ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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C A P. XCI.

An Act to regulate the Trade of the Colonies of *Demerara*, *Berbice*, and *Essequibo*; to allow the Importation into, and Exportation from, such Colonies, of certain Articles, by *Dutch* Proprietors of the *European* Dominions of His Majesty the King of the *Netherlands*; and to repeal an Act of the Fifty-fourth Year of His present Majesty, for permitting a Trade between the *United Provinces* and certain Colonies in His Majesty's Possession.
[26th *June* 1816.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled *An Act for regulating* 28 G.3. c.6.
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 whereas it is expedient that the Colonies of *Demerara*, *Berbice*, and *Essequibo*, situated in the Province of *Guiana* in *South America*, should be placed upon the same footing, in relation to Regulations of Trade, as the *British West India* Islands; 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

Regulations of North American Colonies, to extend to Demerara, &c.

ſame, That from and after the paſſing of this Act all the Benefits, Privileges, and Advantages, and all the Rules, Regulations, and Reſtrictions, Penalties and Forfeitures, in the ſaid recited Act contained and provided, with reſpect to His *Britannic* 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*, ſhall extend and apply, and be in full Force and Effect, as to the ſaid Colonies of *Demerara*, *Berbice*, and *Eſſequibo*, as fully and effectually to all Intents and Purpoſes as if the ſame were re-enacted in and ſeparately and ſeverally repeated in this Act as to the ſaid Colonies of *Demerara*, *Berbice*, and *Eſſequibo*; any Act or Acts of Parliament, or Law, Cuſtom, or Uſage, to the contrary in anywiſe notwithſtanding.

52 G. 3. c. 106.

II. And whereas by an Act paſſed in the Fifty-ſecond Year of His preſent Majeſty's Reign, intituled *An Act for increaſing the Duty on Rum and other Spirits, imported into* Newfoundland *from the* Britiſh *Colonies and Plantations on the Continent of* America, *and charging a Duty on Spirits imported into* Newfoundland *from His Majeſty's Colonies in the* Weſt Indies, a Duty of Sixpence was impoſed on every Gallon of Rum or other Spirits imported into the ſaid Iſland of *Newfoundland* from any *Britiſh* Colony or Plantation in the *Weſt Indies*: And whereas it is expedient that Rum, imported into the ſaid Iſland from the aforeſaid Colonies of *Berbice*, *Demerara*, and *Eſſequibo*, ſhould be placed on the ſame Footing as Rum imported from the other *Britiſh* Colonies; be it therefore enacted, That from and after the paſſing of this Act there ſhall be raiſed, levied, collected, and paid, upon every Gallon of Rum imported into the ſaid Iſland of *Newfoundland* from the aforeſaid Colonies of *Berbice*, *Demerara*, and *Eſſequibo*, the Sum of Sixpence for every Gallon, and no more; ſuch Duties to be ſued for, recovered, and applied, in the like Manner and under the like Penalties and Forfeitures as are provided by the aforeſaid recited Act.

Rum imported into Newfoundland from Demarara, &c. to pay 6d. per Gallon.

Subjects of the Netherlands may import into Demerara, &c. the uſual Articles of Supply, but not for Trade.

III. And whereas a Convention of Commerce and Navigation has been concluded between His *Britannic* Majeſty and His Majeſty the King of the *Netherlands*: And whereas it is expedient to give effect to ſuch Parts of the ſaid Convention as require the Sanction of Parliament; be it therefore enacted, That from and after the paſſing of this Act it ſhall be lawful for any of the Subjects of His ſaid Majeſty the King of the *Netherlands*, being *Dutch* Proprietors in ſuch Colonies, to import from the *Netherlands* into the Colonies of *Demerara*, *Berbice*, and *Eſſequibo*, in the Province of *Guiana* in *South America*, all the uſual Articles of Supply for their Eſtates in the ſaid Colonies, ſuch Articles being neceſſary and requiſite as Supplies for the Cultivation of the Eſtates, or the Clothing, Maintenance, and Comfort of the Reſidents thereon, and not to exceed what may be deemed neceſſary for the Supply of the particular Eſtates for which they are to be imported, and to be actually applied to the Purpoſes of ſuch Supply, and not for Trade; and in caſe of Seizure by any Officer of the Cuſtoms of any Importations of ſuch Articles, on the ground of their being imported in the Way or for the Purpoſes of Trade, and not as Supplies, the Proof that ſuch Articles are Supplies, and imported under the Conditions of the Convention, ſhall lie on the *Dutch* Proprietor importing the ſame; and in caſe of ſuch Proof being made and given, in conſequence of any Diſ-

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pute arising thereupon before the Collector or Principal Officer of the Customs, who is hereby empowered to administer an Oath or take Affidavit for the Purposes of any such Examination and Proof under this Act, the Goods shall be admitted to Entry: Provided always, that the Importer, before such Entry shall be allowed, shall enter into Bond, with Two Sureties, in a sufficient Sum, to abide the Decision of the Board of Customs in *England*, upon such Seizure: Provided also, that Wine, as a Medicine and necessary Article of Supply, may be so imported to such a limited Extent as may be necessary for the Purposes of such Supply as a Medicine, and shall be liable to the Duty of Ten Shillings *per* Ton, and no more.

Wine to pay a Duty of 10s. per Ton.

IV. And be it further enacted, That from and after the passing of this Act, it shall be lawful for any of the Subjects of His Majesty the King of the *Netherlands*, being *Dutch* Proprietors in such Colonies, to export from the said Colonies of *Demerara*, *Berbice*, and *Essequibo*, to the *Netherlands*, the Produce of their Estates.

Dutch Proprietors to export the Produce of their Estates.

V. And be it further enacted, That all Subjects of His Majesty the King of the *Netherlands*, resident in His said Majesty's *European* Dominions, who were at the Date of the Signature of the said Convention Proprietors of Estates in the said Colonies, and all Subjects of His said Majesty who may hereafter become possessed of Estates then belonging to *Dutch* Proprietors therein, and all such Proprietors as being then resident in the said Colonies, and being Natives of His Majesty's Dominions in the *Netherlands*, may have declared within Three Months after the Publication of the aforesaid Convention in the said Colonies, that they wish to continue to be considered as such; and all Subjects of His said Majesty the King of the *Netherlands*, who may be the Holders of Mortgages of Estates in the said Colonies, made prior to the Date of the Convention, and who may under their Mortgage Deeds have the Right of exporting from the said Colonies to the *Netherlands* the Produce of such Estates, shall be deemed *Dutch* Proprietors under the Provisions of this Act; provided that where both *Dutch* and *British* Subjects have Mortgages upon the same Property in the said Colonies, the Produce to be consigned to the different Mortgagees shall be in Proportion to the Amount of the Debts respectively due to them.

Who are to be considered as Dutch Proprietors.

VI. And be it further enacted, That all such Importation from the *Netherlands* into the said Colonies for the Supply of Estates therein as aforesaid, and Exportation of the Produce of such Estates to the *Netherlands*, may be carried on in any Ships being the Property of Subjects of His Majesty the King of the *Netherlands*, wherever built, and without any Restriction or Limitation as to the Mariners navigating the same for the Space of Five Years, commencing from the First Day of *January* last; Provided always, that the Master of every such Ship shall produce to the proper Officer of His Majesty's Customs in the said Colonies respectively, satisfactory Proof of the said Vessels being owned by a Subject of His Majesty the King of the *Netherlands*: Provided also, that His said Majesty the King of the *Netherlands* may at any Time before the Expiration of the said Five Years, if he should think proper, order and direct that such Trade shall be carried on only in such Ships as are *Dutch* built, and whereof the Master and Three-fourths of the Crew are the Subjects of His said

Importation and Exportation to be in Ships belonging to the Subjects of the Netherlands, &c.

said Majesty: And provided always, that after the Expiration of the said Five Years no such Trade shall be carried on, except in Vessels *Dutch* built, and whereof the Master and Three-fourths of the Crew are Subjects of His said Majesty.

Duties to be the same as payable by British Subjects.

VII. And be it further enacted, That all such Importations and Exportations shall be subject to the same Duties as are payable by His Majesty's Subjects on Importations and Exportations of the like Articles, and shall be subject to the same Rules, Regulations, and Restrictions for the due landing of any such Produce as aforesaid in the *Netherlands*, as are provided by any Act now in force for the landing of the like Articles in *Great Britain*, so far as the same are or can be made applicable.

Persons entitled to trade between the Colonies and the Netherlands not to export the Produce to this Country, &c.

VIII. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons who by virtue of this Act may be entitled to trade between the said Colonies, and the Dominions of His Majesty the King of the *Netherlands*, to export the Produce of the before-mentioned Estates within the said Colonies of *Demerara*, *Essequibo*, and *Berbice*, to any Part of the United Kingdom, or to any other of His Majesty's Dominions in *Europe*.

Importations under the Convention to be deemed lawful.

IX. And whereas immediately after the signing of the aforesaid Convention, certain Vessels may have left the *Netherlands*, and the Officers of His Majesty's Customs in the aforesaid Colonies, on being apprized of the aforesaid Convention, may have, by the Authority or Order of the Governor or otherwise, been induced to act upon such Convention upon the Emergency of the Occasion, as if the same had been confirmed by Law; and it is expedient that all Importations and Admissions to Entry allowed under the Articles of the said Convention shall be confirmed and rendered valid; be it therefore enacted, That all Importations and Admissions to Entry, so made in pursuance or in consequence of any of the Articles of the said Convention, shall be and are hereby declared to be lawful, and as good, valid, and effectual, as if the same had been made in pursuance of any Act or Acts of Parliament, or this Act; and all Persons concerned therein shall be and are hereby indemnified in respect thereof.

54 G. 3, c. 72. repealed.

X. And be it further enacted, That from and after the passing of this Act, an Act passed in the Fifty-fourth Year of the Reign of His present Majesty, intituled *An Act for permitting a Trade between the United Provinces and certain Colonies now in His Majesty's Possession*, shall be and the same is hereby repealed.

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