

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CXLIX.

An Act to regulate the Separation of damaged from ſound Coffee, and to permit Dealers to ſend out any Quantity of Coffee not exceeding Eight Pounds Weight without Permit, until the End of Two Years from the paſſing of this Act.

[28th *July* 1812.]

WHEREAS by the Laws in force the repacking of Coffee in the Warehouſes, and the Separation of the damaged Part from the ſound, is only permitted when the Article is intended for Exportation, and it has been found that very great Quantities of unſound and unwholeſome Coffee have been brought into Home Uſe, to the great Injury of the Intereſts of the Grower and the Health and Comfort of the Conſumer; for Remedy whereof, 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, upon the Importation of Coffee the Growth of any *Britiſh* Colony, Plantation, or Settlement in *Aſia*, *Africa*, or *America*, or upon the Importation of Coffee condemned as Prize, it ſhall and may be lawful within Fourteen Days after the ſame ſhall have been depoſited in any Warehouſes (wherein the ſame may be ſecured according to the Laws in force), or if the Duty is paid down upon the Firſt Entry thereof, then before the Delivery of ſuch Coffee, for every Importer thereof, under the Superintendence of the proper Officer or Officers of the Cuſtoms and Exciſe, to ſeparate the damaged Coffee from the undamaged Parts thereof, in order that the undamaged and merchantable Parts may be repacked

Importers may, under the Superintendance of a proper Officer, ſeparate damaged Coffee from ſound.

repacked into Casks or Bags, and that the damaged Parts may be packed in Casks; and in every such Case the said Importer, under the Superintendence of such Officer or Officers, shall mark or cause to be marked on every Bag or Cask containing the Coffee so separated as undamaged the Word "Sound" in black Paint in the front of each Bag or on the Head of each Cask, in Letters at least Two Inches long, and upon the Casks containing the Coffee set apart as damaged the Words "For Exportation;" and the said Officer or Officers of the Customs or Excise is and are hereby empowered and directed to call in to his or their Assistance in such Selection, the proper Officer or Officers who is or are accustomed to tare and sample Coffee in the public Warehouses and Docks on Behalf of such Importer.

Bags or Casks when Coffee repacked to be marked.

Notice to be given by the Officer of the Time intended for the Separation of sound from damaged Coffee.

II. And be it enacted, That in all public Docks and Warehouses in the United Kingdom in which Coffee is at present received and stored, or shall or may at any Time hereafter be received and stored, the damaged Coffee shall be carefully selected and separated from the sound Coffee, and the proper Officer or Officers in the said Docks and Warehouses are hereby required and directed to make such Selection and Separation accordingly: Provided always, that before any Officer or Officers of His Majesty's Customs or Excise shall proceed to separate the damaged and unmerchantable Coffee, such Officer or Officers is and are hereby required upon Application in Writing of the Person or Persons in whose Name the said Coffee shall have been warehoused, to give Notice to him or them of the precise Period when it is the Intention of the said Officer or Officers to proceed to separate the same, in order that he or they may attend or appoint some Person to attend such Separation in his or their Behalf; and

On Complaint of Importer, Commissioners of Customs may order the Coffee separated to be re-surveyed.

if on such Separation it should appear to the said Party, or his or their Agent so to be appointed and being present upon the Occasion, that from Negligence or Ignorance of the Quality of the Coffee on the Part of the Officer or Officers, or from any other Cause, a greater or smaller Proportion thereof is selected as damaged and unfit for Use in this Country, than in the Judgment of such Importer, or his, her, or their Agent, should have been so selected, that then and in every such Case it shall and may be lawful for the Commissioners of the Customs in *England* and *Scotland* respectively, or any Three or more of them, upon the Affidavit of such Importer, or his or their Agent, and upon Application for that Purpose, to order and direct that the said Coffee shall be re-surveyed by Two indifferent and disinterested Merchants or Brokers experienced in the Nature and Value of the Article, who upon viewing the same shall certify and declare upon their corporal Oaths before the principal Officers of the Customs (who are hereby authorized to administer the same), their Opinion and Determination as to the Nature and Extent of the Damage sustained, which Opinion and Determination shall be binding and conclusive on all Parties: Provided always, that in every such Case the reasonable Expence of the Persons so to be employed shall be borne by the Importer of the said Coffee: Provided also, that such damaged Coffee shall not be delivered out of the Warehouse until the same shall have been repacked for Exportation in Casks containing each not less than Four Hundred Pounds net Weight Avoirdupois, except by the special Permission of the Commissioners of His Majesty's Customs and Excise in *England* and *Scotland* respectively, which they, or any Three of them, are hereby authorized to grant, on Proof to their Satisfaction of the Expediency of

Damaged Coffee not to be delivered till repacked for Exportation in Casks of not less than 400 lbs., &c.

permitting the ſame to be exported in ſmaller Packages, and on Security to the Satisfaction of the ſaid Commiſſioners of the Cuſtoms being firſt given by the Exporter at the Rate of Ten Pounds per Hundred Weight that the ſame ſhall be duly exported.

III. And be it further enacted, That in Caſes where the damaged Parts of any particular or diſtinct Parcel of Coffee ſhall in the Whole be leſs in Quantity than Four hundred Pounds net, it ſhall and may be lawful for the proper Officer of the Cuſtoms and Exciſe, at the Requeſt of the Importer or Proprietor, upon due Notice being given to the proper Officers of Cuſtoms and Exciſe, to mix the ſame with any other damaged Coffee belonging to him or them which may have been ſet apart for the Purpoſe of Exportation in Caſks containing not leſs than Four hundred Pounds as before mentioned, and in like Manner it ſhall be lawful for the ſaid Officer or Officers, at the joint Requeſt of any Two or more Importers or Proprietors, to mix any Parcels of ſuch Coffee to them reſpectively belonging, for the Purpoſe of making the Packages of the Weight required by this Act previous to Exportation, ſuch Requeſt being made in Writing by the ſaid reſpective Importers or Proprietors to the proper Officer or Officers of the Cuſtoms and Exciſe reſpectively as aforeſaid. Damaged Coffee may be mixed with other Parcels of damaged Coffee to make up the Quantity of 400 lbs.

IV. And whereas it is expedient that as far as practicable the Identity of the Packages in which the Coffee is imported ſhall be preſerved, be it therefore enacted, That upon the Separation of any Coffee imported either in Caſks or Bags, the undamaged Parts ſhall in the Firſt Place be put into the Packages in which the ſame were imported, beginning with the loweſt Number and following in regular numerical Order; and that it ſhall and may be lawful for the Importer or Importers, or Proprietor or Proprietors, to enter and pay the Duties for and in reſpect of ſuch undamaged Coffee for Home Conſumption, and to remove the ſame from and out of the Warehouſe notwithſtanding the Quantity of ſuch undamaged Coffee may be leſs in Quantity than One hundred Pounds Weight, any Thing contained in any former Act to the contrary notwithſtanding. How the Coffee ſhall be re-packed.

V. And be it further enacted, That where ſuch Separation of the undamaged from the damaged Coffee ſhall have been made as aforeſaid, a correct Account ſhall be taken by the proper Officer or Officers of the undamaged Coffee remaining in the original Packages, and of the Quantities of damaged Coffee packed into Caſks as aforeſaid; and upon Application in Writing to the ſaid Officer or Officers, a Copy of ſuch Account ſhall be delivered forthwith by him or them to the Importer or Proprietor thereof with the Mark, Number, and Weight of each Package, diſtinguiſhing ſuch Parts as are undamaged from thoſe which have been ſet apart for Exportation. An Account to be taken.

VI. And whereas by an Act made in the Tenth Year of the Reign of His late Majeſty King *George* the Firſt, among other Things *for repealing certain Duties therein mentioned payable upon Coffee, Tea, Cocoa Nuts, Chocolate, and Cocoa Paſte imported, and for granting certain Inland Duties in lieu thereof, and for better aſcertaining the Duties payable upon Coffee, Tea, and Cocoa Nuts imported*, it was among other Things enacted, that no Coffee exceeding the Quantity of Six Pounds Weight ſhould be removed or carried from any Part of this Kingdom by Land or by Water without a Permit 10 G. 1. c. 19.

a Permit or Certificate as is therein mentioned, upon Pain of forfeiting the Coffee which ſhould be found carrying from one Place to another without ſuch Permit or Certificate, together with the Caniſters, Bags, Jars, Tubs, Boxes, Caſks, and other Veſſels or Package whatſoever containing the ſame: And whereas it is expedient to exempt from the ſaid Forfeiture all ſuch Coffee not exceeding the Weight of Eight Pounds, and the Caniſters, Bags, Jars, Tubs, Boxes, Caſks, and other Veſſels or Packages whatſoever containing the ſame; be it therefore enacted, That from and after the paſſing of this Act, no Coffee of the Quantity of Eight Pounds Weight or under, nor any Caniſters, Bags, Jars, Tubs, Boxes, Caſks, or other Veſſels or Packages whatſoever containing the ſame, ſhall be ſubject or liable to Forfeiture for being found carrying or carried from one Place to another without ſuch Permit or Certificate; any Thing in the ſaid Act or in any other Act or Acts of Parliament to the contrary in anywiſe notwithſtanding.

Coffee of the Quantity of 8 lb. or under removing without Permit not liable to Forfeiture.

VII. And be it further enacted, That the ſeveral Rules, Regulations, Reſtrictions, Proviſions, Powers, Clauſes, Matters, and Things enacted by the Laws of Cuſtoms and Exciſe in force on and immediately before the paſſing of this Act, in relation to Coffee imported and warehouſed, not being expreſsly repealed, revoked, altered, or controuled by this preſent Act, or repugnant to the Proviſions herein contained, ſhall remain and continue in as full Force and Effect as if this Act had not been made.

Regulations reſpecting Coffee not hereby altered to continue in force.

VIII. And whereas it is expedient that the Importers and Proprietors of Coffee now lodged in the different Docks and Warehouſes of this Kingdom, or which may be imported previouſly to the paſſing of this Act, ſhould be permitted to avail themſelves of the ſeveral Clauſes, Proviſions, and Regulations herein-before contained and provided, be it therefore enacted, That it ſhall and may be lawful to and for the Importers or Proprietors of any Coffee, which ſhall at the Time of paſſing this Act be in any Warehouſe in which Coffee may by the Laws now in force be lodged or ſecured before Payment of the Duties, or which ſhall be imported previous to the Commencement of this Act, to ſignify, by himſelf or themſelves, or his or their Agent or Agents in Writing to the Commiſſioners of His Majeſty's Cuſtoms and Exciſe, the Wiſh or Deſire of ſuch Importers or Proprietors to take in reſpect of any ſuch Coffee the Benefit of the ſeveral Clauſes, Proviſions, and Regulations herein-before contained and provided, as to Coffee to be imported after the Commencement of this Act, and all ſuch Importers or Proprietors of any ſuch Coffee, or his, her, or their Agent or Agents, ſhall in every ſuch Caſe be entitled to have the damaged Part of any ſuch Coffee ſeparated from the undamaged Part thereof, in the ſame Manner and ſubject to the ſame Regulations and Proviſions in all reſpects as are herein-before contained or provided with reſpect to Coffee to be imported after the Commencement of this Act.

Regulations of this Act to extend to Coffee warehouſed before the paſſing of this Act.

IX. And be it further enacted, That this Act ſhall continue and be in force from the paſſing thereof until the End of Two Years and no longer.

Continuance of this Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1812.