

ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CXLVII.

An Act to permit the Sale of the *Daniſh* Prize Ship *Conſtantia Maria*, and her Cargo, in the Port of *Fowey*, in the County of *Cornwall*. [2d *July* 1808.]

WHEREAS the Commanders and Crews of the private Ship of War *Hero*, and the private Ship of War *Unity*, did, in the Month of *October* One thouſand eight hundred and ſeven, capture and bring into the Port of *Fowey*, in the County of *Cornwall*, the Daniſh Ship *Conſtantia Maria*, *Peter Holbeck*, Maſter, bound from the *Iſle* of *France* to *Copenhagen*, laden with a Cargo of Cotton, Coffee, Sugar, and Ebony Wood, of the Growth, Produce, and Manufacture of the *Eaſt Indies*, which has ſince been condemned as lawful Prize to the Captors thereof, in His Majeſty's High Court of Admiralty: And whereas by an Act paſſed in the Forty-third Year of the Reign of His preſent Majeſty, intituled, *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*; it was amongſt other Things enacted, That all Goods of the Growth, Production, or Manufacture of *China*, or the *Eaſt Indies*, taken and condemned as Prize, ſhould be publicly expoſed to Sale in the City of *London*: And whereas in Conſequence of the diſabled Condition of the ſaid Prize Ship, and the damaged State of her Cargo, it will be highly diſadvantageous to all the Parties concerned, if the Sale thereof cannot be made in the ſaid Port of *Fowey*: 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

43 G. 3. c. 134.

Cargo of the Prize Ship Conſtantia Maria, may be ſold in the Port of Fowey.

the Authority of the ſame, That all the Cotton, Coffee, Sugar, and Ebony Wood, being the Growth, Production, or Manufacture of the *Eaſt Indies*, which has been brought into the ſaid Port of *Fowey* in the ſaid Prize Ship *Conſtantia Maria* and condemned as lawful Prize, may be expoſed to Sale in the ſaid Port and Town of *Fowey* by the Captors or their Agents, Notice of ſuch Sale being firſt given to the proper Officers of the Cuſtoms or Exciſe reſpectively concerned therein; which Cotton, Coffee, Sugar, and Ebony Wood ſhall be ſold on ſuch Conditions, and ſhall be ſubject to ſuch Duties, Reſtrictions, Rules, Regulations, Penalties, and Forfeitures as the ſame would be liable to, if removed to *London* according to the Proviſions and Directions of the ſaid Act, any Thing in the ſaid Act contained to the contrary notwithſtanding.

43 G. 3. c. 126.

II. And whereas an Act was made in the Forty-third Year of His preſent Majeſty, intituled, *An Act for the further Improvement of the Port of* London, *by making Docks and other Works at* Blackwall, *for the Accommodation of the* Eaſt India *Shipping at the ſaid Port*, whereby certain Rates were made payable to the *Eaſt India* Dock Company thereby eſtabliſhed, for or in reſpect of every Ship or Veſſel which ſhould arrive or come from any Part of the *Eaſt Indies* or *China*, with Cargoes of Produce from the *Eaſt Indies* or *China*, which ſhould enter into and uſe any of the Docks thereby authorized to be made, and which have ſince been completed, and certain other Rates are alſo payable on all Goods, Wares, and Merchandize landed, unſhipped, or diſcharged from on board any ſuch Ship or Veſſel in the ſaid Docks: And whereas another Act was made in the Forty-ſixth Year of His preſent

46 G. 3. c. 132

Majeſty, intituled, *An Act for altering and enlarging the Powers of an Act made in the Forty-third Year of His preſent Majeſty for the further Improvement of the Port of* London, *by making Docks and other Works at* Blackwall, *for the Accommodation of the* Eaſt India *Shipping in the ſaid Port*, whereby it is enacted that every Ship and other Veſſel laden with any Goods, Wares, or Merchandize, the Produce of the *Eaſt Indies* or *China*, and taken as a Prize during the Continuance of Hoſtilities, and 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 for the Time being, ſhould be, and be deemed to be a Ship or Veſſel arriving, or coming from the *Eaſt Indies* or *China*, with Cargoes of Produce from the *Eaſt Indies* or *China*, and within the Intent and Purview of the ſaid recited Acts, made in the Forty-third and Forty-ſixth Years of His preſent Majeſty, and ſhould be brought into the River *Thames*; and every ſuch Ship or other Veſſel, and the Perſon or Perſons having the Charge or Command thereof, ſhould be ſubject to the like Rules, Regulations, Reſtrictions, Penalties, and Forfeitures, as all Ships and Veſſels arriving or coming from any Part of the *Eaſt Indies* or *China* into the River *Thames* with Cargoes of Produce from the *Eaſt Indies* or *China*, are by the ſaid laſt-mentioned Acts ſubject and liable to: And whereas it is expedient that the Intereſt of the ſaid *Eaſt India* Dock Company ſhould not be prejudiced by the Proviſions of this Act; be it therefore further enacted, That there ſhall be payable and paid to the ſaid *Eaſt India* Dock Company, or to their Collectors, Receivers, or Agents for the Uſe of the ſaid *Eaſt India* Dock Company, by the Maſter or other

Eaſt-India Dock Company to be entitled to the uſual Rates, &c.

Perſon having the Charge or Command of the ſaid Ship *Conſtantia Maria*, or by the Owner or Owners, Conſignee or Conſignees, or their, or ſome of their Agents, the Amount of the Rates with which the ſaid Ship *Conſtantia Maria* and her Cargo reſpectively would have been ſubject and liable to pay, if the ſaid Ship had been brought into the Docks belonging to the ſaid *Eaſt India* Dock Company, and her Cargo had been unloaded and landed at the ſaid Docks: And that all the Proviſions of the ſaid Acts of the Forty-third and Forty-ſixth Years of His preſent Majeſty relative to the aſcertaining of the Tonnage of Veſſels and their Cargoes, and for enforcing Payment of the Rates payable on Shipping and their Cargoes in the *Eaſt India* Docks ſhall apply and be in force in reſpect of the ſaid Ship *Conſtantia Maria* and the Cargo to be landed therefrom by virtue of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſaid Ship *Conſtantia Maria* had been unloaded in the ſaid *Eaſt India* Docks.

Public Act.

III. And be it further enacted, That this Act ſhall be deemed and taken to be a public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

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