ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. XLVII.

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*. [12th *May* 1809.]

WHEREAS it is expedient that the Permiſſion granted by an Act of the Forty-ſixth Year of the Reign of His preſent Majeſty, for allowing an Intercourſe between the Colonies of His Majeſty in *North America* and *Malta* and *Gibraltar*, ſhould be extended to other Parts of *Europe*; 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 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 whatever in ſuch Parts of *Europe* for Exportation direct to the ſeveral Ports hereafter mentioned; that

Fruit, Wine, &c. of the Produce of certain Parts of Europe may be ſhipped there for Exportation direct to

the feveral Ports herein-mentioned, in Britiſh Veſſels, arriving with Britiſh American Produce, or Fiſh, &c. to the Truth of which the Maſters of Veſſels ſhall make Oath, &c.

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 *Charlotte Town* in *Prince Edward Iſland*, all in *North America*, on board any *Britiſh* Ship or Veſſel owned, navigated, and regiſtered according to Law, which ſhall have arrived at ſuch Port or Place in *Europe* 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 *Great Britain* or *Ireland*: Provided always, that upon the Arrival of ſuch Ship or Veſſel in any Port of *Europe* with any ſuch Cargo as aforeſaid, 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 and they reſpectively is and are hereby authorized and required to adminiſter), that the whole Cargo of ſuch Ship or Veſſel is entirely the Growth and Produce of the ſaid *Britiſh* Colonies, 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 or one of the ſaid Colonies or Plantations, or from *Great Britain* or *Ireland*; and before the ſaid Ship or Veſſel ſhall clear out from ſuch Port or Place in *Europe* for any of the ſeveral enumerated Ports in the *Britiſh* Colonies in *North America*, the Maſter or other Perſon having the Charge of ſuch Ship or Veſſel ſhall, in like Manner, make Oath before ſuch Perſon or Perſons as aforeſaid, (which Oath ſuch Perſon or Perſons are hereby authorized to adminiſter), that the ſeveral Articles the Produce of *Europe*, ſhipped on board ſuch Ship or Veſſel, have been ſo ſhipped in return for the Cargo of Articles of Produce of the *Britiſh North American* Colonies, or of the Fiſheries carried on from thence, previouſly brought by ſuch Ship or Veſſel to ſuch Port or Place in *Europe* as aforeſaid.

Articles on Importation ſubject to Duty.

II. And be it further enacted, That upon the Importation of the ſaid Articles, the Produce of *Europe*, into the ſeveral Ports before enumerated, the ſame ſhall be ſubject and liable to the Payment of ſuch Duties as Goods of the like Denomination or Deſcription are now ſubject and liable to, upon being legally imported into the ſaid ſeveral Ports.

No Goods but ſuch as before enumerated ſhall be exported, &c. on Pain of Forfeiture, except Salt for the Britiſh Fiſheries of Nova Scotia, &c. and Wines of the Growth of the Madeiras, &c.

III. And be it further enacted, That if any Goods, Wares, or Merchandize of the Growth, Production, or Manufacture of *Europe*, except ſuch as are herein-before enumerated, ſhall be laden and ſhipped on board any ſuch Ship or Veſſel as aforeſaid, in order to be exported to any of the ſaid ſeveral other Ports before enumerated, or to any other Port or Place whatever to His Majeſty belonging, or which ſhall hereafter belong to or be in the Poſſeſſion of His Majeſty, His Heirs and Succeſſors, in *Aſia*, *Africa*, or *America*, all ſuch Goods, Wares, and Merchandize, together with the Ship or Veſſel in or on board which the ſame ſhall be laden or ſhipped, and all her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited: Provided always, that nothing herein contained ſhall ſubject to Forfeiture any Salt, the Produce of *Europe*, intended for the Uſe of the *Britiſh* Fiſheries of *Nova Scotia*, *Newfoundland*, or *Quebec*, ſhipped in any Part of *Europe* whatever, or any Goods fit and neceſſary for the Fiſhery in any of the *Britiſh* Colonies

or Plantations in *America*, being the Growth, Produce, or Manufacture of *Great Britain* or *Ireland*, or of the Iſlands of *Guernſey* and *Jerſey*, ſhipped and laden in the ſaid Iſlands reſpectively, by any of the Inhabitants thereof, or any Wines of the Growth of the *Madeiras* or the *Weſtern* Iſlands of *Azores*, ſhipped and laden at thoſe Places reſpectively, the ſaid Goods, Wares, and Merchandize reſpectively being ſhipped and laden according to the Laws in force on and immediately before the paſſing of this Act.

Seizures to be made by any Officer of the Cuſtoms, &c.

IV. 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 and immediately before the paſſing of this Act, may be proſecuted, ſued for, recovered, and divided in any *Britiſh* Colony or Plantation in *America*.

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