

ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

****

CAP. LXIX.

An Act to permit, until the Twenty-fifth Day of *March* One thouſand eight hundred and ten, Sugar and Coffee to be exported from His Majeſty's Colonies or Plantations to any Port in *Europe* to the Southward of *Cape Finiſterre*, and Corn to be imported from ſuch Port and from the Coaſt of *Africa* into the ſaid Colonies and Plantations.

[18th *June* 1808.]

WHEREAS it is expedient that Sugar and Coffee of the Growth and Produce of any of His Majeſty's Colonies or Plantations in *America* ſhould be allowed, for a limited Time, to be exported from ſuch Colonies or Plantations direct to any Port in *Europe* to the Southward of *Cape Finiſterre*, and that Corn and Grain ſhould be allowed to be imported into the ſaid Colonies and Plantations from any ſuch Ports in *Europe* to the Southward of *Cape Finiſterre* and from certain Ports on the Coaſt of *Africa*; 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 it ſhall be lawful for any of His Majeſty's Subjects to ſhip in any of His Majeſty's Sugar Colonies or Plantations in *America* any Sugar or Coffee, being of the Growth and Produce of any ſuch Colony or Plantation reſpectively,

Sugar and Coffee may be exported from the *Britiſh* Plantations direct to any Port in

Europe to the Southward of Cape Finisterre, and Corn may be imported from such Ports, &c. into the British Plantations.

and to export the same direct to any Port in *Europe* to the Southward of *Cape Finisterre*, and to import into the said Colonies or Plantations any Sort of Corn or Grain direct from any such Ports in *Europe* or from any Port or Place on the Coast of *Africa* to the Northward of the Thirtieth Degree of North Latitude, in such Ships or Vessels, and under such Licences, Entries, Securities, Restrictions, Regulations, Limitations, Penalties, and Forfeitures as are herein-after particularly described, appointed, limited, and enacted for that Purpose.

No Sugar or Coffee to be shipped but in British-built ships, having a Licence for such Purpose, &c.

II. And be it further enacted, That no Sugar or Coffee shall be shipped or laden in any of the said Colonies or Plantations for the Purpose of being carried to a Port in *Europe* to the Southward of *Cape Finisterre* 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 of the Commissioners of His Majesty's Customs in *England*, *Scotland*, or *Ireland*, or any Three or more of them respectively, subject to the Regulations and on the Conditions hereafter mentioned (that is to say), that Notice be first given in Writing by the Master, or by One or more Owner or Owners of such Ship or Vessel to the Collector and Comptroller of the Port in the United Kingdom of *Great Britain* or *Ireland*, where such Ship or Vessel shall happen to be, of the Intention of such Master or Owner or Owners, that such Ship or Vessel shall proceed to the said Sugar Colonies or Plantations, or some of them, in order to lade Sugar or Coffee to be carried to some Port in *Europe* to the Southward of Cape *Finisterre*, and to export from thence, or from any Port or Place on the Coast of *Africa* to the Northward of the Thirtieth Degree of North Latitude, any Sort of Corn or Grain, and to carry the same direct to any of the said Colonies or Plantations from which such Ship or Vessel shall have sailed, and that such Master or Owner or Owners shall thereupon enter into Bond to the Use of His Majesty, His Heirs and Successors, with One or more sufficient Sureties, in the Sum of One thousand Pounds if the Ship be of less Burthen than One hundred Tons, and in the Sum of Two thousand Pounds if she shall be of that or greater Burthen, with Condition, that in case a Licence shall be granted giving Liberty to such Ship or Vessel to lade and carry Sugar or Coffee from His Majesty's Sugar Colonies or Plantations to any Port in *Europe* to the Southward of *Cape Finisterre*, and to export from thence, or from any Port or Place on the Coast of *Africa* to the Northward of the Thirtieth Degree of North Latitude, any Sort of Corn or Grain direct to the Colonies or Plantations aforesaid, that such Ship or Vessel shall proceed from *Great Britain* or *Ireland* respectively to the said Colonies or Plantations, and shall deliver the said Licence to the Collector and Comptroller of the Port on his Arrival, in case he shall intend to make Use of the Liberty granted by such Licence, which he shall declare in Writing to the Collector and Comptroller before he takes any Goods on board, and that in such Case no other Goods whatever except Sugar and Coffee shall be taken on board any such Ship or Vessel, unless it be for the necessary Use of such Ship and Vessel during her Voyage.

Unless the Sugar and Coffee so shipped be

III. And be it further enacted, That in case any Ship or Vessel licenced by virtue of this Act shall take on board in any of the said Sugar Colonies or Plantations, or in her Voyage from thence, any Sugar or Coffee, being

the Property of any other Perſon than ſome of His Majeſty's Subjects, and ſuch as ſhall be ſhipped and laden on their proper Riſk and Account, to be carried to ſome Port of *Europe* to the Southward of *Cape Finiſterre* as aforeſaid, all ſuch Sugar or Coffee ſo laden on board ſuch Ship or Veſſel ſhall be forfeited and loſt.

the Property of ſome of His Majeſty's Subjects the ſame ſhall be forfeited.

IV. And be it further enacted, That before any Sugar or Coffee ſhall be laden or put on board any Ship or Veſſel in the ſaid Colonies or Plantations, or any of them, by virtue of a Licence to be granted under the Authority of this Act, to be carried to any Port of *Europe* to the Southward of *Cape Finiſterre*, the Maſter or other Perſon having or taking the Charge of ſuch Ship or Veſſel, ſhall deliver to the Collector and Comptroller of the Port where ſuch Ship is to take in her Lading, the ſaid Licence, ſigned by the ſaid Commiſſioners of the Cuſtoms or any Three or more of them reſpectively, and a Certificate of ſuch Bond having been given in *Great Britain* or *Ireland*, as the Caſe may be as aforeſaid, and ſhall declare in Writing to the Collector and Comptroller whether he intends to load any Sugar or Coffee purſuant to ſuch Licence, which ſhall be done before any Goods are laden on board ſuch Ship or Veſſel, otherwiſe ſuch Licence ſhall be invalid and of no Force or Effect; but if it ſhall be declared as aforeſaid, That Sugar or Coffee are intended to be laden and carried to foreign Parts, purſuant to ſuch Licence, then in order to aſcertain the Quantity, Quality, Sort, or Denomination of the Sugar or Coffee to be exported in every ſuch Ship from the ſaid Colonies or any of them, purſuant to ſuch Licence, and the Liberty granted by this Act, and to prevent the Exportation from the ſaid Colonies or Plantations of any Goods before enumerated, the Merchant or other Perſon intending to export any Sugar or Coffee in ſuch Ship or Veſſel, ſhall, before the ſame or any Part thereof are ſhipped or put on board, make an Entry or Entries of ſuch Sugar or Coffee in Writing with the Collector and Comptroller of His Majeſty's Cuſtoms, expreſſing the Name of the Ship and the Maſter on which ſuch Sugar or Coffee are to be laden, and where ſhe lies, and alſo the Places, Quays, or Wharfs where they are to be laden or firſt Water borne in order to be laden, which ſhall be within ſuch Ports only where Cuſtom Houſes are eſtabliſhed, and where an Officer or Officers are or ſhall be appointed to attend the lading and ſhipping thereof, or at ſuch Places as ſhall be mentioned in a Sufferance or Warrant to be taken out from the Collector and Comptroller for that Purpoſe, and ſhall thereon take out from the ſaid Collector and Comptroller a Cocquet or Warrant accordingly, whereon ſhall be indorſed by the Exporter the Marks, Numbers and Contents, Sorts, or proper Denomination of ſuch Sugar or Coffee, and ſhall deliver the Cocquet or Warrant ſo indorſed to the Searcher or other Officer appointed for the examining and ſhipping thereof, and ſhall ſhip or lade ſuch Sugar or Coffee in the Preſence of ſuch Officer or Officers, or at ſuch Places as ſhall be mentioned in the ſaid Sufferance or Warrant, that the proper Officer or Officers may attend the ſhipping thereof, and ſuch Officer or Officers are hereby empowered to examine the ſame before they are put on board, and if upon examining the ſaid Sugar or Coffee which ſhall be ſhipped or brought to be ſhipped by virtue of ſuch Cocquet or Warrant, either before or after the ſhipping thereof, the Number of Caſks or Packages ſhall be greater than is indorſed thereon, or if there ſhall be found any other Sugar or Coffee but ſuch as ſhall be

Before Sugar and Coffee are ſhipped, Maſter ſhall make Declaration on tendering his Licence that he will conform thereto, &c.

Entry to be made.

ſo indorſed on ſuch Cocquet or Warrant taken out and delivered as aforeſaid, or any other Goods than Sugar and Coffee, ſhall be diſcovered to have been laden or put on board any Ship or Veſſel having Liberty to trade to Parts to the Southward of *Cape Finiſterre* by virtue of this Act, or ſhall be brought to be ſhipped on board ſuch Ship or Veſſel, or ſhall be put into any Hoy, Lighter, Boat, or other Veſſel, in order to be put on board ſuch Ship or Veſſel before ſuch Entry or taking out ſuch Cocquet or Warrant, indorſing 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 the Directions of this Act, all ſuch Sugar, Coffee, and other Goods ſo ſhipped or brought to be ſhipped in any of the Caſes aforeſaid ſhall be forfeited and loſt, as alſo the Hoy, Lighter, Boat, or other Veſſel or Carriage whatever, employed in ſhipping or attempting to ſhip any Goods other than Sugar or Coffee, together with the Ship or Veſſel on which ſuch other Goods ſhall be laden, and the Owner of ſuch Sugar or Coffee, or other Goods, ſhall alſo forfeit double the Value thereof, to be recovered in the 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 Majeſty's Plantations in *America*, at the Election of the Informer or Proſecutor, One-third Part to be to the Uſe of His Majeſty, His Heirs and Succeſſors, One-third Part to the Governor of the ſaid Colony, and the other One-third Part to the Informer or Proſecutor, and before ſuch Ship or Veſſel ſhall depart from the ſaid Colonies with the Sugar or Coffee laden as aforeſaid, the Maſter or other Perſon having or taking Charge thereof ſhall receive the ſaid Licence from the Collector and Comptroller with a Certificate indorſed thereon or affixed thereto under their Seals of Office, who are to make Two Copies of ſuch Licence, Indorſements, or Certificates, for all which Entries, Cocquets, Indorſements, and Certificates, or Copies, no more ſhall be taken by the ſaid Officers than the legal and accuſtomed Fees, and the Maſter or other Perſon having or taking Charge of ſuch Ship ſhall, before he receives the ſaid Licence, atteſt the ſaid Copies under his Hand, which are to be left with the Collector and Comptroller, who are hereby required, as ſoon as conveniently they can, to tranſmit One of the ſaid Copies of the Indorſements or Certificates to the Commiſſioners of the Cuſtoms in *England*, *Scotland*, or *Ireland* reſpectively by whom the Licence was granted; but in caſe any Goods beſides Sugar or Coffee ſhall be found on board or carried by any ſuch Ship or Veſſel to any foreign Parts other than ſuch as are limited by this Act, then the Liberty granted by ſuch Licence ſhall ceaſe and become void and of none Effect, and ſuch Ship or Veſſel, and alſo the Maſter or other Perſon having or taking the Charge of ſuch Ship or Veſſel, and all others concerned, ſhall be ſubject and liable to all and every the ſame Penalties and Forfeitures as they would have been ſubject and liable to in caſe this Act had not been made.

Bond to be diſcharged, on the Return of the Veſſel, the Maſter producing the Licence and Certificate of the landing of the Sugar

V. And be it further enacted, That upon the Return to the United Kingdom of *Great Britain* or *Ireland* of any Ship or Veſſel which ſhall, purſuant to the Liberty given by this Act, carry Sugar or Coffee from His Majeſty's Sugar Colonies or Plantations to any Port in *Europe* to the Southward of *Cape Finiſterre*, the Maſter or other Perſon taking Charge of ſuch Ship or Veſſel ſhall bring back and deliver to the Commiſſioners of the Cuſtoms in *England*, *Scotland*, or *Ireland* reſpectively, or to the Collector and Comptroller of the Port in the United Kingdom where ſuch

Ship or Veſſel ſhall firſt arrive, the ſaid Licence, 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 Sugar or Coffee was landed, certifying the landing thereof, with the Number of Caſks or other Packages of Sugar or Coffee ſo landed, and the Mark, Number, and Contents of each Caſk or Package, with the Name of the Ship and Maſter, and that he or they verily believe that no other Goods than Sugar or Coffee have been there landed out of ſuch Ship or Veſſel, and upon ſuch Licence being returned with the Oath or Affirmation of the Maſter and an Account of the Lading indorſed thereon or annexed thereto as aforeſaid, and alſo upon ſuch Certificate of the Conſul or Two known *Britiſh* Merchants of good Credit being produced, and Oath or Affirmation made as aforeſaid, and the ſeveral other Matters and Things required by this Act being duly complied with, the Bond given before granting ſuch Licence ſhall be diſcharged and delivered up, any Thing in the ſaid Bond or in this Act contained to the contrary thereof in anywiſe notwithſtanding, otherwiſe ſuch Bond ſhall be forfeited, and ſhall and may be proſecuted in the Manner directed by this Act.

and Coffee, and Oath made that he has conformed to the Licence.

VI. And be it further enacted, That upon the Maſter or Owner or Owners of ſuch Ship or Veſſel conforming in every Reſpect to the Terms and Conditions of the ſaid Licence and Bond, and obtaining a Certificate from the Conſul or Two known *Britiſh* Merchants as aforeſaid, at the Port where the Sugar or Coffee may have been landed, it ſhall and may be lawful for ſuch Ship or Veſſel to ſhip or load in the Port of her Delivery, or at any Port or Place on the Coaſt of *Africa* to the Northward of the Latitude of Thirty Degrees North, any Sort of Corn or Grain, the Produce of *Europe* or *Africa*, for Exportation direct to the ſaid Colonies or Plantation, and there land the ſame, any Thing contained in an Act made in *England* in the Fifteenth Year of the Reign of His Majeſty King *Charles* the Second, intituled, *An Act for the Encouragement of Trade*, or any other Act or Acts in force in the United Kingdom, or in *Great Britain* or *Ireland* reſpectively, to the contrary thereof notwithſtanding.

Veſſels ſo conforming to Licence may ſhip Grain at the Port of Delivery for the Britiſh Colonies direct.

VII. And be it further enacted, That all Penalties and Forfeitures incurred by this Act (except where it is hereby otherwiſe provided) ſhall and may be proſecuted 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, His Heirs and Succeſſors, and the other Moiety to him or them who will ſue for, proſecute, and recover the ſame, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed, nor any more than One Imparlance.

Where Penalties may be recovered and how applied.

VIII. And be it further enacted, That if any Perſon or Perſons ſhall be ſued or proſecuted for any Thing done or to be done in purſuance of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, and if the Plaintiff or Plaintiffs, Proſecutor or Proſecutors ſhall become nonſuit or forbear the Proſecution or diſcontinue his, her, or their Action, or if a Verdict ſhall paſs againſt him, her, or them, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have the like Remedy for the ſame as in Caſes where Coſts are by Law given to Defendants.

Perſons may plead the General Iſſue.

Treble Coſts.

Penalty on granting or using false Certificates, &c. 500l.

IX. And be it further enacted, That if any Person or Persons shall grant any 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, such Person or Persons shall forfeit Five hundred Pounds, 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 and of no Effect.

Continuance of Act.

X. And be it further enacted, That this Act shall continue and be in Force until the Twenty-fifth Day of *March* One thousand eight hundred and ten.

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