

ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

CAP. CXIII.

An Act to amend the Laws relating to the Customs.

[16th *August* 1838.]

WHEREAS several Acts were passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth for consolidating the Laws of the Customs, and it has been found necessary to make certain Alterations and Amendments therein: Be it therefore enacted by the Queen'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 same shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein.

Commencement of Act.

Management.

II. And whereas by one of the said Acts, intituled *An Act for the Management of the Customs*, it is provided that it shall be lawful for the Receiver of any Duties of Customs to receive for his own Use, if freely given, so much as added to any Fraction below Sixpence shall make the same amount to Sixpence; and it is expedient to repeal the same; be it therefore enacted, That so much of the above-recited Act shall be repealed.

Proviso for Receiver of any Duties of Customs to accept odd Pence repealed.

III. And

Regulations.

Bills of Entry may be partly printed and partly written.

III. And whereas by one other of the said Acts, intituled *An Act for the general Regulation of the Customs*, the Person entering any Goods Inwards or Outwards is required to deliver to the Collector and Comptroller a Bill of the Entry of such Goods, fairly written in Words at Length, expressing certain Particulars required by the said last-mentioned Act to be inserted in such Bills of Entry; and for the Convenience of Parties making such Entries it is necessary to permit such Bills of Entry and the Duplicates thereof to be printed in part; be it therefore enacted and declared, That such Bills of Entry for Goods Inwards and Outwards, and the Duplicates thereof, may be either fairly written or fairly printed in part and fairly written in part.

Goods, &c. from Guernsey, &c. to be liable to Duties of Excise.

IV. And whereas by the said Act for the Regulation of the Customs it is provided that Goods of the Manufacture of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* shall be charged with such Proportion of the Duties of Importation as shall fairly countervail any Duties of Excise payable on the like Goods in the United Kingdom: And whereas Doubts have arisen whether such Charge may be made in respect of the Materials of such Goods; be it therefore enacted and declared, That such Goods are and shall be also chargeable to such Proportion of the said Duties of Importation as shall fairly countervail any Duty of Excise upon any of the Materials of which the Goods are manufactured.

Droits of Admiralty, when sold in the United Kingdom, to be liable to Duty.

V. And whereas by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to subject to Duties of Customs Goods the Property of the Crown in case of Sale after Importation*, Goods the Property of the Crown imported and sold in the United Kingdom are made subject to Duty: And whereas Doubts have arisen whether Droits of Admiralty sold in the United Kingdom are so liable; be it therefore enacted and declared, That upon the Sale of Droits of Admiralty in the United Kingdom the like Duties as are due on the Importation into the United Kingdom of the like Sort of Goods shall be payable thereon.

Cutlery, &c. of Foreign Manufacture bearing Names of British Manufacturers, on Importation into United Kingdom or British Possessions, from and after 5th Jan. 1839, to be forfeited.

VI. And whereas Articles of Cutlery and Hardware of Foreign Manufacture, and Packages of such Articles, have been imported into the United Kingdom and into the *British* Possessions abroad, bearing the Names or Marks of *British* Manufacturers resident in the United Kingdom, to the great Prejudice of such Manufacturers: And whereas it is expedient that Regulations should be made for the Prevention of such Importations; be it therefore enacted, That from and after the Fifth Day of *January* One thousand eight hundred and thirty-nine any Articles of Cutlery or Hardware of Foreign Manufacture, and any Packages of such Articles, imported into the United Kingdom or into the *British* Possessions abroad, bearing the Names or Marks of such *British* Manufacturers, shall be forfeited, and shall and may be seized, prosecuted, and condemned, and the Proceeds thereof distributed and applied in like Manner as any Goods now are directed to be seized, prosecuted, and condemned, and their Proceeds are directed to be

be distributed and applied, under any Law or Laws relating to the Customs. *Regulations.*

Salted or dried Fish may be imported, to be warehoused.

VII. And be it enacted, That so much of the said Act for the Regulation of the Customs as prohibits the Importation of dried or salted Fish to be warehoused shall be repealed.

Licences to Agents to transact Custom House Business granted under 6 G. 4. c. 107., and the Bonds taken thereupon, declared valid.

VIII. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the general Regulation of the Customs*, it was among other things enacted, that it should not be lawful for any Person to act as an Agent for transacting any Business at the Custom House in the Port of *London* which should relate to the Entry or Clearance of any Ship, or of any Goods or of any Baggage, unless authorized so to do by Licence of the Commissioners of His Majesty's Customs, who were empowered to require Bond to be given by every such Person to whom such Licence should be granted, with One sufficient Surety, in the Sum of One thousand Pounds, for the faithful and correct Conduct of such Person: And whereas the said Act has been repealed, and similar Provisions in lieu thereof enacted in a subsequent Act, and Doubts have arisen whether or not the said Licences granted and Bonds given in pursuance of the said first-recited Act are still valid, and may be enforced if Breach is made in the same; be it therefore enacted and declared, That all Licences heretofore granted by the Commissioners of His Majesty's Customs to any Persons to act as such Agent under the Authority of the said Act, and all Bonds taken under such Authority for the faithful and correct Conduct of such Persons, are and the same are hereby declared to be and remain in full Force and Effect as if the said Act had not been repealed.

Smuggling.

Powers of Deemsters in Isle of Man extended to Justices in the said Island.

IX. And whereas by one other of the said Acts, intituled *An Act for the Prevention of Smuggling*, certain Powers are vested in and may be exercised in the *Isle of Man* by any Governor or Deemster of the said *Isle of Man*, and it is expedient to vest the said Powers in Justices of the Peace in the said *Isle of Man*; be it therefore enacted, That all the Powers vested in any Governor, Deputy Governor, or Deemster in the said *Isle of Man*, by virtue of the above-recited Act, shall be vested in and may be exercised in the said *Isle of Man* by any Two Justices of the Peace in and for the said Island: Provided always, that any One of such Justices may do any Act which One Justice is authorized to do by the said Act, or any other Act relating to the Customs.

Officers of Coast Guard and Revenue Mounted Guard not liable to pay Turnpike or other Tolls when on Duty.

X. And whereas it is expedient that certain Officers in the Service of the Customs, when in the Discharge of their Public Duty, should be exempt from the Payment of Turnpike or other Tolls; be it therefore enacted, That Officers of the Coast Guard and of the Revenue Mounted Guard in the Service of the Customs, when in the Discharge of their Public Duty, and in their Uniforms, shall not be subject and liable to the Payment of any Turnpike or other Tolls, any Law or Laws to the contrary thereof notwithstanding.

XI. And

Registry.

Commissioners of Customs may, in the Absence of the Builder's Certificate of Ships and Vessels, receive Proof of the Particulars required in such Certificate.

XI. And whereas by one other of the said Acts, intituled *An Act for the registering of* British *Vessels*, it is among other things enacted, that every Person who shall apply for a Certificate of Registry for any Ship or Vessel shall be required to produce to the Person authorized to grant such Certificate a true and full Account, under the Hand of the Builder of such Ship or Vessel, of the proper Denomination of and of the Time when and the Place where such Ship or Vessel was built, and also an exact Account of the Tonnage of such Ship or Vessel, together with the Name of the first Purchaser thereof: And whereas it frequently occurs that by reason of the Death of such Builder or some other unavoidable Cause such Certificate cannot be produced; be it therefore enacted, That in all such Cases as aforesaid, on Proof being made to the Satisfaction of the Commissioners of Her Majesty's Customs of all the Particulars required as aforesaid, they are hereby authorized to dispense with the Account required under the Hand of the Builder, and to allow the Certificate of Registry to be granted.

Owners of British Vessels to give Notice to Collectors of Customs at the Port of Registry of the Loss, &c. of such Vessels;

XII. And whereas it is expedient that true Information should be had at every Port in Her Majesty's Dominions whether all the Vessels registered at such Port are actually in existence and entitled to the Privileges of *British* registered Ships, or not; be it therefore enacted, That the Person or Persons registered as Owner or Owners of any *British* Ship or Vessel which shall have been lost, or taken by the Enemy, or burnt, or broken up, or otherwise prevented from returning to the Port to which such Ship or Vessel belongs, or which shall on any Account have lost or forfeited the Privileges of a *British* Ship, shall immediately upon obtaining Knowledge of any of the Circumstances aforesaid give Notice in Writing of such Circumstances to the Collector or Controller of the Customs at the Port of Registry of such Ship or Vessel.

or if Vessels absent from the Port of Registry for Three Years, to state Cause.

XIII. And be it enacted, That in all Cases where any *British* registered Ship or Vessel shall have been absent from the Port of Registry for the Space of Three Years, the Person or Persons registered as the Owner or Owners of such Ship or Vessel shall in like Manner give Notice in Writing to the Collector or Controller of the Customs at such Port, stating therein the Cause of such Absence, and that the said Vessel has not forfeited her Privileges as a *British* Ship.

Failing to give such Notices, &c. to forfeit 5*l.*

XIV. And be it enacted, That every such Owner or Owners failing to give such Notice in either of the Cases aforesaid, or making any untrue Statement in respect of any such Ship or Vessel, shall forfeit the Sum of Five Pounds.

Authority of Governor, &c. of Cape of Good Hope to register Vessels, repealed.

XV. And whereas since the passing of the said Act for the registering of Vessels a Collector of Her Majesty's Customs has been appointed at the *Cape of Good Hope;* be it therefore enacted, That so much of the said Act as authorizes or requires the Governor, Lieutenant Governor, or Commander-in-Chief of the *Cape of Good Hope* to make Registry of Vessels, and to grant Certificates of Registry at the *Cape of Good Hope*, shall be repealed.

XVI. And

Duties.

New Table of Duties enacted.

XVI. And whereas one other of the said Acts was passed in the said Third and Fourth Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act for granting Duties of Customs*, and it is expedient to amend the same in manner herein-after mentioned; be it therefore enacted, That instead of the Duties imposed by the said last-mentioned Act, and set forth in a Table thereunto annexed, denominated "A Table of Duties of Customs Inwards," or imposed by any other Act, the several Duties set forth in Figures in the Table herein-after contained, and denominated "A Table of New Duties, 1838," shall, in respect of such Goods as are mentioned therein, be raised, levied, collected, and paid unto Her Majesty in like Manner as if such Duties had been imposed in and by the said Act, and had been set forth in the said Table thereunto annexed; (that is to say,)

A TABLE OF NEW DUTIES, 1838.

	£	s.	d.
Amboyna or Kyabucca Wood - - - the Ton	10	0	0
Apples (raw), for every £100 of the Value - - -	5	0	0
Asphaltum or Bitumen Judaicum - - - the Ton	0	1	0
Blackwood - - - - - - the Ton	2	0	0
Cherries (raw), for every £100 of the Value - - - -	5	0	0
Cochineal and Granilla, from the 5th of January 1839 the Cwt.	0	1	0
Hats or Bonnets; viz.			
—— Chip, or Platting of Chip - - - the lb.	0	8	0
—— Straw, each Hat or Bonnet not exceeding 24 Inches in Diameter - - - - the Dozen	3	8	0
Hides; viz., Sea Cow, Elephant, and Eland, or large Deer Hides, the Produce of and imported from the British Possessions, viz.			
—— not tanned, tawed, curried, or in any way dressed, viz.			
dry - - - - - - the Cwt.	0	2	4
wet - - - - - - the Cwt.	0	1	2
—— tawed, and not otherwise dressed - - the lb.	0	0	3
———————— cut or trimmed - - - the lb.	0	0	4½
—— such Hides, and Pieces of such Hides, tawed, curried, or in any way dressed - - - - - the lb.	0	0	4½
———————— cut or trimmed - - - the lb.	0	0	7
Horns; viz.			
Pieces of Horns - - - - the Ton	0	1	0
Iron; viz.			
Bloom Iron - - - - - the Ton	0	15	0
Kingwood - - - - - - the Ton	2	0	0
Lancewood Timber or Masts - - - the Load	0	10	0
Mahogany, the Produce of and imported from the Bay of Honduras or the Mosquito Shore - - - the Ton	1	10	0
Nutmegs; viz.			
Wild Nutmegs in the Shel - - the lb.	0	1	0
Pears (raw), for every £100 of the Value - - - -	5	0	0
Percussion Caps - - - - - the 1,000	0	0	4
Seeds; viz.			
Poppy Seed - - - the Quarter	0	1	0
Skins; viz.			
Goose Skins, undressed - - - the Skin	0	0	8

Duties.

	£	s.	d.
Spirits or strong Waters; viz.			
——— for every Gallon of such Spirits or strong Waters of any Strength not exceeding the Strength of Proof by Sykes Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.			
——— not being Spirits or strong Waters the Produce of any British Possession in America, or any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Article so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer - - - - - -	1	2	6
——— Spirits or strong Waters the Produce of any British Possession in America, not being sweetened Spirits, or Spirits so mixed as aforesaid - - - -	0	9	0
——— Spirits or strong Waters the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid - - - - -	0	15	0
Tails; viz. Buffalo, Bull, Cow, or Ox Tails - - the Cwt.	0	0	6
Tulip Wood - - - - - the Ton	2	0	0

Regulation respecting Bottles in which mineral or natural Water is imported.

XVII. And whereas by the said Act for granting Duties of Customs, Glass Bottles or Flasks in which mineral or natural Water is imported are exempted from Duty; be it enacted and declared, That the said Exemption from Duty shall extend only to Bottles or Flasks used for the Importation of mineral or natural Water having medicinal or other Qualities distinguishing it from common Water.

East India Sugar warehoused at the Cape of Good Hope and imported from thence.

XVIII. And be it enacted, That if any Sugar or Coffee the Produce of any *British* Possession within the Limits of the *East India* Company's Charter shall have been imported into the *Cape of Good Hope* from the Place of its Production accompanied by such a Certificate of Origin as would be sufficient for its Admission in the United Kingdom at the low Rate of Duty, and shall have been warehoused at the *Cape of Good Hope* under the Regulations there in force for the warehousing of Goods, and shall have been exported from such Warehouse accompanied by a Certificate from the proper Officer of the Customs at the *Cape of Good Hope*, setting forth the Particulars of the Importation and of the warehousing and of the Exportation of the same, and also setting forth the Substance of the Certificate of Origin before mentioned, and if on the Arrival in the United Kingdom of the Ship importing such Sugar or Coffee the Master of such Ship shall deliver to the Collector or Controller at the Port of Importation such Certificate from the Officer of the Customs at the *Cape of Good Hope*, and shall make a Declaration before such Collector or Controller that such Certificate was received by him at the *Cape of Good Hope*, and that the Sugar or Coffee so imported is the same as is mentioned therein, then such Sugar or Coffee shall be admitted at such Port of Importation in the United Kingdom at the same Rate of Duty as would be payable if the same had been imported direct from the Place of its Production.

XIX. And

Duties.

Commissioners of Customs to pay Commissioners of National Debt annually 3,720*l.* Compensation for the Repeal of the South Sea Duties. 55 G. 3. c. 57.

XIX. And whereas by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Customs*, certain Duties of Customs and of Tonnage payable under an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to repeal the Provisions of former Acts granting exclusive Privileges of Trade to the* South Sea *Company, and to indemnify the said Company for the Loss of such Privileges*, were repealed: And whereas the said Duties were specifically appropriated to the gradual Creation of the *South Sea* Company Guarantee Fund mentioned in the said last-mentioned Act: And whereas it is expedient and just to grant a Compensation for the Repeal of the said Duties, such Compensation to be applied to the same Purposes as the said Duties: And whereas the Average Amount of the Produce of such Duties for the Period of Ten Years, ending with and including the Year of our Lord One thousand eight hundred and thirty-six, is Three thousand seven hundred and twenty Pounds; be it therefore enacted, That the Commissioners of Her Majesty's Treasury are hereby authorized to direct the Payment by the Commissioners of Her Majesty's Customs out of any Money in their Hands of the annual Sum of Three thousand seven hundred and twenty Pounds in Four equal quarterly Proportions to the Commissioners for the Reduction of the National Debt, for the Purpose of being applied towards the Completion of the said Guarantee Fund in the same Manner as the Dividends available therefrom are now applicable by Law, such quarterly Payments to commence and take effect for and from the Fifth Day of *January* One thousand eight hundred and thirty-seven, and to cease when the said Fund is completed.

Bounties.

Deals and Timber used in Mines, if sold after Drawback received, to pay a Duty of 20 per Cent.

XX. And whereas by one other of the said Acts, intituled *An Act to grant certain Bounties and Allowances of Customs*, certain Deals and Timber therein described, used in the Mines of Tin, Lead, or Copper in the Counties of *Devon* or *Cornwall* or in *Ireland*, and on which the Duties of Customs have been paid, are allowed the several Drawbacks therein mentioned; and it is expedient to permit such Deals and Timber, after the Drawback has been allowed, to be sold for other Purposes than to be used in Mines, on Payment of an adequate Proportion of the said Drawback; be it therefore enacted, That any Deals and Timber which shall have been used in Mines, and the Drawback whereon shall have been allowed, may be sold for other Purposes, to be so used, under the Regulations herein-after mentioned, on Payment of a Duty of Customs of Twenty Pounds for every One hundred Pounds of the Value thereof.

Persons selling such Goods to give Notice thereof to the Officer of Customs;

Goods sold without such Notice liable

XXI. And be it enacted, That before any such Deals or Timber shall be sold as aforesaid the Person or Persons about to sell the same shall give Notice thereof in Writing One Week before such Sale to the Collector or other Chief Officer of the Customs at the Port nearest to the Mines at which such Deals and Timber have been used are situated, and shall before such Deals and Timber are delivered pay to the said Collector or other Officer the said Duty hereby imposed; and any Deals or Timber sold without such Notice having been given as aforesaid, or whereon the said Duty has not been paid,

Bounties.

to Forfeiture, and Parties selling them to Penalties.

paid, shall be forfeited, and may be seized by any Officer or Officers of Customs or Excise; and any Person or Persons selling or concerned in the Sale of, or knowingly harbouring, keeping, or concealing or permitting or suffering to be harboured, kept, and concealed, any such Deals or Timber or the Sale whereof no such Notice has been given, or whereon the said Duty has not been paid, shall forfeit Treble the Value thereof, or the Penalty of One hundred Pounds, at the Election of the Commissioners of Her Majesty's Customs.

Possessions abroad.

Spirits may be imported into or exported from Jersey, &c. in Casks of 20 Gallons.

XXII. And whereas by one other of the said Acts, intituled *An Act to regulate the Trade of the* British *Possessions abroad*, no Brandy, Geneva, or other Spirits (except Rum of the *British* Plantations) are to be imported into or exported from the Islands of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, or either of them, or to be removed from any one to any other of the said Islands, or Coastwise from any one Part to any other Part of either of the said Islands, or to be shipped in order to be so removed or carried, or to be waterborne for the Purpose of being so shipped, in a Cask or Package of less Size or Content than Forty Gallons (except when in Bottles, and carried in a square-rigged Ship); and it is expedient to amend the said Act; be it therefore enacted, That the said Restrictions shall not extend to any such Brandy, Geneva, or other Spirits in Casks of not less Size or Content than Twenty Gallons each.

Restrictions of Tonnage and Package on Tobacco in Guernsey, &c. repealed.

XXIII. And be it enacted, That so much of the said Act for regulating the Trade of the *British* Possessions abroad as prohibits the Importation or Exportation of Tobacco or Snuff into or from the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, except in Ships of certain Tonnage and in Packages of certain Content mentioned in the said Act, shall be repealed.

Coffee, the Produce of British Possessions within the Limits of the East India Company's Charter, may be imported into the British Possessions in the West Indies, and into the Mauritius; Certificate of Origin of such Coffee required.

XXIV. And be it enacted, That so much of the said Act for regulating the Trade of the *British* Possessions abroad as prohibits Coffee the Production of *British* Possessions within the Limits of the *East India* Company's Charter from being imported into any of the *British* Possessions in the *West Indies* and into the Island of *Mauritius* shall be repealed: Provided always, that no Coffee shall be entered in any *British* Possession in the *West Indies* or in the Island of *Mauritius* as being the Produce of any *British* Possession within the Limits of the *East India* Company's Charter when imported from such Possessions, unless the Master of the Ship importing the same shall have delivered to the Collector or Controller a Certificate under the Hand and Seal of the proper Officer at the Place where such Coffee was taken on board, testifying that a Declaration in Writing had been made and signed before him (the Contents of which he had examined and believed to be true) by the Shipper of such Coffee, that the same was really and *bonâ fide* the Produce of some such *British* Possession, nor unless such Master shall make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Place where such Coffee was taken on board, and that the Coffee so imported is the same as is mentioned therein.

XXV. And

Possessions abroad.

Commissioners of Customs may declare Trade between neighbouring Colonies a Coasting Trade.

XXV. And be it enacted, That whenever it shall appear to the Commissioners of Her Majesty's Customs expedient to establish a Coasting Trade for the Removal of Goods generally, or for the Removal of any particular Goods, between neighbouring Ports of different Colonies similarly circumstanced in respect of Duties, in any of the *British* Possessions abroad, it shall be lawful for the said Commissioners to issue Directions for that Purpose, and from and after the Publication thereof in the Gazette, or other public Paper printed in the said Colonies to which such Coasting Trade has been extended, the same shall come into and be in full Force and Effect; and such Coasting Trade shall be subject to the like Rules, Regulations, Penalties, and Forfeitures as the said Commissioners are authorized to make for the carrying Coastwise of any Goods under the Provisions of the said Act for regulating the Trade of the *British* Possessions abroad.

Passengers.

Provisions of 5 & 6 W. 4. c. 53. extended to Foreign Vessels, under certain Circumstances.

XXVI. And whereas by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the* British *Possessions on the Continent of* North America; *and to make further Provision for regulating the Carriage of Passengers from the United Kingdom*, certain Provisions were made respecting the Carriage of Passengers from the United Kingdom, and from the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, on Voyages to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*: And whereas Doubts have arisen whether the said Provisions extend to Foreign Vessels and the Masters thereof, and it is expedient to declare that the said Provisions do extend to such Vessels and Masters; be it therefore enacted and declared, That from and after the passing of this Act all the Provisions, Regulations, Penalties, and Forfeitures set forth in the said Act shall extend and be deemed to extend to Foreign Vessels carrying Passengers from any Port or Place in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, on any Voyage to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, and to the Masters of such Vessels, as fully and effectually and to all Intents and Purposes as if the said Foreign Vessels and Masters thereof had been specifically mentioned and named in the said Act.

Treaties.

59 G. 3. c. 54. to apply to all Foreign Powers as well as United States and Portugal.

XXVII. And whereas by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of* America, *and a Treaty with the Prince Regent of* Portugal, divers Provisions were made respecting the Duties payable and the Bounties and Allowances to be granted upon the Importation and Exportation of Goods, Wares, and Merchandize into or from the United Kingdom in Vessels of the United States, and in *Portuguese* Vessels, and respecting the Repayment to certain Corporations, Bodies Politic and Corporate, and sundry other Persons, of the Amount of the Sums of Money of which they would

Treaties.

be deprived by means of the said Act; and it was thereby enacted, that the said Act should continue in force so long as the Convention therein recited between His said late Majesty and the United States of *America*, and the Treaty therein recited between His said late Majesty and His Royal Highness the Prince Regent of *Portugal*, and so long as any Treaty to be made with any Foreign Power, with the similar Provision therein-before recited, should respectively continue in force: And whereas subsequently to the Enactment of the said recited Act Her Majesty and Her Royal Predecessors have made and concluded with divers Foreign Powers Treaties containing Provisions similar to those recited in the said recited Act, and Doubts have arisen whether, according to the true Construction thereof, the said Act doth apply and extend to the Trade and Shipping of such other Foreign Powers; and it is expedient that such Doubts be removed; be it therefore and it is hereby enacted and declared, That from and after the Ratification of any Treaty heretofore made by Her Majesty or any of Her Royal Predecessors subsequently to the Enactment of the said Act, or of any Treaty which may hereafter be made by Her Majesty, Her Heirs and Successors, with any such Foreign Power, in which Treaty has been or shall be contained Provisions similar to those recited in the said recited Act, all and every the Provisions, Clauses, Matters, and Things in the said recited Act contained did and shall apply and extend to the Trade and Shipping of such Foreign Powers respectively, as fully and effectually to all Intents and Purposes as to the Trade and Shipping of the said United States and of the said Kingdom of *Portugal*.

Recited Act not to be construed as granting Powers beyond subsisting Treaties.

XXVIII. Provided nevertheless, and be it enacted and declared, That the said recited Act doth not extend and shall not be construed to extend to grant to or to confer upon the Trade or Shipping of the said United States or of the said Kingdom of *Portugal*, or of any other Foreign Power, or to the Subjects of such States or Kingdom or of any such Foreign Power as aforesaid, any other or greater Advantage than such as shall have been stipulated for by and granted to the said United States, the said Kingdom of *Portugal*, or any such other Foreign Power, by the respective Treaties subsisting and in force between them respectively and Her Majesty, Her Heirs and Successors, or Her Royal Predecessors, but that the said Act shall be so construed and applied as to give full and complete Effect to such respective Treaties so long as the same shall respectively remain in force, and is to provide such and only such Indemnity as therein mentioned to such Bodies Politic and Corporate and other Persons as are therein mentioned, for such Losses as they shall respectively sustain by the Execution of such respective Treaties.

Her Majesty, with Advice of Privy Council, to declare the Powers with whom Treaties are subsisting.

XXIX. And for the Prevention of Uncertainty herein, be it enacted, That it shall and may be lawful for Her Majesty, Her Heirs and Successors, by any Order or Orders to be by Her or Them made with the Advice of Her or Their Privy Council, and published in the *London Gazette*, from Time to Time to declare what are the Foreign Powers with which any such Treaty or Treaties as aforesaid is or are subsisting; and this present Act and the said recited Act shall apply,

Treaties.

and shall be deemed from the Time of the Ratification of any such Treaties to have been applicable, to the Trade and Shipping of such Foreign Countries as shall be so mentioned in any such Order or Orders in Council as aforesaid, so long as any such Order or Orders shall continue unrevoked, and no longer.

Goods the Produce of certain Countries may be imported, and admitted to Entry in the United Kingdom.

XXX. And whereas by one other of the said first-mentioned Acts, intituled *An Act for the Encouragement of* British *Shipping and Navigation*, it is enacted, that Goods the Produce of *Asia*, *Africa*, or *America* shall not be imported from *Europe* for Consumption in the United Kingdom, except in certain Cases: And whereas by the said Act it is provided that Goods the Produce of *Asia* or *Africa*, which have been brought into Places in *Europe* within the *Straits of Gibraltar* from or through Places in *Asia* or *Africa* within those Straits, and not by way of the *Atlantic Ocean*, may be imported from such Ports in *Europe* in *British* Ships: And whereas Treaties beneficial to *British* Shipping may be made with Countries having Ports within the *Straits of Gibraltar* if Her Majesty were empowered to authorize the Importation of such Goods from such Ports in the Ships of such Countries respectively; be it therefore enacted, That in case any Treaty shall be made with any such Country, stipulating that such Productions of *Asia* or *Africa* shall be imported from the Ports of such Country in the Ships of the same as well as in *British* Ships, such Goods so imported shall in virtue of such Treaty be admitted to Entry in the United Kingdom, to be used and consumed therein, any thing in the said Act of Navigation to the contrary notwithstanding.

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