

things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service and purveyance, and for settling a revenue upon his Majesty's in lieu thereof*, or by any other law now in force relating to his Majesty's revenue of excise, shall be practised, used, and put in execution as fully and effectually as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters and things, were particularly repeated and re-enacted in this present act.

to the excise to extend to this act.

X. And be it further enacted, That all fines, penalties, and forfeitures imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them, who shall inform, discover, or sue for the same.

Recovery and application of penalties.

XI. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing by him or them done in pursuance of this act, such action or suit shall be commenced within three months next after the matter or thing done, and shall be laid in the proper county, and the defendant or defendants in any such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or prosecution, or judgement shall be given against him, her, or them upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him, her, or them, against such plaintiff or plaintiffs.

Limitation of actions.

General issue.

Treble costs.

C A P. LXXVI.

An act to authorise the issuing of commissions and letters of marque and reprisal against his Majesty's enemies, to such ships and vessels belonging to his Majesty as are or may be employed in the service of the boards of customs and excise, and other public boards in this kingdom.—[June 27, 1801.]

WHEREAS under the regulations of an act of parliament made and passed in thirty-third year of the reign of his present Majesty, intituled, *An act for the encouragement of seamen, and for the better and more effectually manning his Majesty's navy, the lord high admiral or the commissioners for executing the office of lord high admiral of Great Britain for the time being, are authorised to cause commissions and letters of marque to be issued to such ships and vessels only as belong to his Majesty's subjects, and which shall have*

Preamble. 33 Geo. 3. c. 66.

been

26 Geo. 3.
c. 60.

The admiralty, at the request of the commissioners of the customs, excise, &c. may issue letters of marque to such persons as the commissioners shall nominate to be commanders, and the prizes taken shall be divided among the captors in such shares as the commissioners, &c. shall think proper.

been registered pursuant to an act of parliament made and passed in the twenty-sixth year of the reign of his said Majesty, intituled, An act for the further increase and encouragement of shipping and navigation, the certificate of which registry is also by the said first recited act required to be produced to the lord high admiral or commissioners for executing the office of lord high admiral of Great Britain, previous to the granting any such commission or letter of marque: and whereas ships and vessels which belong to his Majesty are by the said recited act passed in the twenty-sixth year of the reign of his present Majesty expressly exempted from being registered, by reason whereof no commissions or letters of marque can regularly be granted to any ships or vessels of his Majesty in the service of the boards of customs and excise, or other publick boards, without the sanction of parliament; may it therefore please your Majesty that it may be enacted; and 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 the authority of the same, That from and after the passing of this act, it shall and may be lawful to and for the lord high admiral or the commissioners for executing the office of lord high admiral of Great Britain, for the time being, or any three or more of them, if they shall think fit, or any person or persons, by him or them empowered and appointed for that purpose, at the request or on the application of the commissioners of his Majesty's customs, excise, navy, transports, ordnance, or victualling, to cause to be issued in the usual manner one or more commission or commissions, or letter or letters of marque and reprisal, to any person or persons whom such commissioners so applying shall nominate to be commander, or in case of death successively commanders of such ship or vessel for the attacking, surprizing, seizing, and taking, by or with such ship or vessel, or with the crew thereof, any place or fortress upon the land, or any ship or vessel, arms, ammunition, stores of war, goods, and merchandize, belonging to or possessed by any of his Majesty's enemies, in any sea, creek, haven, or river, and that such ship or ships, vessel or vessels, arms, ammunition, stores of war, goods and merchandize whatsoever, with all their furniture, tackle, and apparel, so to be taken, by or with such ship or vessel so having such commission or letter of marque, after final adjudication thereof, as lawful prize in the high court of admiralty, or in any other court of admiralty in his Majesty's dominions, which shall be duly authorized thereto, shall wholly and entirely belong to, and be divided between and among the several persons who shall be on board the same, and be aiding and assisting in the taking thereof, in such shares and proportions as the commissioners of his Majesty's customs and excise, or of any other publick board in this kingdom, shall respectively think proper, and that neither his Majesty, his heirs or successors, nor any other person or persons whomsoever, other than the persons who shall be so on board such ship or vessel, and be aiding and assisting in such captures, shall be entitled to any part or share thereof, except as to the

customs

customs and duties which by law are or may be payable in respect thereof, any thing contained in the said recited act passed in the thirty-third year of his said Majesty's reign, or any other law, usage, or custom to the contrary thereof, in any wise notwithstanding.

II. Provided always, and be it declared and enacted, That before the granting or issuing of any commission or letter of marque in pursuance of this act, such or the like bail and security shall be taken as hath been usual in cases of commissions or letters of marque granted to merchants ships and vessels, and that the sufficiency of such bail or security shall be enquired into and reported, and such oath be taken by them as are prescribed and required by the said recited act passed in the thirty-third year of the reign of his said Majesty, and that all and every the rules, regulations, clauses, provisoes, restrictions, pains, penalties, forfeitures, matters and things whatsoever, contained in the said last mentioned act, or in any other act or acts of parliament relating to the applying for, obtaining, using, or revoking of commissions, or letters of marque for ships or vessels belonging to his Majesty's subjects, and relating to the commanders, officers, and crews of such ships or vessels, and the captures by them made, or offences by them committed, or to any person or persons granting certificates, or otherwise acting in respect to such ships or vessels, (except so far as the same are hereby altered and amended) shall be observed and performed and be in full force and effect so far as the same are or may be applicable in regard to ships or vessels having commissions or letters of marque under the provisions of this present act, and to the commanders, officers, and crews thereof, and other persons acting in any wise relating thereto, as fully and effectually to all intents and purposes as if the said rules, regulations, clauses, provisoes, restrictions, pains, penalties, forfeitures, matters and things, were particularly repeated and re-enacted in the body of this present act.

Security shall be given before issuing any letters of marque as directed by 33 Geo. 3. c. 66.

C A P. LXXVII.

An act for allowing, until the first day of August one thousand eight hundred and two, the importation of certain fish from Newfoundland and the coast of Labrador, and for granting a bounty thereon.
—[June 27, 1801.]

WHEREAS it is expedient to permit the importation of salted and pickled salmon and salted dry cod fish from the island of Newfoundland and the coast of Labrador into the united kingdom of Great Britain and Ireland, and to allow on such importation a bounty on every quintal or hundred weight of such fish so imported; 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, from and after the passing of this act, **Preamble.**
Salted salmon or salted dry cod fish may be imported from Newfoundland or the coast of Labrador by british subjects,