

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786.* Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 53

**An Act for the regulation of Seamen.**

Whereas great loss and damage is frequently occasioned to trade and navigation by seamen deferring their employ, or voyages they are entered upon, or being taken off from the same by arrest for debt or pretence thereof: for remedy whereof,

II. Be it enacted by the Governor, Council and Assembly, That if any innholder, victualler, seller of rum and strong liquors, shop-keeper, or any other person whatsoever, shall trust or give credit to any mariner or seaman belonging to any ship or other vessel without the knowledge and allowance of the master or commander thereof in any sum not exceeding ten pounds, no capias, arrest or any other process for any debt so contracted without know-ledge and allowance as aforesaid, shall be granted against or served upon the person of such mariner or seaman, until he shall have performed the voyage he is then enter'd upon and be discharged of the same, and every process issued contrary to this act, shall be deemed and adjudged utterly void in law. And any one justice of the court from whence such process shall issue to whom it shall be made to appear that any mariner or seaman is committed or restrained upon process granted for any such debt or pretence of debt made whilst he was engaged, and actually entered and in pay on any voyage, shall forthwith order his release, upon filing common bail to the action.

III. Be it further enacted, That if the master or commander of any ship or vessel shall ship any seaman knowing him to be first. entered and ship'd on board of any other ship or vessel, or after notice thereof given him shall not forthwith dismiss him, every such master or commander so offending being thereof convicted shall forfeit and pay the sum of ten pounds, to the use of the city or county where such offence shall be committed, to be sued for in any court of record proper to try the same, and such seaman so shipping himself, being under the obligation of a former contract shall forfeit and pay the value of one months wages that he shall so agree, for to be deducted from such wages, as he may have due or may afterwards be due unto him for the use of the party aggrieved.

IV. Be it further enacted, That if any mariner or seaman having shipped himself on board any ship or vessel which hath been launched or is actually preparing for sea, to proceed on any voyage and under pay, shall neglect his attendance and duty on board, and absent himself from his said service, upon complaint thereof made on oath, by the owner, master, or other officer of the said ship or vessel, to any justice of the peace within the same county, such justice is hereby empowered to cause such mariner or seaman to be forthwith brought before him by warrant, and upon conviction of his absenting himself as aforesaid, to commit to prison that he may be

secured; and forth-coming, so proceed on the voyage he has so agreed to, and to be delivered by order of the justice that committed him, or some other justice in the same county, and all necessary charges attending his being so secured, and which have been actually paid by the said owner or master, may be deducted from such mariner or seaman's wages, as the same becomes due.

V. Provided always, That no seaman shall be bound by entering or shipping himself on board of any ship or vessel, unless the agreement shall be in writing, and declare what wages such seaman is to have for so long a time as he shall ship himself for, and also express the voyage for which such seaman was shipped, any thing herein before to the contrary notwithstanding.