

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. CXXIII.

An Act to empower the Officers of the Customs in *Great Britain* to allow Reports of Vessels Cargoes to be amended; to require Goods which have been warehoused without Payment of Duties, or being prohibited, warehoused for Exportation, to be put on board Vessels by Persons licensed for that Purpose; to direct that Cocquet and Bond shall be required for Slate and Stone carried Coastwise; and to empower Officers of the Customs to administer Oaths. [12th *July* 1819.]

WHEREAS by the Laws now in force all Goods found on board any Ship or Vessel of which no Report hath been made by the Master, are forfeited; and the Masters of Ships or Vessels are liable to certain Penalties for making false Reports of the Cargoes of their Ships or Vessels: And whereas

it is expedient that the Commissioners of His Majesty's Customs, in *England* and *Scotland* respectively, should be empowered in Cases where the Masters of Ships or Vessels shall not have made correct Reports of their Cargoes, to permit the same to be amended; 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 in all Cases where any Goods shall have been omitted in such Reports, or shall have been wrongly described, or the Reports shall be incorrect in any other respect, it shall and may be lawful for the Commissioners of His Majesty's Customs, or any Four or more of them, in that Part of the United Kingdom called *England*, or for the Commissioners of His Majesty's Customs, or any Three or more of them, in that Part of the United Kingdom called *Scotland*, on Proof by the Oath of the Master or Commander, and Mate or Purser of the Ship or Vessel, and by the Production and Inspection of the original Log Book and Cargo Book of such Ship or Vessel for that Voyage, and Bill or Bills of Lading (if any) of the Goods in question, and other original Documents (if any) relating thereto, to their Satisfaction respectively, and that no Fraud was intended, to permit and allow, by an Order specifying that such Proof, Inspection, and Examination have respectively been made to the Satisfaction of such Commissioners, the Masters of the Ships or Vessels to amend and make correct such Reports on Oath, before the proper Officer or Officers of the Customs, which Oaths such Officer and Officers is and are hereby authorized and empowered to administer; and such Masters of Ships or Vessels shall be liable to the like Penalties, in case of making a false Amendment to their Reports, as they were for making a false Report in the first Instance, to be sued for, prosecuted, recovered, and diposed of in like Manner as the Penalties to which they were liable in the first Instance.

When Reports of Goods are incorrect, Commissioners of the Customs may permit Shipmasters to amend them, on Proof that no Fraud was intended.

II. And whereas it is expedient that the Officers of His Majesty's Customs at the several Outports should have the like Power to permit Reports to be amended in certain Cases; be it therefore further enacted, That the Collector and Comptroller of His Majesty's Customs at the several Outports shall have the like Power to permit and allow, by an Order made by them in like Manner as aforesaid, the Master of any Ship or Vessel who shall have made false or incorrect Reports of their Cargoes, to amend the same on such Proof as aforesaid, made on Oath as aforesaid before them (which Oath they are hereby respectively authorized to administer), to their Satisfaction, and that no Fraud was intended; and such Masters of Ships or Vessels shall be liable to the like Penalties in case of making a false Amendment to their Reports, as they were for making a false Report in the first Instance, to be sued for, prosecuted, recovered, and disposed of in like Manner as the Penalties to which they were liable in the

Collectors and Comptrollers may permit Shipmasters to amend their Reports at Outports, on like Proof.

first Instance: Provided always, that no such Alteration or Amendment of any such Report as aforesaid shall be allowed or made, or shall be of any Validity or Effect, if made after the actual Seizure of any Goods as forfeited for not being reported as required by Law, or after the actual Commencement of any Prosecution against the Master or Commander of any Ship or Vessel, for any Penalty incurred by reason of any Goods imported or brought by such Ship or Vessel into *Great Britain*, not being included and described in the original Report of the Cargo of such Ship or Vessel, or not being duly landed according to such Report; any thing herein, or in any other Act or Acts of Parliament, to the contrary notwithstanding.

No Amendment of Report allowed after the actual Seizure of Goods.

III. And whereas by an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for regulating the Production of Manifests; and for more effectually preventing fraudulent Practices in obtaining Bounties and Drawbacks, and in the clandestine relanding of Goods*, certain Provisions are made that no Goods entitled to either Drawback, Bounty, or Premium, shall be carried or put on board any Ship or Vessel whatever for Exportation to Foreign Parts by any Person or Persons whatsoever (except the proper Officers of the Revenue), other than such Person or Persons as shall be authorized for that Purpose by the Commissioners of His Majesty's Customs or any Four or more of them: And whereas it is expedient to extend the like Provisions with respect to Goods which have been secured in Warehouses without Payment of Duties, and to Goods which are prohibited to be worn or used in this Country, and also secured in Warehouses according to Law; be it enacted, That no Goods whatever which shall have been secured in Warehouses without Payment of Duty, nor any Goods whatever which are prohibited to be used or worn in *Great Britain*, and shall have been carried and put into Warehouses approved of by the Commissioners of His Majesty's Customs according to Law, shall be carried or put on board any Ship or Vessel whatever, from such Warehouse, for Exportation to Foreign Parts, by any Person or Persons whatever (except the proper Officers of the Revenue), other than such Peron or Persons as shall be authorized for that Purpose by Licence under the Hands of the Commissioners of His Majesty's Customs or any Four or more of them for the Time being, who are hereby authorized to grant the same, and to require such Security as they may deem necessary, by Bond or otherwise, to be given by the Person or Persons to whom they shall grant such Licence, for the actual Delivery of the whole of the Goods on board such Ship or Vessel to the Officers of the Revenue stationed on board, and for the faithful and incorrupt Proceeding in every respect of such Person or Persons in regard to such Goods; which said Persons so to be licensed as aforesaid shall and are hereby required, upon conveying any Goods on board any Ship or Vessel, to give clear and full Information thereof in Writing to the Master or other Person then in charge of such Ship or Vessel, for the better

26 G. 3. c. 40.

No warehoused or prohibited Goods shall be put on board any Vessel for Exportation, unless by Persons licensed by the Commissioners (except the Officers of Revenue).

better enabling the Master to give Notice as required by the before-recited Act, previous to his clearing out with any such Goods as aforesaid; which Licence, when granted by the Commissioners of the Customs, shall not be withdrawn by them, or the Operation under the same in any Manner hindered, obstructed, or prevented, unless either the Person or Persons to whom such Licence shall have been granted, or some other Person or Persons employed by them, and with his or their Privity or Consent, shall commit some Act against any Law now made or hereafter to be made to secure the Revenue of Customs or Excise, and shall be convicted thereof, in which Case the said Commissioners shall and are hereby authorized and required to withdraw such Licence.

Such Licences may be granted to Persons entitled to ship such Goods, on their giving Security.

IV. Provided always, and be it further enacted, That the Commissioners of His Majesty's Customs shall and are hereby required to grant such Licence as aforesaid to all and every Person and Persons who is or are now by Law entitled to carry or put on board such Goods, and who shall give such Security as the said Commissioners, or any Four or more of them, shall deem necessary, and to no other Person or Persons whatever.

Penalty on shipping such Goods by any other than authorized Persons, 100*l.* and Forfeiture of the Drawback.

V. And be it further enacted, That if any Goods entitled to either Drawback, Bounty, or Premium, or any Goods which shall have been secured in Warehouses without Payment of Duty, or any Goods which are prohibited to be used or worn in *Great Britain*, and which shall have been carried and put into Warehouses approved of by the Commissioners of Customs according to Law, shall be carried to or put on board any Ship or Vessel for Exportation to Foreign Parts, by any Person or Persons (except the proper Officers of the Revenue), other than such Person or Persons as shall have been so licensed as required by the aforerecited Act and this present Act, then and in such Case the Drawback, Bounty, or Premium shall be forfeited and lost; and the Exporter, Shipper, and every Person who shall carry to or put on board any Ship or Vessel bound to Foreign Parts any of the before-mentioned Goods, shall severally forfeit for every such Offence the Sum of One hundred Pounds; and the same shall and may be sued for, prosecuted, and recovered in such Manner, and by such Ways, Means, and Methods, as any Penalties incurred for any Offence against the Laws of Customs may now legally be sued for, prosecuted, and recovered, one Moiety whereof shall be to His Majesty, His Heirs or Successors, and the other Moiety to him or them who shall inform or sue for the same.

34 G.3. c. 51.

VI. And whereas by an Act passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty certain Duties of Customs on Slate, Stone, and Marble*, it is enacted, that nothing in that Act shall extend or be construed to extend to require the Master of any Vessel in or on board of which

which any Slate or Stone shall be shipped, to be carried Coastwise by Sea from any Port or Place within this Kingdom, to any other Port or Place within the same, or the Owners or Shippers of any such Slate or Stone, to give any Bond for the due Landing thereof, or to take out any Cocket or other Document on account thereof, except such Sufferance Warrant, Permit, or Transire as was required by Law for the shipping or carrying Coastwise of the like Goods at and immediately before the passing of that Act, any Law, Custom, or Usage to the contrary notwithstanding: And whereas it is expedient that Slate and Stone carried Coastwise should be subject to the like Rules, Regulations, and Provisions, as other Goods liable to Duty on being carried Coastwise are by an Act passed in the Thirty-second Year of His said Majesty's Reign, intituled *An Act for the Relief of the Coast Trade of* Great Britain; *for exempting certain Coast Documents from Stamp Duties; for abolishing the Bond usually called* The Isle of Man Bond; *and for permitting Corn and Grain brought Coastwise to be transhipped into Lighters, for the Purpose of being carried through the Canal from the* Forth *to the* Clyde; be it enacted, That so much of the before-mentioned Act passed in the Thirty-fourth Year of His said Majesty's Reign as is before recited, shall be and the same is hereby repealed; and all Slate and Stone to be carried Coastwise shall be subject to the like Rules, Regulations, and Provisions, as other Goods liable to Duty are by the aforesaid Act passed in the Thirty-second Year of His said Majesty's Reign.

32 G.3. c. 50.

So much of recited Act, 34 G.3. c. 51. as requires Bond for the due landing of Slate, &c. repealed.

Such Articles to be subject to the Regulations of 32 G.3. c. 50.

VII. And whereas by the Laws now in force, certain Officers of His Majesty's Customs are empowered to administer Oaths in certain Cases: And whereas many Cases occur where Proof on Oath is directed by Law to be taken, but the Law has not prescribed by whom it shall be administered: And whereas it would tend much to the Dispatch of Business, as well as to Uniformity in the Conduct thereof, if certain Officers of His Majesty's Customs were empowered, in all Cases wherein the Revenue of His Majesty's Customs, or the Trade or Navigation of this Kingdom is concerned, to administer Oaths; be it therefore enacted, That in all Cases wherein Proof is required by any Law now in force, or hereafter to be made, or are or shall be necessary for the Satisfaction or Consideration of the Commissioners of His Majesty's Customs in any Matter relating to the Revenue, or to the Trade and Navigation of this Kingdom, the same may be made before the Collector inwards and outwards, the Comptroller or Surveyor of His Majesty's Customs in the Port of *London*, or in case of their Absence, the Persons acting for them respectively, or the Collector or Comptroller of His Majesty's Customs at any other Port in this Kingdom, or in case of their Absence, the Persons acting for them respectively, who are hereby authorized and empowered to administer the same.

Collector and Comptroller of the Customs, &c. empowered to administer Oaths.

Not to affect any Act where Facts are required to be proved on Oath.

VIII. Provided always, That nothing herein contained shall extend to alter any former Act or Acts whereby any particular Facts are required to be proved on Oath before any particular Officers, but that the same shall be and remain in force.

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