

ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

****

CAP. XLIV.

An Act to prevent, until the End of the next Session of Parliament, Ships clearing out from a *British North American* Port loading any Part of their Cargo of Timber upon Deck.

[17th *August* 1839.]

WHEREAS great Loss of Life and severe Sufferings have been occasioned amongst the Crews of Ships and Vessels laden with Timber from *British* Ports in *North America*, from the Practice of having a Portion of the Cargo of such Ships stowed on or above Deck: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall not be lawful for any Part of the Cargo of any Ships or Vessels wholly or in part laden with Timber, and clearing from any *British* Port in *North America*, between the First Day of *September* and the First Day of *May*, to be stowed or placed during any Part of the Voyage upon or above the Deck of such Ship or Vessel; and the Captain or Master of every Ship or Vessel so laden, and clearing from any *British* Port in *North America* between such Days, shall not be permitted to sail without first procuring a Certificate from the clearing Officer that all the Cargo is below Deck.

No Part of Cargo of certain Ships laden with Timber to be placed on the Deck.

Penalty for placing Cargo on Deck.

II. And be it enacted, That if any Captain, Owner, Supercargo, or other Person having the Command of any such Ship or Vessel shall so place, cause or permit to be so placed, any Part of the Cargo, every such Captain, Owner, Supercargo, or other Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding One hundred Pounds, to be recovered in like Manner as Penalties for Offences under an Act passed in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the* British *Possessions on the Continent and Islands of* North America, *and to make further Provision for regulating the Carriage of Passengers from the United Kingdom:* Provided always, that nothing herein contained shall extend to prevent the carrying upon Deck the necessary Store Spars for the Vessel's Use, or the Removal on Deck of a Portion of the Cargo of such Ship or Vessel in Cases where the same may be rendered necessary by the springing a Leak, or other Damage during the Voyage; and nothing in this Act shall apply to any Ship which may have cleared out from any Port in *British North America* before the First Day of *September*, or within Seven Days after Notice of this Act shall have been received at the Custom House of the respective Ports.

5 & 6 W. 4. c. 53.

Proviso.

Continuance of Act.

III. And be it enacted, That this Act shall continue in force until the End of the next Session of Parliament.

Act may be altered.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1839.