

sioners, in pursuance of this Act, it shall and may be lawful for the Court in which such Action or Suit shall be commenced, in Term Time, or the Judge, or any one or more of the Judges of such Court, out of the Term, in a summary Way, to stay all Proceedings in such Action or Suit, upon such Terms as to such Court or Judge respectively shall appear necessary to enforce the Provisions of this Act; provided that nothing done in Obedience to this Act shall alter or affect the Right, Title, or Interest of any Person whomsoever to or in any Property whatsoever, Real or Personal, or any Contract or Agreement whatsoever, further or otherwise than as in this Act is expressed.

Penalties to be recovered in the Name of the Attorney General, &c.

33 Geo. III. Cap. 27, or recited Act, not to affect this Act, &c.

XXXII. And be it further enacted, That all Penalties given by this Act shall be recovered by and in the Name of his Majesty's Attorney General, for the Use of his Majesty, his Heirs and Successors, to be disposed of as he or they shall think fit for effectuating the Purposes of this Act, and the Party incurring such Penalties shall remain liable to all Demands, in respect of such Money, Securities, Property, Debts, and Effects respectively, in respect whereof any such Penalty shall be incurred as aforesaid, to which he, she, or they would have been liable in case such Penalty had not been incurred.

XXXIII. Provided always, That nothing contained in an Act, passed in the last Session of Parliament, intituled, *An Act more effectually to prevent, during the present War, all Traitorous Correspondence with, or Aid or Assistance being given to, his Majesty's Enemies*, or in the said Act passed in this Session of Parliament, shall extend to affect any of the Provisions contained in this Act; and nothing in this Act contained shall extend in any Manner to alter or affect the Provisions contained in the said Acts, or either of them, except so far as such Provisions are expressly altered or affected by this Act.

### C A P. LXXX.

An Act to continue, for a limited Time, and to amend an Act, passed in the last Session of Parliament, intituled, *An Act to continue, for a limited Time, and to amend several Acts of Parliament for regulating the shipping and carrying Slaves in British Vessels from the Coast of Africa*.—[7th July 1794.]

33 Geo. III. Cap. 73, recited.

From Aug. 1, 1794, no Vessel clearing out from Great Britain to carry Slaves from Africa in greater Numbers than herein specified.

Vessels to be deemed of the Tonnage set forth in their Certificates of Registry.

Masters of Vessels to forfeit 30*l*. for every Slave exceeding the limited Number.

If more than Two-fifths of the Slaves be Children, five of the Surplus to be deemed equal to four Slaves, &c.

‘ WHEREAS an Act was made in the thirty-third Year of the Reign of his present Majesty, intituled, *An Act to continue, for a limited Time, and to amend several Acts of Parliament for regulating the shipping and carrying Slaves in British Vessels from the Coast of Africa*: And whereas it is expedient to continue, for a limited Time, and to amend the said Act; 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 it shall not be lawful for any Master or other Person taking or having the Charge or Command of any *British Ship* or Vessel whatever, which shall clear out from any Port of this Kingdom from and after the first Day of *August* one thousand seven hundred and ninety-four, to have on board at any one Time, or to convey, carry, bring, or transport Slaves from the Coast of *Africa* to any Part beyond Sea, in any such Ship or Vessel, in any greater Number than in the Proportion of five such Slaves for every three Tons of the Burthen of such Ship or Vessel, so far as the said Ship or Vessel shall not exceed two hundred and one Tons, and moreover of one such Slave for every additional Ton of such Ship or Vessel over and above the said Burthen of two hundred and one Tons, or Male Slaves who shall exceed four Feet four Inches in Height, in any greater Number than in the Proportion of one such Male Slave to every one Ton of the Burthen of such Ship or Vessel, so far as the said Ship or Vessel shall not exceed two hundred and one Tons, and moreover of three such Male Slaves, who shall exceed the said Height of four Feet four Inches, for every additional five Tons of such Ship or Vessel over and above the said Burthen of two hundred and one Tons; and every such Ship or Vessel shall be deemed and taken to be of such Tonnage or Burthen as is described and set forth in the respective Certificate of the Registry of each and every such Ship or Vessel, granted in pursuance of an Act, made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the further Increase and Encouragement of Shipping and Navigation*; and if any such Master or other Person taking or having the Charge or Command of any such Ship or Vessel shall act contrary hereto, such Master or other Person as aforesaid shall forfeit and pay the Sum of thirty Pounds of lawful Money of *Great Britain* for each and every such Slave, exceeding in Number the Proportions hereinbefore limited; one Moiety whereof shall go to his Majesty, his Heirs or Successors, and the other Moiety thereof shall go to any Person or Persons who shall first sue for the same: Provided always, That if there shall be in any such Ship or Vessel any more than two fifth Parts of the Slaves who shall be Children, and who shall not exceed four Feet four Inches in Height, then every five such Children, over and above the aforesaid Proportion of Two-fifths, shall be deemed and taken to be equal to four of the said Slaves, within the true Intent and Meaning of this Act: Provided always, That nothing herein contained shall extend, or be construed to extend, to the Case of a Ship taking on board any Number of Slaves that shall be found shipwrecked, or from on board any other Ship or Vessel where, by reason of Mutiny or Insurrection among the Slaves or the Crew, or by Failure of Hands, or by any actual Distress of the Vessel, the Master or Commander shall be disabled from governing the Ship, or continuing the Voyage, the Proof of which shall lie upon the Master or other Person having Charge of such Ship or Vessel so taking on board such Slaves.

“ Masters of Vessels, before they land any Slaves in the *West Indies*, to give in a written Declaration to the Officer of the Customs of the Burthen of the Vessel, &c.; and if they land Slaves contrary hereto, to forfeit 500*l*. Officers of the Customs to take an Account of the Slaves on board such Vessels, &c. on

“ Penalty

"Penalty of 500*l.* Where there is no Officer of the Customs, any Civil Officer to receive the Declaration of the Master, &c."

III. And be it further enacted, That if any Person making any Declaration, by this Act authorized or required to be made, shall therein be guilty of wilful Falsehood, or if any Person shall procure or suborn any Person to become guilty of such wilful Falsehood, every such Person shall be deemed guilty of a Misdemeanour, and shall be punished by such Fine as the Court, before whom such Offender shall have been tried and convicted, shall think fit to order or adjudge, and also by Imprisonment for any Time not exceeding twelve nor less than three Calendar Months from the Time of such Sentence.

Penalty on  
making false  
Declaration.

"No Vessel to carry any Slaves, unless entered for that Purpose at clearing out, nor unless the Surgeon give Bond to keep a Journal of the Slaves during the Voyage; Journal is to be delivered to the Officer of the Customs, at the first *British* Port of Arrival, &c. Officer to deliver to the Master a Copy of his Declaration, and to the Surgeon a Copy of his Journal, and transmit Duplicates to the Commissioners of the Customs. Masters or Surgeons acting contrary hereto, to forfeit 100*l.* If Penalty on Masters be not paid within fourteen Days, their Vessels may be seized and sold. On Arrival of Vessels in *America*, or the *West Indies*, the Owners to give Bond for Payment of Penalties, &c. Penalties may be sued for in any Court of Vice-Admiralty in *America* or the *West Indies*, where the Offence shall have been committed, or the Cargo disposed of, or in any Court of Record at *Westminster*, or the Court of Exchequer at *Edinburgh*. The upper and lower Cabin, and the Space between Decks, to be allotted to the Slaves. If any Person take the Command of a Vessel, who is not qualified as herein directed, he and also the Owner shall forfeit 500*l.*

X. And whereas, by the said Act of the thirty-third Year of his present Majesty's Reign, and the several preceding Acts, it is enacted, that, from and after the first Day of *August* one thousand seven hundred and ninety-three, it should not be lawful for any Owner or Owners of any Ship or Vessel to insure any Cargo of Slaves, or any Part thereof on board the same, against any Loss or Damage, save and except the Perils of the Sea, Piracy, Infurrection, or Capture by the King's Enemies, Barratry of the Master and Crew, and Destruction by Fire; and that all and every Policy of Insurance thereafter made contrary to the said Act should be, and the same are thereby declared to be null and void to all Intents and Purposes whatsoever: And whereas the Owners of Ships and others concerned in the Trade to *Africa*, understanding that it was merely intended by the above-mentioned Provision of the said Act, to prescribe and specify the particular Kinds of Loss and Damage for which alone an Indemnity should thereafter be recoverable in respect to Cargoes of Slaves, and not to interfere with or vary the particular Forms of the Policies of Insurance, whereby such Insurances had been theretofore effected, have continued to make Insurances on the Perils and Dangers allowed to be insured by the said Act, in the same general Terms as are contained in the common Policies theretofore used in other Insurances on Ships and Goods: And whereas Doubts have arisen respecting the Validity of such Insurances so made on Cargoes of Slaves, on account of the Policies whereby the same are effected, not being expressly restrained to the particular Peril and Dangers which are by the said Provision of the said Act alone saved and excepted as the Subjects of lawful Insurance: For Remedy whereof, and for the more effectual Security of such Persons, be it therefore enacted, and it is hereby enacted by the Authority aforesaid, That nothing in the said Act, or any former Act contained, shall extend, or be construed to extend, to make void any Insurance already made, or which hereafter shall be made, upon Ships, Slaves, Goods, and Merchandize, in the same general Terms with the Policies now commonly made use of in all other Insurances on Ships and Goods; (that is to say,) on account of their expressly to be made, "against the Risks and Perils of the Seas, Men of War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Countermart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of Kings, Princes, and People of what Nation, Condition, or Quality soever, Barratry of the Master and Mariners, and of all other Perils, Losses, and Misfortunes that have or shall come to the Detriment or Damage thereof:" Provided nevertheless, That under such Policies of Assurance so made, or to be made, no Loss or Damage shall be hereafter recoverable on account of the Mortality of Slaves by natural Death or ill Treatment, or against Loss by throwing overboard of Slaves, on any account whatsoever, or against Loss or Damage by Restraints and Detainments by Kings, Princes, People, or Inhabitants of *Africa*, where it shall be made appear that such Loss or Damage has been occasioned through any Aggression for the Purpose of procuring Slaves, and committed by the Master of any such Ship, or by any Person or Persons commanding any Boat or Boats, or Party or Parties of Men belonging to any such Ship, or by any Person or Persons acting by the Direction of any such Master or Commander respectively.

Former Acts,  
repealed,

and nothing  
therein to make  
void Insurances  
made in the same  
general Terms as  
other Insurances,  
but under them  
no Damages shall  
be recoverable in  
certain Cases.

"No Vessel to be cleared out that has not a Surgeon who has passed his Examination, &c. If the Officer at the Port of Discharge shall be satisfied that there have not died on the Voyage more than two Slaves in the one hundred, he is to give Certificates to the Master and Surgeon, and on Production thereof to the Commissioners of the Customs, they are to order the Master 100*l.*, and the Surgeon 50*l.* Like Certificates to be given where the Mortality has not been more than three in the one hundred, which is to entitle the Master to 50*l.*, and the Surgeon to 25*l.* Before any Vessel is cleared Outwards, the Master, Officers, and Mariners to execute Articles of Agreement in the Forms annexed to the Act; and no other Form to be used, on Penalty of 50*l.* Muster-roll to be regularly kept, on Penalty of 100*l.*, and six Months Imprisonment."

No Officer or Seaman to be turned over or discharged.

XV. And be it further enacted, That no Officer, Mariner, or Seaman shall be turned over or discharged upon any Pretence whatsoever, unless into his Majesty's Ships of War, or to assist a Ship in actual Distress, or upon Preferment, or under ill State of Health.

"No Slops, &c. to be supplied beyond One-fourth of the Monthly Wages. Regulations with regard to Officers, &c. behaving in a riotous, seditious, or mutinous Manner. Master to cause a printed Abstract of this Act, &c. to be hung up in the most public Place in his Vessel, on Penalty of 20*l*. If mutinous Officers, &c. be taken into Custody in *Africa* or the *West Indies*, a Statement, upon Oath, to be lodged with the Governor, &c.; and if the Witnesses do not appear at the Trial, they shall incur a Penalty at the Discretion of the Court. Officers, &c. to continue in Pay till the Vessel is cleared Inwards. Wages of Run Men to go to *Greenwich Hospital*, &c. Where Offences may be tried, and Penalties sued for. Limitation of Actions. Delivery of Writs on board Vessels to be deemed legal Service. Persons taking false Oaths, to incur the Pains of Perjury, &c. This Act to continue in force till *August 1, 1795*."

# C A P. LXXXI.

An Act for amending so much of an Act, passed in the thirteenth and fourteenth Years of the Reign of his late Majesty King *Charles the Second*, intituled, *An Act for ordering the Forces in the several Counties of this Kingdom*, as relates to the Militia of the City of *London*; and for the better ordering the same.—[7th July 1794.]

WHEREAS the Laws now in force for the Regulation of the Militia of the City of *London* have been found in some Respects defective: And whereas further Powers are necessary for the better ordering of the said Militia: 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 his Majesty's Commissioners of Lieutenancy, that now are and hereafter shall be constituted and appointed for the City of *London*, shall have full Power and Authority, and are hereby required to call together, arm, array, and cause to be trained and exercised, such Persons, and in such Manner, as is hereinafter directed, once in every Year; and the said Commissioners shall from Time to Time constitute and appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, qualified as hereinafter directed, to train, discipline, and command the Persons so to be armed and arrayed according to the Rules, Orders, and Directions hereinafter mentioned; and the Officers so appointed shall have the same Rank in the Army as the Officers of the Rest of the Militia Forces of this Kingdom.

Commissioners of Lieutenancy may call out, arm, &c. the Militia, and appoint Officers.

Officers to have the same Rank as the Rest of the Militia.

Commissions not varied by the Revocation, &c. of the Commission under which granted.

Officers to possess the like Qualifications as required by 26 Geo. III. Cap. 107, for Commissions in Militia for Cities which are Counties of themselves, &c.

Establishment of the Militia.

II. And be it further enacted, That no Commission of any Officer, granted by his Majesty's said Commissioners of Lieutenancy for the City of *London*, in pursuance of this Act, shall be vacated by reason of the Revocation, Expiration, or Discontinuance of such Commission by which such Commissioners were appointed.

III. And be it further enacted, That every Person so to be appointed Officers of the said Militia, in pursuance of this Act, shall possess the like Qualification, to the Satisfaction of the said Commissioners, with respect to Property, as those of the same Rank in all Cities and Towns which are Counties within themselves are directed to possess, by an Act, passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for amending, and reducing into one Act of Parliament, the Laws relating to the Militia in that Part of Great Britain called England*; and every Commissioned Officer shall take the Oaths, and make, repeat, and subscribe the Declaration by the said Act required to be taken, made, repeated, and subscribed; and every Commissioned Officer shall be a Freeman of the City of *London*.

IV. And be it further enacted, That the Number of Private Men to be raised by virtue of this Act for the Militia of the City of *London*, and Liberties thereof, shall be one thousand two hundred, to be formed into two Regiments, consisting each of eight Companies, besides a Grenadier and Light Infantry Company, of sixty Private Men to a Company: The Field Officers of each Regiment shall be one Colonel, one Lieutenant Colonel, and one Major; and there shall be one Captain, one Lieutenant, and one Ensign to each Company, except to the Grenadier and Light Infantry Companies, to each of which there shall be appointed two Lieutenants, instead of one Lieutenant and one Ensign.

Times of holding Courts of Lieutenancy.

V. And be it further enacted, That the said Commissioners shall and are hereby required to hold a General Court of Lieutenancy for the said City on the first *Wednesday* next after the passing of this Act, and afterwards, annually, to hold two General Courts of Lieutenancy for the said City, (that is to say,) one Court to be holden on the third *Wednesday* in *January*, and one Court on the third *Wednesday* in *February*, in every Year, for carrying the Purposes of this Act duly and fully into Execution; and that the said Commissioners may, from Time to Time, as often as they shall find it necessary, summon or cause to be summoned other General Courts for the like Purposes.

Men to be chosen by Ballot. Persons liable to be ballotted for.

VI. And be it further enacted, That the Private Militia Men to be raised by virtue of this Act shall be chosen by Ballot: Provided always, that such Person or Persons, Bodies Politic and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners or Occupiers of Public Offices and Buildings only, shall be liable to be ballotted for to serve, or find a Man or Men, but who are or shall be rated to the Land Tax in the Ward, Parish, or Liberty in which they shall reside, occupy, or carry on Trade or Business for the Land, House, Shop, Warehouse, Vault, Cellar, or other