'thousand eight hundred and sixty-four" determine certain Matters by Byelaws, and 'report the same to the Secretary of State; and it is expedient that the Time so limited 'should be extended, and that the said Act should be amended:' 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:

Extension of Time for making, &c. Byelaws.

1. The said Commissioners shall determine the said Matters specified in the said Sixteenth Section by Byelaws under their Hands or the Hands of any Two of them, and shall report the same to the Secretary of State on or before the First Day of *January* One thousand eight hundred and sixty-five.

Notice to be given for calling First Meeting of District Boards.

2. The Provision in the Eighteenth Section of the recited Act that "the Sheriff shall "thereafter summon the First Meeting of such Board for such Day and such Place as he may "fix" is hereby repealed; and on the Time and Place of the First Meeting of the District Board being fixed as provided by the Twenty-second Section of the recited Act, and intimated to the Sheriff Clerk, he shall give Notice of such Meeting as therein provided; and such First Meeting may be held at any Time within Twenty-one Days after the First Election of the District Board under the recited Act, anything therein contained to the contrary notwithstanding.

As to reading of Sect. 33. of recited Act.

3. The Thirty-third Section of the recited Act shall be read and construed as if the Words "Public General Act, Twenty-fourth and Twenty-fifth Victoria, Chapter One hundred and nine," had been inserted therein instead of the Words "said Act."

Power to Commissioners to extend the Limits of the Mouth of the River Tweed.

4. It shall be lawful for the said Commissioners, on or before the First Day of *January* One thousand eight hundred and sixty-four, by a Byelaw under their Hands, or the Hands of any Two of them, to be made, published, and approved in the Manner provided in the Fifteenth Section of the recited Act, to extend the Limits of the Mouth or Entrance of the River *Tweed* Northwards from the Limits thereof as defined in "The *Tweed* Fisheries Amendment Act, 1859," along the Sea Coast and into the Sea to such Points and to such Extent as they may fix; and from and after the Publication of such Byelaw in the *Edinburgh Gazette*, and in such further Mode as the Secretary of State may direct, the Enactments and Provisions of "The *Tweed* Fisheries Act, 1857," (with the Exception of the Fifty-fifth and Sixtieth Sections,) and of "The *Tweed* Fisheries Amendment Act, 1859," and the Tenth, Twelfth, and Twenty-seventh Sections of the recited Act, shall be applicable to and may be enforced within such extended Limits in the same Manner and to the same Effect as if such extended Limits had been included in the Mouth or Entrance of the River *Tweed* as defined in "The *Tweed* Fisheries Amendment Act, 1859:" Provided, that the Rates or Assessments to be levied on and in respect of the Fisheries beyond the Limits of the Mouth of the River *Tweed*, as defined in "The *Tweed* Fisheries Amendment Act, 1859," and within the Limits as extended under any such Byelaw as aforesaid, shall not be applied in or towards the Payment or Discharge of any Debts or Obligations contracted by the Commissioners acting under "The *Tweed* Fisheries Act, 1857," previous to the passing of this Act.

As to Application of certain Rates or Assessments.

CAP. LI.

An Act to amend the Passengers Act, 1855. [13th *July* 1863.]

18 & 19 Vict. c. 119.

'WHEREAS it is expedient to amend "The Passengers Act, 1855," in the Particulars 'herein-after mentioned:' 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:

Short Title.

1. This Act may be cited for all Purposes as "The Passengers Act Amendment Act, 1863."

2. This

Commencement of Act.

2. This Act shall come into operation on the First Day of *October* One thousand eight hundred and sixty-three.

Definition of "Passenger Ship" in Section 3. of recited Act repealed, and other Provisions made.

3. The Definition in the Third Section of "The Passengers Act, 1855," of the Term "Passenger Ship," is hereby repealed, and for the Purposes of the said Act and of this Act the Term "Passenger Ship" shall signify every Description of Sea-going Vessel, whether *British* or Foreign, carrying, upon any Voyage to which the Provisions of the said "Passengers Act, 1855," shall extend, more than Fifty Passengers, or a greater Number of Passengers than in the Proportion of One Statute Adult to every Thirty-three Tons of the registered Tonnage of such Ships, if propelled by Sails, or than One Statute Adult to every Twenty Tons if propelled by Steam.

Mail Steamers carrying other than Cabin Passengers to be subject to the Act.

4. So much of the Fourth Section of the said "Passengers Act, 1855," as exempts from the Operation of the Act any Steam Vessel carrying Mails under Contract with the Government of the State or Colony to which such Vessel may belong, is hereby repealed, and every Steam Vessel, whether *British*, Foreign, or Colonial, which shall carry Passengers other than Cabin Passengers in sufficient Number to bring such Vessel within the Definition of a Passenger Ship, as set forth in the Third Section of this Act, shall be subject to the Provisions of the said Act and of this Act in like Manner as any Passenger Ship not carrying a Mail.

Repeal of Tonnage Check on Number of Passengers to be carried in a Passenger Ship.

5. The First Rule of the Fourteenth Section of the said "Passengers Act, 1855," which limits the Number of Persons to be carried in a Passenger Ship by her registered Tonnage, together with so much of the concluding Portion of the same Section as relates to such Rule, is hereby repealed, except so far as relates to any Penalty incurred or legal Proceedings taken thereunder.

Cabin Passengers to be included in Passenger Lists.

6. In the Passenger Lists required by the Sixteenth and Seventeenth Sections of "The Passengers Act, 1855," to be delivered by the Master of every Ship before demanding a Clearance, there shall be set forth, in addition to the other Particulars required by "The Passengers Act, 1855," the Names of all Cabin Passengers on board such Ships, specifying whether they respectively are under or over Twelve Years of Age, and at what Place the Passengers and Cabin Passengers respectively are to be landed, and the Schedule B. to the said Act shall be altered accordingly.

Limit of Penalty on Stowaways extended from 5*l.* to 20*l.*

7. The Limit of the Penalty imposed by the Eighteenth Section of the said "Passengers Act, 1855," on Persons convicted of getting on board any Passenger Ship with Intent to obtain a Passage therein without the Consent of the Owner, Charterer, or Master thereof, and on Persons aiding or abetting in such fraudulent Attempt, shall be extended from Five Pounds to Twenty Pounds.

Horses and Cattle may be carried in Passenger Ships, under Conditions herein named.

8. Notwithstanding the Prohibition contained in the Twenty-ninth Section of the said "Passengers Act, 1855," Horses and Cattle may be carried as Cargo in Passenger Ships, subject to the following Conditions:

(1.) That the Animals be not carried on any Deck below the Deck on which Passengers are berthed, nor in any Compartment in which Passengers are berthed, nor in any adjoining Compartment, except in a Ship built of Iron, and of which the Compartments are divided off by Water-tight Bulkheads extending to the upper Deck:

(2.) That clear Space on the Spar or Weather Deck be left for the Use and Exercise of the Passengers, at the Rate of at least Ten Superficial Feet for each Statute Adult:

(3.) That no greater Number of Passengers be carried than in the Proportion of Fifteen to every One hundred Tons of the Ships registered Tonnage.

(4.) That in Passenger Ships of less than Five hundred Tons registered Tonnage not more than Two Head of large Cattle be carried, nor in Passenger Ships of larger Tonnage more than One additional Head of such Cattle for every additional Two hundred Tons of the Ships registered Tonnage, nor more in all in any Passenger Ship than Ten Head of such Cattle: The Term "large Cattle" shall include both Sexes of horned Cattle, Deer, Horses, and Asses; Four Sheep of either Sex, or Four Female

Definition of the Term "large Cattle."

Female Goats, shall be equivalent to, and may, subject to the same Conditions, be carried in lieu of One Head of large Cattle:

(5.) That proper Arrangements be made, to the Satisfaction of the Emigration Officer at the Port of Clearance, for the Housing, Maintenance, and Cleanliness of the Animals, and for the Stowage of their Fodder:

Dogs and Pigs.

(6.) Not more than Six Dogs, and no Pigs or Male Goats, shall be conveyed as Cargo in any Passenger Ship: For any Breach of this Prohibition, or of any of the above Conditions, the Owner, Charterer, and Master of the Ship, or any of them, shall be liable for each Offence to a Penalty not exceeding Three hundred Pounds nor less than Five Pounds.

Issue of Lime Juice.

9. The Requirements of the Thirty-fifth Section of the said "Passengers Act, 1855," that Six Ounces of Lime Juice should be issued weekly to each Statute Adult on Voyages exceeding Eighty-four Days in Duration for Sailing Vessels, or Fifty Days for Steamers, shall be confined to the Period when the Ship shall be within the Tropics; during the other Portions of the Voyage the Issue of Lime Juice shall be at the Discretion of the Medical Practitioner on board; or, if there be no such Practitioner on board, at the Discretion of the Master of the Ship.

Substitution of soft Bread for other Bread Stuffs.

10. In addition to the Substitutions in the Dietary Scales specified in the Thirty-fifth Section of the said "Passengers Act, 1855," soft Bread baked on board may be issued, at the Option of the Master of any Passenger Ship, in lieu of the following Articles, and in the following Proportions; (that is to say,) One Pound and a Quarter of a Pound of such soft Bread may be issued in lieu of One Pound of Flour, or of One Pound of Biscuit, or of One Pound and a Quarter of a Pound of Oatmeal, or of One Pound of Rice, or of One Pound of Peas.

Sect. 46. of recited Act to apply to Cabin Passengers, and Passage Money made recoverable immediately on re-landing.

11. The Forty-sixth Section of the said "Passengers Act, 1855," shall be applicable to Cabin as well as to other Passengers landed on account of Sickness; and the Passage Money of all Cabin or other Passengers so landed may be recovered in the Manner pointed out in the said Act, upon the Delivery up of their Contract Tickets, and notwithstanding that the Ship may not have sailed: Provided always, that in the Case of Cabin Passengers so landed One Half only of their Passage Money shall be recoverable.

Sections 12, 51, 53, and 54. of recited Act repealed, and other Provisions substituted.

12. The Twelfth, Fifty-first, Fifty-third, and Fifty-fourth Sections of the said "Passengers Act, 1855," shall be and the same are hereby repealed, except as to the Recovery and Application of any Penalty for any Offence committed against the said Act, and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken thereunder; and in lieu of the Enactments contained in such Sections the Enactments in the Four next following Sections shall respectively be substituted; (that is to say,)

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

13. If any Passenger Ship shall clear out or proceed to Sea without the Master having first obtained such Certificate of Clearance, or without his having joined in executing such Bond to the Crown as by the said "Passengers Act, 1855," are required, or if such Ship, after having put to Sea, shall put into any Port or Place in the United Kingdom in a damaged State, and shall leave or attempt to leave such Port or Place with Passengers on board without the Master having first obtained such Certificate of Clearance as is required by Section Fifty of the said "Passengers Act, 1855," 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 for an Offence incurring Forfeiture under any of the Laws relating to the Customs: Provided that it shall be lawful for One of Her Majesty's Principal Secretaries of State to release, if he shall think fit, any such forfeited Ship from Seizure and Forfeiture, on Payment by the Owner, Charterer, or Master thereof, to the Use of Her Majesty, of such Sum not exceeding Two thousand Pounds as such Secretary of State may by any Writing under his Hand specify.

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

Power to Secretary of State to release Ships on Payment of a Sum of Money.

14. If

14. If any Passenger Ship shallbe wrecked, or otherwise rendered unfit to proceed on her intended Voyage, while in any Port of the United Kingdom, or after the Commencement of the Voyage, and if the Passengers, or any of them, shall be brought back to the United Kingdom, or if any Passenger Ship shall put into any Port or Place in the United Kingdom in a damaged State, the Master, Charterer, or Owner shall, within Forty-eight Hours thereafter, give to the nearest Emigration Officer, or in the Absence of such Officer to the Chief Officer of Customs, a written Undertaking to the following Effect; that is to say, if the Ship shall have been wrecked, or rendered unfit as aforesaid to proceed on her Voyage, that the Owner, Charterer, or Master thereof shall embark and convey the Passengers in some other eligible Ship, to sail within Six Weeks from the Date thereof, to the Port or Place for which their Passages respectively had been previously taken; and if the Ship shall have put into Port in a damaged State, then that she shall be made seaworthy, and fit in all respects for her intended Voyage, and shall, within Six Weeks from the Date of such Undertaking, sail again with her Passengers; in either of the above Cases the Owner, Charterer, or Master shall, until the Passengers proceed on their Voyage, either lodge and maintain them on board in the same Manner as if they were at Sea, or pay to them Subsistence Money after the Rate of One Shilling and Sixpence a Day for each Statute Adult, unless the Passengers shall be maintained in any Hulk or Establishment under the Superintendence of the Emigration Commissioners mentioned in the said Passengers Act, 1855, in which Case the Subsistence Money shall be paid to the Emigration Officer at such Port or Place. If the substituted Ship or damaged Ship, as the Case may be, shall not sail within the Time prescribed as aforesaid, or 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 in the said Passengers Act, 1855, is 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 damaged "Passenger Ship," at the Expense of the Master thereof; and if after 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.

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

Power to remove Passengers from damaged Ship; Penalty on Passengers refusing.

15. 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 for which the Ship was originally bound, or at which he or the Emigration Commissioners, or any public Officer or other Person on his Behalf, may have contracted that he should 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.

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

16. All Expenses incurred under the last preceding Section or under the Fifty-second Section of "The Passengers Act, 1855," or either of them, by or by the Authority of such Secretary of State, Governor, or Consular Officer, or other Person, as therein respectively mentioned, 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 in the Form in Schedule (A.) hereto annexed, or as near thereto as the Circumstances of the Case will admit, 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 incurred under the Two preceding Sections to be a Debt due to the Crown.

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, nor shall it be necessary to adduce on behalf of Her Majesty any other Evidence in support of the Claim, but Judgment shall pass for the Crown, with Costs of Suit, unless the Defendant shall specially plead and duly prove that such Certificate is false or fraudulent, or shall specially plead and prove any Facts showing that such Expenses were not duly incurred under the Provisions of this Act, and of the said "Passengers Act, 1855," or either of them: 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 or due to and recoverable by or on account of the Owner, Charterer, or Master of such Passenger Ship, or any of them, for or in respect 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 the said "Passengers Act, 1855."

Passengers forwarded by Governor, &c. not entitled to Return of PassageMoney.

Bond to repay Expenses of rescuing and forwarding shipwrecked Passengers, where Owners and Charterers of Vessel reside abroad.

17. In the Case of a Passenger Ship, of which neither the Owners nor Charterers reside in the United Kingdom, the Bond required to be given to the Crown by the Sixty-third Section of the "Passengers Act, 1855," shall be for the Sum of Five thousand Pounds instead of Two thousand Pounds; and an additional Condition shall be inserted in such Bond to the Effect that the Obligors therein shall, subject to the Provisions and Limitations herein-before contained, be liable for and shall pay to Her Majesty and Her Successors, as a Crown Debt, all Expenses which may be incurred under the Provisions herein-before and in the "Passengers Act, 1855," contained, in rescuing, maintaining, and forwarding to their Destination any Passengers of such Ships who by reason of Shipwreck or any other Cause, except their own Neglect or Default, may not be conveyed to their intended Destination by or on behalf of the Owner, Charterer, or Master of such Ship.

Recited Act and this to be as One.

18. The said "Passengers Act, 1855," and this Act, shall be construed together as One Act.

SCHEDULE (A.)

Form of Governor's or Consul's Certificate of Expenditure in the Case of Passengers shipwrecked, &c.

I hereby certify, That, acting under and in conformity with the Provisions of the British "Passengers Act, 1855," and of the "Passengers Act Amendment Act, 1863," I have defrayed the Expenses incurred in rescuing, maintaining, supplying with necessary Bedding, Provisions, and Stores (*a*), and in forwarding to their Destination Passengers [including Cabin Passengers (*b*)], who were proceeding from to in the Passenger Ship , which was wrecked at Sea, &c. (*c*).

And I further certify, for the Purposes of the Tenth Section of the said "Passengers Amendment Act, 1863," that the total Amount of such Expenses is Pounds, and that such Expenses were duly incurred by me under the said Acts or one of them.

Given under my Hand this Day of 18 .

{ *Governor of, &c.*, (or, as the Case may be,) *Her Britannic Majesty's Consul at*

(*a*). N.B.—1. If more Passengers were rescued than forwarded, or if Bedding, &c., was not supplied, alter the Certificate to suit the Facts of the Case.

(*b*). N.B.—2. Omit Words in Brackets when necessary.

(*c*). N.B.—3. State generally the Nature of the Disaster and where it occurred. But if the Passengers were only left behind, without any Default of their own, state the Fact accordingly.