

ANNO NONO

GEORGII IV. REGIS.

****

CAP. XXI.

An Act to regulate the Carriage of Passengers in Merchants Vessels from the United Kingdom to the Continent and Islands of *North America*.

[23d *May* 1828.]

WHEREAS it is necessary to make Provision respecting the Carriage of Passengers from the United Kingdom to His Majesty's Possessions on the Continent and Islands of *North America*: Be it 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 no Ship shall sail from any Port or Place in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or in the *Isle of Man*, on any Voyage to or for any Port or Place in His Majesty's Possession on the Continent or Islands of *North America*, with more Persons on board than in the Proportion of Three Persons for every Four Tons of the Registered Burthen of such Ship, the Master and Crew being included in and forming Part of such prescribed Number; and that no Ship registered as having more than One Deck shall carry any Passengers upon any such Voyage as aforesaid, unless she shall be of the Height of Five Feet and a Half at the least between Decks; and that no Ship registered as having only One Deck shall carry any Passengers upon any such Voyage as aforesaid, unless a Platform shall be laid beneath such Deck

No Ship to sail for North America with more than 3 Persons on board for every 4 Tons of Burthen.

Ships carrying Passengers to have a Height of 5½ Feet between Decks, or between Platform and Deck.

Deck in such a Manner as to afford a Space of the Height of at least Five Feet and a Half: Provided always, that Two Children, each being under the Age of Fourteen Years, or Three Children, each being under the Age of Seven Years, or One Child, being under the Age of Twelve Months, with the Mother of such Child, shall in all Cases be computed as One Person, for the Purposes herein-before and herein-after mentioned.

Proviso as to Children.

II. And be it further enacted, That no Ship carrying Passengers on any such Voyage as aforesaid to any Port or Place in His Majesty's Possession on the Continent or Islands of *North America*, shall clear out for such Voyage from any Port in the United Kingdom, or in the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or in the *Isle of Man*, unless and until there shall be actually laden and on board such Ship good and wholesome Provisions for the Use and Consumption of the said Passengers, to the Amount or in the Proportion following; (that is to say,) a Supply of pure Water to the Amount of Fifty Gallons for every Person on board such Ship, the Master and Crew included, such Water being carried in sweet Casks; and a Supply of Bread, Biscuit, Oatmeal, or Bread Stuffs, to the Amount of Fifty Pounds Weight at the least for every Passenger on board such Ship.

Regulating the Quantity of Water and Provisions to be carried by Vessels with Passengers on board.

III. And be it further enacted, That no Ship proceeding on any such Voyage as aforesaid, and having on board the whole Number of Passengers allowed by this Act, shall carry any Part of her Cargo, Provisions, Water, or Sea Stores between Decks; but that it shall be lawful for any such Ship, not having on board the whole Number of Passengers so allowed, to carry between Decks, in respect of every Passenger wanting of that Number, any Goods, Provisions, Water, or Sea Stores, not occupying more than Three Cubical Feet in Space.

Ships having the whole Number of Passengers on board not to carry Stores between Decks.

IV. And be it further enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall, before clearing out his said Ship for such Voyage from any Port or Place in the United Kingdom, or in the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or in the *Isle of Man*, deliver to the Collector or other principal Officer of His Majesty's Customs at such Port or Place a List in Writing, specifying as accurately as may be the Names, Ages, and Professions or Occupations of all and every the Passengers on board such Ship, with the Name of the Port or Place at which he the said Master hath contracted to land each of the said Passengers; and such Collector or other Chief Officer of Customs shall thereupon deliver to the said Master a Counterpart of such List, signed by him the said Collector or other Chief Officer as aforesaid; and the said Master shall exhibit the said Counterpart of his said List to the Collector or other Chief Officer of His Majesty's Customs at each and every Port or Place in His Majesty's Possessions at which the said Passengers, or any of them, shall be landed, and shall deposit the same with such Collector or Chief Officer of Customs at his final Port of Discharge in the said Possessions.

Master to deliver List of Passengers to Collector of Customs, who shall give a Counterpart to the Master, to be exhibited to the Chief Officer of Customs at the Port of Landing.

V. And,

Penalty on Master landing Passengers improperly.

V. And, for the Prevention of Frauds which might be practised upon Persons emigrating from the United Kingdom to any of His Majesty's Possessions Abroad, be it further enacted, That if the Master of any Ship carrying any Passengers on any such Voyage as aforesaid shall, without their, his, or her previous Consent, land or put on shore, or cause to be landed or put on shore, any Passenger or Passengers at any Port or Place other than the Port or Place at which he may have contracted to land or put such Passenger or Passengers on shore, he the said Master shall incur and become liable to a Penalty of Twenty Pounds for each and every Passenger so landed or put on shore, to be recovered in a summary Way before any Two Justices of the Peace in and for any Province, District, County, or Place in any of His Majesty's Possessions on the Continent or Islands of *North America*, on the Complaint of any such Person or Persons, and to be levied, by Warrants under the Hands and Seals of such Justices, upon the Goods of any such Offender.

Masters of Vessels carrying more Passengers than allowed by Act, or any Cargo, Provisions, &c. between Decks;

or not having Water and Provisions as hereby required;

or not delivering correct Lists of Passengers;

guilty of Misdemeanor.

VI. And be it further enacted, That if any Ship carrying Passengers on any such Voyage as aforesaid from any Port or Place in the United Kingdom, or in the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or in the *Isle of Man*, to or for any Port or Place in His Majesty's Possession on the Continent or Islands of *North America*, shall carry any Number of Passengers exceeding by more than One Person in Fifty the Proportion authorized and allowed by this present Act; or if the Cargo, Provisions, Water, or Sea Stores of any such Ship, or any Part thereof, shall be carried between Decks, contrary to the Provisions herein-before in that Behalf made; or if any Ship shall clear out or put to Sea, not having on board such Water and good and wholesome Provisions as aforesaid, for the Use and Consumption of the said Passengers, to the Amount or in the Proportion herein-before required; or if any such Ship shall be cleared out from any Port or Place in the United Kingdom before such Lists of Passengers as herein-before mentioned have been delivered, in manner and form aforesaid, to such Officer as aforesaid, or if any such List shall be wilfully false; the Master of the said Ship shall be deemed guilty of a Misdemeanor, and shall and may be prosecuted, tried, and convicted for the same, either in the County in the United Kingdom from which the Ship shall have sailed on such Voyage, or in any other County of the United Kingdom, or in either of the said Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or the *Isle of Man*, from which the Ship shall have sailed on such Voyage, or in any of His Majesty's Possessions Abroad to which such Ship shall have sailed on such Voyage: Provided always, that nothing herein contained shall take away or abridge any Right of Suit or Action which may accrue to any Passenger in any such Ship as aforesaid, or to any other Person, in respect of any Breach of any Contract made by or on the Behalf of any such Passenger or other Person with the Master or Owner thereof.

Nothing herein to abridge the Right of Action of Passengers.

Master of Vessel to enter into Bond for the due Perform-

VII. And for the more effectually securing the due Observance of the aforesaid Rules, and the Payment of the Penalties aforesaid, be it further enacted, That before any Ship carrying Passengers shall clear out for any such Voyage as aforesaid from any Port or Place in the

ance of the Regulations prescribed by this Act.

the United Kingdom, or in the said Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or in the *Isle of Man*, to or for any Port or Place in His Majesty's Possession on the Continent or Islands of *North America*, the Master of the said Ship shall enter into a Bond to His Majesty, His Heirs and Successors, with one good and sufficient Surety, to be approved by the Collector or other Chief Officer of Customs at such Port, in the Sum of One thousand Pounds, the Condition of which Bond shall be, that the said Ship is sea-worthy, and that all and every the Rules and Regulations made and prescribed by this Act for the Carriage of Passengers shall be well and truly performed before and during such intended Voyage, and that all Penalties, Fines, and Forfeitures which the Master of such Ship may be sentenced or adjudged to pay for or in respect of the Breach or Non-performance, before or during such Voyage, of any such Rules and Regulations, shall be well and truly paid: Provided always, that such Bond as aforesaid shall be without Stamps; and that no such Bond shall be put in Suit; and that no Prosecution, Suit, Action, or Information shall be brought under or by virtue of this Act, or upon or by reason of the Breach of any of the Provisions thereof, in any of His Majesty's Possessions Abroad, after the Expiration of Twelve Calendar Months next succeeding the Commencement of any such Voyage as aforesaid, nor in the United Kingdom or any of the Islands before mentioned, after the Expiration of Twelve Calendar Months next after the Return of the Master to the Port or Place from which he sailed on such Voyage.

Limitation of Actions.

Not to extend to Post Office Ships.

VIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship in the Service of His Majesty's Postmaster General.

Nor to the Bahama Islands nor the West Indies.

IX. And be it further enacted and declared, That the *Bahama* Islands, and His Majesty's Possessions in the *West Indies*, are not and shall not be deemed or taken to be comprised within the Provisions aforesaid, or any of them.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.