Afternoon on *Sunday*, or on *Christmas Day*, or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sunday*, *Christmas Day*, *Good Friday*, or such Days of Public Fast or Thanksgiving, except to a Traveller or to a Lodger therein.

Houses of public Resort prohibited being opened for Sale of Liquors during certain Hours on Sundays, &c.

III. No Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of *England* or *Wales*, between Three and Five o'Clock in the Afternoon or after Eleven o'Clock in the Afternoon on *Sunday*, or on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sundays*, *Christmas Day*, *Good Friday*, or such other Days appointed as aforesaid, except to Travellers.

Power to Constables to enter Houses.

IV. It shall be lawful for any Constable at any Time to enter into any House or Place of public Resort in *England* or *Wales* for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

V. Every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding Five Pounds for every such Offence, and every separate Sale shall be deemed a separate Offence.

CAP. CXIX.

An Act to amend the Law relating to the Carriage of Passengers by Sea.

[14th *August* 1855.]

Prefatory Clauses.

'WHEREAS it is expedient to amend "The Passengers Act, 1852:"' Be it therefore 'enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of this Act, and Repeal of former Act except as to existing Liabilities, and except as to an Order in Council dated 16th Oct. 1852.

I. On the First Day of *October* next, when this Act shall commence and come into force, "The Passengers Act, 1852," shall be repealed; except so far as the said Act repeals any former Act or Enactment; and except as to existing Passage Brokers Licences, which shall continue in force as mentioned in Section Sixty-eight of this Act, and except as to any Ship which shall have cleared out from any Colonial Port under the said Act, and before this Act shall have come into operation in such Colony; and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken upon any Bond given under the said Act, or upon any other Civil Process; and except as to the Recovery and Application of any Penalty for any Offence committed against the said Act before the Commencement of this Act; and except also as to an Order in Council made by Her Majesty, with the Advice of Her Privy Council, on the Sixteenth Day of *October* One thousand eight hundred and fifty-two, in pursuance of the Powers given by the Fifty-fifth Section of the said Act, which said Order in Council shall remain in force until altered or revoked by any Order in Council to be made under the Provisions of this Act.

Short Title of this Act; and in legal Proceedings Reference to Sections of this Act by Number to be sufficient.

II. In citing this Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Passengers Act, 1855;" and in any Process for enforcing the Remedies or Penalties given or imposed by this Act, it shall be sufficient, without specifying more particularly the Cause of Complaint or Offence, to refer by Number, according to the Copies of the Act printed by the Queen's Printer, to the Section or Sections under which the Proceeding is taken.

III. For

Prefatory Clauses.

Definition of Terms used in this Act.

III. For the Purposes of this Act, the following Words and Expressions, whenever they occur, shall respectively have the following Significations, if not inconsistent with the Context or Subject Matter; (that is to say,) Words of one Number or Gender shall import both Numbers and all Genders respectively; the Expression "Her Majesty" shall include Her Heirs and Successors; the Expression "Consular Officer" shall signify and include Her Majesty's Consul General, Consul, and Vice Consul; the Expression "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, *Scilly*, and *Man*; the Expression "*North America*" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the Gulf of *Mexico* North of the Tropic of Cancer; the Expression "*West Indies*" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Expression "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Expression "Statute Adult" shall signify any Person of the Age of Twelve Years or upwards, or Two Persons between the Ages of One and Twelve Years; the Expression "Passage" shall include all Passages except Cabin Passages; the Expression "Passengers" shall include all Passengers except Cabin Passengers, and except Labourers under Indenture to the *Hudson's Bay* Company, and their Families, conveyed in Ships the Property of or chartered by the said Company, and no Persons shall be deemed Cabin Passengers unless the Space allotted to their exclusive Use shall be in the Proportion of at least Thirty-six clear Superficial Feet to each Statute Adult, nor unless they shall be messed throughout the Voyage at the same Table with the Master or First Officer of the Ship, nor unless the Fare contracted to be paid by them respectively shall be in the Proportion of at least Thirty Shillings for every Week of the Length of the Voyage as computed under the Provisions of this Act for Sailing Vessels proceeding from the United Kingdom to any Place South of the Equator, and of Twenty Shillings for such Vessels proceeding to any Place North of the Equator, nor unless they shall have been furnished with a duly signed Contract Ticket according to the Form in Schedule (K.) of this Act; the Expression, "Upper Passenger Deck" shall signify and include the Deck immediately beneath the Upper Deck, or the Poop or Round House and Deck House when the Number of Passengers and Cabin Passengers carried in such Poop, Round House, or Deck House shall exceed One Third of the Total Number of Passengers which such Ship can lawfully carry on the Deck next below; the Expression "Lower Passenger Deck," the Deck next beneath the Upper Passenger Deck, not being an Orlop Deck; the Expression "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Expression "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend more than Thirty Passengers, or a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifty Tons of the registered Tonnage of such Ship if propelled by Sails, or of One Statute Adult to every Twenty-five Tons if propelled by Steam; the Expression "Master" shall signify the Person who shall be borne on the Ship's Articles as Master, or who, other than a Pilot, shall for the Time being be in charge or command of any such Ship or "Passenger Ship;" and the Expression "Emigrant Runner" shall signify every Person other than a licensed Passage Broker or his *bonâ fide* salaried Clerk, who within any Port or Place of Shipping, or within Five Miles of the outer Boundaries thereof, for Hire or Reward, or the Expectation thereof, shall directly or indirectly conduct, solicit, influence, or recommend any intending Emigrant to or on behalf of any Passage Broker, Owner, Charterer, or Master of a Ship, Lodging House or Tavern or Shop Keeper, Money Changer, or other Dealer or Chapman, for any Purpose connected with the Preparations or Arrangements for a Passage, or shall give or pretend to give to such intending Emigrant any Information or Assistance in any way relating to Emigration.

To what Vessels and Voyages this Act extends.

IV. This Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, and, in the Particulars mentioned or referred to in Sections One hundred, One hundred and one, and One hundred and two, to every Ship bringing Passengers into the United Kingdom from any Place out of *Europe*, and not being within the *Mediterranean Sea*; but shall not extend to any of Her

Prefatory Clauses.

Majesty's Ships of War, nor to any Ships in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel regularly employed in the Conveyance of the Public Mails under an existing Contract with the Government of the State or Colony to which such Steam Vessel may belong, provided the Master thereof shall, on Demand, produce to the Emigration Officer at the Port of Clearance or Port of Departure a Certificate of Exemption, in the Form given in Schedule (A.) hereto annexed, under the Hand of the Postmaster General of the United Kingdom, or of some Person deputed by him for the Purpose, or in the Case of a Colony, under the Hand of the Governor thereof, or in the Case of a Foreign State, under the Hand of the Postmaster General or other competent Government Officer whose Signature shall be authenticated by the Signature of a *British* Consular Officer in such Foreign State.

Penalty on fraudulently using Certificates or using fraudulent Certificates.

V. Such Certificate of Exemption shall be issuable at the Discretion of the Officer authorized to grant the same as herein-before mentioned, and shall remain in force for the Period specified therein, unless sooner revoked, or unless the Vessel for which it shall have been issued shall sooner cease to be employed in carrying the Public Mails; and if any Person shall make or attempt to make any fraudulent Use of any such Certificate, or shall forge, counterfeit, alter, or erase the whole or any Part thereof, or shall use or attempt to use any spurious or fraudulent Certificate, the Person so offending, and every Person aiding and abetting in such Offence, shall be liable to a Penalty not exceeding Five hundred Pounds Sterling, and the Vessel for which the Exemption is claimed shall not be cleared out until all the Requirements of this Act have been complied with.

Commissioners of Emigration to carry this Act into execution.

VI. 'And whereas by a Warrant under Her Majesty's Sign Manual, bearing Date on the 'Twenty-seventh Day of *November* One thousand eight hundred and forty-seven, Her 'Majesty was pleased to appoint certain Persons therein named under the Style of "The 'Colonial Land and Emigration Commissioners," to be, during Her Majesty's Pleasure, 'Commissioners in the United Kingdom for the Sale of the Waste Lands of the Crown of 'Her Majesty's Colonies, and for superintending the Emigration of the poorer Classes of Her 'Majesty's Subjects to such Colonies: And whereas it is expedient that such Commissioners 'should be empowered to carry this Act into execution:' Be it therefore enacted, That the said Commissioners, and their Successors for the Time being, shall and they are hereby empowered to carry this Act into execution; and that for all legal and other Purposes it shall be sufficient to describe such Commissioners by the Style of "The Emigration Commissioners."

Emigration Commissioners may sue and be sued in the Name of their Secretary, &c.

VII. The said Emigration Commissioners for the Time being may sue and be sued in the Name of their Secretary, or of any One of such Commissioners for the Time being, and legal or equitable Proceedings taken by or against the said Commissioners in the Name of any One of them or of their Secretary shall not abate nor be discontinued by the Death or Removal of such Secretary or Commissioner, but the Secretary for the Time being, or any One of such Commissioners, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in any such Proceedings: Provided always, that the said Commissioners and their Secretary, and the Emigration Officers herein-after mentioned respectively, shall in no Case be personally liable, nor shall the private Estate and Effects of any of them be liable, for the Payment of any Monies or Costs or otherwise in respect of any Contract made or hereafter to be made by them or any of them, or in respect of any legal or equitable Proceedings taken against them or any of them, or for any Act, Deed, or Matter done or executed by them or any of them in their or his official Capacity and on the Public Service.

Commissioners, &c. exempt from Liability.

Emigration Officers and Assistants to act under the Commissioners, &c. but existing Appointments to continue until revoked.

VIII. In the United Kingdom the said Commissioners acting under the Sanction of Or of Her Majesty's Principal Secretaries of State, and in Her Majesty's Possessions abrod the respective Governors thereof, may from Time to Time appoint, and the said Commissione and Governors may at pleasure from Time to Time remove, such Emigration Officers a n Assistant Emigration Officers as they may respectively think necessary, for the Purpose o carrying this Act into execution, under the Direction of the said Commissioners or Governors, as the Case may be: Provided nevertheless, that all existing Appointments of Emigration Officers or Immigration Agents and of their Assistants, as well in the United Kingdom as in Her Majesty's Possessions abroad, shall continue in force under this Act until duly revoked.

IX. All

Duties of Emigration Officer may be performed by his Assistant, &c.

IX. All Powers, Functions, and Duties to be exercised or performed by any such Emigration Officer may be exercised and performed respectively by his Assistant, or, at any Port where there shall be no such Emigration Officer or Assistant, or in their Absence, by the Chief Officer of Customs for the Time being at such Port.

Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers.

Penalty on Master failing to comply, &c.

X. The Master of every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers upon any Voyage to which this Act extends, shall afford to such Emigration Officer as aforesaid at any Port or Place in Her Majesty's Dominions, and, in the Case of *British* Ships, to Her Majesty's Consular Officer at any Foreign Port or Place at which such Ship shall be or arrive, every Facility for inspecting such Ship, and for communicating with the Passengers, and for ascertaining that the Provisions of this Act, so far as the same may be applicable to such Ships, have been duly complied with; the Master of any Ship who shall omit or fail to comply with any of the Requirements of this Section shall be liable to a Penalty not exceeding Fifty Pounds.

Arrangements for the Ship.

No Passenger Ship to clear without Certificate from Emigration Officer, nor until Bond be given to the Crown.

XI. No ship fitted or intended for the Carriage of Passengers as a "Passenger Ship" shall clear out or proceed to Sea until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance a Certificate of Clearance under his Hand that all the Requirements of this Act, so far as the same can be complied with, before the Departure of such Ship, have been duly complied with, and that such Ship is, in his Opinion, seaworthy, in safe Trim, and in all respects fit for her intended Voyage, and that her Passengers and Crew are in a fit State to proceed, nor until the Master shall have joined in executing such Bond to the Crown as required by the Sixty-third Section of this Act: Provided, that if such Emigration Officer shall refuse to grant such Certificate, and the Owner or Charterer of such Ship shall appeal in Writing to the Emigration Commissioners, such Commissioners shall appoint any Two other Emigration Officers, or any Two competent Persons, at the Expense of the Appellant, to examine into the Matter, and if the Persons so appointed shall grant a Certificate under their joint Hands to the Purport herein-before required, such Certificate shall be held to be of the same Effect as if granted by the Emigration Officer of the Port of Clearance.

Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c.

Such Ship to be dealt with as if seized under Laws relating to Customs.

XII. If any "Passenger Ship" shall clear out or proceed to Sea without the Master's having first obtained such Certificate of Clearance, or without his having joined in executing such Bond, as by this Act is required, or if such Ship after having sailed shall put into any Port or Place in the United Kingdom in a damaged State, and shall put to Sea again without the Master having first obtained such Certificate of Clearance as required by Section Fifty of this Act, such Ship shall be forfeited to the Use of Her Majesty, and may be seized by any Officer of Customs, if found, within Two Years from the Commission of the Offence, in any Port or Place in Her Majesty's Dominions; and such Ship shall thereupon be dealt with in the same Manner as if she had been seized as forfeited under any of the Laws relating to the Customs for an Offence incurring Forfeiture under those Laws.

Where Passengers may be carried.

XIII. No Ship shall carry Passengers or Cabin Passengers on more than Two Decks; provided, that Cabin Passengers in a Proportion not exceeding One Cabin Passenger for every One hundred Tons of the Ship's registered Tonnage, or sick Persons placed in a Hospital, as herein-after provided, may be carried in a Poop or Deck House, notwithstanding that Passengers are carried on Two other Decks, and if Passengers are carried under the Poop or in any Round House or Deck House, such Poop, Round House, or Deck House shall be properly built and secured to the Satisfaction of the Emigration Officer at the Port of Clearance: For any Breach of this Enactment the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Five hundred Pounds nor less than Twenty Pounds Sterling.

Rule for determining the Number of Passengers to be carried.

Tonnage Check.

XIV. For determining the Number of Passengers to be carried in any "Passenger Ship" the following Rules shall be observed:

(1.) No Ship propelled by Sails only shall carry a greater Number of Persons (including every Individual on Board) than in the Proportion of One Statute Adult to every Two Tons of her registered Tonnage:

Arrangements for the Ship.

Space Check.

(2.) No Ship shall carry under the Poop, or in the Round House or Deck House, or on the "Upper Passenger Deck," a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifteen clear Superficial Feet of Deck allotted to their Use:

(3.) No Ship shall carry on her Lower Passenger Deck a greater Number of Passengers than in the Proportion of One Statute Adult to every Eighteen clear Superficial Feet of Deck allotted to their Use: Provided nevertheless, that if the Height between such Lower Passenger Deck and the Deck immediately above it shall be less than Seven Feet, or if the Apertures (exclusive of Side Scuttles) through which Light and Air shall be admitted together to the Lower Passenger Deck shall be less in Size than in the Proportion of Three Square Feet to every One hundred Superficial Feet of the Lower Passenger Deck, no greater Number of Passengers shall be carried on such Deck than in the Proportion of One Statute Adult to every Twenty-five clear Superficial Feet thereof:

(4.) No Ship, whatever be her Tonnage or superficial Space of "Passenger Decks," shall carry a greater Number of Passengers on the whole than in the Proportion of One Statute Adult to every Five Superficial Feet, clear for Exercise, on the upper Deck or Poop, or (if secured and fitted on the Top with a Railing or Guard to the Satisfaction of the Emigration Officer at the Port of Clearance) on any Round House or Deck House:

(5.) In the Measurement of the Passenger Decks, Poop, Round House, or Deck House, the Space for the Hospital and that occupied by such Portion of the personal Luggage of the Passengers as the Emigration Officer may permit to be carried there shall be included:

Penalty.

If there shall be on board of any Ship at or after the Time of Clearance a greater Number, either of Persons or Passengers (except by Births at Sea), than in the Proportions respectively herein-before mentioned, the Master of such Ship shall be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling for each Passenger or Person constituting such Excess.

Nothing to extend to repeal 16 & 17 Vict. c. 84.

XV. Provided nevertheless, That nothing in this Act contained shall extend to repeal or vary an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Eighty-four, intituled *An Act to amend the Passengers Act,* 1852, *so far as relates to the Passages of Natives of* Asia *or* Africa, *and also Passages between the Island of* Ceylon *and certain Parts of the* East Indies.

Passengers Lists to be delivered in Duplicate by the Master before Clearance.

XVI. The Master of every Ship, whether a "Passenger Ship" or otherwise, carrying Passengers on any Voyage to which this Act extends, shall, before demanding a Clearance for such Ship, sign Two Lists, made out according to the Form contained in Schedule (B.) hereto annexed, correctly setting forth in the Manner therein directed the Name and other Particulars of the Ship, and of every Passenger on board thereof; and the said Lists, when countersigned by the Emigration Officer, where there is One at the Port, shall be delivered by the Master to the Officer of the Customs from whom a Clearance of the said Ship shall be demanded, and such Officer shall thereupon also countersign and return to the said Master One of such Lists, herein-after called "The Master's List;" and the said Master shall note in Writing on such last-mentioned List, and on any additional Lists to be made out as next herein-after provided, the Date and supposed Cause of Death of any Passenger who may die, and the Date of Birth and Sex of any Child who may be born on the Voyage, and shall exhibit such last-mentioned List, with any Additions which may from Time to Time be made thereto, as herein-after directed, to the Chief Officer of Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consular Officer at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs or such Consular Officer as the Case may be, at the final Port or Place of Discharge, and such Officer of Customs or Consular Officer shall thereupon forthwith transmit the Particulars respecting any Passenger who may die or of any Child who may be born on the Voyage to the Registrar General of Births, Deaths, and Marriages in *England,* who shall file the same, and enter a Copy thereof under his Hand, in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence

Arrangements for the Ship.

Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England: In case of Noncompliance with any of the Requirements of this Section on the Part of the Master, or if such Lists shall be wilfully false, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling.

6 & 7 W. 4. c. 86.

Lists of Passengers embarked after Clearance to be delivered by Master.

XVII. If at any Time after such Lists shall have been signed and delivered as aforesaid any additional Passenger shall be taken on board, in every such Case the Master shall, according to the Form aforesaid, add to "The Master's List" the Names and other Particulars of every such additional Passenger, and shall also sign a separate List, made out according to the Form aforesaid, containing the Names and other Particulars of every such additional Passenger, and such last-mentioned List, when countersigned by the Emigration Officer, where there is One at the Port, shall, together with "The Master's List" to which such Addition shall have been made, be delivered to the Chief Officer of Customs as aforesaid, and thereupon such Officer shall countersign "The Master's List," and shall return the same to the said Master, and shall retain the separate List, and so on in like Manner whenever any additional Passenger or Passengers may be taken on board; or if no Officer of Customs shall be stationed at the Port or Place where such additional Passenger or Passengers may be taken on board, the said Lists shall be delivered to the Officer of Customs at the next Port or Place at which such Vessel shall touch or arrive and where any such Officer shall be stationed, to be dealt with as herein-before mentioned: Provided, that when any additional Passenger shall be taken on board the Master shall obtain a fresh Certificate from the Emigration Officer of the Port that all the Requirements of this Act have been duly complied with before the Ship shall proceed to Sea: In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

Penalty on Persons found on board Ships without Consent of Owners, &c.

XVIII. If any Person shall be found on board any Passenger Ship with Intent to obtain a Passage therein without the Consent of the Owner, Charterer, or Master thereof, such Person, and every Person aiding and abetting him in such fraudulent Intent, shall respectively be liable to a Penalty not exceeding Five Pounds, and in default of Payment to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Calendar Months; and such Person so found on board may be taken before any Justice of the Peace, without Warrant, and such Justice may summarily hear the Case, and on Proof of the Offence convict such Offender as aforesaid.

All Passenger Ships to be surveyed before clearing out.

XIX. No "Passenger Ship" shall clear out or proceed to Sea unless she shall have been surveyed, under the Direction of the Emigration Officer at the Port of Clearance, but at the Expense of the Owner or Charterer thereof, by Two or more competent Surveyors to be appointed by the said Emigration Commissioners for each Port at which there may be an Emigration Officer, and for other Ports by the Commissioners of Customs, nor unless it shall be reported by such Surveyors that such "Passenger Ship" is in their Opinion seaworthy, and fit for her intended Voyage. The Survey shall be made before any Part of the Cargo is taken on board, except so much as may be necessary for ballasting the Ship, and such Portion of Cargo if laden on board shall be shifted, if required by the Emigration Officer or Surveyors, so as to expose to view successively every Part of the Frame of the Ship. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling: Provided always, that in case any "Passenger Ship" shall be reported by any such Surveyors not to be seaworthy, or not fit for her said intended Voyage, the Owner or Charterer, if he shall think fit, may require, by Writing under his Hand, the Emigration Officer, or in his Absence the Chief Officer of Customs, to appoint Three other competent Surveyors, of whom Two at least shall be Shipwrights, to survey the said Ship, at the Expense of the said Owner or Charterer; and the said Officer shall thereupon appoint such Surveyors, who shall survey the said Ship, and if they shall, by an unanimous Report under their Hands (but not otherwise), declare the said Ship to be seaworthy, and fit for her intended Voyage, the said Ship shall then, for the Purposes of this Act, be deemed seaworthy for such Voyage.

Penalty on Noncompliance.

Power to Owners to appeal against Surveyors Report of Ships not being seaworthy.

XX. In

Arrangements for the Ship.

As to the Construction of Beams and Decks.

XX. In every "Passenger Ship" the Beams supporting the "Passenger Decks" shall form Part of the permanent Structure of the Ship: They shall be of adequate Strength, in the Judgment of the Emigration Officer at the Port of Clearance, and shall be firmly secured to the Ship to his Satisfaction. The "Passenger Decks" shall be at least One Inch and a Half in Thickness, and shall be laid and firmly fastened upon the Beams continuously from Side to Side of the Compartment in which the Passengers are berthed. The Height between that Part of any Deck on which Passengers are carried and the Deck immediately above it shall not be less than Six Feet. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Arrangement and Size of Berths.

XXI. There shall not be more than Two Tiers of Berths on any One Deck in any "Passenger Ship," and the Interval between the Floor of the Berths and the Deck immediately beneath them shall not be less than Six Inches, nor the Interval between each Tier of Berths and between the uppermost Tier and the Deck above it less than Two Feet Six Inches: The Berths shall be securely constructed, and of Dimensions not less than Six Feet in Length and Eighteen Inches in Width for each Statute Adult, and shall be sufficient in Number for the proper Accommodation of all the Passengers contained in the Lists of Passengers hereinbefore required to be delivered by the Master of the Ship. No Part of any Berth shall be placed within Nine Inches of any Watercloset erected in the Between-Decks. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Single Men to be berthed in a separate Compartment.

XXII. In every "Passenger Ship" all the Male Passengers of the Age of Fourteen Years and upwards who shall not occupy Berths with their Wives shall, to the Satisfaction of the Emigration Officer at the Port of Clearance, be berthed in the fore Part of the Ship, in a Compartment divided off from the Space appropriated to the other Passengers by a substantial and well-secured Bulk-head, without Opening into, or Communication with, any adjoining Passenger Berth, or in separate Rooms if the Ship be fitted with enclosed Berths:

As to Numbers and Sexes in One Berth.

Penalty.

Not more than One Passenger, unless Husband and Wife, or Females or Children under Twelve Years of Age, shall be placed in or occupy the same Berth. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Berths not to be removed till Passengers landed

XXIII. No Berths in a "Passenger Ship" occupied by Passengers during the Voyage shall be taken down until Forty-eight Hours after the Arrival of such Ship at the Port of final Discharge, unless all the Passengers shall have voluntarily quitted the Ship before the Expiration of that Time. In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall be liable for each Offence to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Space to be allotted as an Hospital.

XXIV. In every "Passenger Ship" there shall be a sufficient Space properly divided off to the Satisfaction of the Emigration Officer at the Port of Clearance, to be used exclusively as a Hospital or Hospitals for the Passengers: This Space shall be under the Poop, or in the Round House, or in any Deck House which shall be properly built and secured to the Satisfaction of such Emigration Officer, or on the Upper Passenger Deck, and not elsewhere, and shall in no Case be less than Eighteen clear Superficial Feet for every Fifty Passengers which the Ship shall carry. Such Hospitals shall be fitted with Bed-places, and supplied with proper Beds, Bedding, and Utensils, to the Satisfaction of the Emigration Officer at the Port of Clearance, and throughout the Voyage kept so fitted and

Penalty.

supplied. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Regulation as to Construction of Privies.

XXV. No "Passenger Ship" shall clear out or proceed to Sea unless fitted, to the Satisfaction of the Emigration Officer at the Port of Clearance, with at least Two Privies, and with Two additional Privies on Deck for every One hundred Passengers on board, and in

Ships

Ships carrying as many as Fifty Female Passengers, with at least Two Waterclosets under the Poop, or elsewhere on the Upper Deck, to the Satisfaction of such Emigration Officer, for the exclusive Use of the Women and young Children; all of which Privies and Waterclosets shall be firmly constructed and maintained in a serviceable and cleanly Condition throughout the Voyage, and shall not be taken down until the Expiration of Forty-eight Hours after the Arrival of the Ship at the Port of final Discharge, unless all the Passengers sooner quit the Ship; provided that such Privies shall be placed in equal Numbers on each Side of the Ship, and need not in any Case exceed Twelve in Number. In case of Noncompliance with any of the Requirements of this Section, the Master shall be liable to a Penalty for each Offence not exceeding Fifty Pounds nor less than Five Pounds Sterling. *Arrangements for the Ships.*

XXVI. No "Passenger Ship" shall clear out or proceed to Sea without such Provision for affording Light and Air to the Passenger Decks as the Circumstances of the Case may, in the Judgment of the Emigration Officer at the Port of Clearance, require; nor if there are as many as One hundred Passengers on board, without having an adequate and proper ventilating Apparatus, to be approved by such Emigration Officer and fitted to his Satisfaction; the Passengers shall, moreover, have the free and unimpeded Use of the whole of each Hatchway situated over the Space appropriated to their Use, and over each such Hatchway there shall be erected such a Boobyhatch or other substantial Covering as shall, in the Opinion of such Emigration Officer, afford the greatest Amount of Light and Air, and of Protection from Wet, as the Case will admit. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds. As to Light and Ventilation. Penalty on Noncompliance.

XXVII. Every "Passenger Ship" shall carry throughout the Voyage a Number of Boats according to the following Scale; (that is to say,) Regulations as to the carrying of Boats;

Two Boats for every Ship of less than Two hundred Tons:
Three Boats for every Ship of Two hundred and less than Four hundred Tons:
Four Boats for every Ship of Four hundred and less than Six hundred Tons:
Five Boats for every Ship of Six hundred and less than Ten hundred Tons:
Six Boats for every Ship of Ten hundred and less than Fifteen hundred Tons:
Seven Boats for every Ship of Fifteen hundred Tons and upwards: Provided that no "Passenger Ship" shall be required to carry a greater Number of Boats than are sufficient in the Judgment of the Emigration Officer at the Port of Clearance to carry all the Persons on board of such Ship.

One of such Boats shall in all Cases be a Long Boat, and One shall be a properly fitted Life Boat, which shall be carried in such a Manner as to be, in the Opinion of the Emigration Officer, most available for immediate Service: Each of such Boats shall be of a suitable Size and Description, to be approved by the Emigration Officer at the Port of Clearance, and shall be seaworthy, and properly supplied with all Requisites, and kept clear at all Times for immediate Use at Sea: There shall likewise be on board each "Passenger Ship" if proceeding to any Place to the Southward of the Equator at least Two Chronometers, and if to any Place to the Northward of the Equator at least One Chronometer, and on board of all "Passenger Ships" at least Three Steering and One Azimuth Compass, Four properly fitted Life Buoys, kept ready at all Times for immediate Use, and some adequate Means, to be approved by the Emigration Officer at the Port of Clearance, of making Signals by Night and in Fogs; also a Fire Engine, in proper working Order, and of such Description and Power and either with or without such other Apparatus for extinguishing Fire as such Officer may approve; and not less than Three Bower Anchors of such Weight, and with Cables of such Length, Size, and Material, as in the Judgment of such Emigration Officer shall be sufficient for the Size of the Ship. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. of Life Boats; and of Life Buoys, Anchors, and Fire Engines, &c.

XXVIII. Every "Passenger Ship" shall be manned with an efficient Crew for her intended Voyage, to the Satisfaction of the Emigration Officer from whom a Clearance of such Ship may be demanded, and the Strength of the Crew shall not be diminished, nor any of the Men changed when once passed by such Emigration Officer, without his Consent in Regulations as to carrying an efficient Crew.

Arrangements for the Ship.

in Writing, or that of the Shipping Master of the Port of Clearance, as required by the Laws then in force regulating the shipping of Seamen on board Merchant Vessels. Where the Consent of the Shipping Master is obtained, it shall, within Twenty-four Hours thereafter, be lodged with such Emigration Officer. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds: Provided, that if the Emigration Officer shall consider the Crew inefficient, and the Owner or Charterer of the Ship shall thereupon appeal in Writing to the said Emigration Commissioners, such Commissioners shall, at the Expense of the Appellant, appoint Two other Emigration Officers or Two competent Persons to examine into the Matter, and the unanimous Opinion of the Persons so appointed, expressed under their Hands, shall be conclusive on the Point.

Certain Articles prohibited as Cargo and Ballast.

XXIX. No "Passenger Ship" shall clear out or proceed to Sea if there shall be on board as Cargo, Horses, Cattle, Gunpowder, Vitriol, Lucifer Matches, Guano, or Green Hides, nor if there shall be on board any other Article or Number of Articles, whether as Cargo or Ballast, which by reason of the Nature or Quantity or Mode of Stowage thereof shall, either singly or collectively, be deemed by the Emigration Officer at the Port of Clearance likely to endanger the Health or Lives of the Passengers or the Safety of the Ship: No Part of the Cargo, or of the Passengers Luggage, or of the Provisions, Water, or Stores, whether for the Use of the Passengers or of the Crew, shall be carried on the Upper Deck or on the "Passenger Decks," unless in the Opinion of such Emigration Officer it shall be so placed as not to impede Light or Ventilation, nor interfere with the Comfort of the Passengers; nor unless the same be stowed and secured to the Satisfaction of such Emigration Officer, and the Space occupied thereby or rendered, in the Opinion of such Officer, unavailable for the Accommodation of the Passengers, shall (unless occupied by Passengers Luggage) be deducted in calculating the Space by which, under the Provisions of this Act, the Number of Passengers is regulated. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master, or any of them, shall for each Offence be liable to a Penalty not exceeding Three hundred Pounds, nor less than Five Pounds Sterling.

Stowage of Cargo, Stores, and Luggage to be approved by Emigration Officer.

Computation of Voyages.

XXX. For the Purposes of this Act, the Length of the Voyage for a "Passenger Ship" proceeding from the United Kingdom to the under-mentioned Places respectively shall be determined by the following Scale; (that is to say,)

	If the Ship be propelled by Sails alone, or by Steam Power not sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.	If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less Power than sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.
	Days.	*Days.*
To *North America* (except the West Coast thereof):—		
For Ships clearing out between the Sixteenth Day of *January* and the Fourteenth Day of *October*, both Days inclusive - - - - -	70	40
For Ships clearing out between the Fifteenth Day of *October* and the Seventeenth Day of *January*, both Days inclusive - - - - -	80	45
To the *West Indies*, and any Part of the East Coast of *Central* or *South America*, North of the Equator - -	70	40
To any Part of the East Coast of *South America* lying between the Equator and the Twenty-fifth Degree of South Latitude - - - - - -	84	50
To the West Coast of *Africa* North of the Equator - -	84	50

Arrangements for the Ship.

	If the Ship be propelled by Sails alone, or by Steam Power not sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.	If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less Power than sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.
	Days.	*Days.*
To the Coast of *Africa* South of the Equator, or to the *Falkland Islands*, or to any Part of the East Coast of *South America* Southward of the Twenty-fifth Degree of South Latitude	105	65
To the *Mauritius*, and to the Western Coast of *America* South of the Equator	126	75
To *Ceylon*	140	85
To *Western Australia*	120	85
To any other of the *Australian* Colonies	140	90
To *New Zealand* and to the Western Coast of *America* between the Equator and the Fortieth Degree of North Latitude	150	90
To the Western Coast of *America* North of the Fortieth Degree of North Latitude, and the Islands adjacent thereto	182	96

For the like Purposes, the said Emigration Commissioners, acting by and under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice in Writing issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, may nevertheless declare what shall be deemed to be the Length of Voyage from the United Kingdom to any of the said herein-before mentioned Places, or to any other Port or Place whatsoever, and may fix such different Lengths of Voyage as they may think reasonable for such different Descriptions of Vessels as aforesaid.

Before Clearance, Provisions and Water to be surveyed.

XXXI. Before any "Passenger Ship" shall be cleared out the Emigration Officer at the Port of Clearance shall survey or cause to be surveyed by some competent Person the Provisions and Water by this Act required to be placed on board for the Consumption of the Passengers, and shall satisfy himself that the same are of a good and wholesome Quality, and in a sweet and good Condition, and are in Quantities sufficient to secure throughout the Voyage the Issues herein-after prescribed: In addition to the Allowance of pure Water for the Use of each Passenger there shall be shipped for cooking Purposes an additional Supply of pure Water after the Rate of at least Ten Gallons for every Day of the prescribed Length of Voyage for every One hundred Statute Adults on board; and also for the Use of the Crew and all other Persons on board an ample Supply of wholesome Provisions and pure Water, which shall not be inferior in Quality to the Supply of the same Articles provided for the Consumption of the Passengers: All such Water, Provisions, and Stores shall be provided and properly stowed away in accordance with the Requirements of the Twenty-ninth Section of this Act, by and at the Expense of the Owner, Charterer, or Master of the Ship; and if a Clearance be obtained for any "Passenger Ship" which shall not be then stored with the requisite Quantities of such Water, Provisions, and Stores as are required by this Act, the Owner, Charterer, or Master of such Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Three hundred Pounds Sterling.

Provisions for the Crew not to be inferior to those for the Passengers.

Penalty.

Power to Emigration Officer to reject and mark bad

XXXII. If such Emigration Officer shall consider that any of the Provisions or Stores or Water are not of a good and wholesome Quality, or are not in a sweet and good Condition, it shall be lawful for him to reject and mark the same, or the Packages or Vessels in which

Provisions, and direct the same to be landed, and if re-shipped Parties liable to a Penalty.

which they are contained, and to direct the same to be landed or emptied; and if such rejected Provisions or Stores or Water shall not thereupon be forthwith landed or emptied, or if, after being landed, the same or any Part thereof shall be reshipped in such Ship, the Owner, Charterer, or Master thereof, or any of them, or if reshipped in any other "Passenger Ship," the Person causing the same to be reshipped, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds Sterling.

Water Tanks or Casks to be approved by Emigration Officer.

XXXIII. In every "Passenger Ship" the Water to be laden on board, as herein-before required, shall be carried in Tanks or in Casks to be approved by the Emigration Officer at the Port of Clearance. When Casks are used, they shall be sweet and tight, of sufficient Strength, and if of Wood properly charred inside, and shall not be capable severally of containing more than Three hundred Gallons each: The Staves of the Water Casks shall not be made of Fir, Pine, or soft Wood. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of such Ship, or any of them shall for each Offence be liable to a Penalty not exceeding Fifty Pounds.

Provision for touching at intermed ate Ports to fill up Water.

XXXIV. If any "Passenger Ship" shall be intended to call at any intermediate Port or Place during the Voyage, for the Purpose of taking in Water, and if an Engagement to that Effect shall be inserted in the Bond mentioned in the Sixty-third Section of this Act, then it shall be sufficient to place on board at the Port of Clearance such Supply of Water as may be requisite, according to the Rate herein-after mentioned, for the Voyage of the said Ship to such intermediate Port or Place, subject to the following Conditions; (that is to say.)

First. That the Emigration Officer signify his Approval in Writing of the Arrangement, to be carried amongst the Papers of the Ship, and exhibited to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, at such intermediate Port or Place, and to be delivered to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, on the Arrival of the said Ship at the final Port or Place of Discharge:

Secondly, That if the Length of either Portion of the Voyage, whether to such intermediate Port or Place, or from such intermediate Port or Place to the final Port or Place of Discharge, be not prescribed in or under the Provisions of this Act, the Emigration Officer at the Port of Clearance shall in every such Case declare the same in Writing to be carried amongst the Papers of the Ship:

Thirdly, That the Ship shall have on board at the Time a Clearance is demanded Tanks or Water Casks, of the Description herein-before mentioned, sufficient for stowing the Quantity of Water required for the longest of such Portions of the Voyage as aforesaid.

Dietary Scales of Provisions.

XXXV. The Master of every "Passenger Ship" shall, during the Voyage, including the Time of Detention at any Place before the Termination thereof, issue to each Passenger, or, where the Passengers are divided into Messes, to the Head Man for the Time being of each Mess on behalf and for the Use of all the Members thereof, an Allowance of pure Water and sweet and wholesome Provisions, of good Quality, according to the following Dietary Scale; (that is to say,) if the Length of the Voyage, computed as herein-before mentioned, shall not exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "A.;" but if the Length of the Voyage, computed as aforesaid, shall exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "B."

WATER.

Three Quarts of Water daily to each Statute Adult, exclusive of the Quantity herein-before specified as necessary for cooking the Articles herein-after required to be issued in a cooked State.

PROVISIONS.

Arrangements for the Ship.

PROVISIONS.

Weekly, *per* Statute Adult.

	Scale A. For Voyages not exceeding 84 Days for Sailing Vessels, or 50 Days for Steamers.	Scale B. For Voyages exceeding 84 Days for Sailing Vessels, or 50 Days for Steamers.
	lbs. oz.	lbs. oz.
Bread or Biscuit, not inferior in Quality to Navy Biscuit	3 8	3 8
Wheaten Flour	1 0	2 0
Oatmeal	1 8	1 0
Rice	1 8	0 8
Peas	1 8	1 8
Potatoes	2 0	2 0
Beef	1 4	1 4
Pork	1 0	1 0
Tea	0 2	0 2
Sugar	1 0	1 0
Salt	0 2	0 2
Mustard	0 ½	0 ½
Black or White Pepper, ground	0 ¼	0 ¼
Vinegar	One Gill.	One Gill.
Lime Juice		0 6
Preserved Meat		1 0
Suet		0 6
Raisins		0 8
Butter		0 4

SUBSTITUTIONS.

Substitutions at the following Rates may, at the Option of the Master of any "Passenger Ship," be made in the above Dietary Scales, that is to say:—

1 lb. of preserved Meat - - - - for 1 lb. of Salt Pork or Beef.

1 lb. of Flour or of Bread or Biscuit, or ½ lb. of Beef or of Pork - - - - - for 1¼ lb. of Oatmeal or 1 lb. of Rice or 1 lb. of Peas.

1 lb. of Rice - - - - - for 1¼ lb. of Oatmeal, or vice versa.

¼ lb. of preserved Potatoes - - - - for 1 lb. of Potatoes.

10 oz. of Currants - - - - - for 8 oz. of Raisins.

3½ oz. of Cocoa or of Coffee, roasted and ground - for 2 oz. of Tea.

¾ lb. of Treacle - - - - - for ½ lb. of Sugar.

1 gill of mixed Pickles - - - - for 1 gill of Vinegar.

Provided, that the substituted Articles be set forth in the Contract Tickets of the Passengers. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall be liable for each Offence to a Penalty not exceeding Fifty Pounds Sterling. Penalty on Noncompliance.

XXXVI. The Messes into which the Passengers in any Passenger Ship may be divided shall not consist of more than Ten Statute Adults in each Mess, and Members of the same Family, whereof One at least is a Male Adult, shall be allowed to form a separate Mess. Size of Messes.

The Provisions according to the above Scale shall be issued, such of them as require to be cooked, in a properly cooked State, daily before Two o'Clock in the Afternoon, to the Head Person for the Time being of each Mess on behalf and for the Use of the Members thereof. The first of such Issues shall be made before Two o'Clock in the Afternoon of the Day of Embarkation to or for such Passengers as shall be then on board. In case of Noncompliance with Provisions to be issued daily, and Articles which require cooking to be cooked.

Arrangements for the Ship.

with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds.

Power to Emigration Commissioners to authorize an alternative Dietary Scale.

XXXVII. The said Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, may from Time to Time, by any Notice for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, authorize the Issue of Provisions in any "Passenger Ship" according to such other Dietary Scale (besides that herein-before prescribed) as shall in their Opinion contain in the whole an equivalent Amount of wholesome Nutriment; and after the Publication of such Notice it shall be lawful for the Master of any "Passenger Ship" to issue Provisions to his Passengers either according to the Scale by this Act prescribed, or according to the Scale authorized by the said Commissioners, whichever may have been set forth in the Contract Tickets of the Passengers: Provided always, hat the said Commissioners acting under such Authority and by such Notice as aforesaid may revoke or alter any such Dietary Scale authorized by them, as Occasion may require.

Power to Commissioners to alter Dietary Scale.

As to Passengers Stewards.

XXXVIII. Every "Passenger Ship" carrying as many as One hundred Passengers shall have on board a seafaring Person, who shall be rated in the Ship's Articles as Passengers Steward, and who shall be approved by the Emigration Officer at the Port of Clearance, and who shall be employed in messing and serving out the Provisions to the Passengers, and in assisting to maintain Cleanliness, Order, and good Discipline among the Passengers, and who shall not assist in any way in navigating or working the Ship. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

As to Passenger Cooks and cooking Apparatus.

XXXIX. Every "Passenger Ship" carrying as many as One hundred Passengers shall also have on board a seafaring Man, or if carrying more than Three hundred "Statute Adults," Two seafaring Men, to be rated and approved as in the Case of Passengers Stewards, who shall be employed in cooking the Food of the Passengers: A convenient Place for cooking shall also be set apart on Deck; and a sufficient cooking Apparatus, properly covered in and arranged, shall be provided, to the Satisfaction of the said Emigration Officer, together with a proper Supply of Fuel adequate, in his Opinion, for the intended Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

In what Cases Interpreters to be carried.

XL. In every Foreign "Passenger Ship" in which as many as One Half of the Passengers shall be *British* Subjects, unless the Master and Officers or not less than Three of them shall understand and speak intelligibly the *English* Language, there shall be carried, where the Number of Passengers does not exceed Two hundred and fifty, One Person, and where it exeeds Two hundred and fifty Two Persons, who understand and speak intelligibly the Language spoken by the Master and Crew and also the *English* Language, and such Persons shall act as Interpreters, and be employed exclusively in Attendance on the Passengers, and not in the working of the Ship; and no such Ship shall clear out or proceed to Sea without having such Interpreter or Interpreters on board; and the Master of any such Foreign Ship clearing out or proceeding to Sea without having such Interpreter or Interpreters on board as aforesaid shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty.

In what Cases a Medical Man must be carried.

XLI. Every "Passenger Ship" shall in the following Cases carry a duly qualified Medical Practitioner, who shall be rated on the Ship's Articles:

First, when the Duration of the intended Voyage, as herein-before computed, exceeds Eighty Days in the Case of Ships propelled by Sails, and Forty-five Days in the Case of Ships propelled by Steam, and the Number of Passengers on board exceeds Fifty:

Second, whenever the Number of Persons on board (including Cabin Passengers, Officers, and Crew,) exceeds Three hundred:

Penalty.

In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Twenty Pounds Sterling.

XLII. No

Arrangements for the Ship.

Qualification of Medical Man.

XLII. No Medical Practitioner shall be considered to be duly qualified for the Purposes of this Act unless authorized by Law to practise in some Part of Her Majesty's Dominions, or, in the Case of a Foreign Ship in the Country to which such Ship may belong, as a Physician, Surgeon, or Apothecary, nor unless his Name shall have been notified to the Emigration Officer at the Port of Clearance, and shall not be objected to by him, nor unless he shall be provided with proper Surgical Instruments to the Satisfaction of such Officer: Provided nevertheless, that where the Majority of the Passengers in any "Passenger Ship," or as many as Three hundred, are Foreigners, any Medical Practitioner who may be approved by such Emigration Officer may be carried therein. In case any Person shall proceed or attempt to proceed as Medical Practitioner in any "Passenger Ship" without being duly qualified as aforesaid, or contrary to any of the Requirements of this Section, such Person and all Persons aiding or abetting therein shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Ten Pounds Sterling.

Penalty.

Medicines and Medical Comforts.

XLIII. The Owner or Charterer of every "Passenger Ship" shall provide for the Use of the Passengers a Supply of Medicines, Medical Comforts, Instruments, and other Things proper and necessary for Diseases and Accidents incident to Sea Voyages, and for the Medical Treatment of the Passengers during the Voyage, including an adequate Supply of disinfecting Fluid or Agent, together with printed or written Directions for the Use of the same respectively; and such Medicines, Medical Comforts, Instruments, and other Things shall, in the Judgment of the Emigration Officer at the Port of Clearance, be good in Quality, and sufficient in Quantity, for the probable Exigencies of the intended Voyage, and shall be properly packed and placed under the Charge of the Medical Practitioner, when there is one on board, to be used at his Discretion. In case of Non-compliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling.

Penalty.

Medical Inspection of Passengers and Medicines, &c.

XLIV. No "Passenger Ship," except as herein-after provided, shall clear out or proceed to Sea until some Medical Practitioner, to be appointed by the Emigration Officer at the Port of Clearance, shall have inspected such Medicines, Medical Comforts, and other Articles as are required to be supplied by the last preceding Section, and also all the Passengers and Crew about to proceed in the Ship, and shall have certified to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, Medical Comforts, disinfecting Fluid or Agent, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, nor until such Medical Practitioner shall have certified and the said Emigration Officer shall be satisfied that none of the Passengers or Crew appear, by reason of any bodily or mental Disease, unfit to proceed, or likely to endanger the Health or Safety of the other Persons about to proceed in such Vessel. Such Medical Inspection of the Passengers shall take place either on board the Vessel, or, at the Discretion of the said Emigration Officer, at such convenient Place on shore before Embarkation as he may appoint; and the Master, Owner, or Charterer of the Ship shall pay to such Emigration Officer a Sum at the Rate of Twenty Shillings for every Hundred Persons so examined: Provided also, that in case the Emigration Officer on any particular Occasion shall be unable to obtain the Attendance of a Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed to Sea, on receiving from the said Emigration Officer written Permission for the Purpose. In case any "Passenger Ship" shall clear out or proceed to Sea without having complied with all the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding One hundred Pounds, nor less than Five Pounds Sterling.

Penalty.

Relanding of Passengers on account of Sickness or for purifying Ships.

XLV. If the Emigration Officer at any Port shall be satisfied that any Person on board or about to proceed in any "Passenger Ship," is by reason of Sickness unfit to proceed, or is for that or for any other Reason likely to endanger the Health or Safety of the other Persons on board, the said Emigration Officer shall prohibit the Embarkation of such Person, or if embarked shall require him to be relanded; and if such Emigration Officer

Arrangements for the Ship.

Officer shall be satisfied that it is necessary, for the Purification of the Ship or otherwise, that all or any of the Passengers or Persons on board should be relanded, the said Emigration Officer may require the Master of the Ship to reland all such Passengers or Persons, and the Master shall thereupon reland such Passengers or Persons with so much of their Effects and with such Members of their Families as cannot in the Judgment of such Emigration Officer be properly separated from them; and in case of Noncompliance with any of the Requirements of this Section, the Master, Owner, or Charterer of the Ship shall for each Offence be liable to a Penalty not exceeding Two hundred Pounds nor less than Ten Pounds; and any Passenger or Person embarking after such Prohibition, or refusing or neglecting to leave the Ship when so directed to be relanded, shall be liable to be summarily removed, and to a Penalty not exceeding Forty Shillings for each Day which he shall remain on board after the giving of such Prohibition or Direction.

Penalty.

Passengers Rights.

XLVI. Any Passenger so relanded on account of the Sickness of himself or of any Member of his Family who may not be re-embarked and finally sail in such Ship, or any Emigration Officer on his Behalf, shall be entitled to recover, by summary Process, the whole of the Monies which may have been paid by or on account of such Passenger for his Passage, and that of the Members of his Family so relanded, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer.

As to Return of Passage Money to Passengers relanded on account of Sickness, &c.

Subsistence Money to be paid to Passengers relanded.

XLVII. The Master of any "Passenger Ship," from which the whole or any Part of the Passengers shall be relanded on account of any of the Reasons mentioned in Section XLV. shall pay to each Passenger so relanded (or if he shall be lodged and maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port,) Subsistence Money at the Rate of One Shilling and Sixpence a Day for each Statute Adult until he shall be re-embarked or decline or neglect to proceed, or until his Passage Money, if recoverable under the Forty-sixth Section of this Act, be returned to him.

Return of Passage Money and Compensation to Passengers where Passages not provide them according to Contract.

XLVIII. If any Person by whom or on whose Behalf any Contract shall have been made for a Passage in any Ship proceeding on any Voyage to which this Act extends, shall be at the Place of Embarkation before Six o'Clock in the Afternoon of the Day of Embarkation appointed in such Contract, and shall, if required, pay the stipulated Passage Money, or the unpaid Balance thereof, and if from any Cause whatever, other than his own Refusal, Neglect, or Default, or the Prohibition of an Emigration Officer, as herein-before mentioned, or the Requirements of any Order in Council, such Passenger shall not be received on board before that Hour, or if from any such Cause as aforesaid any Passenger who shall have been received on board shall not either obtain a Passage in such Ship to the Port at which he may have contracted to land, or, together with all the immediate Members of his Family who may be included in such Contract, obtain a Passage to the same Port in some other equally eligible Ship, to sail within Ten Days from the Expiration of the said Day of Embarkation, and in the meantime be paid Subsistence Money from the Time and at the Rate herein-after mentioned, such Passenger, or any Emigration Officer on his Behalf, shall be entitled to recover either from the Party to whom or on whose Account the same may have been paid, or (in case such Contract shall have been made with the Owner, Charterer, or Master of such Ship, or with any Person acting on behalf or by the Authority of any of them respectively,) from such Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer, all Monies which shall have been paid by or on account of such Passengers for such Passage, and also such further Sum, not exceeding Ten Pounds in respect of each such Passage, as shall, in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned to such Passenger by the Loss of such Passage.

Subsistence in case of Detention.

XLIX. If any Ship whether a "Passenger Ship" or otherwise shall not actually put to Sea, and proceed on her intended Voyage before Three o'Clock in the Afternoon of the Day next after the said Day of Embarkation, the Owner, Charterer, or Master of such Ship, or his or their Agent, or any of them, at the Option of such Passenger or Emigration Officer, shall pay to every Passenger entitled to a Passage (or if such Passenger shall be lodged and maintained

maintained in any Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port of Embarkation,) Subsistence Money after the Rate of One Shilling and Sixpence for each Statute Adult in respect of each Day of Delay for the First Ten Days, and afterwards Three Shillings a Day for each Statute Adult, until the final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned; provided that if the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no such Subsistence Money shall be payable for the first Two Days next after the said Day of Embarkation, nor if they shall be maintained shall such Subsistence Money be payable if the Ship be unavoidably detained by Wind or Weather, or by any Cause not attributable in the Opinion of the Emigration Officer to the Act or Default of the Owner, Charterer, or Master.

Passengers Rights.

Ships putting back to replenish Provisions, &c.

L. If any "Passenger Ship" shall, after Clearance, be detained in Port for more than Seven Days, or shall put into or touch at any Port or Place in the United Kingdom, she shall not put to Sea again until there shall have been laden on board, at the Expense of the Owner, Charterer, or Master of such Ship, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Comforts and Stores, as may be necessary to make up the full Quantities of those Articles herein-before required to be laden on board for the intended Voyage, nor until any Damage she may have sustained shall have been effectually repaired, nor until the Master of the said Ship shall have obtained from the Emigration Officer or his Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein the said Master shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling: And if the Master of any "Passenger Ship" so putting into or touching at any Port or Place as aforesaid shall not within Twelve Hours thereafter report, in Writing, his Arrival, and the Cause of his putting back, and the Condition of his Ship, and of her Stores and Provisions, to the Emigration Officer, or, as the Case may be, to the Officer of Customs at the Port, and shall not produce to such Officer the Official or "Master's List" of Passengers, such Master shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Two Pounds Sterling.

Penalty on Master for Default.

Ships putting back to be reported to Emigration Officer.

Penalty on Master for Neglect.

In case of Wreck or Damage Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime.

LI. If any "Passenger Ship" shall put into any Port or Place in the United Kingdom in a damaged State, and the Master, Charterer, or Owner shall not give a written Undertaking that the said Ship shall be made sound and seaworthy, and shall within Six Weeks from the Day of her so putting into such Port or Place again proceed with her Passengers on her intended Voyage, and if the said Ship shall not accordingly be made seaworthy and proceed on her intended Voyage within that Period, or if any such Ship shall after the Commencement of her Voyage be wrecked, sunk, or otherwise destroyed, or shall from any Cause whatsoever not land her Passengers at the Place where they may have respectively contracted to land, the Owner, Charterer, or Master thereof shall provide the Passengers with a Passage in some other eligible Ship to sail within Six Weeks to the Port or Place at which they respectively may have originally contracted to land, and shall in the meantime, if the Passengers be not lodged and maintained on board in the same Manner as if the Ship were at Sea, pay to such Passengers (or if such Passengers shall be lodged or maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at such Port or Place,) Subsistence Money after the Rate of One Shilling and Sixpence Sterling for each Statute Adult in respect of each Day of Delay until such Passengers are duly forwarded to their Destination; and if Default shall be made in any of the Requirements of this Section such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as herein-after mentioned, all Monies which shall have been paid by or on account of such Passengers or any of them for such Passage, from the Party to whom or on whose Account the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer: Provided that the said Emigration Officer may, if he shall think it necessary, direct that the Passengers shall be removed from such "Passenger Ship" at the Expense of the Master thereof; and if after such

In default Passage Money to be returned.

Power to remove Passengers from Ship;

Penalty on Passengers refusing.

such Direction any Passenger shall refuse to leave such Ship, he shall be liable to a Penalty not exceeding Forty Shillings or to Imprisonment not exceeding One Calendar Month.

Secretary of State, &c. may pay Expenses of taking off Passengers at Sea.

LII. If the Passengers or Cabin Passengers of any "Passenger Ship" shall be taken off from any such "Passenger Ship" or shall be picked up at Sea from any Boat, Raft, or otherwise, it shall be lawful, if the Port or Place to which they shall be conveyed shall be in the United Kingdom, for One of Her Majesty's Principal Secretaries of State, or if in any of Her Majesty's Colonial Possessions, for the Governor of such Colony, or for any Person authorized by him for the Purpose, or if in any Foreign Country, for Her Majesty's Consular Officer, at such Port or Place therein, to defray all or any Part of the Expenses thereby incurred.

Governors or Consuls may send on Passengers if the Master of the Ship fail to do so.

LIII. If any Passenger or Cabin Passenger of any "Passenger Ship" shall, without any Neglect or Default of his own, find himself within any Colonial or Foreign Port or Place other than that at which he may have contracted to land, it shall be lawful for the Governor of such Colony, or for any Person authorized by him for the Purpose, or for Her Majesty's Consular Officer at such Foreign Port or Place, as the Case may be, to forward such Passenger to his intended Destination, unless the Master of such Ship shall, within Forty-eight Hours of the Arrival of such Passenger, give to the Governor or Consular Officer, as the Case may be, a written Undertaking to forward or carry on within Six Weeks thereafter such Passenger or Cabin Passenger to his original Destination, and unless such Master shall accordingly forward or carry him on within that Period.

Expenses incurred under the Two preceding Sections to be a Crown Debt.

LIV. All Expenses incurred under the last Two preceding Sections, or either of them, by or by the Authority of such Secretary of State, Governor, Consular Officer, as aforesaid, including the Cost of maintaining the Passengers until forwarded to their Destination, and of all necessary Bedding, Provisions, and Stores, shall become a Debt to Her Majesty and Her Successors from the Owner, Charterer, and Master of such Ship, and shall be recoverable from them, or from any One or more of them, at the Suit and for the Use of Her Majesty, in like Manner as in the Case of other Crown Debts; and a Certificate purporting to be under the Hand of any such Secretary of State, Governor, or Consular Officer, (as the Case may be,) stating the total Amount of such Expenses, shall in any Suit or other Proceeding for the Recovery of such Debt be received in Evidence without Proof of the Handwriting or of the official Character of such Secretary of State, Governor, or Consular Officer, and shall be deemed sufficient Evidence of the Amount of such Expenses, and that the same were duly incurred: Provided nevertheless, that in no Case shall any larger Sum be recovered on account of such Expenses than a Sum equal to Twice the total Amount of Passage Money received by the Owner, Charterer, or Master of such Passenger Ship, or any of them, from or on account of the whole Number of Passengers and Cabin Passengers who may have embarked in such Ship; which total Amount of Passage Money shall be proved by the Defendant, if he will have the Advantage of this Limitation of the Debt; but if any such Passengers are forwarded or conveyed to their intended Destination under the Provisions of the last preceding Section, they shall not be entitled to the Return of their Passage Money, or to any Compensation for Loss of Passage under the Provisions of this Act.

Passengers forwarded by Governor, &c. not entitled to Compensation.

Insurance of Passage Money not to be void on account of the Nature of the Risk.

LV. No Policy of Assurance effected in respect of any Passages, or of any Passage or Compensation Monies, by any Person by this Act made liable, in the Events aforesaid, to provide such Passages or to pay such Monies, or in respect of any other Risk under this Act, shall be deemed to be invalid by reason of the Nature of the Risk or Interest sought to be covered by such Policy of Assurance.

Penalty on wrongfully landing Passengers.

LVI. If any Passenger in any Ship, whether a "Passenger Ship" or otherwise, shall be landed at any Port or Place other than the Port or Place at which he may have contracted to land, unless with his previous Consent, or unless such Landing shall be rendered necessary by Perils of the Sea, or other unavoidable Accident, the Master shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Ten Pounds Sterling.

Passengers to be maintained for 48 hours after Arrival.

LVII. Every Passenger in a "Passenger Ship" shall be entitled for at least Forty-eight Hours next after his Arrival at the End of his Voyage, to sleep in the Ship, and to be provided

provided for and maintained on board thereof, in the same Manner as during the Voyage, unless within that Period the Ship shall quit such Port or Place in the further Prosecution of her Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding Five Pounds Sterling.

Passengers Rights.

Penalty.

LVIII. Nothing herein contained shall take away or abridge any Right of Action which may accrue to any Passenger in any 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, Charterer, or Owner of any such Ship, or his or their Agent, or any Passage Broker.

Passengers Right of Action preserved.

Miscellaneous.

LIX. It shall be lawful for Her Majesty, by any Order in Council, to prescribe such Rules and Regulations as to Her Majesty may seem fit, for the following Purposes; (that is to say,)

Her Majesty may, by Orders in Council, prescribe Rules for Purposes herein described.

1st. For preserving Order, promoting Health, and securing Cleanliness and Ventilation on board of "Passenger Ships" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad.

2d. For permitting the Use on board of "Passenger Ships" of an Apparatus for distilling Water, and for defining in such Case the Quantity of fresh Water to be carried in Tanks or Casks for the Passengers.

3d. For prohibiting Emigration from any Port or Ports at any Time when Choleraic or any Epidemic Disease may be generally prevalent in the United Kingdom or any Part thereof, or for reducing the Number of Passengers allowed to be carried in "Passenger Ships" generally, or from any particular Ports under the Provisions of this Act.

4th. For requiring duly qualified Medical Practitioners to be carried in "Passenger Ships," in Cases where they would not be required to be carried under the Provisions of this Act.

Any such Order in Council may from Time to Time in like Manner be altered, amended, and revoked, as Occasion may require. Any Copy of such Order in Council contained in the *London Gazette*, or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

Gazette and Copies printed by Queen's Printer to be Evidence &c.

LX. In every such "Passenger Ship" the Medical Practitioner on board, aided by the Master thereof, or, in the Absence of such Medical Practitioner, the Master of such Ship, is hereby empowered to exact Obedience to all Rules and Regulations which may be prescribed by any such Order in Council to be observed on board Passenger Ships as aforesaid; and any Person on board who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Medical Practitioner or Master of such Ship in the Execution of any Duty imposed upon him by any such Rule or Regulation, or who shall offend against any of the Provisions of this Act, or who shall be guilty of riotous or insubordinate Conduct, shall be liable for each Offence to a Penalty not exceeding Two Pounds Sterling, and, in addition thereto, to be confined in the Common Gaol for any Period not exceeding One Month, at the Discretion of the Justices who shall adjudicate on the Complaint.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty on Refusal.

LXI. The said Emigration Commissioners shall from Time to Time prepare such Abstracts as they may think proper of the whole or any Part of this Act, and of any such Order in Council as aforesaid; and Four Copies of such Abstracts, together with a Copy of this Act, shall, on Demand, be supplied by the Principal Officer of Customs at the Port of Clearance to the Master of every "Passenger Ship" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad; and such Master shall, on Request made to him, produce a Copy of this Act to any Passenger on board, for his Perusal, and, further, shall post, previous to the Embarkation of the Passengers, and shall keep posted so long as any Passenger shall be entitled to remain in the Ship, in at least Two conspicuous Places between the Decks on which Passengers may be carried, Copies of such Abstracts; and such Master shall be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by his Act or Default such Abstracts shall fail

Emigration Commissioners to prepare an Abstract of Act and Orders in Council.

Such Abstract to be posted up in each Ship.

Penalty on Master for Neglect;

and on Person defacing Abstract.

fail to be so posted; and any Person displacing or defacing such Abstracts so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Sale of Spirits prohibited on board Passenger Ships. Penalty.

LXII. If in any "Passenger Ship" any Person shall during the Voyage, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any Passenger, he shall be liable for every such Offence to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Bond to be given by Masters of British and Foreign Passenger Ships.

LXIII. Before any "Passenger Ship" shall clear out or proceed to Sea, the Master, together with the Owner or Charterer of the Ship, or, in the event of the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a joint and several Bond, in the Sum of Two thousand Pounds, to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (C.) hereto annexed. Such Bond shall not be liable to Stamp Duty, and shall be executed in Duplicate.

Counterpart of Bond to be certified, and sent to the Colony to which Ship bound, and to be received in Evidence without further Proof of Execution.

LXIV. It shall be the Duty of the Chief Officer of Customs at the Port of Clearance of any "Passenger Ship" bound to any of Her Majesty's Possessions abroad, to certify on One Part of such Bond that it has been duly executed by the said Master of such Ship and the other Obligor, and to forward the same by Post to the Colonial Secretary of the Colony to which such "Passenger Ship" may be bound; and such Certificate shall, in any Colonial Court of Judicature in which the Bond may be put in suit, be deemed conclusive Evidence of the due Execution of the Bond by the said Master and the other Obligor, and it shall not be necessary to prove the Handwriting of the Officer of Customs who may have signed such Certificate, nor that he was at the Time of signing it Chief Officer of Customs at the Port of Clearance; provided that no such Bond shall be put in suit in any of Her Majesty's Possessions abroad after the Expiration of Three Calendar Months next after the Arrival therein of the said Ship, nor in the United Kingdom after the Expiration of Twelve Calendar Months next after the Return of the said Ship and of the said Master to the United Kingdom.

In the Absence of Agreement to the contrary the Owner to be responsible in respect of Default.

LXV. In the Absence of any Agreement to the contrary, the Owner shall be the Party ultimately responsible, as between himself and the other Persons hereby made liable in respect of any Default in complying with the Requirements of this Act; and that if any such last-mentioned Person shall pay any Monies hereby made payable to or on behalf of any such Passengers as aforesaid, the Person so paying the same shall be entitled, in the Absence of any such Agreement as aforesaid, to sue for and recover from the Owner the Amount so paid, together with Costs of Suit.

Passage Brokers.

No Person to act as a Passage Broker without a Licence.

LXVI. No Person whatever shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties to be approved by the Emigration Officer at the Port nearest to the Place of Business of such Person, shall have previously entered into a joint and several Bond, in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (D.) hereto annexed, which Bond shall be renewed on each Occasion of obtaining such Licence as herein-after mentioned, and shall be in Duplicate, without Stamps, and One Part thereof shall be deposited at the Office in *London* of the said Emigration Commissioners, and the other Part thereof with the Emigration Officer at the Port nearest to the Place of Business of such Person; nor unless such Person shall have obtained a Licence, as herein-after mentioned, to let or sell Passages, nor unless such Licence shall then be in force; and if any Person shall offend in any Particular against this Enactment, every Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds, to be sued for and recovered as herein-after mentioned: Provided, that such Bond shall not be required of any Person who shall be One of the Sworn Brokers of the City of *London*: Provided also, that there shall be excepted from the Operation of this Section the said Emigration Commissioners, and any Persons contracting with them, or acting under their Authority, and also

Emigration Commissioners and Agents of Passage

any

any Person acting as the Agent of any Passage Broker in pursuance of an Appointment made in the Form prescribed by Schedule (I.) hereto annexed, signed by such Passage Broker, and countersigned by such Emigration Officer as aforesaid: Provided further, that the Acts and Defaults of any Person acting under the Authority or as Agent of any Passage Broker shall, for the Purposes of this Act, be deemed to be also the Acts and Defaults of such Passage Broker: Provided also, that nothing herein-before contained shall be held or construed to prevent the said Emigration Officer from accepting the Bond of a Guarantee Society, such Bond and such Guarantee Society as shall have been approved by the Lords Commissioners of Her Majesty's Treasury, in lieu of the Bond of Two good and sufficient Securities as aforesaid.

Brokers exempted from this Section.

Passage Brokers to be responsible for their Agents.

LXVII. Any Person wishing to obtain a Licence to act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being in the *Mediterranean Sea*, shall make Application for the same to the Justices at the Petty Sessions held for the District or Place in which such Person shall have his Place of Business; and such Justices are hereby authorized (if they shall think fit) to grant a Licence for that Purpose, according to the Form in the Schedule (E.) hereunto annexed, which Licence shall continue in force until the Thirty-first Day of *December* in the Year in which such Licence shall be granted, and for Thirty-one Days afterwards, unless sooner forfeited, as herein mentioned; and upon granting such Licence the Justices shall cause a Notice thereof according to the Form in Schedule (F.) hereto annexed to be transmitted forthwith by the Post to the said Emigration Commissioners at their Office in *London:* Provided always, 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 such Bond to Her Majesty, Her Heirs and Successors, as herein-before required, and has deposited One Part thereof at the Office in *London* of the said Commissioners, or is a Sworn Broker of the City of *London*, and has in either Case given Notice to the said Commissioners Fourteen clear Days at least before such Application of his Intention to apply for the same, which Notice shall be transmitted by the Post to the Office in *London* of the said Commissioners, and shall be according to the Form contained in the Schedule (G.) hereto annexed: Provided also, that any Justices of the Peace who shall adjudicate on any Offence against this Act, or on any Breach or Nonperformance of any of the Requirements thereof, are hereby authorized, if they shall think fit, and the Offender is a Passage Broker, to order his Licence to be forfeited, and the same shall thereupon be forfeited accordingly; and the said Justices making such Order shall forthwith cause Notice of such Forfeiture, in the Form contained in the Schedule (H.) hereunto annexed, to be transmitted by the Post to the said Commissioners at their Office in *London:* In *Scotland*, where any Person wishing to obtain such Licence shall make Application for the same to the Sheriff or Steward or Sheriff Substitute or Steward Substitute, in place of to such Justices of the Peace as aforesaid, the Forms given in the said Schedules (D.), (E.), (F.), (G.), and (H.) respectively, shall still be adhered to, with such Alterations as may be necessary.

How Passage Brokers Licences may be obtained.

Justices to give Notice to Emigration Commissioners of Licence granted.

Notice to be given to Emigration Commissioners of intended Application for Licences.

Power to Justices to order Licences to be forfeited who shall give Notice of the same to Emigration Commissioners.

As to Application for Licences in Scotland.

LXVIII. Every Passenger Broker's Licence in force at the Commencement of this Act shall, unless adjudged to be forfeited, continue in force until the First Day of *February* One thousand eight hundred and fifty-six, but no longer; and all Acts done under such Licence while in force shall be as valid as if done under any Licence granted under this Act.

Existing Licences to continue in force until 1st Feb. 1856.

LXIX. No Passage Broker shall employ as an Agent in his Business of Passage Broker any Person not holding from him the Appointment of Agent as herein-before mentioned; and every Person holding such Appointment shall produce the same, on the Demand of any Emigration Officer, or of any Person treating for a Passage under this Act: For any Breach or Violation of this Enactment in any Particular, the Offender shall be liable for each Offence to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds.

Passage Brokers to employ no Agents, &c.

Agents to produce their Appointments on Demand.

LXX. If any Person shall by false Representation as to the Size of a Ship, or otherwise, or by any false Pretence or Fraud whatsoever, induce any Person to engage a Passage in any Ship, the Person so offending shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Penalty on Persons fraudulently inducing others to engage Passages.

LXXI. Every

Passage Brokers.

Contract Tickets for Cabin and other Passengers.

LXXI. Every Person whatever, except the said Emigration Commissioners and Persons acting for them and under their direct Authority, who shall receive Money from any Person for or in respect of a Passage in any Ship, or of a Cabin Passage in any "Passenger Ship" proceeding from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean* Sea, shall give to the Person paying such Money a Contract Ticket, signed by the Owner, Charterer, or Master of the Ship or "Passenger Ship" (as the Case may be) in which the Passage is to be provided, or by some Person in their or his Name, and on their or his Behalf: Such Contract Ticket shall be made out in plain and legible Characters on a printed Form, which in the Case of Cabin Passengers shall be according to the Form contained in Schedule (K.) hereto annexed, and in the Case of all other Passengers in the Form contained in Schedule (L.) hereto annexed, or according to such other Form as in either Case may from Time to Time be prescribed by the said Emigration Commissioners in any Notice issued under their Hands, or the Hands of any Two of them, and published in the *London Gazette*: And any Directions contained on the Face of such Form of Contract Ticket shall be obeyed in the same Manner as if herein set forth. In case of Noncompliance with any of the Requirements of this Section, or of any of the Directions on such Form of Contract Ticket not inconsistent with this Act, the Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling: Provided always, that such Contract Tickets shall not be liable to any Stamp Duty.

Penalty for inducing any one to part with Contract Ticket.

LXXII. Any Person who shall alter or cause to be altered, after it is once issued, or shall induce any Person to part with, render useless, or destroy any such Contract Ticket, during the Continuance of the Contract which it is intended to evidence (except in the Case of Cabin Passengers who may have consented thereto), shall be liable in each Case to a Penalty not exceeding Twenty Pounds Sterling.

Summary Remedy for Breach of Contract.

LXXIII. Any Question which may arise respecting the Breach or Nonperformance of any of the Stipulations in any such Contract Ticket, may at the Option of any Passenger or Cabin Passenger interested therein, be heard and determined in a summary Way by the Justices of the Peace, Magistrates, Sheriffs, or other Officers herein-after authorized to adjudicate on Offences and Complaints under the Act, who are hereby authorized to try such Questions, and if they shall find that a Breach of Contract has been committed, to award to the Complainant such Damages and Costs as they may think fit, not exceeding in any Case the Amount of the Passage Money specified in such Contract Ticket and Twenty Pounds; and if such Damages and Costs be not at once paid, Payment thereof shall thereupon be enforced, in the same Manner and by the same Processes as the Payment of Subsistence Money, or the Return of Passage Money, may be enforced under this Act: Provided that if any Passenger shall have obtained Compensation or Redress, under any of the other Provisions of this Act, he shall not be entitled to sue under this Section for Damages for the same Matter or Cause of Complaint.

Penalty on Cabin Passengers and on Masters, &c. omitting to produce Contract Tickets.

LXXIV. If any Cabin or other Passenger shall, on Demand of any Emigration Officer, refuse or omit to produce his Contract Ticket, or if any Owner, Charterer, or Master of a Ship, shall on like Demand refuse or omit to produce to any Emigration Officer in the United Kingdom the Counterpart of any Contract Ticket issued by them, or on their Behalf, for the Inspection of such Emigration Officer, and for the Purposes of this Act, every Person so offending against the Requirements of this Section shall for each Offence be liable summarily to a Penalty not exceeding Ten Pounds.

Penalty on unlicensed Persons acting as Runners and on Passage Brokers employing them.

LXXV. Any Person who shall act as an "Emigrant Runner" without having previously been licensed and registered as herein-after mentioned, or who, while so acting shall omit to wear conspicuously on his Breast such Badge as herein-after mentioned, or who shall employ as an "Emigrant Runner" any Person not duly licensed and registered, shall for each Offence be liable to a Penalty not exceeding Five Pounds nor less than Twenty Shillings.

Mode of Licensing and Registering Runners.

LXXVI. The Justices of the Peace at any Petty Sessions held for the District or Place within which any Person wishing to act as an "Emigrant Runner" is to carry on his Business may upon the Recommendation in Writing of an Emigration Officer or of the Chief Constable or other Head Officer of Police of such District or Place (but not otherwise) grant, if

Passage Brokers.

if they shall think fit, to such Person wishing to act as Runner a Licence for that Purpose according to the Form in Schedule (M.) hereto annexed, and such Runner shall within Forty-eight Hours thereafter (under a Penalty not exceeding Forty Shillings for any Default,) lodge such Licence with the nearest Emigration Officer, who shall register the Name and Abode of such Runner in a Book to be kept for that Purpose, and shall number each Name registered in arithmetical Progression, and shall supply to such Runner, on his paying a Sum not exceeding Seven Shillings for the same, a badge of such Form and Description as shall be approved by the said Emigration Commissioners.

Emigrant Runner's Licence to be renew e annual

LXXVII. Every such "Emigrant Runner's" Licence shall continue in force until the Thirty-first Day of *December* in the Year in which it shall be granted, unless sooner revoked by any Justice of the Peace, for any Offence against this Act or for any other Misconduct committed by the Holder of such Licence. In case of any renewed Licence it shall be sufficient for the Emigration Officer to note the Fact, and the Date of the Renewal, in his Registry Book against the original Entry therein of the Name of the Runner holding such renewed Licence.

Penalty on Runner for certain Acts of Misconduct.

LXXVIII. If any "Emigrant Runner" shall refuse or fail to produce, on Demand, his Badge for Inspection, or to permit any Person to take the Number thereof, or if he shall fail within Forty-eight Hours to give to the Emigration Officer of the Port or Place within which he is licensed to act Notice in Writing of any Change in his Place of Abode, in order that his new Abode may be registered, or of the Loss of his Badge, or if he shall mutilate or deface his Badge or wear the same while unlicensed, or wear any other than the one delivered to him by such Emigration Officer as aforesaid, or permit any other Person to use his Badge, he shall for each such Offence be liable to a Penalty not exceeding Forty Shillings and to the Forfeiture of his Licence, if the convicting Justices or Magistrate shall so determine; and any Person retaining or using any "Emigrant Runner's" Badge not issued to him under the Provisions of this Act, or counterfeiting or forging any such Badge, shall for each such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on unlawfully using Badges.

How fresh Badges may be renewed.

LXXIX. Such Emigration Officer as last aforesaid may, if he thinks fit, on Payment to him of the Sum of Five Shillings, deliver a new Badge to any licensed "Emigrant Runner" who shall satisfy such Officer that he has lost his original Badge, or who shall deliver up the same in a mutilated or defaced State.

Runners not entitled to Commission from any Passage Broker unless, &c. nor from Emigrants, &c.

LXXX. No "Emigrant Runner" shall be entitled to recover from any Passage Broker any Fee, Commission, or Reward for or in consideration of any Service connected with Emigration, unless he shall be acting under the written Authority of such Passage Broker, nor, under a Penalty for each Offence not exceeding Five Pounds, shall take or demand from any Person about to emigrate any Fee or Reward for the procuring of his Passage, or in any way relating thereto.

List of Runners to be exhibited by Brokers and sent to Emigration Officers.

LXXXI. Every Passage Broker shall exhibit and keep constantly exhibited in some conspicuous Place in his Office or Place of Business a correct List, in plain and legible Characters, containing the Names and Addresses in full of every Person for the Time being holding such Authority to act as his Agent or as an Emigrant Runner for him as aforesaid, and shall on or before the Fifth Day, or if that Day be a *Sunday*, on or before the Fourth Day in every Month, transmit a true Copy of such List, duly signed by him, to the Emigration Officer stationed nearest to the Place of Business of such licensed Passage Broker, and shall report to such Emigration Officer every Discharge or fresh Engagement of an Agent or of an "Emigrant Runner" within Twenty-four Hours of the same taking place. In case of Noncompliance with any of the Requirements of this Section, the Person so offending shall be liable for each Offence to Penalty not exceeding Five Pounds nor less than Two Pounds.

Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intend-

LXXXII. It shall be lawful for the Trustees or other Persons charged with the Management of any Docks or Basins in any Port within the United Kingdom from which "Passenger Ships" are despatched to make, and from Time to Time to alter, amend, or repeal, such Rules and Byelaws as may be necessary for prescribing the Docks, Basins, or other Places at which Persons arriving by Sea at such Ports for the Purpose of emigrating, or actually

ing Emigrants, and for licensing Emigrant Porters.

actually emigrating therefrom, shall be landed and embarked, and the Mode of their Landing and Embarkation, and for licensing Porters to carry their Luggage and otherwise to attend upon them, and for the Storing and safe Custody of their Luggage and for admitting Persons to and excluding Persons from Access to such Docks or Basins, and for attaching a Penalty not exceeding Five Pounds for the Breach of any of such Rules or Byelaws, such Penalty to be sued for and recovered as other Penalties are by this Act directed to be recovered, except that instead of an Emigration Officer such Trustees or other Persons as aforesaid shall sue for and recover the same; and it shall further be lawful for such Trustees, by their Officers or Servants, or by any Police Officer, to arrest and detain any Person charged with the Breach of any such Rule or Byelaw until brought before any Justice of the Peace, who is hereby authorized to adjudicate on the Offence in a summary Way: Provided that no such Rules or Byelaws shall take effect until they shall have been approved by One of Her Majesty's Principal Secretaries of State, and published by his Authority in the *London Gazette*, which Publication shall for all Purposes be deemed conclusive Evidence of such Rules and Byelaws, and of the Approval thereof by such Secretary of State.

Byelaws to be approved by Secretary of State, and published in the London Gazette.

Penalty for falsifying Documents to obtain Passages from Emigration Commissioners, and for Personation.

LXXXIII. 'And whereas the said Emigration Commissioners and Persons acting under 'their Authority issue from Time to Time certain Forms of Application and other Papers 'for the Use of Persons desirous of emigrating by their Assistance: And whereas it is 'expedient to afford additional Security against the Falsification or Misuse of such Forms 'and Papers, and of any Certificate of Marriage or of Birth or Baptism, or other Document 'or Statement adduced in support of any Application to the said Commissioners for such 'Assistance:' Be it therefore enacted, That if any Person shall falsely represent himself to be or falsely assume to act as the Agent of the said Commissioners, or shall sell any such Form of Application, Paper, or Embarkation Order, or shall wilfully make any false Representation in any such Form of Application, Paper, Certificate, or Document as aforesaid, or shall forge or fraudulently alter any Signature or Statement contained therein respectively, or shall personate any Person named therein respectively, or shall aid or in any way abet any Person in any such false Representation, Forgery, Alteration, or Personation, the Person so offending shall be liable for each such Offence to a Penalty not exceeding Fifty Pounds nor less than Two Pounds Sterling.

Procedure for Penalties, &c.

By whom Penalties are to be recovered.

LXXXIV. All Penalties and Forfeitures imposed by this Act shall be sued for in the United Kingdom by any Emigration Officer or his Assistant, or by any Person authorized thereto by the said Emigration Commissioners under the Hands of any Two of them, or by any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized thereto in Writing by the Commissioners of Her Majesty's Customs, and in any of Her Majesty's Possessions abroad by any Government Emigration Officer or Agent, or by any such Collector or Comptroller of Customs, or other Officer of Customs so authorized as aforesaid, or by any Officer authorized to sue for Penalties and Forfeitures under this Act by Writing under the Hand and Seal of the Governor of any such Possession; and the said Emigration Commissioners, and the Commissioners of Her Majesty's Customs, and every such Governor, are hereby respectively empowered to grant such Authority as aforesaid: And all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, Damages, or Compensation may be sued for and recovered by and for the Use of any Passenger entitled thereto under this Act, or by any such Officer as aforesaid, for and on behalf and to the Use of any such Passenger or any Number of such Passengers respectively, and in any Case either by One or several Informations or Complaints.

By whom Passage, Subsistence, and Compensation Monies may be recovered.

Tribunal for adjudicating on Offences and Complaints under this Act.

LXXXV. All Penalties imposed and all Sums of Money made recoverable under this Act, by way of Passage Money, Subsistence Money, Compensation, or Damages for the Breach of any Stipulation in any Contract Ticket, shall and may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty Dominions or Possessions 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, or acting in any County or Borough, or Place adjacent to any navigable River or Inlet of the Sea

Sea on which such Offence shall have been committed or Cause of Complaint have arisen; and upon Information or Complaint made before any One Justice of the Peace acting as aforesaid, he shall issue a Summons, according to the Form in the Schedule (N.) hereto annexed, requiring the Party offending or complained against to appear at a Time and Place to be named therein; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last known Place of Abode or of Business, or on board any Ship to which he may belong; and if such Party shall not appear accordingly, then (upon Proof of the due Service of the Summons by delivering the Summons or a Copy thereof to the Party, or at his last known Place of Abode or of Business, or on board any Ship to which he may belong, to the Person in charge of any such Ship,) any Two of such Justices so acting as aforesaid may either hear and determine the Case in the Absence of the Party, or either of them may issue his Warrant for apprehending and bringing such Party before them or any Two Justices so acting as aforesaid; or the Justice before whom the Charge shall be made, if he shall have Reason to suspect, from Information upon Oath, that the Party is likely to abscond, may issue such Warrant in the first instance, without any previous Summons; and either upon the Appearance of the Party offending or complained against, or in his Absence as aforesaid, any Two of such Justices so acting as aforesaid may hear and determine the Case, either with or without any written Information or Complaint; 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 (and the Justices are hereby authorized to summon and swear any Witnesses who may be deemed necessary), it shall be lawful for such Justices so acting as aforesaid to convict the Offender, or to adjudicate upon the Complaint, (such Conviction or Adjudication to be drawn up according to One of the Forms of Conviction or Adjudication contained in Schedule (O.) hereto annexed, or as near thereto as the Circumstances of the Case will admit,) and upon every such Conviction to order the Offender to pay such Penalty as they may think proper, not exceeding the Penalties herein-before imposed, and upon every such Adjudication to order the Party complained against to pay to the Party suing for the same the Sum of Money or Damages sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, together with, in every Case, the Costs of the Proceedings; and if the Monies and Costs mentioned in such Conviction or Adjudication be not paid immediately or within the Time limited in the Order it shall be lawful for any Two of such Justices so acting as aforesaid, by Warrant, (and although the written Order of Conviction or Adjudication, or any Minute thereof, may not have been served,) to cause the Party offending to be committed to Gaol, there to be imprisoned, with or without Hard Labour, according to the Discretion of such Justices, for any Term not exceeding Three Calendar Months, unless such Monies and Costs be sooner paid and satisfied: Provided always, that in all Proceedings taken under this Act for which no Form is herein expressly provided it shall be lawful to use Forms similar, as nearly as Circumstances will admit, to those contained in the Schedule to an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Procedure for Penalties, &c.

Proviso where no Forms of proceeding are prescribed by this Act.

LXXXVI. Every Police or Stipendiary Magistrate, and in *Scotland* every Sheriff or Steward and Sheriff Substitute or Steward Substitute of a County or Stewartry within his own County or Stewartry, shall have such and the like Powers, Privileges, and Functions, and be entitled to exercise such and the like Jurisdiction under this Act, as any Justice or Two Justices, or Justices at Petty Sessions, have or is or are entitled to exercise under the Provisions of this Act; and all Acts, Matters, and Things competent to be done under the Provisions of this Act by or before any Justice or Two Justices of the Peace, or Justices at Petty Sessions, or otherwise, may be done by and before any Police or Stipendiary Magistrate, and in *Scotland* by and before any Sheriff or Steward or Sheriff Substitute or Steward Substitute within his own County or Stewartry.

Police and Stipendiary Magistrate, and in Scotland Sheriff, &c. to have the same Powers as Justices of the Peace.

LXXXVII. No Objection shall be taken or allowed to any Complaint, Information, Summons, or Warrant under this Act, for any alleged Defect therein, either in Substance or in Form, or for any Variance between such Complaint or Information and the Evidence adduced on the Hearing thereof; but if any Variance shall appear to the Justice or Justices

No objection to be allowed, nor Convictions to be quashed for Want of Form.

Procedure for Penalties, &c.

Justices present and acting at such Hearing to be such that the Party so summoned and appearing has been thereby deceived or misled, it shall be lawful for such Justice or Justices, upon such Terms as he or they shall think fit, to adjourn the Hearing of the Case to some future Day, and in the meantime to commit the Defendant to such safe Custody as the said Justice or Justices may think fit, or to discharge him upon his Recognizance, with or without Sureties, to appear at such Time and Place as may be appointed: No Conviction, Order, Adjudication, or other Proceeding under or in pursuance of this Act shall be quashed or vacated for Want of Form.

Application of Penalties.

LXXXVIII. All Penalties imposed by this Act shall, when recovered, and notwithstanding any Local Act of Parliament to the contrary, be paid to the Emigration Officer or Officer of Customs at whose Suit the same shall have been recovered, for the Use of Her Majesty and Her Successors, and if recovered in the Colonies shall be paid over by the Party receiving the same into the Colonial Treasury, and shall form Part of the general Revenue of the Colony, and if recovered in the United Kingdom shall be paid over to the said Emigration Commissioners if the Party at whose Suit the same shall have been recovered be an Emigration Officer or his Assistant, and to Her Majesty's Commissioners of Customs if the Party at whose Suit the same shall have been recovered be an Officer of Customs, to be by such Emigration Commissioners and Commissioners of Customs respectively duly accounted for; and all such Penalties as may be recovered in the United Kingdom shall be appropriated to such Purposes and in such Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may from Time to Time direct and appoint: Provided always, that it shall be lawful for the Justices of the Peace who shall impose any such Penalty at the same Time to direct, if they shall think fit, that a Part, not exceeding One Moiety thereof, be applied to compensate any Passenger for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty or Forfeiture shall have been imposed.

Justices may award Compensation out of Penalties to Party aggrieved.

Burden of Proof to be on Persons claiming Exemption from Act.

Proof of Negatives.

LXXXIX. If in any Suit, Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship was or was not exempted from the Provisions of this Act or any of them, the Burden of proving that such Ship was so exempted shall lie on the Party claiming the Benefit of the Exemption, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Ship did come within the Provisions of this Act; and it shall not be necessary, in any Information, Complaint, or other Process or Proceeding, to negative any Exemption, Proviso, or Condition contained in any Section of this Act on which such Information, Complaint or other Process or Proceeding shall be framed, neither shall it be necessary for the Complainant to prove the Negative, but the Defendant may prove the Affirmative thereof, if he will have Advantage of the same.

Proof of a Party being an Emigration Officer.

XC. If in any Proceeding before any Justice or Justices of the Peace under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person, for anything done either contrary to or in pursuance of this Act, a Question should arise whether any Person is an Emigration Officer or Assistant Emigration Officer, or an Officer of Customs, *vivâ voce* Evidence may be given of such Fact by the Officer himself, and shall be deemed legal and sufficient Evidence.

Passengers suing not incompetent Witnesses.

XCI. Any Passenger suing under this Act for any Sum of Money made recoverable by this Act as Passage Money, Subsistence Money, or Compensation, or Damages, 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.

Tender of Amends.

XCII. No Plaintiff shall recover in any Action against any Emigration Officer, his Assistant, Government Emigration Agent, or Officer of Customs, or other Person, for anything 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, by or on behalf of the Defendant.

Limitation of Actions against Officers

XCIII. No Action or Suit shall be commenced against any Emigration Officer, his Assistant, Government Emigration Agent, Officer of Customs, or other Person, for anything done

done in pursuance of or under the Authority of this Act, until Ten clear Days Notice in Writing, specifying distinctly the Cause of Action, has been given to the Officer, Agent, or Person as aforesaid against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed and mentioned in such Notice for which such 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 Ten clear 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 recover full Costs of Suit as between Solicitor and Client, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

executing the Act.

Defendant may plead the General Issue, &c.

Costs.

XCIV. Where no Time is expressly limited within which any Complaint or Information is to be made or laid for any Breach or Nonperformance of any of the Requirements of this Act, the Complaint shall be made or the Information laid within Twelve Calendar Months from the Time when the Matter of such Complaint or Information respectively arose, or in case the Master of any Ship is the Offender or Party complained against, within Twelve Calendar Months next after his Return to the Country in which the Matter of Complaint or Information arose.

Limitation of legal Proceedings generally.

XCV. 'And whereas it is expedient to provide in certain Cases for the Carriage of 'Passengers by Sea from Her Majesty's Possessions abroad:' Be it therefore enacted as follows: For the Purposes of this Act the Term "Colonial Voyage" shall signify any Voyage from any Place within any of such Possessions (except the Territories under the Government of the *East India* Company and the Island of *Hong Kong*) to any Place whatever, where the Distance between such Places shall exceed Four hundred Miles, or the Duration of the Voyage, to be prescribed as herein-after mentioned, shall exceed Three Days.

Colonial Voyages.

Colonial Voyages defined.

XCVI. This Act shall apply, so far as the same is applicable, to all Ships carrying Passengers on any such "Colonial Voyage," except as to such Parts of the Act as relate to the following Matters; (that is to say,)

1. To Passage Brokers and their Licences:
2. To Passengers Contract Tickets:
3. To Emigrant Runners:
4. To the giving Bond to Her Majesty:
5. To the keeping on board a Copy of this Act:
6. To Orders in Council regulating Emigration from the United Kingdom, or prescribing Rules for promoting Health, Cleanliness, Order, and Ventilation:

This Act to apply to all Colonial Voyages, except as relates to Matters herein named.

Provided that if the prescribed Duration of any "Colonial Voyage" be less than Three Weeks, then, in addition to the Matters lastly herein-before excepted, the Provisions of this Act shall not extend or apply, so far as they relate to the following Subjects; (namely,)

The Construction or Thickness of the Decks:
The Berths and Berthing:
The Height between Decks:
Privies:
Hospitals:
Light and Ventilation:
Manning:
Passengers Stewards:

If any Colonial Voyage be less than Three Weeks, this Act not to apply to Subjects herein named.

Colonial Voyages.

Passengers Cooks and Cooking Apparatus:
The Surgeon, and Medicine Chest:
The Maintenance of Passengers for Forty-eight Hours after Arrival:
Provided also, that in the Case of such "Colonial Voyages" whereof the prescribed Duration is less than Three Weeks, the Requirements of this Act respecting the Issue of Provisions shall not, except as to the Issue of Water, be applicable to any Passenger who may have contracted to furnish his own Provisions.

Governor of Colonies may, by Proclamation, declare Length of Voyage, and prescribe Scale of Diet, Medicines, and Medical Comforts.

XCVII. It shall be lawful for the Governor of each of Her Majesty's Possessions abroad, by any Proclamation to be by him from Time to Time issued for that Purpose (which shall take effect from the issuing thereof), to declare what shall be deemed for the Purposes of this Act to be the Length of the Voyage of any Ship carrying Passengers from such Possession to any other Place whatsoever, and to prescribe such Scale of Diet for the Use of the Passengers during the Voyage as he shall think proper, and also to declare what Medicines, Medical Comforts, Medical Instruments, and other Matters shall be deemed necessary for the Medical Treatment of the Passengers during such "Colonial Voyage;" and the Provisions and Requirements of every such Proclamation shall be enforced in all Her Majesty's Dominions as if they were incorporated in this Act, and in like Manner as the Provisions of this Act may be enforced; and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced be received as good and sufficient Evidence of the due issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Copies of Proclamations to be received as Evidence.

Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto.

XCVIII. It shall be lawful for the Governors of any such Possessions respectively to authorize such Person or Persons as they may think fit to make the like Survey and Examination of "Passenger Ships" sailing from such Possessions respectively as is herein-before required to be made by two or more competent Surveyors in respect of "Passenger Ships" sailing from the United Kingdom, and also to authorize in such Cases, as to such Governors may seem proper, any competent Person to act as Medical Practitioner on board any "Passenger Ship" proceeding on a "Colonial Voyage."

Power to the Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India, and to make Rules respecting Food, Passengers, Surgeons, &c.,

and to declare in what Manner Penalties, &c. may be sued for and recovered.

XCIX. This Act shall not apply to any of the Territories or Places under the Government of the *East India* Company: It shall, however, 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 or any Part thereof shall apply to the Carriage of Passengers upon any Voyage from any Ports or Places within such Territories, to be specified in such Act or Acts, to any other Places whatsoever, to be also specified in such Act or Acts; and also in like Manner to authorize the Substitution, as respects such Voyages, of other 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 determine the Persons or Officers who in such Territories shall be entitled to exercise or perform the Powers, Functions, or Duties herein-before given to or imposed upon the Emigration Officers and Officers of Customs in the United Kingdom; and to authorize the Employment on board any Ship of a Medical Practitioner duly qualified by Law to practise as a Physician, Surgeon, or Apothecary within such Territories; and to declare for the Purposes of this Act the Space necessary for Passengers, and the Age at which Two Children shall be considered equal to One Statute Adult, in Ships that may clear out from any Port or Place within such Territories; and also 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 such Territories, and to what Uses such Penalties shall be applied: And on the passing of such *Indian* Act or Acts, and whilst the same shall remain in force, all such Parts of this Act as shall be adopted therein shall apply to and extend to the Carriage of Passengers upon such Voyages as in the said *Indian* Act or Acts shall be specified. The Provisions of such *Indian* Act shall be enforced in all Her Majesty's Possessions in like Manner as the Provisions of this Act may be enforced: Every such *Indian* Act shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, to be laid before both Houses of

Indian Act may be enforced in the Colonies in like Manner as this Act.

of Parliament, as in the Case of any other Law made by the Governor General in Council.

Voyages to the United Kingdom.

C. The Master of every Ship bringing Passengers into the United Kingdom from any Place out of *Europe*, and not within the *Mediterranean Sea*, shall, within Twenty-four Hours after Arrival, deliver to the Emigration Officer or his Assistant, or in their Absence to the Chief Officer of Customs at the Port of Arrival, a correct List, signed by such Master and specifying the Names, Ages, and Callings of all the Passengers embarked, and also the Port or Ports at which they respectively may have embarked, and showing which, if any of them, may have died, with the supposed Cause of Death, or been born on the Voyage; and if any Master shall fail so to deliver such List, or if the same shall be wilfully false, he shall on Conviction, as herein-before mentioned, be liable to a Penalty not exceeding Fifty Pounds. Such Emigration or Customs Officer shall, upon receipt of such List, transmit the Particulars respecting any Passenger named therein who may have died, with the supposed Cause of Death, or been born on the Voyage, to the Registrar General of Births, Deaths, and Marriages, who shall file the same, and enter a Copy thereof under his Hand in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England.

List of Passengers brought into the United Kingdom to be delivered by the Master of the Ship to the Emigration Officer.

Penalty for Neglect.

Returns of Births and Deaths at Sea to be made to the Registrar General.

6 & 7 W. 4. c. 86.

CI. If any Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall have on board a greater Number of Passengers or Persons than in the Proportions respectively prescribed in the Fourteenth Section of this Act for Ships carrying Passengers from the United Kingdom, the Master of such Ship shall be liable, on such Conviction as herein-before mentioned, to a Penalty not exceeding Ten Pounds nor less than Five Pounds for each such Person or Statute Adult constituting any such Excess.

Penalty on Masters for having on board a greater Number of Persons than prescribed by Section 14. of this Act.

CII. The Master of every Passenger Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall make to each Statute Adult during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination thereof, Issues of pure Water and of good and wholesome Provisions in a sweet Condition, in Quantities not less in Amount than is prescribed in the Thirty-fifth Section of this Act for Passengers proceeding from the United Kingdom; and in case of Noncompliance with any of the Requirements of this Section the Master of such Ship shall, on such Conviction as herein-before mentioned, be liable for each Offence to a Penalty not exceeding Fifty Pounds.

Provisions and Water for Passengers to the United Kingdom to be the same as in Ships carrying Passengers from there.

Penalty for Default.

CIII. The Schedules to this Act shall be deemed to be Part of this Act, and all the Directions therein contained shall be duly followed and enforced, under a Penalty not exceeding Ten Pounds on the Person failing to obey the same respectively.

Schedules to be Part of the Act.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

FORM of CERTIFICATE exempting a MAIL STEAMER from the Provisions of the British Passengers Act, 1855.

N.B.— This Certificate must be produced, on Demand, to the Emigration Officer or his Assistant, or if there be no such Officer to the Chief Officer of Customs at the Port of Clearance or Port of Departure, by the Master of any Steam Vessel claiming Exemption from the Passengers Act, otherwise the Exemption will not be allowed.

This is to certify that the Steam Vessel of Tons, *registered* (a) Tonnage, belonging to the Port of , is duly authorized to carry Mails under a Contract

(a) Omit this Word if inapplicable in the Case of a Foreign Vessel.

(b) Insert here the Name of the State.

Contract with the Government of (b) between (b) and (b)
, and is therefore exempt from the Operations of the "Passengers Act, 1855,"
from the Date hereof to the Day of 18 .
Given under my Hand at , this
Day of 18 .

(Signature)——————————{ Postmaster-General of the United Kingdom *or his Deputy* (*or* Governor *or* Postmaster-General, *&c.* of [*name the Colony or Foreign State*], *as the Case may be*).

BRITISH CONSUL'S CERTIFICATE in the Case of a Foreign Steam Vessel.

The above Signature is to the best of my Belief the Signature of the [*here insert the Title of the Officer signing the preceding Certificate*], the Officer duly authorized by the Government of to grant the same.

(Signature)——————————{ Her Britannic Majesty's Consul-General, Consul, *or* Vice-Consul of (*as the Case may be*).

SCHEDULE (B.)

FORM OF PASSENGERS LIST.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of Superficial Feet in the several Compartments set apart for Passengers other than Cabin Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, which the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship are sufficient, according to the Requirements of the Passengers Act, for Statute Adults for a Voyage of Days.

(Signature) ———————— Master.

Date ———————— 185 .

NAMES AND DESCRIPTIONS OF PASSENGERS.

Ports of Embarkation.	Names of Passengers.	Age of each Adult of 12 Years and upwards.				Children between 1 and 12 Years.		Infants.		Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.
		Married.		Single.								
		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.			

SUMMARY.

SUMMARY.

	Number of Souls.				Equal to Statute Adults.
	English.	Scotch.	Irish.	Total.	
Adults - - - -					
Children between 1 and 12 -					
Infants - - -					
TOTAL - -					

We hereby certify, That the above is a correct List of the Names and Descriptions of all the Passengers who embarked at the Port of _____

(Signed) _____ Master.
_____ Emigration Officer.
(Countersigned) _____ Officer of Customs at_____ .
Date _____ 185 .

N.B.—Lines should be ruled in the same Form for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

SCHEDULE (C.)

FORM of BOND to be given by the MASTER and by the OWNER or CHARTERER of a "Passenger Ship."

KNOW all Men by these Presents, that we,* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of Two thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty .

* Insert here the Christian and Surnames in full, with Occupations and Addresses of each of the Two Obligors.

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that before any "Passenger Ship" shall clear out or proceed to Sea, the Master together with the Owner or Charterer of the Ship, or in the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a Bond to Majesty, Heirs and Successors, in the Sum of Two thousand Pounds:

Now the Condition of this Obligation is such, that if the Ship whereof the above bounden is Master, bound to is in all respects seaworthy, *[and if the said Ship shall call at the Port of and there shall be shipped on board at such Port pure Water for the Use of the Passengers, sufficient in Quantity to afford an Allowance of Three Quarts daily to each Statute Adult for the Period of Days on the Voyage from such Port to the final Port or Place of Discharge of such Vessel,] and if (notwithstanding any Penalty by the said Act imposed, and whether the same may have been sued for and recovered or not,) all and every the Requirements of the said Passengers Act, 1855, (except such of them as relate exclusively to Passage Brokers and Runners) and of the Emigration Commissioners acting in the Manner prescribed by the said Act, and of any Order passed by Her Majesty in Council relating to "Passenger Ships" and now in force, shall in all respects be well and truly performed† [and if the Master for the Time being of the said Ship shall submit himself, in like Manner as a British Subject being the Master of a British Passenger Ship, to the Jurisdiction of the Tribunals in Majesty's Possessions abroad, empowered by the said Act to adjudicate on Offences

* The Clause within Brackets is to be inserted only when the Ship is to call at an intermediate Port to take in Water as provided by s. 34. of the Act.

† This Clause to be inserted only in the Case of a Foreign Passenger Ship proceeding to

any of the British Colonies.

Offences committed against the said Act,] and if moreover all Penalties, Fines, and Forfeitures which the Master of such Ship may be adjudged to pay for or in respect of the Breach or Nonfulfilment of any of such Requirements as aforesaid shall be well and truly paid, and if all Expenses incurred by the Secretary of State or any Governor or British Consular Officer under the Provisions of this Act shall also be well and truly paid, then this Obligation to be void, otherwise to remain in full force and virtue.

‡ Insert Names and Addresses in full of the Witnesses.

Signed, sealed, and delivered by the above bounden and in the Presence of ‡

§ Certificate to be signed by the Chief Officer of Customs and forwarded with the Bond to the Colony, according to s. 64 of the Act.

§ [I hereby certify, that the above Bond was duly signed, sealed, and delivered according to the Law of Great Britain by the said Master of the said Ship and by the said (*other Obligor*)].

(Signature)_____ { Chief Officer of Customs for the Port of

(Date)_____ 185 .

SCHEDULE (D.)

FORM OF PASSAGE BROKER'S ANNUAL BOND, with Two Sureties, to be approved by the Emigration Officer at the nearest Port.

* Insert Christian and Surnames in full, with Occupations and Address of each of the Parties.

KNOW all Men by these Presents, that we, *A.B.** of *C.D.* of, *&c.* and *E.F.* of, *&c.* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us jointly and severally, for and in the whole our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty .

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that no Person whatever, save as therein excepted, shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person with Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest the Place of Business of such Person, shall have previously entered into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds: And whereas the said *C.D.* and *E.F.* have been duly approved by the proper Emigration Officer as Sureties for the said *A.B.*:

Now the Condition of this Obligation is such, that if the above-bounden *A.B.*, and every Agent whom he may employ in his Business of a Passage Broker, shall well and truly observe and comply with all the Requirements of the said recited Act, so far as the same relate to Passage Brokers, and further shall well and truly pay all Fines, Forfeitures, and Penalties, and also all Sums of Money by way of Subsistence Money, or of Return of Passage Money and Compensation, to any Passenger, or on his Account, together with all Costs which the above-bounden *A.B.*, or any of his Agents as aforesaid, may at any Time be adjudged to pay under or by virtue of any of the Provisions of the said recited Act, then and in such Case this Obligation to be void, otherwise to remain in full Force.

* Insert the Names and Addresses in full of the Witnesses.

Signed, sealed, and delivered by the above-bounden *A.B.*, *C.D.*, and *EF.*, in the Presence of *

N.B.—This

N.B.—This Bond is to be executed in Duplicate, in the Presence of and to be attested by an Emigration Officer or his Assistant, or an Officer of Customs, or a Magistrate, or a Notary Public. One Part is to be deposited with the Emigration Commissioners in London, and the other Part with the Emigration Officer at the Port nearest to the Place of Business of the Broker. Each Member of a Firm or Partnership who acts as a Passage Broker must give a separate Bond with Two Sureties.

[The Bond is exempt from Stamp Duty, but must be renewed annually with Licence.]

SCHEDULE (E).

Form of Passage Broker's Licence.*

A.B.† of in the having shown to the Satisfaction of me (*or* us) the undersigned, that he hath given Bond to Majesty, as by the "Passengers Act, 1855," required, and also given Fourteen Days previous Notice to the Emigration Commissioners of his Intention to make Application for a Licence to carry on the Business of a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, I (*or* we), the undersigned, having had no sufficient Cause shown to me (*or* us,) and seeing no valid Reason 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 Passage Broker as aforesaid until the End of the present Year and Thirty-one Days afterwards, unless this Licence shall be sooner determined by Forfeiture for Misconduct on the Part of the said *A.B.* as in the "Passengers Act, 1855," is provided.

† The Christian and Surnames in full, with the Address and Trade or Occupation of the Party applying for the Licence, must be correctly inserted. If a Member of a Firm, the Christian and Surnames of all the Members must be given.

Given under my Hand and Seal (*or* our respective Hands and Seals), this Day of 185 at

Signature_____ (L.S.) { Justices of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Steward Substitute *as the Case may be.*

* N.B. Each Member of a Firm or Partnership who acts as a Passage Broker must have a separate Licence.

SCHEDULE (F.)

Form of Notice to be given to the Emigration Commissioners by Justices granting a Licence.

Gentlemen,

This is to give you Notice, that we (*or* I), the undersigned, did on the Day of 185 license *A.B.* of * to carry on the Business of a Passage Broker under the Provisions of the "Passengers Act, 1855."

Signatures_____ { Justices of the Peace, *or as the Case may be.*

Place_____

Date_____

To the Emigration Commissioners, London.

* Insert the Christian and Surnames in full, with the Address and Occupation of the Party.

SCHE-

SCHEDULE (G.)

FORM of NOTICE to be given to the Emigration Commissioners by any Applicant for a Passage Broker's Licence.

* The Christian Names and Surname in full, with the Address and Trade or Occupation of the Party applying for a Licence, must be here correctly inserted.

†The Place or District in which the Party giving the Notice has his Place of Business.

Gentlemen,

I, *A.B.** of in do hereby give you Notice, That it is my Intention to apply, after the Expiration of Fourteen clear Days from the putting of this Notice into the Post, to the Justices to be assembled in Petty Sessions to be held † (*or* to the Police *or* Stipendiary Magistrate for the City *or* Borough *or* District of *or* if in Scotland to the Sheriff *or* Steward of *as the Case may be,*) for a Licence to carry on the Business of a Passage Broker under the Provisions of "The Passengers Act, 1855."

Signature_____

Date_____

To the Emigration Commissioners, London.

SCHEDULE (H.)

FORM of NOTICE to be given by the Justices to the Emigration Commissioners of Forfeiture of a Passage Broker's Licence.

*The Christian and Surnames in full, with the Address and Trade or Occupation of the Party, to be here inserted.

†Here state generally the Reason of Forfeiture.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the Day of 185 to *A.B.** of in to act as a Passage Broker, was on the Day of now last past duly declared by me (*or* us) the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.†

Signatures_____

Place and Date_____ 185

To the Emigration Commissioners, London.

SCHEDULE (I.)

FORM of APPOINTMENT of Passage Broker's Agent.

DIRECTIONS.

Insert in the proper Places the Christian and Surnames in full, with the correct Addresses and Designations of the Constituent and Agent respectively.

I, *A.B.*, of, *&c.* (*or as the Case may be*) One of the Partners and on behalf of the Firm of, *&c.* (*name all the Partners and the Style of the Firm*) carrying on the Business of at , do hereby nominate and appoint you, *C.D.* of, *&c.*, to act as my Agent and on my Behalf in the Sale or Letting of Passages and otherwise in the Business of a Passage Broker, according to the Provisions of "The Passengers Act, 1855."

Signature in full _____

Place and Date_____ 185

Counter Signature_____ { Emigration Officer at the Port of_____.

SCHE-

SCHEDULE (K.)

Counterpart of Cabin Passenger's Contract Ticket.

This Counterpart is to be produced by the Owner, Charterer, or Master of the Ship to the Emigration Officer at the Port of Embarkation (or, if no such Officer, to the Officer of Customs), or to any one appointed by him to receive it, under a Penalty for Default not exceeding £10.

These Directions form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship_____ of_____ Tons Register, to sail from_____ for ____ on the_____ Day of _____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.		

In consideration of the Sum of £_____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of_____ for the Port of_____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as_____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with _____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £____ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at _____

Total £____ _____

N.B.—This Contract Ticket is exempt from Stamp Duty.

Cabin Passenger's Contract Ticket.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship_____ of_____ Tons Register, to sail from_____ for _____ on the _____ Day of _____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.		

In consideration of the Sum of £ _____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of _____ for the Port of _____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as _____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with _____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £ ___ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at _____

Total £

Notice to Cabin Passengers.

1. If Cabin Passengers, through no Default of their own, fail to obtain a Passage in the Ship, and on the Day named in this Contract Ticket, they may obtain Redress for Breach of Contract by summary Process under the 73rd Section of the "Passengers Act, 1855."
2. Cabin Passengers must produce, on Demand, their Contract Tickets to the Government Emigration Officer under a Penalty not exceeding £10. This Ticket should therefore be preserved and kept in readiness to be produced on board the Ship.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHEDULE (L.)

PASSENGER'S CONTRACT TICKET.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea.
2. The Victualling Scale for the Voyage must be printed in the Body of the Ticket.
3. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Passengers are to embark must be inserted in Words and not in Figures.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration, Addition, or Erasure made in it.

Ship_____.

Counterpart of Passengers Contract Ticket.

THIS Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer at the Port of Embarkation, (or, if no such Officer, to the Officer of Customs,) or to any one appointed by him to receive it, under a Penalty not exceeding £10.

CONTRACT TICKET.

I engage that the Persons mentioned below shall be provided with a Steerage Passage to____ and be landed at the Port of_____ in_____ in the Ship __ of____ Tons with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the whole Voyage according to the Dietary Scale prescribed by Law. The Ship to receive her Passengers at ____ on the_____ Day of_____ 185__. Passage Money, including Government Dues, if any, and all Charges of Landing, £_____.

NAMES.	Ages.

_____Souls, equal to *_____ Statute Adults.

To be signed in full by the Party issuing the Ticket. _____

* Insert Number of Souls and of Statute Adults respectively.

Ship_____ of_____ Tons Register, to take in Passengers at_____ for_____ on the_____ Day of 185__

NAMES.	Ages.	Equal to Statute Adults.

I engage that the Person named in the Margin hereof shall be provided with a Steerage Passage to, and shall be landed at, the Port of _____ in _____ in the Ship_____ ___with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the Voyage and the Time of Detention at any Place before its Termination, according to the subjoined Scale, for the Sum of £_____ including Government Dues before Embarkation, and Head Money, if any, at the Place of Landing, and every other Charge, except Freight for Excess of Luggage beyond the Quantity above specified, and I hereby acknowledge to have received the Sum of £_____ in { full / part } Payment.

The following Quantities, at least, of Water and Provisions, (to be issued daily,) will be supplied by the Master of the Ship, as required by Law; viz., to each Statute Adult 3 Quarts of Water daily, exclusive of what is necessary for cooking the Articles required by the Passengers Act to be issued in a cooked State; and a Weekly Allowance of Provisions according to the following Scale:

[Here insert the Victualling Scale intended to be used on the Voyage. This must be either the Scale prescribed in the 35th Section of the Passengers Act, 1855, or that Scale modified by the Introduction of Articles authorized by the Act, to be substituted for Oatmeal, Rice, and Potatoes.]

[N.B.—If Mess Utensils and Bedding are to be provided by the Ship, the Stipulation must be inserted here.]

Signature in full_____

Place and Date_____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at_____

Total £_____

NOTICES TO PASSENGERS.

1. If Passengers, through no Default of their own, are not received on board on the Day named in their Contract Tickets, or fail to obtain a Passage in the Ship, they should apply to the Government Emigration Officer at the Port, who will assist them in obtaining Redress under the Passengers Act.
2. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHE-

SCHEDULE (M.)

FORM of EMIGRANT RUNNER'S Annual Licence.

A.B. (a) of in the having made Application in Writing to us, the undersigned Justices of the Peace assembled in Petty Sessions, for the (b) of to grant to him a Licence to enable him to be registered as an Emigrant Runner in and for (b) , and the said [*A.B.*] having also been recommended as a proper Person to receive such Licence by an Emigration Officer, *or* by the Chief Constable [*or other Head Officer of Police, as the Case may be*] of [*the District, Town, or Place in which the said A.B. is to carry on his Business*]: We, the under-mentioned Justices, having no sufficient Cause shown to us, and seeing of ourselves no valid Rea on why the said *A.B.* should not receive such Licence, do hereby grant to him this Licence for the Purposes aforesaid, subject nevertheless to be revoked for Misconduct on the Part of the said *A.B.*, as in the "Passengers Act, 1855," is provided.

(a) The Christian and Surnames in full, with the Address of the Party applying for the Licence, must be here correctly inserted.

(b) City, Town, or District in which the Emigrant Runner is to carry on his Business.

SCHEDULE (N.)

FORM of SUMMONS for a DEFENDANT or a WITNESS.

A.B. Complainant.
C.D. Defendant.
———
County, *or* City, *or* Borough, *or* Police District of (*as the Case may be*).
———

THIS is to command you to appear without fail on the Day of instant (*or* next) at o'Clock in the noon at before me, or other the Magistrate or Justices of the Peace then and there present (1) [to answer the Complaint of (an Emigration Officer, *or* Assistant Emigration Officer, *or* Officer of Customs, or (*in the Colonies* a Government Emigration *or* Immigration Agent, *as the Case may be,*) for a Breach of the Section (*or* Sections, *as the Case may be,*) of the Passengers Act, 1855,] (2) [or to give Evidence in the Complaint of *A.B.* against *C.D.* for Breach of the Passengers Act, 1855].

(1) Insert this when the Defendant is summoned.

(2) Insert this in case a Witness is summoned.

Signed _____ { Justice of the Peace, *or* Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff Substitute, *or* Steward Substitute, *as the Case may be.*

Dated this Day of One thousand eight hundred and

To _____

SCHEDULE (O.)

FORM of CONVICTION and ORDER of ADJUDICATION under the Passengers Act, 1855, when the DEFENDANT appears.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of (*as the Case may be*).

BE it remembered, That on the Day of instant, *C.D.* of personally came before me (*or* us, *as the Case may be*,) at to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections, *as the Case may be*,) of the Passengers Act, 1855, in that, *&c.* (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated , and issued by to for a Passage to in the Ship .

Whereupon I (*or* we) did proceed to examine into the Complaint so made against the said *C.D.*, and the same having been (admitted to be true by the said *C.D.*, *or as the Case may be*,) fully proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) (4) [do convict him the said *C.D.* of the Offence (*or* Offences) aforesaid; and I (*or* we)] do adjudge and order that he shall pay to the said *A.B.* as such (Emigration Officer, *or* Government Emigration Agent, *or* Officer of Customs, *or* Passenger of the Ship , *as the Case may be*,) the Sum of *l.* by way of Penalty (*or* by way of Subsistence Money, *or* of Return of Passage Money, *or* as Damages for Breach of such Contract as aforesaid, *as the Case may be*,) [(5) and shall also pay to the said *A.B.* the further Sum of *l.* as Compensation for the Loss and Inconvenience occasioned to (6) by the Loss of Passage in the Ship].

(7) [And I (*or* we) do also adjudge and order that the Licence granted to the said *C.D.* to act as a Passage Broker be forfeited.]

(8) [And I (*or* we) do hereby also adjudge and order that the Sum of *l.* being a Part not exceeding One Moiety of the said Penalty of *l.* be applied to compensate (9) for the Wrong or Damage which he (she *or* they) has (*or* have) sustained in this Matter.

And I (*or* we) do further adjudge and order, that the said *C.D.* shall forthwith pay to the said *A.B.* the further Sum of *l.* for the Costs and Charges by him the said *A.B.* incurred in the Prosecution of this Matter.

Given under my Hand and Seal (*or* our Hands and Seal), this Day of One thousand eight hundred and .

Signature _____ { Justice of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Stewards Substitute, *as the Case may be*, for (10) _____

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship _____, as the Case may be.

(2) Here describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness, or Witnesses if more than One.

(4) Omit these Words where there is no Conviction, but only an Order of Adjudication.

(5) Insert this in Cases where Compensation is awarded.

(6) Name the Passenger or Passengers by or on whose Behalf the Compensation is awarded.

(7) Insert this where the Offender is a Passage Broker, and his Licence is declared forfeited.

(8) Insert this where Compensation out of the Penalty is awarded to any aggrieved Passenger.

(9) Name the Passenger or Passengers.

(10) State County or District, &c. as the Case may be.

FORM

FORM of CONVICTION and ORDER of ADJUDICATION where the DEFENDANT does not appear.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, or Police District, *or* Stewartry of , *as the Case may be.*

BE it remembered, That *C.D.* of being duly summoned to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections) of the Passengers Act, 1855, in that, *&c.* (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated and issued by to for a Passage to in the Ship , did not appear before me (*or* us), pursuant to the said Summons. Nevertheless, I (*or* we) did proceed to examine into the Complaint so preferred against the said *C.D.*, and the same having been duly proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) do, *&c.* (*proceed as in preceding Form of Conviction according to the Circumstances of the Case.*)

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship_____, as the Case may be.

(2) Describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness or Witnesses

CAP. CXX.

An Act for the better Local Management of the Metropolis.

[14th *August* 1855.]

'WHEREAS it is expedient that Provision should be made for the better Local Management of the Metropolis in respect of the Sewerage and Drainage, and the paving, cleansing, lighting, and Improvements thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Election of Vestries and Auditors in Parishes in Schedules (A.) and (B.)

I. The Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Sixty, "For the better Regulation of Vestries, and for the Appointment of Auditors of Accounts in certain Parishes of *England* and *Wales*," shall be repealed, from and after the passing of this Act, so far as regards any Parish mentioned in either of the Schedules (A.) and (B.) to this Act: Provided always, that the Vestry and Auditors already elected for any such Parish under the said Act shall continue to be such Vestry and Auditors until the First Election of Vestrymen and Auditors for such Parish under this Act has taken place, but no longer; and the Provisions of the said Act of King *William* the Fourth shall continue applicable to every such Vestry and to their Proceedings, and the Books in which the same are entered, and to such Auditors and their Proceedings accordingly.

1 & 2 W. 4. c. 60. repealed so far as regards Parishes in Schedules (A.) and (B.)

II. The Vestry in every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall consist of a certain Number of Persons qualified and elected as herein provided; (that is to say,) Eighteen Vestrymen for every Parish in which the Number of rated Householders shall not exceed One thousand; and Six additional Vestrymen, that is, Twenty-four Vestrymen for every Parish in which the Number of rated Householders shall exceed One thousand; and Twelve additional Vestrymen, that is, Thirty-six Vestrymen, for every Parish in which the Number of rated Householders shall exceed Two Thousand; and so on at the Proportion of Twelve additional Vestrymen for every Thousand rated Householders: Provided always, that in no Case the Number of Vestrymen shall exceed One hundred and twenty: Provided also, that the Incumbent and Churchwardens of each such Parish shall constitute a Part of the Vestry, and shall vote therein, in addition to the elected Vestrymen: Provided also, that every District Rector now constituting in any such Parish a Part of the Vestry thereof shall continue to constitute a Part of the Vestry thereof under this Act: Provided also, that where in any Parish the whole Number of Persons qualified

Vestries in Parishes named in either of the Schedules (A.) and (B.) to consist of not less than 18 or more than 120 Persons qualified and elected as after provided.