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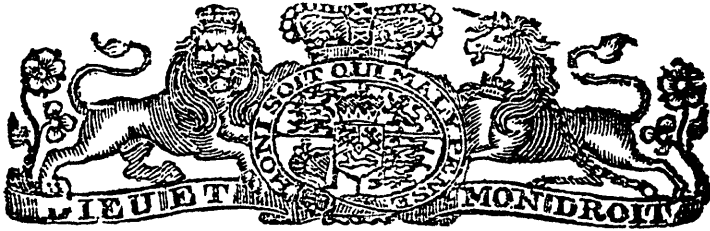
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ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

C A P. XCVII.

An Act to regulate the Trade between Places in *Europe South of Cape Finisterre*, and certain Ports in the British Colonies in *North America*.

[26th June 1811.]

WHEREAS it is expedient that an Act passed in the Forty-ninth Year of the Reign of His present Majesty, intituled, *An Act to permit certain Articles, the Growth, Production, or Manufacture of Europe, to be laden and shipped on board Ships arriving with British North American Produce, and Fish taken by Settlers in the British North American Colonies, at any Port of Europe, in order to be exported to the principal Ports in the British Colonies and Plantations in North America*, should be repealed, and other Provisions should be made for the Encouragement of the said Trade: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, the said recited Act shall be and the same is hereby repealed.

49G.3.c.47.

Recited Act repealed.

II. And be it further enacted, That from and after the passing of this Act, any Fruit, Wine, Oil, Salt, or Cork, the Produce of any Part of *Europe South of Cape Finisterre*, may be shipped and laden 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, the Port of *Saint John's* in the Province of *New Brunswick*, *Saint John's* in the Island of *Newfoundland*, *Quebec* in the Province of *Canada*, *Sydney* in the Island of *Cape Breton*, *Halifax* and *Shelburn* in the Province of *Nova Scotia*, and the British

Colonies in
North America.

and *Charlotte Town* in *Prince Edward's Island*, all in *North America*, on board of any *British* Ship or Vessel owned, navigated, and registered according to Law, which shall have arrived at any Port or Place in *Europe* South of *Cape Finisterre*, with Articles of 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 Plantations, or from any Part of the United Kingdom, or with any of the Goods or Commodities herein-after mentioned from the Province of *Canada*, whether such Goods and Merchandize shall be the Growth or Produce of the Province of *Canada*, or shall have been brought into the said Province by Land or Inland Navigation.

Duties on
such Goods
to be the same
as on like
Goods im-
ported from
Great Britain.

III. And be it further enacted, That the Articles aforesaid, the Produce of any Part of *Europe* South of *Cape Finisterre*, shall, before the Importation thereof into any of the several Ports before enumerated, be subject and liable to the Payment of such Duties as Goods of the like Denomination or Description are subject and liable to, upon being imported into any of the said several Ports from *Great Britain*, and no other or higher Duties, any Thing in any Act or Acts of Parliament to the contrary thereof notwithstanding.

Exporter of
Cargo from
Nova Scotia,
&c. to any
Port South of
Cape Finis-
terre to make
Oath to cer-
tain Particu-
lars, &c.

IV. And be it further enacted, That the Merchant or other Person exporting any Cargo from any Port in the Provinces of *Nova Scotia* or of *New Brunswick*, for any Port of *Europe* South of *Cape Finisterre*, under this Act, shall make Oath at the Port of Shipment in those Provinces before the Chief Officer of the Customs at such Port, or before the Naval Officer in Command at such Port, which Oath such Officer of the Customs or Naval Officer is hereby authorized to administer, 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 and *bona fide* taken and cured by His Majesty's Subjects carrying on the said Fisheries from some of the said Colonies or Plantations, and such Officer of the Customs or Naval Officer at such Port of Shipment shall certify such Oath under his Hand, which Certificate shall be produced by the Master or other Person having the Charge or Command of the Ship or 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 Ship or Vessel shall go for the Delivery of the Cargo; and the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall make Oath before the *British* Consul there resident, or if there shall be no *British* Consul there resident, then before Two known *British* Merchants there resident, (which Oath he or they are hereby authorized and required to administer), 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.

Wheat, &c.
may be ex-
ported in
British-built
Ships from
Canada into
any Port of
Europe with-
in the Limits
aforesaid, &c.

V. And be it further enacted, That it shall be lawful to export from *Canada*, in a *British*-built Ship, owned, navigated, and registered according to Law into any Port of *Europe* within the Limits aforesaid, the several Articles herein-after mentioned, without 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, Pease, Beans, Oats, Barley, *Indian* Corn, Rye, White Oak Staves and Heading dressed or undressed, Hoops, Pine Plank and Boards; and the

the Master or other Person having Charge of any such *British*-built Ship or Vessel laden with any of the said Articles, and exporting the same from *Canada* to 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 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; and 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 (which Oath he is authorized to administer), and the Authenticity of such Certificate shall be sworn to in Manner aforesaid, by the Master or other Person having the Charge of such Ship or Vessel at the Port of Delivery in *Europe*, within the aforesaid Limits.

Certificate of the Officer of the Customs that the Articles are the Growth of *Canada* &c. to be produced by the Master.

VI. And be it further enacted, That before the Shipment on board any such *British* built Ship or Vessel, of any Pickled Fish, or Dry Fish, for the Purpose of 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 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*, (who shall be authorized to administer such Oath), 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 or Plantations, 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 or other Person having Charge of such Ship or 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.

Before Shipment of Fish for Exportation from *Canada*, Oath shall be made that they are the Produce of the *British American* Fisheries.

VII. And be it further enacted, That any Ship or Vessel, or any Goods, Wares, or Merchandize, subject to Forfeiture under the Provisions of this Act, shall and may be seized by any Officer or Officers of the Customs in the said Colonies or Plantations respectively, or by the Commander of any of His Majesty's Ships or Vessels of War; and the same shall and may be prosecuted, sued for, recovered, and divided in the same Manner and Form, and by the same Rules and Regulations in all Respects, as far as the same are applicable, as any other Forfeiture imposed by any Act or Acts made for the Security of the Revenue, or for the Regulation or Improvement thereof, or for the Regulation of Trade or Navigation, and which were in force on or immediately before the passing of this Act, may be prosecuted, sued for, recovered, and divided, in any *British* Colony or Plantation in *America*.

Forfeitures how to be recovered and applied.