



WEDNESDAY,

JULY 7, 1802.

ST. JOHN: PRINTED and PUBLISHED by JOHN RYAN, Printer to the KING'S MOST EXCELLENT MAJESTY, at his Office, No. 9, LONG-WHARF, South side Market-Street, where ESSAYS, ADVERTISEMENTS, &c. will be thankfully received.

[VOL. XVII.]

[NUMB. 938.]

## By Authority.

### Regulations for the Navigation of British Ships in time of Peace.

JOHN SULLIVAN, Esq.

Council Office, Whitehall,  
April 5, 1802.

SIR,  
THE Lords of His Majesty's most Honourable Privy Council judging it expedient, and for the interest of the Merchants, Ship Owners, and Mariners of this kingdom, that the regulations contained in an Act passed in the Thirty-fourth year of His Majesty's Reign, intitled, *An Act for the further encouragement of British Mariners, and for other purposes therein mentioned, respecting the manner in which British ships shall be navigated in future, should be published and made known to all those whom it may concern, in order that the same may be carried into due execution; I am directed by their Lordships to send you a printed Abstract of the said regulations, and to desire that you will submit to Lord Hobart whether it may not be proper that a sufficient number of copies of the said regulations, and of this letter, should be transmitted to the Governors of His Majesty's colonies, Plantations, and settlements.*

And as by the Act before mentioned it is enacted, That the conclusion of the present War, with a view to the several foregoing regulations, shall be holden to be from the time that the same should be notified by Proclamation or order of His Majesty in Council, to be published in the London Gazette.

And as a Definitive Treaty of Peace has been signed at Amiens, between His Majesty's Plenipotentiary on one part, and by the Plenipotentiaries of France, Spain, and the Batavian Republic, on the other, on the 27th day of March last, and it is stipulated that the ratification of the said Treaty shall be exchanged at Paris by the different parties thereto, within thirty days after the signature thereof; I am directed by the Lords of His Majesty's Privy Council to apprise you, that for the purposes of the said Act a Proclamation will be published in the Gazette, notifying the ratification of the said Treaty, and the conclusion of the present War, for the purpose of ascertaining the time at which the regulations herewith transmitted are to take place.

I am, SIR,

Your most obdt. humble Servt.  
STEPH. COTTRELL.

**ABSTRACT** of the Regulations contained in an Act, passed in the Thirty-fourth Year of His present Majesty's Reign, intitled, "*An Act for the further Encouragement of British Mariners, and for other Purposes therein mentioned, respecting the Manner in which British Ships shall be navigated after the Conclusion of the War.*"

I. THAT from and after the Expiration of Six Months from the Conclusion of the present War, to be notified in Manner in the said Act mentioned, no Goods, Wares, or Merchandise whatever, shall be imported or brought into any Port or Place in the Kingdom of Great-Britain, or in the Islands of Guernsey, Jersey, Alderney, Sark, or Man, on board any Ship or Vessel which is or shall be registered, or which by Law is or shall be required to be registered as a British Ship or Vessel, unless such Ship or Vessel shall be navigated by a Master and Three Fourths at least of the Mariners British Subjects.

II. That from the same Period no Goods, Wares, or Merchandise whatever, shall be exported or shipped for the purpose of Exportation, from any port or place in the kingdom of Great-Britain, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, on board any such Ship or Vessel as aforesaid, unless such Ship or Vessel shall be navigated by a Master and Three Fourths at least of the Mariners British Subjects.

III. That from the Period herein-before mentioned, no Ship or Vessel which is or shall be registered, or which by Law is or shall be required to be registered as a British Ship or vessel, in any of the Ports of Great-Britain, Guernsey, Jersey, or the Isle of Man, or of any of the Colonies, Plantations, Islands, or Territories belonging, or which may hereafter belong to His Majesty, His Heirs and Successors, shall be navigated but by a Master and Three Fourths at least of the Mariners British Subjects, except as is therein-after provided.

IV. That from the period herein before mentioned, no Goods, Wares, or Merchandises whatever, shall be carried from any one Port, Member, or Creek, or place of Great-Britain, or of the islands of Guernsey, Jersey, Alderney, Sark, or Man, to any other port, member, creek, or place of the same, or of any of them, in any such ship or vessel; nor shall any ship or vessel be permitted to sail in ballast from one of the said ports or creeks to another; nor shall any British ship or vessel be permitted to sail from the ports or coasts of this kingdom, or of the islands of Guernsey, Jersey, Alderney, Sark, or Man, to be employed in fishing on the said coast, unless such ship or vessel shall respectively be wholly and solely manned with and navigated by a Master and Mariners all British subjects: Provided always, That it shall and may be lawful for four or more of the commissioners of His Majesty's Customs in England, and for three or more of the commissioners of His Majesty's customs in Scotland respectively, by licence under their hands, for which no fees shall be taken, to authorize any such ship or vessel employed in fishing on the coast of Great-Britain, or of the islands of Guernsey, Jersey, Alderney, Sark, or Man, to have on board any Foreign Mariner or Mariners, for the purpose of instructing the British Mariners in such ship or vessel in the art of fishing, or taking or curing fish, such foreign Mariner or Mariners, not exceeding one fourth of the Number of Mariners on board such ship or vessel.

V. That where it is required by this or any other Act, that the Master, and the whole, or any proportion of the Mariners of any ship or vessel shall be British subjects, the true intent and meaning is, That the Master, and the whole, or such proportions, shall be British subjects during the whole voyage, unless in case of sickness, death, desertion, or of the whole or part of the crew being taken prisoners in the voyage, and in such case, the Master or other person having the charge or command of such ship or vessel shall specify the same in his report: Provided also, that nothing in this Act contained shall extend, or be construed to extend, to alter or in anywise affect any regulation for navigating or manning of ships employed in any of the Fisheries carried on from this kingdom, or any part of His Majesty's dominions, for which any special provision has been made by any Act or Acts in force, before the commencement of this Act.

VI. That to prevent all Doubts, respecting the various Terms made use of in the several Laws of Navigation, with respect to who are to be deemed and taken to be qualified to be Masters of British Ships, or to be British Sailors, Seamen or Mariners; no Person shall from henceforth be deemed and taken to be qualified to be the Master of a British Ship, or to be a British Sailor, Seaman or Mariner, within the Intent

and Meaning of this Act, or of any other Act now in force, except the natural born subjects of His Majesty, his heirs and successors, or persons naturalized by, or by virtue of any Act of Parliament, or made denizens by letters of denization, or except persons who have become His Majesty's subjects by virtue of conquests or cession of some newly acquired country, and who shall have taken the oath of allegiance to His Majesty, or the oath of fidelity required by the Treaty or Capitulation by which such newly acquired country came into His Majesty's possession, except as hereinafter provided.

VII. That every foreign sailor, seaman, or mariner, who shall have served or who shall serve on board any of His Majesty's ships or vessels of war, in time of war, for and during the space of three years, either in one and the same ship or vessel, or in different ships or vessels, and who shall have obtained a certificate or certificates from the Capt. or Commander, Capt. or Commanders of such ships or vessels on board of which he shall have so served; or in case of the death of such Capt. or Commander then upon the certificate of the officer then living who shall have been next in rank to such Capt. or Commander, testifying that he has so served, and testifying his faithful service and good behaviour during the time of such service, and who shall also have taken the oath of allegiance to His Majesty before some Justice of the Peace, or principal Magistrate of some city or town in His Majesty's Dominions, or before the principal officer of His Majesty's Customs in any port of His Majesty's Dominions, (which oath they are respectively by the said Act authorized to administer), and who shall obtain a certificate from such Justice of the Peace, principal Magistrate, or chief officer, of his having taken such oath, (which certificate they are by the said Act authorized and required to give upon the payment of no greater fee than that of one shilling,) shall, from and after the conclusion of the present war, be entitled to be employed as a Master of a British ship or vessel, or as a British sailor, seaman, or mariner on board any British ship or vessel, within the intent and meaning of this Act, or any of the laws now in force; Provided always, that no such foreigner shall be entitled to become the master of any British ship or vessel, or to be employed as a British sailor, seaman, or mariner, unless he shall have delivered the before-mentioned certificate or certificates of the time he shall have served, and of his faithful service and good behaviour, and the before-mentioned certificate of his so having taken the oath of allegiance, to the collector or other chief officer of His Majesty's customs in the port of London, or in the ports of Chatham, Portsmouth or Plymouth, to be filed by such collector or other chief officer of the customs, who are by the said Act required to deliver to such foreign sailor, seaman, or mariner, an attested copy thereof, upon paying the fee of one shilling, and no more.

VIII. Provided always, That no person who is or shall become qualified to be the master of a British ship or vessel, or to be a British sailor, seaman or mariner, by birth, naturalization, denization, conquest, or service, in manner in the said Act mentioned, and who has taken or shall take any oath of allegiance to any foreign sovereign or state whatsoever, for any purpose whatsoever, except under the terms of some capitulation, upon the conquest of any of the dominions of His Majesty, his heirs or successors, by any enemy or enemies, and for the purpose of obtaining the benefit of such capitulation only, shall be deemed and taken to be qualified to be the master of a British ship or vessel, or a British sailor, seaman, or mariner, within the intent and meaning of any of the laws of navigation, unless such person shall have taken such oath of allegiance before he became so-qualified, and any

person who shall, after having become disqualified, by taking such oath of allegiance as aforesaid, take the charge or command of any British ship or vessel, as master or commander thereof, shall for every such offence forfeit and pay the sum of one hundred pounds; and every person who shall after having become so disqualified as aforesaid, engage to serve as a British sailor, seaman or mariner, on board any such ship or vessel shall forfeit and pay for every such offence the sum of ten pounds; such forfeitures respectively to be recovered upon conviction before a justice of the peace, if such offence shall be committed in Great-Britain, and before any member of the supreme court of justice, or any justice of the Peace, if such offence shall be committed in the islands of Guernsey, Jersey, or Man, or in any colony, plantation, island, or territory, to his Majesty belonging, in America: Provided also, that no ship or vessel on board whereof any person who is so disqualified, shall be employed as master or commander, shall be forfeited by reason thereof, if the owner or owners of such ship or vessel shall show that such disqualification of such master or commander was unknown to such owner or owners respectively, or to his, her, or their agent or agents; and that such disqualification of such sailor, seaman, or mariner, was unknown to such owner or owners respectively, or to his agent or agents, and to the master or commander of such ship or vessel at the time of engaging such person so disqualified to serve on board such ship or vessel: Provided always, that in the navigation on the seas of America and the West-Indies, from any port of America and the West-Indies, any negroes belonging to any person or persons being or having become his Majesty's subjects, in manner aforesaid, and with the qualifications aforesaid, and in the seas to the eastward of the Cape of Good Hope, from any port to the eastward of the Cape of Good Hope to any other port to the eastward of the Cape of Good Hope, Lascares, and other natives of any of the countries to the eastward of the Cape of Good Hope, may be employed as British sailors, seamen, or mariners, in manner heretofore practiced: Provided nevertheless, that no negro belonging to any person who has become a subject of his Majesty in manner before described, in any of the islands or colonies late under the dominion of his most Christian Majesty, shall be entitled to be employed in manner before mentioned, as a British sailor, seaman, or mariner, unless all the conditions required by an Act, passed in the present Session of Parliament, intitled, "An Act for granting to foreign ships, put under his Majesty's protection, the Privileges of prize ships, under certain regulations and restrictions; for allowing aliens in foreign colonies surrendered to his Majesty, to exercise the occupations of merchants or factors; and for repealing an Act, passed in the twelfth year of the reign of his late Majesty, intitled, An Act for granting a liberty to carry sugars of the growth, produce, or manufacture, of any of his Majesty's sugar colonies in America, from the said colonies directly to foreign parts, in ships built in Great-Britain, and navigated according to law." And also so much of an Act passed in the fifteenth year of the reign of his late Majesty, as amends the said Act, shall have been complied with, so long as the said Act shall continue in force.

IX. Provided always, That nothing in the said Act contained shall extend to take away or restrain the effect of any such Proclamation as his Majesty, his heirs, or successors, are empowered to make by virtue of an Act, passed in the thirteenth year of his late Majesty's reign, intitled, "An Act for the better supply of mariners and seamen to serve in his Majesty's ships of War, and on board Merchant ships, and other trading ships, and privateers."