ANNO OCTAVO

VICTORIÆ REGINÆ.

****

C A P. XIV.

An Act to exempt Ships carrying Passengers to *North America* from the Obligation of having on board a Physician, Surgeon, or Apothecary.

[8th *May* 1845.]

WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels*, Ships carrying Passengers to *North America* were exempted from the Obligation of having on board a Physician, Surgeon, or Apothecary, as required by the said Act in other Cases therein specified: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen*, it is, among other things, enacted, that every Ship having One hundred Persons or upwards on board, and every Ship, the Voyage of which shall be deemed, under the Provisions of the first-recited Act, to exceed Twelve Weeks, having Fifty Persons or upwards on board, shall have on board, as one of her Complement, some Person duly authorized by Law to practise in this Kingdom as a Physician, Surgeon, or Apothecary, whereby the Exemption granted by the first-recited Act to Ships carrying Passengers to the Continent of *North America* has been taken away in all Cases where the total Number of Persons on board

5 & 6 Vict. c. 107.

7 & 8 Vict. c. 112.

any

So much of 7 & 8 Vict. c. 112. as requires Ships carrying Passengers to the East Coast of North America to have Surgeons, &c. on board when the Number of Persons amounttol00 repealed.

any such Ship shall amount to One hundred and upwards; and it is expedient that such Exemption be preserved: Be it 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 so much of the last-recited Act as enacts that Ships, as defined in the last-recited Act, carrying Passengers, according to the Provisions of the first-recited Act, from any Port or Place in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to the East Coast of the Continent of *North America*, shall have on board a Physician, Surgeon, or Apothecary as often as the total Number of Persons on board any such Ship shall amount to One hundred and upwards, shall be repealed.

Proceedings for Recovery of Penalties shall be stayed.

II. And be it enacted, That any Person against whom any Proceeding or Proceedings shall have been commenced, on or before the Day of the passing of this Act, for the Recovery of any pecuniary Penalty incurred or supposed to have been incurred, under the Provisions of the last-recited Act, for any Breach or Non-observance of so much of the last-recited Act as is herein repealed, may apply to the Court in which, or to any Justice or Justices of the Peace before whom, any such Proceeding or Proceedings shall have been commenced, for an Order that such Proceedings shall be discontinued but upon Payment of the Costs thereof incurred to the Time of such Application being made, in case such Proceeding shall have been commenced before the Seventeenth Day of *April* in this Year, such Costs to be taxed according to the Practice of the Court, or at the Discretion of the Justice or Justices before whom such Proceeding shall have been had; and every such Court or Justice or Justices, upon such Application and Proof that sufficient Notice of the Application has been given to the Plaintiff or Informer, or to his Attorney, and upon being satisfied, by Affidavit or otherwise, that such Proceedings have been commenced for the Recovery of such pecuniary Penalty as aforesaid, shall make such Order as aforesaid; and upon the making such Order as aforesaid, and on Payment or Tender of such Costs as aforesaid, where Costs are herein-before made payable, all further Proceedings for the Recovery of any such pecuniary Penalty shall be forthwith discontinued.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1845.