

*Board of Trade, Whitehall,
May 30, 1855.*

The Right Honourable the Lords of the Committee of Privy Council for Trade and Plantations have received, through the Secretary of State for Foreign Affairs, a copy of a Despatch from Her Majesty's Consul-General in Christiania, notifying the substance of a Royal Rescript admitting rye, barley, oats, and potatoes into Finmark, duty free, until the 31st of October next.

Board of Trade, May 31, 1855.

The Lords of the Committee of Privy Council for Trade have addressed the following letter to the Commissioners of Customs, on the subject of continuing for a limited period the system of registration, *de novo*, in this country, of Colonial ships, as practised before the Merchant Shipping Act, 1854, came into operation. The Commissioners of Customs have issued the subjoined Order on the subject.

*Office of Committee of Privy Council
for Trade, Marine Department,
May 25, 1855.*

SIR,

VARIOUS communications having been made to my Lords concerning the inconvenience sustained with respect to ships registered in the British Possessions abroad, in consequence of the mode in which the changes effected by the Merchant Shipping Act have been brought into operation, I am directed to bring the subject to the notice of the Commissioners of Customs, and to request their attention to the following observations and suggestions:—

The cases complained of are twofold—

1. Where a ship being registered in a Colony, a Bill of Sale, or a Power of Attorney to execute a Bill of Sale, have been sent by the registered owner to the United Kingdom.
2. Where a ship being registered in a Colony, the registered owner is in the United Kingdom, and wishes to sell her here.

In both these cases, the registrars of shipping would, before the 1st of May, have registered the ship *de novo*, without waiting to ascertain the state of the Colonial register; whilst, since the 1st of May, they have refused to register the ship *de novo* in this Country, and the Commissioners of Customs have supported them in such refusal.

This Board entirely concur with the view which the Commissioners have thus taken of the principles on which the system of ship registry should be carried into effect.

One of the most important objects of the system introduced by the recent Act is to prevent a ship from being disposed of in two places to two different persons at the same time; and to effect this object it is necessary that all dealings with the register of the ship should either be effected at her port of registry, or appear on the register book kept at that port.

If it is wished to sell or mortgage the ship in any part of the Empire other than that in which the ship is registered, Statutory Powers of Attorney for the purpose (called in the Act "Certificates of Sale or Mortgage,") can be procured at the port of registry. These Certificates will confer a perfect title on those who take under them; whilst, as they will be entered on the register book at the port of registry, persons who might desire to purchase or lend

money on the ship there, will have full notice of their existence.

My Lords consider it of very great importance for the interests of shipping that these Certificates should be brought into use as quickly and as universally as possible, and that nothing should be done which would have the effect of permanently infringing the principles of the new system, or of inducing persons concerned in shipping to believe that it will henceforth be possible to confer a title to a ship by any means except those which the Act, and the Regulations which have been issued under it, point out as necessary.

But since it appears that it has under former Acts been the practice to register Colonial ships *de novo* in this country, upon the production of duly executed Bills of Sale, without first ascertaining the State of the Colonial Register; and since it further appears that many ships have lately been sent, and are now being sent from the Colonies, for the purpose of being sold in this country, according to the practice which has heretofore prevailed, and that considerable inconvenience would be caused if the new system were brought suddenly into stringent operation:

My Lords wish to suggest to the Commissioners the expediency of adopting the following relaxations, to take effect at once, and to last during such time only as may be necessary to bring the new system into complete operation.

1. Ships registered in the Colonies may, for such time as hereinafter mentioned, be registered *de novo* in this country, upon the production of such documents or evidence of title as the registrars have heretofore been in the habit of receiving as sufficient.

2. In all such cases the vendor or his agent shall give to the registrar security that the transaction shall be completed, and that the registrar and the Commissioners shall be kept harmless from any loss or damage which they might incur if it were to happen that the ship was in the meantime disposed of in the Colony. A suggested form of bond for this purpose is enclosed.

3. The vendor or his agent must fill up, and sign and deliver to the registrar at the port of registry, *de novo*, a form of application to the registrar at the port of original registry in the Colony, calling for a transfer of the registry under the provisions of the Act. This application the registrar at the port of registry, *de novo*, will forward with the old Certificate of Registry to the Colony. A suggested form of application is enclosed, with forms of letters from the registrar in this country to the Colonial registrar, and of the reply to be sent by the latter.

4. On registering the ship *de novo*, the registrar will insert in his book the words "registry to be transferred from the Port of _____;" and on receiving the requisite information from the Colonial registrar, he will write under those words, "registry completed by transfer from the Port of _____," with the date.

5. The relaxation is to take effect at once, and to last, as to ships registered in the American Colonies, until the end of September, and as to ships registered in more distant Colonies, until the end of February next.

The effect of the relaxation will be to place the persons who accept the title in this country in as good a position, so far as regards registry, as they could have enjoyed under the former practice; whilst they will have the additional advantage