy be registered, and may take on board at the Port to which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as shall be destined and may be legally carried to such Port where she may be registered de novo; and if such Transfer shall be made while such Ship is on a Fishing Voynge, and the Master of such Ship is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having finished fishing, without touching at any Foreign Port, except for Repairs or Refreshments, or for delivering any Part of the Cargo, shall sail to the Port to which she belongs, or any other Port where she may be registered, and may take on board at the Foreign Port last described, or any other Port, being in the Course of her Voyage to the Port where she may be registered de novo, such Cargo as shall be destined and may be legally carried to such Port ; and such Ship shall be registered de novo as soon as she returns to the Port to which she belongs, or to any other Port in which she may be registered; on failure whereof such Ship shall be deemed to be a Foreign Ship, and shall not again be registered, unless the Commissioners of the Customs, or the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or Jersey, or of any British Plantation, shall, on Consideration of the special Circumstances of the Case, think fit to order R 3

Property in a Ship at Sea is known to the Master, he must proceed direct to a Port where she may be registered de novo; on failure whereof she is to be deemed Foreign, and not Change of Masters to be endorsed on the Certificate, and Memorandum made in the Book of Registers.

Ship's Name not to be changed, and the same is to be painted on some Part of the Stern, as also the Port to which she belongs.

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the said Ship to be registered : provided that the Regulations required by the Laws in force concerning the first Registry of Ships shall be complied with; and provided also, that in no case of the Transfer of Property, in whole or in part, the Ship shall be registered de novo, unless she shall return to the Port to which she belongs, or to such Port in which she may be registered de novo, within Twelve Months after the Date of such Transfer, if such Ship shall not be on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn; or within Two Years if the Ship is on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, at the Time of such Transfer taking place; except by Order of the Commissioners or Governor as aforesaid, upon special Representation of the Circumstances of the Case, in Manner before authorized. 34 Geo. 3. c. 68. § 22. 42 Geo. 3. c. 61. § 24.

28. As often as the Master of any Ship registered shall be changed, the Master or Owner shall deliver to the Persons authorized to make Registry, at the Port where such Change shall take place, the Certificates of Registry, who shall thereupon endorse and subscribe a Memorandum of such Change, and forthwith give Notice of the same to the proper Officer of the Port where such Ship or Vessel was last registered, who shall likewise make a Memorandum of the same in the Book of Registers, and forthwith give Notice thereof to the Commissioners of the Customs. 26 Geo. 3. c. 60. § 18.

29. No Owner of any Ship shall give any Name to such Ship, other than that by which she was first registered; and the Owner of every Ship which shall be so registered, shall, within One Month from the Time of such Registry, cause to be painted in White or Yellow Letters, of a Length not less than Four Inches, upon a Black Ground, on some conspicuous Part of the Stern, (provided there shall be sufficient Space for that Purpose, but if not, then in Letters as large as such Space will admit), the Name by which such Ship shall have been registered, and the Port to which she belongs, in a distinct and legible Manner, and keep and preserve the same; and if such Owner or Master shall wilfully alter, erase, obliterate, hide, or conceal, or cause or procure or permit the same to be done (unless in the Case of square-rigged Vessels in Time of War), or shall in any written or printed Paper, or other Document, describe such Ship by any

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# Registry of British Ships.

any Name other than that by which she was first registered, or shall verbally describe, or cause or procure or permit such Ship to be described, by any other Name to any Officer of the Rationne, such Öwner or Moster shall forfeit ± 100. 26 (+ o. 3. c. 60. § 19.

30. Every \_ who shall apply for a Certificate of Before Registry the Registry of any Ship in Great Britain, Guernsey, in Great Britain, Information on the Left of Man shall produce to the Parson Jersey, or the Isle of Man, shall produce to the Person to be produced authorized to gain the Certificate a true and full Account, from the Builder under the Hand of the Builder, of the proper Denomi-and Oath to be made of the nation, and of the Time when and the Place where built, Identity. and also an exact Account of the Tonnage, with the Name of the first Purchaser, (which Account such Builder is required to give under his Hand on the same being demanded by such Persons so applying for a Certificate as aforesaid), and shall make Oath before the Person authorized to grant such Certificate, that the Ship for which such Certificate is required is the same with that which is so described by the Builder. 26 Geo. 3. c. 60. §20.

31. Every Person who shall apply for such Certificate The life ac in any of His Majesty's Colonies, Plantations, or Terri- count and O th tories, shall, before such Certificate is granted, produce the Colonics. the like Account under the Hand of the Builder, and take the like Oath, as required to be produced and taken by Persons applying for the like Certificate in Great Britain. 26 Geo. 3. c. 60. § 21.

32. If any Ship duly qualified to trade to, from, and When Certifiin His Majesty's said Plantations, shall be in any of the cates are lost, said Plantations, and the Certificate of the Register in the Plantathereof shall be lost or mislaid, the Master may make tions, the Oath Oath (or being a Quaker a solemn Affirmation) before herein mentioned to be taken by the Governor or Collector of the Customs in the Port the Master where the Ship shall happen to be, in the following

' A. B. being Master (or having the Charge) of the · Ship or Vessel called the ' (or solemnly affirm) that the said Ship or Vessel ' has been, as he verily believes, registered according ' to Law, to qualify her to trade to, from, and in His · Majesty's Plantations in America; and that he had ' a Certificate thereof granted at the Port of ' but that the same is lost or mislaid, and that he

<sup>4</sup> cannot find the same, and does not know where the ' same is, or what is become thereof, and that the same hath not been nor shall be, with his Privity

' or Knowledge, sold or disposed of to any Person ' or Persons whatsoever; and that he this Deponent ' (or Affirmant) and Three-fourths of the Mariners ' navigating the said Ship or Vessel are His Majesty's ' British Subjects; and the said Ship or Vessel does ' now, as he believes, belong wholly to His Majesty's ' British Subjects, and that no Foreigner has, to his ' Knowledge or Belief, any Share, Property, or In-' terest therein.' 15 Geo. 2. c. 31. § 2.

33. The Master shall then give Security as directed and making Oath by 26 Geo. 3. c. 60. to the Collector of the Port where the Ship shall be, with Condition that the Ship was duly registered according to Law, for qualifying the same to trade to, from, and in His Majesty's Plantations in America, that the Register, if found, shall be delivered up to the Commissioners of the Customs to be cancelled, that no illegal Use has been or shall be made thereof, that the same has not been and shall not be fraudulently disposed of, that the Ship does wholly belong to British Subjects, and that no Foreigner has any Share, Property, or Interest therein; and upon making such Oath (or Affirmation if a Quaker) and giving such Bond, the Governor and Collector of the Customs shall without Fee or Reward give the Mas er a Certificate, under their Hands and Seals, of his having given such Bond and made such Oath or Affirmation; and thereupon the Ship shall have Liberty to trade, for that Voyage only, in the same Manner as if the original Certificate had been produced, and the Oath or Aflirmation required by 26 Geo. 3. c. 60. (see No. 7.) had been taken and the Certificate so to be given shall have the same Effect, during the Voyage only, as if the original Certificate had been produced; and the Officers taking the Oath and Bond shall transmit an Account thereof to the Commissioners of the Customs. 15 Geo. 2. c. 31. § 2. 26 Geo. 3. c. 60.

If the Loss of the Certificate is proved by the Master and one of the Owners, and Security given, the Ship may be registered de novo.

34. If the Certificate of Registry of any Ship shall be lost, and the Master and One or more of the Ôwners shall make Proof, to the Satisfaction of the Commissioners of the Customs, in case the Owners or any of them shall reside in Great Britain or Ireland, Guernsey or Jersey, or of the Governor or Collector of the Customs residing in any of His Majesty's Plantations in America, in case she was registered in such Plantation, and none of the Owners shall reside in Great Britain or Ireland, Guernsey

Upon the Master giving Security perty, the Governor may grant a Certificate to entitle the Ship to trade for that Voyage only.

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# Registry of British Ships.

Guernsey or Jersey, of the Loss of such Certificate, and likewise of the Name, Burthen, Built, Property, and other Particulars inserted in such Certificate; and upon Security being given as directed by 26 Geo. 3. c. 60., that the original Certificate hath not been nor shall be fraudulently disposed of, or used contrary to Law, and that the same, when found, shall be delivered up to the Commissioners of the Customs to be cancelled; in such Case the Commissioners of the Customs, and the Governor and Collector of the Customs residing at the Plantations, shall permit the said Ship to be registered de novo, upon the like Oath being taken and subscribed by the Owner or Owners as is directed by 26 Geo. 3. c. 60., and shall deliver a Certificate thereof to the Owners registering the same, in the Manner directed by the said Act, and therein mention the Name by which the Ship was registered, and that such Certificate of a new Register is granted instead of a former Certificate which appears to be lost; and such new Register and Certificate shall have the same Effect as an original Register and Certificate; and a Duplicate thereof shall be transmitted by the Officers who shall grant the same to the Commissioners of the Customs. 15 Geo. 2. c. 31. § 3. 26 Geo. 3. c. 60.

35. If any Ship after she shall have been registered Ships altered shall in any Manner be altered in Form or Burthen, must be regisby being lengthened or built apon, or shall be altered from a Sloop to a Brigantine, or from any one Denomination to another, by the Mode or Method of rigging or fitting, in such Case such Ship shall be registered de novo, as soon as she returns to the Port to which she belongs, or to any other Port in which she may be legally registered; on Failure whereof such Ship shall to all Intents and Parposes be deemed and taken to be a Foreign Ship. 26 Geo. 3, c. 60. § 24.

36. The Owners of all Ships taken by any of His Before Registry Majesty's Ships or Vessels of War, or by any Private of Ships cou-demned as Prize, or other Ship, and condemned as lawful Prize in any a Certificate Court of Admiralty, shall, apon registering such Ship, thereof must be produce to the proper Officer of the Customs a Certifi-the Hand and cate of the Condemnation under the Hand and Seal of Seal of the Judge, the Judge of the Court in which such Ship shall have been condemned (which Certificate such Judge is required to grant), and shall also produce a true and exact Account in Writing of all the Particulars contained in the Certificate

tered de novo.

#### Prizes registered in the Colonies, an Account of the Sum for which the Ship was sold to be subjound to the Certificate.

Certificates to express where the Ship was built.

The Certificate to be produced to the Officers and British Consuls.

### Registry of British Ships.

Certificate herein-before set forth, to be made and subscribed by one or more skilful Persons to be appointed by the Court to survey such Ship, and shall also make Oath before the said Officer that such Ship is the same mentioned in the Certificate of the Judge aforesaid \*. 26 Geo. 3. c. 60. § 25.

37. In all eases where any Ship so taken and condemned as Prize in any of His Majesty's Colonies, Plantations, or Territories aforesaid, shall be registered, an exact and particular Account shall be subjoined to such Certificate, of the Sum for which such Ship shall have been sold, verified by the Oath of the Persons who shall apply for such Registry, in order that the Duties payable to His Majesty may be the better levied and collected upon the Arrival of such Ship in any Port of Great Britain where such Duties are payable. 26 Geo. 3. e. 60. § 27.

38. The Certificate shall distinguish whether the Ship is of the Built of Great Britain or Ireland, Guernsey, Jersey, or the Isle of Man, or the Colonics, Plantations, Islands, or Territories aforesaid, or of any Foreign Country; and shall, if British-built, be intituled "Certificate of British Plantation Registry;" and if Foreignbuilt, shall be intituled "Certificate of Foreign Ships Registry, for the European Trade, British Property †." 26 Geo. 3. c. 60. § 28.

39. The Master of every Ship which shall have proeured a Certificate of the Registry, shall upon Demand produce such Certificate to the principal Officers of every Port in His Majesty's Dominions, or to the British Consul or Chief British Officer in any Foreign Port in which such Ship shall arrive, for the Inspection of such Officer or Officers, British Consul, or Chief British

\* The 26th Section applies only to Ships condemned as Prize in Guernsey, Jersey, and Man.

+ The 29th, 30th, 31st, 32d, and 33d Sections a ply only to Ships which were in Existence when the Act passed, and which having been registered under former Laws, or required to be registered by the new Law (26 Geo. 3. c. 60.), were within certain Periods, after the Expiration of a Notice by the Commissioners of the Customs, to be registered, and to obtain Certificates thereof according to the Form and in the Manner herein-before described to Com-

The Certificates having been taken out as required by the Commissioners Notice, there remain no Ships to which those Sections any longer apply, and their Insertion is therefore unnecessary. Officer.

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Transfer paid as h Ship or 1786.\*

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Registry of British Ships. Officer, in order to satisfy him or them that she has been properly registered, under the Penalty of £100. 26 Geo. 3. c. 60. § 34.

40. The proper Officer at every Port where Registers To be progressand Certificates shall be granted, shall progressively sively numbered and entered in a number the same, beginning such progressive Numera- Ecok. tion at the Commencement of each Year, and shall enter an exact Copy of such Certificates with the Number thereof in a Book, and shall also within One Month transmit to the Commissioners of the Customs a true Copy, together with the Number of every Certificate which shall be so granted; and if any such Officer shall neglect or refuse so to do, he shall for the First Offence forfeit £100, and for the Second Offence £200, and be dismissed from his Office. 26 Geo. 3. c. 60. § 35.

41. The Commissioners of the Customs in Scotland Copies of Certifi shall transmit, at the End of every Month in each Year, cates to be transto the Commissioners of the Customs in England, true mitted from Scotland yearly. Copies of all such Certificates as shall be granted by them, or by any Officer within the Limits of their Commission. 26 Geo. 3. c. 60. § 36.

42. The Fees now payable upon the Registry of or Fees payable on Transfer of Property in any Ship, shall continue to be paid as heretofore, except upon the First Registry of any Ship or Vessel built and registered before the 1st May 1786.\* 26 Geo. 3. c. 60. § 37.

43. Any Person required by this Act, in respect of his Penalty on Per-Office, to perform any thing required to be done pur-superior any of the Provisions of this Art and the to perform Acts suant to any of the Provisions of this Act, who shall required of them. wilfully neglect or refuse to do or perform the same, shall, on being duly convicted thereof, forfeit ₹ 500; and for the Second Offence £500, and be rendered incapable of serving His Majesty in any Office or Employment relative to the Revenue, or in any Civil Capacity. 26 Geo. 3. c. 60 § 40.

Registry.

\* The 38th and 39th Sections apply only to Ships and Vessels to which is risters had been promised by the Officers of the Castoms, or . A had been registered under Misconception of the Laws; and His Majesty, with the Advice of the Privy Council, was authorized to order such Ships to be registered, and have a Certificate thereof, according to the Form and in the Manner hereinvetore directed those Sections are therefore amitted.

44. Any

# Registry of British Ships.

Taking false Oaths, or counterfeiting Certificates, or making use thereof.

252

How Penalties and Forfeitures are to be recovered and disposed of.

Former Acts as to Trade, &c. not expre sly altered, to remain in force.

Redstered in Ireland.

Ships not registered according to 26 Geo. 3. to be deemed Alien Ships.

44. Any Person who shall falsely make Oath to any of the Matters before required to be so verified, shall suffer the like Pains and Penalties as are incurred by Persons committing wilful and corrupt Perjury; and if any Person shall counterfeit, erase, alter, or falsify any Certificate required or directed to be obtained by this Act, or shall knowingly or wilfully make use of any Certificate so counterfeited, erased, altered, or falsified, shall forfeit  $\pounds 500.$  26 Geo. 3. c. 60. § 41.

45. The Penalties and Forfeitures incurred by this Act shall and may be sued for, prosecuted, and recovered in such Courts, and be disposed of in such Manner, and by such Ways, Means, and Methods, as any Penalties or Forfeitures inflicted or which may be incurred for any Offences committed against the Laws of Customs may now be legally sued for, prosecuted, recovered, and disposed of; and the Officer concerned in Seizures or Prosecutions under this Act, shall receive the same Share of the Produce arising from such Seizures, as in the Case of Seizure for unlawful Importation, and to such Share of any pecuniary Penalty for any Offence against this Act, as any Officer is now by any Law or Regulation entitled to under Prosecutions for pecuniary Penalties. 26 Geo. 3. c. 60.42.

46. Every Matter contained in any Act passed touching the Trade, Shipping, and Navigation of Great Britain, and the Colonies, Plantations, Islands, and Territories aforesaid thereunto belonging, which is not hereby expressly altered or repealed, shall continue in full force, and so far as the same relate to the Registry of Ships and Vessels, shall be deemed to extend to all Ships authorized and required by this Act to be registered, and to have Certificates of Registry. 26 Geo. 3. c. 60. § 43.

47. Ships registered in Ireland shall enjoy the same Privileges as are given to British-built or British-owned Ships in England. 26 Geo. 3. c. 60. § 44. 27 Geo. 3. c. 19. § 1, 2. 39 & 40 Geo. 3. c. 67. Art. 6.

48. Ships which by 26 Geo. 3. c. 60. are declared not to be entitled to the Privileges of a British-built Ship, or of a Ship owned by His Majesty's Subjects, and not registered according to that Act, shall, although owned by His Majesty's Subjects, be deemed Alien Ships, and subject to the same Penalties and Forfeitures as Alien Ships in the like Cases are by Law liable to. 27 Geo. 3. c. 19. 6 13. any Shi and ref any Jus such D Guerns Island ri u h me / 38 to be and if the Ma mislaid Master on Fai viction remain deem Twelv 50.Hand Certifi shall c if the the af Perso such S fying which c. 34. 51. King receiv shall refuse empo Part any . majo Mast him majo plain and Peac

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# Registry of British Ships.

49. On Complaint made on Oath by the Owner of Masters detain-49. On Complaint mate on Oath by the detained, ing Certificates, subject to the and refused to be delivered up by the Master thereof to Penalty of 1001. any Justice of the Peace residing near to the Place where such Detainer and Refusal shall be, in Great Britain, or Guernsey, Jorsey, or Man, or in any Colony, Plantation, Island or Ferritory to His Majesty belonging in Ameri a he Justice, by Warrant under his Hand and Seal, me, cause such Master to be brought before him, to be examined touching such Detainer and Refusal; and if it shall appear to the Justice, on Examination of the Master, or otherwise, that the same is not lost or mislaid, but is wilfully and maliciously detained, such Master shall be thereof convicted and forfeit £100, and on Failure of Payment within Two Days after such Conviction, he shall be committed to the Common Gaol, to remain without Bail for such Time as the Justice shall deem proper, not being less than Six nor more than Twelve Months. 28 Geo. 3. c. 34. § 13.

50. The Justice shall issue a Warrant under his If Certificate not Hand and Seal to cause Search to be made for such found, and the Certificate; and if the same shall be found, the Justice tified, the Ship shall cause the same to be delivered to the Owner; and may be registered if the same shall not be found, the Justice shall certify de novo. the aforesaid Detainer, Refusal, and Conviction to the Person who granted the last Certificate of Registry for such Ship, who shall make Registry thereof de novo, notifying on the Back of the Certificate the Grounds upon which such Ship was registered de novo. 28 Geo. 3. c. 34. § 14.

51. In case the Master of any Ship of the United Although Part Kingdom of Great Britain and Ireland, who shall have Owners, they received the Certificate of Registry, whether such Master against and conshall be a Part Owner or not, shall wilfully detain and victed in the refuse to deliver up the same to the proper Officers empowered to make Registry, on the Owners or the major up Certificates Part of the Owners of such Ship, if such Master has not to the proper any Property therein, or on the other Owners or the major Part of the other Owners ot such Ship if the Master hath any Share or Property therein, requiring him so to do, it shall be lawful for the Owners or the major Part of the Owners of such Ship, to make Complaint on Oath against the Master who shall so detain and refuse to deliver up the same, to any Justice of the Peace residing near to the Place where such Detainer and Refusal

may be proceeded Penalty if they refuse to deliver

# Registry of British Ships.

Refusal shall be, in Great Britain or Ireland, or to any Member of the Supreme Court of Justice, or any Justice of the Peace in Guernsey, Jersey, or Man, or in any British Plantation in America or the West Indies, where such Detainer and Refusal shall be; and on such Complaint, the Justice or Magistrate shall, by Warrant under his Hand and Seal, cause such Master to be brought before him, to be examined touching such Detainer and Refusal; and if it shall appear to the Justice or Magistrate, on Examination of the Master or otherwise, that the Certificate of Registry is not lost or mislaid, but is wilfully detained by the said Master, such Master shall be thereof convicted and forfeit £100, and on failure of Payment thereof be committed to the common Gaol, to remain without Bail or Mainprize for such Time as the said Justice or Magistrate shall in his Discretion deem proper, not being less than Six nor more than Twelve Months. 34 Geo. 3. c. 68. § 18. 42 Geo. 3. c. 61. § 20. 52. The Justice or Magistrate shall certify the Detainer, Refnsal, and Conviction to the Person who granted such Certificate of Registry, who shall, on the Law being complied with, make Registry of such Ship de novo, notifying on the Back of such Certificate the ground upon which the Ship was so registered. 34 Geo. 3. c. 68. § 19, 42 Geo. 3. c. 61. § 21.

53. All Ships, whether British or Foreign, adjudged to be forfeited nuder any Act for the Prevention, Abolition, or Regulation of the Slave Trade, in any Court of Record in Great Britain, or which shall be condemned in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, shall be entitled to a Certificate of Registry as British Ships, and thereupon enjoy all the Privileges and Advantages of British-built Ships, in like manner with Ships taken and condemned as lawful Prize of War; but such Ships shall be subject to the same Dnties and Regulations, and shall be registered in the same Manner, and subject to the same Conditions and Restrictions, Penalties and Forfeitures, and shall be owned and navigated, as Ships condemned as lawful Prize are required to be, in order to their obtaining British Registers, and enjoying the Privileges of British Ships according to Law. 54 Geo. 3. c. 59. § 1.

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Upon a Certificate of the Conviction, the Ship may be registered de novo.

Ships cond. mned for Offences against the Slave Trade Acts, may be registered as British Ships.

# Rice.

1. Of the British Plantations in America shall not be Not to be exshipped or conveyed from any of the said Plantations to some other any Place, unless to some other Plantation belonging to Plantation, or His Majesty, or to Great Britain or Ireland, there to be to Great Britain laid on Shore. 12 Car. 2. c. 18. § 18. 2 & 3 Ann. c. 5. or Ireland. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. \$ 12. 56 Geo. 3. c. 91. § 4. 8. Art. 6.

For the Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See Ashes, Pot and Pearl.

2. The Growth of the Territories of the United States May be im-2. The Growth of the Territories of the United States ported from of America, may be imported from any of the said Terri-United States tories into any of His Majesty's West India Islands (in into West India which Description the Bahama Islands and the Bermuda Islands and or Somers Islands are included), or into the Colonies of Guiana, in Demerara, Berbice, or Essequibo in the Province of British Vessels; Guiana; but such Rice shall not be so imported except by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. §1. 2. 56 Geo. 3. c.91. § 1.

3. The Growth of the said Territories, may be im- and into Berported from thence into Saint George or Hamilton, in muda in Foreign Bermuda, in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 9. c. 50. §1.

4. No Rice shall be imported into His Majesty's West Not to be im-4. No Rice shart be imported into the Lagrandia or ported from India Islands (including the Bahama and Bermuda or Colonies under Somers Islands), or into the Colonies of Demerara, Ber- Foreign Eurobice, or Essequibo, from any Island in the West Indies, pean Sovereigns. or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. §10. 31 Geo. 3. c. 38. §1. 56 Geo. 3. c.91. § 1.

5. In case of public Emergency or Distress, the Go- Except in case vernors, Lieutenant Governors, or Commanders in Chief of Distress, for the Supply of of any of the said Islands in the West Indies under the the Inhabitants, Dominion of His Majesty, or the Governors, &c. of De- by Authority of merara, Berbice, or Essequibo, with the Advice and the Governor. Consent of their respective Connerls may authorize the Importation

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dged bolirt of nned Part ation e of the like Prize Duame Remed are ReacSo imported by Authority of the Governors for the Supply of Inhabitants, not to be exported; and Oath to be made before shipping of Rice that it was not so imported.

Persons taking a false Oath deemed guilty of Perjury.

Importation generally allowed from Colonies under Foreign European Sovereigns for the Supply of the Inizbitants. Importation of Rice for a limited Time from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but the said Rice shall not be so imported except by British Subjects and in British-built Ships, owned by His Majesty's Subjects, and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. § 1.

6. In case any Rice which shall have been imported from any Island in the West Indies or Colony on the Continent of South America under the Dominion of any Foreign European Sovereign or State, into any of His Majesty's West India Islands, or Colonies of Demerara, Berbice, or Essequibo, for the Supply of the Inhabitants, shall after such Importation be exported, or put on board any Ship or Boat or brought to any Quay with Intent to be so exported, the same shall be forfeited, as also the Ship or Boat in which laden; and before shipping of any Rice that may lawfully be exported from any such Island or Colony, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported under such Authority as aforesaid from any Island in the West Indies, or Colony on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 29 Geo. 3. c. 56. § 1, 2. 31 Geo 3. c. 38. § 3, 4. 56 Geo. 3. c. 91. § 1.

7. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified on Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

8. May be imported into any of His Majesty's Colonies or Plantations in the West Indies, or on the Continent of South America, for the Supply of the Inhabitants, in British-built Ships, owned, navigated, and registered according to Law, from any Colony or Possession in the West Indies, or on the Continent of America, under the Dominion of any Foreign European Sovereign or State. 58 Geo. 3. c. 27. § 1.

9. In a spective manders is Breton, o Councils, limited T States of the said that no R jects, and according 28 Geo. 3

10. An according jects of a jesty, ma cially app the Provi vided that unless of the Vesse Rice may or any ot built Ves 58 Geo. 11. H

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9. In case of public Emergency or Distress, the re- In case of Disspective Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Scotia, &c may Breton, or St. John's, with the Advice of their respective permit Importa-Councils, may authorize the Importation of Rice for a States for the limited Time from any of the Territories of the United Supply of States of America, for the Supply of the Inhabitants of Inhabitants. the said Provinces and Islands respectively; provided that no Rice shall be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

10. Any British-built Vessel owned and navigated May be imaccording to Law, or any Vessel belonging to the Sub- Ships into Ports jects of any Sovereign or State in Amity with His Ma- to be approved jesty, may import Rice into such Ports as shall be spe- by His Majesty cially appointed for that Purpose by His Majesty within or New Brunsthe Provinces of Nova Scotia or New Brunswick; pro- wick; vided that Rice shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and such Rice may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any Britishbuilt Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

11. His Majesty, with the Advice of His Privy Coun- under such cil, may make such Rules and Regulations for the Importation and Exportation of Rice at the said Ports, with such Majesty shall Penalties and Forfeitures for the Breach thereof, as shall deem necessary. seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. § 6.

12. This Act shall continue in force for the Space of Limitation of Three Years from and after the passing of the same \*, and Act. until Six Weeks after the Commencement of the then uext Session of Parliament. 58 Geo. 3. c. 19. § 7.

13. In case of public Emergency and Distress, the In case of Dis-Governor of Quebec, or the Lieutenant Governor or ported into Commander in Chief, with the Consent of the Council Quebec from of the Province, may authorize the Importation by Sea States by the or Coastwise into Quebec, or into the Countries and Authority of the Islands within the Government thereof, or up the River Governor, for

> \* 8th May 1818.  $\mathbf{S}$

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Governor of Nova Scotia, &c. may authorize Importation for Re exportation to any other Colory.

May be imported into the Free Ports in Foreign Vessels.

May be imported into the West India Islands, and Colonics of Guiana, from the Portuguese Dominions.

By whom Goods and Vessels may be seized. Saint Lawrence from the Sea, of Rice, for a limited Time, from any of the Territories of the United States of America, for the Supply of the Inhabitants; provided that no Rice shall be so imported except by British Subjects, in British-built Ships, and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

13. Any of the Governors, Lieutenant Governors, or Commanders in Chief for the Time being of Nova Scotia or New Brunswick, or of Cape Breton or Saint John's, with the Advice of their respective Councils, may authorize the Importation of Rice for a limited Time from any of the Territories of the United States of America, for Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

14. May be imported from any of the Colonies or Plantations in America belonging to or under the Dominion of any Foreign Enropean Sovereign or State, into the Free Ports, in any Foreign Vessel manned and navigated by Persons inhabiting any of the said Colonies or Plantations. 48 Geo. 3. c. 125. § 2.

#### See Free Ports.

15. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands), or Colonies of Demerara, Berbice, or Essequibo, any Rice, being the Growth of some of the Territories or Dominions of the Crown of Portugal in South America; provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

16. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of His Majesty's Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 16. 29 Geo. 3. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

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### Road hardour and Rosseau,

Free Ports for the Importation and Exportation of cer- Free Ports. tain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

Rum. See "Spirits."

### Saffower and Saffron,

May be exported from Malta or any of the Dependen-Importation cies thereof, or from Gibraltar, direct to any of His Ma- allowed from jesty's Sugar Colonies or Plantations in America, or to Malta or Gibraltar. Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, na igated, and registered according to 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. Law.

> See GIBRALTAR. MALTA.

### Sails.

1. Every Ship built in His Majesty's Plautations in Ships upon their America shall, upon her first setting out or being first first setting out navigated at Sea, be furnished with one full and complete Set of new Sails, made up of Sail Cloth manufac- of Sails. tured in Great Britain or Ireland; and in case any such Ship shall not, on her first setting out, be fitted and furnished with a new Set of Sails, properly belonging to such Ship, made of Sail Cloth of the Manufacture of Great Britain or Ireland, the Master shall forfeit £50. 19 Geo. 2. c. 27. § 11. 9 Geo. 3. c. 37. § 4. 39 & 40 Geo. 3. c. 67. Art. 6.

## Saint John's, Island of.

1. Wines of the Madeiras, or of the Western Islands or Wines of the Azores, may be there laden for Exportation to any of the Madeiras or Western Islands. British Colonies or Plantations. 15 Car. 2. c. 7. § 7.

2. Goods fit and necessary for the Fisheries in the Bri- Goods for the tish Colonies in America, may be exported to the Colo-Fisheries. nies where such Fisheries are carried on, direct from Guernsey or Jersey. 9 Geo. 3. c. 28. § 1, 2.

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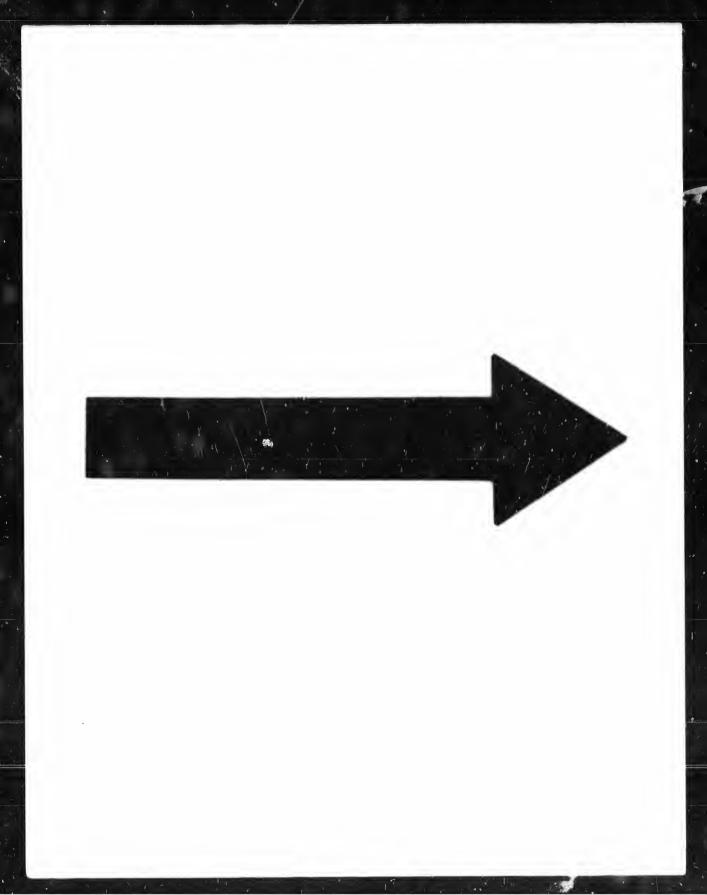
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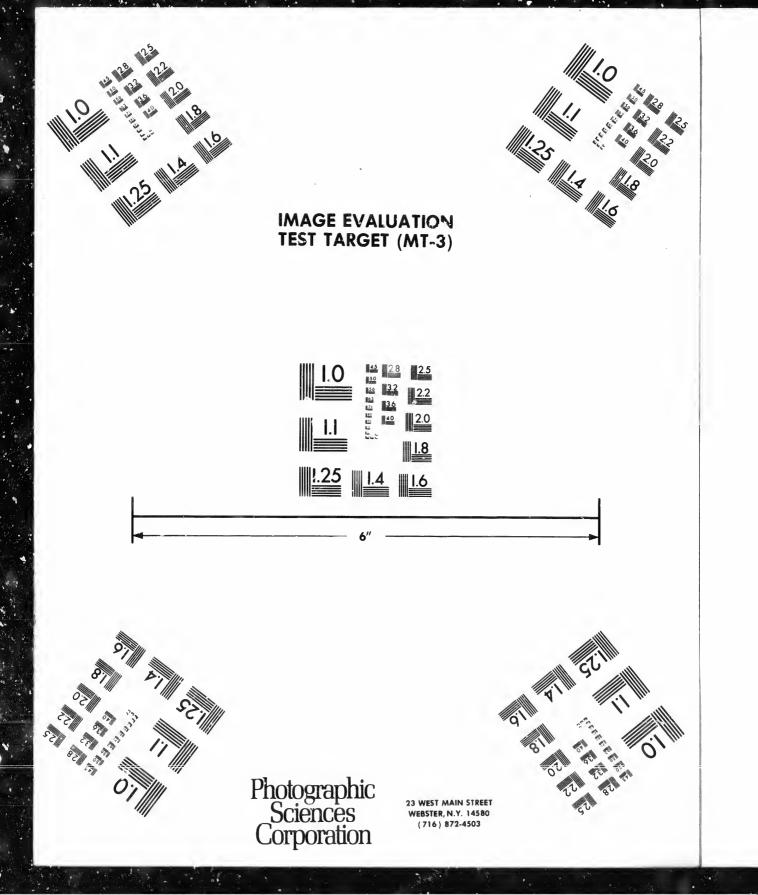
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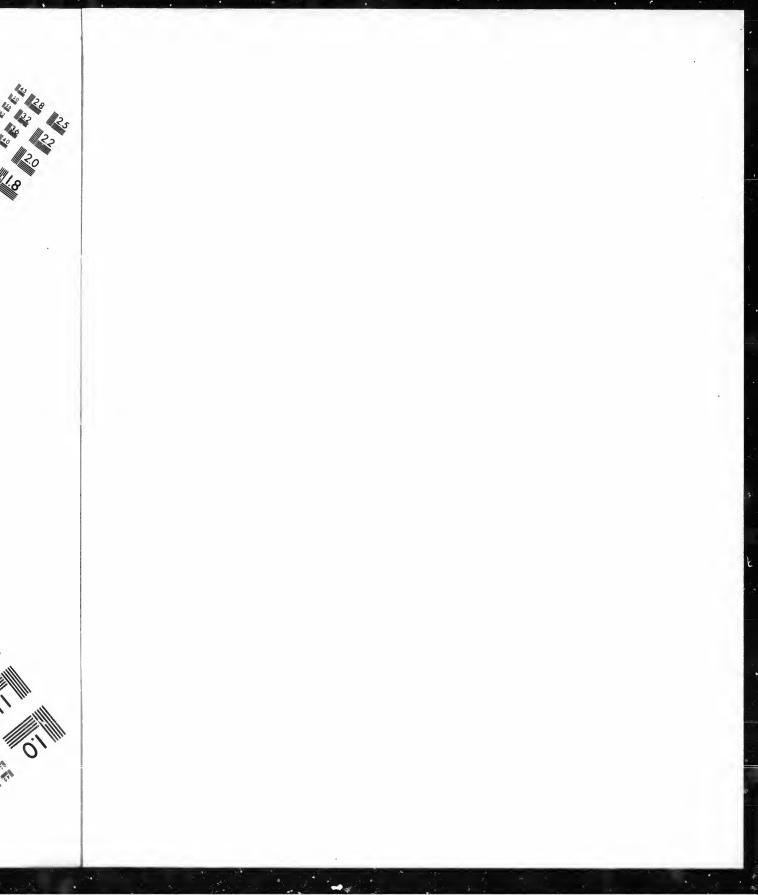
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# Saint John's, Island of.

Herrings from the Isle of Man.

Implements for the Fishery.

Articles from Malta or Gibraltar to the Colonies.

To Malta or Gibraltar from the Colonies.

Oranges and Lemons from the Azores or Madeiras.

No Goods to be imported from the United States except Pitch, Tar, and Turpentipe.

Except also Lumber, Cattle, Corn, &c. in case of Distress, for the Supply of the Inhabitants. 3. Herrings cured in the Isle of Man may be exported from thence to any of the British Colonies or Plantations, in the same Manner as Victuals from Ireland. 12 Geo. 3. c. 58.  $\S$  4.

See MAN.

4. Tools and Implements necessary for the Fisheries in the British Colonies may be exported direct from the said Colonies to the Isle of Man. 15 Geo. 3. c. 31. § 5.

See Man.

5. Any British-built Ship, navigated and registered according to Law, may load at Malta or any of the Dependencies thereof, or at Gibraltar, any of the Articles enumerated in the Schedule marked (B.) annexed to 55 Geo. 3. c. 9. for Exportation direct to any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

### See GIBRALTAR.

MALTA.

6. Any Article the Production or Manufacture of any of His Majcsty's Colonies or Plantations in North America, or any Article which has been legally imported into such Colonies or Plantations, may be exported from thence to Malta or the Dependencies thereof, or to Gibraltar, in British-built Ships, navigated and registered according to Law. 55 Geo. 3. c. 29. § 8. 57 Geo. 3. c. 4.

#### See GIBRALTAR. MALTA.

7. Oranges and Lemons the Growth of the Azores and Madeiras may be there laden for Exportation direct to any of the British Colonies in North America, on board any British Ship navigated and registered according to Law. 57 Geo. 3. c. 38. § 9.

8. No Goods shall be imported from any of the Territories of the United States of America into Saint John's, on Forfeiture thereof and the Ship, except Pitch, Tar, and Turpentine, the Production of the said Territories, imported by British Subjects and in British-built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. § 14.

9. In case of public Emergency or Distress, the Governor, Lieutenant Governor, or Commander in Chaef for the Time being, with the Advice and Consent of the Council of the Island, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs,

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# Saint John's, Island of.

Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley or Grain, for a limited Time, from any of the Territories belonging to the United States of America, for the Supply of the Inhabitants; but such Scantling, &c. shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and of the Ship. 28 Geo. 3. c. 6. § 13.

10. The Governor, Lieutenant Governor, or Com- May be imported mander in Chief for the Time being, with the Advice for Re-expertaand Consent of the Council of the Island, may authorize Colonies. the Importation of the aforesaid Articles, for a limited Time, from any of the Territories of the United States of America, for the Purpose of Re-exportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

11. The Goods and Vessels forfeited by these Acts By whom Goods may be seized by the Commanders of any of His Majesty's and Vessels may be seized. Ships or Vessels of War, or by any Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 33 Geo. 3. c. 50.

### Saint John's (New Brunswick). Saint John's (newfoundland).

Fruit, Wine, Oil, Salt, or Cork, the Produce of Fruit, Wine, Europe South of Cape Finisterre, may be shipped and Oil, Salt, or Cork laden in any Port or Place of Europe South of Cape Finis- from Ports in terre, for Exportation direct to the Port of Saint John's Europe South in New Brunswick, or Saint John's in Newfoundland, of Ca on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any Port or Place of Europe with Articles the Growth or Produce of the British Colonies in North America, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the British Colonies in North America or from any Part of the United Kingdom. 51 Geo. 3. c. 97. § 2.

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See Cork. FRUIT. OIL. SALT. WINE.

of Cape Finis-

Free Ports.

Governors Orders for the Importation of Articles into the Island in Foreign Vessels declared valid,

Actions discharged.

# Saint John's (Antigua), Saint George (Granada), Saint Ann (Jamaica),

Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

# Saint Domingo, See "Jamaica." Saint Lucia.

1. Whereas the Person acting as Governor of Saint Lucia has found himself under the Necessity of opening, with the Advice of his Council, the Ports of the said Island for a limited Time, for the Importation of certain Articles necessary for the Supply of the said Island, in Fcreign Bottoms, and in like Manner for the Exportation of certain Articles the Produce of the said Island in return for the same : And whereas such Importation and Exportation as aforesaid are contrary to 12 Car. 2. and other Acts, but being permitted from the Necessity of the Occasion, the same ought to be justified and rendered valid and of due Force in Law, and all Persons advising or issuing any Order or Permission of the said Governor, or Person aeting as such, ought to be respecvively justified : Be it therefore enacted, That the said Orders and Permissions be and be deemed valid accordingly, and of due Force in Law; and that all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Person for having advised or issued or carried into Execution any such Order or Permission at any Time before the passing of this Act, shall be discharged and made void by virtue of this Act; and if any Action or Suit shall be prosecuted or commenced against any Person for or by reason of any such Act, Matter, or Thing so advised, commanded, or done, he may plead the General Issue, and give this Aet and the special Matter in Evidence ; and if the Plaintiff in any Action or Suit so to be prosecuted or commenced in that Part of the United Kingdom called England, or that Part called Ireland, or in the said West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff,

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## Saint Lucia.

tiff, the Defendant shall recover his Double Costs, for which he shall have the like Remedy as in Cases where the Costs by Law are given to the Defendants; and if any such Action or Suit shall be commenced or. prosecuted in that Part of Great Britain called Scotland, the Court before which such Action or Suit shall be commenced or prosecuted shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs of Suit in all such Cases. 58 Geo. 3. c. 7. § 1.

2. If any Action or Suit hath been already commenced Defendants may against any Person for any such Act, Matter, or Thing so apply to Courts advised, commanded, or done the Defendents or De advised, commanded, or done, the Defendants or De- ings and recover fenders in such Actions or Suit respectively, in whatever Double Costs. Court in the United Kingdom of Great Britain and Ireland, or in the said West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is hereby required to make Order for that Purpose accordingly; and the Court making such Order shall award to the Defendants or Defenders respectively Double Costs of Suit, for which they shall respectively have the l'ke Remedy as in Cases where the Costs are by Law given to the Defendants or Defenders. 58 Geo. 3. c.7. § 2.

### Saint Uincent,

The Port of Kingston one of the Free Ports for the A Free Port. Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

### Salt.

1. May be laden in any Part of Europe for Exporta- May be laden in 1. May be laden in any Part of Europe for Exportation any Part of tion direct to Newfoundland, Nova Scotia, and Quebec, Europe for the for the Use of the Fisherics, on board any British-built Fisheries. Ship, owned, navigated, and registered according to 15 Car. 2. c. 7. § 6. 2 Geo. 3. c. 24. § 7. Law. 4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1. 48 Geo. 3. c. 22. § 1.

2. The Produce of Europe South of Cape Finisterre, Vessels from the may be laden in any Port or Place of Europe South of in North Ame-Cape Finisterre for Exportation direct to any of the Ports rica arriving with herein- the Produce S4

in Europe South of Cape Finisterre, may im-Salt of Europe.

Duty thereon.

On Exportation from Nova Scotia or New Brunswick, Oath to 'm male that the Cargo in the Produce of the Provinces or of the British Fisheries, and Certificate thereof to be produced.

Certain Articles may be exported from Canada

thereof at Places hereinafter mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelport from thence burn in Nova Scotia, and Charlotte Town in Prince Edward's Island, all in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port or Place in Europe with Articles the Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or from any Part of the United Kingdom, or with Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves, Heading dressed or undressed, Pine Planks or Boards, from the Province of Canada, whether such Goods are the Produce of Canada, or shall have been brought into the said Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

3. Upon the Importation thereof into any of the said Ports, the Salt shall be liable to such Duties as Goods of the like Denomination are liable to upon being imported into any of the said Ports from Great Britain. 51 Geo. 3. c. 97. § 3.

4. The Person exporting a Cargo from any Port in Nova Scotia or New Brunswick, for any such Part of Europe South of Cape Finisterre, shall make Oath at the Port of Shipment in those Provinces, before the Chief Officer of the Customs, or Naval Officer in Command, that the Cargo so shipped is the Produce of the said Provinces, or the Produce of the British Fisheries in North America, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fi eries from some of the said Colonies; and such Officer of the Customs, or Naval Officer, shall certify such Oath under his Hand; which Certificate shall be produced by the Master on his Arr val at the Port in Europe within the Limits aforesaid to which such Cargo shall be consigned, or to which such Ship shall go for the Delivery of the Cargo; and the Master of such Ship shall make Oath before the British Consul there, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate so produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

4. The Exporter of any Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, Wheat, Oak Staves 9 and

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in the His N may b Mann cable, for the Impro Navig ohn's in Quebec d Shel-Prince ard any accordch Port the said Iajesty's the said lom, or Indian l or unvince of Canada, ince by § 2. the said oods of ng im-Britain.

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and Heading, dressed or undressed, Hoops, Pine Plank, without such and Boards from Canada, shall not be required to make Oath, on pro-ducing a Certifi-Oath that the said Articles are the Produce of Cauada; cate of the and the Master of the Ship, on his Arrival at any Port regular Importaof Europe within the Limits aforesaid, shall only be required to produce a Certificate from the Chief Officer of tion. the Customs, or the Naval Officer in Command at Quebec, that the said Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the said Province (if any) by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to in Manner aforesaid, by the Master of such Ship at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

5. Before the Shipment of any Pickled Fish or Dry Oath to be made Fish for Exportation from Canada to any Port of Europe Pickled or Dry within the Limits aforesaid, the Person in whose Posses- Fish from sion the same has continued from the Time of its being Canada, that it is the Produce of landed from the Fishing Vessel employed in taking it, the British until the same shall be shipped for Exportation, shall Fisheries. make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, bonâ fide taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies; and on such Oath being taken at Quebec, the said Officer of the Customs or Naval Officer shall grant Certificate thereof, which the Master shall produce at the Port of Delivery in Europe, and shall make Oath of the Authenticity of such Certificate in Manner aforesaid. 51 Geo. 3. c. 97. §6.

6. Any Ship or Goods subject to Forfeiture under By whom Shipe this Act shall be seized by any Officer of the Customs and Goods may in the said Colonies, or by the Commander of any of prosecuted. His Majesty's Ships or Vessels of War; and the same may be prosecuted, recovered, and divided in the same Manner, and by the same Regulations, as far as applicable, as any other Forfeiture imposed by any Act 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 the passing of this

before shipping

this Act, may be prosecuted, recovered, and divided in any British Colony or Plantation in America. 51 Geo. 3. c. 97. § 7.

7. Any Ship belonging to the Inhabitants of the said United States of America, coming in Ballast, and not otherwise, may enter the Ports of the Turks Islands, for the Purpose of being there laden with Salt only. 28 Geo. 3. c. 6. § 5.

8. The Master of such Ship shall immediately after her Arrival make a true Entry upon Oath before the Collector or other principal Officer of such Port, of his Ship, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the said Port, in order that such Ship may undergo the Search and Examination of the proper Officers of the Customs; and such Master shall truly answer upon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other principal Officer, and for any Default therein shall forfeit  $\pounds 100$ . 28 Geo. 3. c. 6. § 6.

9. There shall be collected, for the Use of His Ma-Duty to be paid. jesty, a Tonnage Duty of 2s. 6d. Sterling, payable in Dollars at the Rate of 5s. 6d. per Ounce, for every Ton Burthen of such Ship; and the Tonnage shall be ascertained by Admeasurement made by such Officer as shall be appointed for that Purpose by the Commissioners of the Customs in England, which Officer shall admeasure such Ship according to the following Method; viz.

' Drop a Plumb Line over the Stern of the Ship, and <sup>6</sup> measure the Distance between such Line and the After-part of the Stern Post at the Load Water ' Mark; then measure from the Top of the said · Plumb Line in a parallel Direction with the Water to a perpendicular Point immediately over ' the Load Water Mark, at the Forc-part of the " Main Stem, subtracting from such Measurement ' the above Distance, the Remainder will be the · Ship's extreme Length; from which is to be de- ducted Three Inches for every Foot of the Load · Draught of Water for the Rake abaft, and also · 3-5ths of the Ship's Breadth for the Rake forward, • the remaining shall be esteemed the just Length of 6 the Keel to find the Tonnage; and the Breadth shall

May be laden on board American Ships at the Turks Islands.

Masters to make Entry of the Ship with the principal Officer.

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nip, and and the Water he said ith the ely over of the irement be the be deie Load nd also orward, ength of Breadth shall Salt.

' shall be taken from Outside to Outside of the ' Plank, in the broadest Part of the Ship, either ' above or below the Main Wales, exclusive of all "Manner of Sheathing or Doubling that may be ' wrought upon the Side of the Ship; then multiply ' the Length of the Keel for Tonnage by the ' Breadth so taken, and that Product by One-half ' the Breadth, and dividing by 94, the Quotient ' shall be deemed the true Contents of the Tonnage.' 28 Geo. 3. c. 6. § 7.

10. The Duty shall be paid to the Collector of the Receipt and Customs at the Port or Place wherein he shall be ap- the Duty. pointed to reside, before any Salt shall be laden, and shall be under the Management of the Commissioners of the Customs, and recovered in like Manner and under such Penalties and Forfeitures as any other Duties now payable to His Majesty on Goods imported into any of the Plantations or Territories belonging to or under the Dominion of His Majesty in America or the West Indies, are or may be levied, paid, and recovered, and shall be subject to the Payment of the Salaries of the Officers, and other incidental Charges of the Port; and the Residue be paid to the Receiver General of the Customs in England, to be paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

11. No Goods shall be exported from the said Islands Only certain to any Part of His Majesty's Dominions in America or Articles allowed the West Indies, or laden on board any Ship for that from the Turks Purpose, except Salt; and no Goods shall be exported Islands. from the said Islands to Great Britain or Ireland, or lader on board any Ship for that Purpose, except Salt, and also except such Goods as may be by Law imported into Great Britain or Ireland from all other Countries free of Duties; on the Forfeiture of such Goods as shall be exported or laid on board contrary to this Act and the 39 & 40 Geo. 3. c. 67. Ship. 28 Geo. 3. c. 6. § 9. Art. 6.

12. Any Foreign Ship described in 45 Geo. 3. c. 57. May be laden in may come in Ballast into any Port of the Bahama Islands Foreign Ships at where there is a Custom House, and export Salt, sub- Islands, ject to the Duty of Tonnage, and under the Regulations imposed by 28 Geo. 3. c. 6.-52 Geo. 3. c. 99. § 1.

Sce Free Ports.

Appropriation of

13. Any

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May be exported from thence without Bond.

May be laden in American Ships in the Bahama Islands.

13. Any British Ship, owned, navigated, and registered according to Law, may export from any Part of the Bahama Islands any Quantity of Salt, without entering into the Bond required by 6 Geo. 3. c. 52.—52 Geo. 3. c. 99. § 2.

See Goods, Non-Enumerated.

14. Until 25th March 1819, any Ship belonging to the United States of America, coming in Ballast and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exuma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt, subject to the Rules, Regulations, and Restrictions of 28 Geo. 3. c. 6. respecting Ships coming for the same Purpose to Turk's Islands. 57 Geo. 3. c. 42. § 1.

### San Josef. Santa Lucea.

Free Ports.

Free Ports for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

### Sarsaparilla. Sausages.

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. See GIBRALTAR. MALTA.

Sabannah la Mar.

One of the Free Ports in the Island of Jamaica for the Importation and Exportation of certain Articles in Foreign Ships. 45 Geo. 3. c. 57. See FREE PORTS.

Importation allowed from Malta or Gibraltar.

A Free Port.

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for the Foreign

### Seamen.

1. No Master of any Merchant Ship, which shall have Masters of Ships proceeded from any Place in Great Britain or Ireland, not to hire Seamen, in the shall hire or engage any Seaman, Mariner, or other west Indies at Person at any Place within His Majesty's Colonies or more than double Plantations in the West Indies, to serve on board any Wages, unless such Ship, at or for greater Wages or Hire for such the Governor. Service than according to the Rate of Double Monthly Wages contracted for with the said Seamen, Mariners, and other Persons, at the Time of the Ship's then last Departure from Great Britain or Ireland, being in the same Degree and Station in which such Seaman, Mariner, or other Person shall be so hired or engaged at any such Port or Place, unless the Governor, Chief Magistrate, Collector, or Comptroller of such Port or Place, shall think that greater Wages or Hire ought to be given to such Seaman, Mariner, or other Person, and shall authorize the same by Writing under his Hand; and all Contracts and Securities which shall be made contrary to this Act shall be void; and the Master of any such Merchant Ship, or other Person who shall enter into or give, or cause or procure to be given, any such Contract or other Security, Promise or Undertaking, or who shall hire or procure to be hired any Seaman, Mariner, or other Person to enter on board any Ship contrary to this Act, or who shall pay or procure to be paid any greater Hire or Wages, or other Gratuity or Advantage, to any Seaman, Mariner, or other Person so hired or engaged, than is allowed by this Act, shall forfeit  $\pounds 100$ . 37 Geo. 3. c. 73. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

2. The Master of every Merchant Ship trading to Ships trading to His Majesty's Colonies and Plantations in the West In- West Indies to dies, shall have on board, at the Time of clearing out have an Apfrom Great Britain or Ireland, One Apprentice who prentice for every shall be under the Age of Seventeen Years, duly indented for Three Years, for every 100 Tons, and so in proportion for every 100 Tons according to the Certificate of Registry; and the Indenture of every Apprentice shall be enrolled at the Custom House of the Port from whence such Ship shall clear out, with the Collector or Comptroller, within One Month after the Execution thereof; and such Apprentice shall be exempt from serving in His Majesty's Navy for Three Years from the Date of the Indenture; and every Owner or Master neglecting to enrol the same shall forfeit £10, One Moiety by the Owner and the other

Masters of such Ships out and home, within 10 Days after Arrival, to deliver Lists of Crew.

Shall not be entitled to greater Wages than herein authorized.

Not to extend to Seamen producing Certificates of Discharge from Ships in which they last served, or if hired through Necessity. other Moiety by the Master. 37 Geo. 3. c. 73. § 4. 39 & 40 Geo. 3. c. 67. Art. 6.

Seamen.

3. The Master of such Ship shall, within 10 Days after his Arrival ont at any Port in the said Colonies and Plantations, and within 10 Days after their Arrival Home at any Port in Great Britain or Ireland, deliver upon Oath, to be made before the Collector or Comptroller of such Port, a true List and Description of all the Crew or board at the Time of the clearing out from Great Britain or Ireland, and of the Crew on board at the Time of Arrival at any Port in the said Colonies or Plantations, and also a true List and Description of every Person who has deserted or who has died during the Voyage, and also a true Account of the Wages due to each Person so dying, at the Time of his Death ; and every Master neglecting so to do shall forfeit £50; and for each List or Account so delivered, the Collector or Comptrolier shall be entitled to 2,s. 6d.; and any Person may inspect such List, for which Inspection the Colector or Comptroller shall be entitled to One Shilling. 37 Geo. 3. c. 73. § 5. 39 & 40 Geo. 3. c. 67. Art. 6.

4. No Seaman, Mariner, or other Person who shall, within His Majesty's Colonies or Plantations in the West Indies, engage himself to serve, or who shall in the said Colonies or Plantations enter on board any Merchant Ship which shall sail from Great Britain or Ireland, shall be entitled to receive any greater Wages or Hire, or other Gratuity or Advantage, on account of such Service, than herein authorized. 37 Geo. 3. c. 73. § 6. 39 & 40 Geo. 3. c. 67. Art. 6.

5. But not to extend to any Agreement which shall be made with any Seaman, Mariner, or other Person hired or engaged to serve on board any Merchant Ship at any Port within His Majesty's Colonies or Plantations in the West Indies, who shall at the Time of such Engagement produce to the Master a Certificate under the Hand of the Master of the Ship on board of which such Person had then last served, signed in the Presence of one or more Witnesses, stating their Places of Abode, certifying that such Person had been duly discharged; and which Certificate the Master shall grant within Three Days after Application made to him before a Witness, or in default thereof shall forfeit £20; nor to any Agreement to be made with any Person hired or engaged to serve

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### Seamen.

serve on board any Merchant Ship, which through Necessity, or on account of very hazardons Service or extraordinary Duty, require such Agreement to be made and more Wages given, and of which Necessity, Service, or extraordinary Duty, Proof shall be made on Oath before the Chief Magistrate or Principal Officer of any Port, or before any Justice of the Peace of the said Colonies or Plantations; provided that such Person so hired or engaged shall not have deserted from the Ship on board of which he had then last served; and also that no greater Wages shall be given by any Master, or received by any Seaman, Mariner, or other Person, except in Cases of such Necessity, very hazardous Service, or extraordinary Duty, than after the Rate of double the Monthly Wages, or the Wages to be settled or directed by any Governor, Chief Magistrate, Collector, or Comptroller as herein-before directed. 37 Geo. 3. c. 73. § 10.

6. The Articles to be entered into between the Masters, Seamen, and Mariners of such Merchant Ship, shall be to the Effect mentioned in the Schedule annexed to this Act\*. 37 Geo. 3. c. 73. §11.

### Seeds.

1. Any British-built Vessel, owned and navigated ac- May be imcording to Law, or any Vessel belonging to the Subjects ported in Foreign of any Sovereign or State in Amity with His Majesty, to be approved, may import Seeds into such Ports as shall be specially in Nova Scotia appointed for that Purpose by His Majesty within the or New Bruns-Provinces of Nova Scotia or New Brunswick; provided that Seeds shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and the same may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any Britishbuilt Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. §1, 2, 3.

2. His Majesty, with the Advice of His Privy Council, under such may make such Rules and Regulations for the Importa- Rules and Regution and Exportation of Seeds at the said Ports, with Majesty shall such Penalties and Forfeitures for the Breach thereof, as think necessary. shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 758 Geo. 3. c. 19. §6.

Ships into Ports wick;

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h shall Person t Ship Plantaof such under f which resence Abode, arged; Three itness, Agreeged to serve

<sup>\*</sup> The Form of the Articles is in the Appendix. 3. This

Limitation of the Act.

3. This Act shall continue in force during the Space of Three Years from and after the passing of the same \*, and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c.19. § 7.

### Seizures.

Officers may enter Houses to seize prohibited and uncustomed Goods.

On Actions General Issue may be pleaded, and Treble Costs allowed to Defendants.

Who may seize Sugar, Indigo, and Wine landed without a Warraut. 1: Any Officer of the Customs, authorized by Writ of Assistance under the superior or supreme Court of Justice having Jurisdiction within the Colony or Plantation, may take a Constable, Headborough, or other Public Officer inhabiting near the Place, and in the Day-time enter any House, Shop, Cellar, or other Place, and in case of Resistance break open Doors, Chests, Trunks, and other Packages, there to seize and to bring any kind of p. phibited or uncustomed Goods to His Majesty's Storehouse in the Port next to the Place where such Seizure shall be made. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6. 7 Geo. 3. c. 46. § 10.

2. If any Action or Suit shall be commenced against any Person for any thing done in pursuance of this Act, the Defendant 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 by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. 7 Geo. 3. c. 46. § 11.

3. Sugar, Indigo, and Wine, landed in any of His Majesty's Colonies or Plantations before due Entry and Payment of the Duty, or without a Warrant for the landing and delivering the same by the proper Officer, may be seized by the Governor or Commander in Chief of the Colony or Plantation where landed, or by any Person authorized by such Governor or Commander in Chief in that Behalf, or by Warrant of any Justice of the Peace, or other Magistrate, or by any Custom-

\* 8th May 1818.

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house, or assis 4. ] Planta Trade shall Record the Co tion a: be no Vice A lony o secutio in any accrue of Re either accrue is mad are no nies or Vice A ny or ] or to t the Pi 5. whom the C Port . and sh and I 26 Ge accore to 13. 6. any S Britis cient lity, i £60, fault ( adjud

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against his Act, give this Trial to by the to have ; and if 6 Action ıdgment inst the osts, and have in

of His itry and for the Officer, in Chief by any nder in stice of Custom-

house,

house, Impost, or Excise Officer, or any Person aiding or assisting him. 6 Geo. 2. c. 13. §3. 4 Geo. 3. c. 15. §1.7.

4. Forfeitures incurred in the British Colonies or In what Courts Plantations in America, under any Law relative to the Trade or Revenue of the said Colonies or Plantations, and recovered. shall be prosecuted and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Canse of Prosecution arises; and in Cases where there shall happen to be no such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Cause of Prosecution arises; provided that where a Seizure is made in any other Colony than that where the Forfeiture accrues, such Seizure may be prosecuted in any Court of Record or of Vice Admiralty having Jurisdiction, either in the Colony or Plantation where the Forfeiture accrues, or in the Colony or Plantation where the Seizure is made, at the Election of the Prosecutor; and if there are no such Courts in either of the last-mentioned Colonies or Plantations, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Forfeiture accrues, or to that where the Seizure is made, at the Election of the Prosecutor. 49 Geo. 3. c. 107. § 1.

5. Prosecuted under the Authority of this Act, by To be deposited whomsoever made, shall be deposited in the Custody of in the Custody of the Collector and the Collector and Comptroller of the Customs at the Comptroller of Port where made, or into which they shall be carried, the Customs. and shall be subject, in respect to the Charge, Care, Sale, and Delivery thereof, to the Rules and Regulations of 26 Geo. 3. c. 40. and shall be deliverable on Security, according to the Rules of 28 Geo. 3. c. 34. (See No. 10 49 Geo. 3. c. 107. § 2. to 13.)

6. No Person shall be admitted to enter a Claim to Claimers to give any Ship or Goods seized and prosecuted in any of the British Colonies or Plantations in America, until sufficient Security be first given by Persons of known Ability, in the Court where such Seizure is prosecuted, in  $\pounds60$ , to answer the Costs and Prosecutions; and in default of giving such Security, the Ship or Goods shall be adjudged to be forfeited. 4 Geo. 3. c. 15. § 44.

7. On Actions and Informations brought or entered in On Informations the British Plantations, upon any Law concerning His of Seizure, the Majes-

Security for Costs.

Jury to be

Forfeitures are to be prosecuted

Natives of England or Ireland, or of the Plantations, and laid in any Colony.

In Cases of Dispute the Proof to be upon the Claimer.

If a Verdict be given for the Defendant, the Judge may certify a probable Cause of Seizure.

On Actions against Officer the Judge may certify.

May be delivered, on Security for the Seizures:

Majesty's Duties, or Ships or Goods' to be forfeited by reason of any unlawful Importations or Exportations, there shall not be any Jury but of such only as are Natives of England or Ireland, or are born in His Majesty's Plantations; and upon all such Actions and Informations the Offences may be laid or alleged in any Colony, Province, County, Precinct, or Division of any of the said Plantations where such Offences are alleged to be committed, at the Pleasure of the Informer. 7 & 8 W. 3. c. 22. § 11.

8. If any Ship or Goods shall be seized for any Cause of Forfeiture, and any Dispute shall arise whether the Duties have been paid, or the same have been lawfully imported or exported, or concerning the Product or Manufacture, or the Place from whence such Goods were brought, in such Case the Proof thereof shall be upon the Owner or Claimer, and not upon the Officer who shall seize the same. 4 Geo. 3. c. 15. § 45.

9. In case any Information shall be commenced and brought to Trial in America, on account of any Seizure of any Ship or Goods wherein a Verdict or Sentence shall be given for the Claimer thereof, and it shall appear to the Judge or Court that there was a probable Cause of Seizure, the Judge or Court before whom the same shall be tried shall certify on the Record or other Proceedings, that there was a probable Cause for seizing the Ship or Goods; and in such Case the Defendant shall not be entitled to any Costs of Suit, nor shall the Persons who seized the Ship or Goods be liable to any Action or Prosecution on account of such Seizure; and in case any Action shall be commenced and brought to Trial against any Person on account of the seizing any such Ship or Goods, where no Information shall be commenced or brought to Trial to condemn the same, and a Verdict or Sontence shall be given upon such Action or Prosecution against the Defendant, if the Court or Judge before whom such Action or Prosecution may be brought shall certify that there was a probable Cause for such Seizure, then the Plaintiff, besides his Ship or Goods, or the Value thereof, shall not be entitled to above Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant be fined above One Shilling. 4 Geo. 3. c. 15. § 46.

10. In case any Goods shall be seized as forfeited in pursuance of any Act relative to the Trade and Revenue of the British Colonies and Plantations in America, the IO Judge Judge d termine Goods answer such Se to the 1 Collecte may be 11.

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### Seizures.

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ced and Seizure nce shall ppear to e Cause he same her Prozing the int shall Persons ction or case any l against Ship or enced or erdict or secution re whom ll certify ire, then ie Value nce Da-Defend-5. § 46. feited in Revenue rica, the Judge

Judge of any Court having Jurisdiction to try and de- Value, b. Order termine such Seizure, may order the Delivery of such of the Judge. Goods on sufficient Security, by Bond being given to answer Double the Value in case of Condemnation'; such Security to be good and sufficient, and to be taken to the Use of His Majesty, by and in the Name of the Collector of the Customs in whose Custody the Goods may be lodged. 28 Geo. 3. c. 34. § 7.

11. The Collector and Comptroller of the Customs shall, previous to the Execution of the Bond, make strict Inquiry into the Sufficiency of the Sureties pro- Comptroller, posed; and if found of Ability, they shall then certify and the Value the same in Writing to the Judge of such Court; and upon the Production of such Certificate, if the Judge is also satisfied with the Sufficiency of the Sureties, the Bond shall be executed, and shall then be delivered to and kept in the joint Custody of the said Collector and Comptroller; and in case the Goods for which such Security shall be so taken shall be condemned, the Value thereof shall be paid into the Hands of such Collector, who hall thereupon, with the Consent or Privity of the Comptroller, cancel the Bond. 28 Geo. 3. c. 34. §8.

12. But this Act shall not authorize the Delivery of To apply to 12. But this Act shall not authorize the Delivery of perishable Goods any Goods, except in Cases where the same shall be only, or in Cases perishable, or where the Informer shall delay coming to of Delay. as speedy a Trial as the Course of the Court in which the Prosecution shall be commenced and the Nature of the Circumstances will permit. 28 Geo. 3. c. 34. §9.

13. Goods and Ships which shall be seized in pur- Shall be sold by suance of any Act relative to the Trade and Revenue of the principal the British Colonies or Plantations, and which shall be counted for, subcondemned there, shall be sold by Public Auction to the ject to the Combest Bidder at the Custom-house by the Collector and missioners Comptroller, or Principal Officer of the Customs for the Island, Colony, or Plantation, in whose Custody such Ships or Goods shall be secured; and the Produce of such Sale shall be accounted for and applied by such Collector and Comptroller or other Principal Officer according to Law, subject to the Directions of the Commissioners of the Customs in England, or any Four of them. 26 Geo. 3. c. 40. § 33.

14. Ships seized and condemned in any Colony, Plant. Ships condemned ation, or Territory belonging to His Majesty in America for any illicit or

Bond to be delivered to the Collector and paid to them.

Officer and ac-Directions.

Trade, may be broken up.

How Proceeds

or in the West Indies, for any illicit Trade, the Commissioners of the Customs in England may direct to be broken up, and the Materials thereof sold, and the Produce to be accounted for and applied in the like Manner as the Produce of other Seizures condemned there are by Law directed to be accounted for and applied. 27 Geo. 3. c. 32. §12.

15. Forfeitures recovered in America under this or to be disposed of. any former Act, shall be applied as follows; that is to say, after deducting the Charges of Prosecution from the gross Produce thereof, One-third of the net Produce shall be paid to the Collector at the Port where such Forfeitures shall be recovered, for the Use of His Majesty, One-third to the Governor or Commander in Chief of the Colony or Plantation, and the other One-third to the Person who shall soize and sue for the same; excepting such Seizures as shall be made by the Commanders or Officers of His Majesty's Ships or Vessels of War, duly authorized to make Scizures, any where at Sea or upon any River, and which shall not be actually made on Shore within any British Colony or Plantation in America; One Moiety of which Forfeitures (first deducting the Charges of Prosecution) shall be paid to the Collector for the Use of His Majesty, and the other Moiety to him who shall seize and sue for the same; subject to such Distribution of the Produce of Seizures so made at Sea, as well with regard to the Moiety granted to His Majesty, as to the other Moiety given to the Seizor or Prosecutor, as His Majesty shall think fit to direct by any Order of Council or Proclamation. 4 Geo. 3. c. 15. §42. 5 Geo. 3. c. 45. § 26.

16. If the Produce of any Seizure made in America shall not be sufficient to answer the Expences of Condemnation and Sale, or if upon the Trial of any Seizure of any Ship or Goods, a Verdict or Sentence shall be given for the Claimant, the Charges attending the seizing and prosecuting shall, with the Consent and Approbation of any Four of the Commissioners of the Customs, be paid out of any Branch of the Revenue arising in any of the British Colonies or Plantations in America. 4 Geo. 3. c. 15. §43.

17. As to the Seizure, Prosecution, and Disposal of " Slaves," and the Bounties allowed to the Seizors under the the Ac Trade c. 36. 18.

shall b and ir hereaf venue, made 1 the Pa subject with re and th lances to with ment o under 19.

or any Boats, by any Act m Comm ping a any re to be Ships, been s Domiı Evider Comm Desigr Seizur Coloni Seas, a the Co was or having which Settler on any c. 96. 20. Power

Expences may in certain Cases be paid out of the Revenue.

Under the Slave Trade Acts.

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er this or that is to from the duce shall such Fors Majesty, hief of the rd to the excepting anders or Nar, duly or upou made on in Amededucting Collector ty to him t to such de at Sea, His Mar or Proct by any .15. §42.

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isposal of ors under the

the Acts for restraining and prohibiting the African Slave 46 Geo. 3. c. 72. 47 Geo. 3. Trade, See SLAVES. c. 36.

18. The Royal Hospital for Seamen at Greenwich Forfeited and shall be entitled to all forfeited and unclaimed Shares of to be paid to and in the Proceeds which shall have arisen or shall Greenwich hereafter arise from all Seizures for Breach of the Re- Hospital. venue, Colonial, Navigation, and Slave Abolition Laws, made by any of His Majesty's Ships; and the Agents for the Payments or Distribution of such Proceeds shall be subject to the same Regulations, Penalties, and Forfeitures with respect to the unclaimed and forfeited Shares thereof, and the transmitting of Accounts and Payment of Balances to the Royal Hospital, as Prize Agents were subject to with respect to the Transmission of Accounts and Payment of Balances of Prize Money to the Royal Hospital under 54 Geo. 3. c. 23.-57 Geo. 3. c. 127. §6.

19. The Commissioners of the Customs in England; In certain Cases or any Four of them, may order any Goods, Ships, by Order of the Boats, Horses, Cattle, or Carriages seized as forfeited Commissioners of by any Officer, or any other Person, in pursuance of any. Customs; Act made for the Protection of Trade, the Benefit of Commerce, or the encouraging and increasing of Shipping and Navigation, or in pursuance of any other Act in any respect relating to the Department of the Customs, to be restored to the Proprietor, whether such Goods, Ships, Boats, Horses, Cattle, or Carriages shall have been seized on the High Seas, or in any of His Majesty's Dominions, Colonies, Settlements, or Plantations, in case Evidence shall be given to the Satisfaction of the said Commissioners, that the Forfeiture arose without any Design or Fraud in the Proprietor ; and also in case the Seizure shall have been made in any of His Majesty's Colonies, Settlements, or Plantations, or on the High Seas, and it shall be made appear to the Satisfaction of the Commissioners or any Four of them, that such Seizure was occasioned by the Proprietor of such Goods, &c. having acted in conformity with any Orders or Directions which the Governor or Chief Officer of any such Colony, Settlement, or Plantation shall have deemed it expedient on any particular Emergency to issue. 51 Geo. 3. c. 96. § I.

20. Where the said Commissioners shall exercise the and if the Pro-Powers vested in them, and such Goods, &c. shall be re- prietor shall stored comply with

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the Terms prescribed by the Commissioners, neither the Officer nor Proprietor shall proceed.

May be restored, or Forfeitures remitted, by Order of the Lords of the Treasury.

But no Person shall be entitled to the Benefit of such Order unless the Conditions be complied with.

Penalty on Officers making collusive Seizures : stored to the Proprietor on such Condition as under the Circumstances of the Case shall appear to the Commissioners to be reasonable, and the Proprietor shall comply with the Terms prescribed, it shall not be lawful for the Officer or any Person who shall have seized such Goods, &c. or any other Person on his Behalf, to proceed for the Condemnation; out if such Proprietor shall not comply with the Terms, such Officer or Person shall be at Liberty to proceed as if this Law had not been made; or if such Proprietor accept the Terms, he shall not be entitled to any Recompence or Damage on account of the Seizure, or maintain any Action for the same. 51 Geo. 3. c. 96. § 2.

21. The Commissioners of His Majesty's Treasury, or any Three of them, by any Order made for that Purpose, under their Hands, may direct any Ships, Goods, or Commodities whatever, seized as forfeited by virtue of any Act relating to the Revenue of Customs or Excise, or any Act for the Regulation of the Trade and Navigation of this Kingdom, to be restored to the Proprietor on the Terms and Conditions which shall be mentioned in any such Order; and the said Commissioners of His Majesty's Treasury, or any Three of them, may mitigate or remit any Forfeiture which shall have been incurred under any Law relating to His Majesty's Revenue of Customs or Excise, or any Act relating to the Trade and Navigation of this Kingdom. 54 Geo. 3. c. 171. §1.

22. In any Case where the said Commissioners of His Majesty's Treasury shall exercise the Powers hereby vested in them, such Goods or Commodities shall be restored to the Proprietor or Proprietors, or such Forfeiture, or any Part thereof, shall be remitted, in such Manner or upon such Terms and Conditions, as to Costs or otherwise, as, under the Circumstances of the Case, shall appear to the said Commissioners to be reasonable, and as they the said Commissioners or any Three of them shall think fit to direct; and no Person shall be entitled to the Benefit of such Order, unless the Terms and Conditions therein contained shall be complied with. 54 Geo. 3. c. 171. § 2.

23. If any Officer of the Customs shall receive any Bribe or Reward of any Kind, or connive at any false Entry, or make any collusive Seizure or Agreement, or do any any ot or whe pass ei Penalt Ameri feit £ Majes and if any B do, co Provis evade Propo forieit 24. India or de shall Office c. 21. 25. Maje seize witho by th from he sł Offic ć. 15

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## Seizures.

any other Act by which His Majesty may be defrauded, or whereby any Goods prohibited shall be suffered to pass either inwards or outwards, or the Forfeitures and Penalties inflicted by any Act relating to the Customs in America may be evaded, every such Officer shall forfeit £500, and be rendered incapable of serving His Majesty in any Office or Employment, Civil or Military; and if any Person shall give, offer or promise to give, any Bribe or Reward to any Officer of the Customs, to do, conceal, or connive at any Act whereby any of the Provisions relating to the Customs in America may be evaded or broken, such Person shall (whether the Offer, Proposal, or Promise be accepted or performed or not) forreit £500. 4 Geo. 3. c. 15. § 38.

24. If any Officer of the Customs shall seize any East and upon Offi-India Goods, and by Fraud or Collusion shall desist from cers delaying or delay the Prosecution thereof to Condemnation, he of Fast India shall forfeit £ 500, and be incapable of holding any Goods; Office or Employment under His Majesty. 7 Geo. 1. c. 21. § 9.

25. If any Officer of the Customs in any of His or of Sugar, Majesty's Colonies or Plantations in America, shall Indigo, or Wine seize any Sugar, Indigo, or Wine, for having been landed a Warrant. without Payment of Duty, or without a Warrant signed by the proper Officer, and by Fraud or Collusion desist from or delay the Prosecution thereof to Condemnation, he shall forfeit £50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 19. § 3. 4 Geo. 3. c. 15. §1. 7.

### Senna.

May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Majesty's Sugar Colonies or Plantations in America, or Gibrakar. to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5.9. 57 Geo. 3. c. 4.

### Settlers.

1. If any Person being a Subject of the Territories Subjects of the 1. If any rerson being a Subject of the Arthones United States, belonging to the United States shall come from thence with their Famitogether Τ4

lies, coming to settle in the Bahamas or in the Colonies of North America, may import Household Furniture, & c. Duty-free,

Sale of such Household Furniture, &c.

Certain Persons to take and subscribe the Oath of Allegiance.

## Settlers.

together with his Family to any of the Bahama or Bermuda or Somers Islands, or to any Part of Quebec, Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there; any such Person obtaining a Licence from the Governor, or in his Absence the Lieutenant Governor of the said Islands, Colonies, or Provinces, may import into the same in British Ships, owned and navigated according to Law, any Household Furniture, Utensils of Husbandry, or Clothing, free of Duty, not exceeding in the whole the Value of Fifty Pounds for every White Person that shall belong to such Family, and the Value of Forty Shillings for every Negro brought by such White Person; and if any Dispute shall arise as to the Value of such Household Furniture, &c. the same shall be determined by the Arbitration of Three British Merchants at the Port where imported; One of such British Merchants to be appointed by the Governor, or in his Absence the Lieutenant Governor, One by the Collector of the Customs, and One by the Person so coming with his Family. 30 Geo. 3. c. 27. § 1.

2. All Bargains for the Sale of any Household Furniture, &c. so imported, which shall be made within Twelve Calendar Months after the Importation of the same (except in Cases of the Bankruptcy or Death of the Owner thereof) shall be void. 30 Geo. 3. c. 27. §2.

3. Every White Person so coming to reside, if above the Age of Fourteen Years, shall immediately after the Arrival take and subscribe the Oath of Alleigance to His Majesty, before the Governor, Lieutenant Governor, or Chief Magistrate at the Place where such Person shall arrive, and at the same Time swear that it is his Intention to reside and settle in such Island or Province; for which Oath such Governor, Lieutenant Governor, or Chief Magistrate shall receive the same Fee as is payable by Law on administering the Oath of Allegiance. 30 Geo. 3. c. 27. §3.

Sheep. See " Cattle."

1. Prize i feited i Court His M Slave ' Foreig allowe gated a Privile which as are Guern Coloni Africa built S belong Guern afores as the and re tinuing or froi legally such Rules beenn such I or exp not to Act h Keel was d enjoy Law o shall l said 1 Act, | of th the C Three empo Satisf or Ber-, Nova is Mang and e from Goveriay imvigated nsils of ling in White Value White alne of deterants at chants ice the stoms, 'amily.

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1. No Ship Foreign-built (except condemned as The Privileges Prize in any Court of Admiralty, or condemned as for- and Advantages feited in any Court of Record in Great Britain, or in any or a British-Court of Admiralty or Vice Admiralty in any Part of owned Ship, to be His Majesty's Dominions, for any Offence relating to the confined to Ships herein mention. Slave Trade), nor any Ship built or rebuilt upon any ed. Foreign-made Keel or Bottom in the Manner heretofore allowed, although owned by British Subjects and navigated according to Law, shall be entitled to any of the Privileges of a British-built or a British-owned Ship, which Privileges shall be confined to such Ships only as are wholly of the Built of Great Britain, Ireland, Guernsey, Jersey, and the Isle of Man, or of the British Colonies, Plantations, Islands, or Territories in Asia, Africa, or America; but not to prohibit such Foreignbuilt Ships as, before the 1st of May 1786, did wholly belong to any of the People of Great Britain or Ireland, Guernsey, Jersey, and the Isle of Man, or of any of the aforesaid Colonies, Plantations, Islands, or Territories, as the right Owners thereof, navigated according to Law, and registered in manner hereinafter directed, from continuing to enjoy the Privileges they have hitherto enjoyed, or from importing or exporting such Goods as may now be legally imported or exported by such Ships into and from such Places as are now by Law allowed, and under such Rules, Regulations, and Restrictions as have heretofore been made touching such Foreign-built Ships, and subject to such Duties as have been imposed on any Goods imported or exported as aforesaid in such Foreign-built Ships; and not to deprive any Ship which before the passing of this Act hath been built or rebuilt upon any Foreign-made Keel or Bottom, and which before the said 1st May 1786 was duly registered as a British Ship, from continuing to enjoy any Privilege to which such Ship is now by any Law or Usage entitled; nor to prevent any such Ship, which shall have been begun to be repaired or rebuilt before the said 1st May 1786, from being registered according to this Act, by an Order under the Hands of the Commissioners of the Customs in England, or any Four of them, or of the Commissioners of the Customs in Scotland or any Three of them, which Order the said Commissioners are empowered to grant, if it shall be made appear to their Satisfaction, upon Oath, that such Ship was stranded by

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of a British-built

by the Act of Providence, and not with a fraudulent Intent, and was at the Time of being so stranded the sole Property of Foreigners, or that such Ship was a Droit of Admiralty, and it be in like manner ascertained to the Satisfaction of such Commissioners, that the said Ship, from the Damage received by being so stranded, was rendered unit to proceed to Sea, without undergoing a thorough Repair in this Kingdom, and that she was necessarily sold for the Benefit of the Foreign Owners, or, being a Droit of Admiralty, was sold under the Authority of an Order or Commission from the Court of Admiralty, and that she was fairly and openly purchased by a British Subject, and being the sole Property of such British Subject, that she hath been so much repaired, that Two Thirds of her at least are of British-26 Geo. 3. c. 60. § 1. built. 54 Geo. 3. c. 59. § 1.

British Ships captured by the Enemy, not to have such Privileges;

unless recaptured by Ships of War or Letters of Marque, or by Ships in Alliance.

Repaired abroad, exceeding 15s. per Ton, not to be deemed British, unless necessary to enable the Ship to perform the Voyage on which engaged. 2. No British-built Ship which has been captured by the Enemy, and which shall not have been registered de novo before 1st October 1788, nor any British-built Ship which shall hereafter be captured by the Enemy, shall be registered as a British Ship, or enjoy any of the Privileges belonging to a British-built Ship; but although owned by a British Subject shall be deemed Foreignbuilt. 48 Geo. 3. c. 70.

3. But every British-built Ship recaptured from the Enemy by any of His Majesty's Ships of War, or by any Ship having Letters of Marque and Reprisal, or by any Ship of War belonging to any State in Alliance with His Majesty, may be registered, and shall be deemed to have the Privileges of a British-built Ship, the same as if it had not been captured by the Enemy. 49 Geo. 3. c. 41.

4. No Ship shall be deemed or taken to be Britishbuilt, or enjoy the Privileges thereunto belonging, which shall be rebuilt or repaired in any Foreign Port or Place, if such Repairs shall exceed 15s. for every Ton according to the Admeasurement thereof, unless such Repairs shall be necessary by reason of extraordinary Damage sustained during the Absence of such Ship from His Majesty's Dominions, to enable her to perform the Voyage in which she shall be then engaged, and to return in Safety to some Place of the said Dominions; and before such such afores there mátio if the where shall Perso Britis Britis sustai hpon or C of th sary Voya the V of H Britis Seal Chie such be m of by such chan the l the ] or ( be r shall mati Prin Maj (if r mati Offic desc such ceed said Coll Cus udulent the sole Droit of to the d Ship, ed, was ergoing she was )wners, der the Court ly purroperty ) much British-1.

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such Ship shall be repaired so as to exceed the Sum aforesaid, the Master shall report the State and Condition thereof upon Oath, or (being a Quaker) upon Affirmation, to the British Consul or Chief British Officer, if there shall be such Consul or Officer at the Port where it shall be necessary to repair such Ship, and shall cause her to be surveyed by Two fit and proper Persons, to be approved of by such Consul or Chief British Officer, and shall deliver to such Consul or Chief Particulars of British Officer, in Writing, the Particulars of the Damage the Damage sustained to be sustained, and shall verify upon Oath, or being a Quaker delivered to the upon Affirmation, (to be administered by such Consul Consul or Chief or Chief British Officer), the Particulars and Amount and the Necesof the Repairs, and that the same were become neces- sity of the Resary in consequence of Damage sustained during the pairs to be cer-Voyage to that Port, to enable such Ship to prosecute the Voyage then intended, and to return to some Place of His Majesty's Dominions, which the Consul or Chief British Officer is required to certify under his Hand and Seal; and if there shall not be any British Consul or Chief British Officer resident at or near the Place where such Repairs may be necessary, then such Survey shall be made by Two fit and proper Persons, to be approved of by Two known British Merchants residing at or near such Place; and the Master shall produce to such Merchants Vouchers of the Particulars and the Amount of the Repairs, whose Certificate of the same shall be of the like Force and Effect as that of the British Consul or Chief British Officer; and in case any Ship shall be repaired in any Foreign Place, the Master thereof shall make Proof upon Oath, or (if a Quaker) by Affirmation, before the Collector or Comptroller or other Principal Officer of the Customs in the Port of His Majesty's Dominions where the said Ship may first arrive (if required by them so to do, and which Oath or Affirmation the Collector and Comptroller or other Principal Officer, or either of them, is empowered to administer), describing the Nature and Amount of the Expence of such Repairs; and if such Expence shall appear to exceed 15s. for every Ton of the Admeasurement, and the said Master shall neglect or refuse to deliver to such Collector and Comptroller or Principal Officer of the Customs, or to one of them, the Certificate so required, the

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the Vessel shall be deemed Foreign-built. 26 Geo. 3. c. 60. § 2.

5. No Subject of His Majesty, whose usual Residence is in a Country not under the Dominion of His Majesty, shall be entitled (during the Time he shall continue so to reside) to be the Owner in Whole or in Part of any British Ship required to be registered, unless he be a Member of some British Factory or Agent for a Partner in any House of Copartnership actually carrying on Trade in Great Britain or Ireland. 26 Geo. 3. c. 60. § 8.

6. If any Ship after Registry shall in any Manner be altered in Form or Burthen by being lengthened or built upon, or altered from a Sloop to a Brigantine, or from any one Denomination to another, by the Mode of rigging or fitting, such Ship shall be registered de novo, as soon as she returns to the Port to which she belongs, or to any other Port in which she may legally be registered, on Failure whereof such Ship shall be deemed Foreign. 26 Geo. 3. c. 60. § 24.

7. No Foreigner or other Person not being a naturalborn Subject of His Majesty shall be entitled to, or shall purchase or contract for, any Part or Share of any British Ship belonging only to the natural-born Subjects of His Majesty, without first obtaining the Consent in Writing of the Owners of Three fourth Parts in Value at least of such Ship, to be endorsed on the Certificate of the Register of such Ship before Two Witnesses; and all Agreements, Contracts, Purchases, and Sales of any Part or Share of any British Ship belonging only to natural-born Subjects of His Majesty, made, contracted for, or concluded by any such Foreigner or other Person not being a natural-born Subject of His Majesty, without such Consent endorsed as aforesaid, shall be null and 13 Geo. 3. c. 26. § 1. void.

8. As often as any Transfer of Property in any Ship shall be made while such Ship is upon the Key, on a Voyage to a Foreign Port, in case the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship shall proceed directly to the Port for which the Cargo is destined, or to the Port to which she belongs, or any other Port in which she may be registered, and such Ship may take on board in the Port for which the original Cargo was destined,

Subjects residing in a Foreign Country, not entitled to be Owners of British Ships.

Altered in Form or Burthen, or from one Denomination to another, must be registered de novo.

Sales to Foreigners void, without the Consent of the Owners of Three fourth Parts in Value.

Upon the Transfer of Property in a Ship at Sea, the Master must proceed directly to the Port for which the Cargo is destined, or where she may be registered. ico. 3.

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### Ships.

destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as may be legally carried to the Port where she may be registered de novo; and if such Transfer shall be made while such Ship is in any Foreign Port, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship, after having delivered the Cargo at the Port for which it is destined, shall sail from such Port to the Port to which she belongs, or to any other Port in which she may be registered, and may take on board at the Port for which her original Cargo was destined, or other Port, being in the Course of her Voyage to the Port in which she may be registered de novo, such Cargo as may be legally carried to such Port where she may be registered de novo; and if such Transfer shall be made while such Ship is on a Fishing Voyage, and the Master is privy to such Transfer, or in case he is not, as soon as he shall become acquainted therewith, such Ship after having finished fishing, without touching at any Foreign Port, except for the Purpose of Repairs or Refreshments, or for delivering any Part of the Cargo, shall sail to the Port to which she belongs, or any other Port where she may be registered, and may take on board at the Foreign Port last described, or any other Port, being in the Course of her Voyage to the Port where she may be registered de novo, such Cargo as may be legally carried to such Port; and such Ship shall be registered de novo as soon as she returns to the Port to which she belongs, or to any other Port in which she may be registered; on Failure whereof such Ship shall be deemed Foreign, On Failure and shall not again be registered, unless the Commissioners of the Customs, or the Governor, Lieutenant Governor, or Commander in Chief of Guernsey or and not again Jersey, or of any British Plantation, on Consideration registered unless of the special Circumstances of the Case, think fit to order the Ship to be registered; provided that the Regulations required by the Laws in force concerning the first Registry of Ships shall be complied with; and that in no Case of the Transfer of Property, in whole or in part, the Ship shall be registered de novo, unless she shall return to the Port to which she belongs, or to such Port in which she may be registered de novo, within 12 Months

whereof the Ship is to be deemed Foreign, by special Order. Months, after the Date of such Transfer, if such Ship shall not be on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, or within Two Years if on a Voyage to the East of the Cape of Good Hope, or to the West of Cape Horn, at the Time of such Transfer taking place, except by Order of the Commissioners, Governor, &c. upon special Representation of the Circumstances of the Case, in manner before authorized. 34 Geo. 3. c. 68. § 22.

9. All Ships which by 26 Geo. 3. c. 60. are declared not to be entitled to the Privileges of British-built or British-owned Ships, and all Ships not registered according to that Act, shall, although owned by British Subjects, be deemed Alien Ships, and subject to the same Penalties and Forfeitures as Alien Ships in the like Cases are or shall be liable to. 27 Geo. 3. c. 19. § 13.

10. No Ship coming to any Colony, Territory, or Place to His Majesty belonging, or in His Possession, shall lade or unlade any Goods until the Master shall have first made known to the Governor, or such Officer as shall be by him thereunto authorized, the Arrival of the Ship, with her Name and the Name of the Master, and shall have shewn that she is British-built, and registered and navigated according to Law, and have delivered to such Governor or Officer a true Inventory or Invoice of her Lading, with the Places in which the Goods were laden; on Forfeiture of the Ship, and of all Goods the Manufacture of Europe as were not laden in Great Britain or Ireland. 15 Car. 2. c. 7. § 8. 3 & 4 Ann. c. 6. § 2. 7 & 8 W. 3. c. 22. § 2. 20 Geo. 3. 26 Geo. 3. c. 60. 39 & 40 Geo. 3. c. 67. **c.** 10. § 1. Art. 6.

Not to be deemed qualified to trade until Master shall have made Oath to Particulars herein mentioned. 11. No Ship required to be registered, and carrying any Goods to or from the British Plantations in America, or to or from one Plantation to another, shall be permitted to trade, or be deemed qualified for that Purpose, until the Master shall upon Oath (or in case of a Quaker, upon his solemn Affirmation), before the Governor or Collector of the Customs of the Plantation where he shall arrive, give a true Account of the Name and Burthen thereof, and other Particulars, according to the Form following; videlicet,

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Nor registered as directed by 26 Geo. 3. to be deemed Alien Ships.

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Ships.

A. B. maketh Oath (or, if a Quaker, solemnly affirms), ' That the Ship called the whereof he this ' Deponent or Affirmant is Master, or hath the ' Charge or Command during the present Voyage, <sup>6</sup> being of the Burthen of Tons, came last • from , and that she is, as he verily ' believes, the same Ship described, meant, and in-' tended in and by the Certificate now produced by ' him, and that the same does now, as he believes, ' belong wholly to His Majesty's Subjects, and that ' no Foreigner has, directly or indirectly, any Share, ' Property, or Interest therein, to his Knowledge or ' Belief.' 15 & 16 Geo. 3. c. 31. § 1.

12. And in case any Ship shall unload any Goods in any of His Majesty's Plantations in America, before such Proof shall be made, such Ship shall be forfeited and prosecuted in like manner as if she had not been registered. 15 & 16 Geo. 3. c. 31. § 1.

13. The Master of every Ship arriving in any British Colony or Plantation in America shall, before he proceeds to the Place of unloading, come directly to the the principal Custom House for the Port or District where he arrives, and make a just and true Entry, upon Oath, before the Collector and Comptroller or other principal Officer of unloading; the Customs there, of the Burthen, Contents, and Lading of such Ship, with the particular Marks, Numbers, Qualities, and Contents of every Parcel of Goods therein laden, to the best of his Knowledge; also where and in what Port she took in her Lading, of what Country built, how manned, who was Master during the Voyage, and who are Owners thereof, and whether any and what Goods, during the Course of such Voyage, had or had not been discharged out of such Ship, and where; and the Master of every Ship going out from any British Colony or Plantation in America, before he shall lade any Goods to be exported, shall in like Manner enter and report outwards such Ship, with her Name and Burthen, of what Country built, and how manned, with the Names of the Master and Owners thereof, and to what Place he intends to pass or sail; and before he shall and before De. depart with such Ship, he shall also deliver unto the Collector and Comptroller or other principal Officer of the Customs at the Port or Place where he shall lade, a Content in Writing under his Hand of the Name of everv

The Masters to make Entry of the Ship with Officers before proceeding to the Place of

and whether coming in or going out, to answer Questions upon Oath.

None but Britishbuilt, or condemned as Prize, or under the Slave TradeActs, are to import or export Goods into or from the British Colonies.

every Person who shall have laden any Goods, together with the Marks and Numbers; and either coming into or going out of any British Colony or Plantation, whether laden or in ballast, the Master shall publicly in the open Custom House, to the best of his Knowledge, answer upon Oath to such Questions as shall be demanded of him by the Collector and Comptroller, or other principal Officer of the Customs, concerning such Ship and the Destination of her Voyage, or concerning any Goods laden on board, upon Forfeiture of £100 Sterling Money of Great Britain for every Neglect; to be prosecuted, recovered, and divided in the same manner, and by the same Rules and Regulations, as other pecuniary Penalties for Offences against the Laws of the Customs or Trade of His Majesty's Colonies in America. 7 Geo. 3. c. 46. § 9.

14. No Goods shall be imported into or exported out of any Colony or Plantation in America belonging to or in the Possession of His Majesty, or shall be laden in or carried from any one Port or Place in the said Colonies or Plantations to any other Port or Place in the same, or to Great Britain or Ireland, in any Ship but what is of the Built of Great Britain, Ireland, the Islands of Guernsey, Jersey, the Isle of Man, or some of the Colonies, Plantations, or Territories in Asia, Africa, or America, belonging to or in the Possession of His Majesty, except Ships taken by any of His Majesty's Ships of War, or by any Private or other Ship, and condemned as lawful Prize in any Court of Vice Admiralty, and also except Ships condemned as forfeited in any Court of Record in Great Britain, or in any Court of Admiralty or Vice Admiralty, for any Offence relating to the Slave Trade; such Ships respectively being owned by British Subjects, navigated and registered according to Law, on Forfeiture of all Goods otherwise imported, as also the Ship; and the Commanders of Ships of War are to seize as Prize all Ships offending, and to deliver them to the Court of Admiralty. 12 Car. 2. c. 18. §1. 7 & 8 W. 3. c. 22. §2. 26 Geo. 3. c. 60. § 10. 27 Geo. 3. c. 19. § 13. 39 & 40 Geo. 3. c. 67. Art. 6. 54 Geo. 3. c. 59. § 1.

For the Regulations, Restrictions, Penalties, and Forfeitures respecting the Navigation and Registry of British Ships,

> See NAVIGATION OF BRITISH SHIPS. REGISTRY OF BRITISH SHIPS.

> > (1.) Ships

other Acts (see No. 14.) is to prevent

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### Ships.

(1.) Ships belonging to any of the Inhabitants But Americanof the United States of America from coming in Ballast to the Turks Islands, Nassau, Exuma or certain Islands. Crooked Island, for the Purpose of being there laden with Salt. 28 Geo. 3. c. 6. § 5, 6, 7.

See SALT.

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(2.) Wool, Cotton Wool, Indigo, Cochineal, Drugs, Cocoa, Logwood, Fustic Wood for Dyers' Use, Hides, Skins, Tallow, Furs, Tortoiseshell, ing Colonies Hardwood or Mill Timber, Mahogany Wood for under Foreign Cabinet Ware, Horses, Asses, Mules, Cattle, European Sove-Corn, Bullion, Diamonds, and Precious Stones, port and export Rice, Grain, Flour, Sugar, and Coffee, from being Articles into and imported into and exported from the Free Ports from the Free' in the West Indies, in any Foreign Ship, being owned and navigated by Persons inhabiting any Colony or Plantation in America, or Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State. 45 Geo. 3. c. 57. 48 Geo. 3. c. 125. 50 Geo. 3. c. 21. 52 Geo. 3. c. 99. 54 Geo. 3. c. 48. See FREE PORTS.

(3.) Any Foreign Ship described in 45 Geo. 3. and import and c. 57. from coming in Ballast or importing into export certain Goods into the any Port of the Bahama Islands, where there is a Bahamas. Custom House, the Articles allowed in the said Act to be imported into the Ports therein mentioned, and also exporting the Articles allowed by the said Act to be exported in Foreign Vessels, or exporting Salt, subject to the Duty of Tonnage and under the Regulations of 28 Geo. 3. c. 6. -52 Geo. 3. c. 99.

See SALT.

#### FREE PORTS.

(4.) Sugar, Coffee, Rum, or Molasses, the Ships in Amity Produce of any British Colony in the West Indies, may export cerimported into the Island of Bermuda in any British from Bermuda Ship, from being exported from the Port of Saint to the United George or the Port of Hamilton in the said Island States; to any Part of the Territories of the United States of America, in any Foreign Ship belonging to any Country in Amity with His Majesty, above the Burthen of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28.

(5.) To-

Ships owned and navigated by Persons inhabit-European Sove-

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and Tobacco, &c. from the United States into Bermuda:

also Fruit and Vegetabless in the other Acts (see No. 14.) is to prevent

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c. 18.

But nothing in 12 Car. 2.

Dutch Ships may import from the Netherlands, Supplies for the Estates of Dutch Proprietors in Guiana; (5.) Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards and Plank, Timber, Shingles, and Lumber, Horses, Neat Cattle, Sheep, Hogs, Poultry, and Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, the Growth or Production of any of the Territories of the United States of America, from being imported from the said Territories into Saint George or Hamilton, in the Island of Bermuda, in any Foreign Ship belonging to any State in Amity with His Majesty. 52 Geo. 3. c. 79. § 2. 53 Geo. 3. c. 50.

(6.) Fruit or Vegetables the Growth of the United States from being imported into the Ports enumerated in 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Ships of the Description mentioned in the said Acts, under the like Authority, Restrictions, Rules, Regulations, Penalties, and Forfeitures, therein provided. 57 Geo. 3. c. 28. § 1.

(7.) The usual and necessary Articles of Supply for the Estates of Dutch Proprietors in the Colonies of Demerara, Berbice, and Essequibo in the Province of Guiana in South America, from being exported from the Netherlands into the said Colonies respectively, on board any Ship being the Property of Subjects of the King of the Netherlands, wherever built, and without Restriction or Limitation as to the Mariners navigating the same, for the Space of Five Years, commencing from the 1st Day of January 1816; but the Master of every such Ship shall produce to the proper Officer of His Majesty's Customs in the said Colonies, satisfactory Proof of the said Ship being owned by a Subject of the King of the Netherlands; provided that the said King of the Netherlands may, at any Time before the Expiration of the said Five Years, direct that such Trade shall be carried on only in such Ships as are Dutchbuilt, and whereof the Master and Three Fourths of the Crew are the Subjects of His said Majesty; provided also, that after the Expiration of the Five Years no such Trade shall be carried on, except in Ships Dutch-built, and whercof the Master

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But nothing in 12 Car. 2. c. 18. or in the other Acts (see No. 14.) is to prevent

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ter and Three Fourths of the Crew are Subjects of His said Majesty. 56 Geo. 3. c. 91. § 3, 4.6.

(8.) The Produce of the Estates of Dutch Pro- and export the Produce of such prietors in the said Colonies of Demerara, Berbice, Estates to the or Essequibo in Guiana, from being exported from Netherlands. the said Colonies to the Netherlands, on board such Ships as are described in the preceding Article, No. 7. 56 Geo. 3. c. 91. § 4. 6.

(9.) Scantling, Planks, Staves, Heading Boards, Ships of States Shingles, Hoops, Horses, Neat Cattle, Sheep, import Scant-Hogs, Poultry, and Live Stock of any Sort; ling, &c. into Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort; Pitch, Tar, Turpentine, Fruits, Seeds, and New Brunswick; Tobacco; from being imported into such Ports as shall be specially appointed for that Purpose by His Majesty within the Provinces of Nova Scotia or New Brunswick, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty. 58 Geo. 3. c. 19. § 1.

See Nova Scotia and New Brunswick. (10.) Gypsum, Grindstones, or other Produce or and export Manufacture of the said Provinces of Nova Scotic. from the said or New Brunswick, and any Produce or Manu- Ports. facture of the United Kingdom, or of His Majesty's Colonies or Plantations in the West Indies, or any Goods which have been lawfully imported into the said Provinces, from being exported from such Ports as shall be specially appointed for that Purpose by His Majesty within the said Provinces, in any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty to which the said Articles shall be exported\*. 58 Geo. 3. c. 19. § 4.

See NOVA SCOTIA AND NEW BRUNSWICK.

16. No Ship shall be cleared Outwards for any Colony, Clearing out Territory, or Place to His Majesty belonging, or in the Britain or Ire. Possession or under the Dominion of His Majesty in land, the whole America, unless the whole and entire Cargo of such Cargo must be Vessel shall be laden in Great Britain or Ireland; and there laden, and a Cocket or any Officer of the Customs may stop any British Ship Clearance

in Amity may Ports to be approved in Nova Scotia or

Gypsum, &r.

produced.

\* The Act 58 Geo. 3. e. 19. is to continue in force for Three Years from 8th May 1818, and until Six Weeks after the Commencement of the then next Session of Parliament.

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arriving from any Part of Europe, which shall be discovered within Two Leagues of the Shore of any of the Colonics, &c. and seize any Goods (except as hereinafter mentioned) for which the Master shall not produce a Cocket or Clearance from the Collector or proper Officer of His Majesty's Customs in some Part of Great Britain or Ireland, certifying that the said Goods were there laden. 4 Geo. 3. c. 15. § 30. 20 Geo. 3. c. 10. § 15. 39 & 40 Geo. 3. c. 67. Art. 6.

17. Any Person who shall counterfeit, alter, or falsify any Cocket or Clearance required by this Act, or shall knowingly or wilfully make use of any Cocket or Clearance so counterfeited, &c. shall for every such Offence forfeit  $\pounds$ 500, and the same shall be of no effect. 4 G e o 3 c. 15. § 32.

(1.) Salt laden in Europe for the Fisheries in Newfoundland, Nova Scotia, Quebec, or for any other Place to which Salt is allowed to be carried for the Use of the Fisheries; Wines laden in the Madeiras of the Growth thereof; Wines of the Growth of the Western Islands or Azores, and laden there; Oranges or Lemons of the Azores or Madeiras, shipped from thence for Exportation direct to any of the Ports in the British Colonies in North America, in British-built Ships, owned, navigated, and registered according to Law.
4 Geo. 3. c. 15. § 31. 4 Geo. 3. c. 19. § 1.
48 Geo. 3. c. 22. § 1. 57 Geo.3. c. 89. § 1.

(2.) Goods, the Growth, Produce, or Manufacture of Great Britain, Ireland, Guernsey, or Jersey, fit and necessary for the Fisheries carried on in any of the British Colonies, shipped by the Inhabitants of Guernsey or Jersey; Tools or Implements necessary for the Fishery manufactured in the Isle of Man, or Herrings cured there, and shipped from the said Isle. 9 Geo. 3. c. 28. §1. 12 Geo. 3. c. 31. § 5. 12 Geo. 3. c. 58. § 4.

See EUROPE.

(3.) Fruit, Wine, Oil, Salt, or Cork, laden in any Part of Europe to the Southward of Cape Finisterre, for Exportation direct to certain Colonies in North America, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Part of Europe

Counterfeiting, &c. the Documents, or using the same.

Not to prevent the loading of Salt, Wine, Oranges or Lemons at certain Places herein mentioned.

c.15. &c. is to forfeit for want of such Clearance

But nothing in 4 Geo. 3.

Certain Articles for the Fisheries and Herrings, from Guerusey, Jersey, and Man.

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Fruit, Wine, Oil, Salt, or Cork from Parts of Europe South of Cape Finisterre, in Ships arriving from the Colonies; iscof the reinduce r Of-Great were §15.

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Europe with the Articles enumerated in this Act. 51 Geo. 3. c. 97.

See Conk. FRUIT. OIL. SALT.

#### WINE.

(4.) Corn or Grain laden in any Part of Europe also Corn and to the Southward of Cape Finisterre, for Ex- Grain from such Parts of Europe. portation to any of His Majesty's Sugar Colonies, on board any Ship having landed a Cargo of Sugar, Coffee, or Cocoa imported from the said Sugar Colonies under the Regulations of this Act. 52 Geo. 3. c. 98.

### See CORN AND GRAIN.

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the other Acts (see No. 16.) is to forfeit for want of such Clearance

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(5.) Articles requisite as Supplies for the Cul- Supplies for the tivation of Estates in Demerara, Berbice, or Esse- Estates of Dutch Proprietors in quibo, or the Clothing, Maintenance, and Com- Guiana from the fort of the Residents thereon, shipped in the Netherlands. Netherlands by the Subjects of the King of the Netherlands, being Dutch Proprietors in such Colonies respectively. 56 Geo. 3. c. 91. § 4.

See DEMERARA.

(6.) Articles enumerated in the following Sche- Certain Articles dule, shipped at Maita or the Dependencies from Malta or thereof, or at Gibraltar, on board any British- Gibraltar. built Ship, owned, navigated, and registered according to Law, for Exportation direct to any of His Majesty's Sugar Colonies or Plantations in America, Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4. § 1. Sec GIBRALTAR.

MALTA.

#### SCHEDULE B.

But nothing in 4 Geo. 3. Dry and Wet ) In Jars Figs. Fruit, in Bran-& dy & Sugar ) Bottles. Pickles in Ditto. Olives.  $U_3$ 

Raisins. Currants. Pistaccio Nuts. Almonds.

Dates.

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# Ships.

Dates. Capers. Wine. Brandy.Safflower. Musk. Incense.0il of Olives. Oil of Almonds. Gum Arabic. — Mastic. — Myrrh. — Sicily.Do. of Citron. Do. of Citron. Do. of Citron. Do. of Citron. Do. of Citron. Do. of Carentarion. Do. of Rosenary. Marble, } Rough & Alabaster, J Worked Brimstone. Cork. Aniseed. Cork. Aniseed. Cork. Aniseed. Cork. Aniseed. Senna. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Cork. Anseed. Coral. Bullion. Precious Stones. Pearls. Corn. Coral. Bullion. Precious Stones. Pearls. Corn. Coral. Bullion. Precious Stones. Pearls. Corn. Corn. Coral. Bullion. Precious Stones. Pearls. Corn. Coral. Bullion. Precious Stones. Pearls. Corn. Coral. Bullion. Precious Stones. Peas. Lava and Malta Stone for building. to buildin	
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5 — Myrrh. Do. of Roses.	,
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Z     — Ammoniac.     Marble, Rough & Alabaster, Worked       Z     Opium.     Alabaster, Worked	
5 Manna. Brimstone.	
Senna. Cork.	
Cantharides. Aniseed.	
Coris Root. Cumminseed.	
Rhubarb. Ostrich Feathers.	
S Mill Timber. Ostrich Feathers.	
Sponges.	
Box Wood, Sponges. Argol. Amber.	
18. 3 Vermilion. Coral.	
Ochres. Bullion.	
Einnabar, Precious Stones.	
S Orange Buds and Peel. Pearls.	
Juniper Berries. Corn.	
g Punk. Grain.	
B Pumice Stone. Meal or Flour.	
Emery Stone. Beans.	
Whetstone. Peas.	
Paintings and Prints. Lentils.	
Mosaic Works. Rice.	
S Medals. Maccaroni or Vermi	
Lava and Malta Stone   celli.	-
s for building. Cascasoo.	
Point Point Point Parmesan Cheese.	
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$\begin{array}{c c} & & \\ & \\ & \\ & \\ & \\ & \\ \end{array}$ Scammony. Sausages. Anchovies.	
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Caviar.	
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Of 50 Tons or customable or prohibited Goods, hovering within the Limits of the

19. Where any Vessel of the Burthen of Fifty Tens under, laden with or under, laden with customable or prohibited Goods, shall be found hovering within the Limits of any Port on the Coasts of any of the Dominions or Territories belonging to the Crown of Great Britain, and not proceeding on

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on her Voyage for Foreign Parts, Wind and Weather Ports and not permitting, any Officer of the Customs may go on board, proceeding on the and take an Account of the Lading, and take Security. and take an Account of the Lading, and take Security from the Master, by his own Bond to His Majesty in Treble the Value of such Foreign Goods then on board, with Condition that such Vessel (as soon as Wind and Weather and her State and Condition shall permit) shall proceed regularly on the Voyage, and land such Foreign Goods at some Foreign Port or Ports; and if such Master shall upon Demand refuse to enter into such Bond, or having entered into the same shall not depart or proceed regularly on such Voyage (as soon as Wind and Weather and the State and Condition of the Vessel shall permit) unless suffered to make a longer Stay by the Collector, or (in his Absence) the Principal Officer of such Port, not exceeding Twenty Days, then all the Foreign Goods on board shall, by Direction of the Collector or other principal Officer, be brought on Shore and secured; and in case the Goods are customable, the Duties shall be paid, and any prohibited Goods, or other Goods liable to Forfeiture, which may be found on board, shall be forfeited, and the Officers of the Customs shall prosecute the same, as also the Vessel, in case she shall be liable to Condemnation; and after the Goods are secured, such Bond shall be void, and delivered up without Fee or Reward; and not being otherwise discharged, shall, on a proper Certificate returned under the Common Seal of the Chief Magistrate in any Place beyond the Seas, or under the Hands and Seals of Two known British Merchants upon the Place, that such Goods were there landed, or upon Proof by credible Persons that such Goods were taken by Enemies or perished in the Seas (the Examination and Proof thereof being left to the Judgment of the Commissioners of Customs), shall be vacated and discharged. 5 Geo. 1. c. 11. § 6. 3 Geo. 3. c. 22.

20. If any Foreign Ship shall be found at Anchor, or Foreign Ships hovering within Two Leagues of the Shore of any Co-hovering within Two Leagues of lony, Territory, or Place in the Possession of or under the Shore, and the Dominion of His Majesty in America, and shall not not departing depart from the Coast and proceed upon her Voyage to within 48 Hours some Foreign Port or Place within 48 Hours after the quired so to do. Master of such Ship shall be required so to do by any Officer of His Majesty's Customs (unless in case of any unavoidable Necessity and Distress of Weather), such Ship, with all the Goods therein laden, shall be forfeited. U4whether

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# Ships.

whether Bulk shall have been broken or not, and may be seized and prosecuted by any Officer of His Majesty's Customs. 4 Geo. 3. c. 15. § 33.

21. But not to extend to any Ship belonging to the Subjects of the French King, which shall be found fishing and not carrying on any illicit Trade on that Part of the Island of Newfoundland, which stretches from Cape Bonavista to the Northern Part of the Island, and from thence running down to the Western Side as far as Point Riche. 4 Geo. 3. c.15. § 34.

22. No Ship shall be fitted ont in any Part of His Majesty's Dominions for the Purpose of being employed on the African Slave Trade, or in any of the Trading or Concerns prohibited and declared to be unlawful by these Acts, or to take on board any Goods to be carried to Africa, to be there bartered for Slaves. 46 Geo. 3. c. 52. 47 Geo. 3. c. 36.

See SLAVES.

23. The Officers of the Customs and their Deputies may go aboard, as well Ships of War as Merchant Ships, and from thence bring on Shore all Goods prohibited or uncustomed, except Jewels, if they be outward-bound; and if they be Ships inward-bound, may bring on Shore into His Majesty's Storehouse all small Parcels of Goods which shall be found in Cabins, Chests, Trunks, or other Small Packages, or in any private or secret Place, in or out of the Hold, which may occasion a just Suspicion that they were intended to be fraudulently conveyed away, and all other Sorts of Goods for which the Duties were not paid within Twenty Days after the first Entry of the Ship, to remain in the Storchouse until the Duties be satisfied, unless the Officers shall see a just Cause to allow a longer Time; and the Officers and their Deputies may remain aboard until all the Goods are delivered; and if any Master, Purser, or Boatswain, or other, taking Charge in any Ship, or any other Person, shall suffer any Truss, Bale, Pack, Fardel, Cask, or other Package to be opened on board the Ship, and the Goods therein to be embezzled, carried away, or put in any other Form or Package after the Ship comes into the Port of her Discharge, in every such Case the said Master, Purser, Boatswain, or other Person, shall forfeit  $\pounds 100$ . 13 & 14 Car. 2. c. 11. § 4. 7 & 8 W. 3. c. 22. § 6.

24. In case after the clearing of any Ship and discharging the Watchmen or Tidemen from Attendance 6 there-

Not to extend to French Ships on certain Parts of Newfoundland.

In the Slave 'Irade, not to be cleared out in any of His Majesty's Dominions.

Goods may in certain Cases be brought on Shore to be deposited in the **V** arehouse.

Officers may remain on board.

Penalty on altering Packages and embezzling Goods.

Goods found after Clearing.

thereup which l Officers tation forfeit a c. 22. § 25. Place o thereof proper prized i seized a the Mas wise co shall fo 4 Geo. 26.any of be carr Plantat and ob of the ( shall b of such Quantit Packag shipped liable to the said tinctly same, re ment o Cocket or other Place w Colonie the Go shipped part an or the ( duced a do not forfeited such Sh of the S thereupon, there shall be found on board any Goods which have been concealed from the Knowledge of the Officers, and for which the Duties due upon the Importation thereof have not been paid, the Master shall forfeit £100. 13 & 14 Car. 2. c. 11. § 5. 7 & 8 W. 3. c. 22. § 6.

25. All Goods which shall be found concealed in any Found concealed Place on board any such Ship at any Time after the Master has made his thereof shall have made his Report to the Collector or other Report, and not proper Officer of the Customs, and which shall not be com- included therein. prized in the said Report, shall be forfeited, and may be seized and prosecuted by any Officer of the Customs; and the Master (in case it can be made appear that he was anywise consenting or privy to such Fraud or Concealment) shall forfeit treble the Value of the Goods so found. 4 Geo. 3. c. 15. § 36.

26. No Goods shall be laden on board any Ship in No Goods to be any of the British Colonies or Plantations in America, to British Colony be carried from thence to any other British Colony or without a Plantation, without a Sufferance or Warrant first had Sufferance, and and obtained from the Collector or other proper Officer a Cocket to be of the Custome at the Port or Place algorithm of Customeration of the of the Customs at the Port or Place where such Goods shall be intended to be put on board; and the Master of such Ship shall take out a Cocket expressing the Quantity and Quality of the Goods, and Marks of the Packages so laden, with the Merchants Names by whom shipped, and to whom consigned; and if they are Goods liable to Duty upon Importation into or Exportation from the said Colonies or Plantations, the Cocket shall distinctly specify that the Duties have been paid for the same, referring to the Times or Dates of Entry, and Payment of Duties, and by whom they were paid; which Cocket shall be produced by the Master to the Collector to be produced or other principal Officer of the Customs at the Port or at the Port of Place where the Ship shall arrive, in any of the British Colonies or Plantations in America, before any Part of the Goods are unladen; and if any Goods shall be shipped without such Sufferance, or the Ship shall depart and proceed on her Voyage without such Cocket, or the Goods shall be landed before such Cocket is produced at the Port or Place of Discharge, or if the Goods do not agree in all respects therewith, they shall be Ships within forfeited ; and any Officer of the Customs may stop any Two Leagues of such Ship which shall be discovered within Two Leagues the Shore may of the Shore of any of the British Colonies or Planta- be detained, if Cockets not

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l disdance heretions in America, and seize all Goods which shall be found on board for which no such Cocket shall be produced to him. 4 Gco. 3. c. 15. § 29.

27. Not to require any Sufferance or Cocket for any Goods the Product or Manufacture of the British Colonics or Plantations in America, which are not by any Act of Parliament made in Great Britain hable to Duty upon the Importation into or Exportation from the said Colonies or Plantations, and are not prohibited to be exported from thence, and which shall be laden in any Boat, Flat, Shallop, or other Vessel without a Deck, not exceeding Twenty Tons Burthen, in order to be carried within any River, Lake, or other Inland Waters within the said Colonies or Plantations, and not carried out to Sea further than One League from the Shore. 5 Geo. 3. c. 45. § 25.

28. Any Person who shall counterfeit, alter, erase, or falsify any Affidavit, Certificate, Sufferance, Cocket, or Clearance required by this Act, or shall knowingly or wilfully make use of the same, shall forfeit  $\pounds 100$ , and such Affidavit, &c. shall be invalid and of no Effect. 4 Geo. 3. c. 15. § 32.

29. Every Master of any Ship shall, before he departs from any British Colony or Plantation where he receives his Lading, take a Certificate under the Hands and Seals of the Collector or other Principal Officer of the Customs there (which they are to grant without Fec or Reward), that Bond hath been given pursuant to the Directions of these or any other Acts of Parliament, as the Case shall require; and the Master of such Ship shall keep such Certificate in his Custody till the Voyage is completed, and shall then deliver the same up to the Collector or other Chief Officer of the Customs at the Port or Place where he shall discharge his Lading in Great Britain, Ireland, or any British American Colony or Plantation, on Forfeiture of £100 for every Offence. 39 & 4 Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1. 3. 40 Geo. 3. c. 67. Art. 6.

30. If any British Ship laden with any Goods of the Produce or Manufacture of any British Colony or Plantation in America, shall be discovered by any Officer of His Majesty's Customs within Two Leagues of the Shore of any British Colony or Plantation in America, and the Master of such Vessel shall not produce a Certificate that Bond has been given for the Landing such Goods in Great

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Documents not required in certain Cases.

Counterfeiting Documents, or using the same.

Master's to take Certificates of having given Bond, which are to be delivered up at the Port of Arrival.

Within Two Leagues of the Shore not producing such Certificate.

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Great Britain or Ireland, or some other British Plantation; or if he shall not produce such Certificate to the Collector or other Chief Officer of the Customs where he shall arrive in Great Britain or Ireland, or any British Colony or Plantation, such Ship and all the Goods therein laden shall be forfeited. 4 Geo. 3. c. 15. § 25. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

31. Every Ship built in His Majesty's Plantations in Upon first America shall, upon her first setting out or being first setting out, to be furnished with a navigated at Sea, be furnished with one full and complete new Set of Sails. Set of new Sails, made up of Sail Cloth manufactured in Great Britain or Ireland; and of such Ship shall not on her first setting out be fitted and furnished with a new Set of Sails, properly belonging to such Ship, made of Sail Cloth of the Manufacture of Great Britain or Ireland, the Master shall forfeit £50. 9 Geo. 2. c. 37. § 4. 19 Geo. 2. c. 27. § 11. 39 & 40 Geo. 3. c. 67. Art. 6.

## Ships (Stranded.) \*

1. Upon Application by or on Behalf of the Com- Persons who are mander of any Ship stranded, or being in Danger of required to assist stranding, the Sheriffs or their Deputies, Justices of the tion of Ships Peace, Mayors, Bailiffs, or other Head Officers of Corpo- stranded or in rations and Port Towns, Constables, Headboroughs, Tythingmen, Officers of the Customs or Excise, Coroners, and Commissioners of the Land Tax, are required to command the Constables of the several Ports nearest the

setting out, to be

in the Preservadanger of stranding.

\* By an Opinion of the Law Officers of the Crown in June 1767, it is considered that these Laws regarding ' Ships stranded, ' extend to and are in force in His Majesty's Colonies and Planta-· tionsin America; as the Title of the Act 12 Ann. st. 1. c. 18. expressly imports the same to be an Act for preserving Ships ' and Goods forced on Shore or stranded on the Coast of HER ' MAJESTY'S DOMINIONS, and the enacting Part has Words ex-· lending the Act to Her Majesty's Dominions, notwithstanding ' the Promulgation of the Law, and some other Provisions in it, ' are applicable only to Great Britain.'

How far the Clauses of the Act of Ann. and of the other Acts altering and amending the same, here inserted, can be carried into Execution in the British Colonies and Plantations, will depend upon the Nature of the public Establishments at the Colony or Plantation where a Ship or Goods may be stranded, or near which a Ship may be in Distress or in danger of stranding, or where any Offences may be committed.

Place where such Ship shall be in Danger, to summon Persons to assist in preserving such Ship and Cargo; and the Officers of the Customs and Constables may command Ships riding at an Anchor near the Place to assist by their Boats, and as many Hands as they can conveniently spare; and if any Commander shall refuse or neglect to assist, he shall forfeit £100 to the Commander of the Ship in Distress, together with Costs of Suit. 12 Ann. st. 2. c. 18. § 1. 4 Geo. 1. c. 12. § 1. 26 Geo. 2. c. 19. § 9.

2. Any one or more of the Justices, in case of Need, may in the Absence of the High Sheriff, take sufficient Power of the County to repel all unjust Violence, and to enforce the Execution of this Act; and if any Person (lawfully authorized) shall be assaulted, beaten, or wounded for or on account of his acting in the Salvage of any Goods, Vessels, or Effects stranded, wrecked, or cast on Shore, or lying under Water, in any of His Majesty's Dominions, the Offender, upon Conviction at the Assizes at the General or Quarter Sessions for the County where the Offence is committed, shall be transported for Seven Years. 26 Geo. 2. c. 19. § 11, 12.

3. Persons assembled to save any Ship, Goods, or Effects, shall conform, in the first Place, to the Orders of the Master or other Officers, or Owners, or Persons employed by them; and for want of their Presence or Directions, then to the Orders of the Persons authorized, in the following Subordination; viz. in the first Place, to the Orders of Officers of the Customs; then of the Officers of Excise: then of the Sheriff or his Deputy; then of any Justice of the Peace ; then of the Mayor or Chief Magistrate of a Corporation; then of the Coroner; then of the Commissioners of the Land Tax; then of any Chief Constable; then of any Petty Constable, or other Peace Officer, as any of the said Persons shall happen to he present; and any Person wilfully acting contrary to such Orders shall forfeit any Sum not exceeding £5, to be levied by Warrant of a Justice of the Peace; and for Non-payment the Offender shall be committed to the House of Correction for any Time not exceeding Three Months. 26 Geo. 2. c. 19. § 13.

4. If any Person besides those empowered by an Officer of the Customs or his Deputy, and the Constables aforesaid, shall endeavour to enter on board any Ship in Distress without the Leave or Consent of the Commander

Justices may take the Power of the County ; and if Persons are assaulted, the Offender to be transported,

Who are to give Orders to the Persons assembled to save Ships or Goods.

Persons entering the Ship without Leave, hindering the saving of the Ship or mander « Officer c stable, or the Ship them in to hinde saved, sh taken do Comman Person s Double 3 tion of a thereof s of Corre Labour Superior Officer o may repo such Lea Superior Deputy, the Ship Preserva 5. Go carried c diately u default t

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# Ships (Stranded).

mander or other Superior Officer of the Ship, or of the Goods, or defac-Officer of the Customs, or his Deputy, or of the Con- ing the Marks, to make Satisstable, or one of them, employed for the Preservation of faction, the Ship; or in case any Person shall molest any of them in the saving of the Ship or Goods, or endeavour to hinder the saving; or when any such Goods are saved, shall deface the Marks of any such Goods before taken down in a Book for that Purpose provided by the Commander and the First Officer of the Customs, such Person shall, within the Space of Twenty Days, make Double Satisfaction to the Party grieved, at the Discretion of the Two next Justices of Peace, or in Default thereof shall by such Justices be sent to the next House of Correction, where he shall be employed in hard Labour for Twelve Months; and any Commander or Persons who Superior Officer of the Ship in Distress, or the said press on board Officer of the Customs or Constables on board the same, by force. may repel by Force any such Persons as shall, without such Leave or Consent from the said Commander or Superior Officer, or the Officer of the Customs, or his Deputy, or such Constables as aforesaid, press on board the Ship in Distress, and thereby molest them in the Preservation thereof. 12 Ann. st. 2. c. 18. § 3.

5. Goods found upon any Person that were stolen or Goods stolen or carried off from any such Ship in Distress, shall imme- carried off to be delivered to the diately upon demand be delivered to the Owner, or in Owner. default thereof the Person on whom found shall be liable to pay Treble the Value, to be recovered by Action at Law. 12 Ann. st. 2, c. 18. §4.

6. If any Person shall make or be assisting in the Persons doing making any Hole in the Bottom or any other Part of any any thing tend-ing to the Loss Ship in Distress, or shall steal any Pump belonging to of the Ship, any such Ship, or be aiding or abetting in the stealing deemed guilty of such Pump, or wilfully do any thing tending to the immediate Loss or Destruction of such Ship, such Person shall be deemed guilty of Felony without Benefit of Clergy. 12 Ann. st. 2. c. 18. § 5.

7. If any Person shall plunder, take away, or destroy Persons plunderany Goods or Effects belonging to any Ship in Distress, ing or destroying or whic' shall be wrecked, stranded, or cast on Shore in Part of the Ship, His Majesty's Dominions, whether any Living Creature or wounding or be on board or not, or shall plunder, &c. the Furniture, obstructing the Escape of Per-Tackle, Apparel, Provision, or Part of such Ship, or sons, or putting beat or wound with Intent to kill, or obstruct the Escape out false Lights, of any Persons endeavouring to save their Lives from Below,

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# Ships (Stranded).

such Ship, or put out false Lights with Intent to bring any Ship into Danger, being convicted thereof, shall suffer Death as a Felon without Benefit of Clergy. 26 Geo. 2. c. 19. § 1.

 8. But if the Goods or Effects stranded, lost, or cast on Shore are of small Value, and stolen without Circumstances of Cruelty, Outrage, or Violence, the Offender may be prosecuted by Indictment for Petit Larceny. 26 Geo. 2. c. 19. § 2.

9. Upon Oath before any Magistrate of such Plundet or Theft, or the breaking of any Ship, the Examination taken thereupon shall be delivered to the Clerk of the Peace of the County, Riding, or Division wherein the Fact was committed, who shall cause the Offender to be proceeded against. 26 Geo. 2. c. 19. § 3.

10. Upon Information on Oath before a Justice of the Peace of any Part of the Cargo or Effects of any Ship lost or stranded upon or near the Coasts of any of His Majesty's Dominions being unlawfully conveyed away. er concealed in any Place, or of some reasonable Ground of Suspicion thereof, such Justice may grant his Warrant for searching for such Goods; and if they are found in Custody of any Person not legally entitled to keep them, and if the Owner or Occupier of the Place, or the Person in whose Custody they are found, shall not immediately deliver them, upon Demand, to the Owner or Person lawfully authorized to demand them, or not giving a good Account how he came by them, such Person shall be committed to Gaol for Six Months, or until he pays the Owner Treble the Value of the Goods. 26 Geo. ?. c. 19. § 3.

11 Such Goods suspected to have been unlawfully taken away and offered to Sale, may be seized by the Person to whom they are offered, or by any Officer of the Customs or Excise, or any Peace Officer, who shall carry them or give Notice of the Seizure to a Justice of the Peace; and if the Person who offered them to Sale does not within Ten Days prove to the Satisfaction of the Justice the Property to be in him, or the Person whoemployed him, the Goods shall, by Order of the Justice, be delivered over to the Use of the Owner, upon Payment of a reasonable Reward for the Seizure, to be ascertained by the Justice, who is also to commit the Person who offered them to Sale to Gaol for Six Months, or until he has paid Treble the Value of the Goods to the Owner. 26 Geo. 2, c. 19. § 4.

If the Goods are of small Value, may be prosecuted for Larceny.

Examination to be delivered to Clerk of the Peace.

Warrant may be granted to search for Goods carried away, and which are to be livered of the Owners,

Offered for sale, may be seized by the Person to whom offered.

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# Ships (Stranded).

12. In case any Person not employed by the Master, Persons saving Mariners, or Owners, or Persons lawfully authorized, in any Ship or the Salvage of any Ship or Goods, shall, in the Absence them to some of Persons so employed, save any Ship, Goods, or Effects, Place of safe and shall eause them to be earried into Port, or to any Custody, and Custom House near or other Place of Custody for Notice to Custom House near, or other Place of safe Custody, some Justice. immediately giving Notice thereof to some Justice of the Peace, Magistrate, or Custom House or Excise Officer, or shall discover to them where such Effects are wrongfully bought, sold, or eonecaled, such Person shall be entitled to a reasonable Reward from the Master or Owners; to be adjusted in case of Disagreement in the Manner herein-after preseribed. 26 Geo. 2. e. 19. § 5.

13. Persons aeting in the Preservation of any such How Salvors to Ship or the Cargo shall be rewarded within 30 Days, on Default whereof the Ship and Cargo may be detained by the Officers of the Customs; and in case of Dispute about the Quantum and Reward for such Service, Three neighbouring Justices of the Peace may adjust the same; provided that if no Person appears to claim the Goods saved, the Chief Officer of the Customs in the next Port shall apply to Three of the nearest Justices of the Peace, who shall put him or some other responsible Person in Possession thereof; and if not claimed within Twelve Goods not Months, the Goods shall be publicly sold (or, if perishable, forthwith sold), and after Deduction of Charges the Residue shall be transmitted into the Exchequer, there to remain for the Proprietor, who, upon Proof of his Right to the Satisfaction of One of the Barons, shall upon his Order receive the same out of the Exchequer. 12 Ann. st. 2. e. 18. §2. 4 Geo. 1. c. 12. § 1. 26 Geo. 2. c. 19. § 16.

14. The Justice of the Peace, Mayor, Bailiff, Collector Justices to give of the Customs, or Chief Constable nearest the Place where any Ship or Goods may be stranded or east away, Sneriff, &c. to shall forthwith give public Notice for a Meeting of the examine Persons Sheriff or his Deputy, the Justices of the Peace, Mayors, or Chief Magistrates of Towns Corporate, Coroners, and Commissioners of the Land Tax, or any Five of them, who are required to give Aid in Execution of this Act and 12 Ann. sess. 2. c. 18., to examine Persons upon Oath eoncerning the Ships and Effects stranded or cast away, or the Salvage, which they are to adjust and distribute among the Persons concerned in case of Disagreement; and every such Sheriff, &c. who attends the Meeting.

Goods, to carry

be rewarded.

claimed, to be sold.

Notice for a Meeting of the on Oath, and adjust Salvage. Meeting, shall be paid 4s. a Day for his Expences out of the Goods saved. 26 Geo. 2. c. 19. § 6.

15. The Charges and Rewards for Salvage not being paid, or Security given for the same, within Forty Days after the Service performed, the Officer of the Customs concerned in such Salvage may borrow Mo neyto satisfy the same, upon a Bill of Sale under his Hand and Seal of the Ship or Cargo saved, or such Part as shall be sufficient, redeemable nevertheless upon Payment of the Principal borrowed and Interest at £4. per Cent. per Annum. 26 Geo. 2. c. 19. § 7.

16. The Officer of the Customs who acts in Preservation of any Ship in Distress, or the Cargo, as soon as conveniently may be, shall cause all Persons belonging to the Ship, or others who can give any Account thereof, to be examined upon Oath before a Justice of the Peaco, as to the Name and Description thereof, the Name of the Commander and Owners, and Owners of the Cargo, and of the Port from and to which she was bound, and the Occasion of the Distress; which Examination shall be taken in Writing, and a Copy delivered to the Officer of the Customs, with a Copy of the Account of the Goods, who is to transmit the same to the Secretary of the Admiralty, to be published in the next London Gazette, for Information of the Persons concerned. 26 Geo. 2. c. 19. § 15.

17. Nothing contained in these Acts is to prejudice His Majesty, or any Person claiming under Him by Patent or Grant, in relation to any Right which His Majesty or such Person may have to any Wreck, or Goods flotsam, jetsam, or lagan. 12 Ann. st. 2. c. 18. § 9. 26 Geo. 2. c. 19. § 14.

18. All the Means which in virtue of 12 Ann. c. 18. subsist and may now be by Law applied for the conclusively adjusting, and for the recovering of the Quantum of the Gratuities to be paid to Persons acting or being employed in the Salvage of any Ship or Goods, in Cases where Application shall have been first made to Officers of the Customs or other the Officers therein mentioned, and Assistance shall have been thereupon rendered and had in pursuance of that Act, shall be applicable and available in like manner in cases where the Salvors shall have acted under and by the mere Employment and Anthority of the Commander or other Superior Officers, Mariners, or Owners of any Ship in Distress, although no such Application

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If Salvage not paid, the Officers may borrow Money to satisfy the same.

Persons who can give any Account of the Ship, to be examined on Oath.

Right to Wreck or Goods flotsam, jetsam, or lagan.

How Salvage to be adjusted in Cases where the Salvors act under the Authority of the Owners or Persons on board the Ship. out of

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# Ships (Stranded).

cation shall have been made to, nor any Authority or Assistance derived from, any Officers of the Customs or other Officers mentioned in 12 Ann. c. 8.; and upon Payment, or Tender and Refusal, of the Quantum of Gratuities to be paid to the scveral Pcrsons, or (in case such Payment or Tender cannot be made) on Security given for the due Payment thercof, to the Satisfaction of the Justices who shall have adjudged such Gratuities, it shall not be lawful for any Officer of the Customs, or other Person or Persons having the Possession or Custody of such Ship, Vessel, or Goods, any longer to retain the Possession, by Reason or Pretence of any Claim or Right to a Compensation or Gratuity for such Salvage, or for having acted or been employed therein. 48 Geo. 3. c. 130. §21.

19. Provided that in Cases where the Salvors shall How to be adhave acted without Application made to, and without any justed in cafe of Disagreement Authority or Assistance derived from, any Officer of the between the Customs, or other Officer in the said Act mentioned, and Salvors and the Commander or other Superior Officer, Mariners, or Owners of such Ship, or the Person whose Goods shall be saved, or their Agents, shall disagree with such Salvors touching the Gratuity deserved, the Commander of such Ship so saved, or the Owner of the Goods, or Merchant interested therein, or their Agents, and such Salvors, may nominate Three of the neighbouring Justices of the Peace to adjust the Quantum of the Gratuity to be paid; and in case the Partics shall not agree in such Nomination, then on the Application of any of the Parties to any one neighbouring Justice, such Justice shall nominate two other neighbouring Justices, and such Three neighbouring Justices shall adjust the Quantum of the Gratuity to be paid to cach Salver, who shall disagree with such Master, Commanding Officer, Merchant or Owners, or their Agents as aforesaid\*. 48 Geo. 3. c. 130. § 22.

# Owners.

# Silk (Raw).

The Production of the British Plantations in America, Not to be exshall not be shipped or conveyed from any of the said ported, unless to

some other

\* The 48 Geo. 3. c. 130. is a temporary Law, and continued by 53 Geo. 3. c. 87. for Seven Years, from 2d July 1813.

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Plant-

## Sik (Raw).

Great Britain or Ireland.

Plantation, or to Plantations to any Place, unless to some other Plantation belonging to His Majesty; or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 1 22 & 29 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 24. 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. §4. 8.

> For the Restrictions, Penalties, and Forfeitures to secure the Landing in the British Plantations, or in Great Britain or Ireland,

> > See Ashes, POT AND PEARL.

## Slaves.

Recital of Order in Council, dated Aug. 15, 1805.

1. Whereas His Majesty, by His Order in Council bearing Date the Fifteenth Day of August One thousand eight hundred and five, was pleased to order, "That it should not be lawful, except by special Licence as therein mentioned, for any Slave or Slaves to be landed upon any of the Coasts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Jurisdictions, and Territories, of any of the Settlements, Islands, Colonies, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, until further Order; upon Pain that all Slaves so landed or brought contrary to the true Intent and Meaning of that Order, together with the Vessels bringing in the same, or from which the same should be landed, and their Cargoes, should become forfeited to His Majesty, His Heirs and Successors; but the said Order recited, that it might be expedient to permit the Annual Introduction of a limited Number of Slaves under due Regulations, for the Purpose of supplying any Waste that should take place in the Population on particular Estates, from extraordinary or unavoidable Causes, and thereby of keeping up the Cultivation of the Lands already cleared and cultivated ; and it was therefore further ordered, that any Number of Slaves, not exceeding Three for every Hundred of the whole Number of Slaves in the said Settlements, Islands, Colonies, and Plantations respectively (Returns whereof were to be made from Time to Time, in pursuance of Instructions to be transmitted by One of His Majesty's Principal Secretaries of State).

State), n ties to t in the pr granted administ Islands, Majesty' tlements cence, or of the S Authorit said Set Provided thousand ation mi jesty's Co out its b met with thereof, a as aforesa Licence 1 fore any S from such after furtl immediate cipal Secr Governors the said ( tively, con that Order ing them t limited Nu Regulation vided, it v ther Orde nor, or ot thereby we grant such and subje to and in tions, migl was thereb in-before o importing of ported into

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# Slaves.

State), might be imported in each Year (provided Casualties to that Extent should appear to have taken place in the preceding Year), under Licences to be previously granted by the Governor, Lieutenant Governor, or Officer administering the Government of the said Settlements, Islands, Colonies, and Plantations, from any other of His Majcsty's Colonies in the West Indies, into the said Settlements, Islands, Colonies, and Plantations; such Licence, or a Copy thereof, to be produced by the Master of the Ship on which such Slaves are laden, as his Authority for having Slaves on board destined to the said Settlements, Islands, Colonies, and Plantations : Provided always, that until the First Day of January One thousand eight hundred and seven, such limited Importation might be made from other Places than His Majesty's Colonies in the West Indies as aforesaid, and without its being necessary for the Master of the Vessel, if met with at Sea, to produce the said Licence, or a Copy thereof, as his Authority for having the Slaves destined as aforesaid on board, but subject nevertheless to such Licence being first had and obtained as aforesaid, before any Slaves should be permitted to be landed or sold from such Vessel in any of the said Scttlements : And, after further reciting that special Instructions would be immediately transmitted by One of His Majesty's Principal Secretaries of State to the Governors, Lieutenant Governors, or Officers administering the Government of the said Colonies, Settlements, and Plantations respectively, containing the Regulations proper for carrying that Order into effectual Execution, directing and empowing them to grant Licences for the Importation of such limited Number of Slaves as aforesaid, subject to such Regulations as in the said Instructions would be provided, it was thereby declared to be His Majesty's further Order, that such Governor, Lieutenant Governor, or other Officer as aforesaid, should be, and they thereby were respectively authorized and empowered to grant such Licences, upon such Terms and Conditions, and subject to such Regulations as, in conformity to and in furtherance of the Object of such Instructions, might from Time to Time be required : And it was thereby further ordered, that the Prohibition therein-before contained should not extend to prevent the importing or landing of any Slaves which should be iniported into the said Colonies, Islands, and Plantations, by

by Licence first had for importing the same, under the Hand and Seal of His Majesty's Governor or Lieutenant Governor, or Officer administering the Government of the Colony, Settlements, or Plantations into which said Slaves are to be imported, specifying the Ship or Vessel permitted to import the same, in conformity with the Instructions to be received from One of His Majesty's Principal Secretaries of State as aforesaid; but that all Slaves, except such Slaves as may form Part of the Crew of any Vessels, or may be Household Servants to the Passengers therein, which should be landed without such Licence as aforesaid, and without conforming to such Regulations as should be contained therein, should, together with the Vessels bringing the same, or from which the same should be landed, and their Cargoes, become forfeited to His Majesty, His Heirs and Successors; and in case any Vessel should contain more Slaves than the Number permitted to be imported in such Vessel by any such Licence or Licences, such Number of the most valuable of the Slaves on board such Vessel (other than such Slaves as might form Part of the Crew of such Vessel, or might be Household Servants to the Passengers) as should be equal to the Excess beyond the Number mentioned in such Licence or Licences, should be forfeited to His Majesty, His Heirs and Successors, and should be selected and disposed of in such Manner as might be in that Behalf directed by any Instructions from One of His Majesty's Principal Secretaries of State, to be given to the respective Governors, Lieutenant Governors, or other Officers administering the Government of such Colonies, Settlements, and Plantations as aforesaid : And it was thereby further ordered and provided, that nothing therein contained should be extended or construed to extend to the landing, importing, or bringing in of any Slave or Slaves from or by any Vessel which by Stress of Weather or by any other Peril should be driven on the Coast of any such Colonies, Settlements, or Plantations, cr compelled to take refuge on such Coast, or within the Creeks and Harbours of such Colonies, Settlements, or Plantations, provided the Slave or Slaves which should be so imported, landed, or brought in as last aforesaid, should be exported to some Place or Places other than any of the Colonies, Settlements, or Plantations to which the said Order applied, within Ten Days from the Importation, landing, or bringing in of the

the sam or prov sold un nant G of the Slaves Circun cumsta might a or Lice or they be per ordered which : Majest to the nisterii to the And w tained and re tions a Counc that it (excep from a Settler whatev Foreig certair Free Law, any S shall k from to be : with e sent, o forfeit after 2. within Domi port c or in the same, unless further detained by Stress of Weather, or provided the same should within such Ten Days be sold under the special Licence of the Governor, Lieutenant Governor, or Officer administering the Government of the Colony, Settlement, or Plantation where such Slaves might be, to such Person or Persons as under the Circumstance of his, her, or their Cases (which Circumstances should be inserted in such special Licence) might at the Date thereof be entitled to obtain a Licence or Licences to import such Number of Slaves as hc, she, or they should in and by such special Licence or Licences be permitted to purchase: And it was thereby further ordered and declared, that One-third of every Forfeiture which should accrue in consequence of that Order to His Majesty, His Heirs and Successors, should be granted to the Governor, Lieutcnant Governor, or Officer administering the Government of the Colony, and Onc-third to the Party who should inform and prosecute the same :" And whereas it is expedient that the Prolibition contained in the said Order of Council should be enforced and rendered more effectual by such auxiliary Regulations and Remedies as the Authority of His Majesty in Council was insufficient to provide: Be it enacted, that it shall not be lawful to export or send any Slaves Not to be ex-(except in such special Cases as are herein-after excepted) ported from His from any Part of His Majesty's Dominious to any Island, minions to Settlement, Colony, Plantation, Territory, or Place Foreign whatever, belonging to and under the Dominion of any Countries. Foreign Sovercign, State, or Power; the Provisions of certain Acts of Parliament made for establishing certain Free Ports in the West Indies, or any other Statute, Law, or Usage to the contrary notwithstanding; and if any Slaves shall be so unlawfully exported or sent, or shall be embarked, put on board, or transhipped at or from any Part of His Majesty's Dominious with Intent to be so unlawfully exported or sent, all Slaves, together with every Ship in which the same shall be so exported, sent, embarked, put on board, or transhipped, shall be forfeited, and may be seized and prosecuted as hereinafter provided. 46 Gco. 3. c. 52. § 1.

2. No Subject of His Majesty, or any Person resident Subjects of His within this Kingdom, or any of the Islands, Colonies, Majesty, or Per-Dominious, or Territories thereto belonging, shall ex- His Majesty's. port or send, or cause or procure to be exported or sent, Dominions, not or in any Manner aid, abet, or assist in the exporting to assist in the Exportation of X 3 or

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Countrics.

Slaves to Foreign or sending any Slaves from Africa or elsewhere (except from His Majesty's West India Islands in such special Cases as are herein-after expressly excepted and provided for), to any Island, Colony, Plantation, Territory, or Place whatever, belonging to and under the Dominion of any Foreign Sovereign, State, or Power, or ship, embark, tranship, or put on board, or cause or procure to be embarked, shipped, transhipped, or put on board, or aid, abet, or assist in the embarking, shipping, transhipping, or putting on board any Ship whatever, at Africa or elsewhere, any Slaves (except as aforesaid), with the Intent to the exporting or sending the same to any such Foreign Island, Colony, Plantation, Territory, or Place; and if any Slaves shall be so unlawfully exported or sent, or embarked, shipped, transhipped, or put on board with such unlawful Intent, every such Slave, and every Ship in which the same shall be so unlawfully exported or sent, or embarked, shipped, transhipped, or put on board, so far as any of His Majesty's Subjects, or any Person resident as aforesaid, have any Property, Share, or Interest therein, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. e. 52. § 2.

3. If any Slaves shall be landed upon any of the Coasts, or imported or brought into any of the Ports, Harbours, Creeks, or Roads, or within the Limits, Jurisdictions, and Territories of any of the Settlements, Colonies, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, without such Special Lieence for landing, importing, and bringing the same as by the said Order in Council is mentioned having been previously obtained, contrary to the Prohibitions contained in the said Order, every such Slave, together with the Ship by or from which the same shall be so landed, imported, or brought, and all her Boats, Guns, Tackle, Apparel, and Furniture, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. e. 52. § 3.

4. If any Slaves shall be exported from, or embarked, transhipped, or taken on board any Ship whatever, at any Island, Settlement, Plantation, or Territory under the Dominion of His Majesty, or shall be exported from, or embarked, shipped, transhipped, or taken on board at Africa, or on the Coast thereof, or elseelsewhere employed Subjects, Subjects, any of th Continer been sur sent Wa snch Sp Council, the same shipped, may be s 46 Geo. 3 5. An

sident w lonies, or His Maj or cause aiding or trary to no Pena ing, &e. faction of from ine Claimant Transpo Slave wh or Colon Transpo Copy of Court, sl viet shall 6. All Transfer Africa, is way of P relating dealt wit moved shipmen Place in rica not jesty, to and if a

Importing Slaves contrary to Order in Council, into any Settlement in America or the West Indies which have surrendered to His Majesty's Arms during the present War.

Exporting from or taking on board at British Ports or in British Ships, or on British Account, Slaves with Intent to

elsewhere, in any British Ship, or any Ship owned or import them into employed in whole or in part by any of His Majesty's ment, &c. con-Subjects, or for or on account of any of His Majesty's trary to Order Subjects, with Intent to be transported or conveyed to in Council. any of the said Settlements, Islands, or Plantations on the Continent of America, or in the West Indies, which have been surrendered to His Majesty's Arms during the present War, and to be there imported or landed without such Special Licence, contrary to the said Order in Council, every such Slave, with the Ship in or by which the same shall be so exported, embarked, shipped, transhipped, or taken on board, shall become forfeited, and may be seized and prosecuted as herein-after mentioned. 46 Geo. 3. c. 52. § 4.

5. Any of His Majesty's Subjects, or any Person re- To forfeit 3cl. sident within the United Kingdom, or the Islands, Co. for each Slave, lonies, or Territories belonging to or in the Possession of except in Cases His Majesty, who shall import, convey, ship, or tranship, not to extend to or cause or procure to be imported, &c. or who shall be Slaves under Sentence of aiding or assisting in the importing, &c. any Slave con- Transportation. trary to this Act, shall forfeit for each Slave £ 50; but no Penalty or Forfeiture shall be incurred by importing, &c. any Slave, when it shall be proved to the Satisfaction of the Court, that the prohibited Act entirely arose from inevitable Accident, of which Proof shall lie on the Claimant; provided that this Act shall not prevent the Transportation to any Foreign Colony or Place of any Slave who shall have been convicted in any British Island or Colony of any Crime to which the Punishment of Transportation is annexed; but in every such Case a Copy of the Judgment or Sentence, certified by the Court, shall be put on board the Ship in which such Convict shall be transported. 46 Geo. 3. c. 52. § 5.

6. All dealing and trading in the Purchase, Sale, or Dealing in Slaves Transfer of Slaves, carried on in, at, or from any Part of at Africa, or Africa, is unlawful; and all Manner of dealing, either by from thence, or way of Purchase, or of any other Contract or Agreement, from the West relating to any Slaves, or to any Persons intended to be Indies, or other dealt with as Slaves, for the Purpose of their being re-to any other moved or transported, either immediately, or by Tran- Place, shipment at Sea, or otherwise, from Africa, or from any Place in the West Indies, or in any other Part of America not being in the Dominion or Possession of His Majesty, to any other Place, is prohibited, and unlawful; and if any of His Majesty's Subjects, or any Person resident X 4

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emhatrribe or or seRemoving Persons to be dealt with as Slaves from Africa or any Place not in the Possession of His Majesty.

Confined on board for the Purpose of being so removed.

Ships, and all Property in the Slaves, forfeited, and Offenders to forfeit 1001. for each Person.

British Subjects, or Persons residing in His Majesty's Dominions, employing their Ships, Capital, or Credit in the Slave Trade, sident within the United Kingdom, or any of the Territories thereto belonging or in His Majesty's Possession, shall by himself, or his Factor or Agent, or otherwise, deal or contract for the dealing or transferring of any Slave, or any Person intending to be dealt with as a Slave, contrary to this Act, the Person offending shall forfeit  $\pounds$ 100 for each Slave, One Moiety thereof to His Majesty, and the other to the Person who shall prosecute for the same 47 Creation and the person who shall prosecute for

the same. 47 Geo. 3. c. 36. § 1. 51 Geo. 3. c. 23. § 7. 7. No Subject of His Majesty, or any Person resident as aforesaid, (see No. 5.) shall remove, or aid or assist in removing, as Slaves, or for the Purpose of being dealt with as Slaves, any of the Inhabitants of Africa, or of any Territory or Place in America not being in the Dominion or Possession of His Majesty, either immediately, or by Transhipment at Sea, or otherwise, from Africa, or from any such Country or Place to any other Country or Place; and no such Subject or Resident shall receive or confine on board, or be assisting in the receiving or confining on board of any Ship any such Inhabitant for the Purpose of his being so removed, or of his being dealt with as a Slave; and if any Inhabitant of Africa, or of any Territory or Place in the West Indies or America, not being in the Possession of His Majesty, shall be so unlawfully removed, &c. on board of any Ship belonging in the Whole or in Part to, or employed by, any Subject of His Majesty, or Person residing in His Majesty's Dominions, or any Territory belonging to or in the Occupation of His Majesty, for any of the Purposes aforesaid, every such Ship, with her Boats, &c. shall be forfeited, and all Property in any such Slaves or Natives of Africa shall be forfeited; and every Subject of His Majesty, or Person resident as aforesaid, who shall as Owner, Part Owner, Freighter, Shipper or Agent, Captain, Mate, Supercargo or Surgeon, be concerned in removing, &c. for any of the unlawful Purposes aforesaid, any such Subject or Inhabitant, shall forfeit for each Person £100, One Moiety to His Majesty, and the other to any Person who shall prosecute for the same. 47 Geo. 3. c. 36. §3.

8. No Subject of His Majesty, or any Person resident as aforesaid, (see No. 5.) shall invest or employ his Money, Vessel, Goods, or Effects in trading in or carrying Slaves from Africa or elsewhere to any Place under any Foreign Sovereign or State, or to any of the Colonies or Plantations surrendered to His Majesty's Arms during the present

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sent War, or knowingly lend any Money, or become Security for the Advance of any Money, Goods, or Effects, for the Purpose of being employed in any such Trade, or Carriage of Slaves, or become Security for any Factor or Agent to be employed in the Sale of Slaves in or for the Use or Supply of any such Foreign Place, or Colony or Plantation surrendered to His Majesty's Arms during the present War, or otherwise engage directly or indirectly in supplying with Slaves any such Foreign Place, or Colony or Plantation surrendered; upon pain that every Person who shall so wilfully employ any Vessel, Goods, or Effects, or so invest, advance, or secure any Sum of Money for any of the Purposes aforesaid, or become Security for any such Factor or Agent, or otherwise engage. as Partner, Factor, Agent, or otherwise, in supplying Slaves contrary to this Prohibition, shall forfeit Double the Value of all the Money, Ships, Goods, and Effects so by him employed, advanced, or secured, to be recovered and applied as is herein-after mentioned; and every Mortgage, Bond, or other Security for the Payment of any such unlawful Loan or Advance, or for any other the unlawful Purposes aforesaid, shall be void; except in the Case of a bonâ fide Purchaser or Holder of any of the said Securities in their Nature negociable, who may have purchased the same without Notice that they were given in Consideration of any of the unlawful Purposes aforesaid. 46 Geo. 3. c. 52. § 6. 51 Geo. 3. c. 23. § 12.

9. Any of His Majesty's Subjects, or any Person resi- Penalty on dent as aforesaid, (see No. 5.) who shall knowingly insure effecting Inor procure to be insured any Slaves or Commodities, or Slaves, Ships, or any Ship employed or to be employed in the trading in Commodities. or carrying of Slaves from Africa or elsewhere to any Territory or Place belonging to or under the Dominion of any Foreign Sovereign or State, or to any of the Colonies or Plantations which have been surrendered to His Majesty during the present War, shall forfeit £500; and every such Insurance shall be void. 46 Geo. 3. c. 52. § 7. 51 Geo. 3. c. 23. § 7.

10. No British Ship, or her Boats, Officers, or Ma- Shipping Slaves riners, shall be employed in or at Africa, or any Part of to Foreign Ships the Coast thereof, directly or indirectly, in supplying or Factories on with Sloves and Factories of with Slaves any Foreign Ship or Factory, or any Person Africa. concerned for or on account of any Foreign Vessel or Factory, or for any Colony or Territory under the Dominion of any Foreign Sovereign or State; and every Ship

Terrisession, erwise, of any Slave, l forfeit lis Mainte for 3. \$7. esident ssist in g dealt of any Domitelv, or ica, or ountry receive ving or ant for g dealt , or of nerica, be so onging Subject 's Do-Occuresaid, d, and ı shall r Per-Part Mate, g, &c. Sub-0,One 1 who sident

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Ship so employed, or the Boats, Officers, or Mariners thereof, with the Consent and Approbation of the Owners so employed, shall, with all her Boats, Guns, &c. be forfeited, and may be seized and prosecuted as is hereinafter mentioned, and the Master shall forfeit £100. 46 Geo. 3. c. 52. § 8. 51 Geo. 3. c. 23. § 7.

11. No Foreign Ship intended to be employed in the African Slave Trade shall be fitted out, manned, or dispatched at or from any Port of this United Kingdom, or any other Part of His Majesty's Dominions, for a Voyage to Africa, although first destined to touch at some other Place; and no Person shall put on board any Foreign Ship, when destined directly or indirectly to Africa, at any Port in this United Kingdom, or any Part of His Majesty's Dominions, any Goods with Intent to be carried to Africa, to be bartered or otherways employed in the African Slave Trade, on Forfeiture of the Ship with all her Boats, &c. and the Goods; and any of His Majesty's Subjects, or any Person resident within His Majesty's Dominions, who shall knowingly fit out, man, or dispatch any such Foreign Ship, or furnish any Goods with the Intent aforesaid, or assist in any such Offence, shall forfeit £100. 46 G∈ 3. c. 52. § 9.

12. No Subject of His Majesty,  $o_1$  any Person resident as aforesaid, (see No. 5.) shall fit out, man, or navigate, or be concerned in the fitting out, &c. any Ship, for the Purpose of being employed in the African Slave Trade, or in any other the Trading or Concerns hereby prohibited; and every Ship fitted out, manned, or employed by any such Subject, or by any Person on his Account, or by his Assistance or Procurement, for any of the Purposes aforesaid, shall, with all her Boats, &c. be forfeited. 47 Geo. 3. c. 36. § 2.

13. No Person shall embark or carry any Slaves from one Colony or Territory beb ging to or under the Dominion of His Majesty, to be y other such Colony, &c. until the Owner or Exporter shall apply in Writing to the Governor, or the Chief Officer of the Customs of the Port from whence it shall be intended to embark the said Slaves, expressing the Number and Quality, and the Place to which he means to carry them (such Place being some Colony or Territory belonging to or under the Dominion of His Majesty into which such Slaves may be lawfully imported without special Licence, or one of the Colonies, &c. surrendered during the present War, for

Foreign Ships intended to be employed in the African Slave Trade not to be fitted out in His Majesty's Dominions.

Subjects of His Majesty, or Persons residing in His Majesty's Dominions, concerned therein.

Not to be exported from One British Colony to another, unril a Licence is obtained, and Bond given not to carry them to other Places.

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for importing Slaves into which a special Licence shall have been obtained), and until such Owner or Exporter shall obtain a Licence, specifying the Place of Destination, under the Hand and Seal of the Governor or Chief Officer; but previous thereto, every such Exporter shall give Bond to His Majesty in £50 for every Slave, to the Governor or Chief Officer of the Place, for the true landing the Slaves, and for producing within a limited Time, according to the ordinary Length of the Voyage, a Certificate from the Chief Officer of the Customs of the Place to which conveyed, or in case there be no Chief Officer of the Customs, then from Two of the most eminent British Merchants or Inhabitants, certifying that the said Slaves have been landed and left there, Death or other inevitable Impediment (to be proved by Oath of Two credible Witnesses) excepted. 46 Geo. 3. c. 52. §13. 51 Geo. 3. c. 23. §4.

14. If any such Slave shall not be so landed, or if If landed in any such Certificate shall not be returned, the Bond shall be poreign terri-tory, the Penalty forfeited and may be put in Suit, and the Owner or Ex- of Bond must be porter shall not be relieved from the Penalty but on pay- paid. ing  $\pounds 50$  for each Slave not certified; nor shall the Party be discharged from any Penalty or Forfeiture incurred by the sending or conveying such Slaves to any Foreign Territory or Place contrary to this Act; but the Bonds shall be void unless prosecuted within Three Years from the Date. 46 Geo. 3. c 52. §13. 51 Geo. 3. c 23. §4.

15. Not to prevent any Slave being employed in Navi- Not to extend to gation, Fishing, or any other his ordinary Business or Negro Sailors Occupation upon the Seas, nor to prevent any Slave who nor to Domestic shall be really the Domestic Servant of any Person re- Slaves attending siding in any Plantation or Territory belonging to or their Masters under the Dominion of His Majesty, from attending his Voyages to Owner or Master, or any Part of His Family, by Sea to Foreign Parts any Place, whether under the Dominion of His Majesty or of any Foreign State; but if any Slave employed in Navigation, or any Fisherman or Domestic Slave, shall be so employed, or carried from any British Island or Colony to any Foreign Colony or Territory, or to any other British Island or Colony, or to any of the Colonies or Plantations which have surrendered during the present War, the Names and Occupations (except Domestic Slaves attending on the Person of any Passenger on board, not exceeding in Number Two for every Passenger) shall be inserted in or endorsed upon the Clearance or Permit.

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Permit, by or in the Presence of the Chief Officer of the Customs of the Place of Clearance, who shall (without Fee) certify that the Slaves so embarked were reported and described to him as Seamen, Fishermen, or Domestic Servants, as the Case may be; and if any Slave shall be found on board, whose Name and Description shall not be inserted in or endorsed upon the Clearance and Permit, and so certified (except as aforesaid), or who shall be untruly or fraudulently therein described, with Intent to elude any of the Prohibitions or Regulations in this Act, every such Slave shall be forfeited, and the Master and Owner, or other Person by whom or by whose Procurement such Slave shall be so untruly and fraudulently described, shall forfeit  $\pounds 50$  for each; but not to prevent any Slave from being put on board any Ship by Order of His Majesty's Commander in Chief, in any Colony or Territory belonging to or under the Dominion of His Mejesty, in order to be employed in His Majesty's Military or Naval Service, and from being employed as the said Service may require. 46 Geo. 3. c. 52. §13.

16. The granting of Licences, and every Act which the Governor is directed to perform, may be done by the Person executing pro tempore the Office of Governor by Authority from His Majesty, whether under the Title of Governor, Lieutenant Governor, President of the Council, or under any other Stile or Title whatsoever. 46 Geo. 3. c. 52. § 14.

17. Any Person who shall commit wilful Perjury, or who shall procure or suborn any Person to commit wilful Perjury, shall suffer the Pains and Penalties for wilful and corrupt Perjury or Subornation of Perjury. 46 Geo. 3. c. 52. § 16.

18. Any Inhabitant of Africa, or any Territory or Place not being in the Dominion or Possession of His Majesty, unlawfully carried away or removed from Africa, or from the West Indies or America, not in the Dominion or Possession of His Majesty, who shall be imported or brought into any Island, Colony, Plantation, or Territory in the Dominion or Possession of His Majesty, and there sold or disposed of as a Slave, or detained or kept in a State of Slavery, may be seized and prosecuted by such Persons and in such Manner as any Goods unlawfully imported into the same Plantation or Territory may be seized and prosecuted therein, by any Act in force for regulating regular Coloni 19.

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Functions of Governors may b exercised by Governors pro tempore.

False Oaths deemed Perjury.

Inhabitants of Africa, or of any Foreign Territory, carried away and imported into any of His Majesty's Dominions. regulating the Navigation and Trade of His Majesty's Colonies. 47 Geo. 3. c. 36. § 4.

19. All Insurances effected in respect to any of the Subscribing or Dealing, Removing, or Transactions by this Act pro- subscribed any hibited, shall be also prohibited and unlawful; and if any unlawful Insuof His Majesty's Subjects, or any Person resident as afore- rance. said, (see No. 5.) shall knowingly subscribe or procure to be subscribed any such unlawful Insurances, he shall forfeit £100 for every Insurance, and Treble the Amount of the Premium; one Moiety thereof to His Majesty, and the other to the Prosecutor. 47 Geo. 3. c. 36. § 5. 20. All Slaves, and Natives of Africa dealt with or Taken as Prize detained as Slaves, which shall be seized or taken as of War, or seized Prize of War, or liable to Forfeiture under any Act for to be disposed of. prohibiting the African Slave Trade, shall, for the Purposes only of Seizure, Prosecution, and Condemnation, be adjudged as Slaves and Property, in the same Manner as Negro Slaves have been heretofore considered and adjudged, but the same shall be condemned to the sole Use of His Majesty, for the Purpose only of divesting and barring all other Property or Interest, and shall in no case be liable to be disposed of or dealt with as Slaves by or on the Part of His Majesty, or any Person claiming under Him; but such Officers, Civil or Military, as shall by any Order of the King in Council be empowered to receive, protect, and provide for such Natives of Africa, may enter and enlist any of them into His Majesty's Service, or bind them, whether of full Age or not, as Apprentices, for any Term not exceeding Fourteen Years, to such Persons and upon such Conditions and Regulations as His Majesty shall, by any Order in Council, direct and appoint; and any Indenture of Apprenticeship, duly made and executed by any Person to be for that Purpose appointed by any such Order, for any Term not exceeding Fourteen Years, shall be of the same Effect as if the Party thereby bound had himself, when of full Age, duly executed the same; and every Native of Africa, who shall be so enlisted or entered, shall be treated and dealt with as if he had 47 Geo. 3. c. 36. § 7. voluntarily enlisted or entered. 55 Geo. 3. c. 172. § 7.

21. Where any Slaves or Natives of Africa taken as Bounty for Slaves Prize of War by any of His Majesty's Ships of War, or condemned as Privateers duly commissioned, shall be finally condemned, there shall be paid to the Captors thereof by the Treasurer

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surer of the Navy, in the like manner as the Bounty called "Head Money" is now paid by virtue of 35 Geo. 3. c. 71. such Bounty as His Majesty may have directed by Order in Council, not exceeding £40 for every Man, £30 for every Woman, and £10 for every Child or Person not above 14 Years old, that shall be delivered over in good Health to the Officer appointed to receive and provide for them; which Bounties shall be divided amongst the Officers, Seamen, Mariners, and Soldiers on board His Majesty's Ships of War, or hired armed Ships, in the Manner and Proportion as by His Majesty's Proclamation for granting the Distribution of Prizes shall be directed and appointed, and amongst the Owners, Officers, and Scamen of any Private Vessel of War, in such Manner and Proportion according to any Agreement in Writing they shall have entered into for that Purpose. 47 Geo. 3. c. 36. § 8.

Certificate to be produced to entitle Captors to Bounty.

In case of Doubt, Claims to be determined by the Judge of the Admiralty.

Reward for Slaves seized and condemned as forfeited. 22. The Numbers of Men, Women, and Children so delivered over, shall be proved to the Commissioners of His Majesty's Navy, by producing a Copy duly certified of the Sentence of Condemnation, of the Numbers of Men, Women, and Children taken and condemned, and also a Certificate under the Hand of the Officer, Military or Civil, appointed as aforesaid, to whom they shall have been delivered, acknowledging that he hath received them, to be disposed of according to His Majesty's Instructions and Regulations. 47 Geo. 3. c. 36. § 9.

23. But if Donbts shall arise whether the Party claiming such Bounty is entitled thereto, the same shall be summarily determined by the Judge of the High Court of Admiralty, or by the Judge of any Court of Admiralty in which the Prize shall have been adjudged, subject to an Appeal to the Lords Commissioners of Appeals in Prize Causes. 47 Geo. 3. c. 36. § 10.

24. Upon the Condemnation to the Use of His Majesty of any Slaves or Natives of Africa seized and prosecuted as forfeited (except in the Cases of Seizures made at Sea by the Commanders or Officers of His Majesty's Ships of War), there shall be paid to the Person who shall have prosecuted the same to Condemnation £13 for every Man, £10 for every Woman, and £3 for every Child or Person under the Age of 14 Years, delivered over in good Health, and also the like Sums to the Use of the Governor or Commander in Chief of any Colony or Plantation wherein such Seizure shall have been 8 made;

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made ; but in Cases of Seizures made at Sea by the Commanders or Officers of His Majesty's Ships of War, there shall be paid to the Commander or Officer who shall so seize and prosecute, for every Man condemned and delivered £20, for every Woman £15, and for every Child or Person under Fourteen £5, subject to such Distribution for the Seizures made at Sea as His Majesty shall think fit to direct by any Order in Conncil; for which Payments the Officer appointed to receive and provide for such Slaves or Natives of Africa, shall, after the Condemnation and Receipt thereof, grant Certificates in favour of the Governor and Party seizing and prosecuting, or the latter alone (as the Case may be), addressed to the Lords of the Treasury, who, upon the Production of such Certificate, and of an authentic Copy of the Sentence of Condemnation, and also a Receipt under the Hand of such Officer appointed as aforesaid, specifying that such Slaves or Africans have been received in good Health, shall direct Payment out of the Consolidated Fund of the Money specified in such Certificate to the lawful Holders of the same, or the Persons entitled to the Benefit thereof. 47 Geo. 3. c. 36. § 11.

25. Any Person forging or counterfeiting any such Counterfeiting Certificate, Copy of Sentence of Condemnation, or Documents, or Receipt, or any Part thereof, or wilfully uttering or publishing the same, knowing it to be forged or counterfeited, with Intent to defraud His Majesty, or any other Person, shall, on Conviction, suffer Death without Benefit of Clergy. 47 Geo. 3. c. 36. § 12.

26. The pecuniary Penalties or Forfeitures shall be How Penalties prosecuted and recovered in any Court of Record in and Forfeitures Great Britain, or Court of Record or Vice Admiralty in recovered, and any Part of His Majesty's Dominions wherein the Offence disposed of. was committed, or in case the Offender shall be resident in any other Place, then in any Part of His Majesty's Dominions where found; and in all Cases of Seizures, the same may be prosecuted and recovered in any Court of Record in Great Britain, or Vice Admiralty in any Part of His Majesty's Dominions, in or nearest to which such Seizures may be made, or to which such Ships, Slaves, Goods, or Effects (if seized at Sea or without the Limits of any British Jurisdiction) may most conveniently be carried for Trial; and all the Penalties and Forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided), shall go to such Persons.

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Persons, in such Shares, and may be prosecuted, distributed, and applied in such Manner, and by the same Rules and Directions, as any Penalties or Forfeitures incurred in Great Britain, and in the British Colonies in America, by any Act relating to the Trade and Revenues of the said British Colonies, now go and belong to, and may now be prosecuted, &c. in Great Britain, or in the said Colonies respectively. 46 Geo. 3. c. 52. § 17. 47 Geo. 3. c. 36. § 13.

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27. Ships, Slaves, or Natives of Africa conveyed or dealt with as Slaves, and Goods and Effects, forfeited for any Offence against this Act, may be seized by any Officer of the Customs or Excise, or by the Commanders or Officers of any of His Majesty's Ships of War, who shall have the Benefit of all the Provisions of 4 Geo. 3. c. 15., or any other Act made for the Protection of Officers seizing and prosecuting for any Offence relating to the Trade and Revenues of the British Colonies or Plantations in America. 47 Geo. 3. c. 36. § 14.

28. All Offences against this Act may be tried, determined, and dealt with as Misdemeanors, as if the same had been respectively committed within the Body of the County of Middlesex. 47 Geo. 3. c. 36. § 15.

29. His Majesty in Council may make such Regulations for the Disposal and Support of such Negroes as shall have been bound Apprentice under this Act, after the Term of their Apprenticeship shall have expired, as shall seem meet, and as may prevent such Negroes from becoming at any Time chargeable upon the Island in which they shall have been bound Apprentices. 47 Geo. 3. c. 36. § 16.

30. No Act, as to enlisting for any limited Period of Service, or granting any Pensions or Allowances to any Soldiers discharged after certain Periods of Service, shall extend to any Negroes enlisted and serving in any of His Majesty's Forces. 47 Geo. 3. c. 36. § 17.

31. Persons against whom any Action shall be commenced in Great Britain or elsewhere, for any thing done in pursuance of these Acts, may plead the General Issue, and give the Acts and the special Matter in Evidence; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant has appeared, or if Judgement shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant

By whom Seizures may be made.

Where Offences against this Act may be tried.

His Majesty may make Regulations as to Negroes who have been bound Apprentices.

Acts as to enlisting, &c. not to extend to Negroes.

General Issue may be pleaded and Treble Costs allowed. fendant shall recover Treble Costs. 46 Geo. 3. c. 52. § 19. 47 Geo. 3. c. 36. §18.

32. Actions, Bills, Indictments, or Informations for Penalties or the Recovery of any of the Penalties or Forfeitures be sued for imposed by 46 Geo. 3. c. 52. and 47 Geo. 3. c. 66. may within Three be brought, exhibited, or prosecuted at any Time within Years. Three Years after the Offence committed. 53 Geo. 3. c. 112. § 1.

33. All Ships, whether British or Foreign, adjudged Ships condemned to be forfeited under any Act for the Prevention, Aboli- these Acts may tion, or Regulation of the Slave Trade in any Court be registered as of Record in Great Britain, or which shall be condemned British Ships. in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, shall be entitled to Certificates of Registry as British Ships, and thereupon enjoy all the Privileges and Advantages of British-built Ships, in like manner with Ships taken and condemned as lawful Prize of War; but such Ships shall be subject to the same Duties and Regulations, and shall be registered in the same Manner, and subject to the same Conditions and Restrictions, Penalties and Forfeitures, and shall be owned and navigated, as Ships condemned as lawful Prize are required to be in order to their obtaining British Registers, and enjoying the Privileges of British Ships according to Law. 54 Geo. 3. c. 59. §1.

34. When Persons held or treated as Slaves within Support and the Provisions of any Act passed for the Abolition of the Slaves until Slave Trade, shall be captured or seized as Prize of War, Adjudication. or as forfeited, or otherwise proceeded against and brought to Adjudication, the Person claiming any Right or Property in or the Possession of such Slaves shall put such Slaves on Shore, and the Chief Officer of the Customs of the Place shall direct Inquiry to be made whether the Person claiming any Right or Property in or to the Possession of such Slaves, shall have furnished or be willing and able to furnish sufficient Food and Necessaries for the wholesome Maintenance of the said Slaves during the Proceedings; and such Chief Officer shall report to the Governor, or Person exercising the Authority of Governor, the Result of such Inquiry; and if it shall appear that sufficient Food and Necessaries have not been furnished, and if the Person claiming the Property in such Slaves shall refuse or neglect to support the said Slaves during such Proceedings, the Governor, &c. shall authorize

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rize the Chief Officer to take on himself the immediate Care and Custody of such Slaves, and to provide proper Food and Necessaries, until the Court shall have made its Decree; and the Court shall, on Application by the Chief Officer of the Customs having provided for such Slaves, direct the Accounts to be brought into the Registry of the Court and examined, and direct the same, when confirmed, to be a Charge on the said Slaves, to be defrayed by the Person receiving Possession thereof under the Decree. 55 Geo. 3. c. 172. § 1.

35. In case the Court shall not immediately restore or condemn, but shall direct further Proof in the Cause, and the Person claiming the Property or Possession shall not have supplied, or at any Time pending Proceedings shall refuse or neglect to supply, Necessaries for the said Slaves, the Court may direct a Valuation to be made, and decree such Slaves, after such Valuation had and approved, to be delivered over to such Officer or Person as may be appointed by His Majesty to receive Slaves condenned according to 47 Geo. 3. c. 36.; and the same shall be treated in all Respects according to the Provisions of the said Act, except that the Bounty shall not be payable but in the Event of final Condemnation. 55 Geo. 3. c. 172. § 2.

36. If on further Proof the Slaves shall be decreed to be restored, and there be no Appeal, and the Slaves shall have been delivered over as above directed, Restitution shall be made in the Value of the Slaves, according to the Valuation before directed, together with Interest thereon, such Suns being deducted as were expended for their Maintenance; and the Value so adjusted shall be paid by the Treasurer of the Navy in the same Manner as Bounties paid for Slaves condemned under 47 Geo. 3. c. 36., on the Production of the Official Copy of the Sentence of Restitution, with the Valuation endorsed thereon by the Registrar of the Court. 55 Geo. 3. c. 172. § 3.

37. In case where there shall have been a Decree having the Effect of a definitive Sentence, restoring or condemning the said Slaves, and the same shall be suspended by Appeal, the Court shall forthwith direct the Slaves to be valued, and after such Valuation to be delivered over to such Officer or Person as may be appointed to receive Slaves condemned; and such Slaves shall be dealt with in all Respects as if they had been finally condemned, except

Claimants refusing or neglecting to supply Necessaries pending the Proceedings, the Slaves to be valued and delivered over.

How Restitution to be made where Slaves have been delivered over.

In Cases of Appeal, the Slaves to be valued and delivered over.

# Slaves.

except that the Bounties shall not be due thereon but in the Event of final Condemnation. 55 Geo. 3. c. 172. §4.

38. Where Slaves shall be finally restored in the Court If restored in the of Appeal, Restitution in Value shall be made for the Court of Appeal, Use of the Proprietor, according to the Valuation before Value to be directed, subject to Revision in the said Court of Appeal, made. together with Interest thereon, the Sums expended for the Maintenance and Support being deducted; and the Value so adjusted shall be paid by the Treasurer of the Navy in the same Manner as Bounties are paid under 47 Geo. 3. c. 36., on the Production of an Official Copy of the final Sentence, with the Valuation of the Slaves endorsed thereon by the Registrar of the Court. 55 Geo. 3. c. 172. § 5.

39. Not to prevent the Courts having Jurisdiction in the principal Cause from adjudging the Captor, Seizor, or Prosecutor to pay, in addition to the Restitution in Value, such further Sums in the Nature of Costs or Damages as the Court shall decree, where it shall appear that the Capture, Seizure, or Prosecution, or the Appeal thereon, shall not be justified by the Circumstances of the Case. 55 Geo. 3. c. 172. § 6.

40. If any Subject of His Majesty, or if any Person residing or being within the United Kingdom, or in any of the Islands, Colonies, Dominions, Forts, Settlements, Factories, or Territories belonging thereto, or being in His Majesty's Possession, or under the Government of His Majesty, the East India Company, shall by himself, or by his carrying on the Factor or Agent, or otherwise, remove, or aid or assist Slave Trade, or in the removing, as a Slave, or for the Purpose of being therein, declared sold or dealt with as a Slave, any Person whatsoever, Felons. from any Part of Africa, or any other Country, Territory, or Place, either immediately or by Transhipment at Sea, or otherwise; or shall import, or aid or assist in importing, into any Colony, Territory, or Place, any such Person as aforesaid, for the Purpose aforesaid; or shall knowingly embark, detain, or confine on board any Ship or Boat any such Person for the Purpose aforesaid; or shall knowingly employ or permit to be employed, or let to freight or on hire, any Ship to be employed in removing or importing, or for the Purpose of removing or importing, any such Person as a Slave, or for the Purpose of being sold or dealt with as a Slave; or shall fit out or cause to be fitted out, or take the Command of or navigate or embark on board any such Ship as Master or Y 2Captain,

Restitution in

Courts having Jurisdiction in the original Cause may adjudge Costs and Damages.

British Subjects, or Persons being within the United Kingdom or any of the Dominions of any way engaged

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Captain, Mate, Supercargo, or Surgeon, knowing that such Vessel is actually employed, or is in the same Voyage for which he shall so embark intended to be employed, in removing, importing, or bringing any such Person for the Purpose of his being sold, used, or dealt with as a Slave; the Persons offending, and their Counsellors, Aiders, and Abettors, shall be declared to be Felons, and be transported for a Term not exceeding Fourteen Years, or kept to hard Labour for a Term not exceeding Five Years, nor less than Three Years, at the Discretion of the Court before whom convicted. 51 Geo. 3. c. 23. § 1.

41. Any Person who shall embark on board any such Ship employed or intended to be employed as aforesaid, as a Petty Officer, Servant, or Seaman, knowing that such is the Purpose, or one of the Purposes of the Voyage, or who shall underwrite or procure to be underwritten any Policy of Assurance upon any such Ship or Goods, or the Freight, knowing the Purpose of the Voyage, shall only be declared to be guilty of a Misdemcanor, and shall be punished by Imprisonment for a Term not exceeding Two Years; and such Persons shall not be deemed to be, nor shall be punished as Accessories to Felony. 51 Geo. 3. c. 23. § 2, 3.

42. Not to subject any Person to Pains and Penalties for removing or carrying from any British Colony or Settlement in the West Indies to any other such Colony, &c. or from one Part of such British Island, Colony, or Settlement to another Part of the same, or for transporting into or landing in any such Colony or Settlement any Slave born within such Colonies or Settlements, or any Slaves which shall be lawfully imported into the said Colonies or Settlements, or for removing or carrying any Slave from one Part of any Foreign Colony or Settlement to another Part of the same, or for transhipping and assisting at Sea any Slave which shall be in any Ship in Distress; nor prevent the Transportation to any Foreign Colony or Place of any Slave convicted by due Course of Law in any British Colony of any Crime to which the Punishment of Transportation shall be annexed; but in every such Case a Copy of the Judgment or Sentence, certified by the Court, shall be put on board the Ship. 51 Geo. 3. c. 23. § 4.

43. All Felonies or Misdemeanors committed in Africa, or in any Place other than the United Kingdom, or on the the Hig Jurisdic ordinary so far as to 11 & 44. H 46 Geo.

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Not to prevent the Removal of Slaves from one British Colony to another, or from Ships in Distress, nor the Transportation of Slaves convicted of Crimes.

How Felonies and Misdemeanors shall be inquired of, ng that e Vove emy such r dealt Counto be eeding rm not at the Geo. 3.

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the High Seas, or in any Place where the Admiral has Jurisdiction, shall be inquired of, either according to the ordinary Course of Law, and the Provisions of 28 Hen. 8. so far as the same Act is now unrepealed, or according to 11 & 12 W. 3 .- 51 Geo. 3. c. 23. § 6.

44. But nothing herein contained shall repeal or alter Penalties and 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36. for preventing the Forfeitures of Importation of Slaves by any of His Majesty's Subjects former Acts not repealed or into any Islands, Colonies, Plantations, or Territories altered. belonging to any Foreign State or Power, in respect of any Forfeitures of Ships, Cargoes, Goods, or Effects thereby imposed for any Offence against the said Acts, or the Remedies thereby given for the Recovery thereof, or in respect of any pecuniary Penalties thereby imposed. 51 Geo. 3. c. 23. § 7.

45. Whereas Doubts have arisen whether Offences Offences dedeclared by 51 Geo. 3. c. 23. to be Felonies or Misdemeanors, committed on the High Seas, or in any Port, to be Felonies or Sea, Creek, or Place where the Admiral has Jurisdiction, Misdemeanors may be inquired of, heard, and determined under or by Seas, or where virtue of any Commission issued or to be issued under the the Admiral has Directions of 46 Geo. 3. c. 54.; be it therefore enacted, Jurisdiction, may That all Offences declared by 51 Geo. 3. c. 23. to be any Commission Felonies or Misdemeanors, committed on the High Sens, issued according or in any Port, Sea, Creek, or Place where the Admiral to the Directions has Jurisdiction, may be inquired of, tried, and deter- c. 54. mined under any Commission already issued or hereafter to be issued according to the Directions of 46 Geo. 3. c. 54.; and all Persons convicted of any of the said Offences, so tried and determined under any such Commission issued according to the Directions of the said Act, shall be liable to and shall suffer the same Pains, Penalties, and Forfeitures, as by any Law now in force Persons convicted of the same respectively would be liable to, in case the same were respectively tried and determined and adjudged within this Realm by virtue of any Commission made according to the Directions of the Statute of the Twenty-eighth Year of the Reign of King, Henry the Eighth. \* 58 Geo. 3. c.98. § 1.

clared by 51 Geo. 3. c. 23. committed on the of 46 Geo. 3.

46. All

\* By 46 Geo. 3. c. 54. all Treasons, Piracies, Felonies, Robheries, Murders, Conspiracies, and other Offences, of what Nature or Kind soever, committed upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Authority **Y** 3 or

Governors and Commanders in Chief in Africa may make Seizures of Slaves, &c. within their Limits.

Petty Officers or Seamon giving Information so

46. All Governors or Persons having the Chief Command of any of the Settlements, Forts, or Factories belonging to His Majesty, or the African Company in Africa, or any African Island, and all Persons deputed by such Governor or Commander in Chief, may seize and prosecute all Ships, Slaves, or Natives of Africa conveyed or dealt with as Slaves, and all Goods and Effects forfeited for any Offence against 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36., and which shall be found upon or near to the said Coast, or in any Port, Haven, or River thereof, or within the Lunits of any of the said Settlements, Forts, or Factories; and such Governor or Commander in Chief, and all Persons by them so deputed. shall have the Benefit of all the Provisions made by any Act for the Protection of Officers seizing and prosecuting for any Offence against any Act relating to the Trade and Revenues of the British Colonies or Plantations in America. 51 Geo. 3. c. 23. § 8.

47. If any Petty Officer, Servant, or Seaman, on board any Ship fitted out for or engaged in the unlawfully

or Jurisdiction, may be inquired of, determined, and adjudged according to the common Course of the Laws of this Realm used for Offences committed upon the Land within this Realm, and not otherwise, in any of His Majesty's Islands, Plantations, Colonies, Dominions, Forts, or Factories, by virtue of the King's Commission under the Great Seal of Great Britain, to be directed to any such Four or more discreet Persons as the Lord Chancellor of Great Britain, Lord Keeper, or Commissioners for the Custody of the Great Seal of Great Britain for the Time being, shall from Time to Time think fit to appoint ; and the said Commissioners so to be appointed, or any Three of them, shall have such and the like Powers and Authorities for the Trial of all such Murders, Treasons, Piracies, Felonies, Robberies, Conspiracies, and other Offences, within any such Island, Plantation, Colony, Dominion, Fort, or Factory, as any Commissioners appointed or to be appointed according to 28 Henry 8th, by any Law or Laws now in force, have or would have for the Trial of the said Offences within this Realm; and all Persons convicted of any of the said Offences, so to be tried by virtue of any Commission to be made according to the Directions of this Act, shall be liable to and shall suffer all such and the same Pains, Penalties, and Forfeitures, as by any Law now in force Persons convicted of the same respectively would be liable to in case the same were respectively inquired of, determined, and adjudged within this Realm, by virtue of any Commission made according to the Directions of the said Statute of 28 Hen. 3th.

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removing or dealing in Slaves, shall within Three Months that Offenders after the Arrival of the said Ship at any Port belonging may be appre-to His Majesty, give Information on Oath before any be liable to any competent Magistrate against any Owner, Part Owner, Punishment. Captain, Mate, Surgeon, or Supercargo of such Ship, who shall have committed any Offence against this Act, and shall give Evidence on Oath against such Owner, &c. before any Magistrate or Court before whom such Offender may be tried; or if such Petty Officer, or Mariner, or Servant, shall within Three Months after his Arrival at any Place not within His Majesty's Dominions, give Information to any of His Majesty's Ambassadors, Ministers Plenipotentiary, Envoys, Consuls, Residents, or other Agents, so that any Person owning such Ships, or navigating or taking Charge of the same as Captain, Mate, Surgeon, or Supercargo, may be apprehended, such Person so giving Information and Evidence shall not be liable to any Punishment under 46 Geo. 3. c. 52. or 47 Geo. 3. c. 36., but shall be wholly discharged therefrom; and His Majesty's Ambassadors, &c. are required to receive such Information, and to transmit the Particulars thereof to one of His Majesty's Principal Secretaries of State, and to transmit Copies of the same to the Commanders of His Majesty's Ships then in the said Port or Place. 51 Geo. 3. c. 23. §9.

48. Whereas divers Persons have contrary to Law Certain Importaimported into certain of His Majesty's Possessions on the tions of Slaves Continent of South America, certain Negro Slaves from Colonies on the other Possessions of His Majesty; and it is expedient Continent of that all Persons who have been concerned in advising, South America authorizing, or making such Importations of Negro Slaves and Prosecutions should be indemnified, inasmuch as such Importations discharged. have been made under a Belief that they were authorized by Law: Be it therefore enacted, That the said Importations be deemed valid and of due Force in Law; and that all Personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any Persons for having advised, authorized, or made any such Importation before the passing of this Act, shall be discharged and made void; and if any Action shall be commenced against any Person by reason of any such Importation, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff in any Action or Suit, commenced in Y 4 England,

into the British South America, England, Ireland, or any of His Majesty's Possessions on the Continent of South America, or in the West India Islands, shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict shall pass against such Plaintiff, the Defendant shall recover Double Costs, for which he shall have the like Remedy as in Cases where Costs are given to the Defendants; and if any such Action shall be commenced in the Part of Great Britain called Scotland, the Court shall allow to the Defender the Benefit of the Discharge and Indemnity thereby provided, and shall further allow him his Double Costs. 58 Geo. 3. c. 49. § 1.

49. If any Action hath been already commenced against any Person for any such Importation, the Defendant or Defenders, in whatever Court of the Unitéd Kingdom of Great Britain and Ireland, or in any of His Majesty's Possessions on the Continent of South America, or in the West India Islands, such Action or Suit shall have been commenced, may apply to such Court to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court is required to make Order for that Purpose accordingly; and the Court shall allow and award to the Defendant or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where Costs are by Law given to the Defendant or Defenders. 58 Geo. 3. c. 49. § 2.

50. And whereas it has been represented that there is in the Bahama Islands, and on certain Estates in the Island of Dominica, a considerable Quantity of the Land which, from Length of Cultivation, has become exhausted; and it has in consequence become impossible for the Proprietors o such Land to find profitable Employment and Subsistence for the Negro Slaves supported by cultivating the said Land: And whereas it might tend to ameliorate the Condition of the said Negro Slaves if they could by Law be transported to certain of His Majesty's Possessions on the Continent of South America, to which by Law they cannot now be transported : Be it enacted, That His Majesty, by and with the Advice of His Privy Council, may grant Licences for the Transportation of such Slaves from any of the said Islands to any of the said Possessions on the Continent of South America, under certain Restrictions, to be hereinafter provided: Provided always, that no such Licence shall be granted unless upon a Representation to His Majesty's most Hounourable Privv

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Allowing Slaves to be transported thence to South America.

Privy Council, from the Proprietor of such Slaves, who shall be required to produce satisfactory Proof that they may be so transported without Disadvantage to themselves, and unless he shall enter into Bond to remove the said Negro Slaves in Families. 58 Geo. 3. c. 49. § 3.

51. His Majesty, by and with the Advice of His Privy His Majesty in Council, may make such further Rules and Regulations, Council to make such Rules and with respect to the Transport and Destination of any Orders as he such Negroes, with such Penalties and Forfeitures for may deem uccesthe Breach thereof, as shall seem fit and necessary to sary. His Majesty, with the Advice aforesaid. 58 Geo. 3. c. 49. § 4.

52. Provided, that it shall not be lawful for any Not to be con-Person to embark, export, 61 carry upon the Sea, any veyed from Slaves from any such Sottlement on Transform British Colonies Slaves from any such Settlement or Territory now on the Continent belonging to or under the Dominion or in the Pos- to any other session of His Majesty, on the Continent of South Country what-America, to any other Country, Island, Territory, or another British Place whatever, whether under the Dominion of His Colony on the Majesty, or of any Foreign Sovereign, State, or Power; Continent, under certain Condiprovided also, that nothing herein-before contained shall tions. extend to prevent the embarking, exporting, or carrying by Sea any Slaves from any such Settlement or Territory of or belonging to or under the Dominion or in the Possession of His Majesty, on the Continent of South America, to any other Settlement or Territory now belonging to or under the Dominion or in the Possession of His Majesty, on the said Continent of South America, so as that such Slaves are embarked and carried, subject to all the Restrictions, Regulations, Penalties, and Forleitures in the said recited Acts or either of them contained in relation to the carrying of Slaves from one Island, Colony, or Plantation belonging to His Majesty, to any other Island, Colony, or Plantation belonging to His Majesty: Provided also, that nothing herein-before contained shall prevent any Slave from being employed either in Navigation, Fishing, or any other his ordinary Business or Occupation upon the Seas, in the same Manner as Slaves may now be employed in any British West India Island, in Numbers not exceeding in any one Boat or Vessel those usually employed in navigating such Vessels or Boats: Provided also, that nothing herein-before contained shall extend to prevent any Slave who shall be the domestic Servant of any Person residing or being in any such Settlement or Territory, now belonging to or under the Dominion or in the Possession

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### Slaves.

session of His Majesty, from attending his Owner, Master, or Mistress, or any Part of his Family, by Sea to any Place whatever, in the same Manner and under the same Regulations as are prescribed by any of the said recited Acts as to Slaves attending their Masters from any British West India Island. 58 Geo. 3. c. 49. §5.

#### TREATY WITH SPAIN,

#### FOR PREVENTING TRAFFIC IN SLAVES,

#### Signed at Madrid, 23d September 1817.

By the FIRST ARTICLE, His Catholic Majesty engaged that the Slave Trade shall be abolished throughout the entire Dominions of Spain on the Thirtieth Day of May One thousand eight hundred and twenty; and that from and after that Period it shall not be lawful for any of the Subjects of the Crown of Spain to purchase Slaves, or to carry on the Slave Trade on any Part of the Coast of Africa, upon any Pretext or in any Manner whatever; provided however, that a Term of Five Months from the said Date of the Thirtieth of May One thousand eight hundred and twenty shall be allowed for completing the Voyages of Vessels which shall have been cleared out lawfully previously to the said Thirtieth of May.

SECOND ARTICLE.—That from and after the Exchange of the Ratifications of the said Treaty, it shall not be lawful for any of the Subjects of the Crown of Spain to purchase Slaves, or to carry on the Slave Trade on any Part of the Coast of Africa to the North of the Equator, upon any Pretext or in any Manner whatever; provided however, that a Term of Six Months from the Date of the Exchange of the Ratifications of the said Treaty shall be allowed for completing the Voyages of Vessels which shall have cleared out from Spanish Ports for the said Coast previously to the Exchange of the said Ratifications.

THIRD ARTICLE.—His Majesty engaged to pay in London, on the Twentieth Day of February One thousand eight hundred and eighteen, the Sum of Four hundred hundre as His same. Fou

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hundred thousand Pounds Sterling, to such Person as His Catholic Majesty shall appoint to receive the same.

FOURTH ARTICLE.—The said Sum of Four hundred thousand Pounds Sterling is to be considered as a full Compensation for all Losses sustained by the Subjects of His Catholic Majesty, engaged in this Traffic, on account of Vessels captured previously to the Exchange of the Ratifications of the said Treaty, as also for the Losses which are a necessary Consequence of the Abolition of the said Traffic.

FIFTH ARTICLE .- Every Traffic in Slaves, which should be carried on under the Circumstances in the said Article stated, should be considered as illicit; First, either by British Ships, and under the British Flag, or for the Account of British Subjects, by any Vessel, or under any Flag whatsoever: Secondly, by Spanish Ships upon any Part of the Coast of Africa North of the Equator, after the Exchange of the Ratifications of the said Treaty; provided however, that Six Months should be allowed for completing the Voyages of Vessels, comformably to the Tenor of the Second Article of the said Treaty : Thirdly, either by Spanish Ships and under the Spanish Flag, or for the Account of Spanish Subjects, by any Vessel, or under any Flag whatsoever, after the Thirtieth of May One thousand eight hundred and twenty, when the Traffic in Slaves on the Part of Spain was declared by the said Treaty to cease entirely; and it was by the said Article provided, that Five Months should be allowed for the Completion of Voyages commenced in due Time, conformably to the First Article of the said Treaty : Fourthly, under the British or Spanish Flag, for the Account of the Subjects of any other Government: Fifthly, by Spanish Vessels bound for any Port not in the Dominions of His Catholic Majesty.

SIXTH ARTICLE.—His Catholic Majesty engaged to adopt, in conformity to the Spirit of the said Treaty, the Measures which are best calculated to give full and complete Effect to the laudable Objects thereof.

SEVENTH ARTICLE.—Every Spanish Vessel which shall be destined for the Slave Trade, on any Tart of the Coast of Africa, where this Traffic still continues to be lawful, must be provided with a Royal Passport, conformable to the Model annexed to the said Treaty, and which Model forms an integral Part of the same, written in the Spanish Language.

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Language, with an authentic Translation in English aunexed thereto, and signed by His Catholic Majesty, and countersigned by the Minister of Marine, and also by the Principal Naval Authority of the District, Station, or Port from whence the Vessel clears out, whether in Spain, or in the Colonial Possessions of His Catholic Majesty.

EIGHTH ARTICLE.—That it should be understood that the Passport, for rendering lawful the Voyages of Slave Ships, should be required only for the Continuation of the Traffic to the South of the Line, and that those Passports which were then issued, signed by the First Secretary of State of His Catholic Majesty, and in Form prescribed by an Order of the Sixteenth of December One thousand eight hundred and sixteen, should remain in full Force for all Vessels which may have cleared out for the Coast of Africa, as well to the North as to the South of the Line, previously to the Exchange of the Ratifications of the said Treaty.

NINTH ARTICLE.—The Ships of War of His Majesty and of His Catholic Majesty, which should be provided with special Instructions for that Purpose, as mentioned in the said Treaty, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, for having Slaves on board acquired by an illicit Trade; and in the Event only of their finding Slaves on board may retain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals to be established for that Purpose, as specified in the said Treaty; and it was by the said Article provided, that the Commanders of Ships of War of the Royal Navies of His Majesty and His Catholic Majesty, who shall be employed in this Service, shall adhere strictly to the exact Tenor of the Instructions which they shall receive for this Purpose; and His Majesty and His Catholic Majesty engaged mutually to make good any Losses which the Subjects of His Majesty and of His Catholic Majesty might respectively incur unjustly, by the arbitrary and illegal Determon of their Vessels, it being understood that this Indemnity shall invariably be borne by the Government whose Cruizer shall have been guilty of the arbitrary Detention; provided always, that the Visit and Detention of Slave Ships spccified in the said Article, shall only be effected by those British or Spanish Vessels which may form Part of the Two

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Two Royal Navies, and by those only of such Vessels which are provided with the special Instructions annexed to the said Treaty.

TENTH ARTICLE.—No British or Spanish Cruizer shall detain any Slave Ship not having Slaves actually on board; and that in order to render lawful the Detention of the Ship, whether British or Spanish, the Slaves found on board such Vessel must have been brought on board the Vessel for the express Purpose of the Traffic, and those on board of Spanish Ships must have been taken from that Part of the Coast of Africa where the Slave Trade is prohibited, conformably to the Tenor of the said Treaty.

ELEVENTH ARTICLE.—That all Ships of War of the Two Nations which shall hereafter be destined to prevent the illicit Traffic in Slaves, shall be furnished with a Copy of the Instructions annexed to the said Treaty, and considered as an integral Part thereof, with a Proviso nevertheless in the said Treaty, that His Majesty and His Catholic Majesty, with mutual Consent, may alter the Instructions in whole or in part, according to Circumstances.

Twelfth Article .- In order to bring to Adjudication, with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in an illicit Traffic of Slaves, there shall be established, within a Space of a Year at furthest from the Exchange of the Ratifications of the said Treaty, Two mixed Commissions, formed of an equal Number of Persons of the Two Nations, named for that Purpose by the respective Sovereigns; and that these Commissions shall reside, one in a Possession belonging to His Majesty, the other within the Territories of His Catholic Majesty; one of which Commissions is stipulated by the said Treaty to be always held upon the Coast of Africa, and the other in one of the Colonial Possessions of His Catholic Majesty; and it was by the said Treaty provided, that the said Commissions shall judge the Causes submitted to them without Appeal, and according to the Regulations and Instructions annexed to the said Treaty, which said Instructions were by the said Treaty made an integral Part thereof.

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#### INSTRUCTIONS

#### ANNEXED TO THE TREATY.

FIRST ARTICLE .- Every British or Spanish Ship of War shall, in conformity with Article Nine of the Treaty, have a Right to visit the Merchant Ships of either of the Two Nations actually engaged or suspected to be engaged in the Slave Trade; and if any Slaves shall be found on board, according to the Tenor of the Tenth Article of the Treaty; and as to what regards the Spanish Vessels, if there shall be Ground to suspect that the said Slaves have been embarked on a Part of the Coast of Africa where the Traffic is no longer permitted, conformably to the said Treaty; and in such Cases alone, the Commander of the said Ship of War may detain such Merchant Ship or Vessel, and shall, as soon as possible, bring the same for Judgment before such of the Two mixed Commissions appointed by the Twelfth Article of the said Treaty which shall be the nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained; and it was provided, that Ships, on board of which no Slaves shall be found intended for the Purposes of Traffic, shall uot be detained on any Account or Pretence whatsoever; and that Negro Servants or Sailors found on board any such Vessels shall not in any Case be deemed a sufficient Cause for Detention.

SECOND ARTICLE.— No Spanish Merchantman or Slave Ship shall, on any Pretence whatever, be detained, which shall be found any where near the Land, or on the High Seas South of the Equator, during the Period for which the Traffic is to remain lawful, according to the said Treaty, unless after a Chace that shall have commenced North of the Equator.

THIRD ARTICLE.—That Spanish Vessels, furnished with a regular Passport, having Slaves on board, shipped at those Parts of the Coast of Africa where the Trade is permitted to Spanish Subjects, and which shall afterwards be found North of the Equator, shall not be detained by any British or Spanish Ship of War, if such Spanish Vessel can account for their Course, either in conformity with the Practice of the Spanish Navigation, by steering some Degrees to the Northward to search of 10

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fair Winds, or for other legitimate Causes, such as the Dangers of the Sea, duly proved : Provided always, that with regard to all Slave Ships detained to the North of the Equator, after the Expiration of the Term allowed, the Proof of the Legality of the Voyage is required to be furnished by the Vessel so detained; on the other Hand, with respect to Slave Ships detained to the South of the Equator, in conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is required to be exhibited by the Captor; and it was in like Manner stipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even if the Number should not agree with that contained in the Passport, shall not be sufficient Reason to justify the Detention of such Ship, but that the Captain and the Proprietor shall in such Case be denounced in the Spanish Tribunals, in order to their being punished according to the Laws of the Country.

FOURTH ARTICLE.—Every Spanish Vessel intended to be employed in the legal Traffic of Slaves, in conformity with the Principles laid down in the said Treaty, shall be commanded by a native Spaniard, and Two-thirds at least of the Crew shall likewise be Spaniards; and it was provided that the Spanish or Foreign Construction of the Ship or Vessel shall in no wise affect the national Character of the Ship or Vessel, and that the Negro Sailors shall always be reckoned as Spaniards, provided they belong as Slaves to Subjects of the Crown of Spain, or that they have been enfranchised in the Dominions of His Catholic Majesty.

FIFTH ARTICLE.—That whenever a Ship of War shall meet a Merchantman liable to be searched, it shall be done in the most mild Manner, and with every Attention which is due between allied and friendly Nations; and in no Case shall the Search be made by an Officer holding a Bank inferior to that of Lieutenant in the Navy of Great Britain, or of Ensign of a Ship of the Line in the Spanish Navy.

SIXTH ARTICLE.—The Ships of War which may detain any Slave Ship, in pursuance of the Principles laid down in the said Instructions, shall leave on board all the Cargo of Negroes untouched, as well as the Captain, and a Part at least of the Crew of the Slave Ship; and that the Captain commanding the Ship of War detaining any such Slave Ship shall draw up in Writing an authentic Decla-

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Declaration, which shall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in such Ship, and shall also deliver to the Captain of the Slave Ship a signed Certificate of the Papers seized on board the Vessel, as well as of the Number of Slaves found on board at the Moment of Detention; and it is also provided, that the Negroes on board of any such Ship shall not be disembarked until after the Vessel detained shall arrive at the Place where the Legality of the Capture is to be tried by One of the Two mixed Commissions, in order that in the Event of the Vessel not being adjudged a legal Prize, the Loss of the Proprietors may be more easily repaired; with Proviso, however, that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they shall be disembarked entirely or in part before the Vessel can arrive at the Place of Residence of One of the said Commissions, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity thereof shall be stated in a Certificate in proper Form.

SEVENTH ARTICLE.—No Conveyance of Slaves from one Part in the Spanish Possessions to another shall take place, except in Ships provided with Passports from the Spanish Government on the Spot for that Purpose.

#### REGULATIONS

#### FOR

#### THE MIXED COMMISSIONS

#### WHICH ARE TO RESIDE ON THE COAST OF AFRICA, AND IN A COLONIAL POSSESSION OF HIS CATHOLIC MAJESTY, ANNEXED TO THE TREATY.

FIRST ARTICLE.—The mixed Commissions to be established by the said Treaty upon the Coast of Africa, and in a Colonial Possession of His Catholic Majesty, shall decide upon the Legality of the Detention of such Slave Vessels as the Ships of War of both Nations shall detain in pursuance of the said Treaty, for carrying on an illicit Commerce in Slaves, and shall judge without Appeal, according to the Letter and Spirit of the said Treaty; 7 and

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and that the said Commissions shall give Sentence as summarily as possible, and decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from the Day upon which every detained Vessel shall have been brought into the Port where they shall reside; first, upon the Legality of the Capture; and secondly, in the Case in which the captured Vessel shall have been liberated, as to the Indemnification to be paid for the Capture and Detention: And it is by the said Regulations provided, that no final Sentence shall be delayed, on account of the Absence of Witnesses, or for want of the Proofs, beyond the Period of Two Months, except upon Application of any of the Parties interested, when, upon their giving satisfactory Security to charge themselves with the Expence and Risks of the Delay, the Commissioners may, at their Discretion, grant an additional Delay, not exceeding Four Months.

SECOND ARTICLE.-The said mixed Commissions, which are to reside on the Coast of Africa, and in the Colonial Possessions of His Catholic Majesty, shall be composed in the following Manner; that is to say, that His Majesty and His Catholic Majesty shall each of them name a Commissary Judge and a Commissioner of Arbitration, who shall be authorized to hear and decide, without Appeal, all Cases of Capture of Slave Vessels which, in pursuance of the Stipulation of the said Treaty, may be laid before them; and it was also provided, that all the essential Parts of the Proceedings carried on before the said mixed Commissions, shall be written down in the legal Language of the Country in which the Commission may reside; and it was also thereby provided, that the Commissary Judges and the Commissioners of Arbitration shall make Oath in Presence of the principal Magistrate of the Place in which the Commission may reside, to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the Treaty; and it was also thereby provided, that there shall be attached to each Commission a Secretary or Registrar appointed by the Sovereign of the Country in which the Commission may reside, who shall register all its Acts, and who, previous to his taking Charge of his Office, shall make Oath in Presence of at least One of the Commissary Judges, to conduct himself with Respect for their Authority, and to  $\mathbf{Z}$ act

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act with Fidelity in all the Affairs which may belong to his Charge.

THIRD ARTICLE .- The Form of the Process shall be as follows; that it to by, the Commissary Judges of the Two Nations shall, in the first Place, proceed to the Examination of the Papers of the Vessels, and receive the Depositions on Oath of the Captain, and of Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary in order to be able to judge and pronounce if the said Vessel has been justly detained or not, according to the Stipulations of the Treaty, in order that, according to their Judgment, the Vessel may be condemned or liberated; and in the Event of the Two Commissary Judges not agreeing upon the Sentence, whether as to the Legality of the Detention, or the Indemnification to be allowed, or upon any other Question which might result from the Stipulations of the Treaty, they shall draw by Lot the Name of One of the Two Commissioners of Arbitration, who, after having considered the Documents of the Process, shall consult with the Commissary Judges upon the Case in question, and the final Sentence shall be pronounced conformably to the Opinion of the Majority of the Commissary Judges and of the Commissioner of Arbitration so chosen.

FOURTH ARTICLE.—As often as the Cargo of Slaves found on board of a Spanish Slave Ship shall have embarked from any Point whatever of the Coast of Africa where the Slave Trade continues to be lawful, such Slave Ship shall not be detained on Pretext that the abovementioned Slaves have been brought originally by Land from any other Part whatever of the Continent.

FIFTH ARTICLE.—That in the authenticated Declaration which the Captor shall make before the Commission, as well as in the Certificate of the Papers seized which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the Captor shall state and declare his Name, and the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of the Slaves found living on board the Slave Ship at the Time of the Detentior..

SIXTH ARTICLE.—As soon as any Sentence shall have been passed, the detained Vessel, if liberated, and what may remain remain prietors a Valua Right in his shall be which th to defray the Sent nification of which

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Losses, o detained, not aftery Commiss Commiss cle of th Restitutio award to ful Attor complete Losses an may have tention; 1 or Claima Tackle, A due and p Merchanc at the Ti Value of a ing theref unexpired

remain of the Cargo, shall be restored to the Proprietors, who shall, before the same Commission, claim a Valuation of the Damages which they may have a Right to demand; and that the Captor himself, and in his Default, the Government to which the Captor shall belong, shall remain responsible for such Damages, which the said Governments respectively bind themselves to defray, within the Term of a Year from the Date of the Sentence; it being understood that all such Indemnifications shall be at the Expence of the Government of which the Captor shall be a Subject.

SEVENTH ARTICLE.—In case of the Condemnation of any Vessel for an unlawful Voyage, the Vessel shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said Vessel, as well as her Cargo, shall be sold by public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the mixed Commission a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Commission which shall have so judged them shall be established, to be employed as Servants or free Labourers.

EIGHTH ARTICLE.—Every Claim for Compensation of Losses, occasioned by any Ship's being inspected and detained, as carrying on an illicit Trade in Slaves, but not afterwards condemned as lawful Prize by the mixed Commissions, shall be also heard and judged by the said Commissions, in the Form provided by the Third Article of the said Regulations; and in all Cases wherein Restitution shall be so decreed, the Commission shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, in case of total Loss, the Claimant or Claimants shall be indemnified, first, for the Ship, her Tackle, Apparel, and Stores; secondly, for all Freight due and payable; thirdly, for the Value of the Cargo of Merchandize, if any; fourthly, for the Slaves on board at the Time of Detention, according to the computed Value of such Slaves at the Place of Destination, deducting therefrom the usual fair average Mortality for the unexpired Period of the regular Voyage, deducting also Z 2 for

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for all Charges and Expences payable upon the Sale of such Cargoes, including Commission of Sale; and fifthly, for all other regular Charges in such Cases of total Loss; and in all other Cases not of total Loss, the Claimant or Claimants shall be indemnified, first, for all special Damages and Expences occasioned to the Ship by the Detention, and for the Loss of Freight, when due or payable; secondly, a Deniurrage, when due, according to the Schedule annexed to the said Eighth Article; thirdly, a daily Allowance for Subsistence of Slaves, of One Shilling or Four Reals and Half de Vor, for each Person, without Distinction of Age or Scx, for so many Days as it shall appear to the Commission that the Voyage has been or may be delayed by reason of such Detention; as likewise, fourthly, for any Deterioration of Cargo or Slaves; fifthly, for any Diminution in the Value of the Cargo of Slaves, proceeding from an increased Mortality beyond the average Amount of the Voyage, or from Sickness occasioned by Detention, this Value to be ascertained by their computed Price at the Place of Destination, as in the above Case of total Loss; sixthly, an Allowance of Five per Centum on the Amount of the Capital employed in the Purchase and Maintenance of Cargo, for the Period of Delay occasioned by the Detention; and, seventhly, for all Premium of Insurance on additional Risks; and the Claimant or Claimants shall likewise be entitled to Interest, at the Ratc of Five per Centum per Annun, on the Sum awarded, until paid by the Government to which the capturing Ship belongs: the whole Amount of such Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at the Exchange current at the Time of Award, excepting the Sum for the Subsistence of Slaves, which shall be paid at par, as above stipulated; and to avoid as much as possible every Species of Fraud in the Execution of the said Treaty, it was agreed, that if it should be proved to the Conviction of the Commissary Judges of the Two Nations, and without having Recourse to the Decision of a Commissioner of Arbitration, that the Captor has been led into Error by a voluntary and a reprehensible Fault on the Part of the Captain of the detained Ship, in that case only the detained Ship shall not have the Right of receiving, during the Days of her Detention, the Demurrage stipulated by the said Eighth Article. And to the said Eighth Article

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Article a Schedule of Demurrage or daily Allowance was annexed, as follows; that is to say, for a Vessel of

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and so in proportion.

NINTH ARTICLE.—When the Proprietor of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the mixed Commissions (or in the Case as above mentioned of total Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no case be entitled to claim for more than the Number of Slaves which his Vessel, by the Spanish Laws, was authorized to carry, which Number shall always be stated in his Passport.

TENTH ARTICLE.—Neither the Judges nor the Arbitrators, nor the Secretary of the mixed Commissions, shall be permitted to demand or receive, from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the said Regulations.

ELEVENTH ARTICLE.— If any Parties interested shall imagine they have Cause to complain of any evident Injustice on the Part of the mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence, for the Purpose of removing, when they think fit, the Individuals who may compose these Commissions.

TWELFTH ARTICLE.—In case of a Vessel being improperly detained under Pretence of the Stipulations of the Treaty, and the Captor not being able to justify himself, either by the Tenor of the said Treaty, or of the Instructions annexed to it, the Government to which the detained Vessel may belong shall be entitled to demand Reparation; and in such Case the Government to which the Captor may belong binds itself to cause Inquiry to be made into the Subject of the Complaint, and to inflict upon the Captor, if he be found to have deserved it, a Z 3 Punish-

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Punishment proportioned to the Transgression which may have been committed.

THIRTEENTH ARTICLE .- In the Event of the Death of One or more of the Commissary Judges, or the Commissioners of Arbitration, composing the above-mentioned mixed Commissions, their Posts shall be supplied ad interim in the following Manner; that is, on the Part of the British Government, the Vacancies shall be filled successively in the Commission, which shall sit within the Possessions of His Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the same, and by the Secretary; and in that which shall sit within the Possessions of His Catholic Majesty, it was agreed, that in case of the Death of the British Judge or Arbitrator there, the remaining Individuals of the said Commission shall proceed equally to the Judgment of such Slave Ships as may be brought before them, and to the Execution of their Sentence; and in such Case alone the Parties interested shall have the Right of appealing from the Sentence, if they think fit, to the Commission resident upon the Coast of Africa; and the Government to which the Captor shall belong shall be bound fully to make good the Compense ion which shall be due to them in case the Appeal be decided in favour of the Claimants, but the Vessel and Cargo shall remain during such Appeal in the Place of Residence of the first Commission before which they shall have been carried: And it was thereby agreed, that on the Part of Spain the Vacancies shall be supplied, in the Possession of His Catholic Majesty, by such Persons of Trust as the Principal Authority of the Country shall appoint; and upon the Coast of Africa, in case of the Death of any Spanish Judge or Arbitrator, the Commission shall proceed to Judgment in the same Manner as above specified for the Commission resident in the Possession of His Catholic Majesty, in the Event of the British Judge or Arbitrator; an Appeal being in this Case likewise allowed to the Commission resident in the Possession of His Catholic Majesty, and in general all the Provisions of the former Case being to be applied: And it was further agreed by the said Article, that all Vacancies which may arise in the above-mentioned Commissions, from Death or any other Cause, should be supplied as soon as possible ; and in case that the Vacancy of any of the Spanish Commissioners in the British Possessions,

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sessions, or of the British Commissioners in the Spanish Possession, be not supplied at the End of the Term of Seven Months for America, and of Twelve for Africa, the Vessels which shall be brought to the said Possessions respectively shall cease 10 have the Right of Appeal above stipulated.

For carrying into Execution the Provisions of the said Ships of War Treaty, be it enacted, That any Officers commanding duly authorized any Ship of War of His Majosty duly authorized and may seize all any Ship of War of His Majesty, duly authorized and provided with Instructions according to the Provisions of Vessels. the said Convention, may visit and search all Vessels which shall be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic, and to detain and bring to Adjudication all Vessels and Cargoes therein, made subject to Detention and Condemnation, according to the Provisions of the said Treaty, and the Regulations and Instructions aforesaid. 58 Geo. 3. c. 36. § 1.

All Vessels belonging wholly or in part to His Ma- British Vessels jesty's Eubjects, suspected upon reasonable Grounds of suspected of having Slaves on board acquired by an illicit Traffic, shall be, according to the Ninth Article of the Treaty, Scizure by subject to the Visitation and Search of British or Spanish Spanish or British Vessels of War, duly authorized for that Purpose, according to the Provisions of the Treaty; and all Vessels be- the Commissionlonging wholly or in part to His Majesty's Subjects, ers under the which shall have Slaves on board acquired by an illicit Traffic, contrary to the Provisions of the Ninth and Tenth Articles of the Treaty, and all Boats, Apparel, Furniture, and Slaves belonging to such Vessels, and all Cargoes therein, shall be subject to the Search and Detention of British or Spanish Vessels of War duly authorized for that Purpose, according to the Stipulations of the Treaty, and to Forfeiture according to the Treaty, and the Regulations and Instructions thereunto annexed, and be subject to the Adjudication of and to Condemnation or other Judgment by the Commissary Judges and Commissioners to be appointed according to the Provisions of the Treaty, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 36. § 2.

His Majesty, by any Warrant under His Royal Sign His Majesty may Manual, countersigned by One of the Principal Secreta- appoint Comries of State, may appoint Commissary Judges and Com-missioners of Arbitration, and from Time Time to sup-ers of Arbitraply any Vacancies which may arise in such Offices, and tion. grant Salaries, not exceeding such annual Sums as the Lords

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having Slaves on board, subject to Vessels, and to Treaty.

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Lords of the Treasury of Great Britain and Ireland shall direct; and such Commissary Judges and Commissioners may examine and decide all Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, detained, seized, taken, or captured under the said Treaty or Instructions and Regulations, as are made subject to their Jurisdiction, and proceed therein, and do all Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty, and the Instructions and Regulations annexed thereto, as effectually as if special Powers and Authorities for that Purpose were specifically given in this Act. 58 Geo. 3. c 36. § 3.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Principal Secretaries of State, may appoint a Secretary or Registrar to the Commission which shall be established in His Majesty's Dominions, and supply any Vacancy which may thereafter occur, and grant such Salarics as the said Lords Commissioners shall direct; and such Secretary or Registrar may perform all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the Treaty, Instructions, and Regulations. 58 Geb. 3. c. 36. §4.

The Governor or Lieutenant Governor, or principal Magistrate of the Colony or Settlement in which the Commission shall sit, within the Possessions of His Britannic Majesty, may fill up every Vacancy which shall arise in such Commission, either of Commissary Judge, Commissioner, or any Officer thereof appointed by His Majesty, according to the Thirteenth Article of the Regulations annexed to the Treaty, ad interim, until such Vacancy shall be thereafter filled by some Person appointed by His Majesty. 58Geo. 3. c. 36. § 5.

Every Commissary Judge and Commissioner of Arbitration appointed by His Majesty, shall, before he enters upon the Execution of his Office, take an Oath, in the Presence of the principal Magistrate them residing and acting in the Colony, Settlement, or Place, whether belonging to His Britannic or His most Catholic Majesty, in which the Commission shall be appointed to reside, in the Form following; that is to say,

<sup>•</sup> I A. B. do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office, as

faithfully, impartially, fairly, and without Preference
or Favour, either for Claimants or Captors, or any
other

Secretary and Registrar to be appointed to the Commission established in His Majesty's Dominions.

Vacancies in the Commission sitting in some Possession of His Majesty, to be filled up until some other Person shall be appointed by His Majesty.

Commissary Judges and Commissioners of Arbitration to take the following Oath. othJudaccord

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' other Persons; and that I will, to the best of my ' Judgment and Power, act in pursuance of and ' according to the Stipulations, Regulations, and ' Instructions contained in the Treaty between His ' Majesty and His Catholic Majesty signed at Madrid ' on the Twenty-third Day of September One thousand

' eight hundred and seventeen. So help me GOD.'

And every Secretary or Registrar appointed by His Secretary or Majesty under the Provisions of the Treaty, Regulations Registrar to take and Instructions, and of this Act, shall, before he enters the following on the Duties of his said Office, take up Oath before the Oath. on the Duties of his said Office, take an Oath before the British Commissary Judge as aforesaid, in the Form following; that is to say,

A. B. do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the ' Execution of my Office; and that I will conduct ' myself with respect to the Authority of the Com-' missary Judges and Commissioners of Arbitration ' of the Commission to which I am attached; and will ' act with Fidelity in all the Affairs which may belong ' to my Charge, and without Preference or Favour, ' either for Claimants or Captors, or any other · Persons. So help me God.'

58 Geo. 3. c. 36. § 6.

The said Commissary Judges or either of them, or Commissary any such Secretary or Registrar, may administer Oaths Judges and to and take the Depositions of all Persons who may come Secretary or Registrar may or be brought before them to be examined, or for the administer Oaths Purpose of deposing, in the Course of any Proceeding and summon before the said Commissary Judges, or before the said Commissary Judges and the Commissioner of Arbitration, in the Cases in which such Commissioners of Arbitration shall act with the said Commissary Judges under the said Treaty, Instructions or Regulations, or this Act; and the said Commissary Judges and Commissioners of Arbitration, in the Cases aforesast, any summon all Persons whom they may deem it necessar, or proper to examine in relation to any Suit, Matter, or Thing under their Cognizance, and send for and issue Precepts for the producing of such Topors as may relate to the Matters in question before them, and enforce all such Summonses, Orders, and Precepts by the like Means, Powers, and Authorities as any Court of Vice Admiralty may do. 58 Geo. 3. c. 36. § 7.

Every Person who shall wilfully and corruptly give Persons giving talse Evidence in any Examination, Deposition, or Affi- false Evidence davit

guilty of Perjury.

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davit in any Proceeding before the said Commissary Judges or Commissioners aforesaid, shall be deemed guilty of Perjury, and being thereof convicted, shall be liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in England; and in any Prosecution for such Offences in His Majesty's said Court of King's Bench, the Venue may be laid in the County of Middlesex. 58 Geo. 3. c. 36. § 8.

The Pendency of any Suit or Proceeding, instituted before the said Commissioners, for the Condemnation or Restitution of any Ship or Cargo, or Slaves, seized or detained by virtue of the Treaty, Instructions, or Regulations, or the final Adjudication, Condemnation, or Judgment or Determination thercupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be a good and complete Bar in any Action, Suit, or Proceeding instituted for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or Injury sustained thereby, or by the Persons on board, in consequence of any Capture, Seizure, or Detention, or Thing done under the Authority of the Provisions, Treaty, Instructions, or Regulations. 58 Geo. 3. c. 36. § 9.

The Sum of Four hundred thousand Pounds, stipulated to be paid, and accepted as a full Compensation for all Losses sustained by the Subjects of His Catholic Majesty, on account of Vessels captured previously to the Exchange of the Ratifications of the said Treaty, and for the Losses which are a necessary Consequence of the Abolition of the said Traffic in Slaves, shall be considered and taken to be a full Compensation for all such Losses; and the said Stipulation may be pleaded in Bar, or given in Evidence upon the General Issue, and adjudged in every Court whatever to be a good and complete Bar in every Action, Suit, or Proceeding brought or instituted for Restitution, or any other Matter or Thing in relation to any such Capture, or for any Damage or Injury sustained in relation thereto, or for any such Losses as aforesaid. 58 Geo. 3. c. 36. § 10.

Provided, that the Lords Commissioners of Appeal in Prize Causes, and the High Court of Admiralty, in all Cases

Suit pending before, or Judgment by any such Commission, to be a Bar, and pleadable as such to any Action brought for any thing done under the Treaty.

Compensation for the Losses sustained from the Abolition of the Traffic in Slaves.

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Cases and Questions arising out of the said Captures Admiralty, in depending before them, or that may be brought before Cases brought them on Appeal from any Vice Admiralty Court, accord- altered. ing to their respective Jurisdictions, may proceed therein, and hear and determine all Questions respecting any Right or Interest in or to the same, to which His Majesty, or the Captors of Seizors of such Vessels or Cargoes, may claim to a ntitled, by reason of the Capture or Seizure thereot, and enforce their Judgments and Orders therein by the usual Process of the said Courts. 58 Geo. 3. c. 36. § 11.

Provided also, that in all such Cases, in which the Captors Captors not Seizors shall not establish any Right or Interest on their establishing their behalf, by reason of the Capture thereof, and the Laws Rights, Proceeds to go to the Use relating thereto, the said Courts respectively may order of His Majesty. and adjudge the Vessels and Cargoes, or the Proceeds thereof, unto or to which the Captors shall not establish any Right or Interest, to be delivered or paid, to the Use of His Majesty, to such Persons as the Commissioners of His Majesty's Treasury shall appoint to receive the same, and enforce the Delivery or the Payment thereof by the usual Process of the said Courts respectively. 58 Geo. 3. c. 36. § 12.

Nothing in this Act shall extend in any wise to suspend, affect, or repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained in any Act for the Suppression or Prevention of the Slave Trade; but all such Acts shall remain [] ull Force and Virtue. 58 Geo. 3. c. 36. § 13.

If any Action or Suit shall be commenced, either in Great Britain or elsewhere, against any Person for any thing done in pursuance of the said Treaty, Instructions, or Regulations, or of this Act, the Defendant in 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 by the Authority of the said Treaty, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shail have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as in other Cases by Law. 58 Geo. 3. c. 36. § 14.

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This Act not to alter or affect any of the Penalties or Provisions in any Act for Suppression of the Slave Trade. General Issue may be pleaded and Treble Costs allowed.

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### TREATY WITH PORTUGAL, FOR PREVENTING TRAFFIC IN SLAVES,

#### Signed at London, 28th July 1817.

Whereas by the FIRST ARTICLE of the additional Convention to a Treaty of the 22d January 1815, made between His Majesty and His most Faithful Majesty the King of Portugal, for the Purpose of preventing illicit Traffic in Slaves, and signed at London on the 28th Day of July 1817, it was declared to be the Object of the said Convention, to prevent the respective Subjects of His Majesty and His most Faithful Majesty from carrying on an illicit Slave Trade; and it was also thereby declared, that every Traffic in Slaves carried on under the following Circumstances should be considered as illicit; First, either by British Ships and under the British Flag, or for the Account of British Subjects by any Vessel or under any Flag whatsoever; Second, by Portuguese Vessels in any of the Harbours or Roads of the Coast of Africa which are prohibited by the First Article of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen; Third, under the Portuguese or British Flag for the Account of the Subjects of any other Government; Fourth, by Portuguese Vessels bound for any Port not in the Dominions of His most Faithful Majesty.

SECOND ARTICLE.- The Territories in which the Traffic in Slaves continues to be permitted under the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, to the Subjects of His most Faithful Majesty, are the following; First, the Territories possessed by the Crown of Portugal upon the Coast of Africa to the South of the Equator, that is to say, upon the Eastern Coast of Africa, the Territory laying between Cape Delgado and the Bay of Lourenco Marques, and upon the Western Coast, all that which is situated from the Eighth to the Eighteenth Degree of South Latitude; Second, those Territories on the Coast of Africa to the South of the Equator, over which His most Faithful Majesty has declared that he has retained His Rights, namely, the Territories of Molembo and Cabinda upon the Western Coast of Africa, from the Fifth Degree Twelve Minutes to the Eighth Degree South Latitude. THIRD

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change promulg of His J should p who ma Slaves, a which al under an most Fa much as respect.

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THIRD ARTICLE. — His most Faithful Majesty engaged, within the Space of Two Months after the Exchange of the Ratifications of the said Convention, to promulgate in his Capital, and in the other Parts of His Dominions, as soon as possible, a Law which should prescribe the Punishment of any of His Subjects who may in future participate in an illicit Traffic of Slaves, and at the same Time to renew the Prohibition which already exists, to import Slaves into the Brazils under any Flag other than that of Portugal; and His most Faithful Majesty also engaged to assimilate, as much as possible, the Legislation of Portugal, in this respect, to that of Great Britain.

FOURTH ARTICLE.—Every Portuguese Vessel which should be destined for the Slave Trade on any Point of the African Coast where the Traffic in Slaves should still continue to be lawful, must be provided with a Royal Pessport, conformable to the Model annexed to the said Convention, and which Model formed an integral Part of the same; and that every such Passport must be written in the Portuguese Language, with an authentic Translation in English annexed thereto, and must be signed, for all those Vessels sailing from the Port of Rio Janeiro, by the Minister of Marine, and for all other Vessels which may be intended for the said Traffic, and which may sail from any other Ports of the Brazils, or from any other of the Dominions of His most Faithful Majesty, not in Europe, the Passports must be signed by the Governor in Chief of the Captaincy to which the Port belongs; and as to those Vessels which may proceed from the Ports of Portugal, must be signed by the Secretary of the Government for the Marine Department.

FIFTH ARTICLE.—The Ships of War of the respective Royal Navies of His Majesty and His most Faithful Majesty, which shall be provided with special Instructions for that Purpose, as herein-after provided, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic; and in the Event only of their actually finding Slaves on board may detain and bring away such Vessels, in order that they may be brought to Trial before the Tribunais established for that Purpose, as specified in the said Convention; provided that the Commanders of the Ships of War of the Two Royal Navies, who shall be employed on this Service, shall adhere strictly

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strictly to the exact Tenor of the Instructions which they shall have received for that Purpose; and that as the said Article is entirely reciprocal, the Two High Contracting Parties engaged in the said Article mutually to make good any Losses which their respective Subjects may incur unjustly, by the arbitrary and illegal Detention of their Vessels, and that this Indemnity shall invariably beborne by the Government whose Cruizer shall been guilty. of the arbitrary Detention; provided that the Visit and Detention of Slave Ships specified in the said Article, shall only be effected by those British or Portuguese Vessels which may form Part of the Two Royal Navies, and by those only of such Vessels which are provided with the special Instructions annexed to the said Convention.

SIXTH ARTICLE.—No British or Portuguese Cruizer shall detain any Slave Ship not having Slaves actually on board; and in order to render lawful the Detention of any Ship, whether British or Portuguese, the Slaves found on board such Vessel must have been brought there for the express Purpose of the Traffic, and those on board Portuguese Ships must have been taken from that Part of the Coast of Africa where the Slave Trade was prohibited by the Treaty of the Twenty-second of January One thousand eight hundred and fitteen.

SEVENTH ARTICLE.—All Ships of War of the Two Nations which shall hereafter be destined to prevent the illicit Traffic in Slaves, shall be furnished by their own Government with a Copy of the Instructions annexed to the said Convention, and which shall be considered as an integral Part thereof, and that such Instructions shall be written in Portuguese and English, and signed for the Vessels of each of the Two Powers, by the Minister of their respective Marine, with a Reservation of the Faculty of altering the said Instructions, in whole or in part, according to Circumstances; it being however well understood, that the said Alterations cannot take place but by common Agreement, and by the Consent of the Two High contracting Parties.

EIGHTH ARTICLE.—In order to bring to Adjudication with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in an illicit Traffic in Slaves, there shall be established, within the Space of a Year at furthest from the Exchange of the Ratifications of the said Convention, Two mixed Commissions, formed of an equal Number of Individuals Ś

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of the Two Nations, named for the Purpose by their respective Sovereigns; and that those Commissions shall reside, one in a Possession belonging to His Majesty, the other within the Territories of His most Faithful Majesty; and that the Two Governments, at the Period of the Exchange of the Ratifications of the said Convention, should declare, each for its own Dominions, in what Places the Commissions shall respectively reside, each of the Two High Contracting Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Commission held within its own Dominions; provided however, that one of the Two Commissions shall always be held upon the Coast of Africa, and the other in the Brazils; and that these Commissions shall judge the Causes submitted to them, without Appeal, and according to the Regulations and Instructions annexed to the said Convention, of which they shall be considered as an integral Part.

NINTH ARTICLE .- His Britannic Majesty, in conformity with the Stipulations of the Treaty of the Twentysecond of January One thousand eight hundred and fifteen, engaged to grant, in the Manner herein-after explained, sufficient Indemnification to all the Proprietors of Portuguese Vessels and Cargoes captured by British Cruizers, between the First Day of June One thousand eight hundred and fourteen, and the Perio? at which the Two Commissions pointed out in the Eighth Article of the said Convention shall assemble at their respective Posts; and His Majesty and His most Faithful Majesty did agree, that all Claims of the Nature before mentioned shall be received and liquidated by a mixed Commission to be held at London, and which shall consist of an equal Number of the Individuals of the Two Nations, named by their respective Sovereigns, and upon the same Principles stipulated by the Eighth Article of the said Convention, and by the other Acts which form an integral Part of the same; and that the aforesaid Commissioners shall commence their Functions Six Months after the Ratification of the said Convention, or sooner if possible: And whereas it was also by the said Convention agreed, that the Proprietors of Vessels captured by the British Cruizers cannot claim Compensation for a larger Number of Slaves than that which according to the existing Laws of Portugal they were permitted to transport according to the Rate of Tonnage of the captured Vessel; and that every Portuguese Vessel captured with Slaves

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Slaves on board for the Traffic, which shall be proved to have been embarked within the Territories of the Coast of Africa situated to the North of Cape Palmas, and not belonging to the Crown of Portugal, as well as all Portuguese Vessels captured with Slaves on board for the Traffic, Six Months after the Exchange of the Ratifications of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, and on which it can be proved that the aforesaid Slaves were embarked in the Roadsteads of the Coast of Africa, situated to the North of the Equator, shall not be entitled to claim any Indemnification.

TENTH ARTICLE.—His Majesty engaged to pay, within the Space of a Year at furthest from the Decision of each Case, to the Individual having a just Claim to the same, the Sums which shall be granted to them by the Commissioners described in the preceding Articles of the said Convention.

ELEVENTH ARTICLE.—His Majesty engaged to pay the Three hundred thousand Pounds Sterling of Indemnification, stipulated by the Convention of the Twentyfirst of January One thousand eight hundred and fifteen, in favour of the Proprietors of Portuguese Vessels captured by British Cruizers up to the Period of the First of June One thousand eight hundred and fourteen, in the Manner following; viz. the First Payment of One hundred and fifty thousand Pounds Sterling, Six Months after the Exchange of the Ratifications of the Convention recited by this Act, and that the remaining One hundred and fifty thousand Pounds Sterling, as well as the Interest at Five per Centum due upon the total Sum, from the Day of the Exchange of the Ratifications of the Convention of the Twenty-first of January One thousand eight hundred and fifteen, should be paid Nine Months after the Exchange of the Ratifications of the Convention recited by this Act; and that the Interest due shall be payable up to the Day of the last Payment; and that all the aforesaid Payments shall be made in London, to the Minister of His most Faithful Majesty at the Court of His Majesty, or to the Persons whom His most Faithful Majesty shall think proper to authorize for that Purpose.

TWELFTH ARTICLE.—Certain Acts or Instruments annexed to the said Convention shall form an integral Part thereof, and which were as follows; that is to say, First, a Form of Passport for the Portuguese Merchant Ships

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Ships destined for the lawful Traffic in Slaves; Secondly, Instructions for the Ships of War of both Nations destined to prevent the illicit Traffic in Slaves; Thirdly, Regulations for the mixed Commissions which are to hold their Sittings on the Coast of Africa, at the Brazils, and in London.

#### INSTRUCTIONS.

FIRST ARTICLE .- Every British or Portuguese Ship of War shall have a Right to visit the Merchant Ships of either of the Two Powers actually engaged or suspected to be engaged in the Slave Trade; and should any Slaves be found on board, according to the Tenor of the Sixth Article of the aforesaid Additional Convention ; and as to what regards the Portuguese Vessels, should there be Ground to suspect that the said Slaves have been embarked on a Part of the Coast of Africa where the Traffic in Slaves can no longer be legally carried on in consequence of the Stipulations in force between the Two High Contracting Powers; in these Cases alone the Commander of the said Ship of War may detain them, and having detained them, he is to bring them as soon as possible for Judgment before that of the Two mixed Commissions appointed by the Eighth Article of the Convention which shall be nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained; and that Ships on board of which no Slaves shall be found intended for the Purposes of Traffic, shall not be detained on any Account or Pretence whatever; and that Negro Servants or Sailors that may be found on board the said Vessels cannot in any Case be deemed a sufficient Cause for Detention.

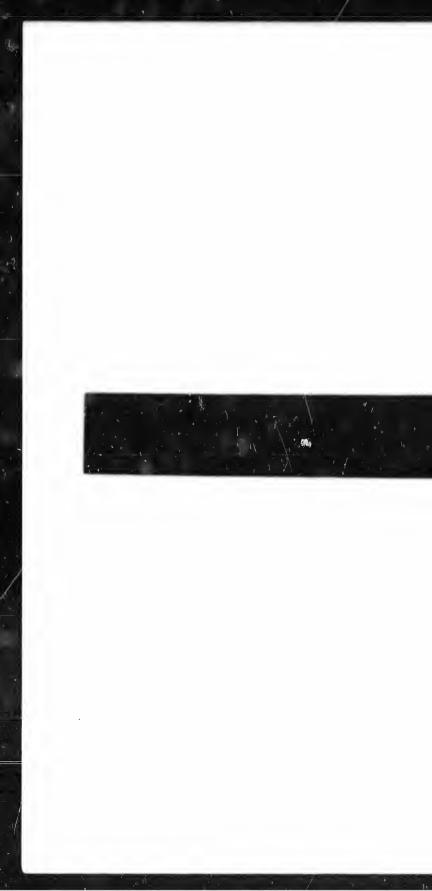
SECOND ARTICLE.—No Merchantman or Slave Ship can on any Account or Pretence whatever be visited or detained, whilst in the Port or Roadstead belonging to either of the Two High Contracting Powers, or within Cannon Shot of the Batteries on Shore; but in case suspicious Vessels should be found so circumstanced, proper Representations may be addressed to the Authorities of the Country, requesting them to take effectual Measures for preventing such Abuses.

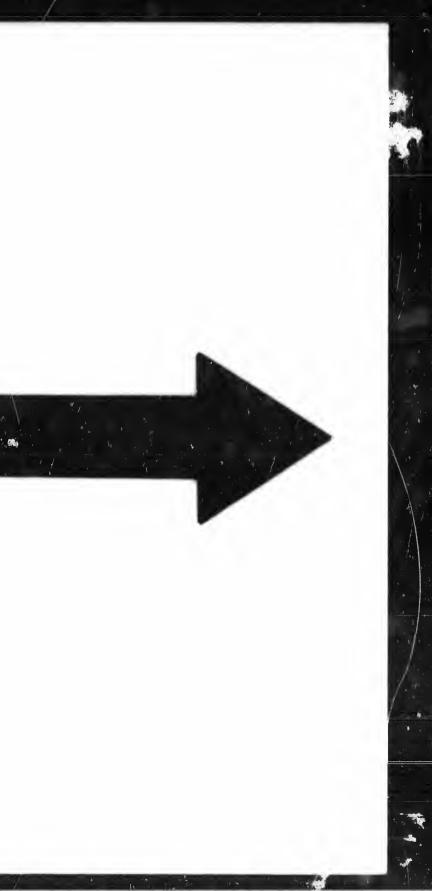
THIRD ARTICLE.—In consequence of the immense Extent of the Shores of Africa to the North of the Equator, along which this Commerce continues prohibited, A a

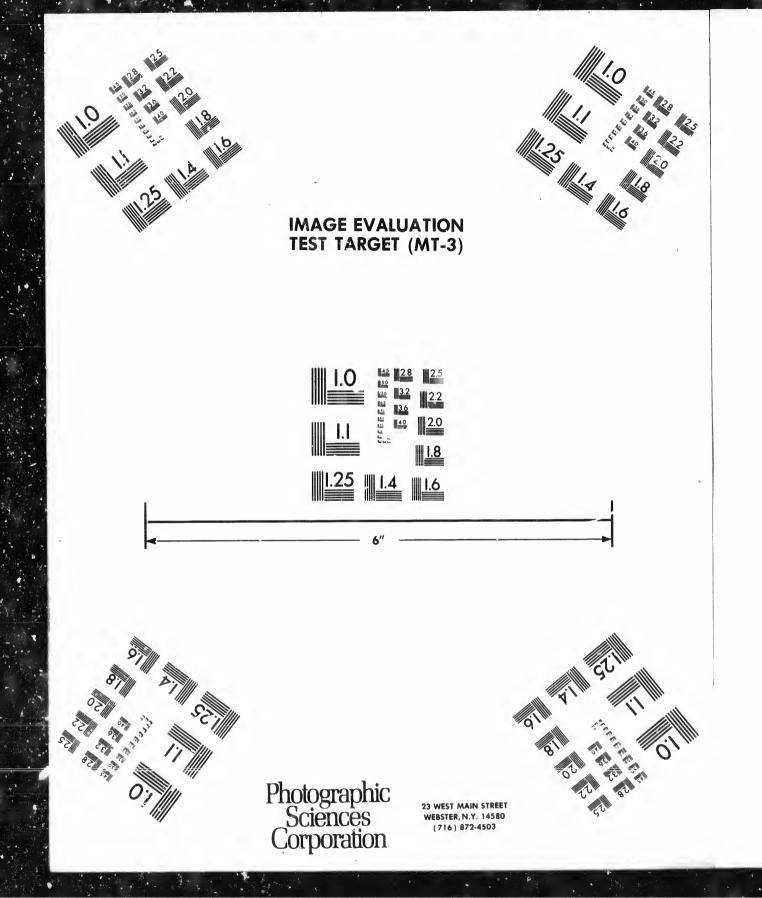
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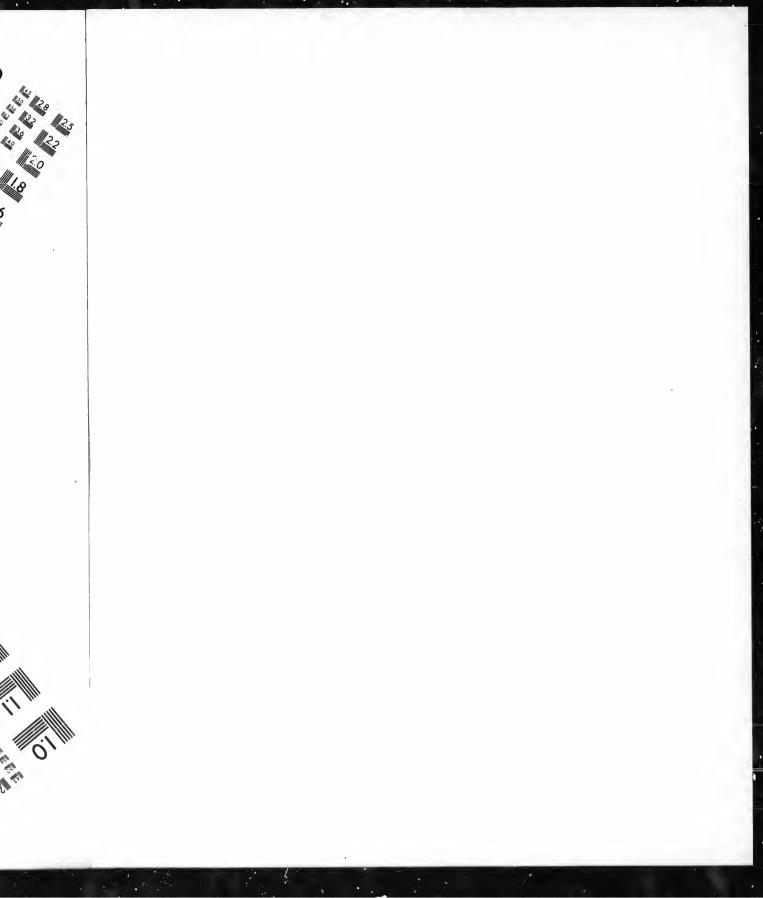
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and the Facility thereby afforded for illicit Traffic, on Points where either the total Absence or at least the Dis. tance of lawful Authorities bar ready Access to those Authorities; in order to prevent it, and for the more readily attaining the salutary End that His Majesty and His most Faithful Majesty did actually grant to each other the Power, without prejudice to the Rights of Sovereignty, to visit and detain, as if on the High Seas, any Vessel having Slaves on board, even within Cannon Shot of the Shore of their respective Territories on the Continent of Africa to the North of the Equator, in case of their being no local Authorities to whom Recourse might be had, as has been stated in the preceding Article; and that in such case, Vessels so visited may be brought before the mixed Commissioners in the Form prescribed in the First Article of the said Instructions.

FOURTH ARTICLE.—No Portugues: Merchantman or Slave Ship shall, on any Pretence whatever, be detained, which shall be found any where near the Land or on the High Seas South of the Equator, unless after a Chace that shall have commenced North of the Equator.

FIFTH ARTICLE.-Portuguese Vessels furnished with a regular Passport, having Slaves on board shipped at those Parts of the Coast of Africa where the Trade is permitted to Portuguese Subjects, and which shall afterwards be found North of the Equator, shall not be detained by the Ships of War of the Two Nations, though furnished with the present Instructions, provided the same can account for their Course, either in conformity with the Practice of the Portuguese Navigation, by steering some Degrees to the Northward in search of fair Winds, or for other legitimate Causes, such as the Dangers of the Sea, duly proved; or lastly, in the Case of their Passports proving that they were bound for a Portuguese Port not within the Continent of Africa: Provided always, that with regard to all Slave Ships detained to the North of the Equator, the Proof of the Legality of the Voyage is to be furnished by the Vessel so detained; on the other Hand, with respect to Slave Ships detained to the South of the Equator, in conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is to be exhibited by the Captor : It is in like Manner stipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even should the Number 10 > not

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not agree with that contained in their Passport, shall not be a sufficient Reason to justify the Detention of the Ship; but the Captain and the Proprietors shall be denounced in the Portuguese Tribunals in the Brazils, in order to their being punished according to the Laws of the Country.

SIXTH ARTICLE.—Every Portuguese Vessel intended to be employed in the legal Traffic in Slaves, in conformity with the Principles laid down in the said Convention, shall be commanded by a Native Portuguese, and Two Thirds at least of the Crew shall likewise be Portuguese; provided always, that its Portuguese or Foreign Construction shall in no wise affect its Nationalty, and that the Negro Sailors shall always be reckoned as Portuguese, provided they belong as Slaves to Subjects of the Crown of Portugal, or that they have been enfranchised in the Dominions of His most Faithful Majesty.

SEVENTH ARTICLE.—Whenever a Ship of War shall meet a Merchant Vessel liable to be searched, it shall be done in the most mild Manner, and with every Attention which is due between Allied and Friendly Nations; and in no Case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navy.

EIGHTH ARTICLE .- The Ships of War which may detain Slave Ships, in pursuance of the Principles laid down in the said Instructions, shall leave on board all the Cargo of Negroes untouched, as well as the Captain, and a Part at least of the Crew of the Slave Ship; and that the Captain shall draw up in Writing an authentic Declaration, which shall exhibit the State in which be found the detained Ship, and the Changes which may have taken place in it; and that he shall deliver to the Captain of the Slave Ship a signed Certificate of the Papers seized on board the said Vessel, as well as of the Number of Slaves found on board at the Moment of Detention; and that the Negroes shall not be disembarked till after the Vessels which contain them shall be arrived at the Place where the Legality of the Capture is to be tried by one of the Two mixed Commissions, in order that in the Event of their not being adjudged legal Prize, the Loss of the Proprietors may be more easily repaired; but that if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they shall be disembarked entirely or in Parf, before the Vessel can arrive at the A a 2 Place

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Place of the Residence of One of the said Commissions, the Commander of the capturing Ship may take on him. self the Responsibility of such Disembarkation, provided that the Necessity be stated in a Certificate in proper Form.

NINTH ARTICLE .- No Conveyance of Slaves from one Port of the Brazils to another, or from the Continent or Islands of Africa to the Possessions of Portugal out of America, shall take place as Objects of Commerce, except in Ships provided with Passports from the Portuguese Government ad hoc.

#### REGULATIONS

#### FOR

#### THE MIXED COMMISSIONS,

#### TO BE ESTABLISHED BY THE SAID CONVENTION UPON THE COAST OF AFRICA AND IN THE BRAZILS.

FIRST ARTICLE .- The said Commissions are appointed to decide upon the Legality of the Detention of such Slave Vessels as the Cruizers of both Nations shall detain, in pursuance of the said Convention for carrying on an illicit Commerce in Slaves; and that the above-mentioned Commissions shall judge, without Appeal, according to the Letter and Spirit of the Treaty of the Twenty-second of January One thousand eight hundred and fifteen, and of the said Additional Convention to the said Treaty, signed at London on the Twenty-eighth Day of July One thousand eight hundred and seventeen, and recited in this Act : That the Commissions shall give Sentence as summarily as possible, and they are required to decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from that on which every detained Vessel shall have been brought into the Port where they shall reside ; first, upon the Legality of the Capture; secondly, in the Case in which the captured Vessel shall have been liberated, as to the Indemnification which she is to receive: And it is hereby provided. that in all Cases the final Sentence, shall not be delayed on account of the Absence of Witnesses, or fer Want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties interested, when, upon their giving satisfactory Security to charge thomselves with the Expence and Risks of the Delay, the Commissioners may, at their Discretion, grant an additional Delay, not exceeding Four Months. SECOND

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### Slaves (Treaty with Portugal).

SECOND ARTICLE.--- Each of the above-mentioned mixed Commissions, which are to reside on the Coast of Africa and in the Brazils, shall be composed in the following Manner: The Two High Contracting Parties shall each of them name a Commissary Judge and a Commissioner of Arbitration, who shall be authorized to hear and to decide. without Appeal, all Cases of Capture of Slave Vessels which, in pursuance of the Stipulation of the Additional Convention of this Date, may be laid before them; and that all the essential Parts of the Proceedings carried on before these mixed Commissions, shall be written down in the Language of the Country in which the Commission may reside; and the Commissary Judges, and the Commissioners of Arbitration shall make Oath, in Presence of the Principal Magistrate of the Place in which the Commission may reside, to judge fairly and faithfully, to have no. Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the Treaty of the Twenty-second of January One thousand eight hur land and fifteen, and of the additional Convention to the said Treaty recited in this Act; and that there shall be attached to each Commission a Secretary or Registrar appointed by the Sovereign of the Country in which the Commissions may reside, who shall register all its Acts, and who, previous to taking Charge of his Post shall make Oath, in Presence of at least One of the Commissary Judges, to conduct himself with Respect for their Authority, and to act with Fidelity in all the Affairs which may belong to his Charge.

THIRD ARTICLE.—The Form of the Process shall be as follows: The Commissary Judges of the Two Nations shall in the First Place proceed to the Examination of the Papers of the Vessel, and to receive the Depositions on Oath of the Captain and Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary, in order to be able to judge and to pronounce if the said Vessel has been justly detained or not, according to the Stipulations of the said Additional Convention recited in this Act, and in order that according to this Judgment it may be condemned or liberated; and in the Event of the Two Commissary Judges not agreeing on the Sentence they ought to pronounce, whether as to the Legality of the Detention, or the Indemnification to be allowed, or on any other Question Aa 3 which

which might result from the Stipulations of the said Convention, they shall draw by Lot the Name of One of the Two Commissioners of Arbitration, who, after having considered the Documents of the Process, shall consult with the above-mentioned Commissary Judges on the Case in question; and the final Sentence shall be pronounced conformably in the Opinion of the Majority of the above-mentioned Commissary Judges, and of the above-mentioned Commissioner of Arbitration.

FOURTH ARTICLE.—As often as the Cargo of Slaves found on board of a Portuguese Slave Ship shall have been embarked on any Point whatever of the Coast of Africa where the Slave Trade continues lawful to the Subjects of the Crown of Portugal, such Slave Ship shall not be detained on Pretext that the above-mentioned Slaves shall have been brought originally by Land from any other Part whatever of the Continent.

FIFTH ARTICLE.—In the authenticated Declaration which the Captors shall make before the Commission, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the above-mentioned Captor shall be bound to declare his Name, the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found living on board of the Slave Ship at the Time of the Detention.

SIXTH ARTICLE.—As soon as Sentence shall have been passed, the detained Vessel, if liberated, and what remains of the Cargo, shall be restored to the Proprietors, who may before the same Commission claim a Valuatic of the Damages which they may have a Right to demand, the Captor himsel., and in his Default his Government, shall remain responsible for the above-mentioned Damages; and that the Two High Contracting Powers did bind themselves to defray, within the Term of a Year from the Date of the Sentence, the Indemnifications which may be granted by the above-named Commission, it being understood that these Indemnifications shall be at the Expence of the Power of which the Captor shall be a Subject.

SEVENTH ARTICLE.—In case of the Condemnation of a Vessel for an unlawful Voyage, she shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said. Vessel,

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# Slaves (Treaty with Portugal).

Vessel, as well as her Cargo, shall be sold by Public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the mixed Commission a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Commission which shall have so judged them shall be established, to be employed as Servants or Free Labourers, with Guarantee by each of the Two Governments respectively, the Liberty of such Portion of these Individuals as shall be respectively consigned to it.

EIGHTH ARTICLE.- Every Claim for Compensation of Losses occasioned to Ships suspected of carrying on an illicit Trade in Slaves, not condemned as lawful Prize by the mixed Commissions, shall be also heard and judged by the above-named Commissions, in the Form provided by the Third Article of the said Regulations herein-before recited; and in all Cases wherein Restitution shall be so decreed, the Commission shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification, first, for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, in the Case of total Loss, the Claimant or Claimants shall. be indemnified, first, for the Ship, her Tackle, Apparel, and Stores; secondly, for all Freight due and payable; thirdly, for the Value of the Cargo of Merchandize, if any; fourthly, for the Slaves on board at the Time of Detention, according to the computed Value of such Slaves at the Place of Destination, deducting therefrom the usual fair average Mortality for the unexpired Period of the regular Voyage, deducting also for all Charges and Expences payable upon the Sale of such Cargoes, including Commission of Sale when payable at such Port; and fifthly, for all other regular Charges in such Cases of total Loss; and in all other Cases not of total Loss, the Claimant or Claimants shall be indemnified, first, for all special Damages and Expences occasioned to the Ship by the Detention, and for Loss of Freight when due or payable; secondly, a Demurrage, when due, according to the Schedule annexed; thirdly, a daily Allowance for the Subsistence of Slaves of One Shilling or One hundred and eighty Reis for each Person, without Distinction of Age or Sex, for so many Days as it shall appear to the Commission that the Voyage has been or may be delayed by reason of such Detention ; as likewise, fourthly, Aa4 for

for any Deterioration of Cargo or Slaves; fifthly, for any Diminution in the Value of the Cargo of Slaves proceeding from an increased Mortality beyond the average Amount of the Voyage, or from Sickness occasioned by Detention, this Value to be ascertained by their computed Price at the Place of Destination, as in the above Case of total Loss; sixthly, an Allowance of Five per Centum on the Amount of Capital employed in the Purchase and Maintenance of Cargo for the Period of Delay occasioned by the Detention; and seventhly, for all Premium of Insurance on additional Risks; the Claimant or Claimants shall likewise be entitled to Interest at the Rate of Five per Centum per Annum on the Sum awarded, until paid by the Government to which the capturing Ship belongs; the whole Amount of such Indemnifications being calculated in the Money of the Country to which the captured Ship belongs, and to be liquidated at Exchange Current at the Time of Award, excepting the Sum for the Subsistence of Slaves, which shall be paid at par, as above stipulated : The Two High Contracting Parties wishing to avoid, as much as possible, every Species of Fraud in the Execution of the Additional Convention of this Date, have agreed, that if it should be proved, in a Manner evident to the Conviction of the Judges of the Two Nations, and without having Recourse to the Decision of a Commissioner of Arbitration, that the Captor has been led into Error by a voluntary and reprehensible Fault on the Part of the Captain of the detained Ship, in that Case only the detained Ship shall not have the Right of receiving, during the Days of her Detention, the Demurrage stipulated by the present Article:

Schedule of Demurrage or Daily Allowance for a Vessel of

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and so in proportion.

NINTH ARTICLE.—When the Proprietors of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the mixed Commissions (or in the Case as above mentioned of total Loss),

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Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no Case be entitled to claim for more than the Number of Slaves which his Vessel was by the Portuguese Laws authorized to carry, which Number shall always be declared in his Passport.

TENTH ARTICLE.-The mixed Sommission established in London by the Article Ninth of the said Convention herein-before recited, shall hear and determine all Claims for Portuguese Ships and Cargoes captured by British Cruizers, on account of the unlawful Trading in Slaves since the First of June One thousand eight hundred and fourteen, till the Period when the Convention is to be in complete Execution, awarding to them, conformably to the Ninth Article of the said Convention, a just and complete Compensation, upon the Basis laid down in the preceding Article, either for total Loss, or for Losses and Damages sustained by the Owners and Proprietors of the said Ships and Cargoes; and it was also provided, that the said Commission established in London shall be composed and proceed exactly upon the same Basis determined in the Articles of One, Two, and Three of the Regulations herein-before recited for the Commissions established on the Coast of Africa and the Brazils.

ELEVENTH ARTICLE.—It shall not be permitted to any of the Commissary Judges, nor to the Arbitrators, nor to the Secretary of any of the mixed Commissions; to demand or receive from any one of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the Regulations annexed to the Convention as aforesaid.

NINTH ARTICLE.—When the Parties interested shall imagine they have Cause to complain of any evident Injustice on the Part of the mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence, for removing when they think fit, the Individuals who may compose these Commissions.

THIRTEENTH ARTICLE.—In the Case of a Vessel detained unjustly under the Pretence of the Stipulations of the Additional Convention of this Date, and in which the Captor should neither be authorized by the Tenor of the above mentioned Convention, nor of the Instructions annexed to it, the Government to which the detained Vessel may belong, shall be entitled to demand Reparation, and in

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in such Case the Government to which the Captor may belong, binds itself to cause the Subject of Complaint to be fully examined, and to inflict upon the Captor, if he be found to have deserved it, a Punishment proportioned to the Transgression which may have been committed.

FOURTEENTH ARTICLE.-In the Event of the Death of One or more of the Commissioners, Judges, and Arbitrators composing the above-mentioned mixed Commissions, their Posts shall be supplied ad interim in the following Manner: On the Part of the British Government, the Vacancies shall be filled successively, in the Commission which shall sit within the Possessions of His Britannic Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the Place, and by the Secretary; and in the Brazils, by the British Consul and Vice Consul resident in the City in which the mixed Commission may be established ; on the Part of Portugal, the Vacancies shall be supplied in the Brazils by such Persons as the Captain General of the Province shall name for that Purpose : And considering the Difficulty which the Portuguese Government would feel in naming fit Persons to fill the Posts which might become vacant in the Commission established in the British Possessions, it is agreed, that in case of the death of the Portuguese Commissioners, Judge, or Arbitrators, in those Possessions, the remaining Individuals of the above-mentioned Commission shall be equally authorized to proceed to the Judgment of such Slave Ships as may be brought before them, and to the Execution of their Sentence; in this Case alone, however, the Parties interested shall have the Right of appealing from the Sentence, if they think fit, to the Commission resident in the Brazils; and the Government to which the Captor shall belong shall be bound fully to defray the Indemnification which shall be due to them, if the Appeal be judged in favour of the Claimants ; it being well understood that the Ship and Cargo shall remain during this Appeal in the Place of Residence of the First Commission before whom she may have been conducted: And it was in the said Regulation agreed to supply, as soon as possible, every Vacancy that may arise in the above-mentioned Commissions from Death or any other Contingency; and in case that the Vacancy of each of the Portuguese Commissioners residing in the British Possessions be not supplied at the End of Six Months, the Vessels which are taken

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taken there to be judged, after the Expiration of that Time, shall no longer have the Right of Appeal hereinbefore stipulated: And it was also further provided and declared and agreed, in a separate Article, that as soon as the total Abolition of the Slave Trade for the Subjects of the Crown of Portugal shall have taken place, the Two High Contracting Parties, by common Consent, will adapt to that State of Circumstances the Stipulations of the said Additional Convention of the 28th July hereinbefore recited; but in default of such Alterations, that the said Additional Convention shall remain in force until the Expiration of Fifteen Years from the Day on which the general Abolition of the Slave Trade shall so take place on the Part of the Portuguese Government; and that the said separate Article shall have the same Force and Validity as if it were inserted Word for Word in the said Additional Convention herein-before mentioned as aforesaid.

And whereas it is expedient and necessary that Ships of War effectual Provision should be made for carrying into duly authorized Execution the Provisions of the said Treature is into may seize all Execution the Provisions of the said Treaty; be it there- suspected fore enacted, That it shall be lawful for any Officers commanding any Ship of War of His Majesty, duly authorized and provided with Instructions according to the Provisions of the said Convention, to visit and detain all Vessels which shall be suspected, upon reasonable Grounds, of having Slaves on board acquired by an illicit Traffic, according to the Articles of the said Convention, and to detain and bring to Adjudication all Vessels and Cargoes thereby made subject to Detention and Condemnation, according to the Provisions of the said Convention, and the Instructions and Regulations aforesaid. 58 Geo. 3. c. 85. § 1.

All Vessels, belonging wholly or in part to His Ma- British Vessels jesty's Subjects, suspected upon reasonable Grounds of suspected of baying Slaves on board acquired by an illight Traffic having Slaves on having Slaves on board acquired by an illicit Traffic, board, subject to shall be, according to the said Treaty, Convention, and Seizure by Portu-Regulations aforesaid, subject to the Visitation of British guese or British or Portuguese Vessels of War, duly authorized for that Adjudication by Purpose, according to the Provisions before recited; and the Commissionall Vessels belonging wholly or in part to His Majesty's ers. Subjects, which shall have Slaves on board acquired by an illicit Traffic, contrary to the Treaty, Convention, and Regulations, and all Boats, Apparel, Furniture, and Slaves belonging to such Vessels, and all Cargoes therein.

Vessels.

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therein, shall be subject to the Visit and Detention of British or Portuguese Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Convention, and to Forfeiture according to the said Convention, and the Regulations and Instructions thereunto annexed, and for that Purpose shall be subject to the Adjudication of, and to Condemnation or other Judgment by the Commissary Judges and Commissioners to be appointed according to the Provisions of the Convention, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 85. § 2.

His Majesty, by any Warrant under His Royal Sign. Manual, countersigned by One of the Principal Secretaries of State, may appoint Commissary Judges and Commissioners of Arbitration, and from Time to Time supply any Vacancies which may arise in such Offices, by appointing other Persons; and grant Salaries, not exceeding such annual Sums as the Lords of the Treasury of Great Britain and Ireland shall direct; and such Commissary Judges and Commissioners may examine and decide all Cases of Detention, Captures, and Seizures of Vessels and their Cargoes, detained, seized, taken, or captured under the said Treaty or Convention, or Instructions and Regulations, as are made subject to their Jurisdiction, and to proceed therein, and do all Acts, Matters, and Things appertaining thereto, agreeably to the Provisions of the said Treaty and Convention, and the Instructions and Regulations annexed thereto, as effectually as if special Powers and Authorities. were specifically given in relation thereto in this Act. 58 Geo. 3. c. 85. § 3.

His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, may appoint a Secretary or Registrar to the Commission which shall be established in His Majesty's Dominions, and supply any Vacancy which may thereafter occur, and grant such Salaries as the said Lords Commissioners shall direct; and such Secretary or Registrar may perform all the Duties of such Office, as described in the Convention, Instructions, and Regulations aforesaid, and execute all such Acts, Matters, and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the Convention, Instructions, and Regulations aforesaid. 58 Geo. 3. c. 35. § 4.

His Majesty may appoint Commissary Judges and Commissioners of Arbitration.

Secretary and Registrar to be appointed to the Commission established in His Majesty's Dominious.

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### Slaves (Treaty with Portugal).

The Governor or Lieutenant Governor or Principal Vacancies in the Magistrate of the Colony or Settlement in which the Commission shall sit, within the Possessions of His some other Per-Britannic Majesty, may fill up every Vacancy which shall son shall be aparise in such Commission, either of Commissary Judge, Commissioner, or any Officer thereof, appointed by His Majesty, according to the Regulations annexed to the said Convention, ad interim, until such Vacancy shall be thereafter filled by some Person appointed by His 58 Geo. 3. c. 85. § 5. Majesty.

Every Commissary Judge and Commissioner of Arbi- Commissary tration, appointed by His Majesty, shall, before he missioners of enters upon the Execution of his Office, take an Oath, Arbitration, in the Presence of the Principal Magistrate then residing Secretary and acting in the Colony. Settlement, or Place in which Registrar, to take and acting in the Colony, Settlement, or Place in which Oaths for due the Commission shall be appointed to reside, in the Form Execution of following; that is to say.

LA. B. do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Exe-· cution of my Office as faithfully, impartially, · fairly, and without Preference or Favour, either for Claimants or Captors, or any other Persons; and that \* I will, to the best of my Judgment and Power, act in · pursuance of and according to the Stipulations, Re-\* gulations, and Instructions contained in the Conven-' tion between His Majesty and His most Faithful Majesty, signed at London on the Twenty-eighth Day · of September One thousand eight hundred and seven-· teen. So help me GOD.' And every Secretary or Registrar appointed by His

Majesty under the Provisions of the Treaty, Regulations and Instructions, and of this Act, shall, before he enters on the Duties of his said Office, take the like Oath before the British Commissary Judge as aforesaid. 58 Geo. 3. c. 85. § 6.

The said Commissary Judges, or either of them, or Commissary any such Secretary or Registrar, may administer Oaths to Judges and Commissioners, and take the Depositions of all Persons who may come or and their Secrebe brought before them to be examined, or for the Pur- tary and Regispose of deposing, in the Course of any Proceeding before trar, may ad-minister Oaths the said Commissary Judges, or before the said Commis- and summon sary Judges and the Commissioners of Arbitration, in the Witnesses. Cases in which such Commissioner of Arbitration shall act with the said Commissary Judges, under the said Convention, Instructions or Regulations, or this Act; and the said

Commission to be filled up until pointed by His Majesty.

Office.

said Commissary Judges, or the said Commissary Judges and Commissioners of Arbitration, in the Cases accreaid, may summon all Persons whom they may deem it necessary or proper to examine, in relation to any Suit, Matter, or Thing under their Cognizance, and send for and issue Precepts for the producing of such Papers as may relate to the Matters in question before them, and enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do. 58 Geo. 3. c. 85. § 7.

Every Person who shall wilfully and corruptly give false Evidence, in any Examination, Deposition, or Affidavit in any Proceeding before the said Commissary Judges or Commissioners aforesaid, shall be deemed guilty of Perjury, and being thereof convicted, shall be liable to all the P mishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried, either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in England; and in any Prosecution for such Offence in His Majesty's said Court of King's Bench, the Venue may be laid in the County of Middlesex. 58 Geo. 3. c. 85. § 8.

The Pendency of any Suit or Proceeding instituted before the said Commissioners for the Condemnation or Restitution of any Ship or Cargo or Slaves seized or detained by virtue of the said Convention, Instructions, or Regulations, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be a good and complete Bar in any Action, Suit, or Proceeding instituted for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board, in consequence of any Capture, Seizure, or Detention, or Thing done under the Authority of the said Convention, Instructions or Regulations. 58 Geo. 3. c. 85. § 9.

Provided, that the Lords Commissioners of Appeal in Prize Causes, and the High Court of Admiralty, in all Cases and Questions arising out of the Captures depending before them, or that may be brought before them on Appeal from any Vice Admiralty Court, according

Persons giving false Evidence guilty of Perjury.

Sunts pending before, or Judgment by any such Commission, to be a Bar, and pleadable as such to any Action brought for any Thing done under the Treaty.

Jurisdiction of Prize Courts of Appeal, or of Admiralty, in Cases brought before them, not altered. accor there any H Maje or Ca Captu and e usual Pro

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according to their respective Jurisdictions, may proceed therein, and hear and determine all Questions respecting any Right or Interest in or to the same, to which His Majesty, or the Captors or Seizors of such Vessels or Cargoes, may claim to be entitled, by reason of the Capture or Seizure thereof and the Laws relating thereto, and enforce their Judgments and Orders therein by the usual Process of the said Courts. 58 Geo. 3. c. 85. § 10.

Provided also, that in all such Cases in which the Captors not Captors or Seizors shall not establish any Right or Interest on their Behalf, by reason of the Capture thereof to go to the Use and the Laws relating thereto, the said Courts respect- of His Majesty. ively may order and adjudge the Vessels and Cargoes, or the Proceeds thereof, into or to or which the Captors shall not establish any Right or Interest, to be delivered or paid, for the Use of His Majesty, to such Persons as the said Commissioners of His Majesty's Treasury shall appoint to receive the same, and enforce the Delivery or the Payment thereof by the usual Process used and established by Law in Cases of Prize. 58 Geo. 3. c. 85. §11.

Nothing in this Act shall extend to, suspend, affect or This Act not to repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained in any Act for the Suppression ties, &c. in any or Prevention of the Slave Trade; but all such Acts Act for Suppresshall remain in full Force and Virtue. 58 Geo. 3. c. 85. § 12.

If any Action or Suit shall be commenced, either in General Issue Great Britain or elsewhere, or against any Person, for any Thing done in pursuance of the said Treaty, Instructions allowed. or Regulations, or of this Act, the Defendant or Defendants in 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 by the Authority of the said Convention, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant ; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as in other Cases by Law. 58 Geo. 3. c. 85. § 13.

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Not to be landed on the Isle of Man;

nor in Guernsey or Jersey.

Affidavit to be made by the Shipper or his Agent, or Factor of the Colony where produced.

1. No Rum or other Spirits shall be laden on board any Ship in any British Colony or Plantation in America. but on Condition that the same shall not be carried to or landed in the Isle of Man, under the like Securities, Penalties, and Forfeitures as prescribed in 12 Car. 2. c. 18. and 25 Car. 2. c. 7. - 5 Geo. 3. c. 39. § 5. 9 Geo. 3. c. 28. \*

#### See Ashes, POT AND PEARL.

2. No Rum the Production of any British Colony or Plantation in America, shall be landed in Guernsey or 9 Geo. 3. c. 28. Jersey.

See Goods, Non-ENUMERATED.

3. Every Person loading any Spirits, as of the Product or Manufacture of any British Colony or Plantation, shall, before the clearing out of the Ship, deliver to the Collector or other principal Officer of the Customs at the loading Port, an Affidavit signed and sworn to before some Justice of the Peace in the said British Colonies or Plantations, either by the Shipper or his known Agent or Factor, expressing in Words at Length the Quality of the Goods, with the Number and Denomination of the Packages, and describing the Name of the Plantation and Colony where the same were produced; which Affidavit shall be attested, under the Hand of the said Justice of the Peace, to have been sworn to in his Presence, who is required to do the same without Fee or Reward; and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant a Certificate under his Hand and Seal of Office (without Fee or Reward) of his having received such Affidavit; which Certificate shall express the Quality of the Goods, with the Number and Denomination of the Packages. 4 Geo. 8. c. 15. § 20.

\* By 56 Geo. 3. c. 91. Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbicc, or Essequibo in Guiana, may export from thence to the Netherlands the Produce of their Esterles, in Dutch Ships, subject to the same Regulations and Restrictions for the due lunding of such Produce in the Netherlands, as are provided by any Act now in force for the landing of the like Articles in Great Britain, so far as applicable ; and no Persons entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, are allowed to export the Produce of the said Estates to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe. See "Guiana."

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4. The Collector or other principal Officer of the Copies thereof Customs, to whom such Affidavit shall be delivered, shall to be transmitted (without Fee or Reward) within Thirty Days after the Office, and to the Sailing of the Ship, transmit One exact Copy of the Justices and Affidavit to the Secretary's Office for the Colony or Plantation where the Spirits were shipped; and shall also, within the like Space of Thirty Days, transmit another exact Copy, to the Justices and Vestry of the Parishes and Precincts where the Spirits were produced, on Forfeiture of £50 for every Omission or Neglect. 18 Geo.3. c. 58. § 1.

5. In case any Justice of the Peace shall subscribe his Penalty on Jus-Name to any Paper or Parchment, purporting to be an tices subscribing to Affidavit for the Durnage directed by A Gaz a 15 Affidavit for the Purpose directed by 4 Geo. 3. c. 15., the Persons do unless the Person purporting to make such Affidavit shall not appear before actually appear before him, and be sworn to the Truth them. of the Affidavit, every such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. § 2.

6. If there shall not be any Justices of the Peace at If there are no such Colony or Plantation, before whom such Affidavit Justices, the can be made, the Planter or Grower shall make the same Affidavit to be made before the before the Collector and Comptroller or other Chief Officer. Officer of the Customs, or any Two of them, at the Port or Flace from whence the Spirits may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. § 2.

7. Rum, the Produce of any British Island, brought Rum may be into any of the Free Ports in British-built Ships, owned, exported from navigated, and registered according to Law, may be ex- Foreign Ships. ported from thence to any of the Colonies or Plantations in America belonging to or under the Dominion of any Foreign European Sovereign or State, in any Foreign Ship owned and navigated by any Persons inhabiting any such Colony, Plantation, or Country. 45 Geo. 3. c. 57. § 8.

See FREE PORTS.

8. Rum, the Produce of any of His Majesty's Sugar May be exported Colonies or Plantations in America, may be shipped and from Malta or exported direct to Malta, or the Dependencies thereof, or Gibraltar. to Gibraltar, in such Ships, and under such Licences, Вb . Entries,

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Entries, Securities, Regulations, Penalties, and Forfeitures, as are herein particularly mentioned. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

#### See GIBRALTAR.

#### MALTA.

Braudy may be exported from Malta or Gibraltar. 9. Brandy may be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

#### See GIBRALTLR.

#### MALTA.

10. Rum, the Produce of any British Plantation in the West Indies, legally imported into Bermuda in any British Ship, may be exported from Saint George or Hamilton to any of the Territories of the United States, in the Description of Ships and under the Regulations provided in the Acts 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50.—57 Geo. 3. c. 28. § 1.

### See BERMUDA.

11. No Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, shall be imported into any of the Colonies or Plantations in America in the Possession or under the Dominion of His Majesty, upon Forfeiture of such Spirits, and the Ship. 4 Geo. 3. c. 15. § 18.

12. There shall be paid to His Majesty, upon all Spirits hereafter mentioned, which shall be imported into Quebec, above all other Duties payable in the said Province, the Duties following; that is to say,

For every Gallon of Brandy or other Spirits of the Manufacture of Great Britain, Three pence:

For every Gallon of Rum or other Spirits which shall be imported from any of His Majesty's Sugar Colonies in the West Indies, Sixpence :

For every Gallon of Rum or other Spirits which shall be imported from any other of His Majesty's Colonies or Dominions in America, Nine-pence:

For every Gallon of Foreign Brandy or other Spirits of Foreign Manufacture imported from Great Britain, One Shilling:

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Duty payable upon Spirits imported into Quebec.

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### Spirits.

For every Gallon of Rum or Spirits of the Produce or Manufacture of any of the Colonies or Plantations in America, not in the Possession or under the Dominion of His Majesty, imported from any other Place except Great Britain, One Shilling. 14 Geo. 3. c. 88. § 1.

13. The said Duties shall be deemed Sterling Money Collection and of Great Britain, and be paid to the Amount of the Value Appropriation. which such nominal Sums bear in Great Britain, and may be received and taken according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver; and the Duties shall be raised and recovered in the same Manner, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures (except where any Alteration is made by this Act), as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America may be raised and recovered; and the Monies that shall arise by the said Duties (except the necessary Charges of raising, recovering, and accounting for the same) shall be paid by the Collector of the Customs into the Hands of His Majesty's Receiver General in the said Province, and shall be applied in the first Place towards defraying the Expences of the Administration of Justice, and of the Support of the Civil Government in the said Province; and the Commissioners of the Treasury, or any Three of them, shall by any Warrant under their Hands cause such Money to be applied out of the Produce of the Duties towards defraying the said Expences, and the Residue shall be reserved in the Hands of the Receiver General for the future Disposition of Parliament. 14 Geo. 3. c. 88. §2.

14. If any Spirits chargeable with Duties by this Act Brought into shall be brought into Quebec by Land Carriage, the same Quebec by Inshall pass and be carried through the Port of Saint John's or Land Carriage near the River Sorrel; or if by any Inland Navigation must pass other than upon the River Saint Lawrence, the same shall pass and be carried upon the said River Sorrel by the Duties are to be said Port, and there entered, and the Duties paid to such paid. Officer of His Majesty's Customs as shall be there appointed; and if any such Spirits, coming by Land Carriage or Inland Navigation, shall pass by or beyond the said Place without Entry and Payment of the Duties, or shall be brought into any Part of the Province by or through any other Place, such Spirits shall be forfeited, and the Persons assisting in the Removal, or to whose B b 2 Hands

through certain Places, where

Hands the same shall come, knowing that they were removed contrary to this Act, shall forfeit Treble the Value, with the Cattle and Carriages made use of in the Removal, and shall be seized by any Officer of the Customs. 14 Geo. 3. c. 88. § 3.

His Majesty's Subjects may bring Spirits into any Parts of the Province.

Ships which have landed Lumber in the Sugar Colonies may load Spirits at Quebec Duty-free;

or Ships which intend to load a Cargo of Lumher for the said Colonies in their next clearing out, may land Spirits Duty-free.

15. His Majesty's Subjects may freely bring, by Laud Carriage or Inland Navigation, into any Parts of the Province of Quebec not heretofore comprehended within the Limits thereof by His Majesty's Proclamation of 7th October 1763, any Quantity of Spirits, notwithstanding 14 Geo. 3. c. 88.—15 Geo. 3. c. 40. § 1.

16. In Cases where Spirits of the British Sugar Colonies in the West Indies shall be legally imported into Quebec from the said Colonies, in any Ship which in her last preceding Voyage shall have carried to and landed in any of the suid Colonies a Cargo of Lumber and Provisions, Horses or Neat Cattle, from the said Province, it shall be lawful to land any Quantity of such Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle), without Payment of the Duty of 6d. per Gallon. 28 Geo. 3. c. 39. § 1.

17. In Cases where Spirits, the Produce or Manufacture of any of the said Colonies, shall be legally imported into Quebec from any of the said Sugar Colonies, in any Ship which, in her next clearing out from the said Province after such Importation, shall intend to load with Lumber or Provisions, Horses or Neat Cattle, and carry to and land the same in some of the said Colonies, it shall be lawful to land any Quantity of such Spirits (not exceeding in Value the Cargo of Lumber or Provisions, Horses or Neat Cattle), without Payment of the Duty of 6d. per Gallon; provided the Owner of such Ship, or in case of his not residing in the Province, the Master, with one or more sufficient Sureties residing within the said Province, shall, before such Spirits be admitted to an Entry, give Bond to His Majesty, His Heirs and Successors, to be taken by Two principal Officers of the Customs, in £500, with Condition that the Ship shall, in her next clearing out from the Province, be laden with a Cargo of Lumber or Provisions, Horses or Neat Cattle, equal in Value to the Spirits admitted to Entry without Payment of the Duty; and that the Lumber or Provisions, Horses or Neat Cattle, shall be carried to and landed in some of the said Colonies in the West Indies. 28 Gco. 3. c. 39. §2.

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18. The Lumber (except White Oak Staves), Provi- The Articles sions, Horses, and Cattle, exported under the Condition (except Staves); of the said Act, shall be the Growth or Produce of Que- Growth of bec, and no other. 30 Geo. 3. c. 8. § 2.

19. The Value of the Spirits, and the Value of the The Value of Cargo of Lumber or Provisions, Horses or Neat Cattle, the Spirits and Lumber to be shall be estimated according to the Valuations contained estimated by the in the following Schedule : But His Majesty, with the following Advice of His Privy Council, by Order to be issued Schedule. and published, may alter the Valuations and Articles contained in the Schedule, whenever it shall appear necessary, upon any Representation made by the Governor and Council of the Province. 53 Geo. 3. c. 37. § 1, 2.

### SCHEDULE.

#### Sterling.

£ s. d.
Flour, 1st Sort - 2 - per Barrel of 1 cwt. 3 qrs.
Ditto, 2d Sort - 1 17 6 Ditto.
Biscuit 1 — per Cwt.
Wheat $ 5 - 1$
Peas 4 6
Oats 2 -
Barley $3 - $ per Bushel.
Flax Seed $   5$ $ \left($
Potatoes 1 8
Indian Corn - 4 6
Salted Beef - 4 10 — per Tierce.
Ditto $  3 -$ per Barrel.
Salted Pork 6 15 — per Tierce.
Ditto $ -$ 4 10 $-$ per Barrel.
Butter $  -$ 10 per lb.
Soap $   -$ 7 per lb. Mould Candles $ -$ 1 2 $ -$
Salmon 2 10 - per Barrel.
Ditto 3 15 — per Tierce.
$\begin{array}{c} \text{Herrings and All-} \\ \text{wives} & - \end{array} \right\}  1 \text{ per Barrel.}$
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Dry Cod Fish $-\frac{16}{9}$ per Cwt.
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must be the Quebec.

Sterling. £ s. d. Porpoise, 7 Seal, 7 - - per Hhd. of 63 Galls. and Cod Oil Canadian Porter -3 -----Ditto Burton Ale - 3 15 - per Ditto. Ditto Mild Ditto - 3 - - ) - - 1 — per Thousand. Onions Essence of Spruce - \_ 1 3 per lb. Oak Timber - 1 - per Cubic Foot. Squared Ditto Plank, 3 to 7 - — 5 per Superficial Foot. 4 Inches thick Ditto,  $1\frac{1}{2}$  to 2) - - 3 per Ditto. Inches thick - ( Puncheon Staves 31 Feet long, 4 Inches broad, > 10 - per 1200 Pieces. and 1 Inch thick - - - ] Puncheon Heading, 24 Feet long, 5 to 6 > 10 - - per 1000. Inches broad, and 1 Inch thick - -Pine Timber - - 4 per Cubic Foot. Squared - } Pine Boards, 12~ Feet long and 2 15 - { per Thousand Super-ficial Feet. upwards, and 1 Inch thick Ditto, 10 Feet] long and  $\boldsymbol{2}$ 5 - per Hundred Boards. 1 Inch thick Ditto, Ditto, 27 3 7 6 Ditto. Inches thick Wooden Hoops, ) . - - per Thousand Hoops. 12 Feet long Ditto, 14 Ditto - 5 10 ---Ditto. Ditto, 10 Ditto - 4 - -Ditto. Ditto, 7 Ditto - 2 10 --Ditto. Shingles - -- 15 - per Thousand. Puncheon Backs - - 12 - each. Bar

Bar Hor Hor Shee Tur Win Le Rı Jama 20 jesty porte Cana Payr impo Colo and Duty impo 49 6 21 Maj impo Prin Ame may or Is upor dire 51 C 22 Scot Islan or M in oı shall Coll load signe in t ped, Con

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Sterling. £ s. d. Bar Iron - 1 10 - per Cwt. - 15 -----Horses Horned Cattle 8 ----per Head. Sheep - 15 ---Turkeys Vindward and Leeward Island Windward 1 9 per Gallon. Rum Jamaica Ditto 2 — Ditto.

20. The Produce or Manufacture of any of His Ma- Maybe exported jesty's Sugar Colonies in the West Indies, legally im- from Bermuda to ported into Bermuda, may be imported into Lower Lower Canada Canada, and landed and admitted to an Entry upon Duty and Con-Payment of the same Duty as if the same had been ditions as if imimported directly from any of His Majesty's Sugar ported from Colonies in the West Indies; and under the Conditions and Regulations of 28 Geo. 3. c. 39. without Payment of Duty, in the same Manner as if such Spirits had been imported directly from any of the Sugar Colonies. 49 Geo. 3. c. 16. § 1.

21. The Produce or Manufacture of any of His also from the Majesty's Sugar Colonies in the West Indies, legally North American imported into Nova Scotia, New Brunswick, Cape Breton, Lower Canada. Prince Edward's Island, and Newfoundland in North America, from the said Sugar Colonies or from Bermuda, may be exported from any or either of the said Provinces or Islands to Lower Canada, and admitted to an Entry upon the Payment of the same Duty as if imported directly from any of His Majesty's Sugar Colonies. 51 Geo. 3. c. 48. § 1.

22. Every Person loading on board any Ship in Nova Regulation upon Scotia, New Brunswick, Cape Breton, Prince Edward's the Shipping of Island, or Newfoundland, any Spirits as of the Product or Manufacture of any of His Majesty's Sugar Colonics, Colonies to be in order to be exported from thence to Lower Canada, shall before the clearing out of the Ship deliver to the Collector or other principal Officer of the Customs at the loading Port, his Affidavit or that of his Agent or Factor, signed and sworn to before some Justice of the Peace in the Province or Island where the same shall be shipped, expressing in Words at Length the Number and Content or Contents of the Casks or other Packages **B** b 4 con-

upon the same Sugar Colonies;

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containing the Spirits, also from what Colony or Plantation the same were imported, by whom, and the Time when such Importation took place, which Affidavit shall be attested by the Hand of the said Justice of the Peace to have been sworn to in his Presence, who is required to do the same without Fee or Reward ; and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant to the Master of the Ship a Certificate, under his Hand and Seal of Office, (without Fee or Reward) of his having received such Affidavit pursuant to the Directions of this Act, and that it thereby appeared that such Spirits were legally imported into the said Province or Island, as of the Produce or Manufacture of His Majesty's Sugar Colonies; and such Certificate shall express the Number and Content or Contents of the Casks or other Package containing the Spirits so shipped. 51 Geo. 3. c. 48. § 2.

23. Upon the Arrival of such Ship at the Port of Discharge in Lower Canada, the Master shall, at the Time of making the Report of his Cargo, deliver the said Certificate to the Collector or other principal Officer of the Customs of such Port, and make Oath before him (which Oath he is required to administer), that the Spirits so reported are the same that are mentioned in the Certificate; and if any Spirits shall be imported or found on board any Ship for which no such Certificate shall be produced, or which shall not agree therewith, the same shall be deemed to be Foreign Spirits, and subject to the same Duties, Restrictions, Regulations, Penalties, and Forfeitures, as Spirits of any Foreign Colony or Plantation are subject to by Law. 51 Geo. 3. c. 48. § 3.

24. The Produce or Manufacture of any of His Majesty's Sugar Colonies in the West Indies, legally and directly imported into Bermuda from the said Sugar Colonies, may be exported from Bermuda into Nova Scotia and New Brunswick, Cape Breton, Prince Edward's Island, and Newfoundland, and landed and admitted to an Entry, upon Payment of the same Duty as if imported directly from any of the said Sugar Colonies in the West Indies. 51 Geo. 3. c. 62. § 1.

25. Exported as before mentioned from Bermuda, may, under the Conditions and Restrictions of 28 Geo. 3. c. 39. be imported into the said Provinces and Islands, without 9

Oath to be made upon the Ship's Arrival, as to the Identity of the Spirits.

May be exported from Bermuda into North American Colonies on the same Duty as from Sugar Colonies ;

and without Payment of Duty on certain Conditions.

witho impor 51 G 26. muda His N Island to the at'the or Fa the P the N other or Pla Time shall t Peace quired Collec whom grant be lad (witho Affida such S the Pr Coloni Numb Packag c. 62. 27. Discha Master Cargo other p make ( nister). mentio import shall b the san to the and Fo of any by Lav without Payment of Duty, in the same Manner as if imported directly from any of the said Sugar Colonies. 51 Geo. 3. c. 62. § 2.

26. Every Person loading on board any Ship in Ber- Regulations upon muda any Spirits as of the Produce or Manufacture of the shipping of His Majesty's Sugar Colonies, legally imported into that muda, to be ex-Island, shall before the clearing out of the Ship deliver ported to the to the Collector or other principal Officer of the Customs North A. at the loading Port, his Affidavit, or that of his Agent or Factor, signed and sworn to before some Justice of the Peace in Bermuda, expressing in Words at Length the Number and Content or Contents of the Cask or other Packages containing the Spirits, from what Colony or Plantation the same were imported, by whom, and the Time when such Importation took place (which Affidavit shall be attested by the Hand of the said Justice of the Peace to have been sworn to in his Presence, who is required to do the same without Fce or Reward); and the Collector or other principal Officer of the Customs to whom such Affidavit shall be delivered, shall thereupon grant to the Master of the Ship in which the same shall be laden a Certificate under his Hand and Seal of Office (without Fee or Reward) of his having received such Affidavit pursuant to this Act, and that it thereby appeared such Spirits were legally imported into the Island, as of the Produce or Manufacture of His Majesty's Sugar Colonies; and such Certificate shall also express the Number and Content or Contents of the Cask or other Packages containing the Spirits so shipped. 51 Geo. 3. c. 62. § 3.

27. Upon the Arrival of any Ship at the Port of her Oath to be made. Discharge in any of the said Provinces or Islands, the upon the Ship's Master shall at the Time of making the Report of his Arrival, as to t Cargo deliver the said Certificate to the Collector or Spirits. other principal Officer of the Customs of such Port, and make Oath before him, (which he is required to administer), that the Spirits so reported are the same that are mentioned in the Certificate; and if any Spirits shall be imported or found on board, for which no Certificate shall be produced, or which shall not agree therewith, the same shall be deemed Foreign Spirits, and be subject to the same Duties, Restrictions, Regulations, Penalties, and Forfeitures, as Spirits of the Produce or Manufacture of any Foreign Colony or Plantation would be subject to by Law. 51 Geo. 3. c. 62. § 4.

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Duty upon Rum imported into Newfoundland from British Colonies in the West Indies.

Duty on the Importation from Colonies in Guiana.

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Importation allowed from Malta or Gibraltar.

### Spirits.

28. There shall be paid upon every Gallon of Rum or other Spirits imported into Newfoundland from any British Colony or Plantation in the West Indies, a Duty of Sixpence ; and upon every Gallon of Rum or other Spirits imported into the Island from any of His Majesty's Colonies or Plantations on the Continent of America, or from Great Britain or Ireland, a Duty of One Shilling and Sixpence Sterling Money of Great Britain; and the same shall be collected to the Amount of the Value which such nominal Sum bears in Great Britain, and may be received and taken according to the Proportion and Value of 5s. 6d. the Onnce in Silver ; and the said Duty shall be raised, levied, collected, paid, and recovered in the same Manner, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, as any other Duties payable to His Majesty upon Goods imported into any British Colony or Plantation in America are raised, levied, collected, paid, and recovered by any Act of Parliament, as fully as if the said Rules, &c. were again enacted in this Act, and all the Monies that shall arise by the said Duties (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same), shall be paid into the Exchequer and applied to the same Uses as other Duties of Customs. 52 Geo. 3. c. 106. §1. 15 Geo. 3. c. 31. § 20. 39 & 40 Geo. 3. c. 67. Art. 6.

29. There shall be paid upon every Gallon of Rum imported into Newfoundland from Berbice, Demerara, and Essequibo, in the Province of Guiana, a Duty of Sixpence and no more; such Duty to be sued for, recovered, and applied in the like Manner and under the like Penalties and Forfeitures as are provided by 52 Geo. 3. c. 106. with respect to Rum imported from any British Colony or Plantation in the West Indics. 56 Geo. 3. c. 91. § 2.

### Sponges and Stone, viz. Malta Stone for Building,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built 14 Ship Law

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1. Briti veyee less or to unde there c. 10 2. or Ire shall Custo to the 100 ' tione anv " Go same or to (the Ship afores the G any S mann all the Plant c. 18. c. 10. 3. Planta Certif other hath h and th

### Sponges. Stone, ec.

Ships, owned, navigated, and registered according to Law. 55 Geo. 9. c. 29. § 5. 9. 57 Geo. 3. c. 4. See GIBRALTAR. MALTA.

# Sufferance. See "Bills of Sight."

### Sugar.

1. No Sugar of the Production or Manufacture of the Not to be ex-British Plantations in America shall be shipped or con- ported, unless to veyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore, under the Forfeiture of the Goods, or the full Value thereof, and the Ship. 12 Car. 2. c. 18. § 18. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

2. For every Ship which shall sail from Great Britaiu or Ireland for any British Plantation in America, Bond shall be given with one Surety to the Chief Officers of the Customs of the Port from whence the said Ship shall sail to the Value of £1000 if the Ship be of less Burthen than 100 Tons, and of £2000 if of greater Burthen, conditioned that in case the said Ship shall load any Sugar, or any enumerated Article (for the whole of which See " Goods") at any of the said British Plantations, that the same shall be brought to some other British Plantation, or to Great Britain or Ireland, and be there unloaded, (the Danger of the Seas only excepted); and for every Ship coming from any other Port or Place to any of the aforesaid Plantations which are permitted to trade there, the Governor shall before the Ship be permitted to load any Sugar (or any enumerated Article), take Bond in like manner to the Value aforesaid, that such Ship shall carry all the said Goods to some other of His Majesty's British Plantations or to Great Britain or Ireland. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

3. The Master, before he departs from any British Certificates to be Plantation where he receives his Lading, shall take a taken by the Certificate under the Hand and Sorl of the Collector or Masters of Ships Certificate under the Hand and Seal of the Collector, or loading in the other Principal Officer of the Customs there, that Bond Colonies. hath been given pursuant to the Directions aforesaid; and the Master shall keep such Certificate till the Voyage

some other British Planta tion, or to Great Britain or Ireland.

Bond to be given not to land elsewhere.

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endenis Maor to Colo-1-built Ships,

is completed, and shall then deliver the same to the Collector or other Chief Officer of the Customs at the Place where he shall discharge his Lading in Great Britain or Ireland, or any British American Colony, on Forfeiture of  $\pounds 100.4$  Geo. 3. c. 15. § 24. 20 Geo. 3. c. 10. § 1.3. 39 & 40 Geo. 3. c. 67. Art. 6.

4. If any Ship shall take on board any Sugar (or other enumerated Article) before Bond is given to the Governor, that the Ship shall carry the same to some other British Plantation, or to Great Britain or Ireland, or before Certificate produced from the Officer of some Custom-house of Great Britain or Ireland, that such Bond has been there duly given; or if any Ship shall, contrary to the Tenor of such Bond, carry any of the enumerated Articles to any Port or Place other than to some Plantation belonging to His Majesty, or to Great Britain or Ireland, and there lay the same on Shore, every such Ship shall be forfeited, and also the Lading. 12 Car. 2. c. 18. § 19. 22 & 23 Car. 2. c. 26. § 11. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c.67. Art.6.

5. But the said Acts are not to prevent the Subjects of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, from exporting from the said Colonies to the Netherlands the Produce of their Estates on board Dutch Ships; and no Person who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, shall export the said Produce to any Part of the United Kingdom, or any of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4. 8.

#### See GUIANA.

6. In cases where the Governor or Officers in any of the Plantations shall have reasonable Ground of Suspicion that the Certificate of having given Security in Great Britain or Ireland is false, they shall require sufficient Security for the Discharge of the Plantation Lading in Great Britain or Ireland; and where there shall be cause to suspect, that the Certificate of having discharged the Lading in Great Britain or Ireland is false or counterfeit, the Governor or Officer shall not cancel the Security given in the Plantation until they shall be informed from the Commissioners of the Customs in Great Britain or Ireland, as the Case may be, that the Matter of the said

Forfeiture if shipped before Bond given, or if taken to other Places ;

but not to extend to the Produce of Estates of Dutch Proprietors in Guiana.

Governors or Officers suspecting Certificate to be false, not to cancel Bonds; and Penalty on falsifying Certificates.

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other overother d, or some such shall, f the an to Great hore, ding. eo. 3. eo. 3.

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ny of Suspity in suffiading ll be arged inter-Securmed ritain f the said

# Sugar.

said Certificate is true; and if any Person shall counterfeit, rase, or falsify any Certificate for any Ship or Goods, or knowingly or wilfully make use thereof, such Person shall forfeit £ 500, and the Certificate shall be of no 7 & 8 W. 3. c. 22. § 10. 4 Geo. 3. c. 15. § 27. Effect. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

7. If any Officer of the Customs in Great Britain or Penalty on Ireland shall give any Warrant for, or suffer any Sugar Officers suffering (or any enumerated Article) to be serviced into any Sugar Goods to be (or any enumerated Article) to be carried into any other carried to other Country or Place until first put on Shore in some Port in Places. Great Britain or Ireland, every Officer for such Offence shall forfeit his Place, and the Value of the Goods. 15 Car. 2. c. 7. § 9. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 8. c. 67. Art. 6.

8. The Governors or their Commanders in Chief of the Governors or said Plantations are, Once a Year at least, to return to their Command-ers in Chief to the Officers of the Customs in London, or to such other transmit Lists of Person as His Majesty shall appoint to receive the same, Bonds yearly to a List of all Ships as shall have laden any Sugar (or any the Customs, enumerated Article) in such Plantation, as also a List of all Bonds taken by them; and in case any Ship belonging to any of His Majesty's Plantations shall be found to have unloaded in any Port of Europe other than Great Britain or Ireland, such Ship shall be forfeited and her Lading. 22 & 23 Car. 2. c. 26. § 12. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

9. In all Bonds to be taken in the Plantations the Condition of the Persons therein named shall be of known Residence and Ability there, for the Value mentioned in the Bond, the Obligors, when Condition of which shall be, within Eighteen Months taken in the after the Date thereof (the Danger of the Seas excepted), to produce a Certificate of having landed and discharged the Goods therein mentioned in One of His Majesty's Plantations, or in Great Britain or Ireland; otherwise such Bond, or Copies thereof, being attested under the Hand and Seal of the Governor or Commander in Chief towhom such Bond was given, shall be in force and allowed of in any Court in Great Britain, Ireland, or the Plantations, as if the Original was produced in Court by the Prosecutor. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. § 27. c. 67. Art. 6.

10. In all Bonds which shall be entered into in Great When taken in Britain or Ireland in pursuance of any Act whereby the Great Britain or Ireland. Goods

Bond, and who Plantations.

Goods therein enumerated are to be brought to Great Britain or Ireland, such Bond shall be with Condition that within Eighteen Months from the Date thereof (the Danger of the Seas excepted) a Certificate shall be produced from the Collector and Comptroller of the Port where such Goods shall be delivered, that they have been there landed and discharged, otherwise such Bonds shall be forfeited. 15 Geo. 3. c. 31. § 6. 4 Geo. 3. c. 15. § 27. 20 Geo. 3. c. 10. § 1. 3. 39 & 40 Geo. 3. c. 67. Art. 6.

11. In case there shall be no Prosecution for some Breach or Non-performance of the Condition of the Bond within Three Years after the Date thereof, or if upon Prosecution for some Breach or Non-performance of the Condition, Judgment be not obtained within Two Years after Prosecution commenced, then such Bond (in default of such Prosecution to be commenced and Judgment to be obtained within the Times limited) shall be void ; and all Bonds so void shall be delivered up by the Officers to be cancelled, without Fee or Reward. 8 Ann. c. 13. § 23. 4 Geo. 3. c. 15. § 27.

12. Every Person loading any Sugars or Paneles as of the Product or Manufacture of any British Colony or Plantation, shall, before clearing ont of the Ship, deliver to the Collector or other principal Officer of the Customs at the loading Port, an Affidavit signed and sworn to before some Justice of the Peace in the said British Colonies or Plantations, either by the Grower, Maker, or Shipper, or his known Agent or Factor, expressing in Words at Length the Quality of the Goods so shipped, with the Number and Denomination of the Packages, and describing the Name of the Plantation and the Name of the Colony where the same grew or were produced and manufactured; which Affidavit shall be attested under the Hand of the said Justice of the Peace to have been sworn to in his Presence (who is required to do the same without Fee or Reward); and the Collector or other principal Officer of the Customs, to whom such Affidavit shall be delivered, shall thereupon grant to the Master a Certificate under his Hand and Seal of Office (without Fce or Reward) of his having received such Affidavit; which Certificate shall express the Quality of the Goods shipped, with the Number and Denomination of the Packages. 4 Geo. 3. c. 15. § 20.

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Bonds void if not prosecuted within Three Years of the Date, or if Judgment not obtained within Two Years after Prosecution.

Proof on Oath to be made before the Loading, of the Plantation where the same was \_\_\_\_\_ produced: Great lition the (the Dro-Port been shall c. 15. 0.3.

some Bond upon of the Years efault nt to and ers to § 23.

es as iy or eliver toms o be-Color, or ng in oped, ages, the proe atce to o do or or such ) the )ffice such ty of ation

Sugar.

13. The Collector or other principal Officer of the A Copy of the Customs, to whom such Affidavit shall be delivered, shall Affidavit to be transmitted to (without Fee or Reward) within Thirty Days after the the Secretary's Sailing of the Ship transmit One Copy of the Affidavit Office, and to to the Secretary's Office for the Colony or Plantation the Justices and Vestry. where the Sugar or Paneles referred to in the said Affidavit were shipped, and shall also within 30 Days transmit another Copy to the Justices and Vestry of the Parish or Precinct where the said Sugar or Paneles grew or were produced and manufactured, under the Penalty of £50 for every Omission and Neglect. 18 Geo. 3. c. 58. § 1.

14. In case any Justice of the Peace of the said Colo- Penalty on Jusnies or Plantations shall subscribe his Name to any Paper tices subscribing or Parchment Writing, purporting to be an Affidavit the Party does for the Purpose directed by 4 Geo. 3. c. 15. unless the not appear. Person purporting to make such Affidavit shall actually appear before him, and be sworn upon the Holy Evangelists to the Truth of the said Affidavit, then such Justice shall forfeit for every Offence £50. 18 Geo. 3. c. 58. § 2.

15. If there shall not be any Justices of the Peace at If no Justices, such Colony or Plantation before whom such Affidavit the Affidavit may can be made, the Planter or Grower shall make the same the Chief Officer before the Collector and Comptroller, or other Chief of the Customs. Officer of the Customs, or any Two of them, at the Port from whence any such Sugar or Paneles may be intended to be shipped; and in the Certificate which the Collector and Comptroller and Naval Officer, or any Two of them, are required to deliver to the Shipper, they shall also certify that there are not any Justices of the Peace resident at or within such Colony or Plantation. 47 Geo. 3. c. 48. § 2.

16. May be exported from the West India Islands to May be exany of the Territorics belonging to the United States, by United States in British Subjects and in British-built Ships, owned and British Ships. navigated according to Law. 28 Geo. 3. c. 6. § 3.

17. The Produce of any British Colony in the West May be exported Indies, imported into Bernuda in any British Ship, may from Bernuda be exported from Saint George or Hamilton in Bornuda to the United be exported from Saint George or Hamilton in Bermuda, States in Foreign to any Part of the Territories of the United States of Ships. America, in any Foreign Ship, belonging to any Country in Amity with His Majesty, above the Burthen of Sixty Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50.

18. Where,

Affidavits where

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If Bond required on Exportation to a British Colon, similar Bond to be given on Exportation to United States.

May be exported from Sugar Colonies to Ports in Europe South of Cape Finisterre.

Upon Licence and Bond, and certain Regulations being complied with.

18. Where, on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due landing such Goods\*, a similar Bond shall be required on the Exportation thereof to the United States, and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul; or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed, then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall be landed, and that Oath hath been made before such Magistrate, by the Master of the Vessel, that the Goods were there duly landed. 28 Geo. 3. c. 6. § 4.

19. British Subjects may ship in any of His Majesty's Sugar Colonies or Plantations, any Sugar the Growth and Produce of any such Colony or Plantation, and may export the same direct to any Port in Europe to the Southward of Cape Finisterre; and import into the said Colonies or Plantations Corn or Grain direct from any such Ports in Europe, or from any Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, in such Ships and under such Licences, Securities, Regulations, Penalties and Forfeitures, as are herein-after limited. 52 Geo. 3. c. 98. § 1.

20. No Sugar shall be so laden in any of the said Colonies or Plantations except in British-built Ships, owned, navigated, and registered according to Law, nor unless a Licence shall have been first taken out for that Purpose under the Hands and Seals of the Collector and Comptroller of the Port at which such Sugar is intended to be shipped, subject to the Regulations herein-after mentioned, (that is to say), Notice shall be given in Writing by the Master, or by One or more Owners of the Ship, to the Collector and Comptroller of the Port, of their Intention, that such Ship, when laden, shall proceed direct to some Port in Europe to the Southward of Cape Finisterre, and export from thence or from

\* A Bond is so required on the Exportation of Sugar from one British Colonu to another. recover any Con cutor; ( One Th One Th 22. ] Europe porter s Collector Name of and the

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ugar from some

some Place on the Coast of Africa to the Northward of the Thirtieth Degree of North Latitude, Coru or Grain to be carried directly to the Colony or Plantation from which such Ship shall have sailed; and the Exporters shall then make Oath before the Collector and Comptroller of the Port, that it is their full Intention and Resolution to load Sugar for Exportation direct to some Port in Europe to the Southward of Cape Finisterre, and to no other Place; and the Master or Owners of the Ship, together with the Exporter, shall thereupon enter into Bond to the Use of His Majesty, in Treble the Value of the Goods, with the Condition that in case a Licence shall be granted, such Ship shall proceed direct to some legal Port of Destination, specifying the same, and that no Goods except Sugar shall be taken on board unless for necessary Use during the Voyage, and that, before the Expiration of Two Years from the Date of such Licence, the same shall be delivered up to the Collector or Comptroller of the Customs of the Port where the Sugar was shipped, together with a Certificate, signed and sealed by the Consul, or Two known British Merchants of good Credit, at the Port where such Sugar was landed, certifying the Landing thereof, with the Number of Casks and other Packages so landed, and the Mark, Number, and Contents of each, with the Name of the Ship and Master, and that he or they verily believed no other Goods than Sugar have been there landed. 52 Geo. 3. c. 98. § 2.

21. In case any licensed Ship shall take on board in Of a Foreign any of the said Sugar Colonies or Plantations, or in her Colony taken Voyage from thence, any Sugar being the Produce of any Sugar Colories Foreign Colony or Plantation, such Sugar shall be for- or on the Voyage feited, with Double the Value thereof, and the Master and Shipper thereof shall forfeit Double the Value; to be recovered in any Court of Vice Admiralty in America, or in any Court of Record there, at the Election of the Prosecutor; One Third Part to be for the Use of His Majesty, One Third to the Governor of the Colony, and the other One Third to the Prosecutor. 52 Geo. 3. c. 98. § 3.

22. Before any Sugar shall be laden for any Port in Regulations to Europe to the Southward of Cape Finisterre, the Ex- be observed porter shall make an Entry thereof in Writing with the Sugar or Ports Collector and Comptroller of Customs, expressing the in Europe South Name of the Ship, and the Master, and where she lies, of Cape Finisand the Place, Quay, or Wharf where the Goods are to Сc

on board in the from thence.

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be laden or first waterborne, which shall be within such Port only where a Custom House is established; and an Officer shall be appointed to attend the shipping at such Places as shall be mentioned in a Sufferance from the Collector and Comptroller; and the Exporter shall thereon take out from the Collector and Comptroller a Cocket or Warrant, whereon shall be endorsed by the Exporter the Marks, Numbers, and Contents, or Denominations of such Sugar, and deliver the Cocket or Warrant so endorsed to the Officer appointed for the examining and shipping thereof, and shall ship the same in the Presence of such Officers, or at such Places as shall be mentioned in the Sufferance or Warrant, and such Officers shall examine the same before put on board; and if before or after the shipping, the Number of Casks or Packages shall be greater than endorsed, or if there shall be found any other Sugar than shall be so endorsed, or any other Goods than Sugar shall be discovered on board, or brought to be shipped or put into any Vessel for that Purpose before Entry, or taking out such Cocket or Warrant, endorsing and delivering of the same, and not being shipped in the Manner aforesaid, but shall be put on board or attempted to be put on board contrary to this Act, such Sugar shall be forfeited, with the Vessel or Carriage employed, as also the Ship on which such Goods shall be laden, and the Owner shall forfeit Double the Value, to be recovered in the Court of Vice Admiralty, or in any other Court of Record in any of His Majesty's Plantations in America, at the Election of the Prosecutor; One Third to the Use of His Majesty, One Third to the Governor, and the other One Third to the Prosecutor; and before such Ship shall depart, the Master shall receive the Licence from the Collector or Comptroller, with a Certificate endorsed thereon or affixed thereto, under their Hands and Seals of Office, who are to make Two Copies of such Licence, Endorsements, or Certificates, for which no more shall be taken than the legal and accustomed Fees; and the Master shall, before he receives the Licence, attest the Copies which are to be left with the Collector and Comptroller, who are to transmit One of the Copies of the Endorsements or Certificates to the Commissioners of the Customs in England, and record in a Book the Notice in Writing of the Owner of the Ship, the Affidavit of the Shipper, the Licence granted, and the Clearance; but in case any Goods not allowed

allowed by any grantee Master same F liable t c. 98. 23. and Co Sugar v endorse Certific chants of ters req from th and del secuted 24. ing to t taining British Port of of Afric North, Africa, Plantat c. 98. § 25. 1 (except cuted in minster, land; o to the I 26. l in purs Issue, a dence;

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allowed by this Act shall be found on board, or carried by any such Ship to any Foreign Parts, then the Liberty granted by such Licence shall become void, and the Master and all others concerned shall be liable to the same Penalties and Forfeitures as they would have been liable to in case this Act had not been made. 52 Geo. 3. **c.** 98. § 4.

23. Upon such Licence being returned to the Collector How Bond may and Comptroller of the Customs of the Port where the Sugar was shipped, and an Account of the Loading being endorsed thereon or annexed thereto; and upon such Certificate of the Consul, or Two known British Merchants of good Credit being produced, and the other Matters required being duly complied with, within Two Years from the Date of such Licence, the Bond shall be discharged and delivered up, otherwise shall be forfeited, and be prosecuted as before directed. 52 Geo. 3. c. 98. § 5.

24. Upon the Master or Owner of such Ship conform. Vessels exporting to the Conditions of the Licence and Bond, and obtaining a Certificate from the Consul, or Two known Grain of Europe British Merchants as aforesaid, such Ship may load in the at Ports in Port of Delivery, or at any Port or Place on the Coast of Africa to the Northward of the Latitude of 30 Degrees North, any Corn or Grain the Produce of Europe or Africa, for Exportasion direct to the said Colonies or Plantations, and there land the same. 52 Geo. 3. c. 98. § 6.

25. Penalties and Forfeitures incurred by this Act How Penalties (except where it is otherwise provided) shall be prose- and Forfeitures cuted in any of His Majesty's Courts of Record at Westminster, or Dublin, or the Court of Exchequer in Scotland; one Moiety whereof to His Majesty, and the other to the Prosecutor. 52 Geo. 3. c. 98. § 7.

26. If any Person shall be sued for any thing done General Issue in pursuance of this Act, he may plead the General may be pleaded, and Treble Issue, and give this Act and the Special Matter in Evi- Costs allowed. dence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear the Prosecution, or discontinue the Action, or if a Verd'ct shall pass against him, the Defendant shall have Treble Costs, and the like Remedy for recovering the same as in Cases where Costs are by Law given to Defendants. 52 Geo. 3. c. 98. § 8.

27. If any Person shall grant a false Certificate, or Granting false counterfeit, erase, or alter any Licence, Oath, or Certi-counterfeiting ficate, which shall be made pursuant to this Act, or shall Documents. Cc2 know-

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knowingly publish or make use thereof, such Person shall forfeit  $\pounds$  500; to be recovered and disposed of in the Manner before directed, and the Licence, Oath, or Certificate so falsified, counterfeited, erased, or altered, shall be of no Effect. 52 Geo. 3. c. 98. § 9.

28. The Produce of any of His Majesty's Sugar Colonies or Plantations in America, may be shipped and exported direct to Malta or the Dependencies thereof, or to Gibraltar, in such Vessels, and under such Licences, Entries, Securities, Regulations, Penalties, and Forfeitures, as are mentioned in these Acts. 55 Geo. 3. c. 29. § 1. 57 Geo. 3. c. 4.

#### See GIBRALTAR.

#### MALTA.

The Produce of the Estates of Dutch Proprietors in Guiana, may be exported to the Netherlands.

Duty upon the Importation of Foreign Sugar.

Collection and Appropriation.

29. Any Subject of the King of the Netherlands, being Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, may export from the said Colonies to the Netherlands the Produce of their Estates in Dutch Ships, subject to the same Rules, Regulations, and Restrictions for the due landing of any such Produce in the Netherlands, as are provided by any Act for the landing of the like Articles in Great Britain, so far as the same are applicable; but it shall not be lawful for any Persons who by virtue of this Act may be entitled to trade between the said Colonies and the Dominions of the King of the Netherlands, to export the Produce of the said Estates to any Part of the United Kingdom, or to any other of His Majesty's Dominions in Europe. 56 Geo. 3. c. 91. § 4, 5, 6, 7, 8.

30. There shall be paid to His Majesty, upon Sugar the Growth, Produce, or Manufacture of any Colony or Plantation in America not under the Dominion of His Majesty, which shall be imported into any Colony or Plantation in America under the Dominion of His Majesty, the Duties following; that is to say,

For all Sugars and Paneles of such Foreign Growth, &c. a Duty after the Rate of 5s. for every Cwt. Avoirdupois :

For White or Cleyed Sugar of such Foreign Growth, &c. a Duty after the Rate of  $\pounds 1.2s$ . for every Cwt. Avoirdupois. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 1.

31. The Duties shall be deemed Sterling Money of Great Britain, and shall be collected, recovered, and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received according to to the Silver recove be pa from posed Exper and 4 Geo 32.the sa with t in the Dutie 6 Gec 33. Entry or wit same : such \$ and m Chief Perso of an Warr upon Excis and a feiture the G same Comn forma c. 15. 34.

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### Sugar.

to the Proportion and Value of 5s. 6d. the Onnce in Silver, and (except the necessary Charges of collecting, recovering, paying, and accounting for the same) shall be paid into the Exchequer, and be entered separate from other Monies, and be there reserved to be disposed of by Parliament towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 6 Geo. 2. c. 13. § 1. 4 Geo. 3. c. 15. § 11.

32. Upon the Importation of such Sugar into any of To be entered the said Colonies or Plantations, an Entry shall be made and Duty paid in ready Money. with the Collector or other proper Officer of the Customs, in the Port where the same shall be imported, and the Duties shall be paid in ready Money before the landing. 6 Geo. 2. c. 13. § 2. 4 Geo. 3. c. 15. § 1.

33. In case the Sugar shall be landed before due Landed before Entry be made, and before the Duties shall be duly paid, seized by the or without a Warrant for the landing and delivering the Governor, &c. same first signed by the proper Officer of the Customs, such Sugar or the Value of the same shall be forfeited, and may be seized by the Governor or Commander in Chief of the Colony or Plantation where landed, or any Person by him authorized in that behalf, or by Warrant of any Justice of the Peace or other Magistrate (which Warrant such Justice or Magistrate is required to give upon Request), or by any Custom-house, Impost, or Excise Officer, or any Person acco.npanying, aiding, and assisting him; One Third of such Penalty and Forfeiture to His Majesty, to be applied for the Support of the Governor of the Colony or Plantation where the same shall be received; One Third to the Governor or Commander in Chief; and the other Third to the Informant or Prosecutor. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § ł.

34. If any Person shall hinder or resist any Custom- Resisting Offihouse Officer or any of his Assistants in the due Execu- cers. tion of his Duty in seizing any such Sugar, he shall forfeit  $\pounds$  50, and be liable to be prosecuted for the same by Indictment or otherwise, and being thereof found guilty shall be imprisoned for Three Months without Bail or Mainprize; and if any Officer of the Customs Officers sued or his Assistant shall be sued or prosecuted for any thing may plead Gene-ral Issues, and a bury, he may plead the Treble Costs General Issue, and give this Act and the Special Matter allowed. in Evidence, and the Judges shall allow thereof; and any C c 3

Penalty on Masters taking in Sugar contrary to this Act.

Proof to lie upon the Claimer.

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No Duty to be paid if Sugar warehoused for Exportation.

If not exported, or the Duty paid, the Sugar may he sold. any Officer of the Customs in any of His Majesty's Plantations or Colonies in America, who shall knowingly connive at the fraudulent Importation or Landing of any Sugar contrary to this Act, or if such Officer shall seize the same, and shall by Fraud or Collusion desist from or delay the Prosecution thereof to Condemnation, he shall forfeit  $\pounds$  50, and be incapable of holding any Office under His Majesty. 6 Geo. 2. c. 13. § 3. 4 Geo. 3. c. 15. § 1.

35. If any of His Majesty's Subjects, being Master of any Ship, shall take in or suffer to be taken in at Sea, or in any Creek or Harbour or other Place, any Sugar in order to be brought on Shore and landed in any of His Majesty's Plantations in America contrary to this Act, such Master shall forfeit  $\pounds 100.6$  Geo. 2. c. 13. § 7, 8. 4 Geo. 3. c. 15. § 1.

36. Upon all Suits and Prosecutions for the bringing on Shore and landing of any Sugar in any of His Majesty's Colonies or Plantations in America contrary to these Acts, the Onus Probandi that the same were the Produce or Manufacture of His Majesty's Colonies or Plantations there, or were duly entered and had paid the Outies thereon before the Landing, shall lie on the Claimer thereof. 6 Geo. 2. c. 13. § 8. 4 Geo. 3. c. 15. § 1.

37. No Duty shall be paid for any Foreign Sugar which shall be imported into any British Colony or Plantation on the Continent of America, if the Sugar upon landing is immediately deposited and secured in Warehouses at the sole Expence of the Importer, with the Privity and Approbation and under the Care and Inspection of the Collector and Comptroller or other principal Officer of the Customs, and such Sugar shall be secured under the separate Locks of such Officers and the Proprietor, and within 12 Calendar Months from the landing and warehousing shall be shipped for Exportation directly to Great Britain or Ireland, or to some Part of Europe to the Southward of Cape Finisterre, under the like Securitics, Regulations and Restrictions, Penalties and Forfeitures, as British Sugars may be so carried and exported from any British Colony or Plantation in America. 6 Geo. 3. c. 52. § 16.

38. If the Importer of any Sugar warehoused shall not pay the Dutics nor export the Goods within 12 Calendar Months, the Collector or Comptroller or other principal prin be p arisi in L the Imp such the 3 tion Pitt into cipa as h jesty such scril enu agai tom

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principal Officer of the Customs shall cause the same to be publicly sold to the best Advantage, and the Money arising by such Sale shall be in the First Place applied in Discharge of the Duties, next the Charges attending the Sale, and the Surplus (if any) shall be paid to the Importer who landed and warehoused such Goods, or to such other Person as shall be duly authorized to receive 6 Geo. 3. c. 52. § 17. the same.

39. The Produce of any Foreign Colony or Planta- Of Foreign Colotion, may be imported into Nassau in New Providence, nies, may be im-Pitts Town in Portland Harbour in Crooked Island, and Free Ports. into such Ports in the Bahama Islands, or into the principal Port in Bermuda, or into such Ports in the Caicos, as have been or may hereafter be approved by His Majesty in Council, in such Foreign Ships, and subject to such Rules, Regulations, and Restrictions, as are prescribed in this Act with respect to other Goods herein enumerated; and such Sugar may be so imported and again exported without Payment of any Duty of Customs\*. 45 Geo. 3. c. 57. § 4, 5.

See FREE PORTS.

40. His Majesty with the Advice of the Privy Council His Majesty may permit the Importation into Road Harbour in Importation into Tortola, and the Export from thence into this Kingdom, and Exportation of Sugar, in the same Manner, and on the same Duties from Road and Drawbacks, and subject to the same Rules, &c. as Foreign Ships; in 45 Geo. 3. c. 57. respecting Importation and Exportation of Sugar from Nassau, and further subject to such Rules, &c. as shall be directed by His Majesty. 46 Geo. 3. c. 72. § 1.

See FREE PORTS.

41. His Majesty with the Advice of the Privy Council and without Paymay permit the Importation into Road Harbour, and Exportation from thence without Payment of any Duty of Customs, of all Sugar, subject to such Rules, &c. as shall be directed by His Majesty; and all Sugar imported into Great Britain and Ireland from Tortola (other than the Produce of the British Virgin Islands, and exported

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<sup>\*</sup> By 52 Geo. 3. c. 99. any Foreign Vessel described in 45 Geo. 3. c. 57. may come in Ballast, or import into any Port of the Bahama Islands " where there is a Custom-house," the Articles allowed by the said Act to be so imported; and also to export the Articles allowed by the said Act to be so exported conformably with the Regulations of the said Act. See "Free Ports."

### Sugar.

under such Certificate as shall be directed by His Majesty, and which shall not be given in any one Year for any greater Quantity than 5,880,000lbs.) shall be deemed to be Foreign Sugars. 46 Geo. 3. c. 72. § 2.

See FREE PORTS.

#### Sprup. See "Molasses."

# Tallow.

1. The Production or Manufacture of any of the Colonics or Plantations in America, or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports, in any Foreign Vessel whetever, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

2. The Production or Manufacture of any of the Colonies or Plantations in America, or Countries on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from thence to any Part of the United Kingdom, under the Rules, &c. of 12 Čar. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated.-45 Geo. 3. c. 57. 49 Geo. 3. c. 34. 52 Geo. 3. c. 99. 57 Geo. 3. c. 94. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74. See FREE PORTS.

# Tar. See "Pitch, Tar, and Turpentine."

## Tobacco.

1. The Production of the British Plantations in America, shall not be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. §11. 7 & 8 W.3. c. 22. §13. 4 Geo. 3. c. 15. §27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

#### May be imported into the Free Ports in Foreign Ships ;

and exported from thence to the United Kingdom.

Not to be exported, unless to some other British Plantation, or Great Britain or Ireland.

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Tobacco.

For the other Restrictions, Penalties, and Forfeitures to secure the Landing in the Plantations, or in Great Britain or Ireland,

See SUGAR, No 1. to 11.

2. There shall be paid to His Majesty One Penny for Duly Fayable every Pound Weight of Tobacco shipped in His Majesty's when Bond not Plantations, if Bond is not first given with One sufficient given to land in Great Britain or Surety to bring the same to Great Britain or Ireland; Ireland. and the said Duty shall be paid at such Places and to such Officers as shall be appointed to collect and receive the same, before the lading thereof. 25 Car. 2. c. 7. § 2.

3. The Duty shall be deemed Sterling Money of Great To be deemed Britain, and shall be collected, recovered, and paid, to Sterling Money. the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received and taken according to the Proportion and Value of Five Shillings and Sixpence the Onnce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4. 4 Geo. 3. c. 15. § 41.

4. The Business shall be managed and the Duty levied To be levied by by the Commissioners of the Customs in England, by and the Commissionunder the Authority of the Commissioners of the Treasury. 25 Car. 2. c. 7. § 3.

5. In case any Person liable to pay the Duty shall not Officers may have Money wherewith to pay the same, the Officers shall accept a Properaccept instead of the Money such a Proportion of the Commodity to be shipped as shall amount to the Value thereof according to the Current Rate of the Commodity in such Plantation. 25 Car. 2. c. 7. § 4.

6. Notwithstanding the Payment of the Duty, no To- Bond to be given bacco shall be shipped until the Security required by although Duty 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of the Vessel 7 & 8 W. 3. c. 22. § 8. and Goods.

7. All Laws, Bye-Laws, Usages, or Customs in force Laws and Cusor practice in any of the said Plantations in anywise re- toms in the pugnant to the before-mentioned Acts, so far as they Plantations rerelate to the said Plantations, or which are anyways re- Laws of Great pugnant to this Act, or to any other Law hereafter to be Britain, null made in this Kingdom, so far as such Laws shall relate and void. to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

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8. If

Penalty on Persons concerned in the Loading without Payment of Duty, cr to whose Hands the Goods shall come.

Of the United States may be imported into West India Islands and Guiana in Briush Ships :

and anto Bermuda in Foreign Ships.

Not to be unported from Colonies under Foreign European States.

Except in Cases of Emergency, for the Supply of the Inhabitants, by Authority of the Governor.

## Tobacco.

8. If the Goods shall be laden on board any Ship before the Duties are paid, every Person assisting or otherwise concerned in the loading, to whose Hands the same shall knowingly come after the loading, shall forfeit Treble the Value, to be computed according to the best Price the Commodity bears at the Place where the Offence is committed; and all Boats made use of in the loading shall be forfeited, and seized and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

9. The Production of any of the Territories of the United States may be imported from any of the said Territories into any of His Majesty's West India Islands, (in which Description the Bahama Islands and the Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the Province of Guiana; but such Tobacco shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. §1, 2. 56 Geo. 3. c. 91. § 1.

10. The Growth of the said Territories may be imported from thence into Saint George or Hamilton in the Island of Bermuda in any Foreign Ship belonging to any Country in Amity with His Majesty, and exported from the said Ports to any of His Majesty's I-lands or Dominions in the West Indies, in British-built Ships owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

11. No Tobacco shall be imported into His Majesty's West India Islands (including the Bahama and Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. §10. 31 Geo. 3. c. 38. §1. 56 Geo. 3. c. 91. § 1.

12. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of the said Colonies of Demerara, Berbice, or Essequibo in the Province of Gniana, with the Advice and Consent of their respective Councils, may authorize the Importation of Tobacco, for a limited Time, from any Island in the West Indies

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Indies or Colony or Plantation on the Continent of South America belonging to or under the Dominion of any Foreign European Sovereign or State, for the Supply of the Inhabitants of the said Islands and Colonies; but such Tobacco shall not be so imported except by British Subjects, and in British-built Ships owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91. §1.

13. In case any Tobacco which shall have been im- Imported for the supply of the ported from any Island in the West Indies or Colony on Inhabitants, net the Continent of South America under the Dominion of to be exported, any Foreign European Sovereign or State into any of and Oath to be His Majostu's Woot India Islanda Damana D. di His Majesty's West India Islands, Demerara, Berbice, shipping Tobacco or Essequibo, for the Supply of the Inhabitants, shall be that it was not see exported from any of the said Islands or Colonies, or put imported, on board any Vessel or Boat, or brought to any Quay with intent to be exported, the same shall be forfeited, as also the Vessel or Boat in which laden; and before shipping any Tobacco, whether in its manufactured or anmanufactured State, that may lawfully be e:ported, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported under such Authority as aforesaid from any Island in the West Indies, or Colony on the Continent of South America. under the Dominion of any Foreign European Sovereign or State. 29 Geo 3. c. 56 § 1, 2. 31 Geo. 3. c. 33. § 3, 4. 56 Geo. 3. c. 91 § 1.

14. If any Person shall be convicted of taking a false False Oaths Oath touching any of the Facts required to be testified on Oath, such Ferson shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

15 Any Tobacco being the Growth or Production of May be imany Island in the West Indies or of any Country on the Continent of America belonging to or under the Domi- coreign Vessels, nion of any Foreign European Sovereign or State, may and exported to be imported from any of the said Islands or Countries into the Free Ports, in any Foreign Ship, owned and navigated by Persons inhabiting any of the Coronies or Plantations in America or Countries on the Continent of America belonging to or under the Dominion of any Foreign

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ported into the Free Ports in the United Kingdom.

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Importation allowed from Portuguese Colonies.

By whom Goods and Vessels may be scized.

May be imported into Ports to be approved of by His Majesty in Nova Scotia or New Brunswick in Foreign Ships;

under such Regulations as His Majesty may think necessary.

Limitation of the Act.

Tobacco.

Foreign European Sovereign or State, and exported from thence to any Part of the United Kingdom, under the Restrictions, &c. provided in 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57. §2.

See FREE PORTS.

16. During the Continuance of the Treaty with Portugal, any Person may import into any of the said West India Islands (including the Bahama and Bermuda or Somers Islands) or Demerara, Berbice, or Essequibo, any Tobacco being the Growth of some of the Territories or Dominions of the Crown of Portugal in South America, provided the same is imported into the said Islands or Colonies direct from the said Territories or Dominions, in British-built Ships, owned, navigated, and registered according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91.

17. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships or \* .ssels of War, or by any Commissioned, Warrant, or Petty Officer, specially authorised by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 29 Geo. 3. e. 56. 31 Geo. 3. c. 38. 56 Geo. 3. e. 91.

18. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may import Tobacco into such Ports as shall be specially appointed for that Purpose by His Majesty, within the Province  $\neg$ f Nova Scotia or New Brunswick; provided that the said Tobacco shall not be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any such Tobacco may be re-exported, either to the United Kingdom or any other of His Majesty's Possessions, in any British-built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

19. His Majesty, with the Advice of His Privy Council, may make such Rules and Regulations for the Importation and Exportation of such Tobacco at the said Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c.19. § 6. 20. This Act shall continue in force during the Space of Three Years from and after the passing of the same\*,

\* 8th May 1818.

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and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. §7.

21. May be imported into any of His Majesty's Colonies or Plantations in the West Indies, or on the Continent of South America, for the Supply of the Inhabitants, from Colonies in British-built Ships, owned, navigated, and registered under European according to Law, from any Colony or Possession in the West Indies, or on the Continent of South America, under the Dominion of any Foreign European Sovereign or State. 58 Geo. 3. c. 27. §1.

22. If any Tobacco of the Growth or Production of Imported from the United States of America, which shall, in the fair and lawful way of Barter or Traffic between the People of the or Traffic, may said United States and between any of the People of His be exported to Majesty's Islands in the West Indies, be imported from any Part of the said United States into any of the said Islands by British Subjects and in British-built Ships, owned and navigated according to Law, it shall be lawful to export from any of the said Islands the same Tobacco, and to import it directly from thence into Great Britain or Ireland, in British-built Ships registered and navigated according to Law. 29 Geo. 3. c. 68. §15. 39 & 40 Geo. 3. c. 67. Art. 6.

23. The Name of the Ship in which such Tobacco Name of the shall be imported from any Part of the said United Ship and Master States into any of the said Islands in the West Indies, and the Document. also the Name of the Master, shall be particularly specified in the Manifest or Content in Writing accompanying such Tobacco. 29 Geo. 3. c. 68. § 16.

24. When any Ship shall have taken on board To- Shipped for bacco at any Port within His Majesty's Colonics, Plantations, Islands, or Territories in America, in order to delivered to the convey the same from thence into Great Britain, the Master by the Collector and Comptroller of the Customs at such Port, Customs. (if there shall be such Collector and Comptroller there resident, and a default thereof Two other Chief Officers of the Customs at such Port), shall, on the clearing of every such Ship by the proper Officer of the Customs, deliver to the Master a Manifest or Content in Writing under their Hands and Seals of Office, which Manifest or Content, shall contain the Name of the Port or Place where such Tobacco shall have been so taken on board, the Name and Built of the Ship, and the true Admeasurement or Tonnage thereof according to the Register, together with the Christian and Surname of the Master, and

Importation allowed for Supply of Inhabitants Sovereigns.

the United States by way of Barter the United Kingdom.

Officer of the

and the Port to which such Ship truly belongs, and a true Account of all the Tobacco so laden on board, with the Number of Hogsheads, Casks, Chests, and Cases containing the same, and the Weight of the Tobacco contained in each such Hogshead, &c. together with the Marks and Numbers set thereon, with the Tare of each such Hogshead, &c. and such Weight of the Tobacco and Tare shall also be marked on each such Hogshead. 29 Geo. 3. c. 68. § 17.

# Tobago.

Certain Articles allowed to be imported into and exported from the Port of Scarborough in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

# Lools and Implements.

1. Any of His Majesty's Subjects residing in the Isle of Man may lade there and transport directly to any Part of America where the Fishery is carried on, on board any Ship which may lawfully trade or fish there, any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of such Ships carrying out the same, and the Craft belonging to and employed by such Ships; such Hooks, &c. being the Manutacture of Great Britain, Ireland, or the Isle of Man. 15 Geo. 3. c. 31. § 5.

2. The Master of such Ship shall produce to the proper Officer of the Customs in the Colony or Plantation where he shall arrive, a Certificate under the Hand and Seal of the Collector or other principal Officer of the Customs in the Port where he shall have fitted out, that Oath hath been made before him by the Shipper of such Hooks, &c. that the same are of the Mannfacture of Great Britain or Ireland, or of the Isle of Man, and that the Articles (specifying the Quantities and Particulars of each Sort) are to be used in the Fishery by the Crew of the Ship carrying out the same, and by the Craft belonging to and to be employed by such Ship in the said Fishery, and for no other Purpose whatsoever; which Oath and Certificate such Collector or other Officer is required to administer and grant (without Fee or Reward);

Nor the Fishery Maybe imported from the Isle of Man ;

upon a Certificate being produced from the Officers there, as to the Manufacture.

Scarborough

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# Tools and Implements, ec.

word); and on Failure of producing such Certificate, or if any such Hooks, &c. are used or disposed of for any other Purpose, the same and the Ship shall be seized and forfeited in the same Manner as if this Act had not been made. 15 Geo. 3. c. 31. § 6.

## Tortoise Shell.

1. The Production of any of the Colonies or Planta- Maybeimported tions in America, or of any Country on the Continent of Ports in Foreign America, belonging to or under the Dominion of any Vossels; Foreign European Sovereign or State, may be imported from thence into the Free Ports, in any Foreign Vessel, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

2. The Production of any of the Colonies or Planta- and exported tions in America, or Countries on the Continent of the United America, belonging to or under the Dominion of any I redom. Foreign European Sovereign or State, having been imported into the Free Ports, may be exported from the said Ports to any Part of the United Kingdom under the Rules, &c. of 12 Car. 2. c. 18., 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 18. with respect to Goods therein enumerated. - 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

# Tortola.

The Port of Road Harbour, One of the Free Ports Road Harbour a for the Importation and Exportation of certain Articles Free Port. in Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

# Trinidad.

1. The Port of San Josef, One of the Free Ports for San Josef a Free the Importation and Exportation of certain Articles in Port. Foreign Ships. 45 Geo. 3. c. 57.

See FREE PORTS.

Turks Islands. See " Bahamas and Bermuda."

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#### May be imported from the United States in Foreign Ships.

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The Produce of the United States of America, may be imported from the said States into certain Ports in Bermuda, enumerated in the Acts 52 Geo. 3. c. 79. and 53 Geo. 3. c. 50. in Ships of the Description therein stated, and under the like Regulations, Penalties, and Forfeitures. 57 Geo. 3. c. 28.

Uegetables.

See UNITED STATES.

## Hermilion,

May be exported from Malta or any of the Dependencies thereof, or from Gibraltar, to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bernuda, or any of His Majesty's Colonies or Plantations in North America, in Britishbuilt Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. §5. 9. 57 Geo. 3. c. 4.

See GIBRALTAR. MALTA,

# United States.

1. No Goods shall be imported from any of the Territories belonging to the United States into His Majesty's West India Islands (in which the Bahama and Bermuda or Somers Islands are included), or into the Colonies of Demerara, Berbice, or Essequibo in the Province of Guiana, on Forfeiture thereof and the Ship, except Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, such Commodities being the Growth or Production of the Territories of the said States; but the said Articles shall not be so imported, except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. §1, 2. 56 Geo. 3. c. 91. § 1.

2. Except also Household Furniture, Utensils of Husbandry, and Clothing, by Subjects of the said States who shall come from thence, together with their Families, to the Bahama or Bermuda Islands, or to the Province of 6 Quebec.

No Goods to be imported from the United States except Tobacco, &c. by British Subjects and in British Ships.

except also Household Furniture, &c. by Persons intending to settle in the Colonies.

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# United States.

Quebec, Nova Scotia, or any of the Territories belonging to His Majesty in North America, for the Purpose of residing and settling there, having first obtained a Licence for that Purpose from the Governor, or in his Absence the Lieutenant Governor, of the said Islands, Provinces, or Territories respectively; provided such Household Furniture, &c. are imported in British Ships owned by His Majesty's Subjects, and navigated according to Law, and shall not in the whole exceed the Value of  $\pounds 50$  for. every White Person that shall belong to the Family, and 40s. for every Negro brought by such White Person. 30 Geo. 3. c. 27. § 1.

See SETTLERS.

3. Any of the said Articles (enumerated in No. 1.) the Articles enume-Growth or Production of the United States, may be imported from thence into Saint George or Hamilton in into Bermuda in Bermuda, in any Foreign Ship belonging to any Foreign Ships. Country in Amity with His Majesty, and exported from and exported in British; the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. §2, 3. 53 Geo. 3. c. 50. § 1.

4. In addition to the Articles enumerated in the Acts also the Importa-52 Geo. 3. c. 79. and 53 Geo. 3. c. 50., it shall be lawful tion of Fruit and Varenthes in the to import from the United States into the Ports men-like Ships, and tioned in the said Acts, and in Ships of the Description Exportation of therein stated, and under the like Regulations, Penalties, Rum and Mo-lasses in British. and Forfeitures, Fruit and Vegetables being the Produce of the said States; and in addition to the Articles permitted to be exported by the said Acts, to export from Berinuda to the said States, in such Vessels and under such Regulations as aforesaid, Rum and Molasses, the Produce of any British Colony in the West Indies, which shall have been legally imported into Bermuda in any British Ship. 57 Geo. 3. c. 28. §1.

5. Any Person may export from the West India Atticles allowed Islands to any Place within the Territories belonging to to be exported from the West the United States, any Goods not by Law prohibited to India Islands to be exported from the said Islands to any Foreign Country the United States or Place in Europe, and also Sugar, Molasses, Coffee, in British Ships. Cocoa Nuts, Ginger, and Pimento; and all Cocoa Nuts or Ginger which shall be exported, shall be liable to the same Duties to which the same are now liable if exported to any British Colony or Plantation in America; and the said Duties shall be raised, recovered, and applied in the D d same

Vegetables in the

same Manner as the Duties on Cocoa Nuts or Ginger exported to any British Colony or Plantation in America; provided that no Sugar, Molasses, Coffee, Cocoa Nuts, Ginger, or Pimento, nor any other Commodities (except Salt from Turks Islands, being Part of the Bahama Islands) shall be so exported other than by British Subjects, and in British-built Vessels, owned and navigated according to Law, on Forfeiture thereof and the Vessel. 28 Geo. 3. c. 6. § 3.

See Crods, ENUMERATED AND NON-ENUMERATED. 6. Where on Exportation of any Goods to any British Colony or Plantation in America, a Bond is required for the due Landing such Goods, and a Certificate is required to discharge such Bond, (see "Sugar," and other enumerated Articles, and "Gocds, non-enumerated,") a similar Bond shall be required on Exportation of such Goods to the United States; and such Bond shall be discharged upon Certificate under the Hand and Seal of the British Consul or Vice Consul; or in case there shall not be any such Consul or Vice Consul, then under the Hand and Seal of any Officer who may be appointed by the United States for the Purpose of granting such Certificate; and if there shall not be any Officer appointed. then such Bond shall be discharged upon a Certificate under the Hand and Seal of any Magistrate of the United States, certifying that there is no such Officer at the Port or Place where such Goods shall have been landed, and that Oath hath been made before such Magistrate by the Master of the Vessel, that the Goods were duly landed. 28 Geo. 3. c. 6. § 4.

7. Any Sugar, Coffee, Rum, and Molasses, the Produce of any British Colony in the West Indies, imported into Bermuda in any British Ship, may be exported from the Port of Saint George or from the Port of Hamilton in the said Island, to any Part of the Territories of the United States, in any Foreign Vessel belonging to any Country in Amity with His Majesty, above the Burther of 60 Tons. 52 Geo. 3. c. 79. § 1. 53 Geo. 3. c. 50. 57 Geo. 3. c. 28.

8. Any Ship belonging to the Inhabitants of the United States, coming in Ballast and not otherwise, may enter the Ports of the Islands called "Turks Islands" for the Purpose of being there laden with Salt, provided the Master shall, immediately after the Arrival of such Ship in any Port of the said Islands, make a true Entry of his Ship,

Where on Exportation of Goods to a British Colony, a Bond is required, the like Bond shall be given on Exportation to the United States.

bugar, &c. may be exported from Bermuda to the said States in Foreign Ships.

Foreign Ships may come to the Turks Islands to be there laden with Salt.

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Ship, upon Oath before the Collector or other Principal Officer of such Port, declaring of what Country she is built, how manned, who was the Master during the Voyage, and who are the Owners thereof, and the Purpose for which he enters the said Port, in order that such Ship may undergo the Search and Examination of the proper Officers of His Majesty's Customs; and such Master shall truly answer upon Oath to such Questions concerning the same as shall be demanded of him by such Collector or other Principal Officer, under the Penalty of £100. 28 Geo. 3. c. 6. § 5, 6.

9. There shall be paid, for the Use of His Majesty, a Tonnage Duty Tonnage Duty after the Rate of Two Shillings and Six- to be paid. pence Sterling, payable in Dollars at the Rate of Five Shillings and Sixpence per Ounce, for every Ton Burthen of every such Ship; and the Tonnage shall be ascertained by Admeasurement made by such Officer as shall be appointed for that Purpose by the Commissioners of His Majesty's Customs in England for the Time being, or any Four or more of them, which Officer shall admeasure such Ship according to the following Method; viz.

' Drop a Plumb Line over the Stern of the Ship, and ' measure the Distance between such Line and the ' After-part of the Stern Post at the Load Water ' Mark, then measure from the Top of the said · Plumb Line in a parallel Direction with the Water ' to a perpendicular Point immediately over the ' Load Water Mark, at the Fore part of the main ' Stem, substracting from such Measurement the ' above Distance, the Remainder will be the Ship's ' extreme Length; from which is to be deducted ' Three Inches for every Foot of the Load Draught ' of Water for the Rake abaft, and also Three ' Fifths of the Ship's Breadth for the Rake for-' ward, the Remainder shall be esteemed the just ' Length of the Keel to find the Tonnage; and the ' Breadth shall be taken from Outside to Outside of • the Plank, in the broadest Part of the Vessel, either above or below the Main Wales, exclusive of all Manner of Sheathing or Doubling that may be wrought upon the Side of the Vessel; then multiply the Length of the Keel for Tonnage by the Breadth so taken, and that Product by Half the Breadth, and dividing by 94, the Quotient shall be deemed the true Contents of the Tonnage.' 6 28 Geo. 3. c. 6. § 7.

10. The

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What Articles allowed to be exported from the Turks Island;

American Ships may enter cer tam Ports in the Bahamas to be there laden with Salt.

No Goods to be imported from thence into Nova Scotia, &c. except Pitch, Tar, and Furpentine.

10. The Amount of the Tonnage Duty so ascertained shall be paid into the Hands of the Collector of His Majesty's Customs at the Port or Place wherein he shall he appointed to reside, in any of the said Islands, before any Salt shall be loaden; and such Duty shall be under the Management of the Commissioners of His Majesty's Customs, and be collected and recovered in the like Manner, and by the like Rules, and under such Penalties and Forfeitures, as any other Duties now payable to His Majesty on Goods imported into any of the Islands, Colonies, or Territories under the Dominion of His Majesty in America, or the West Indies, are or may be collected, paid, and recovered by any Act now in force; and such Duty shall be subject to the Payment of the Salaries of the Officers, and other incidental Charges of the Port, and the Residue paid to the Receiver General of the Customs in England, to be by him paid into the Exchequer under the Head of Consolidated Customs. 28 Geo. 3. c. 6. § 8.

11. No Goods shall be exported from Turks Islands to any of His Majesty's Dominions in America or the West Indies, or laid on board any Ship in the said Islands for that Purpose, except Salt; and no Goods shall be exported from the said Islands to Great Britain or Ireland, or laid on board any Ship in the said Islands for that Purpose, except Salt, and also except such Goods as may now or hereafter be by Law imported into Great Britain from all other Countries free of Duties; under the Forfeiture of such Goods, and of the Ship on board of which the same shall be so exported or laid on board. 28 Geo. 3. c. 6. § 9.

12. Until 25th March 1819, any Ship belonging to the United States, coming in Ballast and not otherwise, may enter the Port of Nassau in New Providence, the Ports of Exuma and Crooked Island in the Bahama Islands, for the Purpose of being there laden with Salt, subject to the Rules, Regulations, and Restrictions of the 28 Geo. 3. c. 6. respecting Vessels coming for the same Purpose to Turks Islands. 57 Geo. 3. c. 42. § 1. 13. No Goods shall be imported from any of the Territories of the United States into Nova Scotia or New Brunswick, Cape Breton, St. John's, or Newfoundland, or any Country or Island within their respective Governments, on Forfeiture thereof, and of the Ship. except Pitch, Tar, and Turpentine, the Production of the said Territories, and which may be imported from thence

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thence into Nova Scotia or New Brunswick, by British Subjects, in British built Ships, owned and navigated according to Law. 28 Geo. 3. c. 6. § 12. 33 Geo. 3. c. 50. §14.

14. In case of public Emergency or Distress, the Go. Except also vernor, Lieutenant Governor, or Commander in Chief Scantling, &c. in of Nova Scotia or New Brunswick, Cape Breton or Saint gency, by Autho-John's, with the Advice and Consent of their respective lity of the Councils, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, Squared Timber, Horses, Neat Cattle, Sheep, Hogs, Poultry, Live Stock, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or Grain of any Sort, for a limited Time, from any of the Territories of the United States, for the Supply of the Inhabitants of the said Provinces and Islands; but such Scantling, &c. shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. §13.

15. His Majesty in Council, by Order to be issued and Bread, &c. and published, or by Warrant under His Sign Manual, may empower the Governor of Newfoundland to authorize, Supply of the in case of Necessity, the Importation of Bread, Flour, Indian Corn, and Live Stock, from any of the Territories belonging to the United States, for the Supply of the Inhabitants and Fishermen for the then ensuing Season only; provided that such Bread, &c. shall not be so imported, except in conformity to such Rules, Regulations, and Restrictions as shall be specified in such Order or Warrant, and except by British Subjects, in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

16. Any of the Governors, Lieutenant Governors, or The Articles Commanders in Chief of Nova Scotia or New Brunswick, or Cape Breton or Saint John's, with the Advice and imported from Consent of their respective Councils, may authorize the the United States Importation of the Articles enumerated in 28 Geo.'3. c. 6. tion. (Tobacco, &c. see No. 1.), for a limited Time, from any of the Territories of the United States, for the Purpose of being re-exported to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. §1.

17. No Goods shall be imported from the United No Goods to be States by Sea or Coastwise into Quebec, or the Countries imported from thence into **D** d 3 Or Quebec;

enumerated in No. 1. may be for Re-exporta-

into Newfound land for the Inhabitants and Fishermen.

Governor :

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or Islands within the Government thereof, or up the River Saint Lawrence from the Sea, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 14.

18. His Majesty in Council, by Order to be issued and published, may authorize, in case of Necessity, the importing of Bread, Flour, Indian Corn, and Live Stock, as well into Quebec as into all the Countries bordering on the Gulf of Saint Lawrence; and into the Islands within the said Gulf, and also to the Coast of Labrador, for the then ensuing Season only, from any of the Territories belonging to the United Sates, for the Supply of the Persons employed in carrying on the Fisheries; but such Articles shall not be so imported, except in conformity to such Regulations and Restrictions as shall be specified in such Order, and by British Subjects in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 29 Geo. 3. c. 16. § 1.

19. In case of public Emergency and Distress, the Governor of Quebec, or Lieutenant Governor, or Commander in Chief, with the Consent of the Council of the Province, may authorize the Importation by Sea or Coastwise into Quebec, or into the Countries or the Islands within the Government thereof, or up the River Saint Lawrence from the Sea, of Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any Sort, Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley, or any Sort of Grain, or Flour made thereof, for a limited Time, from the United States, for the Supply of the Inhabitants of the said Province and Countries; but the said Articles shall not be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 30 Geo. 3. c. 8. § 1.

20. No Goods, except of the Produce or Manufacture of the Territories of the United States, shall be brought from the said Territories by Inland Navigation or Land Carriage into the Provinces of Lower or Upper Canada, on Forfeiture of the Goods or the Value thereof, with the Vessel or Carriage in which the same shall be brought, to be recovered and distributed in like manner as is directed in any Act in the Case of Offences being committed against the Laws of Customs in His Majesty's Plantations in America. 52 Geo. 3. c. 55. § 1.

21. The Goods and Vessels forfeited by these Acts may be seized by the Commanders of any of His Majesty's Ships

except Bread, &c. for the Supply of the Persons carrying on the Fishery:

also Neat Cattle, &c. for the Supply of the Inhabitants.

Not to be brought from thence into Canada, except the Produce of the States.

By whom Goods and Vessels may be scized. Sh rai by c.6 31

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# United States.

Ships or Vessels of War, or by any Commissioned Warrant, or Petty Officer specially authorized by them, or by any Officers of His Majesty's Customs. 28 Gco. 2. c.6. 29 Geo.2. c. 16. 29 Geo.2. c. 56. 30 Geo. 3. c. 8. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

# Utensils of Husbandry. See "Settlers."

# Mages of Seamen. See " Seamen."

# Whale Fins.

The Production of the British Plantations in America, Not to be exportshall not be shipped or conveyed from any of the said ed, unless to Plantations to any Place, indess to some other Plantation some other Plantbelonging to His Majesty, or to Great Britain or Ireland, Britain or there to be laid on Shore. 12 Car. 2. c. 18. § 18, 19. Ireland. 22 & 23 Car. 2. c. 26. §11. 7 & 8 W. 3. c. 22. §13. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. §. 6. 20 Geo. 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 10. § 3. c. 91. § 4. 8.

For the Restrictions, Penalties, and Forfeitures, to secure the Landing in the Plantations, or in Great Britain or Ireland,

Sce Sugar, No. 1. to 11.

# Mhetstones,

May be exported from Malta or any of the Depend- Importation encies thereof, or from Gibraltar, direct to any of His Ma- allowed fram jesty's Sugar Colonies or Plantations in America, or to Gibraltar. Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

## Wine.

1. Of the Madeiras, or of the Western Islands or May be im-Azores, may be there laden for Exportation direct to the ported from the Madeiras or British Colonies in America. 15 Car. 2. c. 7. § 6.

2. The Produce of Europe South of Cape Finisterre, may be laden in any Port or Place of Europe South of **D** d 4 Cape

Western Islands.

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Vessels from the British Colonies in North America, arriving with the Produce thereof at Places in Europe South of Cape Finisterre, may import from thence Wine the Produce of Europe.

What Duties liable to.

On Exportation from Nova Scotia or New Brunswick, Oath to be made that the Cargo is the Produce of the Provinces, or of the British Fisheries, and Certificate thereof to be produced.

Cartain Articles may be exported from Canada without such Cape Finisterre for Exportation direct to any of the Ports herein after mentioned; that is to say, Saint John's in New Brunswick, Saint John's in Newfoundland, Quebec in Canada, Sydney in Cape Breton, Halifax and Shelburn in Nova Scotia, and Charlotte Town in Prince Edward's Island, on board any British Ship, owned, navigated, and registered according to Law, which shall have arrived at any such Port or Place of Europe with Articles the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies, or from any Part of the United Kingdom, or with Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed or undressed, Hoops, Pine Plank or Boards, from the Province of Canada, whether such Goods are the Produce of Canada, or brought into the Province by Land or Inland Navigation. 51 Geo. 3. c. 97. § 2.

3. Upon the Importation of such Wine into any of the said Ports, the same shall be subject to the Payment of the like Duties, as if imported into the said Ports of Great Britain, and no other Duties. (See No. 10.)—51 Geo. 3. c. 97. § 3.

4. The Person exporting any Cargo from Nova otia or New Brunswick, for any Port of Europe South of Cape Finisterre, shall make Oath at the Port of Ship. ment before the Chief Officer of the Customs, or the Naval Officer in Command, that the Cargo so shipped is the Growth and Produce of the said Provinces, or the Produce of the British Fisheries in North America, taken and cured by His Majesty's Subjects carrying on the Fishery from the said Colonies; and such Officer of the Customs or Naval Officer shall certify such Oath under his Hand, which Certificate shall be produced by the Master on his Arrival at the Port in Eu ... e to which such Cargo shall be consigned, or to which such Vessel shall go for the Delivery of the Cargo; and the Master shall make Oath before the British Consul there resident, or if there shall be no British Consul, then before Two known British Merchants, that the Certificate produced was the Certificate of the Officer whose Name it bears, and was duly signed by him. 51 Geo. 3. c. 97. § 4.

5. The Persons exporting any Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn, Rye, White Oak Staves and Heading, dressed or undressed, Hoops, Pine of of fro O th fo sa fro su up wi sw

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Pine Plank and Boards, from Canada, shall not be re- Oath, on proquired to make Oath that the Articles are the Produce ducing a Certifiof Canada; and the Master on his Arrival at such Port lar Importation of Europe shall only be required to produce a Certificate by Land or from the Chief Officer of the Customs or the Naval Inland Naviga-Officer in Command at Quebec, that the Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the said Province (if any) by Land or Inland Navigation, from Countries bordering thereon; and which Certificate such Officer of the Customs or Naval Officer shall grant, upon satisfactory Proof being made upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to as aforesaid, by the Master of such Ship, at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

6. Before the Shipment of any Pickled Fish or Dry Oath to be made Fish, for Exportation from Canada to any Port of before shipping Pickled or Dry Europe within the Limits aforesaid, the Person in whose Fish from Possession the same has continued from the Time of Canada, that it its being landed from the Fishing Vessel employed in the is the Produce taking it, until the same shall be shipped for Exportation, Fisheries. shall make Oath before the Chief Officer of the Customs or the Naval Officer in Command at Quebec, that the same was the Produce of the British American Fisheries, taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations; and on such Oath being taken, the Officer of the Customs or Naval Officer shall grant Certificate thereof, signed with his Hand, which Certificate the Master shall be required to produce at the Port of Delivery in Europe, and shall make Oath of the Authenticity of such Certificate. 51 Geo. 3. c. 97. § 6.

7. Any Ship or Goods subject to Forfeiture under this By whom Ship Act may be seized by any Officer of the Customs in the and Goods may said Colonies, or by the Commander of any of His Ma- prosecuted. jesty's Ships of War, and the same may be prosecuted, recovered, and divided in the same Manner, and by the same Rules and Regulations (as far as the same are applicable), as any other Forfeiture imposed by any Act made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, may be prosecuted, &c. in the British Colonies. 51 Geo. 3. c. 97. §7.

8. May be exported from Malta or any of the Depen- Importation dencies thereof, or from Gibraltar, direct to any of His allowed from Malta or Majesty's

cate of the regution.

# Wine.

Gibraltar, on the same Duties as from Madeira.

Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law; and upon the Importation thereof into such Colonies shall be subject to the Payment of such Duties, and no other, as are payable on Madeira Wine when imported into any of the said Colonies or Plantations from Madeira. (See No. 10.)-55 Geo. 3. c. 29. § 5. 9. 57 Geo. 3. c. 4.

#### See GIBRALTAR.

#### MALTA.

9. Intended as a Medicine and necessary Article of Supply for the Estates of Dutch Proprietors in Demerara, Berbice, or Essequibo in the Province of Guiana, not exceeding what may be necessary for the Purposes of such Supply, may be imported into the said Colonies from the Netherlands, on board Dutch Ships, and shall be liable to the Duty of 10s. per Ton, and no more. 56 Geo. 3. c. 91. § 3, 4.

See GUIANA.

10. There shall be paid unto His Majesty upon all Wines (except French) imported into any Colony or Plantation in America, under the Dominion of His Majesty, the Duties following; that is to say,

For every Ton of Wine of the Growth of the Madeiras, or of any other Island or Place from whence such Wine may be lawfully imported, and which shall be so imported from such Island or Place, the Sum of  $\pounds 7$ .

For every Ton of Portugal, Spanish, or any other Wine (except French Wine), imported from Great Britain or Ireland, the Sum of 10s. and after those Rates for any greater or less Quantity. 4 Geo. 3. c. 15. § 1. 39 & 40 Geo. 3. c. 67. Art. 6.

11. The Duties shall be paid in the same Manner and Form, and by such Ways and Means, and under such Penalties and Forfeitures, (not otherwise altered by this Act) as are mentioned in 6 Geo. 2. c. 13. (see "Sugar") with respect to the Duties thereby granted; and all Powers, Penalties, Provisions, and Clauses therein contained (except where any Alteration is made by this Act) shall be practised and put in Execution for the levying and answering the Duties hereby granted. 4 Geo. 3. c. 15. § 7.

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12. If the Importer shall refuse to pay the Duties, the Collector or other proper Officer of the Customs shall secure the Wine, to be publicly sold within Twenty Days after such Refusal, and at such Time and Place as such Officer shall by Four Days public Notice appoint; and the Money arising by the Sale shall be applied, first in Payment of the Duties, with the Charges occasioned by the Sale, and the Overplus, if any, shall be paid to the Importer or other Person authorized to receive the same. 4 Geo. 3. c. 15. § 7. 56 Geo. 3. c. 91. § 3.

13. If the Money offered for such Wine shall not be If not worth the sufficient to discharge the Duty and Charges, then the Duty and Charges, the Uting and Charges, the Collector or other proper Officer shall cause the Wine Wine may be to be spilt or otherwise destroyed, and shall return the destroyed. Casks, or other Package wherein the same was contained, to such Importer. 4 Geo. 3. c. 15. § 8. 56 Geo. 3. e. 91. § 3.

14. The Monies arising by the said Duties (except the Appropriation of necessary Charges of raising, recovering, and accounting for the same) shall be paid into the Exchequer separate and apart from all other Monies, and shall be there reserved to be disposed of by Parliament, towards defraying the necessary Expences of protecting and securing the British Colonies and Plantations in America. 4 Geo. 3. c. 15. § 10. 56 Geo. 3. c. 91. § 3.

15. All Sums granted by these Acts shall be deemed To be deemed to be Sterling Money of Great Britain, and shall be paid to the Amount of the Value which such nominal Sums bear in Great Britain, and may be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver. 4 Geo. 3. c. 15. § 41. 56 Geo. 3. c. 91. § 3.

# Witnesses.

1. Every Person examined as a Witness on any In- To deliver their quiry directed by the Commissioners of the Customs in Testimony on England, or any Four of them, to be made in America Oath on In-or the Wast Indias relative to His Mainstein's Remember 9 or the West Indies, relative to His Majesty's Revenue of by the Commis-Customs or other Duties there, or to the Conduct of the sioners of the Officers employed in the Collection thereof, by or before any Collector and Comptroller of the Customs, or by or before such other Persons as shall be appointed by the Commissioners or any Four of them, shall deliver his Testimony

Customs.

If not paid the Wine may be sold.

the Duties.

Sterling Money.

# Witnesses.

Testimony on Oath, to be administered by the said Officer or Persons so appointed before whom he shall be examined. 49 Geo. 3. c. 46. § 1.

False Oaths deemed Perjury.

2. Any Person who shall be convicted of making a false Oath touching any of the Facts required by this Act to be testified on Oath, or of giving false Evidence on his, her, or their Examination on Oath, by or before any Collector and Comptroller of the Customs of any Port in the West Indies or America, or such other Person ap pointed as aforesaid, shall be deemed guilty of Perjury, and liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury. 49 Geo. 3. c. 46. § 2.

#### Wiood.

Not to be exported, unless to some other Plantation, or to Great Britain or Ireland.

Bon<sup>1</sup> to be given that Lumber shall not be landed in any Part of Europe except Great Britain or Ireland.

1. No Masts, Yards, or Bowsprits, of the Production or Manufacture of the British Plantations in America, shall be shipped or conveyed from any of the said Plantations to any Place, unless to some other Plantation belonging to His Majesty, or to Great Britain or Ireland, there to be laid on Shore. 12 Car. 2. c. 18. § 18, 19. 22 & 23 Car. 2. c. 26. § 11. 7 & 8 W. 3. c. 22. § 13. 4 Geo. 3. c. 15. § 27. 15 Geo. 3. c. 31. § 6. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6. 56 Geo. 3. c. 91. § 4. 8.

For the other Restrictions, Penalties, and Forfeitures, to secure the landing in the Plantations, or in Great Britain or Ireland,

See Sugar, No. 1. to 11.

2. No Wood commonly called " Lumber," that is to say, Deals of several Sorts, Timber Balks of several Sizes, Barrel Boards, Clap Boards, Pipe Boards, or Pipe Bolt, White Boards for Shoe Makers, Boom and Cant Spars, Bow Staves, Capravens, Clap Bolt, Ebony Wood, Headings for Pipes, Hogsheads and Barrels, Hoops for Coopers, Oars, Pipe and Hogshead Staves, Barrel Staves, Firkin Staves, Trunnels, Speckled Wood, Sweet Wood, Small Spars, Oak Plank, and Wainscots, of the Production or Manufacture of any of the British Colonies or Plantations in America, shall be there laden until Bond be given with One Surety, besides the Master of the Ship, to the Collector or other principal Officer of the Customs at the loading Port, in a Penalty of Double the Value of the Goods, with Condition that the same shall not

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# MOOLDS.

not be landed in any Part of Europe except Great Britain or Ireland; which Bond shall be discharged in the Manner hereafter mentioned; that is to say, for such Goods as shall be entered for or landed in Great Britain or Ireland, the Condition of the Bond shall be, to bring a Certificate in discharge thereof within Eighteen Months from the Date of the Bond, and within Six Months for such Goods as shall be entered for or landed in any of the British Colonies or Plantations in America; which Certificate shall be under the Hands and Seals of the Collector or other Principal Officer of the Customs resident. at the Port where such Goods shall be landed, testifying the landing thereof; and for such Goods as shall be entered for or landed at any other Place in America, Africa, or Asia, to bring the like Certificate within Twelve Months, under the Common Seal of the Chief Magistrate, or under the Hands and Seals of Two known British Merchants residing there; or such Bond may be discharged by Proof upon Oath, made by credible Persons, that the Goods were taken by Enemies or perished in the Seas. 4 Geo. 3. c. 15. § 28. 20 Geo. 3. c. 10. § 3. 39 & 40 Geo. 3. c. 67. Art. 6.

3. Any of the said Lumber may be exported to the May be landed Madeiras, or the Western Isles called the Azores, or to at the Madeiras any Part of Europe to the Southward of Cape Finisterre, or any Part of upon Bond being given in the Penalty directed by Europe South of 4 Geo. 3. c. 15. with Condition that the Goods shall be Cape Finisterre. there landed accordingly, and not in any other Part of Europe, except Great Britain or Ireland, and that 'a Certificate testifying the landing shall be produced within Eighteen Months to the Collector or other Principal Officer where Bond shall have been given, under the Common Seal of the Chief Magistrate, or under the Hand and Seal of the British Consul, or the Hands and Seals of Two known British Merchants where such Goods shall be landed; and upon producing such Certificate, or Proof upon Oath by Two credible Persons that the Goods were taken by Enemies, or perished in the Seas, the Bond shall be discharged. 5 Geo. 3. c. 45. §22. 20 Geo. 3. c. 10. §3. 39 & 40 Geo. 3. c. 67. Art. 6.

4. Any Fustic or Dying Wood of the Growth of any Dying Wood of the British Colonies or Plantations, may be exported to Malta or direct to Malta, or the Dependencies thereof, or to Gibraltar. Gibraltar,

or Western Isles,

Gibraltar, under the Regulations of these Acts. 55 Geo. 3. c. 29. §1. 57 Geo. 3. c. 4.

See GIBRALTAR:

MALTA.

Duty payable on Logwood if Bond not given to land in Great Britain or Leeland.

5. If any Ship shall take on board any Logwood, Fustic, or other Dying Wood, and Bond shall not be first given with One sufficient Surety to unload the same in Great Britain or Ireland (the Dangers of the Seas excepted), there shall be paid to His Majesty the Duties hereafter mentioned; that is to say,

For Logwood the Cwt. containing 112lbs. £5\*.

For Fustic and other Dying Wood, the Cwt. containing 112lbs. Sixpence.

To be collected and paid at such Places, and to such Collectors and Officers as shall be appointed to receive the same, before the Lading thereof.

the same, before the Lading thereof: 25 Car. 2. c. 7. § 2. 6. The Duties shall be deemed Sterling Money of Great Britain, and shall be collected and paid to the Amount of the Value which such nominal Sums bear in Great Britain, and shall be received according to the Proportion and Value of Five Shillings and Sixpence the Ounce in Silver, and (the necessary Charges of raising and paying the same excepted) shall be paid into the Receipt of the Exchequer. 1 Geo. 1. st. 1. c. 12. § 4.

7. The Business shall be managed and the Duty levied by the Commissioners of the Customs in England, under the Authority of the Commissioners of the Treasury. 25 Car. 2. c. 7. § 3.

8. In case any Person liable to pay the Duty shall not have Money to pay the same, the Officers shall accept, instead of such Money, such a Proportion of the Commodity to be shipped as shall amount to the Value thereof, according to the current Rate of the Commodity in such Plantation. 25 Car. 2. c. 7. §4.

9. Notwithstanding the Payment of the Duty, no Logwood shall be shipped until the Security required by 12 Car. 2. c. 18. and 22 & 23 Car. 2. c. 26. has been

\* This is the Sum stated in the Edition of the Statutes published under the Direction of the Commissioners of Public Records, but it has been considered that the Duty intended to be levied was only 5s, the Cwt.

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given to carry the same to Great Britain or Ireland, or some of His Majesty's Plantations, on Forfeiture of the Vessels and Goods. 7 & 8 W. 8. c. 22. § 8.

10. All Laws, Bye-laws, Usages or Customs, in force Laws and Cusor practice in any of the said Plantations, in any wise re- Plantations pugnant to the before-mentioned Acts, so far as they relate repugnant to the to the said Plantations, or which are any ways repugnant Laws of Great Britain, null and to this Act, or to any other Law hereafter to be made in void. this Kingdom, so far as such Law shall relate to and mention the said Plantations, are illegal, null, and void. 7 & 8 W. 3. c. 22. § 9.

11. If the Goods shall be loaden before the Duties are Penalty on Perpaid, every Person assisting or otherwise concerned, or to the Lording whose Hands the same shall knowingly come after the without Payment Loading, shall for every Offence forfeit Treble the Value of Duty, or to of the Goods, to be computed according to the best Price whose Hands the Goods shall the Commodity bears at the Place where the Offence is come. committed; and all the Boats made use of shall be forfeited, and prosecuted by any Officer of the Customs. 4 Geo. 3. c. 15. § 37.

12. Viz. Logwood, Fustic, or other Wood for Dyers' Logwood, &c. Use, Mahogany, and Woods for Cabinet Ware, the may be exported from the Free Growth of any of the Colonies or Plantations in America, Ports to the or of any Country on the Continent of America belong- United ing to or under the Dominion of any Foreign European Kingdom. Sovereign or State, may be exported from any of the Free Ports to any Part of the United Kingdom, under the Regulations, Restrictions, Securities, Penalties, and Forfeitures provided in 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26., and 20 Geo. 3. c. 10. with respect to the Goods therein enumerated. 45 Geo. 3. c. 57.

See FREE PORTS.

13. The several Articles hereafter mentioned may be Lumber may be exported from Canada in a British-built Ship, owned, exported from navigated, and registered according to Law, to any Port of Europe South of Europe South of Cape Finisterre, without any Oath of Cape Finisbeing required at the Port of Shipment of their being terre without the Growth or Produce of the Province or one Came Oath that they the Growth or Produce of the Province, or any Certi- are the Produce ficate being required of the Country from whence they of the Province. came; that is to say, White Oak Staves and Heading, dressed or undressed, Hoops, Pine Plank and Boards; and the Master of any British-built Ship laden with any of the said Articles, shall only be required to produce, at such Port of Europe within the Limits aforesaid, a Certi-

ficate

ficate from the Chief Officer of the Customs, or the Naval Officer in Command at Quebec, that the Articles were the Growth of Canada, or brought into Canada conformably to the Regulations established by Law in the Province (if any) by Land or Inland Navigation, from Countries bordering thereon, and which Certificate such Officer of the Customs or Naval Officer is required to grant, upon satisfactory Proof being made, upon Oath or otherwise; and the Authenticity of such Certificate shall be sworn to by the Master of such Vessel, at the Port of Delivery in Europe. 51 Geo. 3. c. 97. § 5.

See CANADA.

14. Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, the Production of any of the Territories of the United States, may be imported from any of the said Territories into any of His Majesty's West India Islands (in which Description the Bahama Islands or the Bermuda or Somers Islands are included), or into Demerara, Berbice, or Essequibo in the Province of Guiana; but not to be so imported except by British Subjects, and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 1. 56 Geo. 3. c. 91. § 1.

15. Any of the said Articles, being the Production of the said Territories, may be imported from thence into St. George or Hamilton in Bermuda, in any Foreign Ship belonging to any Kingdom or State in Amity with His Majesty, and exported from the said Ports to any of His Majesty's Islands or Dominions in the West Indies, in British-built Ships, owned and navigated according to Law. 52 Geo. 3. c. 79. § 2, 3. 53 Geo. 3. c. 50. § 1.

16. No Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, or Lumber of any Sort, shall be imported into His Majesty's West India Islands (including the Bahama and the Bermuda or Somers Islands), or into Demerara, Berbice, or Essequibo, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, under the Dominion of any Foreign European Sovereign or State, on Forfeiture thereof and the Ship. 28 Geo. 2. c. 6. § 10. 31 Geo. 3. c. 38. § 1. 56 Geo. 3. c. 91. § 1.

17. In case of public Emergency or Distress, any of the Governors, Lieutenant Governors, or Commanders in

Masts, &c. may be imported into West India Islands and Guiana from the United States' in British Ships ;

and into Bermuda in Foreign Ships.

Not to be imported from Colonies under Foreign European States.

Except in case of Distress, by Authority of the

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in Chief of any of the Islands in the West Indies under the Dominion of His Majesty, or the Governors, &c. of Demerara, Berbice, or Essequibo, with the Advice and Consent of their respective Councils, may authorize the Importation of any of the said Articles, for a limited Time, from any Island in the West Indies, or Colony or Plantation on the Continent of South America, belonging to any Foreign European Sovereign or State, for the Supply of the Inhabitants; but such Articles shall not be so imported, except by British Subjects, in British-built Vessels, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 11. 31 Geo. 3. c. 38. § 2. 56 Geo. 3. c. 91.

18. Any Person may import, in British-built Ships, owned, navigated, and registered according to Law, into from Porto the Islands under the Dominion of His Majesty in the Rico, &c. West Indies, from any Colony or Plantation on the Continent of South America under the Dominion of any Foreign European Sovereign or State, or from Porto Rico in the West Indies, the following Species of Timber, viz. Bully Tree, Purple Heart, Green Heart, Black Heart, Mastic, Wallabaw, Yellow Saunders, Locusts, or Bastard Mahogany, being the Growth or Production of any of the said Colonies or Plantations. 33 Geo. 3. c. 50. § 13.

19. During the Continuance of the Treaty with Por- Masts, &c. may tugal, any Person may import into any of the West the Portuguese India Islands (including the Bahama and the Bermuda Colonies. or Somers Islands), or Colonics of Demerara, Berbice, or Essequibo, any Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, being the Production of some of the Territories or Dominions belonging to the Crown of Portugal in South America; such Article being imported into the said Islands or Colonies directly from the said Territories or Dominions, in British-built Ships, owned and navigated according to Law. 51 Geo. 3. c. 47. § 5. 56 Geo. 3. c. 91. § 5.

20. No Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, or Lumber of any Sort, which shall have been imported from any Island in the West before shipping Indies, or Colony on the Continent of South America, that may lawfully under the Dominion of any Foreign European Sovereign be exported, or State, into any of His Majesty's West India Islands, that they were or Demerara, Berbice, or Essequibo, for the Supply of not imported as Еe

Governor, for the Supply of the Inhabitants.

Bully Tree, &c. may be imported

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Imported as Supplies, not to be exported, and Proof to be made the Supplies.

the Inhabitants, (see No. 17.) shall be exported from any of the said Islands or Colonies, or put on board any Vessel or Boat, or brought to any Quay with Intent to be so exported, on Forfeiture thereof, and of the Ship or Boat in which laden; and before the shipping of any Masts, &c. whether manufactured or unmanufactured, that may lawfully be exported, the Exporter shall make Oath before the Collector of the Customs, that no Part thereof had been so imported, under such Authority as aforesaid, from any Island in the West Indies or Colony on the Continent of South America under the Dominion of any Foreign European Sovereign or State 29 Geo. 3. c. 56. § 1, 2. 31 Geo. 3. c. 38. § 3, 4. 56 Geo. 3. c 91. § 1.

21. If any Person shall be convicted of taking a false Oath touching any of the Facts required to be testified upon Oath, such Person shall be deemed guilty of Perjury, and be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury, and may be prosecuted in any Court of Record in Great Britain, or in any of His Majesty's Courts of Judicature in the West Indies. 29 Geo. 3. c. 56. § 3. 31 Geo. 3. c. 38. § 5.

22. In case of public Emergency or Distress, the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Breton, and Saint John, with the Advice and Consent of their respective Councils, may authorize the Importation of Scantling, Planks, Staves, Heading Boards, Shingles, Hoops, and squared Timber, for a limited Time, from any of the Territories of the United States, for the Supply, of the Inhabitants of the said Provinces and Islands; but such Articles shall not be so imported except by British Subjects and in British-built Ships, owned and navigated according to Law, on Forfeiture thereof and the Ship. 28 Geo. 3. c. 6. § 13.

23. Any of the Governors, Lieutenant Governors, or Commanders in Chief of Nova Scotia, New Brunswick, Cape Brcton, or Saint John's, with the Advice of their respective Councils, may authorize the Importation of the said Articles, for a limited Time, from any of the Territories of the United States, for the Purpose of Reexportation to any other of His Majesty's Colonies or Plantations. 48 Geo. 3. c. 125. § 1.

24. Any British-built Vessel, owned and navigated according to Law, or any Vessel belonging to the Subjects of any Sovereign or State in Amity with His Majesty, may

False Oaths deemed Perjury.

Scantling, &c. may be imported from the United States into Nova Sectia, &c. for the Supply of the Inhabitants in case of Distress;

or for Re-exportation to other Colonies.

Seantling, &c. may be imported in Foreign Ships

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may import into such Ports as shall be specially appointed into Ports to be for that Purpose by His Majesty, within the Province of approved of by His Majesty in Nova Scotia or New Brunswick, the following Articles; Nova Scotia or videlicet, Scantling, Planks, Staves, Heading-boards, New Brunswick. Shingles, and Hooks; provided that none of the said Articles shall be imported in Foreign Vessels, unless of the Growth or Produce of the Country to which the Vessel importing the same shall belong; and any of the said Articles may be re-exported, either to the United Kingdom, or any other of His Majesty's Possessions, in any British built Vessel, owned and navigated according to Law. 58 Geo. 3. c. 19. § 1, 2, 3.

25. His Majesty, with the Advice of His Privy Conn- Subject to such cil, may make such Rules and Regulations for the Im- Rules as His Majesty shall portation and Exportation of the said Goods at the said think fit. Ports, with such Penalties and Forfeitures for the Breach thereof, as shall seem fit and necessary to His Majesty, by and with the Advice aforesaid. 58 Geo. 3. c. 19. §6.

26. This Act shall continue in force during the Space Limitation of the of Three Years from and after the passing of the same \*, Act. and until Six Weeks after the Commencement of the then next Session of Parliament. 58 Geo. 3. c. 19. § 7.

27. The Goods and Ships forfeited by these Acts may By whom Goods be seized by the Commanders of Ships of War, or any and Ships may be Commissioned, Warrant, or Petty Officer specially authorized by them, or by any Officer of the Customs. 28 Geo. 3. c. 6. 29 Geo. 3. c. 56. 31 Geo. 3. c. 38. 56 Geo. 3. c. 91.

28. Logwood, Fustic, or Wood for Dyers' Use, Logwood, &c. Hard Wood or Mill Timber, Logwood, Mahogany, or may be imported Wood for Cabinot Ware being the Creation Day of into the Free Wood for Cabinet Ware, being the Growth or Pro- Ports in Foreign duction of any of the Colonies or Plantations in America, Ships. or of any Country on the Continent of America, belonging to or under the Dominion of any Foreign European Sovereign or State, may be imported from thence into the Free Ports in any Foreign Ships, being owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57.

See FREE PORTS.

29. For the Conditions upon which Ships landing Lumber landed Lumber at any of the British Sugar Colonies in the at the Sug West Indies, are allowed to import Spirits without Payment of Duty into certain Colonies in North America, See Spirits .- 28 Geo. 3. c. 39. §1, 2. 30 Geo. 3. c. 8. § 2. 53 Geo. 3. c. S7. § 1.

30. Mill

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Importation of Mill Timber and Box Wood allowed from Malta or Gibraltar.

Of the British Plantations not to be exported to any Place whatever;

except Wool to the United Kingdom.

Penalty upon Officers taking Entries or signing Documents for the Exportation. Mood.

30. Mill Timber or Box Wood may be exported from Malta or any of the Dependencies thereof, or from Gibraltar, direct to any of His Majesty's Sugar Colonies or Plantations in America, or to Newfoundland, Bermuda, or any of His Majesty's Colonies or Plantations in North America, in British-built Ships, owned, navigated, and registered according to Law. 55 Geo. 3. c. 29. §5. 9. 57 Geo. 3. c. 4. § 1.—See GIBRALTAR. MALTA.

# Wool & Woollen Manufactures.

I. No Wool, Woolfells, Shortlings, Mortlings, Wool Flocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Says, Frizes, Druggets, Cloth-Serges, Shalloons, or any other Drapery, Stuffs, or Woollen Manufactures, made or mixed with Wool or Wool Flocks of the Manufacture of any of the British Plantations in America, shall be loaden on board any Ship within any of the said Plantations, nor upon any Horse, Cart, or other Carriage, to the Intent to be exported or conveyed to any other of the Plantations, or to any other Place whatever, on Forfeiture thereof, and £500 by the Offender; and every Ship, Vessel, or Boat, wherein any of the said Commodities shall be shipped, shall be forfeited; and the Master and Mariners thereof, or any Persons knowing such Offence and assisting therein, shall forfeit £40; and all Governors and Commanders in Chief of the Plantations, and Officers of the Customs, or other Branches of Revenue there, shall take effectual Care that the Act be duly put in Execution. 10 & 11 W. 3. c. 10. § 1, 2.

2. But until 25th March 1819, it shall be lawful to export from any Place within the British Plantations in America to the United Kingdom, any Wool, the Product of any of the said Plantations. 46 Geo. 3. c. 17. § 3. 49 Geo. 3. c. 18. § 1.

3. If any Officer employed in the Management of the Revenue of Customs shall take or suffer to be taken any Entry outward, or sign any Cocket, Warrant, or Sufferance for the shipping and exporting any such Goods as aforesaid, into any Kingdom, State, or Dominion whatsoever, (except as aforesaid), or shall wittingly or willingly permit, contrive, or suffer the same to be done, contrary to the true Intent and Meaning of this Act, such Officer so offending in the signing such Cocket, Warrant, or Sufferance, or passing such Entry, or anywise conniving thereat, shall for every such Officer forfeit his Office and £500. 10 & 11 W. 3. c. 10. § 11.

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# Wool & Woollen Manufactures.

4. If any Action shall be commenced against any Per- Actions against son for what he shall do in pursuance of this Act, such Officers. Person may file a common Bail, or enter into a common Appearance, and plead the general Issue, and give this Act and the special Matter in Evidence; and if the Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, or if, upon Demurrer, Judgment pass against him, the Defendant shall recover treble Costs and Damages. 10 & 11 W. 3. c. 10. § 13.

5. Wool the Growth of any of the Colonies or Plan- Wool maybeimtations in America, or of any Country on the Continent ported into the of America, belonging to or under the Dominica of any Free Ports in of America, belonging to or under the Dominion of any Foreign Vessels; Foreign European Sovereign or State, may be imported from any of the said Countries into the Free Ports in any Foreign Ship, owned and navigated by Persons inhabiting any of the said Colonies, Plantations, or Countries. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.-See FREE PORTS.

6. Wool the Growth of any of the Colonies or Plantations and exported in America, or Countries on the Continent of America, be- the United longing to or under the Dominion of any Foreign Euro- Kingdom. pean Sovereign or State, having been imported into the Free Ports, may be exported from any of the said Ports to any Part of the United Kingdom, under the Rules, &c. of 12 Car. 2. c. 18. 22 & 23 Car. 2. c. 26. and 20 Geo. 3. c. 10. with respect to Goods therein enumerated. 45 Geo. 3. c. 57. 49 Geo. 3. c. 22. 52 Geo. 3. c. 99. 57 Geo. 3. c. 74.

See FREE PORTS.

# Writs of Assistance.

1. The Superior or Supreme Court of Justice having May be granted Jurisdiction within any British Colony or Plantation, may grant Writs of Assistance to empower the Officers of His Majesty's Customs to enter any House, Warehouse, Shop, Cellar, or other Place in the said Colonies or Plantations, to search for and seize prohibited or uncustomed Goods. 7 Geo. 3. c. 46. § 10.

2. Persons against whom any Action shall be com- General Issue menced for any thing done in pursuance of this Act, and Treble Costs may plead the General Issue, and give this Act and the allowed. special Matter in Evidence; and if it shall appear so to have been done, the Jury shall find for the Defendant; and if the Plaintiff be nonsuited, or discontinue his Action after the Defendant shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant shall be entitled to Treble Costs. 7 Geo. 3. c. 46. § 11.

Dards. See "Wood."

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by the Supreme Court of Justice.

#### APPENDIX.

Ship TT is hereby agreed between the Master, Seamen, and Mariners of the Ship now bound for the Port of and the Master or Commander of the said Ship, That in Consideration of the Monthly or other Wages against each respective Seaman or Mariner's Name hereunto set, they severally shall and will perform the above-mentioned Voyage; and the said Master doth hereby agree with and hire the said Seamen and Mariners for the said Voyage at such Monthly Wages, to be paid pursuant to the Laws of Great Britain; and they the said Seamen and Mariners do hereby promise and oblige themselves to do their Duty, and obey the lawful Commands of their Officers on board the said Ship, or Boats thereunto belonging, as become good and faithful Seamen and Mariners; and at all Places where the said Ship shall put in or anchor during the said Ship's Voyage, to do their best Endeavours' for the Preservation of the said Ship and Cargo, and not to neglect or refuse doing their Duty by Day or Night; nor shall go out of the said Ship on board any other Vessel, or be on Shore under any Pretence whatsoever, till the Voyage is ended and the Ship discharged of her Cargo, without Leave first obtained of the Master, Captain, or Commanding Officer on board; and in default thereof they freely agree to be liable to the Penalties mentioned in the Act of Parliament, made in the Second Year of the Reign of King George the Second, intituled An Act for the better Regulation and Government of Seamen in the Merchants Service; and the Act made in the Thirty-seventh Year of His present Majesty's Reign, intituled An Act for preventing the Desertion of Seamen from British Merchant Ships trading to His Majesty's Colonies and Plantations in the West Indies : And it is further agreed by the Parties to these Presents, That Twenty-four Hours Absence without 6

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without Leave shall be deemed a total Desertion, and render such Seamen and Mariners liable to the Forfeitures and Penalties contained in the Act above recited; that each and every lawful Command which the said Master shall think necessary to issue for the effectual Government of the said Vessel, suppressing Immorality and Vice of all Kinds, be strictly complied with, under the Penalty of the Person or Persons disobeying forfeiting his or their whole Wages or Hire, together with every Thing belonging to him or them on board the said Vessel: And it is further agreed, That no Officer or Seaman, or Person belonging to the said Ship, shall demand or be entitled to his Wages or any Part thereof, until the Arrival of the said Ship at the above-mentioned Port of Discharge, and her Cargo delivered, not less than Twenty Days in case the Seaman is not employed in the Delivery : And it is hereby further agreed between the Master and Officers of the said Ship, that whatever Apparel, Fnrniture, and Stores, each of them may receive into their Charge, belonging to the said Ship, shall be accounted for on her Return; and in case any Thing shall be lost or damaged through their Carelessness or Insufficiency, it shall be made good by such Officer or Seaman by whose Means it may happen, to the Master and Owner of the said Ship: And whereas it is customary for the Officers and Seamen on the Ship's Return Home in the River, and during the Time their Cargoes are delivering, to go on Shore each Night to sleep, greatly to the Prejudice of such Ship and Freighters; be it further agreed by the said Parties, that neither Officer nor Seaman shall, on any Pretence whatsoever, be entitled to such Indulgence, but shall do their Duty by Day in Discharge of the Cargo, and keep such Watch by Night as the Master or Commander of the said Ship shall think necessary, in order for the Preservation of the above: And whereas it often happens that Part of the Cargo is embezzled after being delivered into Lighters, and as such Losses are made good by the Owners of the Ships : be it therefore agreed by these Presents, that whatever Officer or Seaman the Master shall think proper to appoint shall take Charge of the Cargo in the Lighters, and go with the same to the lawful Quay, and there deliver his Charge to the Ship's Husband, or his Representative, or see the same safely weighed at the King's Beam; and in consequence of their true Fidelity, such Officer or Seaman shall

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shall be entitled to Two Shillings and Sixpence each Lighter, exclusive of their Monthly Pay; and should it so happen that Lighters are detained a considerable Time at the Quay before they can be unloaded, such Officer and Seaman so appointed shall in that Case be be entitled to Two Shillings and Sixpence for every Twenty-four Hours, exclusive of their said Monthly Pay; that each Seaman and Mariner who shall well and truly perform the above-mentioned Voyage (provided always that there be no Plunderage, Embezzlement, or other unlawful Acts committed on the said Vessel's Cargo or Stores) shall be entitled to their Wages or Hire that may become due to him, pursuant to this Agreement; that for the due Performance of each and every the above-mentioned Articles and Agreements, and Acknowledgement of their being voluntary and without Compulsion, or any other clandestine Means being used, the said Parties having hereto subscribed their Names, the Day and Month set opposite to their respective Names.

Place and Time of Entry.	Men's Names.	Quality.	111110	Pay in the River. Whole. Half.		Wages per Month, or by the Run for the Voyage.	Whole Wages.

#### THE END.

Printed by A. Strahan, Law-Printer to His Majetty, Printers-Street, London. each uld it erable , such ase be every onthly ll and ed alot, or Cargo e that ment; y the knownpule said Day

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