

ANNO SEXTO

GULIELMI IV. REGIS.

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CAP. XV.

An Act to amend an Act of the Fourth and Fifth Years of His present Majesty, in order to enable certain Seamen belonging to *Shetland* or *Orkney* to pay certain Sums of Money, payable under that Act to the Seamen's Fund, at *Lerwick* in *Shetland* or *Kirkwall* in *Orkney*.

[7th *June* 1836.]

WHEREAS an Act was passed in the Fourth and Fifth Years of the Reign of His present Majesty, intituled *An Act to amend an Act of the Twentieth Year of His Majesty King* George *the Second, for the Relief and Support of sick, maimed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service, and for other Purposes:* And whereas the said recited Act enacts that all and every the Masters, Commanders, or Owners of all Merchant Ships or other Private Ships or Vessels whatsoever, by the said Act made liable to the Payment of the said Duties of Two Shillings *per* Month and One Shilling *per* Month, shall pay all such Monies as shall from Time to Time be due from them and every of them respectively for or on account of the said Duties to the Collectors or Receivers appointed in pursuance of the said Act, or of an Act of the Twentieth Year of His late Majesty King *George* the Second, at whatever Port in the United Kingdom of *Great Britain* and *Ireland* any such Ship or Vessel should report

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or discharge her Cargo: And whereas it is usual and customary for Ships or Vessels belonging to and discharging their Cargoes at many of the Ports in the said United Kingdom of *Great Britain* and *Ireland* to leave their respective Ports of Outfit without engaging the whole Number of Seamen and other Persons necessary to be employed for the Completion of their respective Voyages, and for the Masters, Commanders, or Owners of the said Ships or Vessels to fill up and complete their Crews by hiring and taking on board Seamen and other Persons for the Service of the said Ships or Vessels at the Port of *Lerwick* in *Shetland*, or at the Port of *Kirkwall* and its Dependencies, in the said United Kingdom of *Great Britain* and *Ireland*, and for the said last-mentioned Seamen and other Persons to be relanded and discharged at the said Port of *Lerwick* and its Dependencies, or at the Port of *Kirkwall* and its Dependencies, where they had been hired and taken on board, when the said Ships or Vessels shall be on their Return to their respective Ports of Outfit: And whereas it is expedient that the Monies required by the said recited Act to be deducted and detained out of the Wages, Shares, or other Profits payable or accruing to such Seamen and other Persons so hired and taken on board and relanded and discharged at the said Port of *Lerwick* in *Shetland*, (or at the said Port of *Kirkwall* in *Orkney*), should be paid to the Collectors or Receivers or Trustees appointed at the said Port of *Lerwick* in *Shetland*, or at the said Port of *Kirkwall* in *Orkney*, as the Case may be, and not to the Collectors or Receivers or Trustees at the Port where the said Ships or Vessels shall report or discharge their Cargoes: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and thirty-seven all Monies deducted and detained, in pursuance of the said recited Act, out of the Wages, Shares, or other Profits payable or accruing to such Seamen and other Persons as shall be hired and taken on board at the Port of *Lerwick* and its Dependencies, or at the Port of *Kirkwall* and its Dependencies, and again relanded and discharged at the same, shall be paid, and the Masters, Commanders, or Owners of all Merchant or other Ships by the said recited Act made liable to the said Duties of Two Shillings *per* Month and One Shilling *per* Month are hereby required to pay all such Monies so deducted and detained out of the Wages, Shares, or other Profits payable or accruing to such Seamen and other Persons as shall be hired and taken on board at the Port of *Lerwick* in *Shetland*, or at the Port of *Kirkwall* and its Dependencies, and again relanded and discharged at the same, to the Collectors or Receivers or Trustees appointed in pursuance of the said recited Act, or the said Act of the Twentieth Year of His late Majesty King *George* the Second, at whichever of the said Ports of *Lerwick* or *Kirkwall* the said Seamen or other Persons shall have been so hired and taken on board, and again relanded and discharged as aforesaid; and if any Master, Commander, or Owner shall not pay over the said Duties as hereby directed, he shall be liable, and the Ship or Vessel of which he is the Master, Commander, or Owner shall be liable, to all the Penalties and Liabilities to which he or it is respectively liable by the said recited Act of the Fourth and Fifth Year of the Reign of

Deductions, authorized by recited Act, out of the Wages of Seamen of the Ports of Lerwick and Kirkwall, to be paid to Collectors at those Ports.

His present Majesty, if he neglect to pay over the said Duties according to the Provisions of the said recited Act: Provided always, that every such Master, Commander, or Owner, having paid such Monies or Duties so by this Act directed and required to be paid as aforesaid, shall not be required to make any Payment on account of such Monies or Duties at any Port at which the said Ship or Vessel shall report or discharge its Cargo, nor shall the Master, Commander, or Owner be exposed to any Penalties, nor the said Ship or Vessel be in any way delayed or impeded by the Officers of His Majesty's Customs, nor by any other Person, on account of such Nonpayment at any other Port than as aforesaid; provided such Master, Commander, or Owner produces before the Collector or Receiver for the Port at which such Ship or Vessel shall report or discharge her Cargo a Certificate of the Payment herein-before mentioned, signed by the Collector or Receiver of the Port of *Lerwick* in *Shetland*, or of the Port of *Kirkwall* in *Orkney* and its Dependencies, as the Case may be.

Masters of Merchant Ships to make Abstracts from their Muster Rolls of Names, &c. of Seamen belonging to Lerwick and Kirkwall, and give a Duplicate thereof to the Collectors at the said Ports.

II. And be it further enacted, That every Master, Commander, or Owner of any such Merchant Ship or other Vessel who shall keep a Muster Roll as required to be kept by the said recited Act shall make Abstracts from the said Muster Roll, in one of which he shall insert the Christian and Surnames of all Seamen and other Persons taken on board and intended to be relanded and discharged at the Port of *Lerwick* and its Dependencies, and in the other of which he shall make a similar Entry of all Seamen and other Persons taken on board and intended to be relanded and discharged at the Port of *Kirkwall* and its Dependencies, and that the said Abstracts shall respectively contain all the Particulars respecting the said Seamen and other Persons which are required to be contained in the said Muster Roll by the said recited Act; and that a Duplicate of the said Abstract of *Lerwick* Seamen shall, if required, be signed by the said Master, Commander, or other Person having the Care of the said Ship or Vessel, and shall be delivered to the Collectors or Receivers of the said Duties so appointed as aforesaid at *Lerwick* in *Shetland*; and that a similar Duplicate of the said Abstract of *Kirkwall* Seamen shall, if required, be signed as aforesaid, and be delivered to the Collectors and Receivers appointed as aforesaid at *Kirkwall* in *Orkney*: Provided always, that such Collector or Receiver at *Lerwick* or *Kirkwall*, as the Case may be, shall forthwith, on the Receipt of such Monies or Duties and of the said Duplicate, if required as aforesaid, from such Master, Commander, or other Person having the Care of the said Ship or Vessel as aforesaid, grant a Certificate to such Master, Commander, or other Person as aforesaid, stating that such Monies or Duties have been duly paid according to the Provisions of this Act; and in case any such Master, Commander, or other Person shall neglect to make such Abstract, or shall neglect or refuse to deliver such Duplicate as aforesaid, every such Person shall forfeit and pay for every such Refusal or Omission the Sum of Five Pounds of the lawful Money of *Great Britain*.

As to Payment of said Deductions

III. And whereas it sometimes occurs that such Seamen and other Persons so taken on board, and intended to be relanded and discharged at

when Seamen cannot be landed at Lerwick or Kirkwall.

at the aforesaid Ports of *Lerwick* or *Kirkwall* are prevented by Weather or otherwise from being relanded at the said Ports where they had been so hired and taken on board as aforesaid, and are carried forward to some other Port in the United Kingdom of *Great Britain* and *Ireland*: And whereas it is expedient that they should not on that Account lose the Benefits intended to be conferred upon them by this Act; be it therefore enacted, That in case any such Seamen or other Persons so taken on board and intended to be relanded and discharged at the said Ports of *Lerwick* or *Kirkwall* shall, by Stress of Weather or otherwise, be carried forward to any other Port in the United Kingdom of *Great Britain* and *Ireland*, the Master, Commander, or other Person having the Care of such Ship or Vessel shall in such Case pay over such Duties so detained out of the Wages or other Profits of such Seamen and other Persons so taken on board as aforesaid at *Lerwick* or *Kirkwall* to the Collectors or Receivers of the Port where the said Ship or Vessel shall report or discharge her Cargo: Provided always, that it shall be lawful for the Collectors, Receivers, or Trustees appointed in pursuance of the said recited Act, or of an Act of the Twentieth Year of His late Majesty King *George* the Second, at *Lerwick* or *Kirkwall* respectively, to demand from the Collectors, Receivers, or Trustees appointed at any such Port of Discharge each and every such Sum of Money so deducted from the Wages of the aforesaid Seamen and other Persons, and paid over as hereby directed; and the Collectors, Receivers, or Trustees at all such Ports of Discharge are hereby required to pay over, on Demand, all such Monies, to the Collectors, Receivers, or Trustees at *Lerwick* or *Kirkwall*, as the Case may be.

Such Seamen entitled to all the Privileges of recited Act.

IV. And be it further enacted, That the said Seamen and other Persons so taken on board and relanded and discharged, or intended to be relanded and discharged as aforesaid, at the Port of *Lerwick* and its Dependencies, or at the Port of *Kirkwall* and its Dependencies, shall be entitled to all the Profits and Advantages of the said recited Act, as fully and completely as if they should have served during the same Number of Months in a Merchant Ship or other Private Ship or Vessel belonging to the Port of *Lerwick* and its Dependencies, or to the Port of *Kirkwall* and its Dependencies, as the Case may be, and discharging her Cargo at the same.

This Act to be deemed Part of recited Act.

V. And be it enacted, That this Act shall be deemed and taken to be Part of the said recited Act, as fully and effectually as if the same had been incorporated therewith.

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