CHAPTER 21.

An Act to provide for prohibiting the Catching of Seals at certain periods in Behring Sea and other parts of the Pacific Ocean adjacent to Behring Sea, and for regulating the Seal Fisheries in those Seas.

[27th June 1895.]

WHEREAS it is expedient to repeal the Seal Fishery (North Pacific) Act, 1893, and to re-enact it with amendments: 56 & 57 Vict. c. 23.

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:

Power to prohibit by Order in Council the hunting of seals in Behring Sea and adjacent parts of the Pacific Ocean.

1.—(1.) Her Majesty the Queen may, by Order in Council, prohibit, during the period specified in the Order, the catching of seals by British ships in such parts of the seas to which this Act applies as are specified in the Order.

(2.) While an Order in Council under this Act is in force—

(*a*) a person belonging to a British ship shall not kill, take, or hunt, or attempt to kill or take, any seal during the period and within the seas specified in the Order; and

(*b*) a British ship shall not, nor shall any of the equipment or crew thereof, be used or employed in such killing, taking, hunting, or attempt.

(3.) If there is any contravention of this section, any person committing procuring aiding or abetting such contravention shall be guilty of a misdemeanor within the meaning of the Merchant Shipping Act, 1894, and the ship and her equipment and everything on board thereof shall be subject to forfeiture to Her Majesty. 57 & 58 Vict. c. 60.

Power to regulate seal fishing.

2.—(1.) Her Majesty the Queen may by Order in Council make, as respects such parts of the seas to which this Act applies as are specified in the Order, regulations—

(*a*) for entering in the official log of a ship particulars respecting the hunting, killing, and taking of seals, and

(*b*) for regulating the hunting and taking of seals, with power to prohibit or restrict the use therein of any particular kind of vessels, methods, or implements.

(2.) If there is any contravention of any such regulation any person who committed procured aided or abetted such contravention shall be liable to a fine not exceeding one hundred pounds.

(3.) If the regulations under this section provide for the entry of particulars in the official log of a ship, the provisions of the Merchant Shipping Act, 1894, with reference to official logs (including the penal provisions), shall apply to every ship engaged in seal fishing within such of the seas to which this Act applies as are specified in the Order. 57 & 58 Vict. c. 60.

Procedure for enforcing Act.

3.—(1.) Any offence or fine under this Act may be prosecuted or recovered in like manner as if it were an offence or fine under the Merchant Shipping Act, 1894.

(2.) For the purpose of the forfeiture of any ship under this Act, section seventy-six of the Merchant Shipping Act, 1894, shall apply.

(3.) Where any commissioned officer on full pay in the naval service of Her Majesty the Queen has reasonable cause to believe that, during the period and in the seas specified in an Order in Council under this Act, any British ship has been used or employed in contravention of this Act, or of any regulation made thereunder, he may stop and examine her, and detain her or any portion of her equipment or any of her crew, and may seize the ship's certificate of registry.

(4.) For carrying into effect an arrangement with any foreign State, an Order in Council under this Act may provide that the powers under this Act of such commissioned officer may, subject to any limitations, conditions, modifications, and exceptions specified in the Order, be exercised in relation to a British ship and the equipment crew and certificate thereof by such officers of the said foreign State as are specified in the Order, or in relation to a ship of the said foreign State and the equipment crew and papers thereof by such British officers as are specified in the Order.

Provision as to ship's papers.

4.—(1.) Where an officer has power under this Act to seize a ship's certificate of registry, he may, subject to the directions of an Order in Council under this Act, either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized; and in either case may, if the ship appears to him to be liable to forfeiture, direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with, the owner and master of the ship shall, without prejudice to any other liability, each be liable to a fine not exceeding one hundred pounds.

(2.) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship, until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this Act.

Evidence.

5.—(1.) A statement in writing, purporting to be signed by an officer having power in pursuance of this Act to stop and examine a ship, as to the circumstances under which or grounds on which he stopped and examined the ship, shall be admissible in any proceedings, civil or criminal, as evidence of the facts or matters therein stated.

(2.) If evidence contained in any such statement was taken on oath in the presence of the person charged in the evidence, and that person had an opportunity of cross-examining the person giving the evidence and of making his reply to the evidence, the officer making the statement may certify that the evidence was so taken, and that there was such opportunity as aforesaid.

Orders in Council.

6.—(1.) Her Majesty the Queen in Council may make, revoke, and alter Orders for the purpose of this Act, and every such Order shall be forthwith laid before both Houses of Parliament and published in the London Gazette.

(2.) Any such Order may contain any limitations, conditions, modifications, and exceptions, which appear to Her Majesty in Council expedient for carrying into effect the object of this Act.

Application, construction, short title, and duration of Act and repeal.

7.—(1.) This Act shall apply to the animal known as the fur seal, and to any marine animal specified in that behalf by an Order in Council under this Act, and the expression "seal" in this Act shall be construed accordingly.

(2.) This Act shall apply to the seas within that part of the Pacific Ocean known as Behring's Sea, and within such other parts of the Pacific Ocean as are north of the forty-second parallel of north latitude, and shall be in addition to and not in derogation of the provisions of the Behring Sea Award Act, 1894. 57 & 58 Vict. c. 2.

(3.) The expression "equipment" in this Act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

(4.) This Act may be cited as the Seal Fisheries (North Pacific) Act, 1895.

(5.) The Seal Fishery (North Pacific) Act, 1893, is hereby repealed as from the passing of this Act, but shall be deemed until that passing to have continued in force, and any Order in Council in force under that Act shall continue as if it had been made in pursuance of this Act. 56 & 57 Vict. c. 23.

(6.) This Act shall remain in force until the thirty-first day of December one thousand eight hundred and ninety-seven and no longer unless continued by Parliament.

CHAPTER 22.

An Act to make temporary provision for the Relief of Distress in Ireland. [6th July 1895.]

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 power to grant out-door relief in food and fuel.

1.—(1.) At any time before the first day of September, one thousand eight hundred and ninety-five, the Local Government Board for Ireland may, if they think fit, by order under their seal