

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

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Crew are Subjects of the United Kingdom;

Master and Three Fourths at least of the Mariners, Subjects of the United Kingdom of *Great Britain* and *Ireland*.

nor exported from thence unless so navigated.

II. And be it enacted, That, from and after the said First Day of *November*, no Goods, Wares, or Merchandize whatever shall be exported, or shipped for the Purpose of Exportation, from any Port or Place in *Ireland* in any such Ship or Vessel as aforesaid, unless such Ship or Vessel shall be navigated by a Master and Three Fourths at least of the Mariners, Subjects of the United Kingdom of *Great Britain* and *Ireland*.

No Ship registered as an *Irish* Ship shall be navigated, unless so manned.

III. And be it enacted, That, from and after the said First Day of *November*, no Ship or Vessel which is or shall be registered, or shall be required to be registered, as an *Irish* Ship or Vessel, shall be navigated but by a Master and Three Fourths at least of the Mariners, Subjects of the United Kingdom of *Great Britain* and *Ireland*, except as is herein-after provided.

No Goods shall be carried in any such Ship, nor any Ship be permitted to sail in Ballast from One Port or Creek to any other in *Ireland*, or in *Great Britain*, *Guernsey*, &c.; nor any *British* or *Irish* Ship be permitted to sail from *Ireland* to fish on that Coast, or of *Great Britain*, &c. unless wholly navigated by Subjects of the United Kingdom; but Commissioners of the Customs may licence a Proportion of Foreign Mariners to be taken on board such Fishing Vessels.

IV. And be it further enacted, That, from and after the said First Day of *November*, no Goods, Wares, or Merchandize whatever shall be carried from any One Port, Member, or Creek or Place of *Ireland*, to any other Port, Member, Creek, or Place of the same, or of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, in any such Ship or Vessel as aforesaid, nor shall any Ship or Vessel be permitted to sail in Ballast from any Port or Creek in *Ireland* to any Port or Creek of the same or of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*; nor shall any *British* or *Irish* Ship or Vessel be permitted to sail from any Port on the Coast of *Ireland*, to be employed in Fishing on the said Coast, or the Coast of *Great Britain*, or the Coasts of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, unless such Ship or Vessel shall respectively be wholly and solely manned with and navigated by a Master and Mariners all Subjects of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that it shall and may be lawful for Three or more of the Commissioners of His Majesty's Customs in *Ireland*, by Licence under their Hands (for which no Fee shall be taken), to authorize any such Ship or Vessel employed in Fishing on the Coasts of *Ireland* or *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to have on board any Mariner or Mariners for the Purpose of instructing the Mariners of the United Kingdom in such Ship or Vessel in the Art of Fishing, or taking, or curing Fish, such Foreign Mariner or Mariners not exceeding One Fourth of the Number of Mariners on board such Ship or Vessel.

Subjects of the United Kingdom to continue the whole Voyage, unless in Cases of Sickness, *etc.* which shall be specified in the Commander's Report.

V. And be it enacted, That where it is required by this Act, or by any other Act in force in *Ireland*, that the Master and the Whole or any Proportion of the Mariners of any Ship or Vessel shall be *British* or *Irish* Subjects, or Subjects of the said United Kingdom, the true Intent and Meaning is, that the Master and the Whole, or such Proportions, shall be Subjects of the United Kingdom during the whole Voyage, unless in case of Sickness, Death, Desertion, or of the Whole or Part of the Crew being taken Prisoners in the Voyage; and in such Case the Master or other Person having the Charge or Command of such Ship or Vessel, shall specify the same in his Report.

VI. Provided

VI. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to alter or in anywiſe affect any Regulation for navigating or manning of Ships employed in any of the Fiſheries carried on from *Ireland*, or any Part of His Majeſty's Dominions, for which any ſpecial Proviſion has been made by any Act or Acts in force before the Commencement of this Act.

Act not to alter any ſpecial Proviſions in force reſpecting Ships employed in the Fiſheries carried on from *Ireland*.

VII. And, to prevent all Doubts reſpecting the various Terms made Uſe of in the ſeveral Laws of Navigation, with reſpect to who are to be deemed and taken to be qualified to be Maſters of *Britiſh* or *Iriſh* Ships, or to be *Britiſh* or *Iriſh* Sailors, Seamen, or Mariners, be it declared and enacted, That no Perſon ſhall from henceforth be deemed and taken to be qualified to be the Maſter of a *Britiſh* or *Iriſh* Ship, or to be a *Britiſh* or *Iriſh* Sailor, Seaman, or Mariner, or to be a Sailor, Seaman, or Mariner of the ſaid United Kingdom, within the Intent and Meaning of this Act, or of any other Act now in force, except the natural born Subjects of His Majeſty, His Heirs and Succeſſors, or Perſons naturalized by or by virtue of any Act of Parliament, or made Denizens by Letters of Denization, or except Perſons who have become His Majeſty's Subjects by virtue of Conqueſt or Ceſſion of ſome newly acquired Country, and who ſhall have taken the Oath of Allegiance to His Majeſty, or the Oath of Fidelity required by the Treaty of Capitulation by which ſuch newly acquired Country came into His Majeſty's Poſſeſſion, except as is herein-after provided.

Who ſhall be deemed qualified to be Maſters of *Britiſh* or *Iriſh* Ships, or Mariners of the United Kingdom.

VIII. And whereas it is expedient that Foreigners who have ſerved, or ſhall ſerve faithfully, on board His Majeſty's Ships of War in the late or any future War, for the Time and in the Manner herein-after mentioned, ſhould be declared to be Sailors, Seamen, or Mariners of the United Kingdom, within the Intent and Meaning of the Laws of Navigation under certain Regulations; be it further enacted, That every Foreign Sailor, Seaman, or Mariner, who ſhall have ſerved or who ſhall ſerve on board any of His Majeſty's Ships or Veſſels of War in Time of War, for and during the Space of Three Years, either in One and the ſame Ship or Veſſel, or in different Ships or Veſſels, and who ſhall have obtained a Certificate or Certificates from the Captain or Commander, Captains or Commanders, of ſuch Ships or Veſſels on board of which he ſhall have ſo ſerved, or in caſe of the Death of ſuch Captain or Commander, then upon the Certificate of the Officer then living, who ſhall have been next in Rank to ſuch Captain or Commander, teſtifying that he has ſo ſerved, and teſtifying his faithful Service and good Behaviour during the Time of ſuch Service, and who ſhall alſo have taken the Oath of Allegiance to His Majeſty before ſome Juſtice of the Peace, or principal Magiſtrate of ſome City or Town in His Majeſty's Dominions, or before the principal Officer of His Majeſty's Cuſtoms in any Port of His Majeſty's Dominions (which Oath they are reſpectively hereby authorized to adminiſter), and who ſhall obtain a Certificate from ſuch Juſtice of the Peace, principal Magiſtrate, or Chief Officer, of his having taken ſuch Oath (which Certificate they are hereby authorized and required to give upon the Payment of no greater Fee than that of One Shilling), ſhall be entitled to be employed as a Maſter of an *Iriſh* Ship or Veſſel, or as a Sailor, Seaman, or Mariner of the ſaid United Kingdom, on board any *Iriſh* Ship or Veſſel, within the Intent and Meaning of this

Foreign Mariners who have faithfully ſerved on board Ships of War during Three Years in Time of War, and who ſhall obtain a Certificate of ſuch Service, and ſhall take the Oath of Allegiance, may be employed as Maſters or Mariners in *Iriſh* Ships.

Act, or any of the Laws now in force: Provided always, that no such Foreigner shall be entitled to become the Master of any *Irish* Ship or Vessel, or to be employed as a Sailor, Seaman, or Mariner of the said United Kingdom, unless he shall have delivered the before mentioned Certificate or Certificates of the Time he shall have served, and of his faithful Service and good Behaviour, and the before mentioned Certificate of his so having taken the Oath of Allegiance to the Collector, or other Chief Officer of His Majesty's Customs in the Port of *Dublin*, or in the Ports of *Cork*, *Galway*, or *Londonderry*, to be filed by such Collector or other Chief Officer of the Customs, who are hereby required to deliver to such Foreign Sailor, Seaman, or Mariner, an attested Copy thereof, upon paying the Fee of One Shilling, and no more.

Certificates to be delivered to the Officers of the Customs at *Dublin*, *Cork*, *Galway*, or *Londonderry*.

IX. Provided always, and be it enacted, That no Person who is or shall become qualified to be the Master of an *Irish* Ship or Vessel, or to be a Sailor, Seaman, or Mariner of the said United Kingdom, by Birth, Naturalization, Denization, Conquest, or Service, in Manner herein-before mentioned, and who has taken or shall take any Oath of Allegiance to any Foreign Sovereign or State whatsoever, for any Purpose whatsoever, except under the Terms of some Capitulation upon the Conquest of any of the Dominions of His Majesty, His Heirs or Successors, by any Enemy or Enemies, and for the Purpose of obtaining the Benefit of such Capitulation only, shall be deemed and taken to be qualified to be the Master of an *Irish* Ship or Vessel, or a Sailor, Seaman, or Mariner of the said United Kingdom, within the Intent and Meaning of any of the Laws of Navigation, unless such Person shall have taken such Oath of Allegiance before he became so qualified; and any Person who shall, after having become disqualified by taking such Oath of Allegiance as aforesaid, take the Charge or Command of any *Irish* Ship or Vessel as Master or Commander thereof, shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds; and every Person who shall, after having become so disqualified as aforesaid, engage to serve as a Sailor, Seaman, or Mariner of the said United Kingdom, on board any such Ship or Vessel, shall forfeit and pay for every such Offence the Sum of Ten Pounds; such Forfeitures respectively to be recovered upon Conviction before a Justice of the Peace, if such Offence shall be committed in *Great Britain* or *Ireland*, and before any Member of the Supreme Court of Justice, or any Justice of the Peace, if such Offence shall be committed in the Islands of *Guernsey*, *Jersey*, or *Man*, or in any Colony, Plantation, Island, or Territory to His Majesty belonging in *America*: Provided also, that no Ship or Vessel, on board whereof any Person who is so disqualified shall be employed as Master or Commander, shall be forfeited by Reason thereof, if the Owner or Owners of such Ship or Vessel shall shew that such Disqualification of such Master or Commander was unknown to such Owner or Owners respectively, or to his, her, or their Agent or Agents, and that such Disqualification of such Sailor, Seamen, or Mariner, was unknown to such Owner or Owners respectively, or to his Agent or Agents, and to the Master or Commander of such Ship or Vessel, at the Time of engaging such Person, so disqualified, to serve on board such Ship or Vessel: Provided always, that in the Navigation on the Seas of *America* and the *West Indies*, from any Port of *America* and the *West Indies* to any Port of *America* and the *West Indies*, any Negroes belonging to any Person or Persons being or having become His Majesty's

Persons taking the Oath of Allegiance to any Foreign State, except under Terms of Capitulation, not to be deemed qualified to be Masters or Mariners on board *Irish* Ships, unless taken before becoming qualified.

Penalty on Persons so disqualified who shall act.

No Ship on board of which such disqualified Persons shall act, shall be forfeited, if Proof be made by the Owner that such Disqualification was unknown.

Negroes or Lascars may be employed in certain Seas.

Subjects in Manner aforesaid, and with the Qualifications aforesaid; and in the Seas to the Eastward of the Cape of *Good Hope*, from any Port to the Eastward of the Cape of *Good Hope*, to any other Port to the Eastward of the Cape of *Good Hope*, Lascars, and other Natives of any of the Countries to the Eastward of the Cape of *Good Hope*, may be employed as Sailors, Seamen, or Mariners of the said United Kingdom, in Manner heretofore practised.

During War Three-fourths of the Crew may be Foreigners on board *Irish* Merchant Ships or Privateers.

X. And, for the better carrying on any War in which His Majesty may be engaged, and the Trade of the United Kingdom during the Continuance thereof, be it enacted, That, during the Continuance of such War, and no longer (except in respect to such Merchant Ships, and other trading Ships or Vessels and Privateers, which shall be on their Voyage before the Determination of the War, who shall be, and are hereby, allowed the Liberty and Benefit of returning Home to the United Kingdom, navigated in the Manner as herein-after is provided), it shall and may be lawful for any *Irish* Merchant Ship, or other *Irish* trading Ship or Vessel, or Privateer to be navigated by Foreign Seamen or Mariners, not being Natives of the United Kingdom, or any of the Colonies or Plantations thereto belonging, or His Majesty's natural or naturalized Subjects, so as the Number of such Foreign Seamen or Mariners do not exceed Three Fourths of the Mariners at any One Time employed to navigate such Merchant Ship, or other trading Ship or Vessel, or Privateer, and that One Fourth at least of the Mariners or Seamen so employed be at all Times Natives, or His Majesty's naturalized Subjects of the United Kingdom (sudden Death and the Hazard and Casualties of War and the Seas saved and excepted), an Act of Parliament made in the Twelfth Year of the Reign of His late Majesty King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*; or any other Statute or Law to the contrary notwithstanding.

No Person naturalized by this Act shall be enabled to be of the Privy Council, or to sit in Parliament, &c.

XI. Provided nevertheless, and it is hereby further enacted and declared, That no Person who shall be naturalized by virtue of this Act shall thereby be enabled to be of His Majesty's Privy Council in *Ireland*, or a Member of the Parliament of the United Kingdom of *Great Britain* and *Ireland*, or to take any Office or Place of Trust, either Civil or Military in *Ireland*, or to have any Grant of Lands, Tenements, or Hereditaments, from the Crown in *Ireland*, to himself, or any other Person or Persons in Trust for him; any Thing herein contained to the contrary thereof in anywise notwithstanding.

His Majesty may permit *Irish* trading Vessels and Privateers to be manned with Foreign Mariners during War.

XII. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, at all Times when it shall be found necessary to declare War against any Foreign Power, to publish a Royal Proclamation, if he or they shall judge it equitable, to permit all *Irish* Merchant Ships, and other *Irish* trading Vessels and Privateers, to be manned with Foreign Mariners and Seamen during such War, in Manner hereby provided, and that upon the publishing of such Proclamation the Provisions of this Act, so far as the same relate to the Time of War, shall be deemed to be of full force and virtue, and have Continuance for and during the Time of such War, and no longer, except in respect to such *Irish* Merchant Ships, or other *Irish* trading Ships or Vessels, and

Privateers, which ſhall be on their Voyage before the Determination of ſuch War, who ſhall be and are hereby allowed the Liberty and Benefit of returning Home to the ſaid United Kingdom, navigated in the Manner as herein before is provided.

Goods imported, exported, or carried Coaſtwiſe, or Ships ſailing in Ballaſt, or to fiſh on the Coaſt contrary to this Act, ſhall be forfeited.

XIII. And be it further enacted, That if any Goods, Wares, or Merchandize whatever ſhall be imported or brought, exported or carried Coaſtwiſe, contrary to the Proviſions of this Act, or any of them, all ſuch Goods, Wares, and Merchandize, and alſo the Ship or Veſſel in which the ſame ſhall be ſo imported or brought, exported or carried Coaſtwiſe, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, ſhall be forfeited; and alſo if any Ship or Veſſel ſhall ſail in Ballaſt, or ſhall fail to be employed in Fiſhing on the Coaſt, in Manner herein-before mentioned, or being required to be manned and navigated in Manner herein-before directed, ſhall not be manned and navigated according to the Proviſions of this Act, ſuch Ship or Veſſel, with all her Guns, Furniture, Ammunition, Tackle, and Apparel, and all the Goods, Wares, and Merchandize on board the ſame, ſhall be forfeited.

By whom Goods and Ships forfeited ſhall be ſeized, and how Forfeitures recovered and applied.

XIV. And be it further enacted, That all Goods, Wares, or Merchandize, and all Ships and Veſſels forfeited by this Act, may and ſhall be ſeized by the Commander of any of His Majeſty's Ships of War, or by any Commiſſioned, Warrant, or Petty Officer, eſpecially appointed by him or by any Officer of His Majeſty's Cuſtoms of *Great Britain* or *Ireland*; and that every ſuch Forfeiture incurred by this Act, except on the Seas or Coaſt of *Ireland*, or within the ſame, ſhall be ſued for, proſecuted, and recovered, in ſuch Courts, and by ſuch and the like Ways, Means, and Methods, and the Produce thereof diſpoſed of and applied in ſuch and the like Manner, and to ſuch Uſes and Purpoſes, as any Forfeiture incurred by an Act made in the Parliament of *Great Britain*, in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for the further Encouragement of* Britiſh *Mariners, and for other Purpoſes therein mentioned*, may be ſued for, proſecuted, or recovered, diſpoſed of, and applied; and that all Forfeitures incurred by this Act on the Seas, or on the Coaſt of *Ireland*, or within the ſame, ſhall and may be ſued for, recovered, diſpoſed of, and applied by ſuch Ways, Means, and Methods, and in ſuch Manner and Form, and with ſuch Powers and Authorities as are preſcribed, directed, and appointed in and by an Act made in the Parliament of *Ireland* in the Fourteenth and Fifteenth Years of the Reign of His late Majeſty *Charles* the Second, intituled, *An Act for the ſettling of the Exciſe or new Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted*, or by any other Act or Acts in force in *Ireland*, relative to His Majeſty's Revenue of Exciſe, concerning the ſeveral Forfeitures thereby created, with like Remedy of Appeal as in and by the ſaid Acts is provided.

If any *Iriſh* Ship be found at Sea with more than the legal Number of Foreigners on board, and the Maſter ſhall produce the requiſite

XV. Provided always, and be it further enacted, That in caſe any *Iriſh* Ship or Veſſel ſhall be found at Sea, having on board a greater Number of Foreign Mariners than is allowed by this Act, or any Law now in force or hereafter to be made, and the Maſter of ſuch Ship or Veſſel ſhall produce a Certificate of the actual Neceſſity of engaging ſuch Foreign Mariners in ſome Foreign Port, by Occaſion of the Sickneſs, Death, or Deſertion of the like Number of *Iriſh* Mariners, or of the ſame having been taken Priſoners

ſoners during his Voyage, and that *Iriſh* Mariners could not be engaged at ſuch Foreign Port to ſupply their Room, and that for the ſafe Navigation of ſuch Ship or Veſſel, it became neceſſary to engage and employ ſuch Foreign Mariners, under the Hand of His Majeſty's Conſul, at the Foreign Port where the ſaid Foreign Mariners were ſo engaged; or if there is not any ſuch Conſul there, under the Hands of Two known *Britiſh* Merchants at ſuch Foreign Port, it ſhall not be lawful for any of the Perſons authorized by this Act, to make Seizures of Ships or Veſſels navigated contrary to the Directions of this Act, to ſtop or detain any ſuch Ship or Veſſel ſo found at Sea, or to hinder her from proceeding in her Voyage, but ſuch Perſons ſhall, and are hereby required, to indorſe the Certificate ſo produced, teſtifying the Production thereof, and when and where met with at Sea, and that the Number of Foreign Mariners correſpond with the Certificate of ſuch *Britiſh* Conſul, or ſuch known *Britiſh* Merchants, for the Conſideration and Inveſtigation of the Commiſſioners of His Majeſty's Cuſtoms in *England*, *Scotland*, and *Ireland* reſpectively.

Certificate of the Neceſſity of employing them, certain Particulars ſhall be indorſed thereon by the Perſons authorized to make Seizure for the Conſideration of the Commiſſioners of the Cuſtoms.

XVI. And whereas, by an Act paſſed in the Parliament of *Ireland* in the Twenty-ſeventh Year of His Majeſty's Reign, intituled, *An Act for the further Increaſe and Encouragement of Shipping and Navigation*, it is amongſt other Things enacted, that when and ſo often as the Property in any Ship or Veſſel belonging to any of His Majeſty's Subjects, ſhall be transferred to any other or others of His Majeſty's Subjects in Whole or in Part, the Certificate of the Regiſtry of ſuch Ship or Veſſel ſhall be truly and accurately recited in Words at Length, in the Bill or other Inſtrument of Sale thereof, and that otherwiſe ſuch Bill ſhall be utterly null and void to all Intents and Purpoſes; in order therefore to prevent any Doubts whether by the ſaid Proviſion every Transfer of Property in any Ship or Veſſel is required to be made by ſome Bill or other Inſtrument in Writing, and whether Contracts or Agreements for the Transfer of ſuch Property may not be made without any Inſtrument in Writing, be it enacted, That no Transfer, Contract, or Agreement for Transfer of Property in any Ship or Veſſel made or intended to be made after the Firſt Day of *January* One thouſand eight hundred and three, ſhall be valid or effectual for any Purpoſe whatſoever, either in Law or in Equity, unleſs ſuch Transfer or Contract, or Agreement for Transfer of Property in ſuch Ship or Veſſel, ſhall be made by Bill of Sale, or Inſtrument in Writing, containing ſuch Recital as preſcribed by the ſaid recited Act.

Act of 27 Geo. 3, of the Parliament of *Ireland* recited, &c.

No Transfer of Property in any Ship after *Jan.* 1, 1803, ſhall be valid unleſs made in Writing, containing ſuch Recital as therein preſcribed.

XVII. And whereas, by the Laws now in force upon any Alteration of Property in any Ship or Veſſel in the ſame Port to which ſuch Ship or Veſſel belongs, an Indorſement upon the Certificate of Regiſtry is required to be made, be it enacted, That ſuch Indorſement ſhall, from and after the Firſt Day of *January* One thouſand eight hundred and three, be made in the Manner and Form herein-after expreſſed, and ſhall be ſigned by the Perſon or Perſons transferring the Property of the ſaid Ship or Veſſel by Sale or Contract, or Agreement for Sale thereof, or by ſome Perſon legally authorized for that Purpoſe by him, her, or them; and a Copy of ſuch Indorſement ſhall be delivered to the Perſon or Perſons authorized to make Regiſtry, and grant Certificates of Regiſtry, otherwiſe ſuch Sale or Contract, or Agreement for Sale thereof, ſhall be utterly null and void to all Intents and Purpoſes whatſoever; and

From *Jan.* 1, 1803, the Indorſement upon the Certificate of Regiſtry upon any Alteration in the Property of any Ship in the Port to which ſhe belongs ſhall be made as herein expreſſed, and a Copy delivered to the Perſon authorized to regiſter, who ſhall make

Entry thereof upon the original Affidavit, and give Notice to the Commissioners of the Customs in *Ireland*.

and such Person or Persons so authorized to make Registry and grant Certificates of Registry, are hereby required to cause an Entry thereof to be indorsed on the Oath, or Affidavit, upon which the original Certificate of Registry of such Ship or Vessel was obtained, and shall also make a Memorandum of the same in the Book of Registry, and shall forthwith give Notice thereof to the Commissioners of His Majesty's Customs in *Ireland*.

FORM of Indorsement on Change of Property.

Form of Indorsement on Change of Property.

'BE it remembered, That I [*or*, we] [*Names, Residence, and Occupation of the Persons selling*] have this Day sold and transferred all [my *or* our] Right, Share, or Interest in and to the Ship or Vessel, [*Name of the Ship or Vessel*], mentioned in the within Certificate of Registry unto [*Names, Residence, and Occupation of the Purchasers*] Witness my [*or* our] Hand [*or* Hands], this [*Date in Words at full Length*].

'Signed in the Presence of [*Two Witnesses*].'

The Change of Property in any Ship at Sea, or absent from the Port to which she belongs, shall be made by Bill of Sale, *&c.* and on her Arrival at the Port an Indorsement shall be made, *etc.*

XVIII. Provided always, That if any Ship or Vessel shall be at Sea, or absent from the Port to which she belongs, at the Time when such Alteration in the Property thereof shall be made as aforesaid, so that an Indorsement or Certificate cannot be immediately made, the Sale or Contract, or Agreement for the Sale thereof, shall, notwithstanding be made by a Bill of Sale or other Instrument in Writing as before directed; and a Copy of such Bill of Sale or other Instrument in Writing shall be delivered, and an Entry thereof shall be indorsed on the Oath or Affidavit, and a Memorandum thereof shall be made in the Book of Registers, and Notice of the same shall be given to the Commissioners of the Customs in *Ireland*, in the Manner herein-before directed, and within Ten Days after such Ship or Vessel shall return to the Port to which she belongs, an Indorsement shall be made and signed by the Owner or Owners, or some Person legally authorized for that Purpose by him, her, or them, and a Copy thereof shall be delivered in Manner herein-before mentioned, otherwise such Bill of Sale, or Contract or Agreement, for Sale thereof, shall be utterly null and void to all Intents and Purposes whatsoever, and Entry thereof shall be indorsed, and a Memorandum thereof made in the Manner herein-before directed.

Regulations for Transfer of Property where Owners reside out of the Dominions of His Majesty.

XIX. Provided also, and be it enacted, That in all Cases where the Owner or Owners of any Ship or Vessel shall reside in any Country not under the Dominion of His Majesty, His Heirs and Successors, as Member or Members of some *British* Factory, or Agent or Agents for a Partner or Partners in any House or Copartnership, actually carrying on Trade in *Great Britain* or *Ireland*, at the Time when he, she, or they shall transfer such Property in any Ship or Vessel, so that an Indorsement cannot be made immediately, nor a Copy of such Bill of Sale or other Instrument in Writing be delivered, nor an Entry thereof indorsed on the Oath or Affidavit, nor a Memorandum thereof made in the Book of Registers, nor Notice of the same given to the Commissioners of the Customs in *Ireland*, in the Manner before mentioned, the same may be done at any Time within Six Months after such Transfer shall have been made, and that within Twenty Days after such Owner or Owners, or some Per-

ſon legally authorized for that Purpoſe by him, her, or them, ſhall arrive in the United Kingdom, if ſuch Ship or Veſſel ſhall then be in any Port of *Ireland*, and if not, then within Twenty Days after ſuch Ship or Veſſel ſhall ſo arrive, an Indorſement ſhall be made by the Owner or Owners, or ſome Perſon legally authorized for that Purpoſe by him, her, or them; and a Copy thereof ſhall be delivered in Manner herein-before mentioned, otherwiſe ſuch Bill of Sale, or Contract or Agreement for Sale thereof, ſhall be utterly null and void to all Intents and Purpoſes whatſoever, an Entry thereof ſhall be indorſed, and a Memorandum thereof made in the Manner herein-before directed.

Mode of proceeding where Maſters refuſe to deliver up Certificates of Regiſtry.

XX. And, in order to prevent Maſters of Ships or Veſſels of the United Kingdom from detaining and refuſing to deliver up Certificates of the Regiſtry of Ships and Veſſels, to the Prejudice of the reſpective Owners thereof, be it enacted, That in caſe the Maſter of any Ship or Veſſel of the United Kingdom of *Great Britain* and *Ireland*, who ſhall have received the Certificate of the Regiſtry thereof, whether ſuch Maſter ſhall be a Part Owner or not, ſhall wilfully detain and refuſe to deliver up the ſame to the proper Officers empowered to make Regiſtry, and grant a Certificate thereof to the Owner or Owners, or the major Part of the Owners of ſuch Ship or Veſſel, if ſuch Maſter has not any Property therein, or on the other Owner or Owners, or the major Part of the other Owners of ſuch Ship or Veſſel, if ſuch Maſter hath any Share or Property therein, requiring him ſo to do, it ſhall and may be lawful for the Owner or Owners, or the major Part of the Owners of ſuch Ship or Veſſel, the Certificate of the Regiſtry of which ſhall be detained and refuſed to be delivered up as aforeſaid, to make Complaint on Oath againſt the Maſter of the Ship or Veſſel, who ſhall ſo detain and refuſe to deliver up the ſame as aforeſaid, of ſuch Detainer and Refuſal to any Juſtice of the Peace reſiding near to the Place where ſuch Detainer and Refuſal ſhall be in the United Kingdom of *Great Britain* and *Ireland*, or to any Member of the Supreme Court of Juſtice, or any Juſtice of the Peace in the Iſlands of *Jerſey*, *Guernſey*, or *Man*, or in any Colony, Plantation, Iſland, or Territory to His Majeſty belonging in *America* or the *Weſt Indies*, where ſuch Detainer and Refuſal ſhall be in any of the Places laſt mentioned; and on ſuch Complaint the ſaid Juſtice or other Magiſtrate ſhall and is hereby required, by Warrant under his Hand and Seal, to cauſe ſuch Maſter to be brought before him to be examined, touching ſuch Detainer and Refuſal; and if it ſhall appear to the ſaid Juſtice or other Magiſtrate, on Examination of the Maſter or otherwiſe, that the ſaid Certificate of Regiſtry is not loſt or miſlaid, but is wilfully detained by the ſaid Maſter, ſuch Maſter ſhall be thereof convicted, and ſhall forfeit and pay the Sum of One hundred Pounds, and on Failure of Payment thereof, he ſhall be committed to the common Goal, there to remain, without Bail or Mainprize, for ſuch Time as the ſaid Juſtice or other Magiſtrate ſhall, in his Diſcretion, deem proper, not being leſs than Six Months nor more than Twelve Months.

Penalty for detaining Certificates.

Magiſtrates to certify the Detainer of ſuch Certificates to the Perſons who granted them, and they ſhall make Regiſtry *de novo*.

XXI. And be it further enacted, That the ſaid Juſtice, or other Magiſtrate, ſhall and he is hereby required to certify the aforeſaid Detainer, Refuſal, and Conviction, to the Perſon or Perſons who granted ſuch Certificate of Regiſtry for ſuch Ship or Veſſel, who ſhall, on the Terms and Conditions of Law being complied with, make Regiſtry of ſuch Ship or Veſſel *de novo*,

novo, and grant a Certificate thereof conformably to Law, notifying on the Back of such Certificate the Ground upon which the Ship or Vessel was so registered *de novo*.

Where Property is transferred, no Vessel shall be registered *de novo* unless the Bill of Sale is produced, but the Commissioners of the Customs, *etc.* may in particular Cases direct Registry to be made without.

XXII. And whereas it is expedient that the Officers empowered to make Registry of Ships and Vessels, and to grant Certificates thereof, in case any such Ship or Vessel is required to be registered *de novo*, should be authorized to require the Production of every Bill or other Instrument of Sale by which the Property in any Ship or Vessel is transferred; be it therefore enacted, That when and so often as the Property in any Ship or Vessel belonging to any of His Majesty's Subjects, shall, by Sale, be transferred, in Whole or in Part, to any other or others of His Majesty's Subjects, and such Ship or Vessel shall be required to be registered *de novo*, it shall and may be lawful to and for all and every the Officer and Officers in *Ireland*, empowered to make Registry of Ships and Vessels, and to grant Certificates thereof, to require, and he and they are hereby authorized and directed to require the Bill or other Instrument of Sale thereof to be produced to him or them; and in case such Bill or other Instrument of Sale shall be so required to be produced, and the same shall not be produced to such Officer or Officers, the said Officer or Officers shall not make Registry, nor grant a Certificate of Registry *de novo*, for any such Ship or Vessel: Provided always, that it shall and may be lawful for the Commissioners of His Majesty's Customs in *Ireland*, or any Three or more of them, if Application shall be made to the Commissioners of the Customs in *Ireland*, and for the Governor, Lieutenant Governor, or Commander in Chief for the Time being, of the Islands of *Guernsey* or *Jersey*, or of any Colony, Plantation, Island, or Territory to His Majesty belonging, if such Application shall be made to any of them respectively, upon due Consideration of the particular Circumstances of the Case, to give Direction for registering such Ship or Vessel *de novo*, and granting a Certificate of such Registry, notwithstanding such Bill or other Instrument of Sale shall not have been produced as aforesaid, and such Registry shall be made, and such Certificate thereof shall be granted accordingly: Provided always, that all the other Regulations required by the Laws in force concerning the Registry *de novo* of Ships and Vessels, be complied with.

On Alteration of Property in Vessels in the same Port, they may be registered *de novo*.

XXIII. And be it enacted, That in case there shall be any Alteration of Property in the same Port by the Sale of One or more Shares in any Ship or Vessel, after registering thereof, and the Owners or Proprietors of such Ship or Vessel who were Owners or Proprietors thereof at the Time such Ship or Vessel was last registered, or whose Property therein has not been so transferred, shall be desirous of having the Ship or Vessel registered *de novo*, it shall and may be lawful for the proper Officers empowered to register Ships and Vessels in *Ireland*, and to grant Certificates thereof; and such Officers are hereby authorized and required to register every such such Ship or Vessel *de novo*, provided all the Rules, Regulations, and Conditions of the before recited Act, passed in the Twenty-seventh Year of the Reign of His present Majesty, and of all other Laws in force concerning the Registry of Ships and Vessels *de novo*, be complied with.

XXIV. And

XXIV. And whereas *Iriſh* Ships or Veſſels the Property of which is in Whole or in Part transferred to Perſons not being Subjects of His Majeſty, are not entitled to the Privileges of *Britiſh* or *Iriſh* Ships and Veſſels; and to prevent Frauds in the Employment of ſuch Ships or Veſſels, as *Britiſh* or *Iriſh* Ships or Veſſels, contrary to the Intention of the Laws of Navigation, they are now by Law required, in certain Caſes to be regiſtered *de novo*, for which Purpoſe it is neceſſary that ſuch Ship or Veſſel ſhould proceed with all due Diligence to the Port to which ſhe belongs, or to any other Port to which ſhe may be legally regiſtered by virtue of the ſaid Act paſſed in *Ireland*, in the Twenty-ſeventh Year of His preſent Majeſty's Reign, in order to be regiſtered *de novo*; be it enacted, That, from and after the Firſt Day of *November* One thouſand eight hundred and two, as often as any ſuch Transfer of Property in any Ship or Veſſel ſhall be made, while ſuch Ship or Veſſel is upon the Sea on a Voyage to a Foreign Port or Ports, in caſe the Maſter of ſuch Ship or Veſſel is privy to ſuch Transfer, or in caſe he is not ſo privy, as ſoon as he ſhall become acquainted therewith, ſuch Ship or Veſſel ſhall proceed directly to the Port or Ports for which the Cargo then on board is deſtined, and ſhall ſail from ſuch Port or Ports to which the Cargo then on board is deſtined, to the Port of His Majeſty's Dominions to which ſhe belongs, or to any other Port in which ſhe may be legally regiſtered by virtue of the ſaid Act; and ſuch Ship or Veſſel may take on board in the Port or Ports for which her original Cargo was deſtined, or in any other Port or Ports being in the Courſe of her Voyage to the Port of His Majeſty's Dominions, in which ſhe may be ſo regiſtered *de novo*, ſuch Cargo, and no other, as ſhall be deſtined, and may be legally carried to ſuch Port of His Majeſty's Dominions, where ſhe may be ſo regiſtered *de novo*; and if ſuch Transfer of Property ſhall be made while ſuch Ship or Veſſel is in any Foreign Port, and the Maſter of ſuch Ship or Veſſel is privy to ſuch Transfer, or in caſe he is not ſo privy, as ſoon as he ſhall become acquainted therewith, ſuch Ship or Veſſel, after having delivered the Cargo then on board ſuch Ship or Veſſel at the Port or Ports for which it is deſtined, ſhall ſail from ſuch Port or Ports to the Port of His Majeſty's Dominions to which ſhe belongs, or to any other ſuch Port in which ſhe may be legally regiſtered by virtue of the ſaid Act, and may take on board at the Port or Ports for which her original Cargo was ſo deſtined, or at any other Port, being in the Courſe of her Voyage to the Port of His Majeſty's Dominions in which ſhe may be ſo regiſtered *de novo*, ſuch Cargo, and no other, as ſhall be deſtined, and may be legally carried to ſuch Port of His Majeſty's Dominions where ſhe may be ſo regiſtered *de novo*; and if ſuch Transfer of Property ſhall be made while ſuch Ship or Veſſel is on a fiſhing Voyage, and the Maſter of ſuch Ship or Veſſel is privy to ſuch Transfer, or in caſe he is not ſo privy, as ſoon as he ſhall become acquainted therewith, ſuch Ship or Veſſel after having finiſhed ſuch fiſhing Voyage, without touching at any Foreign Port or Ports, except for the Purpoſe of Repairs or Refreſhments, or for delivering any Part of the Cargo ſhe may have on board, deſtined for ſuch Foreign Port or Ports, ſhall ſail to the Port of His Majeſty's Dominions to which ſhe belongs, or to any other ſuch Port where ſhe may be legally regiſtered by virtue of the ſaid Act, and may take on board at the Foreign Port or Ports laſt deſcribed, or at any other Port or Ports, being in the Courſe of her Voyage to the Port of His Majeſty's Dominions, where ſhe may be ſo regiſtered *de novo*, ſuch Cargo, and no other, as ſhall be deſtined, and may

Regulations for the Conduct of Maſters where Property is transferred in a Veſſel while on a Voyage to a Foreign Port, or therein, or while on a Fiſhing Voyage, and on Failure of Compliance the Veſſel ſhall not be entitled to the Privileges of a *Britiſh* or *Iriſh* Veſſel, unleſs in particular Caſes, the Commiſſioners of the Cuſtoms, &c. may order her to be again regiſtered.

may be legally carried to such Port of His Majesty's Dominions; and every such Ship or Vessel as aforesaid, shall be registered *de novo* as soon as she returns to the Port of His Majesty's Dominions to which she belongs, or to any other such Port in which she may be legally registered by virtue of the said Act, on Failure whereof such Ship or Vessel shall, to all Intents and Purposes, be from henceforth considered, and deemed and taken to be, a Foreign Ship or Vessel, and shall not again be registered, and be entitled to the Privileges of a *British* or *Irish* Ship or Vessel, unless such special Representation of the Circumstances of the Case to Four or more of the Commissioners of His Majesty's Customs in *England*, or to Three or more of the Commissioners of His Majesty's Customs in *Scotland* or *Ireland*, or to the Governor, Lieutenant Governor, or Commander in Chief for the Time being of the Islands of *Guernsey* or *Jersey*, or of any Colony, Plantation, Island, or Territory to His Majesty belonging, as the Case may be, the said Commissioners, Governor, Lieutenant Governor, or Commander in Chief, shall respectively, on Consideration of the special Circumstances of the Case, think fit to order; and in such Case they are hereby authorized to order that the said Ship or Vessel shall be registered, and be thereby again entitled to the Privileges of a *British* or *Irish* Ship or Vessel; and such Registry shall be made, and such Certificate thereof shall be granted accordingly: Provided always, that all the Regulations required by the Laws in force concerning the First Registry of Ships and Vessels, shall in every such Case be complied with:

On Transfer of Property in Vessels shall be registered *de novo*, but within certain Periods.

Provided nevertheless, that in no Case of the Transfer of Property in Whole or in Part, of any Ship or Vessel, in the Manner herein-before mentioned, the Ship or Vessel of which the Property is so transferred shall be registered *de novo*, or be entitled to the Privileges of a *British* or *Irish* Ship or Vessel, unless such Ship or Vessel shall return to the Port of His Majesty's Dominions to which she belongs, or to such other Port in which she may be registered *de novo*, within the Period of Twelve Months after the Date of such Transfer of Property, if such Ship or Vessel shall not be on a Voyage to the East of the *Cape of Good Hope*, or to the West of *Cape Horn*, or within Two Years if the Ship or Vessel is on a Voyage to the East of the *Cape of Good Hope*, or to the West of *Cape Horn*, at the Time such Transfer of Property shall take Place, except by the Order of the said Commissioners, Governor, Lieutenant Governor, or Commander in Chief respectively, upon special Representation of the Circumstances of the Case in Manner herein-before authorized.

Act may be repealed or altered this Session.

XXV. And be it enacted, That this Act may be repealed, altered, or varied during the present Session of Parliament.

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