ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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C A P. XXXVI.

An Act for preventing Ships clearing out from a *British North American* Port loading any Part of their Cargo of Timber upon Deck.

[23d *July* 1840.]

WHEREAS great Loss of Life and severe Sufferings have been occasioned amongst the Crews of Ships and Vessels laden with Timber and Wood Goods from *British* Ports in *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 Ship or Vessel wholly or in part laden with Timber or Wood Goods, and clearing from any *British* Port in *North America*, or the Settlement of *Honduras*, for any Port in the United Kingdom, between the First Day of *September* and the First Day of *May* in each Year, 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*, or the Settlement of *Honduras*, for any Port in the

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

United Kingdom, between the [illegible]id First Day of *September* and First Day of *May* in each Year, shall not be permitted to sail without first procuring a Certificate from the Clearing Officer that all the Cargo is below Deck.

Penalty for placing Timber on Deck.

II. And be it enacted, That if any Captain, Owner, Supercargo, or other Person having Command of any such Ship or Vessel shall so place, or cause or permit to be so placed, any Part of the Cargo, every such Captain, Owner, or Supercargo, or other Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds, to be recovered before any Justice of the Peace or in any Court of Record in the United Kingdom or in any of Her Majesty's Possesions abroad where the Offender may be: 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, nor to any Ship which may have cleared out from any Port in *British North America*, or the Settlement of *Honduras*, 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.

Continuance of Act.

III. And be it enacted, That this Act shall continue in force until the First Day of *May* One thousand eight hundred and forty-two.

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.

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