

ANNO SEPTIMO

GEORGII IV. REGIS.

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CAP. LIV.

An Act for the Registration of Aliens.

[26th *May* 1826.]

WHEREAS in the Fifty-sixth Year of the Reign of His late Majesty an Act was passed, intituled *An Act for establishing Regulations respecting Aliens arriving in or resident in this Kingdom, in certain Cases, for Two Years from the passing of this Act, and until the End of the Session of Parliament in which the said Two Years shall expire, if Parliament shall be then sitting;* which Act has by several subsequent Acts been continued, and will expire in the Course of the present Year: And whereas it is expedient that in lieu of the Regulations of the said Act Provision should be made for a complete Registration of all Aliens in this Realm; 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 every Alien who shall at the Commencement of this Act be in this Realm, shall on the same Day, or within Fourteen Days thereafter, make a Declaration in Writing of his or her Place of Abode, Names, Rank, Occupation, and Description; and if a Domestic Servant, then also the Place of Abode, Names, Rank, and Description of his or her Master or Mistress, and of the Country and Place from whence he or she came, or of which he or she is a Native, and of the Time when he or she last came from Foreign Parts into this Realm; and shall, within the said Fourteen Days, transmit such Declaration by the Post, if in *Great Britain*, to One of His

56 G. 3. c. 86.

Every Alien who shall be in the Realm at the Commencement of this Act shall make a Declaration of his Abode, Name, &c.; and transmit the same within 14

Days to the Alien Office in Great Britain, or to the Chief Secretary of Ireland.

His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary of the Lord Lieutenant or Chief Governor of *Ireland*; such Declaration being signed by the Party making it, if he or she be able to write, or otherwise being attested by a Magistrate of the Place, or by the officiating Minister of the Parish, or by One or more of the Churchwardens or Overseers of the Poor of the Parish or Township where such Alien shall be: Provided always, that One Declaration shall be sufficient for a Parent or Parents and any Number of Children, if made in manner aforesaid by the Father, or in case of his Death or Incapacity, by the Mother.

One Declaration sufficient for each Family.

Masters of Vessels arriving from Foreign Parts to declare what Aliens are on board or have landed;

II. And be it further enacted, That the Master of every Vessel which, after the Commencement of this Act, shall arrive in this Realm from Foreign Parts, shall immediately on his Arrival declare in Writing to the Chief Officer of the Customs at the Port of Arrival, whether there is, to the best of his Knowledge, any Alien on board his Vessel, and whether any Alien hath, to his Knowledge, landed therefrom at any Place within this Realm; and shall in his said Declaration specify the Number of Aliens (if any) on board his Vessel, or who have, to his Knowledge, landed therefrom, and their Names, Rank, Occupation, and Description, as far as he shall be informed thereof; and if the Master of any such Vessel shall refuse or neglect to make such Declaration, or shall make a false Declaration, he shall for every such Offence forfeit the Sum of Twenty Pounds, and the further Sum of Ten Pounds for each Alien who shall have been on board at the Time of the Arrival of such Vessel, or who shall have, to his Knowledge, landed therefrom, within this Realm, whom such Master shall wilfully have refused or neglected to declare; and in case such Master shall neglect or refuse forthwith to pay such Penalty, it shall be lawful for any Officer of the Customs, and he is hereby required to detain such Vessel until the same shall be paid: Provided always, that nothing herein-before contained shall extend to any Mariner whom the Master shall certify in Writing by him subscribed, to be actually employed in the Navigation of such Vessel during the Time that such Mariner shall remain so actually employed; which Certificate so subscribed every such Master is hereby required to give.

Penalty for Omission, or for false Declaration.

Not to extend to Foreign Mariners navigating the Vessel.

Alien on Arrival from Abroad to declare his Name, Description, &c. and deliver his Passport.

III. And be it further enacted, That every Alien who shall after the Commencement of this Act arrive in any Part of the United Kingdom from Foreign Parts, or pass from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, shall immediately after such Arrival or Passage deliver to the Chief Officer of the Customs at the Port of Debarkation any Passport which shall be in his or her Possession, and declare in Writing to such chief Officer, or verbally make to him, a Declaration to be by him reduced into Writing, of the Name of the Vessel in which he or she shall have arrived, and also of his or her Names, Rank, Occupation, and Description, and if a Domestic Servant, then also the Names, Rank, and Description of his or her Master or Mistress; and shall also in like Manner declare the Country and Place from whence he or she shall then have come, and the Place within this Realm to which he or she is

then going, and the Name and Place of Abode of the Person within this Realm (if any) to whom he or she is known, which Declaration shall be made in or reduced into such Form as shall be approved by One of His Majesty's Principal Secretaries of State; and if any such Alien coming into this Realm shall neglect or refuse to deliver up his or her Passport, he shall forfeit and pay the Sum of Five Pounds; and if he or she shall neglect or refuse to make such Declaration, or shall wilfully make any false Declaration, he or she shall be punished in the Manner herein-after mentioned.

Officer of Customs to register the Declaration, and deliver a Certificate to the Alien.

IV. And be it further enacted, That the Officer of the Customs to whom such Passport shall be delivered and Declaration made, shall immediately register such Declaration in a Book to be kept by him for that Purpose (in which Book Certificates shall be printed in Blank, and Counterparts thereof, in such Form as shall be approved by One of His Majesty's Principal Secretaries of State), and shall insert therein the several Particulars by this Act required in proper Columns, in both Parts thereof, excepting such Particulars as shall be inserted in the Column of Remarks, which shall be entered only in one of such Parts, and shall cut off one Part of such Certificate containing all the Particulars, excepting such as shall be contained in the Column of Remarks, and deliver the same to the Alien who shall have made such Declaration.

Officer of Customs to transmit Declaration, &c. to Alien Office.

V. And be it further enacted, That the Chief Officer of the Customs in every Port shall within Two Days transmit the Declaration of every Master of a Vessel, and every Passport, and a true Copy of every such Certificate, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*.

Alien, within One Week after Arrival, shall produce or transmit the Certificate to the Alien Office, and make Declaration where he intends to reside.

VI. And be it further enacted, That every Alien arriving in this Realm after the Commencement of this Act, shall, within One Week after his or her Arrival at the Place which shall be expressed in such Certificate as the Place to which he or she proposes to go, produce such Certificate, if such Place shall be in the City of *Westminster*, or within Five Miles thereof, at the Alien Office in *Westminster*, and shall declare in Writing at what Place he or she intends to reside; and if the Place expressed in the Certificate shall be out of the Limits aforesaid, shall make a Declaration in Writing at what Place he or she intends to reside, and transmit the same by the Post, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*; and if any such Alien shall neglect or refuse to produce such Certificate, or to make or transmit such Declaration as aforesaid, or shall wilfully make or transmit any false Declaration respecting any of the Particulars aforesaid, he or she shall be punished in the Manner herein-after mentioned.

Alien to declare Residence Half-yearly.

VII. And be it further enacted, That every Alien being in this Realm after the Commencement of this Act, shall, on the First Day of *January* and on the First Day of *July* in every Year, or within One Week after those respective Days, make a Declaration in Writing of

of his or her Place of Residence, and therein state at what Place he or she intends in future to reside, and shall within the same Week transmit such Declaration by the Post, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*, and if any Alien shall neglect or refuse to make or transmit such Declaration as last aforesaid, or shall wilfully make or transmit any false Declaration, he or she shall be punished in the Manner herein-after mentioned.

Secretary of State, &c. may require a more frequent Declaration.

VIII. And be it further enacted, That it shall be lawful for One of His Majesty's Principal Secretaries of State to require any Alien, being in *Great Britain*, and for the Chief Secretary for *Ireland* to require any Alien, being in *Ireland*, to make a Declaration of his or her actual Place of Residence, and of the Place at which he or she intends to reside in future, at shorter Intervals than such a Declaration is herein-before required, which Intervals may be either limited by Time, or made to depend on the Alien's Change of Residence, as to such Principal Secretary or Chief Secretary respectively shall seem meet; and such Requisition may be made either by a Warrant under the Hand and Seal of such Principal Secretary or Chief Secretary respectively, to be delivered to the Alien, or left at his or her last declared Place of Residence, or otherwise by a Notice to be published in the *London Gazette*, or in the *Dublin Gazette*, as the Case may be; and every Alien named in any such Warrant or Notice shall make and transmit such Declaration as often as he or she shall be required so to do by such Warrant or Notice; and if he or she shall neglect or refuse so to do, he or she shall be punished in the Manner herein-after mentioned.

Penalty on Alien for false Declarations, or neglecting to make the same.

IX. And be it further enacted, That if any Alien in any of the Cases aforesaid shall neglect to make such Declaration as is by this Act required, or to transmit the same, in the Cases in which he is required so to do, within the Time in that Behalf limited, or shall wilfully make or transmit any false Declaration, every Person so offending shall, upon Conviction thereof before Two Justices of the Peace, for every such Offence, either forfeit any Sum not exceeding Fifty Pounds, or be imprisoned for any Time not exceeding Six Months, at the Discretion of such Justices.

Certificate to be forwarded to the Alien, setting forth Place of Abode, &c.

X. And be it further enacted, That upon the Receipt at the Alien Office, or at the Office of the Chief Secretary for *Ireland*, of any Declaration, in any of the Cases aforesaid, such Clerk as shall be for that Purpose nominated by One of His Majesty's Principal Secretaries of State, or by the Chief Secretary for *Ireland* respectively, shall within Three Days make out, in such Form as shall be for that Purpose approved by One of His Majesty's Principal Secretaries of State, a Certificate, setting forth the Names, Rank, Occupation, and Description of the Alien, and his or her Place of Abode, and shall transmit the same by the Post to such Alien; and if any Alien shall, by his or her Default, not be possessed of such Certificate, or shall without any lawful Excuse reside in any other Place than that expressed in such Certificate, every such Alien shall for every such Offence

Penalty for not having Certificate, or residing elsewhere.

Offence forfeit the Sum of Twenty Pounds; and if any Alien, being required by any Justice of the Peace to produce such Certificate, shall refuse or neglect so to do, he or she shall be deemed not to be possessed of any Certificate.

Alien on Departure may have his Passport sent to the Port, and delivered to him on making Declaration.

XI. And be it further enacted, That where any Alien, about to depart from this Realm after the Commencement of this Act, shall be desirous of having Possession of the Passport by him or her delivered on his or her Debarkation, and shall notify by Letter to the Alien Office in *Westminster*, or to the Chief Secretary's Office in *Dublin*, the Port at which he or she intends to embark, the proper Clerk of those respective Offices shall forthwith transmit such Passport by the Post to the Chief Officer of the Customs of the Port so notified, to be by him delivered to such Alien, on his or her making the Declaration hereinafter next mentioned; and every such Alien shall, before his or her Embarkation, declare in Writing his or her Intention of departing, and shall deliver such Declaration to the Chief Officer of the Customs at the Port of Departure, who shall forthwith transmit the same, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*; and if any Alien shall neglect to make such Declaration, or to deliver the same to the Chief Officer of the Customs at the Port of Departure, he or she shall for every such Offence forfeit the Sum of Five Pounds.

Penalty for Neglect of Declaration.

New Certificates to be issued in lieu of such as are lost.

XII. And be it further enacted, That if any Certificate issued to any Alien by virtue of this Act shall be lost, mislaid, or destroyed, and such Alien shall produce to One of His Majesty's Justices of the Peace Proof thereof, and shall make it appear to the Satisfaction of such Justice that he or she hath duly conformed with this Act, it shall be lawful for such Justice, and he is hereby required, to testify the same under his Hand, and such Alien shall thereby be entitled to demand a fresh Certificate, which shall be of the like Force and Effect as the Certificate so lost, mislaid, or destroyed.

Certificate to be granted without Fee.

Penalty.

XIII. And be it further enacted, That all Certificates herein-before required to be given shall be given without any Fee or Reward whatsoever; and every Person who shall take any Fee or Reward of any Alien or other Person, for any Certificate, or any other Matter or Thing done under this Act, shall forfeit for every such Offence the Sum of Twenty Pounds; and every Officer of the Customs who shall refuse or neglect to make such Entry as aforesaid, or grant any Certificate thereon, in pursuance of the Provisions of this Act, or shall knowingly make any false Entry, or neglect to transmit the Copy thereof, or to transmit any Declaration of the Master of a Vessel, or any Declaration of Departure in manner directed by this Act, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for forging Certificates, &c.

XIV. And be it further enacted, That if any Person shall wilfully forge, counterfeit, or alter, or cause to be forged, counterfeited, or altered, or shall utter, knowing the same to be forged, counterfeited,

or altered, any Declaration or Certificate hereby directed, or shall obtain any such Certificate under any other Name or Description than the true Name and Description of the Alien intended to be named and described, without disclosing to the Person granting such Certificate the true Name and Description of such Alien, and the Reason for concealing the same, or shall falsely pretend to be the Person intended to be named and described in any such Certificate; every Person so offending shall, upon Conviction thereof before Two Justices, either forfeit any Sum not exceeding Fifty Pounds, or be imprisoned for any Time not exceeding Six Months, at the Discretion of such Justices.

Prosecution of Offences.

XV. And be it further enacted, That all Offences against this Act shall be prosecuted within Six Calendar Months after the Offence committed, except that of not making or delivering a Declaration of Departure, which shall be prosecuted within Six Calendar Months after the Offender's Return to this Realm; and all such Offences shall be prosecuted before Two or more Justices of the Peace of the Place where the Offence shall be committed, who are required, in default of Payment of any pecuniary Penalty, to commit the Offender to the common Gaol for any Time not exceeding Six Calendar Months, unless the Penalty shall be sooner paid, and forthwith to report to One of His Majesty's Principal Secretaries of State, or to the Chief Secretary for *Ireland*, as the Case may require, the Conviction of every Offender under this Act, and the Punishment to which he is adjudged; and no Writ of Certiorari, or of Advocation or Suspension, shall be allowed to remove the Proceedings of any Justices touching the Cases aforesaid, or to supersede or suspend Execution or other Proceeding thereupon.

Not to affect Foreign Ministers or their Servants;

nor Aliens who have been resident Seven Years, and obtained Certificate thereof, nor Alien under Fourteen Years.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall affect any Foreign Ambassador, or other public Minister duly authorized; nor any Domestic Servant of any such Foreign Ambassador or public Minister, registered as such according to Law, or being actually attendant upon such Ambassador or Minister; nor any Alien who shall have been continually residing within this Realm for Seven Years next before the passing of this Act, and obtained from the Alien Office a Certificate thereof; nor any Alien in respect of any Act done or omitted to be done, who shall be under the Age of Fourteen Years at the Time when such Act was so done or omitted to be done: Provided always, that if any Question shall arise whether any Person alleged to be an Alien, and to be subject to the Provisions of this Act, is an Alien or not, or is or is not subject to the said Provisions, or any of them, the Proof that such Person is, or by Law is to be deemed to be, a natural-born Subject of His Majesty, or a Denizen of this Kingdom, or a naturalized Subject, or that such Person, if an Alien, is not subject to the Provisions of this Act, or any of them, by reason of any Exception contained in this Act or otherwise, shall lie on the Person so alleged to be an Alien, and to be subject to the Provisions of this Act.

XVII. And be it further enacted, That this Act shall commence on the First Day of *July* in the Year One thousand eight hundred and twenty-six. Commencement of Act.

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