



BY AUTHORITY.

ANNO DECIMO QUINTO AND DECIMO SEXTO VICTORIÆ REGINÆ.

CAP. XLIV.

An Act to amend and consolidate the Laws relating to the Carriage of Passengers by Sea.

[30th June 1852.]

WHEREAS it is expedient to amend and consolidate, and for that Purpose to repeal, the existing Laws relating to the Carriage of Passengers by Sea: 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:

I. On the First Day of *October* next, when this Act shall commence and come into force, "The Passengers Act, 1849," and an Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to amend the Passengers Act, 1849*, shall be repealed; except so far as either of the said Acts repeals any former Act or Enactment; and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken upon any Bond given under either of the said Acts, or upon any other Civil Process; and except as to the Recovery and Application of any Penalty for any Offence committed against either of the said Acts before the commencement of this Act; and except also as to an Order in Council made by Her Majesty, with the Advice of Her Privy Council, on the Sixth Day of *October* One Thousand eight hundred and forty-nine, in pursuance of the Powers given by the Thirty-ninth Section of "The Passengers Act, 1849," which said Order in Council shall remain in force until altered or revoked by any Order in Council to be made under the Provisions of this Act.

II. In citing the Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the expression "The Passengers Act, 1852;" and in any Process for enforcing the Remedies or Penalties given or imposed by this Act it shall be sufficient, without specifying more particularly the Cause of Complaint or Offence, to refer by Number, according to the Copies of the Act printed by the Queen's Printer, to the Section or Sections under which the Proceeding is taken.

III. For the Purposes of this Act, the following Terms, whenever they occur, shall respectively have the following Significations; (that is to say,) the Term "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, *Scilly*, and *Man*; the Term "North America" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the Gulf of *Mexico* North of the Tropic of Cancer; the Term "West Indies" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Term "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Term "Statute Adult" shall signify a Passenger of the Age of Fourteen Years

or Upwards, or Two Passengers above the Age of One Year and under that of Fourteen; the Term "Passage" shall include all Passages except Cabin Passages; the Term "Passengers" shall include all Passengers except Cabin Passengers, and except Labourers under Indenture to the *Hudson's Bay* Company, and their Families, if conveyed in Ships the Property of or chartered by the said Company, and no Persons shall be deemed Cabin Passengers unless the Space allotted to their exclusive Use in the Chief or Second Cabin shall be in the Proportion of at least Thirty-six clear Square Feet to each Statute Adult, nor unless they shall be messed at the same Table with the Master or First Officer of the Ship, nor unless the Fare contracted to be paid by them respectively shall be in the Proportion of at least Twenty Shillings for every Week of the Length of the Voyage as computed for Sailing Vessels under the Provisions of this Act; the Term "Passenger Deck" shall signify the Main Deck and the Deck immediately below it, not being an Orlop Deck, or either of them, or any Compartment thereof in which Passengers may be berthed; the Term "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Term "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend a greater Number of Passengers, when propelled by Sails, than in the Proportion of One "Statute Adult" to every Twenty five Tons of the registered Tonnage of such Ship, and when propelled by Steam than in the Proportion of One Statute Adult to every Ten Tons of the registered Tonnage of such Ship; and the Term "Master" shall signify the Person who shall be borne on the Ship's Articles as Master, or who for the Time being shall be in Charge or Command of any such Ship or "Passenger Ship;" and, unless there be something in the Subject Matter or Context repugnant thereto, every Word importing the Singular Number or the Masculine Gender only shall include several Persons, Matters, or Things, as well as One Person, Matter, or Thing, and Females as well as Males, respectively; and every Word importing the Plural Number shall include One Person or Thing as well as several Persons or Things.

IV. This Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, but shall not extend to any of Her Majesty's Ships of War, nor to any Ships in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel carrying the Royal Mails or carrying Mails under Contract with the Government of the Country to which such Steam Vessel may belong.