

ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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riage of Passengers by Sea to North America, shall from and after the First Day of *October* One thousand eight hundred and forty-nine be severally repealed, and that from that Date this Act shall take effect and have the Force of Law: Provided nevertheless, that all Acts and Provisions repealed by the said recited Acts or any of them shall remain repealed; and provided also, that any Fine, Forfeiture, or Penalty to which any Person may have become liable under the said recited Acts or any of them shall and may be sued for and recovered, and that any Right of Action which may have accrued to any Person by virtue of the said recited Acts or any of them, and that any Bond which may have been given thereunder to Her Majesty, shall and may be enforced hereafter in such and the same Manner in all respects as if this present Act had not been passed; provided also, that nothing in this Act contained shall be held to invalidate any Order in Council which may have been made by Her Majesty, with the Advice of Her Privy Council, in pursuance of the Powers given by the said last-recited Act, but the same shall remain in force until altered or revoked by any Order in Council made under the Provisions of this Act.

Commencement of Act.

Saving of existing Liabilities;

and Orders in Council.

Short Title of Act.

II. And be it enacted, That in other Acts of Parliament, and in all legal or other Proceedings, it shall be sufficient to cite this Act by the Title of the "Passengers Act, 1849."

Definition of Terms used in the Act:

"United Kingdom;"

"North America;"

"West Indies;"

"Governor;"

"Ship;"

"Passenger Ship;"

"Passage" and "Passenger;"

III. And be it enacted, That, for the Purposes of this Act, the following Terms, whenever they occur, shall respectively have the following Significations; (that is to say,) the Term "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, *Scilly*, and *Man*; the Term "*North America*" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the *Gulf of Mexico*; the Term "*West Indies*" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Term "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Term "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Term "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend a greater Number of Passengers than in the Proportion of One Passenger to every Twenty-five Tons of the registered Tonnage of such Ship; the Terms "Passage" and "Passenger" shall include all Passages and Passengers, except the Class of Passages and Passengers commonly described

Passengers.

described as Cabin Passages and Cabin Passengers; and the Term "Master" shall signify the Person who for the Time being shall be in Charge or Command of any such Ship or "Passenger Ship;" and that, unless there be something in the Subject Matter or Context repugnant thereto, every Word importing the Singular Number or the Masculine Gender only shall include several Persons, Matters, or Things, as well as one Person, Matter, or Thing, and Females as well as Males respectively; and that every Word importing the Plural Number shall include one Person or Thing as well as several Persons or Things.

"Master;" Number and Gender.

IV. And be it enacted, That this Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, but shall not extend to any of Her Majesty's Ships of War, nor to any Ships in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel carrying the Royal Mails or carrying Mails under Contract with the Government of the Country to which such Steam Vessel may belong.

To what Vessels and Voyages this Act shall extend.

V. And whereas by a Warrant under Her Majesty's Sign Manual, bearing Date on the Twenty-seventh Day of *November* One thousand eight hundred and forty-seven, Her Majesty was pleased to appoint certain Persons therein named to be, during Her Majesty's Pleasure, Commissioners in the United Kingdom for the Sale of the Waste Lands of the Crown in Her Majesty's Colonies, and for superintending the Emigration of the poorer Classes of Her Majesty's Subjects to such Colonies: And whereas it is expedient that such Commissioners should be empowered to carry this Act into execution: Be it therefore enacted, That the said Commissioners, and their Successors for the Time being, shall and they are hereby empowered to carry this Act into execution; and that for all legal Purposes it shall be sufficient to describe such Commissioners by the Style of the "Colonial Land and Emigration Commissioners."

Commissioners of Emigration to carry this Act into execution.

VI. And be it enacted, That in the United Kingdom the said Commissioners acting under the Sanction of One of Her Majesty's Principal Secretaries of State, and in Her Majesty's Possessions abroad the respective Governors thereof, may from Time to Time appoint, and that the said Commissioners and Governors may at pleasure from Time to Time remove, such Emigration Officers and Assistant Emigration Officers as they may respectively think necessary, for the Purpose

Emigration Officers and Assistants to act under the Commissioners, &c.

Purpose of carrying this Act into execution, under the Directions of the said Commissioners or Governors, as the Case may be: Provided nevertheless, that all existing Appointments of Emigration Officers and of their Assistants, as well in the United Kingdom as in Her Majesty's Possessions abroad, shall continue in force under this Act until duly revoked.

Existing Appointments to continue in force until duly revoked.

VII. And be it enacted, That all Powers, Functions, and Duties to be exercised or performed by any such Emigration Officer shall in his Absence be exercised and performed respectively by his Assistant, or, at any Port where there shall be no such Emigration Officer or Assistant, by the Chief Officer of Customs for the Time being at such Port.

Duties of Emigration Officer may be performed by his Assistant, or Officer of Customs in certain Cases.

VIII. And be it enacted, That the Master of every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers upon any Voyage to which this Act extends, shall afford to such Emigration Officer as aforesaid at any Port or Place in Her Majesty's Dominions, and, in the Case of *British* Ships, to Her Majesty's Consul at any Foreign Port or Place at which such Ship shall be or arrive, every Facility for inspecting such Ship, and for communicating with the Passengers, and for ascertaining that the Provisions of this Act, so far as the same may be applicable to such Ships, have been duly complied with.

Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers.

IX. And be it enacted, That no "Passenger Ship" shall be allowed to clear out or proceed on any Voyage to which this Act extends until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance a Certificate under his Hand that all the Requirements of this Act, so far as the same can be complied with before the Departure of such "Passenger Ship," have been duly complied with.

No "Passenger Ship" to be cleared out without a Certificate from the Emigration Officer first obtained.

X. And be it enacted, That no Ship shall be allowed to clear out or shall proceed on her Voyage with a greater Number of Persons on board (including the Master and Crew, and Cabin Passengers, if any,) than in the Proportion of One Person to every Two Tons of the registered Tonnage of such Ship, nor, whatever may be the registered Tonnage of such Ship, with a greater Number of Passengers on board, exclusive of *bonâ fide* Cabin Passengers, than in the following Proportions to the Space occupied by such Passengers and appropriated for their Use, and unoccupied by Stores, not being their personal Luggage; (that is to say,) on the Main Deck, and on the Deck immediately below the same, or in any Compartment of either, appropriated

Number of Passengers to be limited both by Tonnage and Space.

appropriated as aforesaid, One Passenger for every Twelve such clear Superficial Feet; or if such Ship is destined to pass within the Tropics, and the Duration of the intended Voyage, computed as herein-after mentioned, exceeds Twelve Weeks, One Passenger for every Fifteen such clear Superficial Feet: Provided always, that no Passenger shall in any Case be carried on an Orlop Deck; and if there shall be on board of any Ship at or after the Time of Clearance a greater Number either of Persons or of Passengers than in the Proportions respectively herein-before mentioned, the Master of such Ship shall be liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding Five Pounds nor less than Two Pounds Sterling for each Person or Passenger constituting any such Excess.

Penalty for Excess of Persons on board.

XI. And be it enacted, That for the Purposes of this Act Two Children, each being under the Age of Fourteen Years, shall be computed either as One Person or as One Passenger, as the Case may require, except in the Case herein-after mentionde, but that Children under the Age of One Year shall not be included in such Computation.

Computation of Children.

XII. And be it enacted, That the Master of every Ship, whether a "Passenger Ship" or otherwise, carrying Passengers on any Voyage to which this Act extends, shall, before demanding a Clearance for such Ship, sign Two Lists, made out according to the Form contained in Schedule (A.) hereto annexed, setting forth in the Manner therein directed the Name and other Particulars of the Ship, and of every Passenger on board thereof; and the said Lists, when signed, shall be delivered to the Officer of the Customs from whom a Clearance of the said Ship shall be demanded, and such Officer shall thereupon countersign and return to the said Master One of such Lists, herein-after called "The Master's List;" and the said Master shall exhibit such last-mentioned List, with any Additions which may from Time to Time be made thereto, as herein-after directed, to the Chief Officer of Her Majesty's Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consul at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs, or such Consul, as the Case may be, at the final Port or Place of Discharge.

Two Lists of Passengers to be made out in the Form in Schedule (A.), and delivered in every Case before Clearance.

XIII. And be it enacted, That if at any Time after such Lists shall have been signed and delivered as aforesaid there shall be taken on board any additional Passenger, in every such Case the Master shall, according to the Form aforesaid, add to "The Master's List" the

Lists of additional Passengers taken on board after Clearance

to be made out, and signed by Master.

Names and other Particulars of every such additional Passenger, and shall also sign a separate List, made out according to the Form aforesaid, containing the Names and other Particulars of every such additional Passenger; and such last-mentioned List, when signed, shall, together with "The Master's List" to which such Addition shall have been made, be delivered to the Chief Officer of Customs as aforesaid, and thereupon such Officer shall countersign "The Master's List," and shall return the same to the said Master, and shall retain the separate List; and so on in like Manner whenever any additional Passenger or Passengers may be taken on board; or if no Officer of Customs shall be stationed at the Port or Place where such additional Passenger or Passengers may be taken on board, the said Lists shall be delivered to the Officer of Customs at the next Port or Place at which such Vessel shall touch or arrive and where any such Officer shall be stationed, to be dealt with as herein-before mentioned.

All Passenger Ships to be surveyed.

XIV. And be it enacted, That no "Passenger Ship" shall be allowed to clear out or proceed on her Voyage unless she shall have been surveyed, under the Direction of the Emigration Officer at the Port of Clearance, but at the Expense of the Owner or Charterer thereof, by One or more competent Surveyors, to be duly authorized and approved of by the said Colonial Land and Emigration Commissioners for each Port at which there may be an Emigration Officer, and for other Ports by the Commissioners of Customs, nor unless it shall be reported by the same, or by some other Surveyor to be appointed as aforesaid, that such "Passenger Ship" is in their Opinion seaworthy, and fit in all respects for her intended Voyage: Provided always, that the Precautions for ascertaining the Seaworthiness of Ships and their Fitness for their intended Voyages respectively shall be the same for Foreign as for British Ships.

Construction of Decks and Berths in "Passenger Ships."

XV. And be it enacted, That in every "Passenger Ship" every Deck on which Passengers may be carried shall be at least One Inch and a Half in Thickness, and shall be supported by Beams of adequate Strength, forming Part of the permanent Structure of the Ship, and firmly secured with hanging and lodging Knees, and shall be properly laid upon such Beams, or substantially secured thereto, at least Three Inches clear above the Bottom thereof, to the Satisfaction of the Emigration Officer at the Port of Clearance, and that between every such Deck and the Deck immediately above it there shall be a Height of at least Six Feet; and further that there shall not be more than Two Tiers of Berths on any One Deck in any such "Passenger Ship," and that the Interval between the Floor of the Berths and the Deck or Platform immediately beneath them shall not be less than Six

Height between Decks.

Arrangement of Berths.

Six Inches, and that the Berths shall be securely constructed, and of Dimensions not less than after the Rate of Six Feet in Length and Eighteen Inches in Width for each Passenger; and that Persons of different Sexes above the Age of Fourteen, unless Husband and Wife, shall not be placed in the same Berth; and that no Berths occupied by Passengers during the Voyage shall be taken down until Forty-eight Hours after the Arrival of such Ship at the Port of final Discharge, unless all the Passengers shall have voluntarily quitted the Ship before the Expiration of that Time.

Berths not to be removed till Passengers landed.

XVI. And be it enacted, That, for the Purpose of ensuring a proper Supply of Light and Air in every "Passenger Ship," the Passengers shall at all Times during the Voyage (Weather permitting) have free Access to and from the Between Decks by the whole of each Hatchway situate over the Space appropriated to the Use of such Passengers: Provided always, that if the Main Hatchway be not one of the Hatchways appropriated to the Use of the Passengers, or if the natural Supply of Light and Air through the same be in any Manner unduly impeded, it shall be lawful for the Emigration Officer at the Port of Clearance to direct such other Provision to be made for affording Light and Air to the Between Decks as the Circumstances of the Case may, in the Judgment of such Officer, appear to require; and in case of Noncompliance with any such Directions the Owner, Charterer, or Master of such Ship shall be liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds Sterling: Provided also, that no "Passenger Ship" having on board as many as One hundred Passengers shall clear out or proceed on her Voyage without having on board an adequate and proper ventilating Apparatus, to be approved by the Emigration Officer at the Port of Clearance, and fitted to his Satisfaction.

Light and Ventilation.

Penalty on Owner for Non-compliance with Directions of Emigration Officer as to Light, &c.

XVII. And be it enacted, That every "Passenger Ship" shall carry a Number of Boats according to the following Scale; (that is to say,)

Two Boats for every Ship of One hundred Tons and upwards:

Three Boats for every Ship of Two hundred Tons and upwards, in case the Number of Passengers shall exceed Fifty:

Four Boats for every Ship of Five hundred Tons and upwards, in case the Number of Passengers shall exceed Two hundred:

Passenger Ships shall carry Boats.

Provided always, that One of such Boats shall in all Cases be a Long Boat, and One shall be a properly fitted Life Boat, and that each of such Boats shall be of a suitable Size, to be approved by the Emigration Officer at the Port of Clearance, and shall be seaworthy, and properly supplied with all Requisites for Use; provided also, that there

Life Boat.

Life Buoys.

there shall likewise be on board Two properly fitted Life Buoys, kept ready at all Times for immediate Use.

No "Passenger Ship" to be cleared out until properly manned.

XVIII. And be it enacted, That no "Passenger Ship" shall be cleared out or proceed to Sea until it shall be proved to the Satisfaction of the Officer from whom a Clearance of such Ship may be demanded that she is manned with a proper Complement of Seamen for the intended Voyage.

Certain Articles prohibited as Cargo.

XIX. And be it enacted, That no "Passenger Ship" shall clear out or proceed on her Voyage if there shall be on board as Cargo any Gunpowder, Vitriol, Guano, green Hides, or any other Article likely to endanger the Safety of the Ship or the Health or Lives of the Passengers, or if any Part of the Cargo shall be on Deck.

Computation of Voyages.

XX. And be it enacted, That for the Purposes of this Act the following shall be the Number of Weeks deemed to be necessary for the Voyage of any Ship carrying Passengers from the United Kingdom to the under-mentioned Places respectively; (that is to say,)

To *North America*, except the West Coast thereof, Ten Weeks:

To the *West Indies*, Ten Weeks:

To any Part of the East Coast of the Continent of *Central* or *South America* Northward of the Twenty-fifth Degree of South Latitude, except *British Guiana*, Twelve Weeks:

To the West Coast of *Africa*, Twelve Weeks:

To the *Cape of Good Hope* or the *Falkland Islands*, or to any Part of the East Coast of *South America* Southward of the Twenty-fifth Degree of South Latitude, Fifteen Weeks:

To the *Mauritius* and to the Western Coast of *America* South of the Equator, Eighteen Weeks:

To *Ceylon*, Twenty Weeks:

To *Western Australia*, Twenty Weeks:

To any other of the *Australian* Colonies, Twenty-two Weeks:

To *New Zealand* and to the Western Coast of *America* North of the Equator, Twenty-four Weeks:

Provided nevertheless, that for the like Purposes it shall be lawful for the said Colonial Land and Emigration Commissioners, acting by and under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice in Writing issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, to declare what shall be deemed to be the Length of Voyage from the United Kingdom to any of the said herein-before mentioned Places, or to any other Port or Place whatsoever, anything herein contained to the contrary notwithstanding.

XXI. And

Passengers.

Provisions and Water to be provided by Owners or Charterers, and approved by Emigration Officers.

XXI. And be it enacted, That no "Passenger Ship" shall be allowed to clear out or to proceed on her Voyage until there shall be supplied, by and at the Expense of the Owner or Charterer thereof, and properly stowed away on board under Hatches for the Use of the Passengers during the Voyage, pure Water, and wholesome Provisions in a sweet and good Condition, of a Quality to be approved by the Emigration Officer, and in Quantities sufficient to afford the Allowances to each Passenger as hereafter prescribed; and if any Person shall fraudulently obtain a Clearance for any "Passenger Ship" which shall not be then stored with the requisite Quantities of such Water and Provisions as aforesaid, he shall be liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling.

Penalty on obtaining fraudulent Clearance.

Water Tanks or Casks.

XXII. And be it enacted, That in every "Passenger Ship" the Water to be laden on board, as herein-before required, shall be carried in Tanks or Casks to be approved by the Emigration Officer at the Port of Clearance: Provided always, that all such Casks shall be sweet and tight, of sufficient Strength, and properly charred inside, and shall not be made of Fir or soft Wood Staves, nor be capable severally of containing more than Three hundred Gallons each.

Provisions and Water to be surveyed before clearing out.

XXIII. And be it enacted, That before any "Passenger Ship" shall be cleared out the Emigration Officer at the Port of Clearance shall survey or cause to be surveyed by some competent Person the Provisions and Water herein-before required to be placed on board for the Consumption of the Passengers, and shall ascertain that the same are of good Quality and in a sweet and good Condition, and shall also ascertain, that over and above the same there is on board an ample Supply of Water and Stores for the victualling of the Crew of the Ship and all other Persons, if any, on board: Provided nevertheless, that if any "Passenger Ship" shall be destined to call at any intermediate Port or Place during the Voyage for the Purpose of taking in Water, and if an Engagement to that Effect shall be inserted in the Bond herein-after mentioned, then it shall be sufficient to place on board at the Port of Clearance such Supply of Water as may be requisite, according to the Rate herein-after mentioned, for the Voyage of the said Ship to such intermediate Port or Place, subject to the following Conditions; (that is to say,)

Proviso for touching at intermediate Ports to fill up Water.

First, That the Emigration Officer signify his Approval in Writing of the Arrangement, to be carried amongst the Papers of the Ship, and exhibited to the Chief Officer of Customs, or to Her Majesty's Consul, as the Case may be, at such intermediate Port or Place, and to be delivered to the Chief Officer of Customs,

or to Her Majesty's Consul, as the Case may be, on the Arrival of the said Ship at the final Port or Place of Discharge:

Secondly, That if the Length of either Portion of the Voyage, whether to such intermediate Port or Place or from such intermediate Port or Place to the final Port or Place of Discharge, be not prescribed in or under the Provisions of this Act, the Emigration Officer at the Port of Clearance shall in every such Case declare the same:

Thirdly, That the Ship shall have on board at the Time a Clearance is demanded Tanks or Water Casks, of the Description herein-before mentioned, sufficient for stowing the Quantity of Water required for the longest of such Portions of the Voyage as aforesaid.

Dietary Scale for the Voyage.

XXIV. And be it enacted, That, in addition to and irrespective of any Provisions of their own which any Passengers may have on board, the Master of every "Passenger Ship" shall make to each Passenger during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination of such Voyage, the following Issues of pure Water and sweet and wholesome Provisions; (that is to say,) of Water at least Three Quarts daily, and of Provisions after the Rate *per* Week of Two and a Half Pounds of Bread or Biscuit, not inferior in Quality to what is usually called Navy Biscuit, One Pound of Wheaten Flour, Five Pounds of Oatmeal, Two Pounds of Rice, Two Ounces of Tea, Half a Pound of Sugar, and Half a Pound of Molasses: Provided always, that such Issues of Provisions shall be made in advance, and not less often than twice a Week, the first of such Issues to be made on the Day of Embarkation: Provided also, that Potatoes, when good and sound, may be substituted for either the Oatmeal or Rice, in the Proportion of Five Pounds of Potatoes to One Pound of Oatmeal or Rice; and that in Ships clearing out from the Port of *Liverpool*, or from *Irish* or *Scotch* Ports, Oatmeal may be substituted in equal Quantities for the whole or any Part of the Issues of Rice.

Colonial Land and Emigration Commissioners empowered to substitute other Articles of Food for those before mentioned.

XXV. And be it enacted, That it shall be lawful for the said Colonial Land and Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the "*London Gazette*," to substitute for any of the Articles of Food herein-before mentioned any other Articles of Food, as to the said Commissioners shall seem meet, and any such Notice from Time to Time to alter, amend, or revoke, as Occasion may require:

Provided

Provided always, that all the Requirements and Provisions in this Act contained respecting the Articles of Food herein-before mentioned shall extend and are hereby extended to the Case of such substituted Articles.

Cook and cooking Apparatus to be approved by Emigration Officer.

XXVI. And be it enacted, That no "Passenger Ship" carrying as many as One hundred Passengers shall clear out or proceed on her Voyage unless there shall be on board a seafaring Person who shall be rated in the Ship's Articles as Passengers Cook, to be approved by the Emigration Officer at the Port of Clearance, and engaged for the Purpose of cooking the Food of the Passengers, nor unless a convenient Place for that Purpose shall have been set apart on Deck, and a sufficient cooking Apparatus, properly covered in and arranged, shall have been provided to the Satisfaction of the said Emigration Officer, together with a proper Supply of Fuel adequate in his Opinion for the intended Voyage.

No Ship carrying a certain Number of Passengers to proceed on her Voyage without a Medical Practitioner on board.

XXVII. And be it enacted, That it shall not be lawful for any "Passenger Ship" having on board as many as Fifty Persons, if the Length of the intended Voyage, computed as herein-before mentioned, shall exceed Twelve Weeks, nor, whatever may be the computed Duration of the Voyage, for any "Passenger Ship" having on board as many as One hundred Persons, except she be bound to *North America*, (including in both Cases the Master and Crew, and Cabin Passengers, if any,) to clear out or proceed on her Voyage, unless there shall be on board, and rated on the Ship's Articles, some Person duly authorized by Law to practise in the United Kingdom as Physician, Surgeon, or Apothecary, and whose Name shall have been notified to the Emigration Officer at the Port of Clearance, and not objected to by him; and further, that no "Passenger Ship" bound to *North America* having on board as many as One hundred Persons, exclusive of the Master and Crew, and Cabin Passengers, if any, shall clear out or proceed on her Voyage without having on board, and rated on the Ship's Articles, such duly authorized Medical Practitioner, whose Name shall have been notified to the Emigration Officer at the Port of Clearance, and not objected to by him: Provided nevertheless, that if in any Ship bound to *North America* there be appropriated on every Deck on which Passengers may lawfully be carried, instead of Twelve clear Superficial Feet as herein-before required, Fourteen clear Superficial Feet unoccupied by Stores not being the personal Luggage of the Passengers, for each Passenger on board, counting for this Purpose each Child above the Age of One Year as One Passenger, then and in such Case, but not otherwise, it shall be lawful for such Ship to clear out and proceed to Sea without having on board a Medical Practitioner as aforesaid.

Proviso in case of Ships bound to North America.

XXVIII. And

Passengers.

As to Supply of Medicines.

XXVIII. And be it enacted, That in every "Passenger Ship" there shall be furnished and laden on board, at the Expense of the Owner or Charterer thereof, a Medicine Chest containing a Supply of Medicines, Instruments, and other Things proper and necessary for Diseases and Accidents incident to Sea Voyages, and for the Medical Treatment of the Passengers during the Voyage, including an adequate Supply of disinfecting Fluid or Agent, together with printed or written Directions for the Use of the same respectively; and that such Medicines and other Things shall be good in Quality, and, in the Judgment of the Emigration Officer at the Port of Clearance, sufficient in Quantity for the probable Exigencies of the intended Voyage, and shall be placed under the Charge of the Surgeon, when there is one on board, to be used at his Discretion.

Medical Inspection of Passengers and Medicines.

XXIX. And be it enacted, That, except as herein-after provided, no "Passenger Ship" shall clear out or proceed on her Voyage until some Medical Practitioner, to be appointed by the Emigration Officer at the Port of Clearance, shall have inspected the Medicine Chest of the said Ship, and also all the Passengers about to proceed in her, and shall certify to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, disinfecting Fluid or Agent, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, and that none of the Passengers appear to such Medical Practitioner likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the other Persons about to proceed in such Vessel: Provided always, that such Medical Inspection of the Passengers shall take place either on board the Vessel, or, at the Discretion of the said Emigration Officer, at such convenient Place on shore before Embarkation as he may appoint; and that the Master, Owner, or Charterer of the Ship shall pay to such Emigration Officer, on account of such Medical Examination, a Sum at the Rate of Twenty Shillings for every Hundred Persons examined: Provided also, that in case on any particular Occasion the Emigration Officer shall be unable to obtain the Attendance of such Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed on her Voyage, on receiving from the said Emigration Officer written Permission for the Purpose.

Proviso where no Medical Practitioner can be obtained.

Diseased Passengers may be relanded.

XXX. And be it enacted, That in case any such Medical Practitioner shall notify to the Emigration Officer at the original Port of Clearance, or at any other Port or Place in the United Kingdom into which the Vessel may subsequently put, or in case the said Emigration

tion Officer shall be otherwise satisfied, that any Person about to proceed in any such "Passenger Ship" as aforesaid is likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the other Persons on board, it shall be lawful for such Officer to reland or cause to be relanded any such Person, and such Members of his Family, if any, as may be dependent on him, or as may be unwilling to be separated from him, together with their Clothes and Effects; and no "Passenger Ship" shall clear out or proceed on her Voyage so long as any such diseased Person shall be on board.

Passengers so relanded may recover Passage Money.

XXXI. And be it enacted, That any Person being a Passenger who shall be so relanded as aforesaid, or any Emigration Officer on his Behalf, shall be entitled to recover, by summary Process, in manner herein-after provided, the whole of the Monies which have been paid by such Person or on his Account for his Passage in such "Passenger Ship," from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship.

Return of Passage Money and Compensation to Passengers where Passages not provided for them according to Contract.

XXXII. And be it enacted, That if any Passenger, or Person acting on his Behalf, shall have contracted with the Owner, Charterer, or Master of any Ship, whether a "Passenger Ship" or otherwise, or with any Person acting on behalf of such Owner, Charterer, or Master, for a Passage for such Passenger, or for him and his Family, in any Ship proceeding on any Voyage to which this Act extends, and such Passenger, or such Passenger and his Family, (as the Case may be,) shall be at the Place of Embarkation at the Time appointed for that Purpose in and by such Contract, and such Passenger shall apply for such Passage, and shall, on Demand, pay or tender such Part of the Passage Money not already paid as shall be payable under such Contract previously to Embarkation, and if, owing to the previous Departure of the Ship in which such Passage shall have been engaged, or to the Want of Room therein, or to the Neglect, Refusal, or other Default of the Owner, Charterer, or Master thereof, or of the Party with whom such Passage shall have been contracted for, such Passenger shall not obtain a Passage in such Ship, or shall not, together with all the immediate Members of his Family who may have contracted for a Passage as aforesaid, obtain, within Forty-eight Hours from the Expiration of the Day named in such Contract, a Passage in some other equally eligible Ship to the same Port, and in the meantime be paid Subsistence Money, at the Rate herein-after mentioned, such Passenger shall be entitled to recover, in manner herein-after provided, all Monies which shall have been paid by or on his Account for such Passage, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, and also such further Sum, not exceeding

Ten Pounds in respect of each such Passage, as shall, in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned to such Passenger or his Family by the Loss of such Passage.

Subsistence in case of Detention.

XXXIII. And be it enacted, That if any Ship, whether a "Passenger Ship" or otherwise, shall not actually put to Sea and proceed on her intended Voyage on the Day appointed for sailing in and by any Contract made by the Owner, Charterer, or Master of such Ship, or by his or their Agent, with any Passenger who shall on that Day be on board the same, or ready to go on board and proceed on such intended Voyage, then and in every such Case the Owner, Charterer, or Master of such Ship, or his or their Agent, shall pay to every such Passenger, or if such Passenger shall be lodged and maintained in any Establishment under the Superintendence of the said Colonial Land and Emigration Commissioners, then to the Emigration Officer at the Port of Embarkation, Subsistence Money after the Rate of One Shilling for each Passenger in respect of each Day of Delay, until the actual clearing out and final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned: Provided always, that if any such Ship be unavoidably detained, either by Wind or Weather, and the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no such Subsistence Money shall be payable.

In case of Wreck, &c., Passengers to be provided with a Passage by some other Vessel;

XXXIV. And be it enacted, That in case any "Passenger Ship" shall be wrecked or otherwise destroyed, or shall by any other Cause whatsoever be prevented from landing her Passengers at the Place they may have respectively contracted to land, or in case such Ship shall put into any Port or Place in a damaged State, and shall not, within a reasonable Time, according to the Circumstances of each Case, but not exceeding Six Weeks in any Case, be ready to proceed with her Passengers on her intended Voyage, after having been first efficiently repaired, and in all respects put into a sound and seaworthy Condition, then and in any of such Cases such Passengers respectively shall be provided with a Passage by some other equally eligible Vessel to the Port or Place at which they respectively may have originally contracted to land; and in default thereof such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as herein-after mentioned, all Monies which shall have been paid by or on account of such Passengers or any of them for such Passage, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, and also such further Sum, not exceeding Five Pounds

in default, Passengers may recover Compensation by summary Process.

Pounds in respect of each such Passage, as shall in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint be a reasonable Compensation for any Loss or Inconvenience occasioned to any such Passenger, or his or her Family, by reason of the Loss of such Passage: Provided always, that no Policy of Assurance effected in respect of such Passages, or of such Passage and Compensation Monies, by any Person hereby made liable in the Events aforesaid to provide such Passages, or to pay such Monies, shall be deemed to be invalid by reason of the Nature of the Risk or Interest sought to be covered by such Policy of Assurance.

Wrongfully landing Passengers.

XXXV. And be it enacted, That the Master of any Ship, whether "Passenger Ship" or otherwise, shall not land or cause to be landed any Passenger, without his previous Consent, at any Port or Place other than the Port or Place at which such Passenger may have contracted to land.

Passengers to be maintained for 48 Hours after Arrival.

XXXVI. And be it enacted, That every Passenger in a "Passenger Ship" arriving at the End of his Voyage shall be entitled for at least Forty-eight Hours next after his Arrival to sleep in such Ship, and to be provided for and maintained on board thereof, in the same Manner as during the Voyage, unless in the further Prosecution of her Voyage such Ship shall quit the Port or Place within the above-mentioned Period.

Passengers Right of Action preserved.

XXXVII. And be it enacted, That nothing herein contained shall take away or abridge any Right of Suit or Action which may accrue to any Passenger in any Ship, or to any other Person, in respect of the Breach or Nonperformance of any Contract made or entered into between or on behalf of any such Passenger or other Person, and the Master, Charterer, or Owner of any such Ship, or his or their Agent, or any Passage Broker or Passage Dealer.

Ships putting back to replenish Provisions, &c.

XXXVIII. And be it enacted, That if any "Passenger Ship" shall, after having obtained her Clearance, be detained in Port for more than Seven Days, or shall, after having been to Sea, put into or touch at any Port or Place in the United Kingdom, it shall not be lawful for any such "Passenger Ship" to proceed on her Voyage until there shall have been laden on board, at the Expense of the Owner, Charterer, or Master of such Ship, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Stores, as may be necessary to make up the full Quantities of those Articles herein-before required for the Use of the Passengers during the whole of the intended Voyage, nor until the Master of the said Ship shall have obtained from the Emigration Officer or his Assistant,

Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein the said Master shall be liable, on Conviction, as herein-after mentioned, to the Payment of a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling; and further, if the Master of any "Passenger Ship" so putting into or touching at any Port or Place as aforesaid shall not within Twenty-four Hours thereafter report his Arrival, and the Cause of his putting back, and the Condition of his Ship and of her Stores and Provisions, to the Emigration Officer, or, as the Case may be, to the Officer of Customs at the Port, and shall not produce to such Officer the official or "Master's List" of Passengers, such Master shall for each Offence be liable to the Payment of a Penalty not exceeding Ten Pounds nor less than Two Pounds Sterling.

Penalty.

10*l.* Penalty.

Her Majesty may issue Orders in Council prescribing Rules, &c. for preserving Order, &c. on board British Vessels to the Colonies.

XXXIX. And be it enacted, That it shall be lawful for Her Majesty and Her Successors, by any Order in Council to be by Her or Them made, with the Advice of the Privy Council, to prescribe such Rules and Regulations as to Her Majesty or Her Successors may seem fit, for preserving Order, and for securing Cleanliness and Ventilation, on board of "Passenger Ships" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad, and the said Rules and Regulations from Time to Time in like Manner to alter, amend, and revoke, as Occasion may require; and that any Copy of such Order in Council contained in the "*London Gazette*," or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

Gazette, and Copies printed by the Queen's Printer, to be Evidence of Orders, &c.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty for refusing to observe Rules and Regulations.

XL. And be it enacted, That in every such "Passenger Ship" it shall be lawful for the Medical Practitioner on board, aided and assisted by the Master thereof, or in the Absence of such Medical Practitioner, for the Master of such Ship, to exact Obedience to all such Rules and Regulations as aforesaid; and that any Person on board who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Medical Practitioner or Master of such Ship in the Execution of any Duty imposed upon him by any such Rule or Regulation, shall be liable for each Offence to the Payment of a Penalty not exceeding Two Pounds Sterling; and it shall be lawful for any Two Justices of the Peace in any Part of Her Majesty's Dominions before whom any Person shall be convicted of such Obstruction as aforesaid to order such Person, in addition to the Penalty

Penalty herein-before mentioned, to be confined in the Common Gaol for any Period not exceeding One Month.

Colonial Land and Emigration Commissioners to prepare an Abstract of Act and Orders in Council.

XLI. And be it enacted, That the said Colonial Land and Emigration Commissioners shall from Time to Time prepare such Abstracts as they may think proper of the whole or Part of this Act, and of any such Order in Council as aforesaid; and that Six Copies of the said Abstracts, together with Two Copies of this Act, shall, on Demand, be delivered by the Principal Officer of Customs at the Port of Clearance to the Master of every "Passenger Ship" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad; and that such Master shall, on Request made to him, produce One Copy of the Act to any Passenger on board, for his Perusal, and, further, shall post, previous to the Embarkation of the Passengers, and shall keep posted so long as any Passenger shall be entitled to remain in the Ship, in at least Two conspicuous Places between the Decks on which Passengers may be carried, Copies of such Abstracts; and such Master shall be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by his Act or Default such Abstracts shall fail to be so posted; and that any Person displacing or defacing such Abstracts so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Such Abstract to be posted up in each Ship.

Penalty on Master for Neglect;

and on Person defacing Abstract.

Sale of Spirits prohibited on board Passenger Ships.

XLII. And be it enacted, That it shall not be lawful, in any "Passenger Ship," to sell to any Passenger during the Voyage any Spirits or Strong Waters; and that if any Person shall during the Voyage, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any such Passenger, he shall be liable for every such Offence, on such Conviction as herein-after mentioned, to the Payment of a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Penalty.

Bond for the due Performance of the Requirements of the Act and of any Order in Council, and also for Payment of Penalties.

XLIII. And for the more effectually securing the due Observance of the several Requirements as well of this Act as of any Rules or Regulations which may at any Time be prescribed by any Order in Council as aforesaid, and also for the better securing the due Payment of all Penalties which the Master of any "Passenger Ship" may be adjudged to pay, under or by virtue of the Provisions of this Act or of any such Order in Council, be it enacted, That before any "Passenger Ship" shall clear out or proceed on any Voyage to which this Act shall extend the Owner or Charterer, or, in the event of the Absence of such Owner or Charterer, One good and sufficient Person on his Behalf, to be approved by the Chief Officer of Customs at the Port of Clearance, shall, with the Master of the said Ship, enter into a joint and several Bond in the Sum of One thousand Pounds to Her

Majesty, Her Heirs and Successors, according to the Form contained in Schedule (B.) hereunto annexed, the Condition of which Bond shall be, that the said Ship is in all respects seaworthy, and that all and every the Requirements of this Act, and of the Colonial Land and Emigration Commissioners acting in the Manner prescribed by this Act, and of any Order in Council passed in virtue of this Act, shall in all respects be well and truly fulfilled and performed, and, moreover, that all Penalties, Fines, and Forfeitures which the Master of such Ship may be adjudged to pay for or in respect of the Breach or Nonperformance of any of such Requirements as aforesaid shall be well and truly paid; and in *Scotland* such Bond shall be deemed and taken to be a Probative Deed: Provided always, that such Bond shall be without Stamps; provided also, that no such Bond shall be put in Suit, and that no Prosecution, Suit, Action, Information, or Complaint shall be brought, under or by virtue of this Act, upon or by reason of the Breach of any of the Requirements thereof, in any of Her Majesty's Possessions abroad, after the Expiration of Twelve Calendar Months next succeeding the Termination of any such Voyage as aforesaid, nor, in the United Kingdom, after the Expiration of Twelve Calendar Months next after the Return of the said Ship or of the said Master to the United Kingdom.

Bond to be without Stamps.

Limitation of Prosecutions.

No Person to act as a Passage Broker in respect of Passengers to North America without a Licence.

XLIV. And be it enacted, That it shall not be lawful for any Person to carry on the Business of a Passage Broker or Passage Dealer in respect of Passages from the United Kingdom to *North America*, or to sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to *North America*, unless such Person, and Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest to the Place of Business of such Person, shall have previously entered into a joint and several Bond in the Sum of Two hundred Pounds to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (C.) hereto annexed, which Bond shall be in Duplicate without Stamps, and one Part thereof shall be deposited at the Office in *London* of the said Colonial Land and Emigration Commissioners, and the other Part thereof with the Chief Officer of Customs at the Port of Clearance, nor unless such Person shall have obtained a Licence, as herein-after mentioned, to let or sell Passages to *North America* as aforesaid, nor unless such Licence shall then be in force; and if any Person shall carry on the Business of Passage Broker or Passage Dealer, or shall sell or let, or be in anywise concerned in selling or letting, any such Passage contrary to this Enactment, every Person so offending shall for each Offence be liable to the Payment of a Penalty not exceeding Fifty Pounds nor less than Twenty

Twenty Pounds, to be sued for and recovered as herein-after mentioned.

How Passage Brokers Licences may be obtained.

XLV. And be it enacted, That any Person wishing to obtain a Licence to act as a Passage Broker or Passage Dealer in respect of Passages from the United Kingdom to *North America* shall make Application for the same to the Justices at the Petty Sessions held for the District or Place in which such Person shall have his Place of Business; and such Justices are hereby authorized (if they shall think fit) to grant a Licence for that Purpose, according to the Form in the Schedule (D.) hereunto annexed, which Licence shall continue and be in force until the Thirty-first Day of *December* in the Year in which such Licence shall be granted, and for Thirty-one Days afterwards, unless sooner forfeited, as herein mentioned; and upon granting such Licence the Justices so acting as aforesaid shall cause a Notice thereof according to the Form in Schedule (E.) hereto annexed to be transmitted forthwith by the Post to the said Colonial Land and Emigration Commissioners at their Office in *London*: Provided always, that no such Licence shall be granted unless the Party applying for the same shall show to the Satisfaction of the Justices that he has given such Bond to Her Majesty, Her Heirs and Successors, as herein-before required, and has deposited one Part thereof at the Office in *London* of the said Commissioners, and has given Notice to the said Commissioners Fourteen clear Days at least before such Application, of his Intention to apply for the same, which Notice shall be transmitted by the Post to the Office in *London* of the said Commissioners, and shall be according to the Form contained in the Schedule (F.) hereto annexed: Provided also, that the Justices so acting as aforesaid or any Two or more Justices who shall hear and determine in manner herein-after mentioned any Offence whatever against this Act, are hereby authorized (if they shall think fit) to order such Licence to be forfeited, and the same shall upon such Order be forfeited accordingly; and the said Justices making such Order shall forthwith cause Notice of such Forfeiture, in the Form contained in the Schedule (G.) hereunto annexed, to be transmitted by the Post to the said Colonial Land and Emigration Commissioners at their Office in *London*; and in *Scotland* where any Person wishing to obtain such Licence shall make Application for the same to the Sheriff or Steward or Sheriff Substitute or Steward Substitute in place of to such Justices of the Peace as aforesaid, the Forms given in the said Schedule shall still be adhered to with such Alterations as may be necessary.

Justices to give Notice to Emigration Commissioners of Licence granted.

Notice to be given to Emigration Commissioners of intended Application for Licences.

Proviso for forfeiting Licences.

Notice of Forfeiture to be given to Emigration Commissioners.

Licences taken out in pursuance of

XLVI. And be it enacted, That every Licence to carry on the Business of a Passenger Broker or Passage Dealer that may have been

first-recited Act, unless forfeited, to continue in force until 1st February 1850.

been taken out in pursuance of the Provisions of the first-mentioned Act, herein-before repealed, shall, unless adjudged to be forfeited, as herein-before mentioned, continue and be in force until the First Day of *February* One thousand eight hundred and fifty, but no longer, and that all Acts that may be done under and by virtue of any such Licence while in force shall be as valid and effectual as if done under and by virtue of any Licence granted in pursuance of the Provisions of this Act, anything herein-before contained to the contrary notwithstanding.

Contract Tickets to be given in respect of Passages to *North America*.

XLVII. And be it enacted, That if any Owner, Charterer, or Master of a Ship, or any Passage Broker or Passage Dealer, Agent, or other Person, shall receive any Money from any Person for or in respect of a Passage or intended Passage from the United Kingdom to any Port or Place in *North America*, the Person so receiving such Money shall give to the Party from whom the same shall have been received a Contract Ticket in plain and legible Characters, and made out upon a printed Form, which shall be in all respects according to the Form in the Schedule (H.) hereto annexed, or according to such other Form as may from Time to Time be prescribed by the said Colonial Land and Emigration Commissioners, by any Notice issued under their Hands or the Hands of any Two of them, and published in the "*London Gazette*," and shall also comply with all the Directions contained on the Face of such Form, and in default thereof shall be liable to a Penalty not exceeding Ten Pounds nor less than Five Pounds, in respect of each Passenger on account of whose Passage such Money shall have been received, to be sued for and recovered as herein-after is mentioned: Provided always, that such Contract Ticket shall not be liable to any Stamp Duty.

Penalty for Default.

Penalty for inducing any one to part with Contract Ticket.

XLVIII. And be it enacted, That any Owner, Charterer, or Master of a Ship, or any Passage Broker or other Person, who shall fraudulently alter or cause to be altered, after it is once issued, or shall induce any Person to part with, render useless, or destroy, any such Contract Ticket as aforesaid, during the Continuance of the Contract which it is intended to evidence, shall be liable in each Case to a Penalty not exceeding Five Pounds nor less than Two Pounds, to be recovered as herein-after mentioned.

Penalties on Agents acting without written Authority from Principals.

XLIX. And be it enacted, That if any licensed Broker or Passage Dealer shall, as Agent for any licensed Broker or Passage Dealer or for any other Person, receive Money for or on account of the Passage of any Passenger from the United Kingdom to any Port or Place in *North America*, without having a written Authority to act as such Agent, or shall, on the Demand of any Emigration Officer, refuse

or

or fail to exhibit his Licence and such written Authority, or if any such Broker or Dealer, whether as Principal or Agent, or if any other Person, shall by any Fraud or false Pretence whatsoever induce any Person to purchase, hire, or engage any Passage to *North America*, every such Broker or Dealer or other Person shall be liable, upon Conviction, as herein-after is mentioned, in respect of every such Offence, to a Penalty not exceeding Ten Pounds nor less than Five Pounds, to be sued for and recovered in manner herein-after mentioned; and no Person, unless acting under the written Authority and as the Agent or Servant of a licensed Broker or Passage Dealer duly qualified at the Time to act in that Capacity, shall be entitled to recover by legal Process from any intending Emigrant, or from any Passage Broker or other Person, any Fee, Commission, or Reward for or in consideration of any Service rendered or performed to or for any Passenger or Person seeking Information or Assistance in any way relating to Emigration to *North America*; and such licensed Passage Broker or Dealer shall exhibit and keep constantly exhibited in some conspicuous Place in his Office or Place of Business a correct List containing the Names and Addresses in full of every Person for the Time being holding such Authority from him as aforesaid, and shall at least once in every Month transmit a true Copy of such List duly signed by him to the Emigration Officer stationed nearest to the Place of Business of such licensed Passage Broker or Dealer; and in case of any Default herein such licensed Passage Broker or Dealer shall be liable on Conviction as herein-after mentioned to a Penalty not exceeding Five Pounds nor less than Two Pounds for each Offence.

No Person entitled to Commission or Fee for Services to Emigrants unless acting as Agent for a Broker.

L. And be it enacted, That in every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers on any Voyage to which any of the Provisions of this Act may for the Time being extend, if every such Facility for Inspection shall not be afforded as herein-before required, and that if any such "Passenger Ship" shall clear out or proceed on her Voyage before the Master shall have obtained a Certificate as herein-before required that all the Requirements of this Act have been complied with, or if before a Clearance be demanded for any Ship, whether a "Passenger Ship" or otherwise, such Lists of Passengers, or if at any Time during the Voyage all such Additions to the "Masters" Lists, or if such additional or separate Lists, as herein-before required, shall not be duly made, signed, and delivered to the proper Officer, or if any such List or any Additions to the same shall not be duly exhibited to or deposited with the proper Officer at any Port or Place as herein-before required, or if any of such Lists or the Additions thereto respectively shall be wilfully false, or if any "Passenger Ship" shall clear out or proceed on her Voyage without having been

Penalties on Masters of Ships, as to Inspection of Ships, Emigration Officer's Certificate, Passengers Lists, Additional Passengers Lists,

Survey, Beams, Deck, Height between Decks, Berths, Access to the Between Decks, Ventilating Apparatus, Boats and Life Buoys, Manning, Shipment of Provisions and Water, Issue of Provisions and Water, Water Casks, Cook and Cooking Apparatus, Surgeon, Medicines,

been duly surveyed as herein-before required, or if at any Time during the Voyage the Beams on which the Decks are supported in any such "Passenger Ship" shall not form Part of her permanent Structure, or if the Decks on which Passengers may lawfully be carried shall not be of the Thickness and laid or secured in such Manner as herein-before required, or if the Height between any Deck on which Passengers may lawfully be carried and the Deck immediately above it shall be less than Six Feet, or if there shall be more than Two Tiers of Berths on any One Deck, or if such Berths shall not be securely constructed, or shall not be of such Dimensions as herein-before required, or if there shall not be such an Interval between the Deck and the Floor of the Berths as herein-before required, or if the Passengers be berthed otherwise than as herein-before required, or if any of the Berths shall be taken down contrary to the Requirement in that Behalf herein-before contained, or if the Passengers shall not have free Access to or from the Between Decks in the Manner herein-before required, or if any "Passenger Ship" carrying as many as One hundred Passengers shall clear out or proceed on her Voyage without having on board such adequate ventilating Apparatus as herein-before required, or if there shall not be provided Boats and Life Buoys of such Description and Number as herein-before required, or if any such "Passenger Ship" shall proceed on her Voyage without being properly manned, or shall have on board as Cargo any Articles likely to endanger the Safety of the Ship or the Health or Lives of the Passengers as herein-before mentioned, or if any Part of the Cargo shall be carried on Deck, or if in any "Passenger Ship" at any Time during the Voyage there shall not be on board, properly stowed away under Hatches for the Use and Consumption of the Passengers, such Water and Provisions, and of such Description, Quantity, and Quality, as may be required by or under the Provisions of this Act, or if such Water and Provisions shall not be issued in the Quantities and in manner herein-before required, or if the Water shall not be carried in such Tanks or Casks as herein-before required, or if there shall not be on board of any Ship carrying as many as One hundred Passengers at all Times during the Voyage such Passengers Cook, and Place for cooking, and Cooking Apparatus as herein-before required, or if any "Passenger Ship" carrying as many as Fifty Persons on any Voyage of which the computed Length shall exceed Twelve Weeks, or on any other Voyage, except to *North America*, as many as One hundred Persons, or (except as herein-before excepted) on any Voyage to *North America* as many as One hundred Passengers, shall clear out or proceed on her Voyage without having on board, or shall not at all Times during the Voyage have on board, such Medical Practitioner as herein-before required, or if there shall not be on board of any "Passenger Ship" such Medicines, disinfecting Fluid

Fluid or Agent, Instruments, and Medical Apparatus, and such printed or written Directions for the Use of the same respectively, as may at any Time be required by or under the Provisions of this Act, or if any "Passenger Ship," except as herein-before provided, shall clear out or proceed on her Voyage before such Medical Inspection of the Medicines and Passengers shall have taken place, and such Certificate of the Medical Inspector shall have been granted as herein-before required, or if any diseased Person on board any such "Passenger Ship," or the Members of his Family, shall not be relanded as herein-before required, or if any Passenger shall without his previous Consent be landed at any Place other than the Place at which he may have contracted to land, or if any Passenger shall not be allowed to sleep and be maintained on board the Ship after Arrival for the Period and in manner herein-before provided, or if there shall not be kept on board Copies of this Act, or if One of such Copies shall not be produced on Demand, as herein-before required, then and in every such Case respectively the Master of every such Ship, or, as the Case may be, of every such "Passenger Ship," shall be liable for and in respect of each and every such Offence as aforesaid, on such Conviction as herein-after mentioned, to the Payment of a Penalty not exceeding Fifty Pounds Sterling nor less than Five Pounds Sterling.

Medical Inspector, Relanding of diseased Passengers, Wrongfully landing Passengers, Maintenance of Passengers on Arrival, and as to Copies of Act being kept on board, &c.

LI. And whereas certain Forms are from Time to Time issued by the said Colonial Land and Emigration Commissioners for the Use of Persons applying to them, or to Persons acting under their Authority, for Passages from the United Kingdom to the *British* Colonies wholly or partially at the Expense of *British* or Colonial Funds: And whereas it is expedient to afford additional Security against false Representations in such Forms, and in any Certificate of Marriage, Baptism, or otherwise, adduced in support thereof, and against the forging or fraudulently altering of any Signature or Statement in such Forms or Certificates: Be it therefore enacted, That if any Person shall wilfully make any false Representation in any such Form or Certificate as aforesaid, or shall forge or fraudulently alter any Signature or Statement in any such Form or Certificate, such Person shall be liable for and in respect of each and every such Offence, on such Conviction as herein-after mentioned, to the Payment of a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on falsifying or forging Forms of Application for Passages, or the Certificates in support thereof.

LII. And be it enacted, That all Penalties and Forfeitures imposed by this Act shall and may be sued for and recovered, with Costs, in the Manner herein-after mentioned; (that is to say,) in the United Kingdom by any Emigration Officer or his Assistant, or by any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized in Writing by the Commis-

Recovery of Penalties, &c.

Commissioners of Her Majesty's Customs to sue for Penalties and Forfeitures under this Act, and in any of Her Majesty's Possessions abroad by any Government Emigration Agent, or by any such Collector or Comptroller of Customs, or other Officer of Customs so authorized as aforesaid, or by any Officer authorized to sue for Penalties and Forfeitures under this Act by Writing under the Hand and Seal of the Governor of any such Possession, and the Commissioners of Her Majesty's Customs and every such Governor are hereby respectively empowered to grant such Authority as aforesaid;

Recovery of Passage, Subsistence, and Compensation Monies.

and that all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, or Compensation shall and may be sued for and recovered as herein-after mentioned by and for the Use of any Passenger entitled thereto under this Act, or by any of such Officers as aforesaid, for and on behalf and to the Use of any such Passenger or any Number of such Passengers respectively, and either by one or several Complaints; and that all such Penalties, Forfeitures, and Sums of Money as aforesaid shall and may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions or Possessions in which the Offence shall have been committed or the Cause of Complaint shall have arisen, or in which the Offender or Party complained against shall happen to be; and upon Complaint made before any One Justice of the Peace acting as aforesaid, he shall issue a Summons requiring the Party offending or complained against to appear on a Day and at an Hour and Place to be named in such Summons; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last known Place of Abode or of Business, or on board any Ship to which he may belong; and if such Party shall not appear accordingly, then (upon Proof of the due Service of the Summons by delivering a Copy thereof to the Party, or by delivering such Copy at his last known Place of Abode or of Business, or on board any Ship to which he may belong to the Person in charge of any such Ship as aforesaid, and stating the Purport thereof to the Person in charge of such Ship,) any Two of such Justices so acting as aforesaid may either hear and determine the Case in the Absence of the Party, or either of them may issue his Warrant for apprehending and bringing such Party before them or any Two Justices so acting as aforesaid, or the Justice before whom the Charge shall be made, if he shall have reason to suspect from Information upon Oath that the Party is likely to abscond, may issue such Warrant in the first instance without any previous Summons; and either upon the Appearance of the Party offending or complained against, or in his Absence as aforesaid, any Two of such Justices so acting as aforesaid may hear and determine the Case either with or without any written Information; and upon Proof of the Offence or

of

of the Complainant's Claim (as the Case may be), either by Confession of the Party offending or complained against, or upon the Oath of One or more credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), it shall be lawful for such Justices so acting as aforesaid to convict the Offender or adjudicate upon the Complaint, and upon every such Conviction to order the Offender to pay such Penalty or Forfeiture as they may think proper, not exceeding the Penalties and Forfeitures herein-before imposed, and upon every such Adjudication to order the Party complained against to pay to the Party suing for the same the Sum of Money sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, together with, in every such Case as aforesaid, the Costs of the Proceedings; and if the Monies mentioned in such Conviction or Order be not paid immediately or within the Time limited thereby, it shall be lawful for any Two of such Justices so acting as aforesaid, by Warrant, to cause the Party offending to be committed to Gaol, there to be imprisoned with or without hard Labour, according to the Discretion of such Justices, for any Term not exceeding Three Calendar Months, unless such Monies and Costs ordered to be paid be sooner paid and satisfied.

Application of Penalties.

LIII. And be it enacted, That all Penalties and Forfeitures mentioned in this Act shall, when recovered, be paid to the Party at whose Suit the same shall have been recovered, for the Use of Her Majesty and Her Successors; and such Penalties and Forfeitures, if recovered in the Colonies, shall be paid over by the Party receiving the same into the Colonial Treasury, and shall form Part of the general Revenue of the Colony, and if recovered in the United Kingdom shall be paid over to the Colonial Land and Emigration Commissioners if the Party at whose Suit the same shall have been recovered be an Emigration Officer, or his Assistant, and to Her Majesty's Commissioners of Customs if the Party at whose Suit the same shall have been recovered be an Officer of Customs, to be by such Colonial Land and Emigration Commissioners and Commissioners of Customs respectively duly accounted for; and all such Penalties and Forfeitures as may be recovered in the United Kingdom shall be appropriated to such Purposes and in such Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any Three or more of them, may from Time to Time direct and appoint: Provided always, that it shall be lawful for the Justices of the Peace who shall impose any such Penalty or Forfeiture at the same Time to direct, if they shall think fit, that a Part, not exceeding One Moiety thereof, be applied to compensate any Passenger for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty or Forfeiture shall have been imposed.

Justices may direct Compensation out of Penalties to Party aggrieved.

Passengers.

Burden of Proof to be on Persons claiming Exemption from Act.

LIV. And be it enacted, That if in any Suit, Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship was or was not exempted from the Provisions of this Act, or any of them, the Burden of proving that such Ship was so exempted shall lie on the Party claiming the Benefit of the Exemption, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Ship did come within the Provisions of this Act.

Proof of a Party being an Emigration Officer, &c.

LV. And be it enacted, That if in any Proceeding before any Justice of the Peace under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person for anything done either contrary to or in pursuance of this Act, a Question should arise whether any Person is an Emigration Officer or Assistant Emigration Officer, or an Officer of Customs, *vivâ voce* Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence.

Passengers suing not incompetent Witnesses.

LVI. And be it enacted, That any Passenger suing, as hereinbefore is mentioned, for any Sum of Money made recoverable by this Act as Passage Money, Subsistence Money, or Compensation, shall not be deemed an incompetent Witness in any Proceeding for the Recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own Use and Benefit.

Tender of Amends.

LVII. And be it enacted, That no Plaintiff shall recover in any Action against any Person for anything done in pursuance of this Act if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Limitation of Actions.

LVIII. And be it enacted, That no Action or Suit shall be commenced against any Person for anything done in pursuance of or under the Authority of this Act until Ten Days Notice has been given thereof in Writing to the Party or Person against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Ten Days Notice thereof given as aforesaid, or if any Action

or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action Judgment shall be given for the Defendant thereon, then and in any of the Cases aforesaid such Defendant shall and may recover full Costs of Suit as between Solicitor and Client, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Defendant may plead the General Issue, &c.

Costs.

LIX. And be it enacted, That every Sheriff or Steward and Sheriff Substitute or Steward Substitute of a County or Stewartry in *Scotland* shall, within his own County or Stewartry, have such and the like Powers and Privileges and be entitled to exercise such and the like Jurisdiction under this Act as any Justice or Two Justices, or Justices at Petty Sessions, have or is or are entitled to exercise under the Provisions of this Act; and all Acts, Matters, and Things competent to be done under the Provisions of this Act by or before any Justice or Two Justices, or Justices at Petty Sessions, or otherwise, may be done in *Scotland* by and before any Sheriff or Steward or Sheriff Substitute or Steward Substitute within his own County or Stewartry, and, unless where otherwise specially provided, it shall not be necessary in any Proceedings under this Act before such Sheriff or Steward or Sheriff Substitute or Steward Substitute to follow or observe the Forms prescribed by this Act in the Case of Proceedings before any Justice or Justices, or Justices at Petty Sessions, but all such Proceedings before such Sheriff or Steward or Sheriff Substitute or Steward Substitute may be conducted in the same Way and Manner as any summary Proceedings before any Sheriff or Steward Court in *Scotland* may be lawfully conducted at the Time of the passing of this Act, or at the Date of such Proceedings; and every Deliverance, Judgment, Sentence, and Conviction of any Sheriff or Steward or Sheriff Substitute or Steward Substitute under this Act shall be final, and not subject to any Review whatever.

In Scotland Sheriffs, &c. to act in the same Manner as Justices of the Peace in England.

LX. And whereas it is expedient to provide in certain Cases for the Carriage of Passengers by Sea from Her Majesty's Possessions abroad: Be it therefore enacted, That for the Purposes of this Act the Term "Colonial Voyage" shall signify any Voyage from any Port or Place within any of such Possessions (except the Territories under the Government of the *East India* Company) to any other Port or Place whatever, of which the Duration, computed as herein-after mentioned, shall exceed Three Days.

Colonial Voyages defined.

LXI. And

Passengers.

Extension of the Act to Colonial Voyages.

Certain Parts of the Act not to extend to Colonial Voyages.

LXI. And be it enacted, That, except as herein-after excepted, the Provisions of this Act shall apply, so far as the same are applicable, to all Ships carrying Passengers on any such "Colonial Voyage:" Provided always, that as to Ships carrying Passengers on any "Colonial Voyage," the Provisions of this Act shall not extend or apply so far as they relate exclusively to Passages from the United Kingdom to *North America*, and so far as they relate to the following Matters; (namely,)

The giving of a Bond to Her Majesty:

The keeping on board Copies of the Act, and Abstracts of any Order in Council:

The Return of Passage Money and Compensation in case the Party cannot be forwarded by the appointed Ship, or in case of Wreck:

The Payment of Subsistence Money in case of Detention:

Proviso as to Colonial Voyages shorter than Three Weeks.

Provided also, that as to Ships carrying Passengers on any "Colonial Voyage," whereof the Duration computed in the Manner herein-after mentioned shall be less than Three Weeks, in addition to the Matters lastly herein-before excepted, the Provisions of this Act shall not extend or apply so far as they relate to the following Subjects; (namely,)

The Construction or Thickness of the Decks:

The Berths:

The Height between Decks:

Light and Ventilation:

Manning:

Passengers Cook and Cooking Apparatus:

The Surgeon and Medicine Chest:

The Maintenance of Passengers for Forty-eight Hours after Arrival: Provided also, that in the Case of such last-mentioned Voyage, whereof the computed Duration is less than Three Weeks, the Requirements of this Act respecting the Issue of Provisions shall not, except as to the Issue of Water, be applicable to any Passenger who may have contracted to furnish his own Provisions.

Governor of Colonies may, by Proclamation, declare Length of Voyage, and substitute other Articles of Food and Medicine.

LXII. And be it enacted, That it shall be lawful for the Governor of any of Her Majesty's Possessions abroad, by any Proclamation to be by him from Time to Time issued for that Purpose (which shall take effect from the issuing thereof), to declare the Rule of Computation by which the Length of the Voyage of any Ship carrying Passengers from such Possession to any other Place whatsoever shall be computed for the Purposes of this Act, and to substitute for the Articles of Food and Provisions specified in this Act such other Articles of Food and Provisions as shall be a full Equivalent for the same, and also to declare what Medicines, Medical Instruments, and

and other Matters shall be deemed necessary for the Medical Treatment of the Passengers during such "Colonial Voyage:" Provided always, that every such Proclamation shall be transmitted by the Governor by whom the same may have been issued to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Majesty's Confirmation or Disallowance: Provided also, that on the Production in any other of Her Majesty's Possessions abroad of an attested Copy of any such Proclamation as aforesaid under the Hand of the Governor of the Colony wherein the same may have been issued, and under the public Seal of such Colony, such attested Copy shall, in the Colony wherein the same shall be so produced, be received as good and sufficient Evidence of the issuing and of the Contents of any such Proclamation.

Proclamations to be transmitted for Her Majesty's Confirmation or Disallowance.

Attested Copy of such Proclamation to be received as Evidence in the Colony in which it may be produced.

LXIII. And be it enacted, That it shall be lawful for the Governors of any such Possessions respectively to authorize such Person or Persons as they may think fit to make the like Survey and Examination of "Passenger Ships" sailing from such Possessions respectively as is herein-before required to be made by Two or more competent Surveyors in respect of "Passenger Ships" sailing from the United Kingdom, and also to authorize any competent Person to act as Medical Practitioner on board any "Passenger Ship" proceeding on a "Colonial Voyage" in those Cases where a Medical Practitioner would be required by this Act if the Ship were a "Passenger Ship" proceeding from the United Kingdom.

Provisions for Survey of Ships in the Colonies, and for appointing Surgeons thereto.

LXIV. Provided always, and be it enacted, That nothing herein-before contained shall apply to any of the Territories or Places under the Government of the *East India* Company, or to any of the Governors appointed by the said Company, nor shall anything herein-before contained affect the Powers now vested in the Governor General of *India* in Council to make Laws and Regulations whereby the Provisions of this Act, or such of them as to the said Governor General of *India* in Council shall seem expedient, shall or may be extended to the Territories and Places under the Government of the said Company, or for or in respect of which the said Governor General in Council has now by Law a Power of Legislation, but it shall be lawful for the Governor General of *India* in Council, from Time to Time, by any Act or Acts to be passed for that Purpose, to declare that this Act, or that any Part thereof, shall extend and apply to the Carriage of Passengers upon any Voyage from any Ports or Places within the Territories of the *East India* Company, to be specified or described in such Act or Acts, to any other Places whatsoever, to be also specified or described in such Act or Acts, and also in like Manner to authorize the Substitution, as respects such

Power to the Governor General of India in Council to adopt this Act, with certain Exceptions, in India;

such Voyages, of other Articles of Food and Provisions for those herein-before enumerated, and to declare the Rule of Computation by which the Length of any such Voyage shall be estimated, and to determine the Persons or Officers who shall be entitled to exercise or perform the Powers, Functions, or Duties herein-before given to or imposed upon the Emigration Officers and Officers of Customs in the United Kingdom, and to authorize the Employment on board any Ship of a Medical Practitioner duly qualified by Law to practise as a Physician, Surgeon, or Apothecary within such Territories or Places as aforesaid; and to declare for the Purposes of this Act the Space necessary for Passengers in Ships that may clear out from any Port or Place within the Territories or Places under the Government of the *East India* Company, and the Age at which Two Children shall be considered equal to One Passenger in Ships that may clear out from any Port or Place as aforesaid, and also to declare in what Manner, and before what Authorities, and by what Form of Proceedings the Penalties imposed and the Sums of Money made recoverable by this Act shall be sued for and recovered within any Places or Territories under the Government of the *East India* Company, and to what Uses such Penalties shall be applied; and from and after the passing of such Indian Act or Acts, and whilst the same shall remain in force, all such Parts of this Act as shall be adopted therein shall apply to and extend to the Carriage of Passengers upon such Voyages as in the said *Indian* Act or Acts shall be specified: Provided always, that the said *Indian* Acts shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England* to be laid before both Houses of Parliament, as in the Case of any other Laws or Regulations which the said Governor General in Council is now by Law empowered to make.

and to declare the Space to be allotted to Passengers, and the Age at which Two Children may be computed as One Passenger;

and the Mode of proceeding for Recovery of Penalties in India.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Referred to in the 12th Section of this Act.

Form of Passengers List.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of Superficial Feet in the several Compartments set apart for Steerage Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, the Ship can legally carry.	Where Bound.

I hereby certify, That the Provisions actually laden on board this Ship, according to the Requirements of the Passengers Act, are sufficient for Passengers, computed according to the Act.

(Signed) _____ } Master.

Date _____

Names and Descriptions of Passengers.

Ports of Embarkation.	Names of Passengers.	Adults. Age. M.	Adults. Age. F.	Children between 14 and 1. Age. M.	Children between 14 and 1. Age. F.	Number of Infants under 12 Months.	Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.

Summary.

	Number of Souls. English.	Scotch.	Irish.	Total.	Equal to Statute Adults.
Adults - - - -					
Children between 14 and 1 -					
Infants - - -					
Total - -					

We hereby certify, That the above is a correct List of the Names and Descriptions of all the Passengers who embarked at the Port of _____

(Signed) _____ Master.

(Countersigned) _____ Officer of Customs.

N.B.—Lines should be ruled in the same Form for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

SCHEDULE (B.)

Referred to in the 43d Section of this Act.

FORM of BOND to be given by OWNER or CHARTERER and MASTER.

KNOW all Men by these Presents, That we,

are held and firmly bound unto our Sovereign by the Grace of God of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment, well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of in the Year of the Reign of said Majesty, and in the Year of our Lord One thousand eight hundred and .

WHEREAS by an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act for regulating the Carriage of "Passengers in Merchant Vessels," it is amongst other things enacted, that before any "Passenger Ship" shall clear out or proceed on any Voyage to which the Provisions of the said Act shall extend, the Owner or Charterer, or, in the Absence of such Owner or Charterer, One good and sufficient Person on his Behalf, to be approved by the Chief Officer of Customs at the Port of Clearance, shall with the Master of the said Ship enter into a Bond to Majesty, Heirs and Successors, in the Sum of One thousand Pounds.

Now the Condition of this Obligation is such, that if the Ship whereof is Master, bound to is in all respects Sea-worthy,* [and if the said Ship shall call at the Port of and there shall be shipped on board at such Port pure Water for the Use of the Passengers, sufficient in Quantity to afford an Allowance of Three Quarts daily to each Passenger for the Period of Weeks on the Voyage from such Port to the final Port or Place of Discharge of such Vessel,] and if all and every the Requirements of the said Act, and of the Colonial Land and Emigration Commissioners acting in the Manner prescribed by the said Act, and of any Order in Council passed in virtue of the said Act, shall in all respects be well and truly performed, and if, moreover, all Penalties, Fines, and Forfeitures which the Master of such Ship may be adjudged to pay for or in respect of the Breach or Nonfulfilment of any of such Requirements as aforesaid shall be well and truly paid, then this Obligation to be void, otherwise to remain in full force and virtue.

* The Clause within Brackets is to be inserted only when the Ship is to call at an intermediate Port to take in Water, as provided by s. 23. of the Act.

Signed, sealed, and delivered by the above-bounden in the Presence of *

* Insert Names and Addresses in full of the Witnesses.

N.B.—This Bond is exempt from Stamp Duty.

SCHE-

SCHEDULE (C.)

Referred to in the 44th Section of this Act.

FORM of PASSAGE BROKERS BOND, with Two Sureties, to be approved by the Emigration Officer at the nearest Port.

KNOW all Men by these Presents, That we, *A.B.** of
C.D. of, *&c.*
and *D.E.* of, *&c.*
are held and firmly bound unto our Sovereign by the Grace of God of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of Two hundred Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment, well and truly to be made, we bind ourselves, and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of in the Year of the Reign of said Majesty, and in the Year of our Lord One thousand eight hundred and .

* Insert Christian and Surnames in full, with Occupations and Address of each of the Parties.

WHEREAS by an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act for regulating the Carriage of "Passengers in Merchant Vessels," it is amongst other things enacted, that it shall not be lawful for any Person to carry on the Business of a Passage Broker or Passage Dealer in respect of Passages from the United Kingdom to North America, or to sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship," or otherwise, proceeding from the United Kingdom to North America, unless such Person, and Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest the Place of Business of such Person, shall have previously entered into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of Two hundred Pounds Sterling.

Now the Condition of this Obligation is such, that if the above-bounden *A.B.* shall well and truly observe and comply with all the Requirements of the said recited Act, so far as the same relate to Passage Brokers and Passage Dealers, and further shall well and truly pay all Fines, Forfeitures, and Penalties, and also all Sums of Money, by way of Subsistence Money, or of Return of Passage Money and Compensation, to any Passenger, or on his Account, and also all Costs which the above-bounden *A.B.* may at any Time be adjudged to pay under or by virtue of any of the Provisions of the said recited Act, then and in such Case this Obligation to be void, otherwise to remain in full Force.

Signed, sealed, and delivered by the above-bounden *A.B.*, *C.D.*, and *E.F.*, in the Presence of*

* Insert the Names and Addresses in full of the Witnesses.

N.B.—This Bond is to be executed in Duplicate, but is exempt from Stamp Duty. One Part is to be deposited with the Colonial Land and Emigration Commissioners in London, and the other Part with the Chief Officer of Customs at the Port of Clearance.

SCHEDULE (D.)

Referred to in the 45th Section of this Act.

FORM of PASSAGE BROKER'S LICENCE.

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party applying for the Licence, must be correctly inserted.

*A.B.** of in the having shown to the Satisfaction of us, the undersigned Justices of the Peace in Petty Sessions assembled, that he hath duly given Bond to Majesty, as by the Passengers Act required, and also given Fourteen Days previous Notice to the Colonial Land and Emigration Commissioners of his Intention to make Application for a Licence to carry on the Business of a Passage Broker or Passage Dealer in respect of Passages to North America, we, the undersigned Justices so assembled as aforesaid, having had no sufficient Cause shown to us, and seeing of ourselves no valid Reason why the said *A.B.* should not receive such Licence, do hereby license and authorize the said *A.B.* to carry on the Business of a Passage Broker or Passage Dealer as aforesaid until the End of the present Year, and Thirty-one Days afterwards, unless this Licence shall be sooner determined by Forfeiture for Misconduct on the Part of the said *A.B.*, as in the Passengers Act is provided.

Given under our respective Hands and Seals, this Day of 18 at

_____ (L. S.)
Justice of the Peace.

_____ (L. S.)
Justice of the Peace.

SCHEDULE (E.)

Referred to in the 45th Section of this Act.

FORM of NOTICE to be given to the Colonial Land and Emigration Commissioners by Justices granting a Licence.

Gentlemen,

THIS is to give you Notice, That we, the undersigned Justices of the Peace assembled in Petty Sessions for did on the Day of license *A.B.* of* to carry on the Business of a Passage Broker or Passage Dealer in respect of Passages to North America.

* Insert the Christian and Surnames in full, with the Address and Occupation of the Party.

Signatures _____ J.P.

_____ J.P.

Date _____

To the Colonial Land and Emigration Commissioners, London.

SCHE-

SCHEDULE (F.)

Referred to in the 45th Section of this Act.

FORM of NOTICE to be given to Her Majesty's Colonial Land and Emigration Commissioners, by any Applicant for a Passage Broker's Licence.

Gentlemen,

I, *A.B.** of in do hereby give you Notice, That it is my Intention to apply, after the Expiration of Fourteen clear Days from the putting of this Notice into the Post, to the Justices to be assembled in Petty Sessions to be held † for a Licence to carry on the Business of a Passage Broker or Passage Dealer in respect of Passages to North America.

Signature _____

Date _____

To Her Majesty's Colonial Land and Emigration Commissioners, London.

* The Christian Names and Surname in full, with the Address and Trade or Occupation of the Party applying for a Licence, must be here correctly inserted.

† The Place or District in which the Party giving the Notice has his Place of Business.

SCHEDULE (G.)

Referred to in the 45th Section of this Act.

FORM of NOTICE to be given to the Colonial Land and Emigration Commissioners of Forfeiture of a Licence.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the Day of 18 to *A.B.** of in to act as a Passage Broker or Passage Dealer, was on the Day of now last past duly declared by us, the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.†

Signatures _____ J.P.

_____ J.P.

Date _____

To the Colonial Land and Emigration Commissioners, London.

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party, to be here inserted.

† Here state generally the Reason of Forfeiture.

SCHE-

SCHEDULE (H.)

Referred to in the 47th Section of this Act.

PASSENGERS CONTRACT TICKET.

These Directions and the "Notices to Passengers" below form Part of and must appear on each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to North America.
2. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
3. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures.
4. When once issued this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it.

Ship _____ of _____ Tons Register Burden, to sail from _____ for _____ on the _____ Day of _____ 18____.

Names.	Ages.	Equal to Statute Adults.

I engage that the Parties herein named shall be provided with a Steerage Passage to the Port of _____ in _____ in the Ship ___ with not less than Ten Cubic Feet for Luggage for each Statute Adult, for the Sum of £_____, including Government Dues before Embarkation, and Head Money, if any, at the Place of landing, and every other Charge; and I hereby acknowledge to have received the Sum of £_____ in {full / part} Payment.

In addition to any Provisions which the Passengers may themselves bring, the following Quantities, at least, of Water and Provisions will be supplied to each Passenger by the Master of the Ship, as required by Law, and also Fires and suitable Places for cooking:—

3 Quarts of Water daily.

Per Week.
- 2½ lbs. of Bread or Biscuit, not inferior in Quality to Navy Biscuit.
- 1 lb. of Wheaten Flour.
- 5 lbs. of Oatmeal.*
- 2 lbs. of Rice.*
- ½ lb. of Sugar.
- ½ lb. of Molasses.
- 2 oz. of Tea.

* 5 lbs. of good Potatoes may, at the Option of the Master of the Ship, be substituted for 1 lb. of Oatmeal or Rice, and in Ships sailing from Liverpool or from Irish or Scotch Ports, Oatmeal may be substituted in equal Quantities for the whole or any Part of the Issues of Rice.

[*N.B.*—If Mess Utensils and Bedding are to be provided by the Ship, the Stipulation must be inserted here.]

Signature _____

Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £ _____

Balance £ _____ to be paid at _____

Total £ _____

This Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer at the Port of Embarkation (or if no such Officer, to the Officer of Customs), or to any one appointed by him to receive it.

CONTRACT TICKET.

Ship _____ to sail from _____ for _____ on the _____ Day of _____ 18 .

Names.	

_____ Souls, equal to* _____ Statute Adults.

Passage Money, including all Charges, £

To be signed by the Party issuing the Ticket.

* Insert Number of Souls and of Statute Adults.

NOTICES TO PASSENGERS.

1. If the Ship do not proceed to Sea on the Day specified above, Passengers, if ready to go on board and proceed in the Vessel, are entitled to Subsistence Money at the Rate of One Shilling a Day per Statute Adult (each Person over Fourteen or Two Children between One and Fourteen Years of Age being reckoned as a Statute Adult) for each Day of Delay until the actual clearing out and final Departure of the Ship; but if the Passengers are lodged and maintained in any Establishment under the Superintendence of the Colonial Land and Emigration Commissioners, the Shilling a Day is payable to the Emigration Officer at the Port of Embarkation. In either Case the Money may be recovered by summary Process before Two Magistrates. If, however, the Delay arises from unavoidable Detention by Wind or Weather, and if the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no Subsistence Money is payable.
2. If Passengers fail to obtain a Passage in the Ship according to their Contract, either from her having sailed before the appointed Time, or from there being no Room in her, or through any Default of the Owner, Charterer, or Master, and are not within Forty-eight Hours provided with a Passage in some other equally eligible Ship to the same Port, then they are entitled to a Return of their Passage Money, and to such Compensation, not exceeding 10*l.*, as the Justices may award.
3. Passengers should not rely only on the Provisions which the Master of the Ship is bound to issue to them, but should take an extra Supply with them.
4. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

N.B.—This Contract Ticket is exempt from Stamp Duty.

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