

Carpets, Turkey,
 Chip Hats,
 Clover Seed,
 Cochineal,
 Cotton Yarn,
 — Wool,
 Currants,
 Elephant's Teeth,
 Feathers for Beds,
 Figs,
 Ginseng,
 Gum Arabic,
 — Senega,
 Jalap,
 Jesuit's Bark,
 Indigo,
 Juniper Berries,
 Linen, plain, of all Sorts, except Sail Cloth,

Manna,
 Mohair Yarn,
 Oil of Olives,
 — Palm,
 — Salad,
 — of Turpentine,
 Opium,
 Prunes,
 Quicksilver,
 Raisins of all Sorts,
 Rhubarb,
 Saffron,
 Sena,
 Silk, Raw,
 — Thrown,
 — Waste,
 Smalts,
 Straw Hats.

C A P. CXXXIII.

An Act to continue, until the twenty-fifth Day of *March* One thousand eight hundred and eight; an Act, made in the forty-second Year of the Reign of his present Majesty, for enabling his Majesty to permit the Importation and Exportation of certain Goods and Commodities into the Port of *Tortola*; and to continue until the fourteenth Day of *June* One thousand eight hundred and eight, and from thence to the End of the then next Session of Parliament, and amend so much of an Act, made in the sixth Year of the Reign of his present Majesty, as relates to the prohibiting the Importation of foreign wrought Silks and Velvets into *Great Britain*.

[11th August 1803.]

" 42 G. 3. c. 102. recited, and continued till *March* 25, 1808, § 1.—6 G. 3. c. 28. (continued by various Acts, the last recited being 35 G. 3. c. 38. § 3: but see 42 G. 3. c. 79. § 4.) further continued till *June* 14, 1808, so far as relates to the prohibiting the Importation of foreign wrought Silks and Velvets (except so far as it is repugnant to 43 G. 3. c. 68. See *Sched. A.* Title *Silk.*)—§ 2.

C A P. CXXXIV.

An Act for the Relief of the Captors of Prizes, with respect to the bringing and landing certain Prize Goods in *Great Britain*, during Hostilities.

[11th August 1803.]

WHEREAS it is expedient to make Provision respecting Vessels and Goods taken from an Enemy and condemned as Prize, during Hostilities; 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 any Goods, Wares, or Merchandize, which shall have been taken as Prize since the Commencement, or may be taken during the Continuance of Hostilities, and which have been or may be brought into *Great Britain* by any of his Majesty's Ships of War, or by any Private or other Ship or Vessel having Commission from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or which have been or may be seized by any Non-commissioned Vessel, or otherwise as Droits of Admiralty, shall and may, upon Condemnation thereof as lawful Prize, be landed in any Port in *Great Britain*, and secured under the King's Locks in Warehouses, provided at the sole Expence of the Captors, with the Privy and Approbation, and under the Care and Inspection of the Commissioners or other Principal Officers for collecting and managing the respective Duties of Customs; and upon Admission of any such Goods into such Warehouses, there shall be paid by the Captors or their Agents the following Duties of Customs; that is to say,

Prize Goods may, on Condemnation, be landed in *Great Britain* and secured in Warehouses.

For every Ton of Wine or Vinegar, containing two hundred and fifty-two Gallons, the Sum of two Pounds, if taken by a Ship of War, or by a Private Vessel; for every Ton of Brandy, containing two hundred and fifty-two Gallons, the Sum of two Pounds five Shillings, if taken by a Ship of War, or seized as Droits of Admiralty, the Sum of fifteen Shillings, if taken by a private Vessel; for every Hundred Weight of Sugar, the Sum of six Shillings, if taken by a Ship of War, or seized as Droits of Admiralty, and the Sum of two Shillings, if taken by a private Vessel; for every Hundred Weight of Coffee, the Sum of ten Shillings and Sixpence, if taken by a Ship of War, or seized as Droits of Admiralty, and the Sum of three Shillings and Sixpence, if taken by a private Vessel; for every Hundred Weight of Cocoa, the Sum of three Shillings and Ninepence, if taken by a Ship of War, or seized as Droits of Admiralty, and the Sum of one Shilling and Threepence, if taken by a private Vessel; and upon all other Goods, Wares, or Merchandize, not particularly excepted or otherwise charged with Duty by this Act, for every one hundred Pounds of the Value thereof, the Sum of seven Pounds ten Shillings, if taken by a Ship of War, or seized as Droits of Admiralty, and the Sum of two Pounds ten Shillings if taken by a private Vessel.

Upon Payment of the Duties of Customs herein specified.

II. Provided always, That no Duties whatever shall be demanded or taken for any Prize Goods, consisting of Military or Ship Stores, *videlicet*, Sails, Cordage, Anchors and Cables, Masts, Yards, Bowsprits, Blocks,

Exemptions from Duty, viz. Military or Ship Stores.

Goods admissible
Duty free.

Ships, &c. taken
from the Enemy.

Corn, &c. shall
be warehoused,
subject to all Re-
gulations in re-
spect to foreign
Corn.

East India Goods
shall be sold in
London, subject
to the Regula-
tions of Sales by
the East India
Company, &c.

Tobacco, &c.
imported into
Ports not enu-
merated in the
Acts 29 G. 3.
c. 68. 31 G. 3.
c. 47., &c. shall
be removed to
such Ports, and
shall be subject
to the Regula-
tions of recited
Acts and 30 G. 3.
c. 40.

Commissioners
of Customs may
order Prize
Goods, except
Snuff and To-
bacco, to be re-
moved for Ex-
portation to any
Custom House
Warehouse in
Great Britain,
&c.

* [§ 10]

Goods con-
demned abroad
shall be entitled
to the Benefit of
this Act, on Cer-
tificate of Con-
demnation, &c.

Guns, Gunpowder, Shot, Match, Gun Carriages, Cartridges, and other Materials thereto belonging, and all Timber and Iron converted into and made fit for Ship Building, or for any of the Uses and Purposes aforesaid; salted Beef, Pork, and Butter, Biscuit, Small Beer, Pease, and Oatmeal; Sailors' Clothes, Hammocks, Bedding, and Apparatus and Instruments belonging to Surgeons; Bullion; or for any Goods which, by any Law, in Force on and immediately before the passing of this Act, may be imported into *Great Britain* Duty free: Provided also, that no Ship of War, or any private Ship or Vessel of War, which hath been or shall be taken from the Enemy and legally condemned as Prize, nor the Sails, or any of the Tackle, Apparel, or Furniture belonging to such Ship or Vessel, shall be charged or chargeable with, or subject or liable to pay any Duty whatever, any Law, Custom, or Usage to the contrary notwithstanding.

III. And be it further enacted, That all Wheat, Wheat Meal, or Flour, Rye, Barley, Beer or Bigg, Oats, Oatmeal, Pease, Beans, *Indian* Corn and Maize, taken and condemned as Prize, shall, on the same being brought into any Port in *Great Britain*, be warehoused, and subject to such Rules, Regulations, Restrictions, Duties, Drawbacks, Penalties, and Forfeitures, as are provided and enacted by any Act or Acts of Parliament in Force on or immediately before the passing of this Act with respect to any foreign Corn imported into *Great Britain*, as fully and effectually, to all Intents and Purposes, as if all the Clauses, Powers, Directions, and Authorities in such Acts respectively were particularly repeated and re-enacted in the Body of this present Act.

IV. And be it further enacted, That all Goods of the Growth, Production, or Manufacture of *China*, or the *East Indies*, taken and condemned as Prize, shall be publicly exposed to Sale in the City of *London* by the Captors or their Agents, Notice of such Sale being first given by the proper Officers of the Customs or Excise respectively concerned therein; and such Goods shall be sold on such Conditions, and under such Rules, Regulations, and Restrictions, as are used and practised at the Sales of the *East India* Company, and the Goods shall be subject to such Duties, and entitled to such Drawbacks as the like Goods are or may be subject and entitled to when imported by the *East India* Company, and the like Duties due and payable on such Goods shall be paid in all Cases by the Captors or their Agents.

V. And be it further enacted, That Tobacco and Snuff of all Sorts taken as Prize, and brought into any Port of *Great Britain*, not being a Port enumerated in an Act, passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act for repealing the Duties on Tobacco and Snuff, and for granting new Duties in lieu thereof*; and in another Act, passed in the thirty-first Year of the Reign of his present Majesty, intituled, *An Act to prevent other Ships than these laden with Tobacco from mooring and discharging their Lading at the Places appointed by an Act, made in the twenty-ninth Year of the Reign of his present Majesty, intituled, 'An Act for repealing the Duties on Tobacco and Snuff, and for granting new Duties in lieu thereof,' to prohibit the Exportation of damaged or mean Tobacco; and for permitting the Importation of Tobacco and Snuff into the Port of Newcastle-upon-Tyne*; shall be removed according to the Provisions of the said Act of the twenty-ninth Year of his present Majesty, as soon as may be, under the usual Coast Dispatches and Securities, to some one of the Ports enumerated in the said Acts; and that such Tobacco and Snuff, brought into any Port enumerated in the said Acts, shall, on Condemnation as Prize, be warehoused in his Majesty's Tobacco Warehouse at such Port, and be subject and liable to Warehouse Rents, at the Rate of one Penny Halfpenny per Week for every Hogshead, or other Package; and such Tobacco and Snuff may be exported from such Warehouse, without Payment of any Duty, or may be taken out of such Warehouse for Home Consumption or Manufacture, on Payment of the Duties due and payable on Tobacco and Snuff of the Growth or Production of his Majesty's Colonies, Plantations, Islands, or Territories in *America*; and such Tobacco and Snuff, so warehoused, shall be subject and liable to the Rules, Regulations, Penalties, and Forfeitures, as are provided and enacted with respect to warehoused Tobacco and Snuff in the said Act, passed in the twenty-ninth Year of the Reign of his present Majesty, and in an Act passed in the thirtieth Year of the Reign of his present Majesty, intituled, *An Act to explain and amend an Act, made in the last Session of Parliament, intituled, 'An Act for repealing the Duties on Tobacco and Snuff, and for granting new Duties in lieu thereof,'* and also in the said recited Act passed in the thirty-first Year of the Reign of his present Majesty.

VI. And whereas it may in some Case be impracticable for the Captors or their Agents to procure Vessels to export Prize Goods directly from the Ports where they are warehoused, in pursuance of this Act, and the keeping such Goods for a considerable Time, in order to procure such Vessels, may be attended with great Expence and Loss to the Captors; for the Remedy whereof, be it further enacted, That it shall be lawful for the Commissioners of his Majesty's Customs in *England* or *Scotland* respectively, or any three or more of them, in any Case where they shall think proper, to order such Goods, so secured in any Warehouse in *Great Britain*, Tobacco and Snuff excepted, to be removed and sent from thence for Exportation to any Custom House Warehouse at any other Place or Port in *Great Britain*, by and under the Seal of Office of the Collector and Comptroller of the Customs at the Port from whence the Goods are intended to be so removed, at the Expence of the Captors or their Agents, or other Person or Persons who may have purchased the same; and in such case the Security directed by this Act shall be taken by the Customer or Collector of the Port to which such Goods are removed, before they are delivered for Exportation, instead of the Customer or Collector of the Port where they were first warehoused as aforesaid, any Thing in the present Act to the contrary notwithstanding.

VII. And be it further enacted, That all Goods taken as Prize and condemned abroad shall, on Importation into *Great Britain*, be entitled to the Benefit and Indulgence granted to Prize Goods by this Act, provided a Certificate, from and under the Hand and Seal of the Judge or Registrar of the Court in which such Goods shall have been condemned, shall be produced to the Collector or Principal Officer of his Majesty's Customs at the Port or Place into which such Goods shall be imported, certifying the Condemnation thereof; and the Master of the Ship or Vessel on board of which such Goods shall be imported, shall, together with the Im-

porter, Proprietor, or Consignee, make Oath before the said Collector or Principal Officer, (who is hereby empowered to administer the same,) that, to the best of their Knowledge and Belief, the Goods so imported are the identical Goods mentioned in the Certificate of Condemnation.

VIII. 'And whereas Goods of the Growth, Production, or Manufacture of *China*, or the *East Indies*, taken as Prize, may, during Hostilities, be carried into some of the Out Ports of *Great Britain* and condemned; in order that the Duties due thereon may be properly ascertained, be it further enacted, That in all Cases where such Goods shall be carried into any Out Port of *Great Britain*, and condemned as Prize, Bond, with sufficient Security, shall be given to his Majesty, in Treble the Value of such Goods, that the same shall be brought to *London*, and delivered to the proper Warehouse-keeper at the Customs in the Port of *London*; to be deposited by him in Warehouses provided at the Expence of the Captors or their Agents, and approved of by the Commissioners of the Customs, or any four or more of them; and with further Condition to procure a Certificate from such Warehouse-keeper, within three Months from the Date of such Bond, that the Goods have been delivered accordingly, which Security the Collector and Comptroller, or other Principal Officer of the Customs at the Port from whence such Goods are to be removed, are hereby authorized and empowered to take, and to cancel and discharge such Bond, upon receiving the Certificate from the Warehouse-keeper as hereinbefore directed; and if such Goods shall be sent by Land Carriage they shall be removed under the Seals of Office of such Collector and Comptroller or Principal Officer of the Customs, and shall be accompanied with a Transire, expressing the Number and Marks of the Packages; and all such Goods so removed, either by Land or Water, shall afterwards be publicly exposed to Sale in the City of *London* by the Captors or their Agents, they giving Notice of such Sale to the proper Officers of the Customs or Excise respectively concerned therein, and under the same Rules, Regulations, and Restrictions, in all Respects, and subject to such Duties as are or may be payable upon the like Goods, when imported by and sold at the Sales of the United Company of Merchants of *England* trading to the *East Indies*, and the Duties due by Law thereon shall be accordingly paid and applied; any Law, Custom, or Usage to the contrary notwithstanding.

IX. And it is hereby further enacted, That where any foreign Ship or Vessel (not being a Ship of War or a private Ship or Vessel of War) hath been or shall hereafter be taken during Hostilities, and condemned as Prize, in any of his Majesty's Dominions out of *Great Britain*, the Duty due and payable by Law for such Ship or Vessel shall be paid, upon her first Arrival at any Port in *Great Britain*, to the Collector of his Majesty's Customs at such Port, by the Master, Owner, or Consignee, of such Ship or Vessel, whether the same shall or shall not have been sold by the Captors after Condemnation, and that no foreign-built Ship or Vessel so condemned shall enjoy or be entitled to the Privilege of a *British*-built Ship or Vessel until such Duty is paid for the same; and it shall be lawful for any Officer or Officers of his Majesty's Customs to stop and detain such Ship or Vessel at any Port in *Great Britain*, until the said Duty is paid as aforesaid; and in case Payment thereof shall not be made for the Space of three Calendar Months after the Arrival of such Ship or Vessel at any Port in *Great Britain*, it shall and may be lawful for the Commissioners of his Majesty's Customs in *England* or *Scotland* respectively, or any three or more of them, to cause such Ship or Vessel, and her Masts, Apparel, and Furniture to be sold publicly to the best Bidder, and the Produce thereof to be applied, first, to the Charges that shall arise by such Detention and Sale, next to the Customs and Duties, and the Overplus to be paid to the Proprietor of such Ship, or other Person duly authorized by such Proprietor to receive the same.

X. And it is hereby further enacted, That any Prize Goods which shall be received into any Warehouse in pursuance of this Act, or which are now remaining in any Warehouse in *Great Britain*, where they have been secured under the King's Locks, by Permission of the Commissioners of the Customs, shall and may, upon Payment of the respective Duties before directed by this Act, be exported at any Time directly from thence, either by the Captors or their Agents, or by any other Person or Persons, without paying any further Duty of Customs or Excise for the same; the Person or Persons exporting the same, giving sufficient Security in Double the Value of the Goods before the Delivery thereof out of the Warehouse, that the same shall be really and truly exported, and not brought back again or reloaded in any Part of *Great Britain*, or landed in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or the Islands of *Faro* or *Ferro*; which Security the Customor or Collector of the Port from whence the same are intended to be exported, is hereby required and authorized to take in his Majesty's Name, and to his Majesty's Use.

XI. Provided also, and it is hereby further enacted, That if any Goods shall be taken out of any Warehouse wherein they are secured as aforesaid, to be used or consumed in *Great Britain*, the Person or Persons so taking out the same shall first pay up the Remainder of the Duties which would at that Time have been due and payable to his Majesty thereon, if the same had been regularly imported by way of Merchandize into *Great Britain*; and such Goods shall, in all other Respects, be liable to the same Restrictions and Regulations to which they would have been subject if this Act had not been made.

XII. 'And whereas the clandestine Importation and Running of Spirits, Tea, and other prohibited Goods, into *Great Britain*, may during Hostilities, be carried on to a great Degree in large Vessels fitted out and armed as Privateers: And whereas by Means of this illicit Commerce so prejudicial to the publick Revenue and the fair Trader, the Powers with whom *Great Britain* is or may be carrying on Hostilities, may receive Intelligence very detrimental to *Great Britain*; for the better preventing whereof, be it further enacted, That, from and after the passing of this Act, if any Ship or Vessel whatever which shall be commissioned by Letters of Marque or General Reprisals, or otherwise, by his Majesty's Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall be found at Sea, or in any Port in *Great Britain*, or at any Distance from the Coast thereof, having on board any foreign Brandy or other foreign Spirituous Liquors in any Vessels or Casks which shall not contain sixty Gallons at the least, except only for the Use of the Seamen then belonging to and on board such Ship or Vessel, not exceeding two Gallons for each Seaman, or any Tea exceeding the Quantity of six Pounds Weight, or any other Goods whatever, which are or may be liable to

Forfeiture

Regulations respecting bringing East India Goods condemned in the Out Ports to London, and the Sale of them there.

Foreign Vessels (except Ships of War) condemned as Prize out of *Great Britain* shall pay the Duty on their first Arrival, &c.

Prize Goods may be exported on Payment of the Duties, and entering into Security for Exportation. [See ante §6.]

Goods taken out for Home Consumption shall pay all Duties, &c.

Vessels commissioned by Letters of Marque, &c. having on board beyond a certain Quantity of foreign Spirits or Tea, or any seizable Goods, shall be forfeit.

ed, and the Commission shall be void.

Forfeiture by any Act of Parliament upon being imported into Great Britain, then not only all such Goods, but also the Ship or Vessel on board which they shall be found as aforesaid, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, shall be forfeited and lost, and the same shall be carried and delivered to the Care and Custody of the Collector and Comptroller of his Majesty's Customs at any Port in Great Britain, and the same shall be seized, prosecuted, recovered, and disposed of, by such Ways and Rules, and in such Manner and Form, as such Vessels and Goods would be liable to be seized, prosecuted, recovered, and disposed of, by any Law in Force, if the same had been found within the Limits of any Port of Great Britain; and the Letters of Marque or General Reprisals, or any other Commissions for such Ship or Vessel, shall be null and void; any Law, Custom, or Usage to the contrary notwithstanding.

“ Duties and Drawbacks shall be levied and paid as under former Acts, § 13. Continuance of Act, during “ Hostilities.—May be altered this Session, § 14.”

C A P. CXXXV.

[See c. 39 of this Session as to Claims on Americans.]

An Act for the removing of Doubts respecting the Validity of Assignments made or to be made pursuant to the Awards of the Commissioners acting under the seventh Article of the Treaty with the United States of America; and for the better enabling of his Majesty to recover the Interests so assigned. [11th August 1803.]

Seventh Article of Treaty with the United States, dated November 19, 1794, recited.

WHEREAS by the seventh Article of the Treaty of Amity, Commerce, and Navigation, concluded between his Majesty and the United States of America, and signed at London, on the nineteenth Day of November One thousand seven hundred and ninety-four, after reciting that Complaints had been made by divers Merchants and other Citizens of the United States, that during the Course of the War in which his Majesty was engaged; they had sustained considerable Losses and Damages by reason of irregular or illegal Captures or Condemnations of their Vessels and other Property, under Colour of Authority or Commissions from his Majesty; and that from various Circumstances belonging to the said Cases, adequate Compensation for the Losses and Damage so sustained could not then be actually obtained, had, and received, by the ordinary Course of judicial Proceedings, it was agreed that in all such Cases, where adequate Compensation could not for whatever Reason be then actually obtained, had, and received by the said Merchants and others in the ordinary Course of Justice, full and complete Compensation for the same should be made by the British Government; and for the Purposes of ascertaining any such Losses or Damage, five Commissioners should be appointed, and authorized to act in London in Manner therein mentioned, the Award of the said Commissioners, or any such three of them as therein described, in all Cases to be final and conclusive, both as to the Justice of the Claim, and the Amount of the Sum to be paid to the Claimant; and his Majesty undertook to cause the same to be paid to such Claimant in Specie without any Deduction, in such Place or Places, and at such Time or Times as should be awarded by the same Commissioners, and on Condition of such Releases and Assignments, to be given by the Claimants as by the said Commissioners might be directed: And whereas by a Convention, signed at London the eighth Day of January One thousand eight hundred and three, between his Majesty and the United States of America, it was agreed, that instead of the Sums awarded by the said Commissioners being made payable at the Time or Times by them appointed, all Sums of Money by them awarded to be paid to American or British Claimants, according to the Provision of the said seventh Article, should be made payable in three equal Instalments, the first whereof to be paid at the Expiration of every Year, the second at the Expiration of two Years, and the third and last at the Expiration of three Years, next after the Exchange of the Ratifications of such Convention: And whereas the Commissioners appointed pursuant to the said Article and Convention, or the major Part of them, upon hearing several Claims made before them, have adjudged and awarded certain Sums of Money to be paid to or for the Benefit of several Persons upon such Claims; and the said Commissioners in and by their said Award have, in pursuance of the Powers given them by the said Treaty and Convention, directed, and may hereafter direct certain Assignments of all the Interests, in respect of which such Sums of Money have been or may be awarded, to be made to the Lords Commissioners of his Majesty's Treasury for the Time being, by the Persons receiving such Sums of Money, or the first Instalment thereof: And whereas Doubts may arise respecting the Validity of such Assignments, and how far Proceedings may be legally carried on for the Purpose of recovering the Interest so assigned; 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 Assignment shall have been or shall be executed pursuant to such Award or Awards, all such Assignments shall be good and valid to all Intents and Purposes whatsoever; and all and every the Right, Title, and Interest, together with all Right of Suit or Action conveyed, or expressed to be conveyed, in such Assignment or Assignments, shall be, and the same are hereby legally and absolutely vested in the said Lords Commissioners of his Majesty's Treasury for the Time being, for the Use of his Majesty, his Heirs and Successors; and it shall and may be lawful for his Majesty, his Heirs and Successors, and he and they is and are hereby authorized and empowered in his or their own Name or Names, or in the Name of the Complainant or Complainants, Claimant or Claimants, or other Persons whose Interest have been or shall be so assigned, to prosecute and carry on all such Claims, Suits, and Actions, and all other Proceedings as are depending at the passing of this Act, or as might now or hereafter be legally commenced, prosecuted, or carried on by or on Behalf of the Person or Persons whose Interest or Interests have been or shall be so assigned in respect of such Interests, in any Court or Courts, or in any Form of legal Proceedings whatever.

Convention dated Jan. 8, 1803.

Assignments of Interests made by Claimants, pursuant to Award of the Commissioners under the said Article and Convention, shall be valid, and such Interests shall vest in the Treasury for the Benefit of his Majesty.