

ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

CAP. X.

An Act to regulate the Veſſels carrying Paſſengers from the United Kingdom to certain of His Majeſty's Colonies in *North America*.

[17th *March* 1817.]

WHEREAS by an Act paſſed in the Forty-third Year of His preſent Majeſty, intituled *An Act for regulating the Veſſels carrying Paſſengers from the United Kingdom to His Majeſty's Plantations and Settlements abroad or to Foreign Parts, with reſpect to the Number of ſuch Paſſengers*, certain Regulations were made with reſpect to the Number of Paſſengers to be conveyed on board *Britiſh* and Foreign Veſſels, from the United Kingdom to His Majeſty's Colonies abroad, and to Foreign Countries: And whereas it is expedient to make ſpecial Regulations with reſpect to the Conveyance of Paſſengers to certain of His Majeſty's Colonies in *North America*; 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 nothing in the aforeſaid Act of the Forty-third Year of His preſent Majeſty ſhall be deemed or taken to apply to any *Britiſh* Ship or Veſſel carrying Paſſengers to the Provinces of *Upper* or *Lower Canada*, *Nova Scotia*, *New Brunſwick*, *Cape Breton*, or *Prince Edward's Iſland*; any Thing in the ſaid Act to the contrary notwithſtanding.

43 G. 3. c. 56.

Recited Act not to apply to Britiſh Veſſels carrying Paſſengers to Canada, &c.

II. And

No Veſſel ſhall ſail to Canada, &c. unleſs the Maſter enter into Bond that there ſhall not be taken on board more Paſſengers than by this Act allowed, &c.

II. And be it further enacted, That from and after the paſſing of this Act no Ship or Veſſel ſhall ſail with Paſſengers from any Port or Place in the United Kingdom to any Port or Place in *Upper* or *Lower Canada*, *Nova Scotia*, *New Brunſwick*, *Cape Breton*, or *Prince Edward's Iſland*, unleſs the Maſter or other Perſon having or taking the Charge or Command of every ſuch Ship or Veſſel, and the Owner or Owners thereof, ſhall, before the ſailing of ſuch Ship or Veſſel from any Port or Place aforeſaid, enter into Security by Bond to His Majeſty, His Heirs and Succeſſors, in the Penalty of Five hundred Pounds, with Condition that there ſhall not be taken on board any ſuch Ship or Veſſel any more ſuch Paſſengers than are hereinafter permitted and allowed, and that every Paſſenger, if alive, ſhall be landed at the Port or Place to which ſuch Paſſenger ſhall have contracted to be conveyed; which Bond ſhall be taken by and depoſited with the Collector and Comptroller or other Principal Officer of His Majeſty's Cuſtoms at the Port from which ſuch Ships or Veſſels ſhall ſail; and the Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, previous to his leaving the ſaid Port, ſhall and is hereby required to deliver to the ſaid Collector and Comptroller or other Principal Officer of His Majeſty's Cuſtoms at the ſaid Port, a Liſt containing the Number of the ſaid Paſſengers, with their Names, Ages, and Deſcriptions, and the Places to which they are to be reſpectively conveyed, for the Purpoſe of being regiſtered at ſuch Port, together with a Copy of the ſame, which Copy ſhall be certified by the ſaid Officers as being correct and true, and delivered to the Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel, to be by him kept on board the ſaid Veſſel and ſubject to the Inſpection of any of His Majeſty's Ships of War or Veſſels in the Service of His Majeſty's Cuſtoms or Exciſe during his Voyage to the aforeſaid Colonies; and upon the Arrival of ſuch Ship or Veſſel at either of the aforeſaid Colonies the ſaid Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel ſhall deliver the aforeſaid Copy of the Liſt to the Governor of ſuch Place or other Perſon acting for him, or to the Naval Officer or Chief Officer of the Cuſtoms at the Port of Arrival, or to the neareſt Juſtice of the Peace, who ſhall be required to examine the Paſſengers within Twenty-four Hours after their Arrival; and no ſuch Paſſenger as aforeſaid ſhall be allowed to land until ſuch Liſt is compared with the Paſſengers by the Governor or other Perſon acting for him, or ſome Perſon authorized by either of them for that Purpoſe.

Liſt of Paſſengers to be delivered in Manner herein mentioned.

Penalty on taking more Paſſengers than the Number allowed, 5ol.

III. And be it further enacted, That if the Maſter or other Perſon having or taking the Charge or Command of ſuch Ship or Veſſel ſhall take or have on board his Ship or Veſſel, or if the Owner or Owners of ſuch Ship or Veſſel ſhall engage to take on board, more Perſons than the Number allowed, they ſhall reſpectively forfeit the Sum of Fifty Pounds for each Perſon ſo taken or engaged to be taken on board.

Paſſengers to be apportioned according to the Tonnage of the Veſſel.

IV. And be it further enacted, That from and after the paſſing of this Act it ſhall not be lawful for any Ship or Veſſel from any Place in the United Kingdom of *Great Britain* and *Ireland*, or from *Guernſey* and *Jerſey*, to carry to any Port or Place in *Upper* or *Lower Canada*, *Nova Scotia*, *New Brunſwick*, *Cape Breton*, or *Prince Edward's Iſland*, a greater Number of Paſſengers than in the Proportion of One adult Perſon or of Three Children under Fourteen Years of Age for every One Ton and a Half of the

the Burthen of such Ship or Vessel; and every such Ship and Vessel shall be taken to be of such Tonnage or Burthen as is described and set forth in the respective Certificate of the Registry of each and every such Ship or Vessel granted in pursuance of the several Acts in force in *Great Britain* and *Ireland* respectively relating to such Certificates; and if any such Ship or Vessel shall be partly laden with Goods, Wares, or Merchandize, then it shall not be lawful for the Master or other Person having the Charge or Command of such Ship or Vessel to receive or take on board a greater Number of Persons than in the Proportion of One adult Person or of Three Children under Fourteen Years of Age for every One Ton and a Half of that Part of such Ship or Vessel remaining unladen.

Water and Provisions how to be apportioned.

V. And be it further enacted, That every such Ship or Vessel shall be furnished at the Time of her Departure to commence the Voyage with at least Twelve Weeks Supply of good and wholesome Water, so as to furnish a Supply of Five Pints of Water *per* Day for every such Passenger exclusive of the Crew; and the said Supply of Water shall be stowed below the Deck; and every such Ship or Vessel shall also be furnished with such a Supply of Provisions as will afford an Allowance for every such Passenger, exclusive of the Crew, during the said Period of Twelve Weeks, of One Pound of Bread or Biscuit and One Pound of Beef or Three Quarters of a Pound of Pork *per* Day, and also Two Pounds of Flour, Three Pounds of Oatmeal, or Three Pounds of Peas or Pearl Barley, and Half a Pound of Butter Weekly; the Weekly Allowance to commence on the Day the Vessel puts to Sea.

Penalty on Failure of giving out the Allowance of Provisions, 10*l*.

VI. And be it further enacted, That the Master or other Person having or taking the Charge or Command of any Ship or Vessel failing to give out the Allowance of Provisions and Water herein-before specified shall forfeit the Sum of Ten Pounds of lawful Money for each and every such Neglect and Omission.

Abstract of Act to be exposed in the Vessel, on Penalty of 10*l*.

VII. And be it further enacted, That an Abstract of this Act, stating the Number of Passengers allowed to be taken, and the Daily and Weekly Allowance of Water and Provisions, shall be exposed in some conspicuous Part of the Ship or Vessel to which the said Passengers have Recourse; in failure of which the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall forfeit the Sum of Ten Pounds.

Penalties how to be recovered and applied.

VIII. And be it further enacted, That all Penalties and Forfeitures to be incurred under this Act shall and may be recovered in a summary Way on the Oath of One or more Witness or Witnesses before any One or more of His Majesty's Justice or Justices of the Peace of any County, County of a City, Riding, Shire, or Place in the United Kingdom, where such Ship or Vessel shall depart from or come to in or during such Voyage, or in a summary Way in any Court or Courts of Session having Jurisdiction in the Port or Place at which such Ship or Vessel shall arrive; and One Moiety of every Penalty to be recovered by virtue of this Act shall go and be applied to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of such Person or Persons as shall first sue for the same.

Laws for the Regulation of Artificers leaving the Kingdom not to be affected.

IX. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to repeal, alter, or affect any Law, Statute, Usage, or Custom now in force in the United Kingdom or within *Great Britain* or *Ireland* respectively, for the Restriction or Regulation of Artificers and others from or in going or passing from any Part of the United Kingdom to Parts beyond Sea, or to regulate the Ships or Vessels carrying or conveying such Artificers, or the Masters or Commanders or Persons having Charge of such Ships or Vessels; but that all such Laws, Usages, and Customs shall remain in full Force and Effect to all Intents and Purposes as if this Act had not been made.

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