

**§ 4313. Statements by masters of vessels and owners of cargoes before granting clearances**

During the present war, in addition to the facts required by section 60105 of title 46, and sections forty-one hundred and ninety-eight,<sup>1</sup> and forty-two hundred<sup>1</sup> of the Revised Statutes, as amended by the Act of June fifteenth, nineteen hundred and seventeen, to be set out in the master's and shipper's manifests before clearance will be issued to vessels bound to foreign ports, the master or person in charge of any vessel, before departure of such vessel from port, shall deliver to the collector of customs of the district wherein such vessel is located a statement duly verified by oath that the cargo is not shipped or to be delivered in violation of this chapter, and the owners, shippers, or consignors of the cargo of such vessels shall in like manner deliver to the collector like statement under oath as to the cargo or the parts thereof laden or shipped by them, respectively, which statement shall contain also the names and addresses of the actual consignees of the cargo, or if the shipment is made to a bank or other broker, factor, or agent, the names and addresses of the persons who are the actual consignees on whose account the shipment is made. The master or person in control of the vessel shall, on reaching port of destination of any of the cargo, deliver a copy of the manifest and of the said master's, owner's shipper's, or consignor's statement to the American consular officer of the district in which the cargo is unladen.

(Oct. 6, 1917, ch. 106, § 13, 40 Stat. 424.)

REFERENCES IN TEXT

Section 4198 of the Revised Statutes, referred to in text, was classified to section 94 of former Title 46, Shipping, prior to repeal by Pub. L. 103-182, title VI, § 690(a)(8), Dec. 8, 1993, 107 Stat. 2223.

Section 4200 of the Revised Statutes, referred to in text, was classified to section 92 of former Title 46, Shipping, prior to repeal by Pub. L. 87-826, § 3, Oct. 15, 1962, 76 Stat. 953.

The amendment by act June 15, 1917, referred to in text, probably means the amendment made by section 4 of title V of act June 15, 1917, ch. 30, 40 Stat. 222.

This chapter, referred to in text, was in the original "this Act", meaning act Oct. 6, 1917, ch. 106, 40 Stat. 411, known as the Trading with the enemy Act, also known as the Trading with the Enemy Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 13 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

In text, "section 60105 of title 46, and sections" substituted for "sections forty-one hundred and ninety-seven," on authority of Pub. L. 109-304, § 18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted section 60105 of Title 46, Shipping.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise in Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered

abolished with such offices to be terminated not later than Dec. 31, 1966, and functions vested by statute in officers, agencies, or employees of the Bureau of Customs of the Department of the Treasury transferred to the Secretary of the Treasury by Reorg. Plan No. 1 of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 4314. False manifest; refusal of clearance; reports of gold or silver coin in cargoes for export**

During the present war, whenever there is reasonable cause to believe that the manifest or the additional statements under oath required by section 4313 of this title are false or that any vessel, domestic or foreign, is about to carry out of the United States any property to or for the account or benefit of an enemy, or ally of enemy, or any property or person whose export, taking out, or transport will be in violation of law, the collector of customs for the district in which such vessel is located is authorized and empowered subject to review by the President to refuse clearance to any such vessel, domestic or foreign, for which clearance is required by law, and by formal notice served upon the owners, master, or person or persons in command or charge of any domestic vessel for which clearance is not required by law, to forbid the departure of such vessel from the port, and it shall thereupon be unlawful for such vessel to depart.

The collector of customs shall, during the present war, in each case report to the President the amount of gold or silver coin or bullion or other moneys of the United States contained in any cargo intended for export. Such report shall include the names and addresses of the consignors and consignees, together with any facts known to the collector with reference to such shipment and particularly those which may indicate that such gold or silver coin or bullion or moneys of the United States may be intended for delivery or may be delivered, directly or indirectly, to an enemy or an ally of enemy.

(Oct. 6, 1917, ch. 106, § 14, 40 Stat. 424.)

CODIFICATION

Section was formerly classified to section 14 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise in Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished with such offices to be terminated not later than Dec. 31, 1966, and functions vested by statute in officers, agencies, or employees of the Bureau of Customs of the Department of the Treasury transferred to the Secretary of the Treasury by Reorg. Plan No. 1 of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 4315. Offenses; punishment; forfeitures of property**

**(a) Criminal liability**

Whoever shall willfully violate any of the provisions of this chapter or of any license, rule, or

<sup>1</sup> See References in Text note below.