

therefore enacted, that no Tonnage Rate shall be payable under the said Act on Ships or Vessels entering inwards or clearing outwards in the said Port, in cases where the cargoes are reported for exportation, and ultimately the Ships or other Vessels leave the Port without breaking bulk, or taking in merchandize for the purpose of exportation.

XXVII. And whereas by the said Act for the general regulation of the Customs it is enacted, that no Goods shall be entered as being of or from any British Possession in America (if any benefit attach to such distinction) 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; be it enacted, that from and after the fifth day of July one thousand eight hundred and forty three so much of the said Act as is herein lastly above recited shall extend to all Goods coming from any British Possessions abroad, except the Territories subject to the Government of the Presidencies of Fort William in Bengal, Fort Saint George, and Bombay respectively.

XXVIII. And whereas in certain cases certificates of production are required by Law for certain articles upon the exportation thereof from the British Possessions abroad and other Places, and upon the importation of the same into the United Kingdom; be it enacted, that it shall be lawful for the Commissioners of Her Majesty's Treasury, or any three or more of them, by any order under their hands, to declare that a certificate of production shall be required upon such exportation or importation for any Goods whatsoever, and to frame such regulations respecting such certificates as they may think fit; and if any Goods in respect of which such a certificate shall have been so required, or in respect of which a certificate of production, or any such certificate of clearance as aforesaid, shall be required by any Law for the time being in force, shall be imported into the United Kingdom without such certificate respectively, the same shall be deemed and taken to be of Foreign Growth, Produce, or Manufacture; and all Goods so deemed and taken to be of Foreign Growth, Produce or Manufacture, and all other Goods whatsoever of the Growth, Produce, or Manufacture of Foreign Countries, which shall henceforth be imported into the United Kingdom from any British Possession abroad, shall be deemed and taken, so far as respects liability to Duties, to have been imported from a Foreign Country: Provided always, that as respects the several articles which by the Table of Duties marked (A.) annexed to this Act are chargeable with any new rate of Duty from any future day therein named, this enactment shall not apply to such articles respectively until the days so appointed: Provided always, that all Orders of the Commissioners of Her Majesty's Treasury made in pursuance hereof shall be duly published in the London and Dublin Gazettes three times at least within three months from the date of such orders respectively.

XXIX. And be it enacted, That the importer or person entering Timber or Wood to be charged with Duty by measurement shall, at his expense, sort, pile, frame or otherwise place the same in such manner as the Commissioners of Her Majesty's Customs may deem necessary to enable the Officers to measure and take a true and correct account thereof; and that in all such cases, when the same is measured in bulk, the measurement shall be taken to the full extent of the pile, and that no allowance shall be made by the Officers on account of the interstices arising out of such process of sorting, piling, framing or placing: Provided always, that all Battens, Boards, Deals and Planks exceeding twenty one feet in length may be measured by the Piece, and the account thereof taken separately.

XXX. And be it enacted, That the times, places, and manner of landing Foreign Fish imported into the United Kingdom, and of reporting and entering the same, and of paying the Duties due thereon, shall be subject to such regulations and directions as the Commissioners of Her Majesty's Customs shall from time to time make respecting the same; and that all Foreign Fish unladen from any vessel contrary to any such regulations and directions shall be forfeited.

XXXI. And whereas by one other of the said Acts, intituled An Act for the prevention of Smuggling, every person, being a subject of His Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to forfeiture under the said Act, or any other Act relating to the Customs, for being found or discovered to have been within any of the Ports or Places in the said Act mentioned, in the United Kingdom or in the Isle of Man, having on board or in any manner attached thereto, or having had on board or in any manner attached thereto, such goods or things as subject such Vessel or Boat to forfeiture, is liable to forfeit the sum of one hundred pounds, and may be detained as therein enacted: And whereas doubts have arisen whether the Provisions of the said Act extend to persons found on board any of Her Majesty's Ships or Vessels, or to persons found on board Ships or Vessels in Her Majesty's employment or service; be it therefore enacted and declared, That all the said herein before recited provisions of the said last mentioned Act shall extend and be deemed and taken to extend to persons found or discovered to have been on board all such Ships or Vessels.

XXXII. And whereas by the last mentioned Act the Owners

of certain vessels of less burthen than two hundred tons are required to obtain a licence from the Commissioners of Her Majesty's Customs for navigating the same: And whereas by an Act passed in the Fifth and Sixth Years of the Reign of His said late Majesty King William the Fourth, intituled An Act to regulate the admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom, Ships or Vessels are required to be measured as therein directed: And whereas such new measurement materially affects the nominal Tonnage of vessels, and thereby subjects owners of certain vessels to the necessity of obtaining a licence for them who were not so subject before the passing of the said last mentioned Act; be it enacted, That so much of the said first mentioned Act as enacts that all vessels belonging to His Majesty's subjects, whether propelled by steam or otherwise, being of less burthen than two hundred tons, of which the length is to the breadth, in a greater proportion than three feet six inches to one foot, shall be forfeited, unless the Owners thereof shall have obtained a licence from the Commissioners of His Majesty's Customs in the manner therein after directed, shall be repealed with respect to all vessels the tonnage whereof has been or shall be settled according to the principles of the said Act to regulate the admeasurement of the tonnage and burthen of the Merchant Shipping of the United Kingdom.

XXXIII. And be it enacted, That all vessels belonging in the whole or in part to Her Majesty's Subjects, the tonnage whereof has been or shall be settled according to the principles of the said last mentioned Act, whether propelled by steam or otherwise, being of less burthen than one hundred and seventy tons, of which the length is to the breadth in a greater proportion than three feet six inches to one foot, shall be forfeited, unless the owners thereof shall have obtained a licence from the Commissioners of Her Majesty's Customs in the manner directed by the said Act for the prevention of smuggling.

XXXIV. And whereas by the said Act for the prevention of smuggling it is enacted, that no Writ of Habeas Corpus shall issue from His Majesty's Court of King's Bench to bring up the body of any person who shall have been convicted before any Justice or Justices of the Peace under any Act for the prevention of smuggling, or relating to the Customs, unless the party who shall have been so convicted, or his Attorney or Agent, shall state, in an affidavit in writing to be duly sworn, the grounds of objection to such conviction, and that upon the return of such Habeas Corpus no objection shall be taken or considered other than such as shall have been stated in such affidavit: And whereas it is reasonable that no such writs should issue unless notice in writing of the issuing thereof is given to the Solicitor for the Customs; be it therefore enacted, That no such writ or writs shall issue without such notice; and that no return to any such writ or writs shall be considered by any of Her Majesty's Courts at Westminster, Dublin, or Edinburgh, or by any of Her Majesty's Judges of any of the said Courts, unless there shall be produced to such Court or Judge an affidavit in writing duly sworn, stating that notice of the issuing of such writ was given to the Solicitor for the Customs, or left at his office, four clear days before the return of such writ; and that with respect to all such writs there shall be an interval of four clear days between the day on which they issue and the day on which they are returnable; and that any such writ issuing without such notice, and not being in conformity to the directions herein contained, shall be void to all intents and purposes whatsoever.

XXXV. And be it enacted, That no Warrant of Commitment for any offence against any Act relating to the Customs shall be held void by reason of any defect in such warrant, nor shall any party be entitled to be discharged out of custody on account of any such defect, provided it be alleged in the said warrant that the said party has been convicted of such an offence, and provided it shall appear to the Court or Judge before whom such warrant is returned that such conviction proceeded upon good and valid grounds.

XXXVI. And whereas every person, being a subject of Her Majesty, who shall be found within certain distances of the coast on board any vessel or boat from which any part of the cargo or lading shall be thrown overboard, or on board which such goods shall be staved or destroyed to prevent seizure, is liable to detention and prosecution: And whereas in some cases the vessels from whence the goods are thrown overboard as aforesaid, or on board which such goods are staved or destroyed as aforesaid, are not liable to seizure, although the persons found on board, being subjects of Her Majesty, are liable to detention and prosecution; be it therefore enacted, That from and after the passing of this Act every vessel not being square rigged, and any boat belonging in the whole or in part to Her Majesty's subjects, or having on board one or more of Her Majesty's subjects, which shall be found or discovered to have been within four leagues of that part of the United Kingdom which is between the North Foreland on the coast of Kent and Beachey Head on the coast of Sussex, or within eight leagues of any other part of the United Kingdom, from which any part of the lading of such vessel or boat shall have been thrown overboard, or on board which vessel or boat any of the goods on board shall be staved or destroyed, to prevent seizure, shall be forfeited.