

ANNO SEXTO

GEORGII IV. REGIS.

CAP. LXXVIII.

An Act to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof. [27th *June* 1825.]

WHEREAS it is expedient to repeal the several Laws relating to the Performance of Quarantine, and to make other Provisions in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June* One thousand eight hundred and twenty-five, all and every Act, and all Parts of Acts of the Parliament of *Great Britain* and *Ireland* respectively, and of the Parliament of the United Kingdom, relating to the Performance of Quarantine, or relating to the charging any Duty or Duties upon Vessels which may be liable to, or have performed Quarantine, shall be and the same is hereby repealed; save and except such Acts, and such Parts of Acts, as relate to the Payment and Recovery of any Duties imposed by the said Acts, or any Parts of Acts, which shall be due and unpaid on the said First Day of *June* by any Person or Persons under any or either of the said Acts; and also save and except as to any Fine, Penalty, Forfeiture, or Punishment, or Fines, Penalties, Forfeitures, or Punishments, to which any such Person or Persons may be liable by reason of the same; and also save

Acts relating to Quarantine repealed.

Exceptions.

and except as to any Action, Suit, Prosecution, or other Proceeding brought or commenced, or which shall hereafter be brought or commenced, for or on account of any such Offence or Offences so done or committed as aforesaid.

What Vessels shall be liable to Quarantine.

II. And be it enacted, That from and after the First Day of *June* One thousand eight hundred and twenty-five, all Vessels, as well His Majesty's Ships of War as others, coming from or having touched at any Place from whence His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, shall have adjudged and declared it probable that the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects may be brought, and all Vessels and Boats receiving any Person, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Article whatsoever, from or out of any Vessel so coming from or having touched at such infected Place as aforesaid, whether such Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles, shall have come or been brought in such Vessels, or such Persons shall have gone, or Articles have been put on board the same, either before or after the Arrival of such Vessels at any Port or Place in the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and whether such Vessels were or were not bound to any Port or Place in the United Kingdom, or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or any other Article whatsoever on board of any Vessels so coming from or having touched at such infected Places as aforesaid, or on board of any such Receiving Vessels or Boats as aforesaid, shall be and be considered to be liable to Quarantine within the Meaning of this Act, and of any Order or Orders which shall be made by His Majesty, His Heirs and Successors, by and with the Advice of His or Their Privy Council, concerning Quarantine and the Prevention of Infection, from the Time of the Departure of such Vessels from such infected Place as aforesaid, or from the Time when such Persons, Goods, Wares, Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles shall have been received on board respectively; and all such Vessels and Boats as aforesaid, and all Persons (as well Pilots as others), Goods, Wares, and Merchandize, and all other Articles as aforesaid, whether coming or brought in such Vessels or Boats from such infected Place as aforesaid, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, and all Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid, on board such Receiving Vessel or Boat as aforesaid, shall, upon their Arrival at any such Port or Place, be obliged to perform Quarantine in such Place or Places, for such Time, and in such Manner as shall from Time to Time be directed by His Majesty, His Heirs or Successors, by His or Their Order or Orders in Council, notified by Proclamation, or published in the *London Gazette*; and that until such Vessels and Boats, Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid, shall have respectively performed, and shall be duly discharged

from

from Quarantine, no such Person, Goods, Wares, or Merchandize, or other Articles as aforesaid, or any of them, shall, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, come or be brought on shore, or go and be put on board any other Vessel or Boat, in order to come or be brought on shore in any such Port or Place, although such Vessels so coming from such infected Place as aforesaid may not be bound to any Port or Place in the United Kingdom, or the Islands aforesaid, unless in such Manner and in such Cases, and by such Licence as shall be directed or permitted by such Order or Orders made by His Majesty, His Heirs or Successors, in Council, as aforesaid; and all such Vessels and Boats, whether coming from such infected Place as aforesaid, or being otherwise liable to Quarantine as aforesaid, and all Persons (as well Pilots as others), Goods, Wares and Merchandize, and other Articles as aforesaid, whether coming or brought in such Vessels or Boats, or going or being put on board the same, either before or after the Arrival of such Vessels or Boats at any Port or Place in the United Kingdom, or the Islands aforesaid, and although such Vessels or Boats shall not be bound to any Port or Place in the United Kingdom, or the Islands aforesaid; and all Commanders, Masters, or other Persons, having the Charge or Command of any such Vessels or Boats, whether coming from any infected Place, or being otherwise liable to Quarantine as aforesaid, shall be subject to all Provisions, Rules, Regulations, and Restrictions contained in this Act, or in any Order or Orders which shall be made by His Majesty, His Heirs and Successors, in Council, as aforesaid, concerning Quarantine and the Prevention of Infection, and to all the Pains, Penalties, Forfeitures, and Punishments contained in this Act, for any Breach or Disobedience thereof, or of any Order or Orders of His Majesty in Council made under the Authority thereof.

Power for Privy Council to order Vessels coming from America or the West Indies, when the Yellow Fever, &c. prevails there, to go to certain Places without being liable to Quarantine.

III. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by His or Their Order in Council, or for the Lords or others of His or Their Privy Council, or any Two or more of them, by their Order from Time to Time, as often as they may see reason to apprehend that the Yellow Fever or other highly infectious Distemper prevails on the Continent of *America*, or in the *West Indies*, to require that every Vessel coming from or having touched at any Port or Place on the Continent of *America* or in the *West Indies*, shall come to an Anchor at certain Places to be appointed from Time to Time by the Commissioners of His Majesty's Customs, (who are hereby authorized to make such Appointment), for the Purpose of having the State of Health of the Crew of such Vessel ascertained before such Vessel shall be permitted to enter the Port whereto she shall be bound, or any other Port of the United Kingdom; but that such Vessel shall not be deemed liable to Quarantine unless it shall be afterwards specially ordered under that Restraint.

Power to Lord Lieutenant, where the Urgency of the Case

IV. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, by his or their Order or Orders, made by the Advice and Consent

Requires, to give Directions, by Proclamation, where Vessels shall perform Quarantine, &c.

Consent of His Majesty's Privy Council in *Ireland*, and notified by Proclamation, to give Directions, where the Urgency of the Case shall require, as to the Place or Places, and as to the Time and Manner in which Ships and Vessels arriving, and Persons, Goods, and Merchandizes coming or imported into any Port or Place in *Ireland*, shall make their Quarantine, in pursuance of the Provisions of this Act; and that until such Ships, Vessels, Persons, Goods, and Merchandizes shall have respectively performed and been discharged from such Quarantine, pursuant to the Provisions of this Act, it shall and may be lawful for any such Persons, Goods, or Merchandizes, or any of them, to come or be brought on shore, or to go or be put on board any other Ship or Vessel in any Place in *Ireland*, in such Cases, and by such Licence as shall or may be directed or permitted by any Order or Orders to be made by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, by the Advice and Consent of the Privy Council there, and notified as aforesaid; and that all such Ships and Vessels, and the Persons or Goods coming or imported in, or going and being put on board such Ships or Vessels, and all Ships, Vessels, Boats, and Persons receiving any Goods or Persons out of the same, and all Persons going on board any such Ship or Vessels, shall be subject to such Orders, Rules, and Directions concerning Quarantine and the preventing Infection, as shall be made from Time to Time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, and shall be notified by Proclamation as aforesaid, in pursuance of the Provisions contained in this Act; and that the Publication in the *Dublin Gazette* of any Order or Orders of the Lord Lieutenant or other Chief Governor or Governors and Council, made in pursuance of this Act, shall be deemed and taken to be sufficient Notice to all Persons concerned, of all Matters contained in any such Order or Orders respectively.

Goods and Vessels specified in any Order of Council subject to Quarantine; as also all Vessels arriving from any Port under suspicious Circumstances as to Infection.

V. And whereas certain Sorts of Goods and Merchandize are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into the United Kingdom, or the Islands aforesaid; be it enacted, That all such Goods and Merchandize as shall be particularly specified for that Purpose in any Order or Orders made by His Majesty, His Heirs or Successors, in Council, concerning Quarantine and the Prevention of Infection as aforesaid, which shall be brought or imported into any Port or Place in the United Kingdom, or the Islands aforesaid, from any Foreign Country or Place, in any Vessel whatever, and the Vessels in which the same shall be brought, and also all Vessels which shall arrive from any Port or Place whatever, under any alarming or suspicious Circumstances as to Infection, shall be subject and liable to such Regulations and Restrictions as shall be made by such Order or Orders of His Majesty, His Heirs or Successors, in Council as aforesaid, respecting the same.

The Privy Council may make such Order as they shall think

VI. And be it further enacted, That it shall and may be lawful for the Lords and others of His Majesty's Privy Council, or any Two or more of them, to make such Order as they shall see necessary and expedient upon any unforeseen Emergency, or in any particular

Case

Case or Cases, with respect to any Vessel arriving and having any infectious Disease or Distemper on board, or on board of which any infectious Disease or Distemper may have appeared in the Course of the Voyage, or arriving under any other alarming or suspicious Circumstances as to Infection, although such Vessels shall not have come from any Place from which His Majesty, His Heirs or Successors, by and with the Advice of His Privy Council, may have adjudged and declared it probable that the Plague or any such infectious Disease or Distemper may be brought, and also with respect to the Persons, Goods, Wares, and Merchandize, and other Articles as aforesaid on board the same; and in case of any infectious Disease or Distemper appearing or breaking out in the United Kingdom, or the Islands aforesaid, to make such Orders and give such Direction, in order to cut off all Communication between any Persons infected with any such Disease or Distemper, and the rest of His Majesty's Subjects, as shall appear to the said Lords or others of His Majesty's Privy Council, or any Two or more of them, to be necessary and expedient for that Purpose, and likewise to make such Orders as they shall see fit, for shortening the Time of Quarantine to be performed by particular Vessels or particular Persons, Goods, Wares, Merchandize, or any other Articles, or for absolutely or conditionally releasing them or any of them from Quarantine; and all such Orders so made by the Lords or others of the Privy Council, or any Two or more of them as aforesaid, shall be as good, valid, and effectual, to all Intents and Purposes, as well with respect to the Commander, Master, or other Person having the Charge of any Vessel, and all other Persons on board the same, as with respect to any other Persons having any Intercourse or Communication with them, and to the Penalties, Forfeitures, and Punishments to which they may respectively become liable, as any Order or Orders made by His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, concerning Quarantine, notified by Proclamation or published in the *London Gazette*.

necessary upon Emergencies.

VII. And be it further enacted, That if the Plague, or such other infectious Disease or Distemper as aforesaid, shall appear on board any Vessel within or without the Streights of *Gibraltar*, then the Commander, Master, or other Person having the Charge or Command thereof, shall immediately proceed to such Place as His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy Council, shall from Time to Time direct and appoint; where being arrived, he shall make known his Case to some Officer of the Customs there, who shall with all possible Speed send Intelligence thereof to the Commissioners of the Customs in the Port of *London*, to the end that such Precautions may be used to prevent the spreading of the Infection, as the Case shall require; and the said Vessel shall there remain until Directions shall be given thereto by the Lords or others of His Majesty's Privy Council, or any Two or more of them; nor shall any of the Crew or Passengers on board thereof go on shore; and such Master and every other Person on board such Vessel shall obey such Directions as he shall receive from the Lords and others of His Majesty's Privy Council, or any Two or more of them as aforesaid; and the said Commander, Master, or any other Person on board such Vessel as aforesaid, who shall not act conformably to the Pro-

Regulations for Vessels in which Infection shall appear within or without the Streights of Gibraltar.

visions and Regulations herein directed, or shall act in Disobedience to such Directions as shall be received on board such Vessel from the Lords or others of the Privy Council, or any Two or more of them as aforesaid, shall forfeit the Sum of One hundred Pounds.

Masters of Vessels liable to Quarantine to make Signals, on meeting other Vessels at Sea, or being within Two Leagues of the United Kingdom, or Guernsey, &c. on Penalty of 100*l.*

VIII. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel liable to the Performance of Quarantine, shall be and is hereby required, at all Times, when such Vessel shall meet with any other Vessel at Sea, or shall be within Two Leagues of the Coast of the United Kingdon, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to hoist a Signal to denote that his Vessel is liable to the Performance of Quarantine, which Signal shall in the Day-time, if the said Vessel shall have a Clean Bill of Health, a large Yellow Flag, of Six Breadths of Bunting, at the Maintop Mast-head, and if such Vessel shall not have a Clean Bill of Health, then a like Yellow Flag, with a circular Mark or Ball, entirely Black in the Middle thereof, whose Diameter shall be equal to Two Breadths of Bunting; and in the Night-time the Signal shall in both Cases be a large Signal Lanthorn with a Light therein (such as is commonly used on board His Majesty's Ships of War), at the same Mast-head; and such Commander, Master, or other Person shall keep such Signals respectively, as the Case shall be, hoisted during such Time as the said Vessel shall continue within Sight of such other Vessel, or within Two Leagues of the said Coasts or Islands, and while so in Sight, or within such Distance, until such Vessel so liable to Quarantine as aforesaid shall have arrived at the Port or Place where it is to perform Quarantine, and until it shall have been legally discharged from the Performance thereof; on Failure whereof such Commander, Master, or other Person having Charge of such Ship or Vessel so liable to the Performance of Quarantine shall forfeit and pay for every such Offence the Sum of One hundred Pounds.

Masters of Vessels to hoist certain Signals when Plague or infectious Disease on board, on Penalty of 100*l.*

IX. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel on board whereof the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects shall actually be, shall be and is hereby required at all Times when such Vessel shall meet with any other Vessel at Sea, or shall be within Two Leagues of the Coast of the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to hoist a Signal to denote that his Vessel has the Plague or other infectious Disease or Distemper highly dangerous to the Health of His Majesty's Subjects actually on board thereof, which Signal shall be in the Day-time a Flag of Yellow and Black, borne Quarterly, of Eight Breadths of Bunting, at the Maintop Mast-head; and in the Night-time, the Signal shall be Two large Signal Lanthorns, such as are commonly used on board of His Majesty's Ships of War, one over the other, at the same Mast-head; and such Commander, Master, or other Person shall keep such Signal hoisted during such Time as the said Vessel so having the Plague or such other infectious Disease or Distemper as aforesaid on board thereof, shall continue within Sight of such other Vessel, or within Two Leagues of the Coasts or Islands aforesaid, while so in Sight or within such Distance, until such Vessel so having the Plague or such other infectious Dis-

ease or Distemper as aforesaid on board thereof, shall have arrived at the Port or Place where it is to perform Quarantine, and until it shall have been legally discharged from the Performance thereof; on Failure thereof such Commander, Master, or other Person having Charge of such Vessel shall forfeit and pay for every such Offence the Sum of One hundred Pounds.

Penalty on Persons hoisting Signals when not liable, 50*l.*

X. And be it further enacted, That if any Commander, Master, or other Person having the Charge or Command of any Vessel, and knowing that the same is not liable to the Performance of Quarantine, shall hoist such Signal as aforesaid, or either of them, by Day or Night respectively, such Commander or other Person as aforesaid shall forfeit and pay the Sum of Fifty Pounds.

Masters of Vessels, on their Arrival from Foreign Parts, to give to the Pilots an Account of the Places at which they shall have loaded and touched, on Penalty of 100*l.*

XI. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and twenty-five, as to all Vessels arriving from any Places beyond the *Cape of Good Hope*, or *Cape Horn* in *South America*, and after the First Day of *August* One thousand eight hundred and twenty-five, as to all Vessels arriving from any Parts of *Africa* or *America* not beyond those Capes, and from the *West Indies* and *Mediterranean*, and from and after the First Day of *June* One thousand eight hundred and twenty-five, as to all Vessels arriving from any other Places, every Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts, shall give to the Pilot who shall go on board such Vessel a written Paper, containing a true Account of the Names of the Place and Country at which such Vessel shall have loaded, and also of all the Places at which any such Vessel shall have touched on the Homeward Voyage, on pain of forfeiting the Sum of One hundred Pounds for any Neglect or Refusal to give such Paper, or for any false Representation or wilful Omission therein; and if by any Proclamation or Order of His Majesty in Council, made after the Departure of any Vessel from the United Kingdom and the said Islands, and then in force, Vessels coming from any Place mentioned in any such Paper shall be liable to the Performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander or other Person aforesaid, of such Vessel, on pain of forfeiting the Sum of One hundred Pounds for any Neglect therein; and such Commander or other Person shall thereupon hoist a proper Signal, according to the Provisions of this Act, and under the Penalties in this Act contained for any Neglect or Refusal in respect of hoisting such Signals.

Pilots to give Notice of any Proclamation or Order in Council requiring the Performance of Quarantine, on Penalty of 100*l.*

Pilot to give Notice if any Articles be on board liable to Quarantine, on Penalty of 100*l.*

XII. And be it further enacted, That every Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts, which shall not be liable to Quarantine in respect of the Place from whence such Vessel comes, shall give to the Pilot who shall go on board of such Vessel a written Paper, containing a true Account of the different Articles composing the Cargo of such Vessel, on pain of forfeiting the Sum of Fifty Pounds for any Neglect or Refusal to give such Paper, or for any false Representation or wilful Omission therein; and if by any Proclamation or Order of His Majesty in Council then in force, Vessels having on board any of the Articles mentioned

mentioned in such Paper shall be liable to the Performance of Quarantine, such Pilot shall immediately give Notice thereof to the Commander or other Person having the Charge of such Vessel, on pain of forfeiting One hundred Pounds for any Neglect therein, and such Commander or other Person shall thereupon hoist a Signal, according to the Provisions and under the respective Penalties in this Act contained, for any Neglect or Refusal in respect of hoisting such Signals; and in case any Pilot shall bring or cause to be brought or conducted any Vessel liable to the Performance of Quarantine, into any Place which is not or shall not be specially appointed for the Reception of Vessels so liable, after receiving such Paper as aforesaid, whereby it shall have been made appear that such Vessel was liable to the Performance of Quarantine, or without requiring and receiving such Paper as aforesaid, unless compelled thereto by Stress of Weather, adverse Winds, or Accidents of the Sea, such Pilot shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

Penalty upon Pilots conducting Vessels to any other Place than that appointed for their Reception, 200*l.*

Pilot to bring to at Request of Officer of Customs, on Penalty of 100*l.*

XIII. And be it further enacted, That if any Pilot being on board, or any Commander, Master, or other Person having the Charge of any Vessel coming from Foreign Parts, whether such Vessel shall be liable to Quarantine or not, shall be required by any Officer of the Customs, authorized to act in the Service of Quarantine, to bring to such Vessel, to the end that the Commander, Master, or other Person having the Charge thereof may be interrogated, according to the Provision of this Act, and shall neglect or refuse to bring to such Vessel, as soon as it can be done with Safety, in obedience to such Requisition, every such Pilot, Commander, Master, or other Person having the Charge of any such Vessel shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

For better ascertaining whether Vessels be actually infected, or the Persons on board liable to Orders touching Quarantine.

XIV. And to the end that it may be better known whether any Vessel be actually infected with the Plague or other infectious Disease or Distemper as aforesaid, or whether such Vessel, or the Mariners or Passengers coming, or the Cargo imported in the same, are liable to any Orders touching Quarantine; be it further enacted, That when any Country or Place shall be known or suspected to be infected with the Plague or other infectious Disease or Distemper as aforesaid, or when any Order or Orders shall be made by His Majesty in Council concerning Quarantine and the Prevention of Infection as aforesaid, then and in such Case, as often as any Vessel shall attempt to enter into any Port or Place in the United Kingdom, or of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, whether such Port shall have been appointed for the Performance of Quarantine or not, the Superintendent or Assistant at such Port or Place, or if not, the principal Officer of His Majesty's Customs at such Port or Place, or such Officer of the Customs as shall be authorized to act in that Behalf, shall go off to such Vessel, and shall, at a convenient Distance from such Vessel, demand of the Commander, Master, or other Person having Charge of such Vessel, and such Commander, Master, or other Person shall, upon such Demand, give a true Answer in Writing or otherwise, and upon Oath or not upon Oath, according as he shall by such Superintendent or his Assistant, or other Officer of the Customs authorized as

as aforesaid, be required, to all such Questions or Interrogatories as shall be put to him by virtue and in pursuance of such Regulations and Directions as His Majesty by Order in Council shall be pleased to prescribe; and in case such Commander or Master or other Person having Charge of such Vessel shall, upon such Demand made as aforesaid, refuse to make a true Discovery in any of the Particulars concerning which he shall be interrogated in manner aforesaid, or in case he shall not be required to answer such Questions or Interrogatories upon Oath, shall give a false Answer to any such Question or Interrogatory as aforesaid, such Commander, Master, or other Person having Charge of such Vessel for every such Offence shall forfeit and pay the Sum of Two hundred Pounds.

Masters of Vessels refusing to answer Interrogatories, &c. to forfeit 200*l.*

XV. And be it further enacted, That in case it shall appear upon such Examination or otherwise, that such Vessel is under such Circumstances as shall render it liable to perform Quarantine, and that the Port or Place where it so arrived, or at which it attempts to enter as aforesaid, is not the Port or Place where it ought to perform Quarantine, in which Case it shall and may be lawful to and for the Officers of any of His Majesty's Ships of War, or of any of His Majesty's Forts or Garrisons, and all other His Majesty's Officers, upon Notice thereof given to them, or any of them respectively, and to and for any other Person or Persons whom they shall call to their Aid and Assistance, and such Officers and other Persons are hereby required to oblige such Vessel to go and repair to such Place as hath been or shall be appointed for Performance of Quarantine, and to use all necessary Means for that Purpose, either by firing of Guns upon such Vessel, or by any other Kind of necessary Force whatsoever; and in case any such Vessel shall come from, or shall have touched at any Place infected by the Plague or such other infectious Disease or Distemper as aforesaid, or shall have any Person on board actually infected with the Plague or other such infectious Disease or Distemper as aforesaid, and the Commander, Master, or other Person having Charge of such Vessel, knowing that the Place from whence he came, or at which he had touched as aforesaid, was infected with the Plague or such other infectious Disease or Distemper, or knowing some Person on board to be actually infected with the Plague or such other infectious Disease or Distemper as aforesaid, shall refuse or omit to disclose the same upon such Examination as aforesaid, or shall wilfully omit to hoist the Signal herein-before directed, to denote that his Vessel is liable to the Performance of Quarantine, at the Times and on the Occasions herein directed with respect to the same, such Commander, Master, or other Person having Charge of such Vessel shall forfeit the Sum of Three hundred Pounds.

Vessels subject to Quarantine arriving at any Port than that at which it ought to be performed, may be forced to repair to the appointed Place.

Masters of Vessels that have touched at infected Places, &c. omitting to disclose the same, or omitting to hoist the prescribed Signal, to forfeit 300*l.*

XVI. And be it further enacted, That every Commander, Master, or other Person having Charge of any Vessel which shall be ordered to perform Quarantine as aforesaid, shall forthwith, after his Arrival at the Place appointed for the Performance of Quarantine, deliver on Demand to the Superintendent of Quarantine or his Assistant, or other Officer of the Customs, authorized to act in that Behalf, and which Superintendent, Assistant, or other Officer as aforesaid is hereby required to make such Demand, his Bill of Health and Manifest, together

Commanders to deliver up Bills of Health, Manifests, and Log Book, to the Superintendent of Quarantine, on Penalty of 100*l.*

together with his Log Book and Journal, under pain of forfeiting the Sum of One hundred Pounds if he shall wilfully refuse or neglect so to do.

Penalty on Masters, &c. quitting Vessels, or permitting Persons to quit them, or not conveying same to the appointed Places, 400*l.*

XVII. And be it further enacted, That if any Commander, Master, or other Person having Charge of any Vessel liable to perform Quarantine, and on board of which the Plague or other infectious Disease or Distemper shall not then have appeared, shall himself quit, or shall knowingly permit or suffer any Seaman or Passenger coming in such Vessel to quit such Vessel by going on shore, or by going on board any other Vessel or Boat, before such Quarantine shall be fully performed, unless by such Licence as shall be granted by virtue of any Order in Council to be made concerning Quarantine as aforesaid, or in case any Commander or other Person having Charge of such Vessel shall not, within a convenient Time after due Notice given for that Purpose, cause such Vessel and the Lading thereof to be conveyed into the Place or Places appointed for such Vessel and Lading to perform Quarantine; then and in every such Case every such Commander, Master, or other Person as aforesaid, for every such Offence shall forfeit and pay the Sum of Four hundred Pounds; and

Penalty on Persons coming in such Vessels, or going on board, and quitting them before discharged from Quarantine, to suffer Imprisonment for Six Months, and forfeit 300*l.*

if any such Person coming in any such Vessel liable to Quarantine (or any Pilot or other Person going on board the same, either before or after the Arrival of such Vessel at any Port or Place in the United Kingdom, or the Islands aforesaid), shall, either before or after such Arrival, quit such Vessel, unless by such Licence as aforesaid, by going on shore in any Port or Place in the United Kingdom, or the Islands aforesaid, or by going on board any other Vessel or Boat, with Intent to go on shore as aforesaid, before such Vessel so liable to Quarantine as aforesaid shall be regularly discharged from the Performance thereof, it shall and may be lawful for any Person whatsoever, by any kind of necessary Force, to compel such Pilot or other Person so quitting such Vessel so liable to Quarantine to return on board the same; and every such Pilot or other Person so quitting such Vessel so liable to Quarantine shall for every such Offence suffer Imprisonment for the Space of Six Months, and shall forfeit and pay the Sum of Three hundred Pounds.

For punishing Disobedience or refractory Behaviour in Persons under or liable to Quarantine, or Persons having Intercourse with them,

XVIII. And whereas Disobedience or refractory Behaviour in Persons under Quarantine or liable to the Performance of Quarantine, or in other Persons who may have had any Intercourse or Communication with them, may be attended with very great Danger to His Majesty's Subjects; be it further enacted, That all Persons liable to perform Quarantine, and all Persons having had any Intercourse or Communication with them, whether in Vessels or in a Lazaret or elsewhere, shall be subject, during the said Quarantine, or during the Time they shall be liable to Quarantine, to such Orders as they shall receive from the Superintendent of Quarantine, or his Assistant, or from the Principal Officer of the Customs at any Port or Place where there is no such Superintendent or Assistant, or from any other Officer of the Customs authorized to act in that behalf, and the said Officers are hereby empowered and required to enforce all necessary Obedience to the said Orders, and in case of Necessity to call in others to their Assistance, and all Persons so called in are hereby required to assist accord-

accordingly; and such Officers shall and they are hereby empowered and required to compel all Persons liable to perform Quarantine as aforesaid, and Persons having had any Intercourse or Communication with them, to repair to such Lazaret, Vessel, or Place, and to cause all Goods, Wares, and Merchandize, and other Articles comprized within any such Orders to be made as last aforesaid, to be conveyed to such Lazaret, Vessel, or Place duly appointed in that behalf, in such Manner and according to such Directions as shall be made by Order of His Majesty in Council as aforesaid, or of the Lords or others of the Privy Council, or of any Two or more of them; and if any Person or Persons liable to perform Quarantine as aforesaid, or any Person or Persons having had any Intercourse or Communication with him, her, or them, shall wilfully refuse or neglect to repair forthwith, when required and directed so to do by such Officers as aforesaid, to the said Lazaret, Vessel, or Place duly appointed in that behalf, or having been placed in the said Lazaret, Vessel, or Place, shall escape or attempt to escape out of the same before Quarantine duly performed, it shall and may be lawful to and for the said Quarantine Officers, and also the Watchmen and other Persons appointed to see Quarantine performed, and each of them, and they are hereby respectively required, by such necessary Force as the Case shall require, to compel every such Person so refusing or neglecting as aforesaid, and every such Person so escaping or attempting to escape as aforesaid, to repair or return to such Lazaret, Vessel, or Place so appointed as aforesaid; and every Person so refusing or neglecting to repair forthwith as aforesaid to the said Lazaret, Vessel, or Place, and also every Person actually escaping as aforesaid, shall forfeit the Penalty of Two hundred Pounds.

Persons refusing to repair to the Lazaret or Vessel, to forfeit 200*l.*

XIX. And be it further enacted, That it shall be lawful for any Constable, Headborough, Tithingman, or other Peace Officer, or any other Person, to seize and apprehend any Person that shall, contrary to the Provisions of this Act, have quitted or come on shore from any Vessel liable to perform Quarantine, or who shall have escaped from or quitted any Vessel under Quarantine, or from any Lazaret, Vessel, or Place appointed in that behalf, for the Purpose of carrying such Person before any Justice of the Peace or Magistrate; and it shall be lawful for any such Justice of the Peace or Magistrate to grant his Warrant for the apprehending and conveying of any such Person to the Vessel from which he or she shall have come on shore, or to any Vessel performing Quarantine, or Lazaret, from which he or she shall have escaped, or for the confining of any such Person in any such Place of safe Custody (not being a public Gaol), and under such Restrictions as to having any Communication with any other Persons, as may in the Discretion of any Justice of the Peace or Magistrate (calling to his Aid, if he shall see fit, any Medical Person) appear to be proper, until such Person can be safely and securely conveyed to some Place appointed for the Performance of Quarantine, or until Directions can be obtained from the Privy Council as to the Disposal of any such Person, and to make any further Order, or grant any further Warrant that may be necessary in that Behalf.

Persons quitting Vessels liable to perform Quarantine, &c. may be seized.

XX. And

Intercourse with Stations allotted for Quarantine of Vessels, may be prohibited by Order in Council.

XX. And whereas it may be necessary for the public Security to prevent all Communication whatever with Vessels performing Quarantine; be it therefore further enacted, That it shall and may be lawful to and for His Majesty, His Heirs or Successors, by His or Their Order or Orders in Council, notified by Proclamation or published in the *London Gazette*, to prohibit all Persons, Vessels, and Boats whatsoever, from going, under any Pretence whatsoever, within the Limits of any Station which by any Order or Orders in Council as aforesaid has been or may be assigned for the Performance of Quarantine; and if any Person whatsoever, after such Notification or Publication of any such Order or Orders in Council, shall presume, under any Pretence whatsoever, to go with any Vessel or Boat within the Limits of any such Station, he or she shall for every such Offence forfeit and pay the Sum of Two hundred Pounds,

Penalty on Persons embezzling Goods performing Quarantine, neglecting or deserting their Duty, or permitting Persons, Vessels, &c. to depart without Authority, or giving false Certificates or damaging Goods.

XXI. And be it further enacted, That if any Officer of His Majesty's Customs, or any other Officer or Person whatsoever, to whom it doth or shall appertain to execute any Order or Orders made or to be made concerning Quarantine, or the Prevention of Infection, and notified as aforesaid, or to see the same put in Execution, shall knowingly and wilfully embezzle any Goods or Articles performing Quarantine, or be guilty of any other Breach or Neglect of his Duty in respect of the Vessels, Persons, Goods, or Articles performing Quarantine, every such Officer or Person so offending shall forfeit such Office or Employment as he may be possessed of, and shall become from thence incapable to hold or enjoy the same, or to take a new Grant thereof; and every such Officer and Person shall forfeit and pay the Sum of Two hundred Pounds; and if any such Officer or Person shall desert from his Duty when employed as aforesaid, or shall knowingly and willingly permit any Person, Vessel, Goods, or Merchandize to depart or be conveyed out of the said Lazaret Vessel or other Place as aforesaid, unless by Permission under an Order of His Majesty, by and with the Advice of His Privy Council, or under an Order of Two or more of the Lords or others of His Privy Council; or if any Person hereby authorized and directed to give a Certificate of a Vessel having duly performed Quarantine or airing, shall knowingly give a false Certificate thereof, every such Person so offending shall be guilty of Felony; and if any such Officer or Person shall knowingly or wilfully damage any Goods performing Quarantine under his Direction, he shall be liable to pay One hundred Pounds Damages and full Costs of Suit to the Owner of the same.

Vessels from the Mediterranean, Turkey, or Africa, having undergone Examination and released from Quarantine, to be admitted to Entry upon producing a Certificate of such Examination.

XXII. And be it further enacted, That if any Vessel arriving from the *Mediterranean*, or from any Port in *Turkey* or *Africa*, shall have undergone Examination by the proper Officer of Quarantine, and upon a Report of such Examination being made to the Lords or others of His Majesty's Privy Council, their Lordships shall think proper to direct the Release of such Vessel from the Performance of Quarantine, it shall be lawful for such Officer, and he is hereby required to grant to the Master or Person having the Charge or Command of such Vessel, a Certificate in Writing of such Examination and Release, and upon the Production of such Certificate to the Collector or principal Officer of His Majesty's Customs, at any Port in the United

United Kingdom, such Vessel shall be admitted to Entry without being liable to any further Restraint.

After Proof of Performance of Quarantine, and proper Certificate to that Effect, Vessels or Persons shall not be liable to further Detention.

XXIII. And be it further enacted, That after Quarantine shall have been duly performed by any Vessel, Person or Persons obliged to perform Quarantine as aforesaid, according to this Act, and to such Order or Orders made as aforesaid, and upon Proof to be made by the Oaths of the Master or other Person having Charge of such Vessel, and of Three or more of the Persons belonging thereto, or upon Proof to be made by the Oaths of Two or more credible Witnesses, before the Collector or principal Officer of the Customs at the Port where such Quarantine shall be performed, or at the Port nearest thereto, or before the Superintendant of Quarantine, or his Assistant at the Quarantine Station, or before any Justice of the Peace living near to the Port or Place, or when such Quarantine shall have been performed within any of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, before any two Jurats or Magistrates of any of the said Isles respectively, that such Vessel, and all and every such Person and Persons respectively, have duly performed Quarantine as aforesaid, and that the Vessel and all and every Person and Persons are free from Infection, and after producing a Certificate to that Purpose, signed by the Chief Officer who superintended the Quarantine of the said Vessel, or Person acting for him, then and in the said respective Cases, such Collector or Principal Officer of the Customs, or the Superintendant of Quarantine, or his Assistant, or such Justice of the Peace, or such Jurats or Magistrates as aforesaid, respectively, are hereby required to give a Certificate thereof, and thereupon such Vessel, and all and every such Person or Persons so having performed Quarantine, shall be liable to no further Restraint or Detention upon the same Account, for which such Vessel, Person or Persons shall have performed Quarantine as aforesaid.

Goods liable to perform Quarantine shall be opened and aired, as directed by Order in Council, and Proof thereof to be made, &c.

XXIV. And be it further enacted, That all Goods, Wares, and Merchandize, and other Articles liable to Quarantine as aforesaid, shall be opened and aired in such Place or Places, and for such Time and in such Manner as shall be directed by His Majesty, His Heirs and Successors, by such Order or Orders to be made as aforesaid, and after such Orders shall have been duly complied with, Proof thereof shall be made by the Oaths of the Master of the Lazaret or Vessel in which the Goods, Wares, and Merchandize and all other Articles shall have been opened and aired, and of one of the Guardians, or if there be no Guardians, then One of the Officers authorized by the Commissioners of Customs to act in the Service of Quarantine in such Lazaret or Vessel, or if there be no such Officer, then by the Oaths of Two or more credible Witnesses serving in the said Lazaret or Vessel, before the Superintendent of Quarantine or his Assistant, in case such Opening and Airing shall be had at a Port or Place where such Superintendent or Assistant shall be established, or otherwise before the principal Officer of the Customs authorized to act in the Service of Quarantine at such Port or Place, which Oath such Superintendent, Assistant, or principal Officer is hereby authorized to administer; and such Superintendent, Assistant, or principal Officer, as the Case may be, shall grant a Certificate of such Proof having been made,

and upon Production of such Certificate to the proper Officer of the Customs, such Goods, Wares, and Merchandizes, and other Articles, shall be liable to no further Restraint or Detention, either at the Port or Place where such Quarantine shall have been performed, or at any other Place whereto they be afterwards conveyed.

Persons forging or uttering false Certificates required by Order in Council, guilty of Felony.

XXV. And be it further enacted, That if any Person shall knowingly or wilfully forge or counterfeit, interline, erase, or alter, or procure to be forged or counterfeited, interlined, erased, or altered, any Certificate directed or required to be granted by any Order of His Majesty, His Heirs or Successors in Council, now in force or hereafter to be made touching Quarantine, or shall publish any such forged or counterfeited, interlined, erased, or altered Certificate, knowing the same to be forged or counterfeited, interlined, erased, or altered, or shall knowingly and wilfully utter and publish any such Certificate with Intent to obtain the Effect of a true Certificate to be given thereto, knowing the Contents of such Certificate to be false, he or she shall be guilty of Felony.

Penalty on Persons landing Goods, &c. from Vessels liable to perform Quarantine, or receiving them, or secreting them from Vessels performing Quarantine, 100*l.*

XXVI. And be it further enacted, That if any Person shall land or unship, or shall move in order to the landing or unshipping thereof, any Goods, Wares, or Merchandize, Packets, Packages, Baggage, Wearing Apparel, Books, Letters, or other Articles from on board any Vessel liable to perform Quarantine as aforesaid, or shall knowingly receive the same after they have been so landed or unshipped, every such Person shall forfeit and pay the Sum of Five hundred Pounds; and if any Person or Persons shall clandestinely convey or secrete, or conceal for the Purpose of conveying any Letters, Goods, Wares, or Merchandize or other Articles as aforesaid, from any Vessel actually performing Quarantine, or from the Lazaret or other Place where such Goods, Wares, Merchandize, or other Articles as aforesaid shall be performing Quarantine, every such Person so offending as last aforesaid shall forfeit the Sum of One hundred Pounds.

His Majesty in certain Cases may prohibit Vessels under 100 Tons from sailing until Bond be given by the Master with certain Conditions.

XXVII. And be it further enacted, That in case it shall at any Time happen that any Part of the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or *France*, *Spain*, or *Portugal*, or the *Low Countries*, shall be infected with the Plague, or any other infectious Disease or Distemper as aforesaid, it shall and may be lawful to and for His Majesty, His Heirs and Successors, by His or Their Proclamation, to prohibit or restrain all Vessels and Boats under the Burthen of One hundred Tons from sailing or passing out of any Port or Place of the United Kingdom, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or any of them, until Security be first given by the Master of every such Vessel or Boat respectively, to the Satisfaction of the principal Officers of the Customs, or the Chief Magistrate of the Port or Place from whence such Vessel or Boat shall sail, by Bond taken by such Officer or Magistrate, to the King, His Heirs or Successors, with sufficient Sureties in the Penalty of Two hundred Pounds, with Condition, that if such Vessel or Boat shall not go to or touch at any Country, Port, or Place, to be mentioned for that Purpose in such Proclamation, and if neither the Master or other Person having Charge of such Vessel or Boat,

nor

nor any Mariner or Passenger in such Vessel or Boat, shall, during the Time aforesaid, go on board any other Vessel at Sea, and such Master or other Person having Charge of such Vessel or Boat shall not permit or suffer any Person or Persons to come on board such Vessel or Boat at Sea from any other Vessel, and shall not during the Time aforesaid, receive any Goods or Merchandize whatsoever out of any other Vessel, then such Bond shall be void; for the making of which Bond no Fee or Reward whatsoever shall be taken; and in case any Vessel or Boat for which such Security shall be required by such Proclamation, shall set sail or pass out of any Port or Place of the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or any of them respectively, before Security be given as aforesaid, every such Vessel or Boat so sailing or passing out of any Port or Place contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel, and Furniture, shall be forfeited to His Majesty, His Heirs and Successors, and the Master of, and every Mariner sailing in such Vessel or Boat, shall severally forfeit and pay the Sum of Two hundred Pounds.

Penalty for sailing without giving such Security, Forfeiture of Vessel, &c.

XXVIII. And be it further enacted, That the Consuls and Vice Consuls of His Majesty, His Heirs and Successors, shall and are hereby empowered to administer Oaths in all Cases respecting Quarantine, in like Manner as if they were Magistrates of the several Towns or Places where they respectively reside.

Power to Consuls, &c. to administer Oaths.

XXIX. And be it further enacted, That in all Cases wherein by virtue of this Act, or any other Act hereafter to be made touching Quarantine, any Examination or Answer shall be taken or made upon Oath, the Person who shall be authorized and required to take such Examinations and Answers, shall and may be deemed to have full Power and Authority to administer such Oaths; and if any Person who shall be interrogated or examined, shall wilfully swear falsely to any Matter concerning which such Person shall depose or make Oath on such Examination, or in such Answer, or if any Person shall procure any other Person so to do, he or she so swearing falsely, or procuring any other Person so to do, shall be deemed to have been guilty of, and shall be liable to be prosecuted for Perjury, or Subornation of Perjury, as the Case may be, and shall suffer the Pains, Penalties, and Punishments of the Law in such Case respectively made and provided.

Persons authorized to take Examinations may administer Oaths, and Persons swearing falsely or procuring others so to do shall be deemed guilty of Perjury.

XXX. And be it further enacted, That all Superintendents of Quarantine at the several Ports, and their Assistants, shall and may be appointed by any Instrument signed by the Commissioners of Customs for the Time being; and every Thing required to be done and performed by the Superintendent of Quarantine, or his Assistant, may, in case of the Absence or Sickness of such Superintendent or Assistant, be done and performed by such principal Officer of the Customs as shall be authorized to act in that Behalf.

Superintendents at Ports to be appointed.

Principal Officer of the Customs to act as Superintendent of Quarantine in case of Absence, &c.

XXXI. And be it further enacted, That the Publication in the *London Gazette* of any Order in Council, or of any Order by any Two or more of the Lords or others of His Majesty's Privy Council, made in pursuance of this Act, or His Majesty's Royal Proclamation made in pursuance

Publication in the London Gazette of Orders of Council, &c. sufficient Notice.

pursuance of the same, shall be deemed and taken to be sufficient Notice to all Persons concerned of all Matters therein respectively contained.

Recovery and Application of Penalties.

XXXII. And be it further enacted, That all Forfeitures and Penalties that shall be incurred by reason of any Offence committed against this Act shall and may be recovered by Suit in any of His Majesty's Courts of Record in *England* or *Ireland*, in which no Essoign or Wager of Law, or more than One Imparlance shall be granted; or in *Scotland*, by summary Action in the Court of Session, or by Prosecution before the Court of Justiciary there, or by Suit in any of His Majesty's Courts in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*; and every such Forfeiture and Penalty shall belong and be given, Two Thirds to the Person who shall inform and sue for the same, and the Remainder to His Majesty, His Heirs and Successors.

In whose Name Actions for Penalties in England, Ireland, or Scotland, must be prosecuted.

XXXIII. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any Action, Bill, Plaint, Information, or Prosecution, or Actions, Bills, Plaints, Informations, or Prosecutions, in any of His Majesty's Courts in *England*, *Ireland*, or *Scotland*, or any Proceeding or Proceedings before any Justice of the Peace of any County, Riding, Division, City, Town, Stewartry, or Place for the Recovery of any Fine, Penalty or Forfeiture, Fines, Penalties, or Forfeitures, incurred by reason of any Offence committed against this Act, or against any Order or Orders made by His Majesty, His Heirs or Successors, in Council, or by Two or more of the Lords or others of His Majesty's Privy Council as aforesaid, unless the same be commenced, prosecuted, entered, or filed in the Names of His Majesty's Attorney General in *England* or *Ireland*, or Advocate in *Scotland* respectively, or under the Direction of the Commissioners of the Customs, and in the Name or Names of some Officer or Officers of the Customs in *England*, *Ireland*, or *Scotland* respectively; and if any Action, Bill, Plaint, Information, or Prosecution, Actions, Bills, Plaints, Informations, or Prosecutions, or any Proceeding or Proceedings before any Justice as aforesaid, shall be commenced, prosecuted, entered, and filed in the Name or Names of any other Person or Persons than is in that Behalf before mentioned, the same shall be and are hereby declared to be null and void.

In Prosecutions by Officers of the Customs the Attorney General in England or Ireland, or Advocate in Scotland, may stop Proceedings.

XXXIV. Provided also, and be it further enacted, That in case any Prosecution, Suit, Complaint or other Proceeding as aforesaid, shall be commenced or depending by any Officer or Officers of the Customs, for the Recovery of any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures, incurred by reason of any Offence committed against this Act, or against any Order or Orders made by His Majesty, His Heirs or Successors, in Council, or by any Two or more of the Lords or others of His Majesty's Privy Council as aforesaid, it shall and may be lawful for His Majesty's Attorney General in *England* or *Ireland*, or Advocate in *Scotland*, respectively, to stop all further Proceedings therein, as well with respect to the Share of such Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures, to which any such Officer

or

or Officers shall or may claim to be entitled, as to the Share thereof belonging to His Majesty, if upon Consideration of the Circumstances under which any such Fine, Penalty, or Forfeiture, Fines, Penalties, or Forfeitures may be incurred, it shall appear to them respectively to be fit and proper so to do.

Offences not being Felony, and Offences for which no specific Penalty is provided, may be determined before Three Justices, who may fine or imprison.

XXXV. And be it further enacted, That all Offences committed against any of the Provisions of this Act, for which no specific Penalty, Forfeiture, or Punishment is provided by this Act, shall and may be tried, heard, and determined before any Three Justices of the Peace of the County, Riding, Division, City, or Place where such Offence or Disobedience shall happen; and if any Person shall be convicted of any such Offence or Disobedience, he or she shall be liable to such Forfeiture and Penalty not exceeding the Sum of Five hundred Pounds for any Offence, or to such Imprisonment, not exceeding Twelve Months for any One Offence, as shall in the Discretion of the Three Justices who shall have heard and determined the same, be judged proper; and such Forfeiture and Penalty shall be paid, Two-thirds to the Person suing for the same and the Remainder to His Majesty, to be applied as the Proceeds of other Forfeitures and Penalties are herein-before directed to be applied.

Application of Penalties.

Answers of Persons having the Charge of Vessels shall be received as Evidence so far as relates to the Places from which Vessels came, or at which they touched, and the having been directed to perform Quarantine shall be received as Evidence that Vessels were liable, unless Proof be made to the contrary, and the being performing Quarantine shall be Proof of Vessels being liable to perform it.

XXXVI. And be it further enacted, That in any Prosecution, Suit, or other Proceedings against any Person or Persons whatsoever, for any Offence against this Act, or any Act which may hereafter be passed concerning Quarantine, or for any Breach or Disobedience of any Order or Orders which shall be made by His Majesty, His Heirs or Successors, with the Advice of His Privy Council, concerning Quarantine and the Prevention of Infection, and notified or published as aforesaid, or of any Order or Orders made by Two or more of the Lords or others of the Privy Council aforesaid, the Answer or Answers of the Commander, Master, or other Person having Charge of any Vessel, to any Question or Interrogatories put to him by virtue and in pursuance of this Act, or of any Act which may hereafter be passed concerning Quarantine, or of any such Order or Orders as aforesaid, may and shall be given and received as Evidence, so far as the same relates or relate to the Place from which such Vessel shall come, or to the Place or Places at which such Vessel touched in the Course of the Voyage, and where any Vessel shall have been directed to perform Quarantine by the Superintendent of Quarantine or his Assistant, or where there is no such Superintendent or Assistant, by the principal Officer of the Customs at any Port or Place, or other Officer of the Customs authorized to act in that Behalf, they having been so directed to perform Quarantine, may and shall be given and received as Evidence that such Vessel was liable to Quarantine, unless satisfactory Proof shall be produced by the Defendant in any such Prosecution, Suit, or other Proceeding, to show that the Vessel did not come from or touch at any such Place or Places as is or are stated in the said Answer or Answers, or that such Vessel, although directed to perform Quarantine, was not liable to the Performance thereof; and where any such Vessel shall have in fact been put under Quarantine at any Port or Place by the Superintendent of Quarantine or his Assistant, or other

Officer of the Customs authorized as aforesaid to act in that Behalf and shall actually be performing the same, such Vessel shall in any Prosecution, Suit, or other Proceeding, against any Person or Persons whatever, for any Offence against this Act or any other Act which may hereafter be passed concerning Quarantine and the Prevention of Infection, or any Order or Orders which shall be made by His Majesty in Council, or any Two or more of the Lords or others of His Privy Council as aforesaid, be deemed and taken to be liable to Quarantine, without proving in what Manner or from what Circumstance such Vessel became liable to the Performance thereof.

General Issue.

XXXVII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or execution of this present Act, or of any Order of Council made by virtue thereof, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and in execution of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall have been given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall

Treble Costs.

and may recover Treble Costs, and have the like Remedy for the same as the Defendant or Defendants hath or have in other Cases by Law; and that no such Action or Suit shall be brought against any

Limitation of Actions.

Person for any Matter or Thing done in pursuance or Execution of this Act, but within the Space of Six Months after such Matter or Thing shall have been done.

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