ANNO QUARTO

GEORGII IV. REGIS.

****

C A P. LXXX.

An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the *East India* Company, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as it relates to Vessels registered in *India*. [18th *July* 1823.]

WHEREAS an Act was passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing in the* East India *Company,* 53G.3.c.155. *for a further Term, the Possession of the* British *Territories in* India, *together with certain exclusive Privileges, for establishing further Regulations for the Government of the said Territories and the better Administration of Justice within the same, and for regulating the Trade to and from the Places within the Limits of the said Company's Charter:* And whereas by the said Act it was enacted, that it should be lawful for any of His Majesty's Subjects, in common with the said United Company, to export, in Ships navigated according to Law, from any Port or Ports within the United Kingdom of *Great Britain* and *Ireland,* to all Ports and Places within the Limits of the said Company's Charter, save and except the Dominions of the Emperor of *China,* any Goods, Wares, and Merchandize which could

then or might at any Time or Times thereafter be legally exported; and also, in common with the said Company, to import, in Ships navigated as aforesaid, from any Port or Ports within the Limits aforesaid, save and except as aforesaid, into the said United Kingdom, any Goods, Wares, and Merchandize, the Produce and Manufacture of any of the Countries within the said Limits, which could then or might at any Time or Times thereafter be legally imported; and in the said Act were contained several Provisoes, Restrictions, and Limitations for the Regulation of the Trade authorized by the said Act to be carried on by His Majesty's Subjects, and also for the Disposition in the United Kingdom of all Articles manufactured of Silk, Hair, or Cotton Wool, or any Mixture thereof, imported under the Authority of the said Act, from any Port or Place within the Limits of the said Company's Charter; and it was by the said Act enacted, that it should and might be lawful for any Ship or Vessel fitted and clearing out conformably to an Act passed in the Thirty-
35 G. 3. c. 92. fifth Year of His said late Majesty's Reign, intituled *An Act for the further encouraging and regulating the Southern Whale Fisheries*, to sail and pass, for the Purpose aforesaid, in all the Seas to the Eastward of the *Cape of Good Hope*, and in all the Seas to the Westward of the *Streights of Magellan*, subject to several Provisoes in the said Act contained; and it was also enacted by the said Act, that nothing therein contained should extend or be construed to extend to prevent the making, during the further Term thereby granted to the said Company, such further Provisions, by Authority of Parliament, as might from Time to Time be deemed necessary for enabling His Majesty's Subjects to carry on Trade and Traffic, directly or circuitously, as well between all Ports and Places situate without the Limits of the said Company's Charter, and all Ports and Places (except the Dominions of the Emperor of *China*) situate within those Limits, as between the said United Kingdom and all the last-mentioned Ports and Places, except as aforesaid, but without Prejudice to any of the Restrictions or Provisions therein contained, as to the Resort to and Residence of any Persons in the *East Indies* and Ports aforesaid: And whereas an Act was passed in the Fifty-fourth
54 G. 3. c. 34. Year of His said late Majesty's Reign, intituled *An Act for the further Regulation of the Trade to and from the Places within the Limits of the Charter of the* East India *Company*: And another Act was passed in
55 G. 3. c. 116. the Fifty-fifth Year of His said late Majesty's Reign, intituled *An Act to make further Regulations for the Registry of Ships built in* India: And whereas another Act was passed in the Fifty-seventh Year of His
57 G. 3. c. 36. late Majesty's Reign, intituled *An Act to regulate the Trade to and from the Places within the Limits of the Charter of the* East India *Company, and certain Possessions of His Majesty in the* Mediterranean: And whereas another Act was passed in the Second Year of the
1 & 2 G. 4. c. 65. Reign of His present Majesty, intituled *An Act for the further Regulation of Trade to and from Places within the Limits of the Charter of the* East India *Company* (*except the Dominions of the Emperor of* China), *and Ports or Places beyond the Limits of the said Charter, belonging to any State or Country in Amity with His Majesty*; by which several Acts Provision has been made for enabling, as well His Majesty's Subjects generally as the said United Company, to carry on Trade and Traffic, directly and circuitously, under certain Restrictions,

Restrictions, with the *East Indies* and other Places within the Limits of the said Company's Charter: And whereas an Act was passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act to permit Vessels under a certain Tonnage to trade between the United Kingdom and* New South Wales: And whereas it is expedient to repeal some, and to comprise in One Act of Parliament others of the herein-before recited Provisions of the said Act of the Fifty-third Year of His said late Majesty's Reign, and all the Provisions of the said Acts of the Fifty-fourth, Fifty-fifth, Fifty-seventh, and Fifty-ninth Years of His said late Majesty's Reign, and of the said Act of the Second Year of the Reign of His present Majesty, and to make further Provision for the Trade and Traffic of the said Company, and of His Majesty's Subjects generally, from, to, and between the Ports and Places within the Limits of the said Company's Charter, and all Countries belonging to His Majesty, or at Amity with him; 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 so much of the said Act of the Fifty-third Year of His said late Majesty's Reign, as authorizes His Majesty's Subjects to carry on Trade and Traffic to and from the Ports and Places within the Limits of the said Company's Charter, with all the Provisions, Restrictions, and Limitations in the same Act contained, for the Regulation of such Trade, and for the Disposition in the United Kingdom of all Articles manufactured of Silk, Hair, or Cotton Wool, or any Mixture thereof, imported under the Authority of the said last-mentioned Act from any Port or Place within the Limits of the said Company's Charter; and that the Whole of the said Acts, passed in the Fifty-fourth, Fifty-fifth, Fifty-seventh, and Fifty-ninth Years of the Reign of His said late Majesty, and the said Act passed in the Second Year of the Reign of His present Majesty, be and the same are hereby repealed, except as to such Voyages and Adventures as shall have been actually commenced under the Authority of the same Acts, or any of them; and except as to any Suits or Actions which may have been commenced and are now depending relative to the Provisions hereby repealed, or any of them.

59G.3. c.122.

So much of 53G.3. c.155. as authorizes the carrying on Trade within the Limits of the Company's Charter, &c., and all the other recited Acts repealed.

II. And be it further enacted, That it shall be lawful for any of His Majesty's Subjects, in Ships or Vessels registered and navigated according to Law, to carry on Trade and Traffic in any Goods, Wares, or Merchandize, except Tea, as well directly as circuitously, between all Ports and Places belonging either to His Majesty, or to any Prince, State, or Country at Amity with His Majesty, and all Ports and Places whatsoever situate within the Limits of the Charter of the Company, except the Dominions of the Emperor of *China;* and also from Port to Port and from Place to Place within the same Limits, except the said Dominions of the Emperor of *China*, under such Rules and Restrictions as are herein-after mentioned; any thing in any Act or Acts of Parliament, or in any Charter of the said Company, to the contrary notwithstanding.

Trade may be carried on in British Vessels with all Places, except China, within East India Company's Charter.

III. And

Company may carry on any Trade which His Majesty's other Subjects may carry on.

III. And be it further enacted, That it shall and may be lawful for the said United Company to carry on any Trade and Traffic which His Majesty's other Subjects may carry on under the Authority of this Act; any thing in any Charter of the said Company, or in any Act or Acts of Parliament to the contrary notwithstanding.

Act not to permit Trade without the Limits of the Company's Charter, which cannot now legally be carried on.

IV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to permit the Importation into the United Kingdom, or into any Colony or Possession of His Majesty without the Limits of the Charter of the *East India* Company, of any Goods, Wares, and Merchandize, the Produce of Countries without such Limits, which cannot now be legally imported from such Countries respectively into the United Kingdom, or into such Colonies or Possessions of His Majesty, nor to permit the Exportation from the United Kingdom, or from such Colonies or Possessions, to any Countries without such Limits, of any Goods, Wares, or Merchandize, which cannot now be legally carried from the United Kingdom, or from such Colonies or Possessions to such Countries.

Military Stores not to be carried without a special Licence.

V. Provided also, and be it further enacted, That it shall not be lawful for any Person or Persons to carry any Military Stores to any Place upon the Continent of *Asia*, between the River *Indus* and the Town of *Malacca* on the Peninsula of *Malacca* inclusive, or to the said Company's Factory of *Bencoolen*, in the Island of *Sumatra*, or its Dependencies, save only the said United Company, or such as shall obtain their special Leave and Licence in Writing, or a special Leave and Licence in Writing under their Authority for that Purpose.

Vessels not to proceed to any Port between the Indus and Malacca, until admitted to Entry at one of the principal Settlements in India.

VI. Provided also, and be it further enacted, That it shall not be lawful for any Ship or Vessel, other than a Ship or Vessel of the said Company, to proceed from any Port or Place without the Limits of the said Company's Charter, to any Port or Place on the Continent of *Asia*, between the River *Indus* and the Town of *Malacca* inclusive, other than the said Company's principal Settlements of *Fort William*, *Fort Saint George*, *Bombay*, and *Prince of Wales Island*, until after such Ship or Vessel shall have been admitted to Entry at some one of the said Four principal Settlements, without a special Licence in Writing from the Court of Directors of the said United Company; any thing herein-before contained to the contrary notwithstanding.

If Court of Directors do not comply with Application for Leave to go to minor Ports, the same shall be referred to Commissioners for Affairs of India.

VII. Provided also, and be it further enacted, That when and as often as any Application shall be made to the said Court of Directors for a Licence, specially authorizing any Ship or Vessel to proceed to any Place or Places upon the Continent of *Asia*, from the River *Indus* to the said Town of *Malacca* inclusive, other than the said Four principal Settlements, the said Court of Directors shall, within Fourteen Days from the Receipt thereof, unless they shall think fit to comply therewith, transmit the same to the Board of Commissioners for the Affairs of *India*, together with any Representation

sentation which the said Court may think proper to make upon the Subject of such Application; and in case the said Board of Commissioners shall think fit to direct the said Court of Directors to issue such Licence, the said Court of Directors shall and they are hereby required forthwith to issue the same, upon such Terms and Conditions as the said Board of Commissioners shall from Time to Time think fit: Provided always, that in all Cases in which the said Board of Commissioners shall direct the said Court of Directors to issue any such Licence, which they shall have declined to issue without such Direction, the special Circumstances inducing them to give such Directions shall be recorded in the Books of the said Board.

Additional Ports or Places between the Indus and Town of Malacca, &c. may be considered as principal Settlements of the said Company for this Act.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Court of Directors of the *East India* Company, with the Consent and Approbation of the Commissioners for the Affairs of *India*, to declare that any other Port or Place, or Ports or Places on the Continent of *India*, between the *Indus* and the Town of *Malacca*, or in any Island in the *East Indian* Seas, under the Government of the said Company or of His Majesty, shall be considered, for the Purposes of this Act only, as one of the principal Settlements of the said Company, and such Port or Place, or Ports or Places shall be so considered accordingly.

Act not to permit Trade with China, or in Tea.

IX. Provided also, and be it further enacted, That nothing herein contained shall authorize any of His Majesty's Subjects, other than the said Company, or Persons properly licensed by them, to carry on Trade or Traffic with the Dominions of the Emperor of *China*, or to export or import from or to any Ports or Places within or without the Limits of the said Company's Charter, any Tea, or in any Manner to trade or traffic in Tea.

Goods only to be imported into Ports having Warehouses or Docks.

X. Provided also, and be it enacted, That it shall not be lawful to import any Goods, Wares, or Merchandize from any Port or Place within the Limits aforesaid, into any Port of the United Kingdom, except only such as shall be provided with Warehouses, together with wet Docks or Basins, or such other Securities as shall in the Judgment of the said Commissioners of the Treasury for the Time being, or any Three or more of them, in *Great Britain* and *Ireland* respectively, be fit and proper for the Deposit and safe Custody of all such Goods, Wares, and Merchandize, as well as for the Collection of all Duties payable thereon, and shall have been duly declared so to be, by the Order of His Majesty in Council in *Great Britain*, or by Order of the Lord Lieutenant in Council in *Ireland*: Provided always, that Copies of all such Orders in Council, to be issued as aforesaid, shall have been published Three Times at least in the *London* or *Dublin Gazette*, as the Case may be; and Copies of all such Orders shall be laid before both Houses of Parliament in the Session next after the issuing of the same respectively.

List of Persons and Arms on board to be delivered to the Collector, &c.

XI. Provided also, and be it further enacted, That it shall not be lawful for any Ship or Vessel engaged in Trade under the Authority of this Act, other than the Ships of the said United Company, to clear out from any Port or Place belonging to His Majesty, or to any

Prince, State, or Country in Amity with His Majesty, where any Consul or Vice Consul of His Majesty shall be resident, for any Port or Place under the Government of His Majesty or of the said Company, situate more to the Northward than Eleven Degrees of South Latitude, and between the Sixty-fourth and the One hundred and fiftieth Degrees of East Longitude from *London*, until the Master or other Person having the Command of such Ship or Vessel shall have made out and exhibited to the Collector of the Customs, or other Person duly appointed, or to His Majesty's Consul or Vice Consul resident at such Port or Place of Clearance (as the Case may be), a true and perfect List in such Form as has been settled in virtue of former Acts, or shall from Time to Time be settled by the Court of Directors of the said Company, with the Approbation of the Board of Commissioners for the Affairs of *India*, specifying and setting forth the Names, Capacities and Descriptions of all Persons embarked or intended to be embarked on board such Ship or Vessel, and all Arms on board or intended to be put on board the same; and when and as soon as any such Vessel shall have been admitted to Entry at any such Port or Place within the Limits aforesaid, the Master and other Person having the Command of such Ship or Vessel, shall in like manner make out and exhibit to the principal Officer of the Customs or other Person thereunto authorized, a true and perfect List, in Form to be settled as aforesaid, specifying the Names, Capacities and Descriptions of all Persons on board, or who shall have been on board such Ship or Vessel from the Time of the sailing thereof to the Time of Arrival, and of all Arms on board, or which shall during that Time have been on board such Ship or Vessel, and the several Times and Places at which such of the said Persons as may have died or left such Ship or Vessel, or such of the said Arms as may have been disposed of, have been disposed of.

Ships engaged in Southern Whale Fisheries to be subject to Restrictions of this Act only.

XII. And be it further enacted, That so much of the said Act of the Fifty-third Year of His said late Majesty's Reign, and so much of an Act passed in the Thirty-eighth Year of His said late Majesty's Reign, intituled *An Act for the further encouraging the Southern Whale Fisheries;* and an Act passed in the Forty second Year of His said late Majesty's Reign, intituled *An Act for continuing the Premiums allowed to Ships employed in and for enlarging the Limits of the Southern Whale Fisheries;* and an Act passed in the Forty-third Year of His said late Majesty's Reign, intituled *An Act for enlarging the Limits of the Southern Whale Fishery;* and an Act passed in the Fifty-first Year of His said late Majesty's Reign, intituled *An Act for continuing the Premiums allowed to Ships employed in the Southern Whale Fishery*, or any other Act or Acts as regulates the Limits within which Ships or Vessels fitting and clearing out conformably to the said Act of the Thirty-fifth Year of His said late Majesty's Reign, for encouraging and regulating the Southern Whale Fisheries, may sail and pass, shall be and the same are hereby repealed; but Ships and Vessels clearing out conformably to the said Act of the Thirty-fifth Year of His said late Majesty's Reign, shall be subject to such and the same Restrictions as the Ships and Vessels of His Majesty's Subjects generally engaged in Trade under the Authority of this Act are hereby made subject to.

38 G. 3. c. 57.
42 G. 3. c. 18.
43 G. 3. c 90.
51 G. 3. c. 34.

XIII. And

Goods imported into Malta or Gibraltar may be re-exported.

XIII. And be it further enacted, That all Goods and Commodities imported under the Authority of this Act into the Island of *Malta* or its Dependencies, or into the Port of *Gibraltar*, from any Ports or Places within the Limits of the said Company's Charter, may be re-exported from the said Island, Port, or Places to the United Kingdom, and imported into any of the Ports where such Goods and Commodities may be lawfully imported, in like manner and subject to all such Regulations and Provisions, as if such Goods and Commodities were imported directly from the Place of their Growth, Production, or Manufacture; any thing in an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for the Encouragement of Navigation and Commerce, by regulating the Importation of Goods and Merchandize, so far as relates to the Countries or Places from whence and the Ships in which such Importation shall be made*, or in any other Act to the contrary notwithstanding. 3 G. 4. c. 43.

Duties of Customs to be paid on Importation of Goods into America and the West Indies.

XIV. And be it further enacted, That from and after the passing of this Act there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, upon the Importation of any Goods, Wares, and Merchandize, the Produce or Manufacture of any Country within the Limits of the said Company's Charter, into His Majesty's Possessions in *America* and the *West Indies*, from any Port or Place, not being a Port or Place in the United Kingdom, the same Duties which are payable on such Goods, Wares, and Merchandize respectively, if imported into such Possessions from the United Kingdom; and the same shall be raised, levied, collected, paid, and received under the Management of the Commissioners of the Customs in *England*, and shall be applied and appropriated in such and the like Manner and Form, and by such and the like Rules, Ways, Means, and Methods respectively, and under such Penalties and Forfeitures, as the Duties authorized by an Act passed in the last Session of Parliament, intituled *An Act to regulate the Trade between His Majesty's Possessions in* America *and the* West Indies, *and other Parts of the World*, are or may be raised, levied, collected, paid, recovered, applied, and appropriated. 3 G. 4. c. 45.

Not to affect Powers vested in His Majesty, with regard to the Cape of Good Hope and the Mauritius. 1 G. 4. c. 11.

Not to affect certain Acts.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall in anywise affect the Power vested in His Majesty in Council, by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to continue, until the Fifth Day of* July *One thousand eight hundred and twenty-five, an Act of the Fifty-seventh Year of His late Majesty, for regulating the Trade and Commerce to and from the* Cape of Good Hope, *and for regulating the Trade of the Island of* Mauritius: And that nothing hereinbefore contained shall extend or be construed to extend to affect the Regulations, Restrictions, and Provisions contained in an Act passed in the Fifty-fourth Year of His said late Majesty's Reign, intituled *An Act to repeal the Duties of Customs payable on Goods, Wares, and Merchandize imported into* Great Britain *from any Port or Place within the Limits of the Charter granted to the United Company of Merchants of* England *trading to the* East Indies, *and to grant other Duties in lieu thereof; and to establish further Regulations for the better Security of the Revenue on Goods so imported; and to alter the Periods* 54 G. 3. c. 36.

Periods of making up and presenting certain Accounts of the said Company to Parliament; to continue in force until the Tenth Day of April *One thousand eight hundred and nineteen;* or in an Act passed in the 54 G.3.c.103. Fifty-fourth Year of His said late Majesty's Reign, intituled *An Act to grant, until the Tenth Day of* April *One thousand eight hundred and nineteen, certain Duties on Goods, Wares, and Merchandize imported into* Ireland *from any Port or Place within the Limits of the Charter granted to the United Company of Merchants of* England *trading to the* East Indies, *and establish further Regulations for the better Security of the Revenue on Goods so imported;* or in another Act, passed in the Fifty-fifth Year of His said late Majesty's Reign, intituled 55 G.3. c.10. *An Act to make further Provision respecting the Duties payable upon* East India *Goods, and to allow Bond to be given for Payment of such Duties upon such Goods when imported by private Traders;* or in another Act, passed in the Fifty-ninth Year of the Reign of His 59 G.3. c.33. said late Majesty, intituled *An Act to continue, until the First Day of* July *One thousand eight hundred and twenty-one, several Acts of the Fifty-fourth and Fifty-fifth Years of His present Majesty, respecting the Duties of Customs payable on Merchandize imported into* Great Britain *from any Place within the Limits of the Charter granted to the United Company of Merchants of* England *trading to the* East Indies; or in another Act, passed in the Fifty-ninth Year of the Reign 59 G.3. c.52. of His said late Majesty, intituled *An Act to repeal the several Duties of Customs chargeable in* Great Britain, *and to grant other Duties in lieu thereof;* or in another Act passed in the First and 1 & 2 G. 4. c. 106. Second Years of the Reign of His present Majesty, intituled *An Act to continue, until the First Day of* July *One thousand eight hundred and twenty-four, several Acts of His late Majesty respecting the Duties of Customs payable on Merchandize imported into* Great Britain *and* Ireland *from any Place within the Limits of the* East India *Company's Charter, and to increase the Duties payable on the Importation of Sugar from the* East Indies, *until the Twenty-fifth Day of* March *One thousand eight hundred and twenty-three in* Great Britain, *and until the First Day of* July *One thousand eight hundred and twenty-four in* Ireland.

Not to repeal Provisions of 53 G.3.c.155. as to Resort of Persons to India.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal any of the Provisions of the said first recited Act of the Fifty-third Year of His said late Majesty's Reign, concerning the Resort of Persons to the *East Indies*, or other Places within the Limits of the Company's Charter, or to permit any Persons engaged in Trade under the Authority of this Act to reside at any Place on the Continent of *Asia* between the River *Indus* and the Town of *Malacca*, or at the said Company's Factory of *Bencoolen* or its Dependencies, without Permission duly obtained, in Conformity to the Provisions of the said Act, of the said Company.

Not to affect Provisions for preventing clandestine Trade.

XVII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to repeal or affect any of the Powers, Provisions, Clauses, Matters, or Things contained in an Act of the said Parliament of *Great Britain*, passed in the Thirty-third Year of His said late Ma-

jesty's Reign, intituled *An Act for continuing in the* East India *Company for a further Term the Possession of the* English *Territories in* India, *together with their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provision for the good Order and Government of the Towns of* Calcutta, Madras, *and* Bombay; or in an Act of the Parliament of *Ireland*, passed in the said Thirty-third Year of His said late Majesty's Reign, intituled *An Act for regulating the Trade of* Ireland *to and from the* East Indies, *under certain Conditions and Provisions, for a Time therein mentioned*; for the Purpose of restraining clandestine and illicit Trade into and from the *East Indies* and Parts within the Limits of the said Company's Charter; or in the said Act of the Fifty-third Year of His said late Majesty's Reign relative to such clandestine and illicit Trade; but that the same shall be deemed to be and continue in force, and to apply to all Ships and Vessels of His Majesty's Subjects, other than the Ships of the said Company, sailing or being found within the Limits of the said Company's Charter, and not having complied with the Directions of this Act, and to all and every Persons and Person who shall be found on board the same, or shall have been conveyed on board the same into any Place within the said Limits, and also to all and every Person and Persons who shall be found at any Place on the Continent of *Asia* between the River *Indus* and the Town of *Malacca*, or at the said Company's Factory of *Bencoolen* or its Dependencies, or at any Place within the Dominions of the Emperor of *China*, contrary to the true Intent and Meaning of the said Act of the Fifty-third Year of His said late Majesty's Reign, or of this Act. 33 G. 3. c. 52. 33 G. 3. (I.)

Punishing Commanders of Vessels unlawfully taking Persons on board or giving false Lists of Passengers.

XVIII. And be it further enacted, That if any Commander or other Officer of any Ship or Vessel engaged in Trade under the Authority of this Act, shall knowingly and wilfully take on board, or connive at the taking on board any Person or Persons, or exhibit any false or incomplete List of the Persons embarked or intended to be embarked on board of his Vessel, contrary to the true Intent and Meaning of the said Act of the Fifty-third Year of His said late Majesty's Reign, or of this Act, every such Commander or Officer who shall offend therein, shall incur and forfeit for every Offence One hundred Pounds, to be recovered in such and the same Manner as the Penalties imposed by the said Acts of the Fifty-third Year of His said late Majesty's Reign, or either of them, are thereby made recoverable; One Half Part of which Penalty shall belong to such Person or Persons as shall inform or sue for the same, and the other Half Part to the said United Company; and if the said United Company shall inform or sue for the same, then the whole of the said Penalty shall belong to the said Company.

Ships registered in India pursuant to 4 G. 4. c. 41. to have Privileges

XIX. And whereas by an Act passed in the present Session of Parliament, intituled *An Act for the registering of Vessels*, Provision is made for registering Ships and Vessels in Territories, Countries, Islands, and Places under the Government of the *East India* Company;

to which other Vessels are entitled by that Act.

pany; be it further enacted, That all Ships and Vessels so registered shall have all the Rights and Privileges of Trade which Ships and Vessels registered in any other Possession of His Majesty have by virtue of the said Act or of any other Law in that Behalf, and shall be subject to such and the like Regulations and Provisions as such Ships and Vessels registered in other Possessions of His Majesty are subject to, and to none other, save as herein-after provided with respect to the Crews of such Ships and Vessels.

Lascars and Natives of India not to be British Mariners within the Meaning of 34 G. 3. c. 68.

XX. Provided always, and be it further enacted, That no *Asiatic* Sailors, Lascars, or Natives of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the *East India* Company, although born in Territories, Countries, Islands, or Places under the Government of His Majesty, or of the *East India* Company, shall at any Time be deemed or taken to be *British* Sailors, Seamen, or Mariners, within the Intent and Meaning of an Act passed in the Thirty-fourth Year of the Reign of His late Majesty, intituled *An Act for the further Encouragement of* British *Mariners, and for other Purposes therein mentioned*, or of any other Act or Acts of Parliament relating to the Navigation of *British* Ships by Subjects of His Majesty, for the Purpose of entitling any Ship or Vessel to be deemed to be a *British* Ship navigated according to Law, and to have the Privileges and Advantages of *British* Ships having the Master and Three-fourths of the Mariners *British* Subjects, any thing in the said recited Act of the Thirty-fourth Year aforesaid, or in any other Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding: Provided also, that it shall be lawful for His Majesty, by His Royal Proclamation, upon or after the Commencement of any Hostilities, to permit all Merchant Ships or any other trading Vessels, and all Privateers, to be manned wholly, or in any such Proportions as shall be specified in any such Proclamation, with such *Asiatic* Sailors, Lascars, or Natives aforesaid, for and during such Periods as shall be specified in any such Proclamation as aforesaid.

A Proportion of British Seamen to the Tonnage of any Ship sufficient.

XXI. And whereas Lascars and other Natives of the East are not deemed to be equal in Strength and Use to *European* or other Seamen, and the requiring the Proportion of Three-fourths of *British* Seamen in Ships having as Part of the Crew Lascars and Natives of the East, would compel such Ships to carry a larger Number of *British* Seamen than other Ships, or to employ a smaller Number of Lascars and Natives of the East than would be sufficient to make a proper Crew; be it therefore enacted, That any Ship or Vessel duly registered, manned in Part with Lascars or Natives of *India*, which shall be commanded by a *British* Master, and navigated by Four *British* Seamen, as Part of the Crew, for every Hundred Tons of her registered Burthen, and so in proportion for any Part of a Hundred Tons, shall be deemed, construed, and taken to be navigated according to Law as to the Crew of any such Ship or Vessel, although the Number of such *British* Seamen shall not be equal to the Proportion of Three-fourths of the whole Crew of such Ship or Vessel; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

XXII. And

In Cases where in India a sufficient Number of British Seamen cannot be obtained, Governors may license the Ship to sail.

XXII. And whereas it may not always be possible to procure the due Proportion of *British* Seamen at Ports in *India*, for Vessels sailing from *India*; be it therefore enacted, That it shall be lawful for any of the Governments of the *East India* Company in *India*, or for any Governor or Lieutenant Governor of any Colony, Territory, or Island belonging to His Majesty, within the Limits of the said Charter, and they and he are hereby required, on Application made by the Owner or Commander of any Ship or Vessel, and after having ascertained by due Inquiry that a sufficient Number of *British* Seamen cannot be procured for the Crew of any Ship or Vessel sailing from *India*, within Ten Days from such Application, to certify the same, and license such Ship or Vessel to sail and carry on her Voyage with a less Proportion of *British* Seamen than required by Law; and every such Ship, having on board such Licence, and the Proportion of *British* Seamen therein specified, shall be deemed to be navigated according to Law, notwithstanding such Deficiency of *British* Seamen.

Act not to require British Seamen on board Vessels employed in Trade between Port and Port.

XXIII. Provided always, and be it further enacted, That nothing in this Act, or in any other Act or Acts of Parliament contained, shall extend or be construed to extend to require any Number of *British* Seamen to be on board as Part of the Crew or Mariners of any Ship or Vessel employed in Trade only between Ports and Places within the Limits of the Charter of the said Company, including the *Cape of Good Hope*.

54 G. 3. c. 134. repealed so far as relates to Asiatic Sailors, &c. except as to the Recovery of Money due on Bonds.

XXIV. And be it further enacted, That from and after the First Day of *June* One thousand eight hundred and twenty-four, all the Provisions contained in an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to continue until the First Day of* January *One thousand eight hundred and sixteen, and to amend several Acts for altering Importations from and Exportations to the Places within the Limits of the Charter of the* East India *Company, in Ships not of* British-*built, and for the better Maintenance and Care of Lascars and other* Asiatic *Seamen arriving in this Kingdom*, relative to *Asiatic* Sailors, Lascars, or Natives of any Territories, Countries, or Places within the Limits of the Charter of the said United Company, shall be and are hereby repealed; save and except as to the Recovery of any Sum or Sums of Money which have become or may become due on any Bond or Bonds which may have been or ought to have been entered into before the said First Day of *June* One thousand eight hundred and twenty-four, or of any Sum or Sums of Money which have otherwise become or may become due by virtue of the said Act, before the said First Day of *June* One thousand eight hundred and twenty-four, all which Sums of Money shall and may be recovered in the same Manner as if this Act had not been passed; any thing herein contained to the contrary notwithstanding.

Governor of Fort William to make Rules, &c. with respect to Masters,

XXV. And be it further enacted, That it shall and may be lawful to and for the Governor General of *Fort William* in *Bengal*, in Council, and he is hereby required, as soon as may be, to make, ordain, and publish, and from Time to Time, as occasion may require, to repeal and

&c. of Vessels trading under this Act.

and alter, and newly to make, ordain, and publish, such Rules and Regulations, to be observed by Masters, Officers, and Owners of Ships and Vessels trading under the Authority of this Act, the Crews of which Ships or Vessels shall be wholly or in part composed of *Asiatic* Sailors, Lascars, or Natives of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company, for the due Supply of Provisions, Clothing, and other necessary Accommodation of such *Asiatic* Sailors, Lascars, and Natives aforesaid, whilst they shall be on board such Ships or Vessels, and whilst absent from the Countries or Places to which they shall respectively belong, and until they shall be carried back to the Places to which they may belong, or from whence they may have been brought, and for the Conveyance back of such *Asiatic* Sailors, Lascars, or Natives as aforesaid, within a reasonable Time to be fixed by such Rules or Regulations.

Such Rules and Regulations to be observed in like manner as if they had formed Part of this Act.

XXVI. And be it further enacted, That all such Rules and Regulations, until they shall be repealed or altered, shall be observed and performed according to the true Intent and Meaning thereof, in like manner as if they had been herein inserted and had formed Part of this Act; and a Copy of all and every such Rules and Regulations, signed and authenticated as such by the Secretary for the Time being of the Government of *Bengal*, or by the Secretary for the Time being of the said United Company, shall be deemed and received and taken, in and by all Courts, Justices, and other Persons, as full, sufficient, and conclusive Evidence of such Rules and Regulations.

Masters of Vessels to make out List of every Lascar, &c. on board, before such Ship shall be admitted to Entry.

XXVII. And be it further enacted, That the Master or other Person having the Command of every Ship or Vessel trading under the Authority of this Act, which from and after the passing of this Act shall arrive at any Port in the United Kingdom of *Great Britain* or *Ireland*, and which shall have on board, or which during any Part of her Voyage shall have had on board, either as Part of her Crew or in any other Character, or for any other Reason, any *Asiatic* Sailor, Lascar, or Native of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company, before such Ship or Vessel shall be admitted to Entry, shall make out and exhibit to the principal Officers of the Customs, or other Person thereunto lawfully authorized, a true and perfect List and Description of every such *Asiatic* Sailor, Lascar, or Native aforesaid, which shall then be, or who during any Part of her Voyage shall have been on board such Ship or Vessel, with a true Account and Statement what shall have become of every such *Asiatic* Sailor, Lascar, and Native aforesaid, who may have been and shall not then be on board.

Penalty for Breach of Regulations relative to Lascars, &c.

XXVIII. And be it further enacted, That for every Breach or Non-observance of any Rule or Regulation to be made in pursuance of this Act, in relation to *Asiatic* Sailors, Lascars, or Natives aforesaid, which shall have happened or taken place, and for every Omission to make out and exhibit such List, Description, Account, or Statement of and respecting all such *Asiatic* Sailors, Lascars, or Natives aforesaid, as herein is required, the Master or Commander and all and every the Owners and Owner of the Ship or Vessel on board which any such *Asiatic*

Asiatic Sailor, Lascar, or Native aforesaid shall be or shall have been, shall forfeit the Sum of Ten Pounds for every *Asiatic* Sailor, Lascar, or Native aforesaid, in respect of whom such Breach, Non-observance, Omission or Defect shall have happened or taken place, to be recovered against the Master, Commander, and Owners jointly or severally, by Bill, Plaint, Information, or Action, in any of His Majesty's Courts of Record in the United Kingdom of *Great Britain* and *Ireland*, or in the *East Indies* or elsewhere, to be commenced in the County or Presidency or Place where any such Offender may happen to be, or by Conviction in a summary Way before Two Justices of the Peace in the United Kingdom, or in the *East Indies*, of the County or Presidency where any such Offender may happen to be; and of which Sum and Sums so to be forfeited, One-third Part thereof shall go, belong, and be paid to the Person or Persons who shall inform or sue for the same, and the other Two-third Parts thereof shall be paid to such Person or Persons as the Court or Justices before whom the same shall be recovered shall award, to be applied in Payment or Reimbursement of any Expence which may have been incurred by or for the Use of the *Asiatic* Sailor, Lascar, or Native aforesaid, or the respective *Asiatic* Sailors, Lascars, or Natives aforesaid, in respect of whom such Forfeiture or Forfeitures shall have been recovered, or in such other Manner, for his or their Maintenance, Return Home, or Benefit, as the Court or Justices before whom the same shall be recovered shall direct.

Convictions to be drawn up in the following Form.

XXIX. And for the more easy and speedy Conviction of the Offenders under this Act, be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence under this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the like Effect, as the Case may happen; *videlicet*,

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord
'*A. B.* [*the Offender or Offenders*] is [*or* are] convicted before us,
'Two of His Majesty's Justices of the Peace for [the County *or*
'Presidency, *as the Case may be*] by virtue of an Act made in the
'Fourth Year of the Reign of His Majesty King *George* the Fourth,
'intituled [*setting forth the Title of this Act*] of having [*here state the*
'*Offence or Offences*] which Offence [*or* Offences, *as the Case may be*]
'has, by Confession of the Offender [*or* Offenders, *or* the Oath of
'One or more credible Witness or Witnesses, *as the Case may be*];
'for which said Offence [*or* Offences, *as the Case may be*] we do
'adjudge that the said Offender [*or* Offenders] hath [*or* have]
'forfeited and do pay the Sum of [*the Amount forfeited*]; One-
'third Part whereof we do order and direct to be paid to [*the In-*
'*former*], and the other Two-thirds thereof to *C. D.* and *E. F.* [*such*
'*Persons as the said Justices shall direct*] to be applied [*in such*
'*Manner as the Case may require*] pursuant to the Provisions of the
'said Act. Given under our Hands and Seals the Day and Year
'first above written.'

Recovery of Penalties.

XXX. And be it further enacted, That all Sums of Money of which any Person shall be so convicted as aforesaid, shall and may be

be levied by Distress and Sale of the Goods and Chattels of the Offender; and that for Want of sufficient Distress every such Offender may be committed to Prison in the Common Gaol or House of Correction, for the Space of Three Calendar Months.

Lascars, &c. convicted of Vagrancy to be shipped on board of Vessel bound to the Place from whence brought.

XXXI. And whereas it may happen that *Asiatic* Sailors, Lascars, and Natives aforesaid, may refuse to accept the Maintenance to be provided for them under the Rules and Regulations before referred to, or to return Home in the Ships or Vessels which may be engaged for that Purpose; be it therefore enacted, That if any such *Asiatic* Sailor, Lascar, or Native aforesaid, shall at any Time be convicted of an Act of Vagrancy under any of the Laws in force in the United Kingdom respecting Vagrants, it shall and may be lawful to and for the Justice or Justices or Magistrates before whom such Conviction shall take place, to order and direct that he shall be shipped on board any Ship or Vessel bound to the Place, or as near as may be to the Place to which he shall belong, or from which he shall have been brought, and the Commander of which shall be willing to take Charge of him in order to his being returned thereto, at the Expence of the Person or Persons liable under any Rule or Regulation to be made as before mentioned, or of any other Person being otherwise willing to defray the same; and it shall and may be lawful for the Commander of any such Ship or Vessel having taken Charge of such Vagrant, and he is hereby required, to keep and detain him on board his Ship for the Voyage for which he shall be shipped.

Proceedings not to be quashed for Want of Form.

XXXII. Provided also, and be it further enacted, That no Conviction, Order, or Proceeding to be made or had by or before any Justices of the Peace, or other Magistrate, by virtue of this Act, shall be quashed or vacated for Want of Form, and that the Order of such Justices or other Magistrates shall be final, and that no Proceedings of any such Justices or other Magistrates in pursuance of this Act shall be removable by Certiorari or otherwise.

Actions to be commenced within Three Months.

XXXIII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Three Months after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and at the Trial thereof give this Act and the special Matter in Evidence; and if the Matter or Thing complained of shall appear to have been done under the Authority and in Execution of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than as aforementioned, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall become nonsuit, or discontinue his or her Action after the Defendant shall have appeared, or have a Verdict against him or her, or if, upon Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall and may recover Treble Costs, and have the

like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

Company to supply all Necessaries for distressed Lascars, &c. brought to this Country, and may recover Expence from Owners.

XXXIV. And be it further enacted, That if any *Asiatic* Sailor, Lascar, or Native of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the said United Company, having been brought to the United Kingdom on board any Ship or Vessel not being a Ship of War in the Service of His Majesty, shall from and after the passing of this Act be found within the United Kingdom in Distress for Want of Food, Clothing, or other Necessaries, it shall be lawful for the said United Company to supply necessary and reasonable Relief to such Persons, and to maintain them until they shall be sent on board some Ship bound for some Place within the Limits aforesaid; and also to pay, defray, and advance the Money necessary to procure such Persons proper and sufficient Passage to their Homes or Places from which they were brought; and all such Sums as the said Company shall pay for or on account of such Relief or Maintenance, or Passage Home, shall constitute and become a joint and several Debt due to the said Company from the Commander, Owner or Owners of such Ship, on board whereof such Person or Persons shall have been brought into the said United Kingdom, and shall be recoverable as so much Money paid to and for the Use of such Owner or Owners in any of the Courts of the said United Kingdom, or in the *East Indies*, if the Owner shall reside there, in which Actions or Suits for the Recovery of Debts may be sued or prosecuted; and in all such Actions and Suits, where the said Company shall recover, they shall be entitled to receive full Costs of Suit.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1823.