

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CXXXIV.

An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in *Great Britain*, during Hostilities.

[11th *August* 1803.]

WHEREAS it is expedient to make Provision respecting Vessels and Goods taken from an Enemy and condemned as Prize, during Hostilities; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Goods, Wares, or Merchandize, which shall have been taken as Prize since the Commencement, or may be taken during the Continuance of Hostilities, and which have been or may be brought into *Great Britain* by any of His Majesty's Ships of War, or by any Private or other Ship or Vessel having Commission from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or which have been or may be seized by any Non-commissioned Vessel, or otherwise as Droits of Admiralty, shall and may, upon Condemnation thereof as lawful Prize, be landed in any Port in *Great Britain*, and secured under the King's Locks in Warehouses provided at the sole

Prize Goods may, on Condemnation, be landed in *Great Britain* and secured in Warehouses.

Expence of the Captors, with the Privity and Approbation, and under the Care and Inſpection of the Commiſſioners or other Principal Officers for collecting and managing the reſpective Duties of Cuſtoms; and upon Admiſſion of any ſuch Goods into ſuch Warehouſes, there ſhall be paid by the Captors or their Agents the following Duties of Cuſtoms; that is to ſay,

Duties to be paid on Admiſſion of Goods into Warehouſes.

For every Ton of Wine or Vinegar, containing Two hundred and fifty-two Gallons, the Sum of Two Pounds, if taken by a Ship of War, or by a private Veſſel; for every Ton of Brandy, containing Two hundred and fifty-two Gallons, the Sum of Two Pounds Five Shillings, if taken by a Ship of War, or ſeized as Droits of Admiralty, the Sum of Fifteen Shillings, if taken by a private Veſſel; for every Hundred Weight of Sugar, the Sum of Six Shillings, if taken by a Ship of War, or ſeized as Droits of Admiralty, and the Sum of Two Shillings, if taken by a private Veſſel; for every hundred Weight of Coffee, the Sum of Ten Shillings and Sixpence, if taken by a Ship of War, or ſeized as Droits of Admiralty, and the Sum of Three Shillings and Six-pence, if taken by a private Veſſel; for every Hundred Weight of Cocoa, the Sum of Three Shillings and Nine-pence, if taken by a Ship of War, or ſeized as Droits of Admiralty, and the Sum of One Shilling and Three-pence, if taken by a private Veſſel; and upon all other Goods, Wares, or Merchandize, not particularly excepted or otherwiſe charged with Duty by this Act, for every One hundred Pounds of the Value thereof, the Sum of Seven Pounds Ten Shillings, if taken by a Ship of War, or ſeized as Droits of Admiralty, and the Sum of Two Pounds Ten Shillings if taken by a private Veſſel.

Military or Ship Stores exempted from Duty;

II. Provided always, That no Duties whatever ſhall be demanded or taken for any Prize Goods, conſiſting of Military or Ships Stores, *videlicet*, Sails, Cordage, Anchors and Cables, Maſts, Yards, Bowſprits, Blocks, Guns, Gunpowder, Shot, Match, Gun Carriages, Cartridges, and other Materials thereto belonging, and all Timber and Iron converted into and made fit for Ship Building, or for any of the Uſes and Purpoſes aforeſaid; ſalted Beef, Pork, and Butter, Biſcuit, Small Beer, Peaſe and Oatmeal; Sailors Cloaths, Hammocks, Bedding, and Apparatus and Inſtruments belonging to Surgeons, Bullion, or for any Goods which, by any Law in force on and immediately before the paſſing of this Act, may be imported into *Great Britain* Duty free: Provided alſo, that no Ship of War, or any private Ship or Veſſel of War, which hath been or ſhall be taken from the Enemy and legally condemned as Prize, nor the Sails, or any of the Tackle, Apparel, or Furniture belonging to ſuch Ship or Veſſel, ſhall be charged or chargeable with, or ſubject or liable to pay any Duty whatever, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

as alſo Ships, *etc.* taken from the Enemy.

Wheat, *etc.* ſhall be ſubject to the Regulations provided in reſpect to the Importation of Foreign Corn.

III. And be it further enacted, That all Wheat, Wheat Meal or Flour, Rye, Barley, Beer or Bigg, Oats, Oatmeal, Peaſe, Beans, *Indian* Corn and Maize, taken and condemned as Prize, ſhall, on the ſame being brought into any Port in *Great Britain*, be warehouſed, and ſubject to ſuch Rules, Regulations, Reſtrictions, Duties, Drawbacks, Penalties, and Forfeitures, as are provided and enacted by any Act or Acts of Parliament in force on or immediately before the paſſing

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ing of this Act with respect to any Foreign Corn imported into *Great Britain*, as fully and effectually, to all Intents and Purposes, as if all the Clauses, Powers, Directions, and Authorities in such Acts respectively were particularly repeated and re-enacted in the Body of this present Act.

Goods of the Production of *China* or the *East Indies* shall be sold in *London*, and be subject to the Regulations practised at the Sales of the *East India* Company, *etc.*

IV. And be it further enacted, That all Goods of the Growth, Production, or Manufacture of *China*, or the *East Indies*, taken and condemned as Prize, shall be publickly exposed to Sale in the City of *London* by the Captors or their Agents, Notice of such Sale being first given by the proper Officers of the Customs or Excise respectively concerned therein; and such Goods shall be sold on such Conditions, and under such Rules, Regulations, and Restrictions, as are used and practised at the Sales of the *East India* Company, and the Goods shall be subject to such Duties, and entitled to such Drawbacks as the like Goods are or may be subject and entitled to when imported by the *East India* Company, and the like Duties due and payable on such Goods shall be paid in all Cases by the Captors or their Agents.

Tobacco and Snuff subject to the Regulations of 29 Geo. 3. c. 68. and 31 Geo. 3. c. 47. *etc.*

V. And be it further enacted, That Tobacco and Snuff of all Sorts taken as Prize, and brought into any Port of *Great Britain*, not being a Port enumerated in an Act, passed in the Twenty-ninth Year of the Reign of His present Majesty, intituled, *An Act for repealing the Duties on Tobacco and Snuff, and for granting new Duties in lieu thereof*; and in another Act, passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act to prevent other Ships than those laden with Tobacco from mooring and discharging their Lading at the Places appointed by an Act, made in the Twenty-ninth Year of the Reign of His present Majesty, intituled,* '*An Act for repealing the Duties on Tobacco and Snuff, and* '*for granting new Duties in lieu thereof;*' *to prohibit the Exportation of damaged or mean Tobacco; and for permitting the Importation of Tobacco and Snuff into the Port of* Newcastle upon Tyne, shall be removed according to the Provisions of the said Act of the Twenty-ninth Year of His present Majesty, as soon as may be, under the usual Coast Dispatches and Securities, to some One of the Ports enumerated in the said Acts; and that such Tobacco and Snuff, brought into any Port enumerated in the said Acts, shall, on Condemnation as Prize, be warehoused in His Majesty's Tobacco Warehouse at such Port, and be subject and liable to Warehouse Rent, at the Rate of One Penny Halfpenny *per* Week for every Hogshead, or other Package; and such Tobacco and Snuff may be exported from such Warehouse, without Payment of any Duty, or may be taken out of such Warehouse for Home Consumption or Manufacture, on Payment of the Duties due and payable on Tobacco and Snuff of the Growth or Production of His Majesty's Colonies, Plantations, Islands, or Territories in *America*; and such Tobacco and Snuff, so warehoused, shall be subject and liable to the Rules, Regulations, Penalties, and Forfeitures, as are provided and enacted with respect to warehoused Tobacco and Snuff in the said Act, passed in the Twenty-ninth Year of the Reign of His present Majesty, and in an Act passed in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act to explain and amend an Act, made in the last Session of Parliament, intituled,* '*An Act for repeal-*' *ing the Duties on Tobacco and Snuff, and for granting new Duties in lieu* ' *thereof,*' and also in the said recited Act passed in the Thirty-first Year of the Reign of His present Majesty.

VI. And

Commissioners of the Customs may order Prize Goods, except Snuff and Tobacco, to be removed to any Custom House Warehouse in *Great Britain*, *etc.*

VI. And whereas it may in some Case be impracticable for the Captors or their Agents to procure Vessels to export Prize Goods directly from the Ports where they are warehoused, in pursuance of this Act, and the keeping such Goods for a considerable Time, in order to procure such Vessels, may be attended with great Expence and Loss to the Captors; for the Remedy whereof, be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs in *England* or *Scotland* respectively, or any Three or more of them, in any Case where they shall think proper, to order such Goods so secured in any Warehouse in *Great Britain*, Tobacco and Snuff excepted, to be removed and sent from thence for Exportation to any Custom House Warehouse at any other Place or Port in *Great Britain*, by and under the Seal of Office of the Collector and Comptroller of the Customs at the Port from whence the Goods are intended to be so removed, at the Expence of the Captors or their Agents, or other Person or Persons who may have purchased the same; and in such case the Security directed by this Act shall be taken by the Customer or Collector of the Port to which such Goods are removed, before they are delivered for Exportation, instead of the Customer or Collector of the Port where they were first warehoused as aforesaid, any Thing in the present Act to the contrary notwithstanding.

Goods condemned abroad to be entitled to the Benefit of this Act, on certain Conditions.

VII. And be it further enacted, That all Goods taken as Prize and condemned abroad shall, on Importation into *Great Britain*, be entitled to the Benefit and Indulgence granted to Prize Goods by this Act, provided a Certificate, from and under the Hand and Seal of the Judge or Registrar of the Court in which such Goods shall have been condemned, shall be produced to the Collector or Principal Officer of His Majesty's Customs at the Port or Place into which such Goods shall be imported, certifying the Condemnation thereof; and the Master of the Ship or Vessel on board of which such Goods shall be imported shall, together with the Importer, Proprietor, or Consignee, make Oath before the said Collector or Principal Officer, (who is hereby empowered to administer the same), that, to the best of their Knowledge and Belief, the Goods so imported are the identical Goods mentioned in the Certificate of Condemnation.

Regulations respecting Goods of the Growth of *China* or the *East Indies* carried into Out Ports and condemned.

VIII. And whereas Goods of the Growth, Production, or Manufacture of *China*, or the *East Indies*, taken as Prize, may, during Hostilities, be carried into some of the Out Ports of *Great Britain* and condemned; in order that the Duties due thereon may be properly ascertained, be it further enacted, That in all Cases where such Goods shall be carried into any Out Port of *Great Britain*, and condemned as Prize, Bond, with sufficient Security, shall be given to His Majesty, in Treble the Value of such Goods, that the same shall be brought to *London*, and delivered to the proper Warehouse-keeper at the Customs in the Port of *London*, to be deposited by him in Warehouses provided at the Expence of the Captors or their Agents, and approved of by the Commissioners of the Customs, or any Four or more of them; and with further Condition to procure a Certificate from such Warehouse-keeper, within Three Months from the Date of such Bond, that the Goods have been delivered accordingly, which Security the Collector and Comptroller, or other Principal Officer of the Customs at the Port from whence such Goods are to be removed, are hereby authorized and empowered to take, and to cancel and discharge such Bond, upon receiving the Certificate from

from the Warehouſe-keeper as herein-before directed; and if ſuch Goods ſhall be ſent by Land Carriage they ſhall be removed under the Seals of Office of ſuch Collector and Comptroller or Principal Officer of the Cuſtoms, and ſhall be accompanied with a Tranſire, expreſſing the Number and Marks of the Packages; and all ſuch Goods ſo removed, either by Land or Water, ſhall afterwards be publickly expoſed to Sale in the City of *London* by the Captors or their Agents, they giving Notice of ſuch Sale to the proper Officers of the Cuſtoms or Exciſe reſpectively concerned therein, and under the ſame Rules, Regulations, and Reſtrictions, in all Reſpects, and ſubject to ſuch Duties as are or may be payable upon the like Goods, when imported by and ſold at the Sales of the United Company of Merchants of *England* trading to the *Eaſt Indies*, and the Duties due by Law thereon ſhall be accordingly paid and applied; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Foreign Veſſels (except Ships of War), condemned as Prize without *Great Britain*, ſhall pay the Duty on their firſt Arrival, *etc.*

IX. And it is hereby further enacted, That where any Foreign Ship or Veſſel (not being a Ship of War or a private Ship or Veſſel of War) hath been or ſhall hereafter be taken during Hoſtilities, and condemned as Prize, in any of His Majeſty's Dominions out of *Great Britain*, the Duty due and payable by Law for ſuch Ship or Veſſel ſhall be paid, upon her firſt Arrival at any Port in *Great Britain*, to the Collector of His Majeſty's Cuſtoms at ſuch Port, by the Maſter, Owner, or Conſignee, of ſuch Ship or Veſſel, whether the ſame ſhall or ſhall not have been ſold by the Captors after Condemnation, and that no Foreign-built Ship or Veſſel ſo condemned ſhall enjoy or be entitled to the Privilege of a *Britiſh*-built Ship or Veſſel, until ſuch Duty is paid for the ſame; and it ſhall be lawful for any Officer or Officers of His Majeſty's Cuſtoms to ſtop and detain ſuch Ship or Veſſel at any Port in *Great Britain*, until the ſaid Duty is paid as aforeſaid; and in caſe Payment thereof ſhall not be made for the Space of Three Calendar Months after the Arrival of ſuch Ship or Veſſel at any Port in *Great Britain*, it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms in *England* or *Scotland* reſpectively, or any Three or more of them, to cauſe ſuch Ship or Veſſel, and her Maſts, Apparel, and Furniture to be ſold publickly to the beſt Bidder, and the Produce thereof to be applied, Firſt, to the Charges that ſhall ariſe by ſuch Detention and Sale, next to the Cuſtoms and Duties, and the Overplus to be paid to the Proprietor of ſuch Ship, or other Perſon duly authorized by ſuch Proprietor to receive the ſame.

Prize Goods may be exported on Payment of the Duties, and entering into Security for Exportation.

X. And it is hereby further enacted, That any Prize Goods which ſhall be received into any Warehouſe in purſuance of this Act, or which are now remaining in any Warehouſe in *Great Britain*, where they have been ſecured under the King's Locks, by Permiſſion of the Commiſſioners of the Cuſtoms, ſhall and may, upon Payment of the reſpective Duties before directed by this Act, be exported at any Time directly from thence, either by the Captors or their Agents, or by any other Perſon or Perſons, without paying any further Duty of Cuſtoms or Exciſe for the ſame; the Perſon or Perſons exporting the ſame, giving ſufficient Security in Double the Value of the Goods before the Delivery thereof out of the Warehouſe, that the ſame ſhall be really and truly exported, and not brought back again or relanded in any Part of *Great Britain*, or landed in the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, or the Iſlands of *Faro* or *Ferro*; which Security the Cuſtomer or Collector of the Port

from whence the ſame are intended to be exported, is hereby required and authorized to take in His Majeſty's Name, and to His Majeſty's Uſe.

Goods on being taken for Home Conſumption ſhall firſt pay the Remainder of the Duties.

XI. Provided alſo, and it is hereby further enacted, That if any Goods ſhall be taken out of any Warehouſe wherein they are ſecured as aforeſaid, to be uſed or conſumed in *Great Britain*, the Perſon or Perſons ſo taking out the ſame ſhall firſt pay up the Remainder of the Duties which would at that Time have been due and payable to His Majeſty thereon, if the ſame had been regularly imported by way of Merchandize into *Great Britain*; and ſuch Goods ſhall, in all other Reſpects, be liable to the ſame Reſtrictions and Regulations to which they would have been ſubject if this Act had not been made.

Veſſels commiſſioned by Letters of Marque, *etc.* having on board beyond a certain Quantity of Foreign Spirits or Tea, *etc.* ſhall be forfeited.

XII. And whereas the clandeſtine Importation and Running of Spirits, Tea, and other prohibited Goods into *Great Britain*, may during Hoſtilities, be carried on to a great Degree in large Veſſels fitted out and armed as Privateers: And whereas by Means of this illicit Commerce ſo prejudicial to the publick Revenue and the fair Trader, the Powers with whom *Great Britain* is or may be carrying on Hoſtilities, may receive Intelligence very detrimental to *Great Britain*; for the better preventing whereof be it further enacted, That, from and after the paſſing of this Act, if any Ship or Veſſel whatever which ſhall be commiſſioned by Letters of Marque or General Repriſals, or otherwiſe, by His Majeſty's Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, ſhall be found at Sea, or in any Port in *Great Britain*, or at any Diſtance from the Coaſt thereof, having on board any Foreign Brandy or other Foreign Spirituous Liquors in any Veſſels or Caſks which ſhall not contain Sixty Gallons at the leaſt, except only for the Uſe of the Seamen then belonging to and on board ſuch Ship or Veſſel, not exceeding Two Gallons for each Seaman, or any Tea exceeding the Quantity of Six Pounds Weight, or any other Goods whatever, which are or may be liable to Forfeiture by any Act of Parliament upon being imported into *Great Britain*, then not only all ſuch Goods, but alſo the Ship or Veſſel on board which they ſhall be found as aforeſaid, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited and loſt, and the ſame ſhall be carried and delivered to the Care and Cuſtody of the Collector and Comptroller of His Majeſty's Cuſtoms at any Port in *Great Britain*, and the ſame ſhall be ſeized, proſecuted, recovered, and diſpoſed of, by ſuch Ways and Rules, and in ſuch Manner and Form, as ſuch Veſſels and Goods would be liable to be ſeized, proſecuted, recovered, and diſpoſed of, by any Law in force, if the ſame had been found within the Limits of any Port of *Great Britain*, and the Letters of Marque or General Repriſals, or any other Commiſſions for ſuch Ship or Veſſel, ſhall be null and void; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Duties and Drawbacks how to be levied and paid.

XIII. And be it further enacted, That where any Duties are impoſed by this Act, or any Drawback allowed, the ſame ſhall be raiſed, levied, collected, applied, recovered, allowed, and paid under ſuch and the like Rules, Regulations, Reſtrictions, Penalties, and Forfeitures, as the Duties impoſed and Drawbacks allowed by virtue of any Act or Acts of Parliament in force on or immediately before the paſſing of this Act, are raiſed, levied, collected, applied, recovered, allowed, and paid, as fully

and effectually, to all Intents and Purposes, as if all the Clauses, Powers, Directions, and Authorities of the said Acts were repeated and re-enacted in the Body of this present Act.

XIV. And be it further enacted, That this Act shall continue in force during Hostilities; but that the same, or any Part thereof, may be varied, altered, or repealed during the present Session of Parliament. Continuance of Act.

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