ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. XCVII.

An Act to regulate the Trade between Places in *Europe* South of *Cape Finiſterre*, and certain Ports in the Britiſh Colonies in *North America*.

[26th *June* 1811.]

WHEREAS it is expedient that an Act paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty, intituled, *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*in order to be exported to the principal Ports in the* Britiſh *Colonies and Plantations in* North America, ſhould be repealed, and other Proviſions ſhould be made for the Encouragement of the ſaid Trade: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by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of the ſame, That, from and after the paſſing of this Act, the ſaid recited Act ſhall be and the ſame is hereby repealed.

49 G. 3. c. 47.

Recited Act repealed.

II. And be it further enacted, 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 of *Europe* South of *Cape Finiſterre*, for Exportation, direct to any of the ſeveral Ports herein-after mentioned; 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

Certain Produce South of Cape Finiſterre may be ſhipped in Britiſh-built Ships for Exportation direct to certain Ports of the Britiſh

Colonies in North America.

and *Charlotte Town* in *Prince Edward's Iſland*, all in *North America*, on board of any *Britiſh* Ship or Veſſel owned, navigated, and regiſtered according to Law, which ſhall have arrived at any Port or Place in *Europe* South of *Cape Finiſterre*, 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 any Part of the United Kingdom, or with any of the Goods or Commodities herein-after mentioned from the Province of *Canada*, whether ſuch Goods and Merchandize ſhall be the Growth or Produce of the Province of *Canada*, or ſhall have been brought into the ſaid Province by Land or Inland Navigation.

Duties on ſuch Goods to be the ſame as on like Goods imported from Great Britain.

III. And be it further enacted, That the Articles aforeſaid, the Produce of any Part of *Europe* South of *Cape Finiſterre*, ſhall, before the Importation thereof into any of the ſeveral Ports before enumerated, be ſubject and liable to the Payment of ſuch Duties as Goods of the like Denomination or Deſcription are ſubject and liable to, upon being imported into any of the ſaid ſeveral Ports from *Great Britain*, and no other or higher Duties, any Thing in any Act or Acts of Parliament to the contrary thereof notwithſtanding.

Exporter of Cargo from Nova Scotia, &c. to any Port South of Cape Fineſterre to make Oath to certain Particulars, &c.

IV. And be it further enacted, That the Merchant or other Perſon exporting any Cargo from any Port in the Provinces of *Nova Scotia* or of *New Brunſwick*, for any Port of *Europe* South of *Cape Finiſterre*, under this Act, ſhall make Oath at the Port of Shipment in thoſe Provinces before the Chief Officer of the Cuſtoms at ſuch Port, or before the Naval Officer in Command at ſuch Port, which Oath ſuch Officer of the Cuſtoms or Naval Officer is hereby authorized to adminiſter, that the Cargo ſo ſhipped is the Growth and Produce of the ſaid Provinces, 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 of the ſaid Colonies or Plantations, and ſuch Officer of the Cuſtoms or Naval Officer at ſuch Port of Shipment ſhall certify ſuch Oath under his Hand, which Certificate ſhall be produced by the Maſter or other Perſon having the Charge or Command of the Ship or Veſſel on board of which any ſuch Cargo is ſhipped, on his Arrival at the Port in *Europe* within the Limits aforeſaid to which ſuch Cargo ſhall be conſigned, or to which ſuch Ship or Veſſel ſhall go for the Delivery of the Cargo; and 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 or they are hereby authorized and required to adminiſter), that the Certificate ſo produced was the Certificate of the Officer of the Cuſtoms or Naval Officer whoſe Name it bears, and was duly ſigned by him.

Wheat, &c. may be exported in Britiſh-built Ships from Canada into any Port of Europe within the Limits aforeſaid, &c.

V. And be it further enacted, That it ſhall be lawful to export from *Canada*, in a *Britiſh*-built Ship, owned, navigated, and regiſtered according to Law into any Port of *Europe* within the Limits aforeſaid, the ſeveral Articles herein-after mentioned, without any Oath being required of their being the Growth or Produce of the ſaid Province, or any Certificate being required of the Country from whence they came; that is to ſay, Wheat, Flour, Peaſe, Beans, Oats, Barley, *Indian* Corn, Rye, White Oak Staves and Heading dreſſed or undreſſed, Hoops, Pine Plank and Boards; and

the Maſter or other Perſon having Charge of any ſuch *Britiſh*-built Ship or Veſſel laden with any of the ſaid Articles, and exporting the ſame from *Canada* to any Port of *Europe* within the Limits aforeſaid, ſhall only be required to produce a Certificate from the Chief Officer of the Cuſtoms, or the Naval Officer in Command at *Quebec*, that the ſaid Articles were either the Growth of, or brought into *Canada* conformably to the Regulations eſtabliſhed by Law in the ſaid Province (if any) by Land or Inland Navigation, from Countries bordering thereon; and which Certificate ſuch Officer of the Cuſtoms or Naval Officer is hereby authorized and required to grant upon ſatisfactory Proof being made upon Oath or otherwiſe (which Oath he is authorized to adminiſter), and the Authenticity of ſuch Certificate ſhall be ſworn to in Manner aforeſaid, by the Maſter or other Perſon having the Charge of ſuch Ship or Veſſel at the Port of Delivery in *Europe*, within the aforeſaid Limits.

Certificate of the Officer of the Cuſtoms that the Articles are the Growth of Canada, &c. to be produced by the Maſter.

VI. And be it further enacted, That before the Shipment on board any ſuch *Britiſh*-built Ship or Veſſel, of any Pickled Fiſh, or Dry Fiſh, for the Purpoſe of Exportation from *Canada*, to any Port of *Europe* within the Limits aforeſaid, the Perſon in whoſe Poſſeſſion the ſame has continued from the Time of its being landed from the Fiſhing Veſſel employed in the taking it, until the ſame ſhall be ſhipped for Exportation, ſhall make Oath before the Chief Officer of the Cuſtoms, or the Naval Officer in Command at *Quebec*, (who ſhall be authorized to adminiſter ſuch Oath), that the ſame was the Produce of the *Britiſh American* Fiſheries, really and *bona fide* taken and cured by His Majeſty's Subjects carrying on the ſaid Fiſheries from ſome of the ſaid Colonies or Plantations, and on ſuch Oath being taken at *Quebec*, the ſaid Officer of the Cuſtoms or Naval Officer ſhall grant Certificate thereof ſigned with his Hand, which Certificate only the Maſter or other Perſon having Charge of ſuch Ship or Veſſel ſhall be required to produce at the Port of Delivery in *Europe* within the Limits aforeſaid, and ſhall make Oath of the Authenticity of ſuch Certificate in Manner aforeſaid.

Before Shipment of Fiſh for Exportation from Canada, Oath ſhall be made that they are the Produce of the Britiſh American Fiſheries.

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

Forfeitures how to be recovered and applied.

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