

ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XLVII.

An Act for carrying into Effect the Provisions of a Treaty of Amity, Commerce, and Navigation, concluded between His Majesty and His Royal Highness the Prince Regent of *Portugal*.

[31st *May* 1811.]

WHEREAS according to an Act passed in the Twelfth Year of the Reign of His Majesty King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, and other Statutes, no Goods or Commodities whatever, of the Growth, Production, or Manufacture of *America*, can be imported into this Kingdom or the Islands of *Guernsey* and *Jersey*, in any other than *British*-built Ships, owned by His Majesty's Subjects, navigated with a Master and Three Fourths of the Mariners *British* Subjects, and registered according to Law, on Forfeiture of all such Goods or Commodities, and of the Ship or Vessel in which they are imported: And whereas the following Goods and Commodities; that is to say, Masts, Timber, Boards, Salt, Pitch, Tar, Rosin, Hemp, Flax, Raisins, Figs, Prunes, Olive Oil, Corn or Grain, Sugar, Pot Ashes, Wine, Vinegar, Aquavitæ, or Brandy, being the Growth, Production, or Manufacture of *Europe*, are, by the said recited Act of the Twelfth Year of the Reign of His said late Majesty King *Charles* the Second, and by subsequent Acts, required to be imported into *Great Britain* in Ships or Vessels, which, before the First Day of *May* One thousand seven hundred and eighty-six, did truly and without Fraud wholly belong to His Majesty's Dominions, or which are the Built of His Majesty's Dominions, and registered respectively according 12 C. 2. c. 18.

cording to Law; or in Ships or Veſſels the Built of any Countries or Places in *Europe*, belonging to or under the Dominion of the Sovereign or State in *Europe* of which the ſaid Goods or Commodities ſo enumerated or deſcribed as aforeſaid, are the Growth, Production, or Manufacture reſpectively, or of ſuch Ports where the ſaid Goods can only be or are moſt uſually firſt ſhipped for Tranſportation, ſuch Ships or Veſſels being navigated with a Maſter and Three Fourths of the Mariners at the leaſt belonging to ſuch Countries or Places or Ports reſpectively, and in none other Ships or Veſſels whatever, under the like Penalty of the Forfeiture of any ſuch Goods or Commodities as ſhall be imported contrary thereto, together with the Ship or Veſſel in which the ſaid Goods are imported: And whereas it is expedient, in order to carry into Effect the Proviſions of a Treaty of Amity, Commerce, and Navigation, concluded between His Majeſty and His Royal Highneſs the Prince Regent of *Portugal*, ſigned at *Rio de Janiero* the Nineteenth Day *February* of One thouſand eight hundred and ten, that ſo much of the ſaid recited Act paſſed in the Twelfth Year of the Reign of His ſaid late Majeſty King *Charles* the Second, and any other Act or Acts of Parliament as may prohibit Goods, Wares, and Merchandize of the Growth, Produce, or Manufacture of any of the Territories or Dominions belonging to the Crown of *Portugal*, which are not prohibited by Law to be imported from other Foreign Countries, from being imported from the ſaid Dominions or Territories in Ships or Veſſels the Built of the ſaid Territories or Dominions, or captured by any Ship or Veſſel of War of the *Portugueſe* Government, or by any Ship or Veſſel having Letters of Marque and Repriſal from the ſaid Government, and condemned as lawful Prize in any Court of Admiralty of the ſaid Government, ſuch Ship or Veſſel being owned by Subjects of the ſaid Government, and navigated with a Maſter and Three Fourths of the Mariners at the leaſt, belonging to the Territories or Dominions of the ſaid Government, on Forfeiture of ſuch Goods, and of the Ships and Veſſels in which the ſame may be imported, ſhould be repealed; and that ſuch Goods, Wares, and Merchandizes, and the Veſſels ſo importing the ſame, ſh uld not be ſubject to Forfeiture on account of ſuch Importation: 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, ſo much of the ſaid recited Act paſſed in the Twelfth Year of the Reign of His late Majeſty King *Charles* the Second, and any other Act or Acts of Parliament in force on and immediately before the paſſing of this Act, as may prohibit any Goods, Wares, or Merchandize of the Growth, Produce, or Manufacture of any of the Territories or Dominions of the Crown of *Portugal*, which are not prohibited by Law to be imported from other Foreign Countries to be imported into this Kingdom, or the Iſlands of *Guernſey* or *Jerſey*, in Ships or Veſſels the Built of the ſaid Territories or Dominions of the Crown of *Portugal*, or taken by any Ship or Veſſel of War belonging to the *Portugueſe* Government, or by any Ship or Veſſel belonging to any of the Inhabitants of any of the Territorie or Dominions aforeſaid, and regiſtered according to Law, having Commiſſions or Letters of Marque and Reprizal from the *Portugueſe* Government, and condemned as lawful Prize in any Court of Admiralty of the ſaid Government, ſuch Ship or Veſſel ſo importing being owned by Subjects of the ſaid Government, and navigated with a Maſter and Three Fourths of the Mariners at the leaſt,

So much of recited Act or any other Act as may prohibit Goods of the Production of the Dominions of Portugal, &c. to be imported into this Kingdom &c. repealed.

least, Subjects of the said Government, on Forfeiture of the said Goods, Wares, and Merchandize, and also of the Ship or Vessel in which the same may be imported; shall be and the same are hereby repealed.

Goods of the Production of the Dominions of Portugal, may be imported in Portuguese Vessels, &c.

II. And be it further enacted, That from and after the passing of this Act, any Goods, Wares, and Merchandize, being of the Growth, Produce, or Manufacture of any of the Territories or Dominions of the Crown of *Portugal*, which are not prohibited by Law to be imported into this Kingdom, or the Islands of *Jersey* and *Guernsey*, from other Foreign Countries, shall and may be imported into this Kingdom, and the Islands of *Guernsey* and *Jersey* direct from any such Territories or Dominions, in any Ship or Vessel built in any of the said Territories or Dominions of the Crown of *Portugal*, or taken by any Ship or Vessel of War belonging to the *Portuguese* Government, or by any Ship or Vessel belonging to any of the Subjects of the Territories or Dominions aforesaid, or having Commissions or Letters of Marque and Reprisal from the said Government, and condemned as lawful Prize in any Court of Admiralty of the said Government, and owned by the Subjects of such Government, or any of them, and whereof the Master and Three Fourths of the Mariners at least are Subjects of such Government, and such Goods, Wares, and Merchandize shall and may be entered and landed upon Payment of the Duties, and subject to the Conditions and Regulations herein-after mentioned; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

Such Goods may be landed on Payment of the Duties payable on Goods imported in British Vessels, &c.

III. And be it further enacted, That all such Goods, Wares, and Merchandizes so imported directly into this Kingdom from any of the said Territories or Dominions of the Crown of *Portugal* in such *Portuguese* Ships or Vessels, so owned and navigated as are herein-before particularly mentioned and described, shall and may be entered and landed on Payment of such Duties of Customs and Excise, and no higher, as are payable on Goods, Wares, and Merchandize of the like Denomination or Description upon their Importation into this Kingdom from any other Foreign Country in *British* built Ships or Vessels, owned, navigated, and registered according to Law; and in Cases where different Duties are imposed upon any Goods, Wares, or Merchandize of the like Denomination or Description so imported from different foreign Countries, then upon Payment of the lowest Duties which by Law are required to be paid on the Importation in *British*-built Ships or Vessels of any such Goods, Wares, or Merchandize from any Foreign Country.

Elephants Teeth and Ivory may be imported,

IV. And whereas it is expedient to permit the Importation of Elephants Teeth and Ivory into this Kingdom from any of the Dominions of the Crown of *Portugal*; be it therefore enacted, That it shall and may be lawful for any Person or Persons to import into this Kingdom Elephants Teeth and Ivory from any of the said Dominions, either in *British*-built Ships or Vessels, owned, navigated, and registered according to Law, or in such *Portuguese* Ships or Vessels as are in this Act before-mentioned and described, and owned and navigated in the Manner herein-before also mentioned and described, notwithstanding such Elephants Teeth or Ivory may not be of the Produce of any of the Dominions of the Crown of *Portugal*; and such Elephants Teeth or Ivory so imported may be entered and landed on Payment of such Duties only as are due and payable

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on such Articles when imported in a *British*-built Ship or Vessel, owned, navigated, and registered according to Law; any Thing contained in an Act passed in the Twelfth Year of King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, or in any other Act or Acts of Parliament to the contrary notwithstanding.

So much of 31 G. 3. c 38. as prohibits the Importation of Tobacco, &c. of the Production of the Dominions of Portugal into the West Indies in British Vessels, repealed.

V. And be it further enacted, That so much of an Act passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act to amend An Act made in the Twenty-eighth Year of His present Majesty's Reign for regulating the Trade between the Subjects of His Majesty's Colonies and Plantations in* North America, *and in the* West India *Islands, and the Countries belonging to the United States of* America, *and between His Majesty's said Subjects and the Foreign Islands in the* West Indies; *and also an Act made in the Twenty-seventh Year of His present Majesty's Reign, for allowing the Importation and Exportation of certain Goods, Wares, and Merchandize in the Ports of* Kingston, Savannah la Mar, Montego Bay, *and* Santa Lucea *in the Island of* Jamaica, *in the Port of* Saint George *in the Island of* Grenada, *in the Port of* Rosea *in the Island of* Dominica, *and in the Port of* Nassau *in the Island of* New Providence, *One of the* Bahama *Islands, under certain Regulations and Restrictions*, as prohibits the Importation of Tobacco, Pitch, Tar, Turpentine, Hemp, Flax, Masts, Yards, Bowsprits, Staves, Heading Boards, Timber, Shingles, and Lumber of any Sort, Bread, Biscuit, Flour, Pease, Beans, Potatoes, Wheat, Rice, Oats, Barley, and Grain of any Sort, being of the Growth or Production of any of the Territories or Dominions belonging to the Crown of *Portugal*, from being imported directly from any such Territories or Dominions into any Island under the Dominion of His Majesty in the *West Indies* (in which Description the *Bahama* Islands and the *Bermudas* or *Somer* Islands are included) in *British*-built Ships or Vessels, shall be and the same is hereby repealed.

Such Goods being of the Growth of the Dominions of Portugal in South America, may be imported into the West Indies in British-built Vessels.

VI. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for any Person or Persons to import or bring into any of the said *West India* Islands any of the said Goods in *British* built Ships or Vessels, owned, navigated, and registered according to Law, and in no other Ships or Vessels whatever, such Goods being of the Growth or Production of some of the Territories or Dominions belonging to the Crown of *Portugal* in *South America*, and imported into the said Islands directly from the said Territories or Dominions; the said recited Act or any other Act or Acts to the contrary notwithstanding.

Sugar, Coffee, &c. or other Goods of the Dominions of Portugal, described in Table (A.) of 43 G. 3 c 132. legally imported, may be secured in Warehouses before Payment of Duty.

VII. And whereas by the Twentieth Article of the said Treaty, it is stipulated, that all Articles the Growth and Produce of *Brazil* and all other Parts of the *Portuguese* Dominions may be received and warehoused in all the Ports of His Majesty's Dominions which shall be by Law appointed to be warehousing Ports for those Articles; be it therefore enacted, That Sugar, Coffee, Cotton Wool, the Growth or Produce of any of the Territories or Dominions of the Crown of *Portugal*, or any other Goods the Growth or Produce of the said Territories or Dominions which are enumerated or described in the Table marked (A.) annexed to an Act passed in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for permitting certain Goods imported into this Kingdom to be secured in Warehouses without Payment of Duty*, and which shall be legally imported

ported according to the Provisions of this Act directly from the said Territories or Dominions, shall and may be secured in the Warehouses belonging to the *West India* Dock Company, or in the Warehouses belonging to the *London* Dock Company, in the Port of *London*, or in such Warehouses at any of the other Ports of this Kingdom, as shall have been or shall be approved for the Reception of Goods of the like Denomination or Description when legally imported from the *West Indies*, without the Duties due on the Importation thereof being first paid, Application being made for that Purpose in the usual and accustomed Manner to the Commissioners of His Majesty's Customs in *England*, *Scotland*, and *Ireland* respectively by the Owners, Proprietors, or Consignees of such Goods; and all such Goods so secured in any of the said Warehouses respectively shall have the same Benefits, and shall be subject and liable to the same Rules, Regulations, Conditions, Securities and Restrictions, Penalties and Forfeitures to which Goods of the like Denomination or Description when so imported and warehoused are now subject and liable by any Act or Acts of Parliament in force at the Time of passing this Act.

Goods so imported entitled to Drawback on Exportation.

VIII. And be it further enacted, That all Goods, Wares, or Merchandize so imported into this Kingdom from any of the Territories or Dominions of the Crown of *Portugal*, shall, upon the Exportation thereof from this Kingdom, be entitled to the same Drawbacks as are allowed by Law upon the Exportation of Goods, Wares, and Merchandize of the like Denomination or Description when exported from this Kingdom; and that there shall be allowed and paid the same Drawbacks and Bounties on Goods, Wares, and Merchandize exported from this Kingdom to the said Territories or Dominions as are allowed by Law upon the Exportation of Goods, Wares, and Merchandize of the like Denomination or Description to any of the Islands, Plantations, or Colonies belonging to the Crown of *Great Britain* in *America*.

No higher Port Charges to be paid for Portuguese Vessels than are paid for British.

IX. And be it further enacted, That no higher or greater Duties or Imposts under the Denomination of Port Charges, Tonnage and Anchorage Duties, shall be paid or demanded on Behalf of His Majesty, His Heirs or Successors, in any of the Ports of the United Kingdom, for Ships or Vessels owned by the Subjects of the Crown of *Portugal*, than are by Law due and payable for Ships and Vessels owned by His Majesty's Subjects; any Law, Custom, or Usage to the contrary thereof notwithstanding: Provided always, that nothing in this Act shall extend, or be construed to extend, to repeal or in anywise alter the Duties of Package, Scavage, Balliage, or Portage, or any other Duties payable to the Mayor and Commonalty and Citizens of the City of *London*, or to the Lord Mayor of the said City for the Time being, or to any other City or Town Corporate within this Kingdom, or to any Subject or Subjects of His Majesty, or to repeal, or in anywise alter any special Privilege or Exemption to which any Person or Persons, Bodies Politick or Corporate, is or are now entitled by Law, but the same shall be continued as heretofore.

Not to affect the Rights of the City of London, &c.

Bonds given for Payment of the Difference between the high and low Duty to be vacated.

X. And be it further enacted, That all Bonds to His Majesty from the Importer or Importers, Proprietor or Proprietors, Consignee or Consignees of any Goods, Wares, or Merchandize, the Growth, Production, or Manufacture of any of the Territories or Dominions of the Crown of *Portugal*, entered into since the Ratification of the said Treaty of Amity, Commerce,

Commerce, and Navigation, for Payment of the Difference between the High Duty on any such Goods, Wares, or Merchandize, and the Low Duty chargeable thereon, shall, from and after the passing of this Act, be vacated and discharged, and no further Duty shall be demanded or paid upon the Articles for which any such Bond may have been given to His Majesty.

48 G. 3. c. 11. 48 G. 3. c. 109. repealed.

XI. And be it further enacted, That Two Acts passed in the Forty-eighth Year of the Reign of His present Majesty, one, *An Act for permitting the Importation of Goods from the* Portuguese *Territories on the Continent of* South America *in* Portuguese *Ships*; and the other, *An Act to regulate the Trade between* Great Britain *and the* Portuguese *Territories on the Continent of* South America; shall be and the same are hereby repealed.

Continuance of Act.

XII. And be it further enacted, That this Act shall be in force during the Continuance of the said Treaty with His Royal Highness the Prince Regent of *Portugal*; and shall and may, if necessary, be altered and varied during the present Session of Parliament.

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