

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. CX.

An Act to allow, until the First Day of *Auguſt* One thouſand eight hundred and eleven, the bringing of Coals, Culm, and Cinders, to *London* and *Weſtminſter*, by Inland Navigation. [20th *June* 1810.]

WHEREAS by an Act paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for making a Navigable Canal from the River* Kennett *at or near the Town of* Newbury, *in the County of* Berks, *to the River* Avon *at or near the City of* Bath, *and alſo certain Navigable Cuts therein deſcribed*, Coals may be brought into the Port of *London* down the *Thames*: And whereas it is expedient in order to encourage and protect the Coaſting Trade of this Realm and the Dues of the City of *London*, and His Majeſty's Revenue, ariſing from the Importation of Coals into the ſaid Port, that Coals imported by Inland Navigation ſhould be ſubject to the ſame Duties as are by Law payable upon the ſame when imported Coaſtwiſe: 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 First Day of *Auguſt* One thouſand eight hundred and ten, it ſhall not be lawful for any Officer of the Cuſtoms to permit any Coals, Culm, or Cinders to paſs down the River *Thames* below the City's Stone placed on the Weſt Side of *Staines Bridge*, in the County of *Middleſex*, by order of the Lord Mayor of

34 G. 3. c. 90.

Coals not to be brought below the City Stone in Barges in which other

Good are brought, or without Certificate of the Quantity.

of *London*, towards the ſupplying of *London* or *Weſtminſter*, or the Places adjacent, in any Boat, Barge, or Veſſel in which any other Goods, Wares, or Merchandize ſhall be laden, nor until the Maſter or Perſon having Charge of the Boat, Barge, or Veſſel in which ſuch Coals, Culm, or Cinders ſhall be laden, ſhall produce and deliver to ſuch Officer as may be ſtationed at or near to the City's Stone aforeſaid, by order of the Commiſſioners of His Majeſty's Cuſtoms in *England*, (who is hereby authorized and required to receive or demand the ſame), a Certificate expreſſing the real Quantity of Coals, Culm, or Cinders in ſuch Boat, Barge, or Veſſel; which Certificate every Perſon ſelling or loading any Coals, Culm, or Cinders towards the Supply of *London* and *Weſtminſter*, or the Places adjacent, is hereby required to give to ſuch Maſter or other Perſon having the Charge of ſuch Boat, Barge, or Veſſel, who is hereby required to deliver the ſame to the ſaid Officer of the Cuſtoms, who ſhall ſign and enter and regiſter the ſame in a Book to be kept for him for that Purpoſe; and the ſaid Entry and Regiſter of the Certificate ſhall be accepted and admitted as and taken to be full and complete Evidence in all Caſes in which the original Certificate is not produced; and in caſe there ſhall be in ſuch Boat, Barge, or Veſſel any greater Quantity of Coals than ſhall be expreſſed in ſuch Certificate, or any other Goods, Wares, or Merchandize laden on board, then and in ſuch Caſe the Coals, Culm, or Cinders on board of ſuch Boat, Barge, or Veſſel ſhall be forfeited, and may and ſhall be ſeized by any Officer of the Cuſtoms, who is hereby authorized and empowered to detain ſuch Boat, Barge, or Veſſel for that Purpoſe; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Perſons giving falſe Certificates of the Quantity of Coals 50l.

II. And be it further enacted, That if any Perſon or Perſons ſending any ſuch Coals, Culm, or Cinders for Sale towards the Supply of the Cities of *London* or *Weſtminſter* and Places adjacent, ſhall knowingly give any falſe Certificate or Certificates of the Quantity or Quantities of Coals on board of any Barge or Veſſel, every ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of Fifty Pounds.

Coals landed above the Stone ſhall not be brought below.

III. And be it further enacted, That no ſuch Coals, Culm or Cinders having been brought down the *Thames* and landed above the ſaid Stone near *Staines Bridge*, ſhall upon any Pretence whatever be laden on board any Boat, Barge or Veſſel upon any Part of the River *Thames* between the ſaid Stone and *London Bridge*, and if any ſuch Coals, Culm or Cinders ſhall be ſo laden on board any ſuch Boat, Barge or Veſſel contrary to the Directions of this Act, the Perſon or Perſons by whom or on whoſe Account the ſame ſhall be ſo laden, ſhall for every ſuch Offence forfeit the Sum of Five Pounds for every Ton Weight of ſuch Coals, Culm or Cinders, and ſo in Proportion for any leſs Quantity; and ſuch Coals, Culm or Cinders ſhall be forfeited, and may and ſhall be ſeized by any Officer of the Cuſtoms, who is hereby authorized and empowered to detain ſuch Boat, Barge or Veſſel for that Purpoſe.

Duties to be paid.

IV. And be it further enacted, That there ſhall be raiſed, levied and collected, and paid on all ſuch Coals, Culm or Cinders brought down the River *Thames* in Manner aforeſaid nearer to *London* than the City's Stone deſcribed as aforeſaid, the Rate and Duty of Cuſtoms following (that is to ſay) the Sum of Ten Shillings for and upon each and every Ton of Coals, Culm and Cinders ſo brought; and there ſhall be raiſed, levied and collected

lected for every Ton of ſuch Coals, Culm or Cinders, a further Duty of One Shilling and Three-pence, which laſt-mentioned Duty ſhall at the End of every Quarter be paid by the Officer of the Cuſtoms who ſhall be ſo ſtationed at or near the ſaid City Stone as aforeſaid, to any Perſon or Perſons to be appointed by the Lord Mayor, Aldermen and Commons of the City of *London* to receive the ſame; or if no ſuch Perſon ſhall be appointed into the Chamber of the City of *London*, as and for and in lieu of the Duty called Orphans Duty, and all other Rates, Dues and Duties which are payable to the Corporation of *London* upon Coals, Culm or Cinders imported into the Port of *London*; and all ſuch ſeveral and reſpective Duties ſhall be demandable and demanded and ſhall be payable and paid to the proper Officer to be appointed by the Commiſſioners of the Cuſtoms in *England* to receive the ſame and ſtationed as aforeſaid, according to the full Quantity and Weight of Coals; ſuch Weight and Quantity as aforeſaid to be aſcertained in ſuch Manner as the ſaid Commiſſioners of Cuſtoms ſhall direct, in caſe it ſhall appear neceſſary to the ſaid Commiſſioners to direct the aſcertaining the ſame in any other or different Manner than is now uſed or authorized or required by any Act or Acts in relation to any Coals carried Coaſtwiſe or brought into the Port of *London*.

Coals having paid the Duty may be landed.

V. And be it further enacted, That any Coals, Culm or Cinders on which the Duty impoſed by this Act has been fully paid, may be brought into and landed in any Part of *London* and *Weſtminſter* or the Places adjacent, or in any Place on the River *Thames* nearer to *London* than the City's Stone aforeſaid; provided that ſuch Coals, Culm or Cinders ſo removed or brought ſhall be accompanied with a Certificate of the Payment of the Duty, which Certificate ſhall be granted by ſuch Officer of the Cuſtoms as the Commiſſioners of the Cuſtoms ſhall direct, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Duties to be under the Management of the Commiſſioners of Cuſtoms.

VI. And be it further enacted, That the ſeveral Rates and Duties by this Act granted ſhall be under the Management of the Commiſſioners of the Cuſtoms in *England* for the Time being, and it ſhall be lawful for the ſaid Commiſſioners and they are hereby authorized to appoint proper Officers to aſcertain, raiſe, levy, collect and account for the ſaid Duties; and it ſhall alſo be lawful for the ſaid Commiſſioners of Cuſtoms to cauſe any Building or Buildings to be erected which may be neceſſary for the Accommodation of the ſaid Officers, and for the weighing or otherwiſe aſcertaining the Quantities and Weights of any ſuch Coals, Culm or Cinders, and for the ſafe Keeping and Cuſtody of any Coals that may be ſeized under or by any Officer of Cuſtoms, as to them or any Four or more of them may ſeem neceſſary for the carrying this Act into Execution, and aſcertaining and levying and collecting the ſaid Duties.

Duties to be collected as former Duties.

VII. And be it further enacted, That the Duties of Cuſtoms granted by this Act may and ſhall reſpectively be aſcertained, managed, raiſed, levied, collected, anſwered, paid, recovered and allowed, (except where any Alteration is expreſsly made by this Act) in ſuch and the like Manner and by the ſame Means, Ways or Methods as former Duties of Cuſtoms, and alſo by any ſuch ſpecial Means, Ways or Methods reſpectively, as former Duties of Cuſtoms on Coals, Culm or Cinders burnt from Coals or Culm were or might be aſcertained, managed, raiſed, levied, collected, anſwered, paid, recovered and allowed; and all Coals, Culm or Cinders burnt from Coals

or Culm made ſubject to Payment of Duties under this Act, and all Coals, Culm or Cinders burnt from Coals or Culm which may be brought down or upon the ſaid River *Thames* nearer to *London* than the Place by this Act ſpecified, or contrary to the Proviſions of this Act or of any other Act or Acts of Parliament, ſhall be and the ſame are reſpectively hereby made ſubject and liable to all and every the ſpecial Conditions, Rules, Regulations, Reſtrictions, Seizures, Sales and Forfeitures reſpectively, to which Coals, Culm or Cinders burnt from Coals or Culm were ſubject and liable by any Act or Acts of Parliament in force on and immediately before the ſaid Firſt Day of *Auguſt* One thouſand eight hundred and ten reſpecting the Revenue of Cuſtoms, as far as the ſame are or can be made applicable, and except where any Alteration is expreſsly made by this Act; and all Pains, Penalties, Fines and Forfeitures of whatever Nature or Kind the ſame may be, as well Pains of Death as others, for any Offence whatever committed againſt or in Breach of any Act or Acts of Parliament in force on and immediately before the ſaid Firſt Day of *Auguſt* One thouſand eight hundred and ten made for ſecuring the Revenue of Cuſtoms or for the Regulation or Improvement thereof; and the ſeveral Clauſes, Powers, Proviſions and Directions contained in any ſuch Act or Acts, ſhall (unleſs where expreſsly altered by this Act) and are hereby directed and declared to extend to and ſhall be reſpectively applied, practiſed, and put in Execution for and in reſpect of the ſeveral Duties of Cuſtoms hereby charged and allowed, in as full and ample a Manner to all Intents and Purpoſes whatſoever as if all and every the ſaid Acts, Clauſes, Proviſions, Powers, Directions, Fines, Pains, Penalties, or Forfeitures were particularly repeated and re-enacted in the Body of this Act, and made Part thereof.

Acts in force for aſcertaining the Weight or Quantity of Coals, or for ſecuring the Revenue, to extend to this Act.

VIII. And be it further enacted, That every Act of Parliament in force on and immediately before the ſaid Firſt Day of *Auguſt* One thouſand eight hundred and ten, by which any Rules, Regulations, Conditions, or Reſtrictions, were made, eſtabliſhed, or directed, for the aſcertaining the Weight or Quantity, or the Amount of any Duties on any Weight or Quantity of Coals, Culm, or Cinders, burnt from Coals or Culm, or for the better ſecuring the Revenue of Cuſtoms, (except where any Alteration is expreſsly made by this Act); and all Proviſions, Clauſes, Matters, and Things relating thereto, ſhall and are hereby declared to be and remain in full Force and Effect, and ſhall be applied to the Subject of this Act, and for carrying the ſame into Execution, as fully and effectually as if they had been repeated and re-enacted in this Act.

Coals paying the Coaſt Duty exempted from the Duty under this Act.

IX. And whereas it is expedient that Coals which ſhall have once paid the Coaſt Duty ſhould be exempted from the Duty of Cuſtoms impoſed by this Act: Be it therefore enacted, That the Officer or Officers of the Cuſtoms who ſhall have received ſuch Coaſt Duty, ſhall give a Certificate, without Fee or Reward, to the Perſon who ſhall pay the ſame, and on ſuch Certificate being produced to the Officer of the Cuſtoms authorized to receive the Duty of Cuſtoms impoſed by this Act, and on full and ſatisfactory Evidence that the Coals brought down the ſaid River *Thames* to the ſaid City Stone, are the ſame Coals or Parcel of the ſame Coals mentioned in the ſaid Certificate, he the ſaid laſt-mentioned Officer of the Cuſtoms ſhall not demand or receive the Duty of Cuſtoms impoſed by this Act.

X. And

X. And be it further enacted, That it shall be lawful for the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, and they are hereby empowered from Time to Time as Occasion shall require, to appoint any Officer or Officers, or other Person or Persons who shall have full Power, and they and each of them are hereby authorized (either in Company with the Officers of His Majesty's Customs or without) to enter into any Boat, Barge, or other Vessel laden with Coals, Culm, or Cinders, passing on or about to pass nearer to *London* than the Boundary Stone aforesaid; and that every Officer or Officers, or other Person or Persons to be appointed by the said Mayor, Aldermen, and Commons as aforesaid, shall and lawfully may have and exercise all and every or any the Powers and several Ways and Means of ascertaining the Weights and Quantities of all such Coals, Culm, and Cinders, as any Officer or Officers of His Majesty's Customs have or lawfully may exercise or perform under or by virtue of this Act, as to any Coals, Culm, or Cinders passing or about to pass nearer to *London* than the Boundary Stone aforesaid. Corporation of London to appoint Officers.

XI. And be it further enacted, That if any Person or Persons whatsoever shall assault, oppose, molest, hinder, or obstruct any such Officer or Officers, or other Person or Persons to be appointed by the said Mayor, Aldermen, and Commons as aforesaid, in the due Execution of any of the Powers or Authorities given or granted to such Officer or Officers, or other Person or Persons as aforesaid by this Act, every Person or Persons so offending shall be deemed guilty of a Misdemeanor, and shall be subject and liable to the like Pains, Punishments, and Penalties, as by Law may be inflicted in Cases of Misdemeanor by the Court before whom such Offender or Offenders shall be convicted. Penalty on Persons obstructing Officers.

XII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed and not afterwards, and shall be laid in the County or Place where the Cause of Complaint did arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in any such Action or Suit, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant hath in other Cases to recover Costs by Law. Limitation of Actions.

XIII. And be it further enacted, That the Duties of Customs by this Act imposed on Coals, Culm and Cinders, shall be appropriated and applied in such and the like Manner as the Duties on such Articles, when brought Coastwise into the Port of *London* and chargeable according to the Weight thereof, are appropriated and applied by virtue of an Act passed in the Forty-ninth Year of His present Majesty's Reign, intituled, *An Act for repealing the several Duties of Customs chargeable in* Great Britain, *and for granting other Duties in lieu thereof.* Appropriation of Duties. 49 G. 3. c. 98.

Not to affect the Provisions of the Act 45 G. 3. c. 128.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or repeal any of the Provisions contained in an Act passed in the Forty-fifth Year of His present Majesty's Reign, intituled, *An Act for allowing under certain Restrictions, until the First Day of* August *One thousand eight hundred and six, the bringing a limited Quantity of Coals, Culm, or Cinders to* London *and* Westminster *by Inland Navigation*; and which was by several Acts continued until the First Day of *August* One thousand eight hundred and eleven.

Continuance of Act.

XV. And be it further enacted, That this Act shall continue in force until the First Day of *August* One thousand eight hundred and eleven, and no longer.

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