ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

C A P. CXVI.

An Act to make further Regulations for the Registry of Ships built in *India*. [28th *June* 1815.]

WHEREAS an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for the further Increase and Encouragement of Shipping and Navigation:* And whereas another Act passed in the Twenty-seventh Year of the Reign of His present Majesty, intituled *An Act to enforce and render more effectual several Acts passed in the Twelfth Year of the Reign of King* Charles *the Second, and other Acts, made for the Increase and Encouragement of Shipping and Navigation:* And whereas another Act passed 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:* And whereas it is necessary to make further Provision for the Execution of the Provisions of the said Acts, in the Territories under the Government of The *East India* Company, and other Territories belonging to His Majesty, within the Limits of the Charter of the said Company; 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 it shall be lawful for any Collector of Duties payable at any Port to the *East India* Company, or other Person of the Rank in the said Company's Service of Senior Merchant, or of Six Years standing in the Service, being respectively appointed to act in the Execution of this Act by any of the Governments of the said *East India* Company in *India*, in any Ports in which there shall be no Collector and Comptroller of His Majesty's Revenue of Customs, to register, and grant Certificates of the Registry of all Ships and Vessels built in any Territories, Countries, Islands or Places, under the Government of the *East India* Company, or belonging to His Majesty, within the Limits of the Charter of the said Company, and belonging to such Ports respectively, which are by the Provisions of the said recited Acts, or any of them, required and entitled to be registered; and all such Officers and Persons respectively are hereby authorized and required to do every Act, Matter, and Thing, in relation to such Registers and Certificates, and as to all Transfers of Property of such Ships and Vessels, and all other *British* registered Ships, in the said Acts required to be done by any Officers respect-

26 G. 3. c. 60.

27 G. 3. c. 19.

34 G. 3. c. 68.

Collector of Duties at any Port in the East Indies, to register and certify Ships in Ports where there is no Collector or Comptroller of the Customs.

ively of His Majeſty's Revenue of Cuſtoms in *Great Britain*; and the ſaid Governments of the *Eaſt India* Company, and all Governors and Lieutenant-Governors of any Territories, Iſlands and Places, belonging to His Majeſty, within the Limits of the Charter of the ſaid Company, are hereby authorized and empowered to do all Acts, Matters, and Things, and make all ſuch Orders in relation to the Regiſtry of any ſuch Ships or Veſſels, and as to the Periods within which Ships built before the paſſing of this Act may be regiſtered, and the Ports at which any ſuch Ships or Veſſels may be regiſtered, and as to all Matters and Thing relating thereto, and to any Transfers of Property in any ſuch Ships or Veſſels, as any Commiſſioners of His Majeſty's Cuſtoms are by the ſaid Acts or any of them authorized or empowered to do in relation to Ships and Veſſels built before or after the paſſing of the ſaid Act of the Twenty-ſixth Year aforeſaid; and all Powers and Authorities given in the ſaid Acts to the Commiſſioners of His Majeſty's Cuſtoms, or any Officers of the Revenue of Cuſtoms in *Great Britain* reſpectively, in relation to the Regiſtering of Ships and Veſſels, as to any Act, Matter, or Thing, relating thereto, or as to any Penalties or Forfeitures, or the Application thereof, and as to the ſeizing of any Ships or Veſſels as forfeited under the ſaid Acts for want of Certificates of Regiſtry, ſhall be uſed, exerciſed, applied, enforced, and put in Execution, in relation to all Ships and Veſſels built in any Territories, Countries, Iſlands or Places, under the Government of the ſaid *Eaſt India* Company, or belonging to His Majeſty within the Limits of the Charter of the ſaid Company, either before or after the paſſing of this Act, and required and entitled to be regiſtered under the Proviſions of the ſaid recited Acts, as fully and effectually as if the ſame were repeated and re-enacted in this Act; and all ſuch Ships and Veſſels ſhall, when ſo regiſtered, be deemed and taken to be *Britiſh*-built Ships, regiſtered under the ſaid recited Acts, and entitled to all the Privileges and Advantages of Ships built in the United Kingdom, and regiſtered as ſuch; except as in this Act herein-after excepted.

Ships not to be forfeited for want of Regiſtry, unleſs they ſhall have returned to Port before a limited Time, and departed therefrom.

II. And whereas it is neceſſary to give ſufficient Time for the Regiſtry of Ships and Veſſels, be it therefore enacted, That no ſuch Ship or Veſſel, carrying on Trade between *India* and the United Kingdom, or within the Limits of the Charter of the ſaid *Eaſt India* Company as aforeſaid, ſhall become forfeited, or ſubject to Seizure as forfeited, for want of a Certificate of Regiſtry, until after the Firſt Day of *July* One thouſand eight hundred and ſixteen, unleſs ſuch Ship or Veſſel ſhall, after the Firſt Day of *January* One thouſand eight hundred and ſixteen, and before the ſaid Firſt Day of *July*, have returned to the Port or Place to which ſhe ſhall belong, and afterwards departed from ſuch Port without being duly regiſtered under the Proviſions of the ſaid recited Acts.

What Ships do not require Regiſtry.

III. Provided always, and be it further enacted, That nothing in this or the ſaid recited Acts or in any other Acts contained, ſhall ſubject any Ship or Veſſel, built or to be built within the Limits of the Charter of the ſaid Company, which ſhall not be of the Burthen of Three hundred and fifty Tons; or any Ship or Veſſel built within the Limits of the Charter of the ſaid Company, now the Property of any of His Majeſty's Subjects within the Limits aforeſaid, and employed in Trade as heretofore ſolely within the ſaid Limits, including the *Cape of Good Hope*; or any Ship or Veſſel which now is or at any Time before the Firſt Day of *January* in the Year One thouſand eight hundred and ſixteen ſhall be building within the Limits aforeſaid, on account of any of His Majeſty's Subjects within the ſaid Limits, and ſhall be employed in Trade ſolely within the ſaid Limits, including the ſaid *Cape of Good Hope*, to any

Penalty, Forfeiture, Diſability, or Impediment by reaſon of ſuch Ship or Veſſel not being regiſtered, and not being *Britiſh*-built, or to affect the Property or any Transfer of Property in any ſuch Ship or Veſſel as aforeſaid which ſhall not be regiſtered.

India-built Ships although duly regiſtered, not entitled to Privilege of Britiſh-built Ships, but thoſe ſpecified in former Acts.

IV. Provided always, and be it further enacted, That no Ships or Veſſels, built in any Countries, Territories, Ports or Places under the Government of the *Eaſt India* Company, or belonging to His Majeſty within the Limits of the Charter of the ſaid Company, and regiſtered under the Authority of this Act as *Britiſh*-built, and owned by Subjects of His Majeſty, and navigated according to Law, ſhall be entitled to the Privileges of *Britiſh*-built Ships, owned, regiſtered, and navigated according to Law, in any Voyages or Trade beyond the Limits of the ſaid Company's Charter, other than and except ſuch as are ſpecified in an Act, paſſed in the Fifty-third Year of His preſent Majeſty, intituled *An Act for continuing in the* Eaſt India *Company, for a further Term, the Poſſeſſion of the* Britiſh *Territories in* India, *together with certain excluſive Privileges; for eſtabliſhing further Regulations for the Government of the ſaid Territories, and the better Adminiſtration of Juſtice within the ſame; and for regulating the Trade to and from the Places within the Limits of the ſaid Company's Charter*; and in another Act paſſed in the laſt Seſſion of Parliament, intituled *An Act for the further Regulation of the Trade to and from the Places within the Limits of the Charter of the* Eaſt India *Company*; any Thing in this Act, or in any or either of the ſaid recited Acts, or in any other Act or Acts of Parliament to the contrary notwithſtanding.

53 G. 3. c. 155.

54 G. 3. c. 34.

Not to affect Veſſels already regiſtered.

V. Provided alſo, That nothing in this Act contained ſhall be conſtrued in any Manner to affect the Privileges of any Ship or Veſſel already regiſtered as *Britiſh*-built, or to affect the Right of any Ship or Veſſel now built or building to Regiſtry as *Britiſh*-built.

Laſcars and Natives of India not to be Britiſh Mariners within the meaning of 34 G. 3. c. 68.

VI. Provided alſo, and be it further enacted, That no *Aſiatic* Sailors, Laſcars, or Natives of any of the Territories, Countries, Iſlands or Places within the Limits of the Charter of the *Eaſt India* Company, although born in Territories, Countries, Iſlands or Places under the Government of His Majeſty, or of the *Eaſt India* Company, ſhall at any Time be deemed or taken to be *Britiſh* Sailors, Seamen or Mariners, within the Intent and Meaning of the ſaid recited Act of the Thirty-fourth Year aforeſaid, or of any other Act or Acts of Parliament relating to the Navigation of *Britiſh* Ships by Subjects of His Majeſty, for the Purpoſe of entitling any Ship or Veſſel to be deemed to be a *Britiſh* Ship navigated according to Law, and to have the Privileges and Advantages of *Britiſh* Ships, having the Maſter and Three-fourths of the Mariners *Britiſh* Subjects; any Thing in the ſaid recited Act of the Thirty-fourth Year aforeſaid, or in any other Act or Acts of Parliament, or Law or Laws, to the contrary notwithſtanding: Provided always, that no Ship or Veſſel belonging to any Port within the Limits of the Charter of the ſaid Company, or uſually navigated by ſuch *Aſiatic* Sailors, Laſcars, or Natives aforeſaid, as Mariners, ſhall, while carrying on Trade to and from *India* to the United Kingdom, forfeit any Privileges or Advantages of a *Britiſh*-built Ship, to which ſhe may be by Law entitled, by reaſon of having any Proportion of ſuch Mariners, without the due Proportion of *Britiſh* Mariners, until the Expiration of Twelve Months of continued Peace after the Concluſion of the preſent War: Provided alſo, that it ſhall be lawful for His Majeſty, by His Royal Proclamation, upon or after the Commencement of any Hoſtilities, to permit all Merchant Ships, or any other Trading Veſſels, and all Privateers, to be manned wholly, or in any ſuch Proportions as ſhall be ſpecified in any ſuch Proclamation, with ſuch *Aſiatic* Sailors, Laſcars,

cars, or Natives aforesaid, for and during such Periods as shall be specified in any such Proclamation as aforesaid.

A Proportion of British Seamen to the Tonnage of any Ship, partly by Lascars, sufficient, although not amounting to Three fourths of the Crew.

VII. And whereas Lascars, and other Natives of the *East*, are not deemed to be equal in Strength and Use to *European* or other Seamen; and the requiring the Proportion of Three-fourths of *British* Seamen, in Ships having, as Part of the Crew, Lascars and Natives of the *East*, would compel such Ships to carry a larger Number of *British* Seamen than other Ships, or to employ a smaller Number of Lascars and Natives of the *East*, than would be sufficient to make a proper Crew; be it therefore enacted, That every such Ship or Vessel, so duly registered, and carrying on Trade to and from *India* and the United Kingdom as aforesaid, and manned in Part with Lascars or Natives of *India*, and which shall be commanded by a *British* Master, and navigated by Seven *British* Seamen as Part of the Crew, for every One hundred Tons of her registered Burthen, and so in Proportion for any Part of a One hundred Tons, shall be deemed, construed, and taken to be navigated according to Law, as to the Crew of any such Ship or Vessel, although the Number of such *British* Seamen shall not be equal to the Proportion of Three-fourths of the whole Crew of such Ship or Vessel; any Thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

In Cases where, in India, a sufficient Number of British Seamen cannot be obtained, Governors may license the Ship to sail for Europe.

VIII. And whereas it may not always be possible to procure the due Proportion of *British* Seamen, at Ports in *India*, for Vessels sailing from *India*; be it therefore enacted, That it shall be lawful for any of the Governments of the *East India* Company in *India*, or for any Governor or Lieutenant-Governor of any Colony, Territory or Island, belonging to His Majesty, within the Limits of the said Charter, and they and he are hereby required, on Application made by the Owner or Commander of any Ship or Vessel, and after having ascertained, by due Enquiry, that a sufficient Number of *British* Seamen cannot be procured for the Crew of any Ship or Vessel sailing from *India*, within Ten Days from such Application to certify the same, and license such Ship or Vessel to sail with a less Proportion of *British* Seamen than required by Law; and every such Ship, having on board such Licence, shall be deemed to be navigated according to Law, notwithstanding such Deficiency of *British* Seamen, until her Arrival at the Port of her Destination in the United Kingdom; but shall, on the Voyage back from the United Kingdom, have the full and proper Proportion of Seven *British* Seamen to every One hundred Tons.

Act not to require British Seamen on board Vessels employed in Trade between Port and Port.

IX. Provided always, and be it further enacted, That nothing in this Act, or in any other Act or Acts of Parliament contained, shall extend or be construed to extend to require any Number of *British* Seamen to be on board, as Part of the Crew or Mariners of any Ship or Vessel employed in Trade only between Ports and Places within the Limits of the Charter of the said Company including the *Cape of Good Hope*; or to prevent any such Ship or Vessel, while so employed, being manned and navigated wholly or in any Proportion as to *Asiatic* Sailors, or Lascars, or Natives of any Territories, Countries, Islands or Places, within the Limits of the said Company.

Act may be amended, &c. this Session.

X. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this Session of Parliament.

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