



ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

C A P. CVII.

An Act for regulating the Carriage of Passengers
in Merchant Vessels. [12th August 1842.]

WHEREAS it is expedient to make Provision respecting the Carriage of Passengers by Sea in certain Cases, and for that Purpose to repeal, except as herein-after is mentioned, an Act passed in the Session of Parliament held in the Fifth and Sixth Years of His late Majesty 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;* and also an Act passed in the Session of Parliament held in the Third and Fourth Years of Her present Majesty, intituled *An Act to extend to the British Colonies in the West Indies an Act passed in the Fifth and Sixth Year of His late Majesty King William the Fourth, for regulating the Carriage of Passengers in Merchant Vessels;* and also so much of an Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, intituled *An Act to amend the Laws relating to the Customs,* as extends the Provisions of the Act first before mentioned to Foreign Vessels, under certain Circumstances: Be it therefore enacted by the Queen's most Excellent Majesty,

5 & 6 W. 4.
c. 53.

3 & 4 Vict.
c. 21.

1 & 2 Vict.
c. 113. in
part.

Recited Acts
and Part of
Act re-
pealed, ex-
cept as to the
Repeal of
9 G. 4. c. 21.

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and by the Authority of the same, That the said recited Acts and Portion of an Act shall be and the same are hereby repealed, save and except so far as the first before-mentioned Act repeals an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to regulate the Carriage of Passengers in Merchants Vessels from the United Kingdom to the Continent and Islands of North America*, which shall remain and continue repealed: Provided nevertheless, that all Fines, Forfeitures, and Penalties to which any Person or Persons may have become liable under the said Acts or either of them shall and may be sued for, prosecuted, and recovered, and that any Right of Action which may have accrued to any Person or Persons by virtue of the said Acts or either of them shall and may be enforced hereafter in such and the same Manner, in all respects, as if this present Act had not been made.

Limitation of
Numbers of
Passengers
according to
Tonnage and
Space.

II. And be it enacted, That no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom, or in the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, herein-after designated as the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, shall proceed on her Voyage with or shall carry more Persons on board than in the Proportion of Three Persons to every Five Tons of the registered Burden of such Ship, the Master and Crew being included in and forming Part of such prescribed Number, and that no such Ship shall, whatever be the Tonnage thereof, proceed on her Voyage with or carry more Passengers on board than in the following Proportion to the Space occupied by them and appropriated for their Use, and unoccupied by Stores not being the personal Luggage of Passengers; (that is to say,) on the Lower Deck or Platform One Passenger for every Ten such clear superficial Feet, if such Ship is not to pass within the Tropics during such Voyage, but if such Ship is to pass within the Tropics during such Voyage, then One Passenger for every Twelve such clear superficial Feet if such Voyage is computed in manner herein-after mentioned not to exceed Twelve Weeks, and One Passenger for every Fifteen such clear superficial Feet if such Voyage is so computed to exceed Twelve Weeks; and under the Poop and on the Orlop Deck, if any, One Passenger for every Thirty such superficial Feet in all Cases; and that if any Ship carrying Passengers upon any such Voyage as aforesaid shall carry any Passengers beyond the Proportions herein-before respectively mentioned, or any of them, the Master of such Ship shall, for or in respect of every Passenger constituting such Excess, be liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding Five Pounds, to be sued for and recovered as herein-after is mentioned.

Construction
and Thick-
ness of Lower
Deck.

III. And be it enacted, That no Ship shall carry Passengers on any such Voyage as aforesaid unless she have Lower or Hold Beams forming Part of the permanent Structure of the Vessel, and also a Lower Deck or Platform, of which the under Surface shall be not

lower than Three Inches above the Bottom of the Lower Beams, and properly and substantially secured to the same, nor unless such Lower Deck or Platform shall be of not less than One and a Half Inch in Thickness.

IV. And be it enacted, That no Ship shall carry any Passengers upon any such Voyage as aforesaid unless such Ship shall be of the Height of Six Feet at the least between the Upper Deck and the Lower Deck or Platform herein-before mentioned, nor carry Passengers on the Orlop Deck, if any, unless the Height between such Orlop Deck and the Deck immediately above the same be Six Feet at the least.

Height
between
Decks.

V. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid shall have more than Two Tiers of Berths, and that in no such Ship shall the Interval between the Floor of the Berths and the Deck or Platform beneath them be less than Six Inches; and further, than the Berths shall be securely constructed, and that their Dimensions shall not be less than after the Rate of Six Feet in Length and Eighteen Inches in Width for each Passenger.

Sleeping
Berths.

VI. And be it enacted, That on board every Ship carrying Passengers on any such Voyage as aforesaid there shall be issued to the Passengers daily a Supply of Water at the Rate of at least Three Quarts for each Passenger *per* Day, and that there shall also be issued at convenient Times, not less often than Twice a Week, a Supply of Provisions after the Rate of Seven Pounds of Bread, Biscuit, Flour, Oatmeal, or Rice *per* Week, provided that One Half at least of the Supply shall consist of Bread or Biscuit, and that Potatoes may be employed to the Extent of the remaining Half of the Supply, Five Pounds, however, of Potatoes being computed as equal to One Pound of the other Articles above enumerated; and that such Issues as aforesaid shall be made throughout the whole Voyage, including the Time of Detention, if any, at any Port or Place before the End of such Voyage; and further, that no Ship proceeding on any such Voyage as aforesaid shall be cleared out until there shall be laden and on board such Quantity of pure Water, and of good and wholesome Provisions of the requisite Kind, as shall be sufficient to allow of the Issues aforesaid during the Period assigned to such Voyage under the Provisions of this Act.

Quantities of
Provisions
and Water
to be issued
to each Pas-
senger.

VII. And be it enacted, That in any such Ship the Water to be laden on board as herein-before required shall be carried in Tanks or sweet Casks, and that none of such Casks shall exceed Three hundred Gallons in Capacity; and further, that when any Ship shall be destined to call at a Port or Place in the course of her Voyage, for the Purpose of filling up her Water, a Supply of Water at the Rate before mentioned for every Week of the computed Voyage to such Port or Place of calling shall be deemed to be a Compliance with the

Further Re-
gulations as
to Water.

Provisions

Provisions of this Act, subject to the following Conditions; (that is to say,)

First, That the Government Emigration Agent at Ports where there is one, and the Collector or Comptroller of Customs at Ports where there is no such Agent, signify his Approval, in Writing, and that the same be carried amongst the Papers of the Ship, to be delivered to the Collector of Customs or Her Majesty's Consul, as the Case may be, on reaching her final Destination:

Secondly, That an Engagement to call at such Port or Place be inserted in the Bond which is herein-after required to be given to the Crown by the Owner or Charterer and Master:

Thirdly, That if the computed Length of Voyage to such Port or Place be not declared in this Act, it shall be competent to the Government Emigration Agent, or the Collector or Comptroller of Customs, as aforesaid, as the Case may be, to fix the same in each Case; and,

Fourthly, That the Ship shall have on board, at the Time of clearing out, Tanks or Water Casks sufficient for stowing the Quantity of Water required for the longest Portion of the whole Voyage.

Computed Length of different Voyages.

VIII. And be it enacted, That the Number of Weeks deemed to be necessary for the Voyage of any such Ship, according to her Destination, shall be determined by the following Rule of Computation; (that is to say,)

For a Voyage to *North America*, except the West Coast thereof, Ten Weeks:

For a Voyage to the *West Indies*, including under that Term the *Bahama Islands* and *British Guiana*, Ten Weeks:

For a Voyage to any Part of the Continent of *Central* or *South America*, except the West Coast thereof, and except *British Guiana*, Twelve Weeks:

For a Voyage to the West Coast of *Africa*, Twelve Weeks:

For a Voyage to the *Cape of Good Hope* or the *Falkland Islands*, Fifteen Weeks:

For a Voyage to the *Mauritius*, Eighteen Weeks:

For a Voyage to *Western Australia*, Twenty Weeks:

For a Voyage to any other of the *Australian Colonies*, Twenty-two Weeks:

For a Voyage to *New Zealand*; Twenty-four Weeks:

How Children are to be computed in the Enumeration of Passengers.

IX. Provided always, and be it enacted, That for the Purposes and within the Meaning of this Act it shall in all Cases be computed that Two Children, each being under the Age of Fourteen Years, shall be equal to One Passenger, and that Children under the Age of One Year shall not be included in the Computation of the Number of Passengers.

Government Emigration Agents or Officers of

X. And be it enacted, That before any such Ship shall be cleared out for the Voyage the Government Emigration Agent, at Ports where there is such an Officer, or in the Absence of such Agent, and

and in Ports where there is no such Agent, the Collector or Comptrollers of Customs, shall survey or cause to be surveyed by some competent Person the Provisions and Water herein-before required for the Consumption of the Passengers, and shall ascertain that the same are 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 other Persons (if any) on board.

Customs to survey Provisions and Water.

XI. And be it enacted, That such Officers shall see that the other Directions contained in this Act be complied with, so far as the same can be complied with, before the Departure of such Ship from any Port or Place in the United Kingdom or in the herein-before mentioned Islands.

The same Officers to attend generally to Enforcement of the Act.

XII. And be it enacted, That if Doubts shall arise whether any Ship about to proceed with Passengers as aforesaid is seaworthy, so as to be fit for her intended Voyage, and such Doubts shall not be removed to the Satisfaction of the Collector and Comptroller of the Customs at the Port from which such Vessel is to be cleared out, or in case there shall be a Government Emigration Agent at such Port, then to the Satisfaction of such Emigration Agent, it shall be lawful for such Collector and Comptroller, or for such Government Emigration Agent, (as the Case may be,) at any Time to cause such Ship to be surveyed by Two competent Persons, and if it shall be reported by those Persons that such Ship is not in their Opinion seaworthy with reference to such Voyage, such Ship shall not be cleared out, unless the Contents of such Report be disproved to the Satisfaction of the Commissioners of the Customs, or of the Colonial Land and Emigration Commissioners in those Cases in which the Report shall have been made at the Instance of a Government Emigration Agent, or until such Ship shall have been rendered seaworthy.

Seaworthiness of the Ship may be ascertained by Survey.

XIII. And be it enacted, That no Ship shall carry any Passengers on any such Voyage as aforesaid unless such Ship shall be provided with good sound Boats of suitable Size, and properly supplied with all Requisites for their Use, in the following Proportion to the registered Tonnage of such Ship as aforesaid; (that is to say,)

Sufficient Boats to be carried.

Two Boats, if the Tonnage of such Ship be One hundred and fifty Tons and upwards, but under Two hundred and fifty Tons:

Three Boats, if the Tonnage of such Ship be Two hundred and fifty Tons and upwards:

Four Boats, if the Tonnage of such Ship be Five hundred Tons and upwards, and the Number of Passengers exceed Two hundred:

Nor unless One of such Boats be a Long Boat of a Size duly proportioned to the Tonnage of the Ship.

XIV. And be it enacted, That Two Copies of this Act shall be kept on board every Ship carrying Passengers on any such Voyage as aforesaid, and that for this Purpose Two Copies of the same, provided and issued by the Authority of the Commissioners of the Customs,

Copies of the Act to be kept on board, and produced if demanded.

shall be delivered to the Master, on Demand, by the Collector or Comptroller of the Customs at the Port and Time of Clearance of the Ship; and One of such Copies shall, upon Request made at seasonable Times to the Master of the Ship, be produced to any Passenger for his Perusal.

In every Ship) except to North America) carrying 100 Passengers, or 50 Passengers, if the Voyage be longer than Twelve Weeks a Medical Practitioner and Medicines to be carried, and in every other Ship a proper Supply of Medicines.

XV. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid to any such Port or Place as aforesaid, except any Port or Place in *North America*, shall, in case the Number of such Passengers shall amount to or exceed One hundred, or in case the estimated Length of the Voyage, computed as herein-before is mentioned, shall exceed Twelve Weeks, and the Number of such Passengers shall amount to or exceed Fifty, clear out for such Voyage from any Port in the United Kingdom or in the herein-before mentioned Islands, unless there shall be rated upon the Ship's Company, and shall be actually serving on board such Ship, some Person duly authorized by Law to practise in this Kingdom as a Physician or Surgeon or Apothecary, and that no such Ship shall actually put to Sea or proceed on such Voyage unless such Medical Practitioner shall be therein, and shall *bonâ fide* proceed on such Voyage, taking with him a Medicine Chest, and a proper Supply of Medicines, Instruments, and other Things suitable to the intended Voyage; and no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, shall clear out for any such Voyage unless and until there shall be actually laden and on board such Ship Medicines, and printed or written Directions for the Use of the same, and other Things necessary for the Medical Treatment of the Passengers on board during such intended Voyage, and available for that Purpose, nor unless such Medicines and other Things shall be adequate in Amount and Kind to the probable Exigencies of any such Voyage, and, together with such Medicines and other Things, shall also be put on board every such Ship previously to her clearing out for any such Voyage as aforesaid a Certificate under the Hands of any One or more such Medical Practitioner, qualified as aforesaid, who shall not have been the Seller of the Medicines and other Things, or any Part of them, to the Effect that the same have been inspected by him, and are in his Judgment adequate to meet any such probable Exigencies as aforesaid, and further, that he has no pecuniary Interest in the Supply of the same.

Sale of Spirits to Passengers prohibited.

XVI. And be it enacted, That in any Ship carrying Passengers upon any such Voyage as aforesaid no Spirits or Strong Waters shall be sold to any Passenger during the Voyage; and that if the Master of the Ship shall, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any Passenger during the Voyage, he shall be liable to a Penalty not exceeding One hundred Pounds, to be sued for and recovered in manner herein-after mentioned.

List of Passengers to be delivered before clearing.

XVII. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall, before clearing out his said Ship for such Voyage from any Port or Place in the United Kingdom

Kingdom or in the herein-before mentioned Islands, sign and deliver, in Duplicate, to the Collector or to such Officer of Her Majesty's Customs at such Port or Place as may clear the Ship, a List, made out according to the Form contained in Schedule (A.) hereto annexed, of all and every the Passengers on board of such Ship, specifying, as accurately as may be, all the Particulars in the said Form required, and such Collector or other Officer shall thereupon countersign and return to the said Master one of such Duplicate Lists; and the said Master shall exhibit such Duplicate List, with the Additions, if any, to be made thereto, as herein-after directed, to the Collector or other 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 Collector or chief Officer of Customs, or such Consul, as the Case may be, at his final Port of Discharge.

XVIII. And be it enacted, That in case any such Vessel shall have cleared out as aforesaid with a Number of Passengers less than the Number she could lawfully carry under the Provisions of this Act, or in case any Passenger or Passengers named in the List afore mentioned shall not proceed on the Voyage, and there shall afterwards be taken on board any additional Passenger or Passengers, the Master shall in every such Case add to the first List so countersigned and returned to him as aforesaid, and in the same Manner as is required in such first List, the Names and Particulars of such additional Passenger or Passengers; and shall moreover prepare, in the Form aforesaid, a separate List of such additional Passenger or Passengers, and deliver the same, together with the said first List so added to as aforesaid, both being duly signed by him, to the Collector or other Officer of Customs as aforesaid at the Port or Place where any such additional Passenger or Passengers may have embarked, and thereupon such Collector or other Officer of Customs shall countersign the Additions so made to such first List as aforesaid, and shall return the same to the said Master, and retain the separate additional List; and so on in like Manner whenever any additional Passenger or Passengers may be taken on board: Provided always, that in the event of there being no Collector or other Officer of Customs stationed at any Port or Place where such additional Passenger or Passengers may be taken on board, then such separate List, and also the said first List, with the Additions so to be made to it as aforesaid, shall, in case the Vessel shall subsequently touch at any Port or Place at which there shall be stationed any Officer of Her Majesty's Customs, be delivered by the said Master to such Officer of Customs, and the same respectively shall be dealt with in all respects by such Officer of Customs as it would have been dealt with by the Collector or other Officer of Customs as aforesaid had there been one at the Port or Place where such additional Passenger or Passengers embarked.

Lists of additional Passengers after clearing out.

XIX. And be it enacted, That if any Owner, Charterer, or Master of a Ship, or any Passage Broker, Agent, or other Person, shall receive any Money from any Person, for or in respect of the Conveyance

Written Receipts to be given in respect of

Passengers
to North
America.

veyance of any Person as a Passenger on any such Voyage as aforesaid to any Port or Place in *North America*, the Person so receiving such Money shall give a written Acknowledgment for the same to the Party from whom the same shall have been received, in the Form contained in the Schedule (B.) hereto annexed, and in default thereof shall be liable to a Penalty not exceeding Ten Pounds in respect of each such Passenger, to be sued for and recovered as herein-after is mentioned, and if he shall be so licensed as herein-after is mentioned, his Licence shall be forfeited, in case the Justices before whom the Penalty shall be sued for shall declare the Forfeiture thereof.

Licences to
be taken out
by Dealers
and Brokers
in respect of
Passages
to North
America.

XX. And be it enacted, That from and after the Commencement of this Act no Person, not being the Owner or Master of the Ship in which such Passages as are herein-after mentioned shall be taken, shall carry on the Business of a Passage Broker or Passage Dealer in respect of Passages from the United Kingdom or the herein-before mentioned Islands to any Port or Place in *North America*, or shall sell or let, or agree to sell or let, to any Person, any such Passage, unless he shall have previously taken out a Licence to carry on the Business of a Passage Broker or Passage Dealer as herein-after is mentioned, and unless such Licence shall continue in force; and if any Person shall carry on such Business, or sell or let, or agree to sell or let, any such Passage, contrary to this Enactment, every Person so offending shall be liable to a Penalty not exceeding Ten Pounds in respect of each and every such Offence, to be sued for and recovered as herein-after is mentioned, and shall further be subject to all the same Penalties and Liabilities to which licensed Passage Brokers and Passage Dealers are subject under this Act; and that it shall be lawful for any Person desiring to carry on the Business of a Passage Broker or Passage Dealer, in respect of such Passages to *North America* as aforesaid, to make Application to the Justices assembled in Petty or Quarter Sessions held for the District or Place in which such Person shall reside, for a Licence to carry on such Business, and such Justices so assembled are hereby authorized to grant such Licence to the Party making Application for the same, such Licence to be made out according to the Form contained in the Schedule (C.) hereunto annexed, and to continue in force for the Period named in such Form, unless sooner forfeited in manner herein-after mentioned; and where any such Licence shall be granted such Justices shall cause Notice thereof to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners at their Office in *London*: Provided nevertheless, 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 Notice to the Colonial Land and Emigration Commissioners of his Intention to apply for the same Twenty-one clear Days at least before such Application, such Notice to be transmitted by the Post to the Office of the said Colonial Land and Emigration Commissioners, and to be in the Form contained in the said Schedule (D.) hereunto annexed.

Licences to
be granted
by Justices,
and Notice
thereof
transmitted
to Colonial
Land and
Emigration
Commis-
sioners.

Notice to
be given to
Colonial
Land and
Emigration
Commis-
sioners of
intended
Application
for Licences.

Penalties for
acting with-
out written

XXI. And be it enacted, That if any licensed Broker or Dealer as aforesaid shall receive Money for or on account of the Passage of

of any Passenger for any such Voyage as aforesaid to any Port or Place in *North America*, without having a written Authority to act as Agent for the Party on whose Behalf the Contract for such Passage purports to be made, or shall by any Fraud or false Pretence whatsoever induce any Person to purchase, hire, or engage a Passage in any Ship for any such Voyage as aforesaid, every such Broker or Dealer shall be liable, upon Conviction, as herein-after is mentioned, in respect of every such Offence, to a Penalty not exceeding Ten Pounds, to be sued for and recovered in manner herein-after mentioned; and it shall be lawful for the Justices before whom the Penalty shall be sued for to declare, if they shall think fit, the Licence of such Broker or Dealer to be forfeited, and the same shall upon such Declaration be forfeited accordingly: Provided always, that in any Case in which under the Provisions of this Act any Justices shall declare the Licence of any Passage Broker or Passage Dealer to be forfeited, such Justices shall cause Notice of such Forfeiture, in the Form contained in the Schedule (E.) hereunto annexed, to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners, at their Office in *London*.

Authority from Principals, and for obtaining Passage Money fraudulently.

XXII. And be it enacted, That if any Passenger or Person on his Behalf shall have entered into a Contract for a Passage or Passages for such Passenger, or for him and his Family, in any Ship, for any such Voyage as aforesaid, from any Port in the United Kingdom or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being in the *Mediterranean Sea*, and if 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 or Passages, 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 or Passages shall have been engaged, or the Neglect, Refusal, or other Default of the Owner, Charterer, or Master thereof, or of the Party with whom such Passage or Passages shall have been contracted for, such Passenger shall not obtain such Passage or Passages, or shall not within a reasonable Time obtain a Passage or Passages by some other equally eligible Vessel to the same Port or Place, and in the meantime be paid Subsistence Money, or be provided with Lodging and Maintenance, as herein-after mentioned, such Passenger shall be entitled to recover, in manner herein-after provided, all Monies which he shall have paid for such Passage or Passages, from the Party to whom he shall have paid the same, or from the Owner or Charterer of the Ship for whom such Party shall be the Agent, and also such further Sum not exceeding Ten Pounds in respect of each such Passage as shall, in the Opinion of the Justices 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 or Passages.

Return of Passage Money and Compensation to Passengers, in certain Cases.

XXIII. And be it enacted, That if any Ship shall not actually put to Sea, and proceed upon any such intended Voyage as aforesaid, on

Subsistence in case of Detention.

the Day for that Purpose appointed in and by any Contract made by the Owner, Master, or Charterer of such Ship, or by their Agent, with any Passenger who shall on that Day be on board the same, or ready to proceed on such intended Voyage, then and in every such Case the Master of such Ship shall victual each and every such Passenger in like Manner as if the Voyage had commenced, and if the Ship does not put to Sea after the Interval of Two clear working Days from the Day appointed for sailing, shall be liable to pay to each and every such Passenger, instead of victualling him, Subsistence Money, after the Rate of One Shilling 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, however, that such Subsistence Money shall not be payable in lieu of victualling in respect of any unavoidable Detention by Wind or Weather, and also shall not be payable to any Passenger who shall, with his own Consent, be suitably lodged and maintained on shore at the Expence of the Parties who are bound to provide him with a Passage.

Passengers not to be landed without their Consent at any other Place.

XXIV. And be it enacted, That the Master of any Ship carrying Passengers under the Provisions of this Act shall not land or put on shore, or cause to be landed or put on shore, any Passenger, without his previous Consent, at any Port or Place other than the Port or Place at which he may have contracted to land or put such Passenger on shore.

Passengers to be maintained for Forty-eight Hours after their Arrival.

XXV. And be it enacted, That at the Close of any such Voyage as aforesaid every Person arriving as a Passenger at any Port or Place shall, during the Space of Forty-eight Hours next after such Arrival, be entitled to continue on board such Ship, and to be provided for and maintained on board the same, in such and the same Manner as during such Voyage, unless in the ulterior Prosecution of her Voyage any such Ship shall quit any such Port or Place within the said Period of Forty-eight Hours.

Facilities to be given to the proper Officers for Inspection of Ship, &c.

XXVI. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall afford to the Government Agent for Emigration, or to the proper Officer of Customs at any Port or Place in Her Majesty's Dominions from which such Ship shall sail, or at which such Ship shall touch during the Voyage, or at which such Ship shall arrive at the End of such Voyage, and to Her Majesty's Consul at any Port or Place at which such Ship shall arrive, being in a Foreign Country, every Facility for the Inspection of the Ship, and for Communication with the Passengers, and for ascertaining that the Act has been duly observed.

Penalties.

XXVII. And be it enacted, That if in any Ship carrying Passengers on any such Voyage as aforesaid such Lower Deck or Platform of such Thickness as herein-before directed shall not be laid and continued throughout the whole Duration of any such Voyage in such Manner as is herein-before required; or if the Height between such Lower Deck or Platform and the Upper Deck shall be less than Six Feet;

Feet; or if there shall be more than Two Tiers of Berths; or if such Berths shall not be securely constructed, or shall not be of the Dimensions herein-before required; or if there shall not be throughout the whole Duration of any such Voyage such an Interval as is herein-before prescribed between the Deck and the Floor of the Berths; or if any such Ship shall clear out and put to Sea not having on board Tanks or sweet Casks of such Size and Number as aforesaid, and such Water and Provisions as aforesaid, for the Use and Consumption of the said Passengers, of the Kind and to the Amount and in the Proportion herein-before required; or if such Water and Provisions shall not be issued in manner herein-before required; or if such Ship shall not be provided with good Boats according to the Rates aforesaid; or if Copies of this Act shall not have been kept on board and produced on Demand as herein-before required; or if there shall not be on board any such Vessel such Medical Practitioner as aforesaid, or such Medicines and other Things necessary to the Medical Treatment of the Passengers as is herein-before required; or if any such Ship shall be cleared out before such List of Passengers as herein-before mentioned shall have been delivered in manner and form aforesaid to such Officer as aforesaid; or if the Additions to such List and such additional separate List or Lists as aforesaid be not made in the Cases aforesaid, and delivered in the Cases in which they are herein-before required to be delivered; or if any such List, or the Additions to the same, shall be wilfully false; or if any such List, including the Additions, if any, to the same, shall not be exhibited to or deposited with the proper Officer at any Port or Place at which it is herein-before required to be exhibited or deposited; or if any Passenger shall, without his previous Consent, be put on shore at any Place other than the Place at which the Master had contracted to land such Passenger; or if any Passenger shall not be allowed to continue on board such Ship in manner herein-before provided; or if every such Facility for Inspection shall not be afforded as is herein-before required, the Master of any such Ship shall for and in respect of each and every such Offence be liable, on such summary Conviction as herein-after mentioned, to the Payment of a Fine not exceeding Fifty Pounds Sterling *British* Money.

XXVIII. Provided nevertheless, 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 such 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, Owner or Owners, of any such Ship.

The Right of Action of Passengers not to be taken away or abridged.

XXIX. And be it enacted, That all Penalties imposed by this Act for any Offence against the same may be sued for and recovered to the Use of Her Majesty as herein-after is mentioned; (that is to say,) in the United Kingdom by any Government Emigration Agent, or any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized in Writing by the Commissioners of Her Majesty's Customs to sue for Penalties under this Act; and in any of Her Majesty's Possessions

Recovery of Penalties.

sions abroad, by any such Government Agent, Collector or Comptroller, or other Officer so authorized as aforesaid, and also by any Officer authorized to sue for Penalties under this Act, by Writing under the Hand and Seal of the Governor or Officer administering the Government of any such Possession; which respective Authorities the Commissioners of Her Majesty's Customs and such Governors or other Officers are hereby empowered to grant; and all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, or Compensation, may be sued for and recovered, as herein-after is mentioned, by or to the Use of any Passenger entitled thereto under this Act, or by any of such Officers as aforesaid, on behalf and to the Use of any such Passenger, or on behalf and to the respective Use of any Number of such Passengers, and either by One or several Complaints; and all such Penalties and Sums of Money may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions 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 being made before any One Justice of the Peace 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 House, Place of Residence or of Business, or on board any Ship to which he may belong; and either upon the Appearance or Default to appear by the Party offending or complained against it shall be lawful for any Two or more Justices to proceed summarily upon the Case, and either with or without any written Information; and upon Proof of the Offence or 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 to convict the Offender or adjudicate the Complaint, and upon such Conviction or Adjudication to order the Offender or Party complained against to pay such Penalty, within the Limits herein-before expressed, as the Justices may declare to have been incurred, or (as the Case may be) 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, and also to pay the Costs attending the Information or Complaint, Summons, Conviction, or Adjudication; and if forthwith upon any such Order the Monies thereby ordered to be paid be not paid, the same may be levied, together with the Costs of the Distress and Sale, by Distress and Sale of the Goods and Chattels of the Party ordered to pay such Monies, the Surplus, if any, to be returned to him, upon Demand; and any such Justices may issue their Warrant accordingly, and may also order such Party to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Party give sufficient Security, to the Satisfaction of such Justices, for his Appearance before them on the Day appointed for such Return, such Day or Days not being more than Eight Days from the Time of taking such Security; but if it shall appear to such Justices,

Justices, by the Admission of such Party or otherwise, that no sufficient Distress can be had whereon to levy the Monies so adjudged to be paid, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, or any Two or more such Justices, as aforesaid, then such Justices shall by Warrant cause the Party ordered to pay such Monies and Costs as aforesaid to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Monies and Costs ordered to be paid, and such Costs of Distress and Sale as aforesaid, be sooner paid and satisfied.

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

Vivâ voce Evidence may be given of a Party being a Government Agent or Officer.

XXXI. And be it enacted, That any Passenger suing, as hereinbefore is mentioned, for any Sum of Money made recoverable by this Act as Return of 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.

Passengers suing not incompetent Witnesses.

XXXII. And be it enacted, That where any Distress shall be made for any Penalty, Monies, or Costs to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by the Party so distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not to be unlawful for Informality.

XXXIII. And be it enacted, That no Plaintiff shall recover in any Action against any Person for any thing 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.

Tender of Amends.

XXXIV. And be it enacted, That no Action or Suit shall be commenced against any Person for any thing done in pursuance of or under the Authority of this Act until Twenty-one 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

Limitation of Actions.

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 Twenty-one 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 Treble Costs, 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.

Owners or Charterers and Masters of Vessels to enter into Bond (without Stamps) for the due Performance of the Regulations prescribed by this Act.

XXXV. And for the more effectually securing the Observance of the aforesaid Rules, and the Payment of the Penalties, be it enacted, That before any Ship carrying Passengers, if the Number of such Passengers shall exceed Fifty, shall clear out for any such Voyage as aforesaid from any Port or Place in the United Kingdom or in the herein-before mentioned Islands, 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 Collector or chief Officer of Customs at such Port, and the Master of the said Ship, shall enter into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds, the Condition of which Bond shall be that the said Ship is seaworthy, and that all and every the Rules and Regulations made and prescribed by this Act for the Carriage of Passengers shall be well and truly performed before and during such intended Voyage, and that all Penalties, Fines, and Forfeitures which the Master of such Ship may be sentenced or adjudged to pay for or in respect of the Breach or Nonperformance, before or during such Voyage, of any such Rules and Regulations, shall be well and truly paid: Provided always, that such Bond shall be without Stamps; and 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, or upon or by reason of the Breach of any of the Provisions thereof, in any of Her Majesty's Possessions abroad, after the Expiration of Twelve Calendar Months next succeeding the Commencement of any such Voyage as aforesaid, nor in the United Kingdom, or any of the Islands before mentioned, after the Expiration of Twelve Calendar Months next after the Return of the said Ship or of the said Master to the United Kingdom or the herein-before mentioned Islands.

Limitation of Prosecutions.

Exception of particular Kinds of Ships.

XXXVI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to Ships carrying Passengers on such Voyage as aforesaid if the Number of such Passengers shall not

not amount to or exceed Thirty, nor shall any thing in this Act contained extend to any of Her Majesty's Ships of War, or to any Ship in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, or to Ships of War or Transports in the Service of the *East India* Company.

XXXVII. And whereas it is expedient to provide in certain Cases for the Regulation of Voyages from the Colonies; be it therefore enacted, That this Act shall, except as herein-after is excepted, extend and apply to the Carriage of Passengers by Sea from any of the *British West Indies*, in which Term are included the *British West India* Islands, the *Bahamas*, and *British Guiana*, and from *Malta*, and from the *British Possessions in Africa*, and from the *Mauritius*, to any other Place whatsoever.

Extension of Act to West Indies, Western Africa, Malta, and the Mauritius.

XXXVIII. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any *British Colony* not enumerated in the Enactment lastly herein-before contained to declare by Proclamation, to be issued for that Purpose, that this Act, except as herein-after is excepted, shall be extended and shall apply to the Carriage of Passengers by Sea from such Colony to such Places as may by him be named for the Purpose in such Proclamation, and thereupon this Act shall be thenceforth so extended and shall so apply accordingly.

Power to Governors of other Colonies to adopt the Act.

XXXIX. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any of the *British Colonies* to which this Act, as respects the Carriage of Passengers by Sea therefrom, has been hereby extended or shall have been extended by Proclamation, as herein-before is mentioned, by any Proclamation or Proclamations to be by him from Time to Time issued for that Purpose, to declare the Rule of Computation by which the Length of the Voyage of any Ship carrying Passengers from such Colony to any other Place shall be estimated for the Purposes of this Act: Provided nevertheless, that this Act shall not, except as respects the *West Indies*, and except as herein-after is mentioned, extend or apply to any such Voyage, if the Length thereof so computed shall not be Three Weeks or upwards.

Governors empowered to declare computed Length of Voyage.

Proviso.

XL. And be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any of the *British Colonies* to which this Act has, as respects the Carriage of Passengers by Sea therefrom, been hereby extended, or shall have been so extended by Proclamation as herein-before is mentioned, by any Proclamation or Proclamations to be by him from Time to Time issued for that Purpose, 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.

The Governor, &c. may issue Proclamation substituting other Articles of Food, &c. if equivalent.

XLI. Provided always, and be it enacted, That every such Proclamation as aforesaid, or as herein-after is mentioned, shall be transmitted by the Governor or Officer by whom the same may have been issued to Her Majesty, through One of Her Majesty's Principal Secretaries

Such Proclamation to be transmitted for Her Majesty's Con-

firmation
or Disallow-
ance.

Attested
Copy of such
Proclama-
tion to be
received as
Evidence in
the Colony
in which it
may be pro-
duced.

Secretaries of State, for Her Majesty's Confirmation or Disallowance; and in case the same shall be disallowed by any Order to be made by Her Majesty for that Purpose, with the Advice of Her Privy Council, then from and after the Promulgation of any such Order in Council within any such Colony any such Proclamation shall cease to be of any Force or Authority, but until so disallowed the same shall be duly observed and obeyed: Provided also, that on the Production at any One of the Colonies aforesaid of an attested Copy of any such Proclamation as aforesaid, or as herein-after is mentioned, under the Hand of the Governor or the Officer administering the Government 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.

Powers for
determining
the Sea-
worthiness of
any Ship
vested in Go-
vernors, &c.

XLII. And be it enacted, That all the Powers and Authorities which are herein-before vested in the Collector and Comptroller of the Customs, for determining the Seaworthiness of any Ship carrying Passengers from any Port in the United Kingdom, shall, in respect of any Ship carrying Passengers from any Port in any of the Colonies aforesaid, be and the same are hereby vested in the respective Governors or Officers administering the Government of the said Colonies respectively.

No Bond re-
quired for
Voyages
from the
Colonies.

XLIII. Provided always, and be it enacted, That as respects Voyages from the Colonies it shall not be necessary for the Master, Owner, or Charterer of any Ship carrying Passengers on any such Voyage to enter into any such Bond as is herein-before required to be entered into by the Master and Owner or Charterer of any Ship carrying Passengers on any such Voyage as herein-before is mentioned.

Exception
of certain
Provisions of
this Act in
the Case of
Voyages
from the
Colonies.

XLIV. Provided also, and be it enacted, That the Provisions of this Act shall not extend or apply to Voyages from the Colonies, so far as relates to the following Subjects; (namely,)

The keeping Copies of the Act on board:

The Use of the Form of Receipt herein-before required to be given for Passage Money:

The licensing of Passage Brokers:

The Return of Passage Money and Compensation, in case the Party cannot be forwarded by the appointed Ship, or by some other eligible Vessel, and victualling or the Payment of Subsistence Money in case of Detention.

Extension of
the Act,
with further
Exceptions,
to Voyages
shorter than
Three Weeks
in the West
Indies.

XLV. Provided always, and be it enacted, That, except as herein-before is excepted with respect to Voyages from the Colonies, the Provisions and Regulations of this Act shall extend and apply to Voyages from the *West Indies* of less Duration, so computed as aforesaid, than Three Weeks, but being of not less Duration, so computed as aforesaid, than Three Days, save and except so far as relates to the following Subjects; (namely,)

The Construction or Thickness of the lower Deck or Platform:

The Berths:

The

The Height between Decks :

The Surgeon and Medicine Chest :

The Maintenance of Passengers for Forty-eight Hours after Arrival :

Provided also, that as respects such Voyages from the *West Indies* of less computed Duration than Three Weeks, the Owner or Charterer of a Ship may, if he think fit, contract with the Passengers engaging Passages therein, that they shall respectively provide themselves with necessary Food (not including Water) for the Voyage ; and in such Case the Regulations of this Act respecting the Issue of Provisions by the Master shall not be applicable to such Passengers on such Voyage.

XLVI. Provided also, and be it enacted, That it shall be lawful for the Governor or Officer administering the Government of any *British Colony* (other than the *West Indies*) to which this Act, as respects the Carriage of Passengers by Sea therefrom, has been hereby extended, or shall hereafter be extended by Proclamation, as herein-before is mentioned, by the same, or by any subsequent Proclamation to be by him issued for that Purpose, to declare that the Enactment herein-before contained respecting Voyages from the *West Indies* of shorter Duration than Three Weeks shall extend and apply to Voyages from the Colony in respect of which such Proclamation shall be issued, such Voyage being of less Duration, so computed as aforesaid, than Three Weeks, but not of less Duration, so computed as aforesaid, than Three Days ; and thereupon such Enactment shall extend and apply to such Voyage accordingly.

Power to Governors of other Colonies to adopt the same Extension of the Act to Voyages shorter than Three Weeks.

XLVII. And be it enacted, That nothing in this Act contained extends or shall be construed to extend to prevent the Enactment by the respective Governors, Councils, and Assemblies, or other local Legislatures, in the *British West Indies* and *South America*, and in the *Bahama Islands*, and in *Bermuda*, or by Her Majesty, with the Advice of Her Privy Council, of any such Acts of General Assembly, or Ordinances, or Orders in Council, as may be requisite for making and establishing such several Rules and Regulations as are required by this Act, or any of them, or for carrying the same into full and complete Effect : Provided nevertheless, that it shall not be lawful for any such Governor, Council, and Assembly, or for any such local Legislature, or for Her Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any Enactment, Provision, Rule, or Order which shall be in anywise repugnant or contradictory to this Act or any Part thereof, but that every such Enactment, Regulation, Provision, Rule, or Order shall be and is hereby declared to be absolutely null and void and of no Effect.

This Act not to prevent the Enactment by Colonial Assemblies, or by Her Majesty in Council, of Laws necessary for establishing the Rules and Regulations required by said recited Act and this Act.

XLVIII. Provided always, and be it enacted, That nothing herein-before contained shall be construed to 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 any thing herein-before contained affect or be construed to affect the Powers now vested in the Governor General of *India* in Council to

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

certain Ex-
ceptions, in
India.

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 is hereby enacted, that 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, with such Exceptions as are herein-before mentioned, 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 Voyages, of other equivalent 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 confer the Powers herein-before conferred upon Government Emigration Agents, and Collectors and Comptrollers of the Customs, with respect to ascertaining and deciding on the Seaworthiness of a Ship, upon such Officers of the *East India* Company as the said Governor General in Council may think proper; and from and after the passing of such Act or Acts, and whilst the same shall remain in force, this Act shall, with such Exceptions as are herein-before made as respects Voyages from the Colonies, apply to and extend to the Carriage of Passengers upon such Voyages as in the said Act or Acts shall be specified; which Acts shall nevertheless be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, and 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.

Mode of
proceeding
for Recovery
of Penalties
in India to
be regulated
by the Go-
vernor in
Council.

XLIX. And be it enacted, That 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 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.

Act to ex-
tend to Fo-
reign Ves-
sels.

L. And be it enacted, That the Provisions, Regulations, Penalties, and Forfeitures set forth in this Act shall extend and be deemed to extend to Foreign Vessels carrying Passengers upon any Voyage from any Port or Place in the United Kingdom, or in the herein-before mentioned Islands, to or for any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, or upon any other Voyage to which the Provisions of this Act shall for the Time being extend.

Act not to
extend to
Cabin Pas-
sengers.

LI. And be it enacted, That wherever the Term "Passage" or "Passenger" is used in this Act, it shall be held not to include or extend to the Class of Passages or Passengers commonly known and understood by the Name of Cabin Passages and Cabin Passengers.

LII. And

LII. And be it enacted, That in the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, every Word importing the Singular Number or the Masculine Gender only shall be understood to include and shall be applied to several Persons, Matters, or Things, as well as One Person, Matter, or Thing, and Females as well as Males respectively. Interpretation of Act.

LIII. And be it enacted, That in all Proceedings it shall be sufficient to cite this Act by the Title of "The Passengers Act." Title of the Act.

LIV. And be it enacted, That this Act shall commence on the First Day of *October* One thousand eight hundred and forty-two, and not sooner. Commencement of Act.

SCHEDULE (B.) referred to in the 19th Section of this Act.

PASSENGERS CONTRACT TICKET.

N. B.—Any one receiving Money from or in respect of any Passenger about leaving the United Kingdom for any Place in North America, without using this Form, and correctly filling up the Blanks therein, and signing it with his Name in full, will be liable to a Penalty not exceeding £10 for each such Passenger.

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 _____ in the Ship _____ with not less than Ten Cubic Feet for Luggage for each Statute Adult, for the Sum of £ _____ including 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 Payment.

Water and Provisions according to the annexed Scale will be supplied by the Ship, as required by Law, and also Fires and suitable Hearths for cooking.

Utensils for eating and drinking will be provided by _____.*

Bedding will be provided by _____.*

Signature _____

Date _____

{ N. B.—If signed by a Broker or Agent, state on whose Behalf.

* Fill up these Blanks by stating, in each Case, whether the Articles are to be supplied by the Ship or by the Passenger.

[At End of this Contract insert the Victualling Scale, which must in no Case be less than required under the Provisions of the Passengers Act.]

Deposit £ _____

Balance £ _____ to be paid at _____

Total £ _____

SCHEDULE (C.) referred to in the 20th Section of this Act.

FORM of PASSENGER BROKER'S LICENCE.

* The Names in full, with the Additions and Address 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
 Quarter Sessions assembled, That he hath duly given Notice to Her Majesty's
 Petty Colonial Land and Emigration Commissioners of his Intention to make Applica-
 tion 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, and having had no sufficient Cause shown to us 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 Passenger Broker or Passage Dealer
 as aforesaid, until the 31st Day of December in the Year following the present
 Year, unless this Licence shall be sooner determined by Forfeiture for Miscon-
 duct 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 (D.) referred to in the 20th Section of this Act.

FORM of NOTICE to be given by Passage Broker to Her Majesty's Colonial Land and Emigration Commissioners.

N. B.—The Names in full, with the Additions and Address of the Party, must be here correctly inserted.

N. B.—Name the Place or District in which the Party giving the Notice resides.

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

Signature _____
 Date _____

To Her Majesty's Colonial Land and }
 Emigration Commissioners. }

SCHEDULE (E.) referred to in the 21st Section of this Act.

FORM of NOTICE to be given to Her Majesty's Colonial Land and Emigration Commissioners of Forfeiture of Passage Broker's 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,

The Names in full, with the Additions and Address of the Party, to be here inserted.

Here state the Reason of Forfeiture:

Signatures _____

Date _____

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

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1842.

