

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1798. Fredericton: Christopher Sower, Printer to the King's Most Excellent Majesty, 1798.

38 George III – Chapter 2

An ACT in addition to and in amendment of an Act intituled “An Act for the Regulation of Seamen.” Passed the 9th Day of February, 1798.

Whereas, in and by the third section of an act made and passed in the twenty sixth year of His Majesty's reign intituled “An Act for the Regulation of Seamen” it is enacted “that if the master or commander of any ship or vessel shall ship any Seaman, knowing him to be first entered and shipped 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 and 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 month's 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.” And whereas, the said third section has hitherto been found defective and not to answer the purpose intended:—

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That the above recited section be, and the same is hereby repealed; and instead thereof. —

II. Be it enacted, That from and after the passing of this act, if any master or commander of any ship or vessel, or any other person or persons, shall hire or engage, harbour, or conceal any Seaman, Mariner, or other person who shall have signed any former contract or articles, knowing him to have deserted from any ship or vessel within the province, every such master, commander, or other person or persons so offending, and being thereof convicted, shall forfeit and pay the sum of twenty 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, Mariner, or other Person who shall desert at any time during the voyage on which he is engaged by written contract or articles shall, over and above all penalties and forfeitures to which he is now by law subject forfeit all the wages he may have agreed for, or be entitled to during the voyage from the master or owner of the ship or vessel on board of which he shall have entered after such desertion, to the use of the owner or owners of such ship or vessel as he shall have deserted from, to be sued for and recovered in the manner, before directed.

III. And be it further enacted, That the before recited act and every clause, matter and thing therein contained (except wherein it is hereby altered and repealed) shall be and continue, and the same is hereby declared to be and continue in full force; any thing herein before contained to the contrary notwithstanding.