'Workers or Makers only, from carrying abroad or exposing to Sale and selling by Retail 'or otherwise any of the said Goods, Wares, or Manufactures of his, her, or their own 'making, in any Mart, Market, or Fair, and in every City, Borough, Town Corporate, and 'Market Town: And whereas by an Act passed in the Fifty-fifth Year of the Reign of 'King *George* the Third, Chapter Seventy-one, to regulate Hawkers and Pedlars in *Scotland*, 'Licences chargeable with certain Duties (now likewise under the Care and Management 'of the said Commissioners) are required to be taken out by every such trading Person in '*Scotland*, with a similar Proviso:' Be it also enacted, That nothing in the said Two last-mentioned Acts respectively shall extend to hinder any such real Worker or Maker, or his Children, Apprentices, or known Agents or Servants aforesaid, from carrying abroad or exposing to Sale any of the said Goods, Wares, or Manufactures of his own making, at any Place whatever in *Great Britain*.

Power to Justices, on Conviction of a Hawker, to mitigate the Penalty to One Fourth.

IV. Where any Person shall be convicted of an Offence under either of the aforesaid Acts relating to Hawkers and Pedlars whereby a pecuniary Penalty has become forfeited, it shall be lawful for the Justice of the Peace, or other Person before whom the Information or Complaint is heard, and he is hereby authorized and empowered, if he shall think fit so to do, to mitigate the Penalty to any Sum not less than One Fourth Part thereof, over and above the necessary Costs of the Proceedings to be allowed by him.

## CAP. XXXVII.

### An Act for the Amendment of the Laws relating to the Customs.

[13th *August* 1859.]

BE it 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, as follows:

Repeal of 3 & 4 W. 4. c. 101.

I. The Act of Third and Fourth *William* the Fourth, Chapter One hundred and one, is hereby repealed.

Lien for Freight payable before Delivery of Goods from Queen's Warehouse.

II. Any Officer of the Customs having the Charge or Custody of any Goods which shall have come to his Hands under the Laws relating to the Customs is hereby authorized and empowered to refuse Delivery thereof from the Queen's Warehouse or other Place in which the same shall be deposited until Proof shall be given to his Satisfaction that the Freight due upon such Goods has been paid.

Goods under Bond for Exportation to be duly shipped.

III. If any Goods delivered from any Warehouse for Exportation, or for Removal from one Port to another in the United Kingdom, or otherwise, under any Bond required by the Laws relating to the Customs on the Exportation or Removal of such Goods, shall be illegally removed or carried away from any Carriage, Cart, Boat, Lighter, Quay, Wharf, or other Place, prior to the Shipment thereof on board the exporting or removing Vessel, or from any Ship, Cart, or Carriage in or on which the same shall have been shipped or laden, such Bond shall be forfeited, and may forthwith be put in Suit for the Penalty thereof, although the Time prescribed in such Bond for the landing or Removal and re-warehousing of such Goods at the Place of Destination shall not have expired.

Goods to be correctly stated in the Declaration on Shipping Bills.

IV. In addition to the Declaration upon the Shipping Bill required by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," the Exporter or his Agent shall declare that the Quantity and Description of the Goods mentioned in any such Shipping Bill delivered by him in pursuance of the said Act are correctly stated, and the Declaration hereby required shall be deemed and taken to be a Part of such Shipping Bill, as fully as if the same had been required by the said Act, and if the same shall be false in any Particular the Person making the same shall forfeit the Sum of Twenty Pounds.

V. Any

Shipping Bills on Exportation to be delivered, and if not acted upon to be notified.

V. Any Exporter of Goods who shall fail, either by himself or his Agent, to deliver to the Searcher a Shipping Bill, with Duplicates thereof, of the Goods exported by him, as prescribed by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," and this Act, or who, having delivered such Shipping Bill and Duplicates, shall, in the event of the Goods or any Part thereof comprised therein not being duly shipped, in pursuance thereof, fail within Three Days after the final Clearance Outwards of the Ship in which such Goods were in such Shipping Bill entered to be shipped, to attend the proper Officer of Customs, either by himself or his Agent, and correct and make perfect such Shipping Bill, by striking out of the same such of the Goods entered therein as shall not have been shipped in pursuance thereof, shall forfeit the Sum of Twenty Pounds.

Penalty on fraudulent Import Entries and Concealments.

VI. If any Person shall cause to be imported Goods of one Denomination concealed in Packages of Goods of any other Denomination, or shall directly or indirectly cause to be imported or entered any Package of Goods as of one Denomination, but which shall afterwards be discovered, either before or after Delivery thereof, to contain other Goods subject to a higher Rate or Amount of Duty than those of the Denomination by which such Package was entered, such Package and all Goods contained therein shall be forfeited, and every Person shall forfeit and pay for every such Offence a Penalty of One hundred Pounds, or treble the Value of the Goods contained in such Package at the Option of the Commissioners of Customs.

Butter and Deals from Canada may be imported viâ Portland.

VII. 'Whereas by Section Forty-three of "The Customs Consolidation Act, 1853," it is 'enacted, "that no Goods shall be deemed to be imported from any particular Place unless '"they be imported direct from such Place, and shall have been there laden on board the '"importing Ship either as the first Shipment of such Goods or after the same shall have '"been actually landed at such Place;" and by Section Seventy-seven of the same Act it 'is further enacted, "that no Goods shall be entered as being of or from any *British* '"Possession abroad (if any Benefit attach to such Distinction), (except as therein '"excepted), unless the Master of the Ship importing the same shall have delivered to the '"Collector or Comptroller a Certificate under the Hand of the proper Officer of the Place '"where such Goods were taken on board of the due Clearance of such Ship from thence, '"containing an Account of such Goods;" and by "The Customs Tariff Act, 1855," 'certain Goods of and from a *British* Possession are entitled to Entry upon Importation 'into the United Kingdom at a lower Rate of Duty than when imported from a Foreign 'Country, but are, under the Provisions of Section Forty-three of "The Customs Consoli-'dation Act, 1853," required to be imported direct from the Place of Growth or Produce: 'And whereas it is expedient to relax the Provisions of the said Act in regard to Butter 'and Deals the Produce of *Canada* imported from thence into the United Kingdom *viâ* '*Portland* in the United States of *America*:' Be it therefore enacted, That, notwithstanding anything in the said Acts contained to the contrary, it shall and may be lawful to import Butter and Deals into the United Kingdom from *Canada viâ Portland*, under such Rules and Regulations as the Commissioners of the Treasury or the Commissioners of Customs may from Time to Time direct and appoint; and that such Goods so imported shall be entitled to the same Privileges, and admissible at the same Rate of Duty, as if imported direct from *Canada*.

Interpretation of Terms.

VIII. For the Removal of Doubts as to the Meaning and Application of the Word "Importer," as used in the Customs Acts, the Word "Importer" in any Act relating to the Customs is hereby declared to apply to and include any Owner or other Person for the Time being possessed of or beneficially interested in any Goods imported into the United Kingdom, from the Time of the Importation thereof until they shall, on Payment of the Duties thereon or otherwise, be duly delivered or discharged from the Custody or Control of the Customs.

Short Title.

IX. In citing this Act in other Acts and in legal Instruments it shall be sufficient to use the Expression "The Customs Amendment Act, 1859."