ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. XCII.

An Act for further encouraging and regulating the Southern Whale Fiſheries. [22d *June* 1795.]

Preamble.

WHEREAS it is proper to encourage the Fiſhery carried on by His Majeſty's *European* Subjects in the Seas to the Southward of the *Greenland* Seas and *Davis's Streights*, for the Purpoſe of taking Whales and other Creatures found in thoſe Seas, by continuing the preſent Premiums, and beſtowing them in a different Manner: And whereas it is of Importance that immediate Effect ſhould be given to the ſaid Premiums, for which Reaſon it is neceſſary to repeal the Laws by which the preſent Premiums are granted: 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, an Act, paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Encouragement of the Southern Whale Fiſhery*; and alſo an Act, paſſed in the Twenty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act for amending an Act made in the Twenty-ſixth Year of His preſent Majeſty's Reign, for the Encouragement of the Southern Whale Fiſhery; and for making further Proviſions for that Purpoſe*; and alſo every Act, and Part of an Act, repealed by the ſaid Acts, or either of them, ſhall be, and are hereby repealed, except ſo far as regards Ships or Veſſels which have been or may be fitted and cleared out for the Purpoſe of carrying

26 *Geo.* III. Cap. 50, and 28 *Geo.* III. Cap. 20, *&c.* repealed, except as to Veſſels cleared out before *Nov.* 1, 1795.

on such Fishery before the First Day of *November* One thousand seven hundred and ninety five, under the Encouragements given by the said Acts.

Premiums granted for Three Years to 28 Ships fitted out for the Fishery:

II. And be it further enacted by the Authority aforesaid, That the several Premiums hereafter mentioned shall be paid and allowed for Three Years, from the First Day of *January* One thousand seven hundred and ninety-six, to Twenty-eight Ships or Vessels employed in the said Fishery, under the Limitations and Restrictions herein-after expressed; that is to say, every such Ship or Vessel shall appear by her Register to be *British*-built, and shall be fitted and cleared out from some Port of *Great Britain* or *Ireland*, or the Islands of *Jersey*, *Guernsey*, or *Man*, and shall be wholly owned by His Majesty's Subjects usually residing in any of the Dominions aforesaid, and navigated as herein-after directed,

Premiums and Conditions for 15 Ships:

III. And be it further enacted by the Authority aforesaid, That for Fifteen of such Ships or Vessels which shall be so fitted and cleared out between the First Day of *January* and the Thirty-first Day of *December*, in the Year One thousand seven hundred and ninety-six, and between the First Day of *January* and the Thirty-first Day of *December*, in each succeeding Year, and shall have sailed to the Southward of the Equator, and shall there have *bona fide* carried on the said Fishery, and shall return before the First Day of *December*, in the Year subsequent to that in which they cleared out, to some Port of *Great Britain*, there shall be paid and allowed Three hundred Pounds to each of the Five such Ships or Vessels which shall so sail and first arrive, within the Times herein-before mentioned, with the greatest Quantity of Oil or Head Matter taken together, being not less in the Whole than Twenty Tons in each of such Ships or Vessels, and being the Produce of One or more Whale or Whales, or other Creatures living in the Seas, taken and killed by the Crews of every such Ship or Vessel respectively; and there shall be paid and allowed Two hundred Pounds to each of the Five such Ships or Vessels, which shall in like Manner sail and first arrive with the next greatest Quantity of such Oil or Head Matter taken together, being not less in the Whole than Twenty Tons in every such Ship or Vessel, and being the Produce of any Whale or Whales, or other Creatures living in the Seas, so taken as aforesaid; and there shall be paid and allowed One hundred Pounds to each of the Five such Ships or Vessels, and which shall in like Manner sail and first arrive with the next greatest Quantity of such Oil or Head Matter taken together, being not less in the Whole than Twenty Tons in every such Ship or Vessel, and being the Produce of any Whale or Whales, or other Creatures living in the Seas, so taken as aforesaid.

Premiums and Conditions for 5 other Ships:

IV. And be it further enacted by the Authority aforesaid, That for Five other of such Ships or Vessels which shall be fitted and cleared out, and shall sail within the Times herein-before mentioned, and proceed to the Southward of the Thirty-sixth Degree of South Latitude, and shall there *bona fide* carry on the said Fishery, and shall not return till after the Expiration of Fourteen Calendar Months from the Day on which they cleared out, but before the Thirty-first Day of *December* in the Second Year after their clearing out, to some Port in *Great Britain*, there shall be paid and allowed Four hundred Pounds to each of such Ships or

Veſſels which ſhall ſo ſail and arrive, within the Times herein-before laſt mentioned, with the greateſt Quantity of Oil and Head Matter taken together, being not leſs in the Whole than Twenty Tons, and being the Produce of any Whale or Whales, or other Creatures living in the Seas, and taken and killed by the Crew of ſuch Ship or Veſſel.

Premiums and Conditions for Eight other Ships.

V. And be it further enacted, That for Eight other of ſuch Ships or Veſſels which ſhall be fitted and cleared out, and ſhall ſail within the Times herein-before mentioned, and ſhall double *Cape Horn*, or paſs through the *Streights of Magellan* into the *South Seas*, and carry on the ſaid Fiſhery during the Space of Four Months, to the Weſtward of *Cape Horn*, in thoſe Seas, and ſhall not return to ſome Port of *Great Britain* till after the Expiration of Sixteen Calendar Months from the Day on which they cleared out, but before the Thirty-firſt Day of *December* in the Second Year after their clearing out, there ſhall be paid and allowed Six hundred Pounds to any One of ſuch laſt mentioned Ships or Veſſels, which ſhall ſo ſail and arrive within the Times herein-laſt mentioned, with the greateſt Quantity of Oil and Head Matter taken together, being not leſs in the Whole than Thirty Tons, and being the Produce of any Whale or Whales, or other Creatures living in the Seas, and taken and killed by the Crew of ſuch Ship or Veſſel in the ſaid Voyage, either outward or homeward; and there ſhall be paid and allowed Five hundred Pounds to each Seven of ſuch Ships or Veſſels laſt before mentioned, which ſhall ſo ſail and arrive within the Times herein laſt before mentioned, with the next greateſt Quantity of Oil and Head Matter taken together, being not leſs in the Whole than Thirty Tons, and being the Produce of any Whale or Whales, or other Creatures living in the Seas, and taken and killed by the Crew of ſuch Ship or Veſſel in the ſaid Voyage, either outward or homeward.

Veſſels need not be cleared out ſpecially for the Latitudes ſpecified.

VI. Provided always, and be it further enacted, That the Owner or Owners of any Ship or Veſſel ſhall not be obliged to clear out ſpecially for the reſpective Latitudes ſpecified in this Act, but ſhall be entitled to the Premiums hereby granted, on complying with all the other Conditions, Regulations, and Reſtrictions, impoſed by this Act.

The Maſter and ⅘ths of the Crew to be *Britiſh* Subjects, or, if cleared from *Britain*, Foreign Proteſtants intending to ſettle in *Britain*, &c.

VII. And be it further enacted by the Authority aforeſaid, That every ſuch Ship or Veſſel ſhall be navigated by Perſons, of whom the Maſter and at leaſt Three Fourths of the Mariners are His Majeſty's Subjects, uſually reſiding in *Great Britain*, *Ireland*, *Guernſey*, *Jerſey*, or *Man*; or if ſuch Ship or Veſſel ſhall clear out from any Port of *Great Britain*, then that ſuch Ship or Veſſel may be navigated by Perſons being Proteſtants, and who, not being Subjects of His Majeſty, have been heretofore employed in carrying on the ſaid Fiſhery, and who ſhall, at the Time of clearing out of every Ship or Veſſel on Board of which they ſhall ſerve reſpectively, take the Oath (or, being a Quaker, ſhall make a Declaration) of Fidelity and Allegiance to His Majeſty, and alſo ſhall make Oath (or, being a Quaker, ſhall make Affirmation) before Two or more of the principal Officers of the Cuſtoms, of which the Collector is to be One, at the Port where ſuch Ship or Veſſel ſhall ſo clear out, (which Oath or Affirmation they are hereby authoriſed and required to adminiſter), if it is their Firſt Voyage from any Port of *Great Britain*, that they have already eſtabliſhed, or that it is their Intention to eſtabliſh themſelves and their Families in *Great Britain*, as Inhabitants thereof,

and Subjects of His Majesty; and if it shall be their Second, or any subsequent Voyage, that they actually have established themselves and their Families in *Great Britain*, and have taken the Oath (or, being Quakers, have made a Declaration) of Fidelity and Allegiance to His Majesty as aforesaid.

No Premium to be paid unless there is an Apprentice, indentured for Three Years, on Board for every 50 Tons Burthen.

VIII. And be it further enacted by the Authority aforesaid, That no Premium granted by this Act shall be paid or allowed to any Person or Persons whatever, for or on Account of any Ship or Vessel employed in the aforesaid Fishery, unless such Ship or Vessel shall have on Board an Apprentice indentured for the Space of Three Years, at the least, for every Fifty Tons Burthen of such Ship or Vessel by Admeasurement, every such Apprentice not exceeding the Age of Eighteen Years, nor being under Fourteen Years, at the Time he shall be so indentured, and having proceeded on and continued the Whole of the Voyage, both out and home, for which any such Premium shall be claimed, unless such Apprentice died or deserted in the Course of the Voyage; which Facts shall and are hereby required to be verified by the Oath of the Master, the Mate, and Two of the Mariners, belonging to such Ship or Vessel, unless by Reason of some unavoidable Accident, Proof whereof shall be made to the Satisfaction of the Officers of the Customs hereinafter mentioned, Two Mariners cannot be procured, and then by the Oath of the Master and Mate, taken before Two or more of the principal Officers of the Customs, at the Port to which such Ship or Vessel shall return from the said Fishery, (of which the Collector is to be One), which Oath they are hereby authorised and required to administer; and in Confirmation also thereof, the proper Officers of the Customs belonging to the Port to which such Ships or Vessels shall respectively return, shall, immediately after their Return from such Voyage respectively, visit every such Ship or Vessel, and muster the Crew, and having satisfied themselves therein, shall certify the same to the Commissioners of His Majesty's Customs in *England* and *Scotland* respectively.

Penalty of 50*l.* on Masters suffering Apprentices to quit their Service before Expiration of Term.

IX. And be it further enacted by the Authority aforesaid, That if the Master of any Ship or Vessel, or any other Person or Persons whatever, to whom any Apprentice or Apprentices shall be indentured pursuant to this Act, shall permit or suffer any such Apprentice or Apprentices to quit, leave, or depart, his or their Service, on any Pretence whatever, except as herein-after is provided, before the Expiration of the Term for which he or they shall be bound, every such Master or other Person shall forfeit and pay, for each and every Offence, the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, in which no Wager of Law, no Essoin, nor any more than One Imparlance, shall be allowed: Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to inflict the aforesaid Penalty, in any Case where any Apprentice or Apprentices shall be legally discharged before a Magistrate or Justice of the Peace, or shall be turned over from One Person to another Person concerned in either of the aforesaid Fisheries, to serve the Remainder of his Time in such Fisheries pursuant to the Directions of this Act: Provided also, and it is hereby declared, that no Bounty or Premium shall be paid or allowed by virtue of this Act in any Case unless there shall be inserted in the Indenture or Indentures of

No Premium to be allowed unless the Names of

each and every Apprentice or Apprentices who ſhall be indentured by virtue of this Act, or who ſhall be turned over from one Perſon to another, purſuant to this Act, the Name or Names of the Ship or Veſſel, or Ships or Veſſels, on Board of which ſuch Apprentice or Apprentices is or are bound to ſerve.

Veſſels in which Apprentices are to ſerve are inſerted in Indentures.

X. And be it further enacted, That in caſe the Time for which any Apprentice ſhall have been indentured to ſerve on Board any Ship or Veſſel employed in the ſaid Fiſheries ſhall expire during the Voyage of ſuch Ship or Veſſel, ſuch Apprentice ſhall be accounted and conſidered, to all Intents and Purpoſes, as an Apprentice for the whole Voyage, and ſhall on the Ship's or Veſſel's Return from the ſaid Fiſhery be muſtered accordingly.

Apprentices to be conſidered as ſuch for the Voyage, tho' their Indentures expire during it.

XI. And be it further enacted by the Authority aforeſaid, That no Premium granted by this Act ſhall be paid or allowed to any Perſon or Perſons whatever, on Account of any Ship or Veſſel employed in the ſaid Fiſhery, unleſs a Log Book ſhall have been regularly kept on Board ſuch Ship or Veſſel, in which Log Book the various Situations and Occurrences, reſpecting ſuch Ship or Veſſel, during the whole Courſe of the Voyage, ſhall be inſerted every Day, and particularly the Times when ſuch Ship or Veſſel ſhall have been in Sight of Land, diſtinguiſhing what Land, and the Bearings thereof, and the ſuppoſed Diſtances therefrom, and the Soundings; and alſo the Time when and the Latitude in which any Whale, or other Creature living in the Sea, ſhall have been killed, taken, or caught, by the Crew of ſuch Ship or Veſſel; which Log Book, ſo to be kept as aforeſaid, ſhall be delivered by the Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, at the Time of his making a Report of ſuch Ship or Veſſel, to the Collector of the Cuſtoms at any Port in *Great Britain*, where ſuch Ship or Veſſel ſhall arrive, on her Return from the ſaid Fiſhery, for his Inſpection and Examination; and the ſaid Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, together with the Mate thereof, ſhall jointly and ſeverally verify on Oath the Contents of ſuch Log Book before ſuch Collector, who is hereby authoriſed and required to adminiſter the ſame.

No Premium to be allowed unleſs a Log Book be regularly kept, and delivered to the Collector of the Cuſtoms at the Port of Arrival, verified on Oath.

XII. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Ship or Veſſel ſhall, in the Courſe of her Voyage, meet or fall in with any of His Majeſty's Ships or Veſſels of War, the Maſter, or other Perſon having or taking the Charge or Command of her, ſhall and is hereby required to produce to the Captain, or other Officer commanding ſuch Ship or Veſſel of War, the ſaid Log Book, ſo to be kept as aforeſaid; and ſuch Captain or Commanding Officer ſhall, and is hereby required to make a Memorandum in ſuch Log Book of the Day on which it was ſo produced to him, and ſhall ſubſcribe his Name to ſuch Memorandum, and ſhall alſo make an Entry in the Log Book of the ſaid Ship or Veſſel of War, of the Name and Deſcription of the Ship or Veſſel on Board of which the Log Book of ſuch Ship or Veſſel, ſo produced to and ſigned by him, was kept; and in caſe ſuch Ship or Veſſel, on Board of which a Log Book is required to be kept as aforeſaid, ſhall put into any Foreign Port, where there is or ſhall be a *Britiſh* Conſul, or other Chief *Britiſh* Officer, the Maſter or other Perſon having

The Log Book to be produced to the Captain of any Ship of War that may be met at Sea, who ſhall make therein a Memorandum of the Production; and to the *Britiſh* Conſul at any Foreign Port, for the like Purpoſe.

or taking the Charge or Command of ſuch Ship or Veſſel, ſhall and is hereby required to produce ſuch Log Book to ſuch *Britiſh* Conſul, or other Chief *Britiſh* Officer, who ſhall and is hereby required alſo to make a Memorandum therein of the Day on which it was ſo produced to him, and ſhall, in like Manner, ſubſcribe the ſame.

Oath to be made that the Cargo is the Produce of Creatures killed by the Ship's Crew.

XIII. And be it further enacted by the Authority aforeſaid, That the Maſter, Mate, and Two of the Mariners belonging to every ſuch Ship or Veſſel, unleſs by Reaſon of ſome unavoidable Accident, Proof whereof ſhall be made to the Satisfaction of the Officers of the Cuſtoms hereinafter mentioned, Two Mariners cannot be procured, and then the Maſter and Mate, ſhall, and are hereby required, upon the Importation into *Great Britain* of any Oil or Head Matter as being taken on the Fiſhery aforeſaid, to declare upon Oath, before Two or more of the principal Officers of the Cuſtoms at the Ports of their Arrival reſpectively, of which the Collector ſhall be One, (which Oath they are hereby authoriſed and required to adminiſter), from what Port, and the Time when, ſuch Ship or Veſſel cleared out, and that all ſuch Oil or Head Matter, ſo imported, is the Produce of One or more Whale or Whales, or other Creatures living in the Seas, actually and *bona fide* taken and killed by the Crew of ſuch Ship or Veſſel only, at the Times, and in the Latitudes reſpectively mentioned, and ſet down in the Log Book ſo to be kept as aforeſaid.

Perſons taking Part of the Cargo of other Veſſels for the Purpoſe of obtaining a Premium, forfeit 500*l.* One Moiety to the Informer, if Information be given in a Month after Report at the Cuſtom-houſe.

XIV. And be it further enacted by the Authority aforeſaid, That in caſe the Maſter, or other Perſon having or taking the Charge or Command of any Ship or Veſſel whatever, fitted out as aforeſaid, for the Purpoſe of obtaining ſome one or other of the Premiums granted by this Act, ſhall knowingly receive or permit, or ſuffer to be received on Board ſuch Ship or Veſſel, for the Purpoſe of obtaining any One of the ſaid Premiums, any Oil, Head Matter, or any other Produce whatever, of any Whale or Whales, or other Fiſh or Creatures living in the Seas, which Whale or Whales, or other Creatures living in the Seas, ſhall not have been really and *bona fide* caught and taken by the Crew of ſuch Ship or Veſſel only, ſuch Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, ſhall forfeit the Sum of Five hundred Pounds; One Moiety of which Sum ſhall, on Recovery thereof, be paid to the Perſon or Perſons diſcovering the ſame, provided ſuch Perſon or Perſons ſhall give Information of the Offence within One Month after ſuch Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, ſhall have reported his Ship or Veſſel at the Cuſtom-houſe at the Port to which ſuch Ship or Veſſel ſhall return from the ſaid Fiſhery; which Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, is hereby required to make ſuch Report in the uſual Time, and in the Manner in which all trading Ships or Veſſels are reported before the proper Officers of the Cuſtoms; and the Owner or Owners of ſuch Ship or Veſſel ſhall, and is and are hereby authorized and required, in caſe, at the Time ſuch Information ſhall be given, any Sum or Sums of Money ſhall be due from him or them to ſuch Maſter, or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, to keep and detain ſuch Sum or Sums of Money, and to pay the ſame (towards diſcharging the ſaid Penalty) to the Collector or other principal

When Information has been given, Owners to pay Money due to Maſters to the Collectors of the Cuſtoms; and if paid other-

principal Officer of the Cuſtoms at ſuch Port to which ſuch Ship or Veſſel ſhall ſo return from ſuch Fiſhery; and if ſuch Owner or Owners ſhall pay any Sum or Sums of Money to, or ſhall otherwiſe account for, ſuch Sum or Sums of Money with any Maſter or other Perſon having or taking the Charge or Command of any ſuch Ship or Veſſel, before the Expiration of One Month after the Report ſhall have been ſo made at the Cuſtom-houſe as aforeſaid, and ſuch Maſter or other Perſon ſhall be liable to the Penalty aforeſaid, ſuch Owner or Owners ſhall make good ſuch Sum or Sums of Money ſo paid, or otherwiſe accounted for, and ſhall pay the ſame towards diſcharging the aforeſaid Penalty into the Hands of the Collector, or other principal Officer of the Cuſtoms, in Manner before directed.

wiſe, to be accountable for the ſame.

XV. And be it further enacted by the Authority aforeſaid, That in caſe any Whale or Whales, or other Creatures living in the Seas, ſhall be caught or taken in any Part of the Ocean, to the Northward of the Equator, by the Crew of any of the Fifteen Ships or Veſſels to which Premiums are given in Manner before mentioned, or to the Northward of the Thirty-ſixth Degree of South Latitude, by the Crew of any of the Five Ships or Veſſels to which other Premiums are alſo given, in Manner before mentioned, or in any Part of the *Atlantic Ocean* by the Crew of the Eight Ships or Veſſels, going round or doubling *Cape Horn*, either on the Voyage out or Return home, of any ſuch Ship or Veſſel, the Oil or Head Matter produced from ſuch Whale or Whales, or other Creatures ſo caught or taken, ſhall be accounted, and conſidered, and taken to be Part of the Quantity of Oil and Head Matter required to be taken and imported as aforeſaid, to entitle the Owner or Owners of ſuch Ship or Veſſel to ſome One of the Premiums herein-before granted; provided it ſhall appear by the Log Book of ſuch Ship or Veſſel, ſo kept as aforeſaid, that ſuch Ship or Veſſel hath actually ſailed beyond, and been *bona fide* employed in the Fiſhery, either to the Southward of the Equator, or to the Southward of Thirty-ſix Degrees of South Latitude, or during the Space of Four Months to the Weſtward of *Cape Horn*, as the Caſe may be.

Produce of Whales caught in particular Latitudes on the Voyage, to be deemed Part of the Quantity entitling to a Premium.

XVI. And be it further enacted by the Authority aforeſaid, That in caſe all and every the ſeveral Rules, Regulations, and Reſtrictions, preſcribed and directed by this Act, ſhall have been obſerved and fully complied with, it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms in *England*, or any Four or more of them, and the Commiſſioners of His Majeſty's Cuſtoms in *Scotland*, or any Three or more of them, to order the Receiver General of His Majeſty's Cuſtoms in *England* and *Scotland* reſpectively, to pay out of any Money in his Hands, ariſing by any Duties under their Management, to ſuch Perſon or Perſons as ſhall be legally entitled thereto, any of the Premiums herein-before granted.

Commiſſioners of the Cuſtoms may order Payment of the Premiums.

XVII. And be it further enacted by the Authority aforeſaid, That no Premium granted by virtue of any Act or Acts of Parliament for the Encouragement of the Southern Whale Fiſhery, ſhall be paid or allowed to any Perſon or Perſons whatever, for or on Account of any Ship or Veſſel employed in the ſaid Fiſhery, unleſs the Premium ſhall be claimed within Two Months from the Time of the Crew being muſtered inwards, by the proper Officer or Officers of the Cuſtoms, and ſuch Claim ſhall be made in Writing, by Application from the Owner or Owners of every

No Premium to be paid unleſs claimed in a limited Time.

Ship or Veſſel, to the Commiſſioners of His Majeſty's Cuſtoms in *England* and *Scotland* reſpectively, and alſo, unleſs it ſhall, within One Month after ſuch Time for making the Claim, be made appear that the Requiſites of Law have been complied with.

Ships permitted to ſail to the Eaſt of *Good Hope*, &c.:

XVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Ship or Veſſel, employed in carrying on the ſaid Southern Whale Fiſhery, to ſail and paſs for that Purpoſe to the Eaſtward of the *Cape of Good Hope*, and to the Weſtward of *Cape Horn*, or through the *Streights of Magellan*; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Reſtrictions in their Courſe.

XIX. Provided always, and be it further enacted, That any Ship or Veſſel ſailing to the Eaſtward of the *Cape of Good Hope*, for the Purpoſe aforeſaid, ſhall not ſail or paſs to the Northward of the Equator, nor make more than Fifty-one Degrees of Eaſt Longitude from *London*; and that any Ship or Veſſel ſo ſailing or paſſing to the Weſtward of *Cape Horn*, or through the *Streights of Magellan*, for the Purpoſe aforeſaid, ſhall not, either to the Northward or Southward of the Equator, make more than One hundred and eighty Degrees of Weſt Longitude from *London*.

Ships ſailing to the Eaſt of *Good Hope*, &c. to take a Licence from the *India* Company.

XX. Provided alſo, and be it further enacted, That every Ship or Veſſel employed in the ſaid Fiſhery, and intending to ſail or paſs to the Eaſtward of the *Cape of Good Hope*, or to the Weſtward of *Cape Horn*, or through the *Streights of Magellan*, ſhall, before ſhe ſhall proceed on her Voyage, be obliged to take a Licence for each reſpective Voyage, from the Court of Directors of the United Company of Merchants of *England* trading to the *Eaſt Indies*, for the Time being, in the Name and under the Seal of the ſaid Company, ſpecifying which of the ſaid Voyages ſuch Ships ſhall be licenſed to perform, and ſuch Licence ſhall be valid and effectual only for the Voyage therein expreſſed; and the ſaid Court of Directors ſhall not be required to grant any Licence to paſs to the Eaſtward of the *Cape of Good Hope*, to more than Ten Ships or Veſſels in any One Year or Seaſon, or to grant any Licence to any Ship or Veſſel to ſail or paſs to the Eaſtward of the *Cape of Good Hope*, unleſs the Perſon or Perſons applying for, or demanding ſuch Licence, ſhall deliver to the ſaid Court of Directors a Manifeſt or Certificate under the Hand of the Collector or Comptroller, or other Chief Officer of the Cuſtoms belonging to the Port or Place from whence ſuch Ship or Veſſel is intended to clear out and ſail, verified by the Oath of the Owner or Owners, or the Maſter of ſuch Ship or Veſſel, taken before and atteſted by any Magiſtrate, or other Perſon authorized by Law to take Affidavits, ſpecifying the Names and Places of Abode of the Owner or Owners, and Maſter of the ſaid Ship, and alſo the Species, Quantity, Quality, and Value of all Goods then on Board of ſuch Ship or Veſſel, and of all Goods (if any) intended to be afterwards taken into, or on Board of the ſame, before her Departure outwards; and alſo unleſs it ſhall, by ſuch Manifeſt or Certificate, appear unto the ſaid Court of Directors, that no Goods or Merchandizes whatever (ſave and except the Stores of ſuch Ship or Veſſel, and the Tackle, Materials, and other Things neceſſary for the Purpoſe of the Voyage) are taken, or intended to be taken, into or on Board of ſuch Ship or Veſſel.

Conditions on which ſuch Licences are to be granted.

XXI. Pro-

India Company not obliged to grant Licence to sail round the *Cape of Good Hope* unless Bond be given with certain Conditions.

XXI. Provided also, and be it further enacted by the Authority aforesaid, That the United Company of Merchants of *England* trading to the *East Indies*, shall not be required or obliged to grant any Licence, for any Ship or Vessel to sail to or pass within the Limits of their exclusive Trade round the *Cape of Good Hope*, until the Owner or Owners of such Ship or Vessel, or the major Part of such Owners, if there shall be more than One Owner, shall have entered into and executed a Bond to the said United Company in the Penalty of Two thousand Pounds, with a Condition to be thereunder written for Payment to the said United Company, of the Sum of One thousand Pounds as a Forfeiture to the Use of the said United Company, over and above the Forfeitures and Penalties herein-mentioned, in case any Goods or Merchandizes whatsoever (other than and except the Stores of such Ship or Vessel, and the Tackle, Materials, and other Things, necessary for the Purpose of the Voyage) shall be taken into or put on Board such Ship or Vessel for or upon her Outward Voyage; or in case such Ship or Vessel shall have taken on Board, in any Part of the Voyage homeward, before her Arrival in *Great Britain*, any Goods or Merchandize of the Growth, Produce, or Manufacture, of the *East Indies*, or any Islands, Ports, Havens, Coasts, Cities, Towns, or Places, between the *Cape of Good Hope* and the *Streights of Magellan*, to the Value of One hundred Pounds or upwards, computing the same according to the Value in *England*, except such Provisions, Stores, or Clothing, as it may at any Time during the Voyage have become necessary for the said Ship's Crew to take on Board for the sole Use of the said Crew.

Ships sailing out of their Limits, or having improper Merchandize on Board, liable to the Penalties of trading to the *East Indies* without Licence.

XXII. And be it further enacted, That if any Ship or Vessel to be employed in the said Southern Whale Fishery, to the Eastward of the *Cape of Good Hope*, or the Westward of *Cape Horn*, shall proceed or go beyond the Limits herein-before specified or expressed, unless driven or forced beyond the same by Stress of Weather, or other inevitable Accident, or being so driven or forced, shall not return back within the Limits herein-before prescribed, with as much convenient Speed as the Safety of the Ship or other Circumstances will admit; or if any Ship or Vessel shall depart from any Port or Place without having first obtained such Licence as aforesaid, and shall go or be found beyond the *Cape of Good Hope*, or beyond the *Streights of Magellan*, or in any other Place within the Limits of the said Company's exclusive Trade; or if any Ship or Vessel, being so licensed to proceed to the Fishery beyond the *Cape of Good Hope*, shall have on Board, or shall take on Board before her Return, any Manufactures, Goods, or Merchandize, other than and except such as shall have been specified and described in and by such Manifest or Certificate, and other than and except the Oil, Head Matter, or Bone of Whales, or other Fish or Creatures caught or taken in carrying on the said Fishery; every such Ship or Vessel, and the Goods, Merchandizes, and Effects, on Board the same, and the Owner and Owners, Master and Crew thereof, shall be deemed and taken, to all Intents and Purposes, to be subject to the several Provisions, Regulations, Penalties, and Forfeitures, by any Act or Acts, made or imposed upon any Person or Persons, or their Ships, Vessels, Goods, Merchandizes, and Effects, who shall repair, sail, adventure, or go to, or traffick, trade, or be found in the *East Indies*, or other Place or Places within the Limits of the said United Company's exclusive Trade, without Licence having been first obtained

from the ſaid Company; and the Offenders ſhall and may be ſued and proſecuted; and the Penalties and Forfeitures incurred ſhall and may be recovered, in any Court of Juſtice in *Great Britain* or in the *Eaſt Indies*, wherein Suits may be inſtituted and brought for Offences committed againſt the ſaid Acts, or any of them.

If any Thing be done contrary to this Act, the Owners of the Ship not entitled to a future Licence from the Company.

XXIII. And be it further enacted by the Authority aforeſaid, That in caſe any Thing ſhall be done by any Ship or Veſſel licenſed as aforeſaid, or by the Owner or Owners, Maſter or Crew thereof, in any Way reſpecting the Rights and Privileges of the ſaid United Company, contrary to the true Intent and Meaning of this Act, the Owner or Owners of the ſaid Ship or Veſſel ſhall not afterwards be entitled to require, nor ſhall the ſaid United Company be obliged to grant or give to them, or any of them, any future Licence for the ſame, or for any other Ship or Veſſel, to proceed within the Limits of the ſaid Company's excluſive Trade.

Ships touching at *St. Helena* may be examined, and unlicenſed Goods ſeized.

XXIV. And be it further enacted, That in caſe any Ship or Veſſel, to be licenſed by the ſaid United Company as aforeſaid, ſhall touch at the Iſland of *Saint Helena*, or ſhall be found within the Limits before deſcribed, it ſhall and may be lawful to and for the Governor of *Saint Helena*, the Commander of any Ship or Veſſel belonging to or in the Service of the ſaid Company, or any Perſon authorized or deputed by them reſpectively, or to and for any Agent ſpecially authorized or deputed for that Purpoſe by the ſaid Company, and reſiding at any Place within the Limits before deſcribed, to ſearch and examine ſuch licenſed Ship or Veſſel, to ſee if any Goods or Merchandizes ſhall be on Board her contrary to the Proviſions of this Act; and in caſe any ſuch Goods or Merchandizes ſhall be found in or on Board of ſuch Ship or Veſſel on ſuch Search or Examination, the ſame ſhall be forfeited to the ſaid United Company, and the Owner or Owners, and Maſter, of the ſaid Ship or Veſſel, ſhall be liable to all other Penalties and Forfeitures for trading contrary to the ſaid Company's Charters; and it ſhall and may be lawful to and for the ſaid United Company, and the Perſons aforeſaid on the Behalf and for the Uſe of the ſaid Company, to ſeize and take away ſuch Goods and Merchandizes to and for the Uſe of the ſaid United Company, and to ſend them Home to the ſaid United Company, or to ſell and diſpoſe thereof to the Uſe of the ſaid Company, as they ſhall think fit.

Certificates to be delivered to the Secretary of the *Eaſt India* Company, that no Produce of the *Eaſt Indies* has been imported, to entitle to a Premium.

XXV. And be it further enacted by the Authority aforeſaid, That within Thirty Days next after the Return of any Ship or Veſſel from a Fiſhing Voyage to the Eaſtward of the *Cape of Good Hope*, the Maſter of ſuch Ship or Veſſel ſhall deliver, or cauſe to be delivered, to the Secretary of the ſaid United Company, for the Uſe of the ſaid Court of Directors, a Certificate under the Hand of the Collector or Comptroller, or other Chief Officer of the Cuſtoms, belonging to the Port or Place where the ſaid Ship or Veſſel ſhall arrive, verified by the Oath of the ſaid Maſter, taken before and atteſted by any Magiſtrate or other Perſon authoriſed by Law to take Affidavits, that no Goods or Merchandizes whatever of the Growth, Produce, or Manufacture, of any Place or Places in the *Eaſt Indies*, *China*, or elſewhere between the *Cape of Good Hope* and the *Streights of Magellan*, except Oil, Head Matter, or

Bone of Whales or other Fiſh, Ambergris, or Seal Skins; have been taken on Board ſuch Ship or Veſſel during the ſaid Voyage; but in caſe any ſuch Goods and Merchandizes ſhall have been taken on Board the ſaid Ship or Veſſel during the ſaid Voyage, then the ſaid Certificate ſhall ſpecify the Species, Quantity, Quality, and Value, of all ſuch Goods and Merchandizes, and the Cauſe or Reaſon of taking the ſame on Board; and the Owner or Owners of ſuch Ship or Veſſel ſhall not be entitled to any Bounty under the Authority of this Act, until ſuch Certificate as aforeſaid ſhall have been delivered to the ſaid Secretary, and ſuch Delivery ſhall have been proved by a Production of his Receipt for the ſame.

Ships ſailing within the Limits of the *South Sea* Company, muſt have Licence from the Company.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That every Ship or Veſſel intending to navigate within, or frequent any Part of the Seas comprized in the Boundaries of the excluſive Trade of the *South Sea* Company, as deſcribed in and by an Act of the Ninth of Her late Majeſty Queen *Anne*, ſhall, before ſhe ſhall proceed on every ſuch Voyage, be obliged to take a Licence for ſuch Voyage from the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for encouraging the Fiſhery; and every Veſſel navigating ſuch Seas, without ſuch Licence, ſhall be liable to ſuch Forfeitures and Penalties as are created and enacted by the ſaid Act; any Thing in this Act to the contrary thereof in any-wiſe notwithſtanding.

Ships may be furniſhed with Arms and Ammunition on Licence from the Admiralty.

XXVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Ships or Veſſels which ſhall be ſo fitted and cleared out as aforeſaid, for the Purpoſe of doubling the *Cape of Good Hope* or *Cape Horn*, or paſſing through the *Streights of Magellan*, not being of leſs than Two hundred Tons Burthen, to be properly furniſhed with Arms and Ammunition, for Reſiſtance and Defence; provided the Owner or Owners of ſuch Ships or Veſſels, before clearing out, ſhall obtain a Licence from the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral for the Time being, authorizing the ſame.

Admiralty may grant ſuch Licences on certain Conditions.

XXVIII. And be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral for the Time being, is and are hereby authorized and empowered to grant ſuch Licence for arming, in ſuch Caſes as to him or them ſhall ſeem fit and proper; provided that there ſhall have been exhibited to him or them a Certificate under the Hands and Seals of the Commiſſioners of His Majeſty's Cuſtoms, (which Certificate they are hereby authorized and required to give), teſtifying that ſuch Ship or Veſſel is entered out for the Purpoſe of doubling the *Cape of Good Hope* or *Cape Horn*, or paſſing through the *Streights of Magellan*; and provided alſo, that the Owner or Owners of ſuch Ship or Veſſel ſhall have entered into a Bond, with Two ſufficient Sureties, in the Sum of One thouſand Pounds, with Condition that ſuch Arms and Ammunition ſhall not be uſed for any unlawful Purpoſe, but merely for Reſiſtance and Defence in caſes of involuntary Hoſtility.

No Ship entitled to more than One Premium the same Season.

XXIX. And be it further enacted by the Authority aforesaid, That no Ship or Vessel whatever shall be entitled, within or during the Periods of Time respectively limited by this Act for such Ship or Vessel to sail on and to return from such Voyage, to more than One of the Premiums hereby granted, although such Ship or Vessel shall make Two Voyages within any One of the Periods aforesaid.

No Premium to be allowed to Vessels cleared out after *Jan.* 1, 1796, unless certified to have been visited on clearing out, &c.

XXX. And be further enacted by the Authority aforesaid, That no Premium whatever, granted by this Act, shall be paid and allowed to the Owner or Owners of any Ship or Vessel which shall clear out after the First Day of *January* in the Year One thousand seven hundred and ninety-six on the said Fishery, unless it shall appear, by Certificates from the proper Officers of the Customs, that such Ship or Vessel was visited, and the Crew by them respectively mustered, as well before the clearing out of such Ship or Vessel for the said Fishery, as on her Return to any Port in *Great Britain*; any Law, Usage, or Custom, to the contrary notwithstanding.

nor unless registered.

XXXI. And be it further enacted by the Authority aforesaid, That no Ship or Vessel which, after the First Day of *January* One thousand seven hundred and ninety-six, shall be fitted or cleared out for the said Fishery, shall be entitled to any of the Premiums granted by this Act, unless such Ship or Vessel shall have been duly registered pursuant to the Terms and Directions of an Act, passed in the Twenty-sixth Year of His present Majesty's Reign, intituled, *An Act for the further Increase and Encouragement of Shipping and Navigation.*

If Water be mixed with the Oil, &c. imported, it shall be forfeited, as well as the Claim to Premium.

XXXII. And be it further enacted by the Authority aforesaid, That, upon the Return of every Ship or Vessel from the Fisheries aforesaid, in which Ship or Vessel any Oil or Head Matter shall be imported, and on account of which Importation any of the Premiums herein-before granted shall be claimed or demanded, in case there shall be any Reason to suspect that such Oil or Head Matter is mixed with Water, or any other Material or Materials, in order to increase the Quantity thereof, it shall and may be lawful to and for the Collector, or other Principal Officer or Officers of the Customs, at the Port to which such Ship or Vessel shall so return, to nominate and appoint, and such Collector, or other Principal Officer or Officers, is and are hereby required to nominate and appoint, One or more (as the Case may require) skilful Person or Persons to examine such Oil or Head Matter, for the Purpose of ascertaining whether such Oil or Head Matter has been mixed with any Water, or any other Material or Materials whatever, (other than Oil or Head Matter so taken as aforesaid), whereby the Quantity of such Oil or Head Matter is increased; and if it shall appear, upon such Examination, that there has been mixed with such Oil or Head Matter any Water, or any other Material whatever, whereby the Quantity of such Oil or Head Matter is increased, the Owner or Owners shall not be entitled to any of the Premiums granted by this Act; and over and above the Loss of the Premium, such Oil or Head Matter, so mixed as aforesaid, shall be forfeited and lost, and shall and may be seized by any Officer or Officers of His Majesty's Customs; and if any Dispute shall arise whether there hath been mixed with such Oil or Head Matter

In case of Dispute the Own

any Water, or any other Material or Materials whatever, not being Oil or Head Matter ſo taken as aforeſaid, whereby the Quantity of ſuch Oil or Head Matter is increaſed, then, and in ſuch Caſe, the Proof thereof ſhall lie on the Owner or Claimer of ſuch Oil or Head Matter, or on the Perſon or Perſons claiming the Premium on account of the Importation of ſuch Oil or Head Matter, and not on the Officer who ſhall ſeize or proſecute the ſame.

er to prove the Purity of the Oil.

XXXIII. And be it further enacted by the Authority aforeſaid, That before any of the Premiums granted by this Act ſhall be paid or allowed to any Perſon or Perſons whatever, the exact Quantity of Oil and Head Matter taken together, imported in ſuch Ship or Veſſel, ſhall be truly aſcertained by the proper Officer or Officers of the Cuſtoms, and ſuch Quantity ſhall be certified by them to the Commiſſioners of the Cuſtoms in *England* and *Scotland* reſpectively.

The Quantity of Oil, &c. imported to be aſcertained by the Officer of the Cuſtoms, and certified to the Commiſſioners.

XXXIV. And be it further enacted by the Authority aforeſaid, That no Harpooner, Line Manager, or Boat Steerer, belonging to any Ship or Veſſel, fitted out on the aforeſaid Fiſhery, ſhall be impreſſed from the ſaid Service, but ſhall be, and is hereby privileged and exempt from being impreſſed, ſo long as he ſhall belong to and be employed on Board any Ship or Veſſel whatever in the Fiſhery aforeſaid.

No Harpooner, &c. to be impreſſed.

XXXV. And be it further enacted, That no Boat uſed as and commonly called *a Whale Boat*, belonging to any Ship or Veſſel employed in the ſaid Fiſhery, ſhall be liable to Seizure for or on Account of her Built, Dimenſions, or Conſtruction, provided, on the Return of ſuch Ship or Veſſel from the Fiſhery, ſuch Boat ſhall be laid up by the Owner thereof, in ſuch Place or Places as ſhall be approved of by the principal Officer of His Majeſty's Cuſtoms of the Port at which ſuch Ship or Veſſel ſhall arrive, and ſhall not be employed or made uſe of in any Way whatever but in the ſaid Fiſhery.

Whale Boats not liable to Seizure on Account of Built, if uſed only in the Fiſhery.

XXXVI. And be it further enacted, That if any Perſon or Perſons, not exceeding Forty Families, not being Subject or Subjects of His Majeſty, who has or have been heretofore employed in carrying on the ſaid Whale Fiſhery, and being the Owner or Owners of any Ship or Veſſel, and intending to reſide together with his or their Families (not exceeding Forty Families in the Whole) in this Kingdom, for the Purpoſe of continuing to carry on ſuch Fiſhery from thence, ſhall, on or before the Thirty-firſt Day of *December* One thouſand ſeven hundred and ninety-eight, come to the Port of *Milford*, in the County of *Pembroke*, with his or their Family or Families, and ſhall bring any Ship or Veſſel, or any Number of Ships or Veſſels, not exceeding Twenty in the Whole, to the ſaid Port of *Milford*, built before the Firſt Day of *January* One thouſand ſeven hundred and ninety-five, and manned ſeverally with any Number of Seamen or Fiſhermen, not leſs than Twelve in Number, having been heretofore employed in carrying on the ſaid Fiſhery; and it ſhall be made appear to the Satisfaction of the Commiſſioners of His Majeſty's Cuſtoms, or any Four of them, by the Oath (or Affirmations of the People called *Quakers*) of ſuch Owners reſpectively (which Oath or Affirmations the ſaid Commiſſioners, or the principal Officers in the new Port of *Milford*, or any Two of them, the Collector being One,

Forty Foreigners, with their Families, who have carried on the Whale Fiſhery, coming to *Milford* by *Dec.* 31, 1798, to reſide in the Kingdom, and bringing not more than 20 Veſſels, built before *Jan.* 1, 1795, may be permitted to import Oil, &c. on certain Conditions:

One, are hereby reſpectively authorized and empowered to adminiſter), and by other Means, that he or they have been ſo employed in carrying on the ſaid Fiſhery for Three Years previous to his or their Arrival; and that he or they, together with his or their Family, (if any they ſhall have), are then actually reſident in this Kingdom; and that Twelve ſuch Seamen, or Fiſhermen, at the leaſt, are brought into *Great Britain* in every ſuch Ship; and the ſame ſhall be certified by the ſaid Commiſſioners to His Majeſty; it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by and with the Advice of His Privy Council, to allow the Cargoes of Oil or Head Matter, and Fins, or other Parts of Animals frequenting the Sea, imported in any ſuch Ships or Veſſels, not exceeding Twenty in the Whole, which ſhall arrive from a Fiſhing Voyage, to be admitted to Entry on Payment of the ſame Duty as Oil, Head Matter, and Fins of *Britiſh* Fiſhing, and to allow any Goods, Furniture, and Stock, which ſhall be neceſſary to their Whaling Outfit, and which ſhall be Part of the Property of the ſaid Owner or Owners imported in any ſuch Ships or Veſſels, and arriving from the late Reſidence of the ſaid Owners, to be admitted to an Entry without Payment of any Duty whatſoever; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding: Provided always, that the Owner or Owners of ſuch Ship or Veſſel as ſhall be allowed to enter a Cargo on the *Britiſh* inſtead of the Foreign Duty, ſhall give Bond to the Commiſſioners of the Cuſtoms to the full Amount of the Difference between the Two Duties, that he or they will reſide during Three Years in *Great Britain*, and will not abſent himſelf or themſelves from the Kingdom during that Term without Leave of His Majeſty, by and with the Advice of His Privy Council, except on the Proſecution of a Fiſhing Voyage from and to this Kingdom.

Such Ships fitted out from *Milford* for a Whaling Voyage, may be regiſtered as Britiſh ones, on the Owners taking the Oath of Allegiance.

XXXVII. And be it further enacted, That if any Perſon or Perſons not being a Subject or Subjects of His Majeſty, and being the Owner or Owners of any Ship or Veſſel ſo admitted to Entry as aforeſaid, ſhall fit out the ſaid Ship or Veſſel for a Whaling Voyage from the Port of *Milford*, in the County of *Pembroke*, and ſhall go before ſome Juſtice of the Peace for the ſaid County of *Pembroke*, or before the principal Officer of His Majeſty's Cuſtoms in the new Port of *Milford*, and ſhall take the Oath of Allegiance to His Majeſty, and ſhall obtain a Certificate of his having taken ſuch Oath, which Oath and Certificate ſuch Juſtice of the Peace, and Officer of the Cuſtoms reſpectively, are hereby authorized and required to adminiſter and give, on Payment of no greater Fee than Two Shillings, it ſhall and may be lawful for His Majeſty, by and with the Advice of His Privy Council, to order ſuch Ship or Veſſel to be regiſtered, and to have a Certificate of Regiſtry in the ſame Manner as any *Britiſh* Ship or Veſſel; and every ſuch Ship or Veſſel ſhall, during the Time that ſuch Owner or Owners ſhall continue to have his or their Reſidence, together with his or their Family or Families, within this Kingdom, or during the Time that ſuch Ship or Veſſel ſhall be owned by any natural-born Subject or Subjects of this Kingdom, and ſhall be duly regiſtered, enjoy all the Privileges and Advantages, and be entitled to all the Bounties and Premiums, granted to any *Britiſh* Ship or Veſſel employed in the Whale Fiſhery, ſubject nevertheleſs to the ſame Rules, Regulations, Reſtrictions, Penalties, and Forfeitures; and every ſuch Perſon and Perſons ſhall have and enjoy the Rights, Privileges, and Advantages,

vantages, of natural-born Subjects of *Great Britain*, in like Manner, and ſubject to the like Diſabilities, as the ſame may be granted to Aliens by a ſpecial Act of Parliament: Provided always, that ſuch Owner or Owners, not being a Subject or Subjects of His Majeſty, ſhall prove in the Manner directed in an Act, paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, intituled, *An Act for the further Increaſe and Encouragement of Shipping and Navigation*, by taking the Oath, or making, if a Quaker, the Declaration herein-after mentioned, inſtead of the Oath required by the ſaid Act, that he or they is or are ſole Owner or Owners of ſuch Ship or Veſſel; and ſhall alſo conform to all the other Regulations reſpecting Regiſtry contained in the ſaid laſt-mentioned Act.

Such Owners to make Oath as to their ſole Property in Veſſels.

XXXVIII. And be it further enacted, That the ſaid Oath or Declaration, before directed to be taken by the Owner or Owners, Proprietor or Proprietors, of any ſuch Ship or Veſſel, ſhall be in the Form and Manner following, as far as the ſame is applicable to each or either of them:

Oath to be in the following Form.

'I *A. B.* of [*Place of Reſidence and Occupation*], do make Oath [*or* do declare] that the Ship or Veſſel [*Name*] of [*Port or Place*] whereof [*Maſter's Name*] is at preſent Maſter, being [*Kind of Built, Burthen*, et cetera, *as deſcribed in the Certificate of the Surveying Officer*], was [*when and where built, and when and where it came into this Kingdom*]; and that I the ſaid *A. B.* [*or the other Owners Names, and Occupations, if any, and where they reſpectively reſide*, videlicet, *Town, Place, Pariſh, and County, or if Member of and Reſident in any Factory in Foreign Parts, or in any Foreign Town or City, being an Agent for a Partner in any Houſe or Copartnerſhip, actually carrying on Trade in* Great Britain *or* Ireland, *the Name of ſuch Factory, Foreign Town, or City, and the Names of ſuch Houſe or Copartnerſhip*], am [*or* are] ſole Owner [*or* Owners] of the ſaid Veſſel, and that no other Perſon or Perſons whatever hath or have any Right, Title, Intereſt, Share, or Property, therein or thereto, and [*if a* Britiſh *Subject*], that I the ſaid *A. B.* [*and the ſaid other Owners, if any*], am or was [*or* are or were] truly and *bona fide* a Subject [*or* Subjects] of *Great Britain*; and that I the ſaid *A. B.* have not [nor have any of the other Owners, to the beſt of my Knowledge and Belief] taken the Oath of Allegiance to any Foreign State whatever, [*except under the Terms of ſome Capitulation, deſcribing the Particulars thereof*]; or that, ſince my taking [*or* his or their taking] the Oath of Allegiance to [*naming the Foreign States reſpectively to which he or any of the ſaid Owners ſhall have been Subject or Subjects*], and prior to the paſſing of an Act, in the Twenty-ſixth Year of the Reign of King *George* the Third, intituled, *An Act for the further Increaſe and Encouragement of Shipping and Navigation*, I have [*or* he or they hath or have] become a Subject [*or* Subjects] of *Great Britain*, [*either by His Majeſty's Letters Patent, as a Denizen or Denizens, or naturalized by Act of Parliament, as the Caſe may be, naming the Dates of the Letters of Denization, or the Act or Acts of Parliament for Naturalization reſpectively*]; or [*as the Caſe may be*] I have [*or* he or they hath or have] become a Denizen [*or* Denizens, or naturalized Subject or Subjects, *as the Caſe may be*] of *Great Britain*, by His Majeſty's Letters Patent, or by an Act of Parliament paſſed ſince the Firſt Day of *January*

'One thouſand ſeven hundred and eighty-ſix, [*naming the Times when ſuch Letters of Denization have been granted reſpectively, or the Year or Years in which ſuch Act or Acts of Naturalization have paſſed reſpectively*], or [*if not a* Britiſh *Subject*] that I *A. B.* and the other Owners, if any, being a Subject or Subjects, of ſome Foreign State, [*ſpecifying the State*], have come into and am [*or* are] now reſident in this Kingdom, [*deſcribing the Particulars thereof as to the Place and Date*], and intend to reſide therein, and have taken the Oath, or, being a Quaker, have made a Declaration, of Fidelity and Allegiance to His Majeſty the King of *Great Britain*, [*deſcribing the Times when, the Place where, and before whom taken*], and that no Foreigner, not having complied with the Conditions above-mentioned, directly or indirectly, hath any Share, or Part, or Intereſt, in the ſaid Ship or Veſſel.'

Perſons granting or uſing falſe Certificates, or counterfeiting Certificates, forfeit 500 *l.*

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatever ſhall knowingly give or grant any falſe Certificate or Certificates, for any of the Purpoſes required or directed by this Act, ſuch Perſon or Perſons ſhall forfeit the Sum of Five hundred Pounds, and be rendered incapable of ſerving His Majeſty, His Heirs or Succeſſors, in any Office whatever: And if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify, any Certificate or Certificates required by this Act, or ſhall knowingly or willingly make uſe of any falſe Certificate or Certificates, or of any Certificate or Certificates ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of Five hundred Pounds; and every ſuch Certificate or Certificates ſhall be invalid and of no Effect.

How Penalties are to be appropriated.

XL. And be it further enacted by the Authority aforeſaid, That One Moiety of the Penalties and Forfeitures inflicted by this Act (except in ſuch Caſes where other Directions are given by this Act) ſhall be to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall ſue or proſecute for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland* reſpectively, where the Offence ſhall be committed.

General Iſſue.

XLI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons whatever, for any Thing done in purſuance of this Act, the Defendant or Defendants, in 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 that the ſame was done in purſuance of and by the Authority of this Act: And if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or ſhall diſcontinue his Action, after the Defendant or Defendants hath or have appeared; or if Judgement ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

Treble Coſts.

FINIS.