

faring-men, as aforesaid, so elsewhere registred, shall or may be liable to by virtue of this act, any thing herein contained to the contrary thereof notwithstanding.

Registred men
not to serve as
land soldiers.

XVII. And be it further enacted and declared to be the true intent and meaning of this present act, That no person or persons registering themselves, as aforesaid, shall by virtue of any of the powers or authority herein contained, be obliged to serve, or shall serve as land-soldiers in any other quality but as seamen in his Majesty's fleet and navy.

Chaplain, sur-
geon, &c. not
debarred.

XVIII. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall be construed to extend to the debarring any person from being a chaplain, surgeon, or any other officer in any office in the navy not of necessity to be executed by a seafaring-man.

C A P. XXII.

An act for preventing frauds, and regulating abuses in the plantation trade.

WHEREAS notwithstanding divers acts made for the encouragement of the navigation of this kingdom, and for the better securing and regulating the plantation trade, more especially one act of parliament made in the twelfth year of the reign of the late King Charles the Second, intituled, An act for increasing of shipping and navigation, another act made in the fifteenth year of the reign of his said late Majesty, intituled, An act for the encouragement of trade, another act made in the two and twentieth and three and twentieth years of his said late Majesty's reign, intituled, An act to prevent the planting of tobacco in England, and for regulating the plantation trade, another act made in the twenty fifth year of the reign of his said late Majesty, intituled, An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trades, great abuses are daily committed to the prejudice of the English navigation, and the loss of a great part of the plantation trade to this kingdom, by the artifice and cunning of ill-disposed persons: For remedy whereof for the future,

12 Car.2.c.18.

15 Car.2. c. 7.

22 & 23 Car.
2. c. 26.

25 Car.2. c. 7.

Goods not to
be imported
or exported to
or from the
plantations
but in ships
built in Eng-
land, Ireland,
or in the plan-
tations.

II. Be it enacted, and it is hereby enacted and ordained by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That after the five and twentieth day of *March*, one thousand six hundred ninety eight, no goods or merchandizes whatsoever shall be imported into, or exported out of, any colony or plantation to his Majesty, in *Asia*, *Africa* or *America*, belonging, or in his possession, or which may hereafter belong unto, or be in the possession of his Majesty, his heirs or successors, or shall be laden in, or carried from any one port or place in the said colonies or plantations to any other port or place in the same, the kingdom of *England*, dominion of *Wales*, or town of *Berwick upon Tweed*, in any ship or bottom, but what is or shall be of
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the built of *England*, or of the built of *Ireland*, or the said colonies or plantations, and wholly owned by the people thereof, or any of them, and navigated with the masters and three fourths of the mariners of the said places only (except such ships only as are or shall be taken as prize, and condemnation thereof made in one of the courts of admiralty in *England*, *Ireland*, or the said colonies or plantations, to be navigated by the master and three fourths of the mariners *English*, or of the said plantations as aforesaid, and whereof the property doth belong to *English* men; and also except for the space of three years, such foreign built ships as shall be employed by the commissioners of his Majesty's navy for the time being, or upon contract with them, in bringing only masts, timber, and other naval stores for the King's service from his Majesty's colonies or plantations to this kingdom, to be navigated as aforesaid; and whereof the property doth belong to *English* men) under pain of forfeiture of ship and goods; one third part whereof to be to the use of his Majesty, his heirs and successors, one third part to the governor of the said colonies or plantations, and the other third part to the person who shall inform and sue for the same, by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in any court in his Majesty's plantations, where such offence shall be committed.

Except prize ships, and foreign ships employed for 3 years to bring in naval stores.

Penalty.

III. And be it further enacted by the authority aforesaid, That (from and after the said five and twentieth day of *March*) goods or merchandizes may be exported or imported to and from this kingdom, the colonies, plantations and places aforesaid, in any such ships as are or shall be taken as prize, and whereof condemnation shall be made in one of the courts of admiralty aforesaid, and shall be navigated as aforesaid, by the master, three fourths of the mariners *English*, and whereof the property shall belong to *English* men, and also masts, timber, and other naval stores for his Majesty's service, for the space of three years, may be imported from his Majesty's colonies or plantations to this kingdom, in such foreign built ships as shall be employed by the commissioners of the navy for the time being, or by contract with them; any law or statute to the contrary notwithstanding.

Goods may be imported and exported in prize ships, the master and three fourths of the mariners being *English*.

IV. And whereas by one clause in the said act passed in the twelfth year of the reign of the late King Charles the Second, intituled, An act for the encouraging and increasing of shipping and navigation, all governors of his Majesty's colonies or plantations in *Asia*, *Africa*, or *America*, are required to take a solemn oath to do their utmost that every the clauses therein before mentioned, and all the matters and things therein contained, shall be punctually and bona fide observed according to the true intent and meaning thereof, so that the said governors are not strictly obliged by that oath to put in execution the subsequent clauses of the said act, although some of the clauses following are of great importance, and tend greatly to the security of the plantation trade: and whereas divers other good laws have been made for the better regulating and securing the plantation trade since the said last

12 Car. 2. c. 18.

13 & 14 Car. 2. c. 11.

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4 & 5 W. & M.
c. 17.
Governors of
English planta-
tions to take
an oath to ob-
serve all the
clauses in this
and the other
acts relating to
the said planta-
tions. *Far-
ther provided
for by 8 & 9 W.
c. 20. f. 69.*

On neglect, to
be removed
from his go-
vernment, and
forfeit 1,000 l.

15 Car. 2. c. 7.

Naval officers
in the planta-
tions to give
security to the
commissioners
of the customs
in England for
performance
of their duty,
and in default
to be disabled.

mentioned act; be it further enacted by the authority aforesaid, That all the present governors and commanders in chief of any *English* colonies or plantations, shall, before the five and twentieth day of *March*, one thousand six hundred ninety seven, and all who hereafter shall be made governors or commanders in chief of the said colonies or plantations, or any of them, before their entrance into their government, shall take a solemn oath to do their utmost, that all the clauses, matters and things, contained in the before recited acts of parliament heretofore passed, and now in force, relating to the said colonies and plantations, and that all and every the clauses contained in this present act, be punctually and *bona fide* observed, according to the true intent and meaning thereof (which oath shall be taken before such person or persons as shall be appointed by his Majesty, his heirs and successors, who are hereby authorized to administer the same) so far as appertains unto the said governors or commanders in chief respectively; and upon complaint and proof made before his Majesty, his heirs and successors, or such as shall be by him or them thereunto authorized and appointed by the oath of two or more credible witnesses, that any of the said governors or commanders in chief have neglected to take the said oath at the times aforesaid, or have been wittingly or willingly negligent in doing their duty accordingly, the said governor so neglecting or offending shall be removed from his government, and forfeit the sum of one thousand pounds sterling.

V. *And whereas by the said act of the fifteenth of King Charles the Second, intituled, An act for the encouragement of trade, the governors of the plantations are impowered to appoint an officer for the performance of certain things in the said act mentioned, which said officer is there commonly known by the name of the naval officer; and whereas through the connivance or negligence of the persons so appointed by the governors of the said plantations, divers frauds and abuses are or have been committed; be it therefore enacted by the authority aforesaid, That all and every the said officers already appointed shall, within two months after notice of this act in the respective plantations, or as soon as conveniently it may be, give security to the commissioners of the customs in England for the time being, or such as shall be appointed by them, for his Majesty's use, for the true and faithful performance of their duty; and all and every person or persons, who shall hereafter be appointed to the said office or employment, shall within two months, or as soon as conveniently it may be, after his or their entrance upon the said office or employment, give sufficient security to the commissioners of the customs as aforesaid, for his Majesty's use, for the true and faithful performance of his or their duty; and in default thereof, the person or persons neglecting or refusing to give such security, shall be disabled to execute the said office or employment; and until such security given, and the person appointed to the said office or employment be approved by the commissioners of the customs as aforesaid, the respective governor or governors shall be answerable for any*
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the offences, neglects or misdemeanors, of the person or persons so by him or them appointed.

VI. And for the more effectual preventing of frauds, and regulating abuses in the plantation trade in *America*, be it further enacted by the authority aforesaid, That all ships coming into, or going out of, any of the said plantations, and lading or unlading any goods or commodities, whether the same be his Majesty's ships of war, or merchants ships, and the masters and commanders thereof, and their ladings, shall be subject and liable to the same rules, visitations, searches, penalties and forfeitures, as to the entring, lading or discharging their respective ships and ladings, as ships and their ladings, and the commanders and masters of ships, are subject and liable unto in this kingdom, by virtue of an act of parliament made in the fourteenth year of the reign of King *Charles* the Second, intituled, *An act for preventing frauds, and regulating abuses in his Majesty's customs*: and that the officers for collecting and managing his Majesty's revenue, and inspecting the plantation trade, in any of the said plantations, shall have the same powers and authorities, for visiting and searching of ships, and taking their entries, and for seizing and securing or bringing on shore any of the goods prohibited to be imported or exported into or out of any the said plantations, or for which any duties are payable, or ought to have been paid, by any of the before mentioned acts, as are provided for the officers of the customs in *England* by the said last mentioned act made in the fourteenth year of the reign of King *Charles* the Second, and also to enter houses or warehouses, to search for and seize any such goods; and that all the wharfingers, and owners of keys and wharfs, or any lightermen, bargemen, watermen, porters, or other persons assisting in the conveyance, concealment or rescue of any of the said goods, or in the hindring or resistance of any of the said officers in the performance of their duty, and the boats, barges, lighters or other vessels, employed in the conveyance of such goods, shall be subject to the like pains and penalties as are provided by the same act made in the fourteenth year of the reign of King *Charles* the Second, in relation to prohibited or uncustomed goods in this kingdom; and that the like assistance shall be given to the said officers in the execution of their office, as by the said last mentioned act is provided for the officers in *England*; and also that the said officers shall be subject to the same penalties and forfeitures, for any corruptions, frauds, connivances, or concealments, in violation of any the before mentioned laws, as any officers of the customs in *England* are liable to, by virtue of the said last mentioned act; and also that in case any officer or officers in the plantations shall be sued or molested for any thing done in the execution of their office, the said officer shall and may plead the general issue, and shall give this or other custom acts in evidence, and the judge to allow thereof, have and enjoy the like privileges and advantages, as are allowed by law to the officers of his Majesty's customs in *England*.

Governors in the interim to be answerable. Ships coming into, or going out of, the plantation liable to the same rules, &c. as ships in *England*, by 14 Car. 2. c. 11.

And officers of the revenue there to have the same powers as officers of the customs in *England*.

Penalty on wharfingers, &c. assisting in concealment or rescue of goods.

Like assistance to be given the officers, and officers subject to the same penalties as by 13 & 14 Car. 2. c. 11.

General issue.

VII. And

One third of the forfeitures to be to the King, another to the governor of the plantation and the other to the prosecutor.

Proof to lie on the owner.

No goods to be shipped, though duties paid in the plantations, until security be given as required by 12 Car. 2. c. 18. & 22 & 23 Car. 2. c. 26. on forfeiture of ship and goods.

Laws, by-laws, &c. of plantations, repugnant to this act, to be void.

VII. And it is hereby further enacted, That all the penalties and forfeitures before mentioned, not in this act particularly disposed of, shall be one third part to the use of his Majesty, his heirs and successors, and one third part to the governor of the colony or plantation where the offence shall be committed, and the other third part to such person or persons as shall sue for the same, to be recovered in any of his Majesty's courts at *Westminster*, or in the kingdom of *Ireland*, or in the court of admiralty held in his Majesty's plantations respectively, where such offence shall be committed, at the pleasure of the officer or informer, or in any other plantation belonging to any subject of *England*, wherein no es-foin, protection, or wager of law, shall be allowed; and that where any question shall arise concerning the importation or exportation of any goods into or out of the said plantations, in such case the proof shall lie upon the owner or claimer, and the claimer shall be reputed the importer or owner thereof.

VIII. *And whereas in some of his Majesty's American plantations, a doubt or misconstruction has arisen upon the before mentioned act, made in the five and twentieth year of the reign of King Charles the* 25 Car. 2. c. 7. *Second, whereby certain duties are laid upon the commodities therein enumerated (which by law may be transported from one plantation to another for the supply of each others wants) as if the same were by the payment of those duties in one plantation, discharged from giving the securities intended by the aforesaid acts, made in the twelfth, two and twentieth, and three and twentieth years of the reign of King Charles the Second, and consequently be at liberty to go to any foreign market in Europe, without coming to England, Wales, or Berwick: it is hereby further enacted and declared, That notwithstanding the payment of the aforesaid duties in any of the said plantations, none of the said goods shall be shipped or laden on board, until such security shall be given as is required by the said acts, made in the twelfth, two and twentieth and three and twentieth years of the reign of King Charles the second, to carry the same to England, Wales, or Berwick, or to some other of his Majesty's plantations, and so toties quoties, as any of the said goods shall be brought to be re-shipped or laden in any of the said plantations, under the penalty and forfeiture of ship and goods, to be divided and disposed of as aforesaid.*

IX. And it is further enacted and declared by the authority aforesaid, That all laws, by-laws, usages or customs, at this time, or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the said plantations, which are in any wise repugnant to the before mentioned laws, or any of them, so far as they do relate to the said plantations, or any of them, or which are any ways repugnant to this present act, or to any other law hereafter to be made in this kingdom, so far as such law shall relate to and mention the said plantations, are illegal, null and void, to all intents and purposes whatsoever.

X. *And whereas great frauds and abuses have been committed by Scotch men and others in the plantation trade, by obtruding false and*

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counterfeit certificates upon the governor and officers in the plantations appointed by his Majesty's commissioners of the customs in England, of having given security in this kingdom to bring the loadings of plantation goods to England, Wales, or town of Berwick upon Tweed; as also certificates of having discharged their lading of plantation goods in this kingdom, pursuant to securities taken in the plantation, and also coquets or certificates of having taken in their loadings of European goods in England, Wales, or Berwick; by means whereof they may carry the goods of Scotland, and other places of Europe, without shipping or lading the same in England, Wales, or Berwick, to his Majesty's plantations, and also carry the goods of the plantations directly to Scotland, or to any other market in Europe, without bringing the same into England, Wales, or town of Berwick upon Tweed: it is hereby further enacted, That in such cases where the governor or officers appointed by the commissioners of the customs in the plantations shall have reasonable ground of suspicion that such certificates are false or counterfeit (that is to say) that the certificate of having given security in *England* is false, in such case the governor or officers appointed by the commissioners of the customs, shall require and take sufficient security there for the discharge of the plantation lading in *England, Wales, or town of Berwick upon Tweed*; and in such case where there shall be cause to suspect, that the certificate of having discharged her lading of plantation goods in this kingdom is false or counterfeit, the governor or officers aforesaid shall not cancel or vacate the security given in the plantation, until he or they shall be informed from the commissioners of the customs in *England* that the matter of the said certificate is true; and if any person or persons shall counterfeit, raise or falsify any cocket, certificate, return or permit, for any vessel or goods, or shall knowingly or willingly make use thereof, such person or persons shall forfeit the sum of five hundred pounds, to be recovered and disposed of as aforesaid, and the cocket, certificate, return or permit so counterfeited, raised or falsified, shall be invalid, and of no effect.

Officers suspecting certificate, to take security for discharge of the plantation lading, and not to cancel certificate till informed of the truth.

Penalty on persons counterfeiting cockets, &c.

XI. And for the better executing the several acts of parliament relating to the plantation trade, be it enacted by the authority aforesaid, That the lord treasurer, commissioners of the treasury, and the commissioners of the customs in *England* for the time being, shall and may constitute and appoint such and so many officers of the customs in any city, town, river, port, harbour or creek, of or belonging to any of the islands, tracts of land and proprieties, when and as often as to them shall seem needful; be it further also enacted, That upon any actions, suits, and informations that shall be brought, commenced or entred in the said plantations, upon any law or statute concerning his Majesty's duties, or ships or goods to be forfeited by reason of any unlawful importations or exportations, there shall not be any jury, but of such only as are natives of *England* or *Ireland*, or were born in his Majesty's said plantations; and also that upon all such actions, suits and informations, the offences may be

Treasury and commissioners of customs may appoint officers in any town, port, &c. in the islands, &c.

If actions brought in plantations, jury to be natives of *England, Ireland, or plantations.* Offence to be laid in any colony.

laid or alledged in any colony, province, county, precinct or division of any of the said plantations where such offences are alledged to be committed, at the pleasure of the officer or informer.

Places of trust to be in the hands of the natives.

XII. Provided always, That all places of trust in the courts of law, or what relates to the treasury of the said islands, shall, from the making of this act, be in the hands of the native-born subjects of *England or Ireland*, or of the said islands.

Bonds given in plantations, sureties to be of ability.

Condition of the bonds. *Further provisions relating to such bonds, by 8 Annæ, c. 13. s. 23.*

XIII. *And whereas by the said act made in the two and twentieth and three and twentieth years of the reign of his said late majesty King Charles the Second, the bonds required to be given in the plantations by virtue of the said act, for encouraging and increasing of shipping and navigation, are altered, and the word Ireland to be left out of the condition of all such bonds; and by the said act it is enacted and provided, That for such ships or vessels coming from other ports or places, to any of the said plantations, which by the said act for encouraging and increase of shipping were permitted to trade there, the governors of such English plantations should, before the said ship or vessel should be permitted to load on board any of the commodities in the said act particularly mentioned, take bond in manner and to the value mentioned and directed in the above mentioned act for encouraging and increase of shipping and navigation, for each respective ship or vessel, that such ship or vessel shall carry all the aforesaid goods, that should be laden on board in the said ship, to some other of his Majesty's English plantations, or to England, Wales, or town of Berwick upon Tweed: but because no provision hath hitherto been made for the returning and producing certificates within some reasonable limited time, of the landing and discharging such goods, according to the condition of the said bonds, and also because many times it hath happened, that the sureties taken in the said bonds have been persons not resident in the said plantations, but of uncertain and unknown abodes, the said bonds have proved ineffectual to the good purposes intended by the said acts; be it therefore enacted by the authority aforesaid, That in all such bonds, to be hereafter given or taken in the said plantations, the sureties therein named shall be persons of known residence and ability in the said plantations, for the value mentioned in the said bonds, and that the condition of the said bonds shall be, within eighteen months after the date thereof (the danger of the seas excepted) to produce certificate of having landed and discharged the goods therein mentioned, in one of his Majesty's said plantations, or in *England, Wales, or Berwick upon Tweed*, otherwise such bond, or copies thereof, being attested under the hand and seal of the governor or commander in chief to whom such bonds, were given, shall be in force, and allowed of in any court in *England, Ireland, or the plantations* as if the original were produced in court by the prosecutor.*

XIV. *And whereas several ships and vessels laden with tobacco, sugars, and other goods of the growth and product of his Majesty's plantations in America, have been discharged in several ports of the kingdoms of Scotland and Ireland, contrary to the laws and statutes now in being, under pretence that the said ships and vessels were driven*

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in thihet by stress of weather, or for want of provisions, and other disabilities could not proceed on their voyage: for remedy whereof be it enacted by the authority aforesaid, That from and after the first day of *December*, one thousand six hundred ninety six, it shall not be lawful, on any pretence whatsoever, to put on shore in the said kingdoms of *Scotland* or *Ireland*, any goods or merchandize of the growth or product of any of his Majesty's plantations aforesaid, unless the same have been first landed in the kingdom of *England*, dominion of *Wales*, or town of *Berwick upon Tweed*, and paid the rates and duties wherewith they are chargeable by law, under the penalty of the forfeiture of the ship and goods; three fourths without composition to his Majesty, his heirs and successors, and the other fourth to him or them that shall sue for the same.

Product of the plantations not to be put on shore in *Scotland*, or *Ireland*, unless duties be first paid in *England*.

XV. Provided, nevertheless, That if any ship or vessel laden as aforesaid, shall by stress of weather be stranded, or by reason of leakiness, or other disability, shall be driven into any port or place within the kingdom of *Ireland*, and shall not be able to proceed on her voyage; then and in such case only the said goods and merchandizes may be permitted to be put on shore, but shall be delivered into the custody and possession of the collector or chief officer of the customs of such port or place where the said ship shall be so stranded or driven into, there to remain until the said goods and merchandize shall, at the charge of the owner thereof, be put on board some other ship or vessel, in order to be transported and carried to some other port or place within the said kingdom of *England*, dominion of *Wales*, or town of *Berwick upon Tweed*, the said officer first taking good and sufficient security for the delivery of the same, according to the true intent and meaning of this act.

If ship stranded in *Ireland*, goods may be put on shore, and kept in custody of the officer of the customs, till shipped again for *England*.

XVI. And be it further enacted by the authority aforesaid, That all persons and their assignees, claiming any right or propriety in any islands or tracts of land upon the continent of *America*, by charter or letters patents, shall not at any time hereafter aliene, sell or dispose of any of the said islands, tracts of lands or proprieties, other than to the natural-born subjects of *England*, *Ireland*, dominion of *Wales*, and town of *Berwick upon Tweed*, without the licence and consent of his Majesty, his heirs and successors, signified by his or their order in council, first had and obtained; and all governors nominated and appointed by any such persons or proprietors, who shall be intitled to make such nomination, shall be allowed and approved of by his Majesty, his heirs and successors, as aforesaid, and shall take the oaths enjoined by this or any other act to be taken by the governors or commanders in chief in other his Majesty's colonies and plantations, before their entring upon their respective governments, under the like penalty, as his Majesty's governors and commanders in chief are by the said acts liable to.

Officer to take security for delivery.

Persons not to sell plantations in *America*, but to subjects of *England*, &c.

Governors to be approved of by the King and to take the oaths.

Penalty.

XVII. And for a more effectual prevention of frauds which may be used to elude the intention of this act, by colouring foreign ships under *English* names; be it further enacted by

English built ships to be registered, and proof made on the

oath before
the collector
of the customs;

or, if belong-
ing to Ameri-
ca, &c. before
the governor,
&c.

the authority aforesaid, That from and after the five and twentieth day of *March*, which shall be in the year of our Lord one thousand six hundred ninety eight, no ship or vessel whatsoever shall be deemed or pass as a ship of the built of *England, Ireland, Wales, Berwick, Guernsey, Jersey*, or any of his Majesty's plantations in *America*, so as to be qualified to trade to, from or in any of the plantations, until the person or persons claiming property in such ship or vessel shall register the same as followeth, that is to say, if the ship at the time of such register doth belong to any port in *England, Ireland, Wales*, or to the town of *Berwick upon Tweed*, then proof shall be made upon oath of one or more of the owners of such ship or vessel, before the collector and comptroller of his Majesty's customs in such port; or if at the time of such register the ship belong to any of his Majesty's plantations in *America*, or to the islands of *Guernsey* or *Jersey*, then the like proof to be made before the governor, together with the principal officer of his Majesty's revenue residing on such plantation or island, which oath the said governors and officers of the customs respectively are hereby authorized to administer in the tenor following, viz.

The oath.

JURAT *A. B.* That the ship [name] of
[port] whereof [master's name]
is at present master, being a [kind of built]
of [burthen] tuns, was built at [place,
where] in the year [time when] and that
[owners name] of and
of, &c. are at present owners thereof; and that no fo-
reigner, directly or indirectly, hath any share, or part, or interest therein.

Oath to be at-
tested by the
governor, and
a duplicate to
be transmit-
ted.

Penalty on
ship trading
to America
without proof
of her built.

Prize-ships to
be registred,
and oath made
that the pro-
perty is Eng-
lish.

XVIII. Which oath, being attested by the governor, or custom officer respectively, who administered the same, under their hands and seals, shall after having been registred by them, be delivered to the master of the ship for the security of her navigation, a duplicate of which register shall be immediately transmitted to the commissioners of his Majesty's customs in the port of *London*, in order to be entred in a general register, to be there kept for this purpose, with penalty upon any ship or vessel trading to, from or in any of his Majesty's plantations in *America*, after the said five and twentieth day of *March*, and not having made proof of her built and property, as is here directed, that she shall be liable, and she is hereby made liable, to such prosecution and forfeiture as any foreign ship (except prizes condemned in the high court of admiralty) would for trading with these plantations by this law be liable to.

XIX. Provided always, That all such ships as have been or shall be taken at sea by letters of mart or reprizal, and condemnation thereof made in the high court of admiralty of *England* as lawful prize, shall be specially registred, mentioning the capture and condemnation instead of the time and place of building, with proof also upon oath, that the entire property is *Eng-lish*.

lish, before any such prize shall be allowed the privilege of an *English* built ship, according to the meaning of this act.

XX. Provided also, That nothing in this act shall be construed to require the registering any fisher-boats, hoys, lighters, barges, or any open boats or other vessels (though of *English* or plantation built) whose navigation is confined to the rivers or coasts of the same plantation or place where they trade respectively, but only of such of them as cross the seas to or from any of the lands, islands, places or territories, in this act before recited, or from one plantation to another.

Fisher-boats, hoys, &c. not to be registered.

XXI. And be it further enacted by the authority aforesaid, That no ship's name registred shall be afterwards changed, without registering such ship *de novo*, which is hereby required to be done upon any transfer of property to another port, and delivering up the former certificate to be cancelled, under the same penalties, and in the like method, as is herein before directed; and that in case there be any alteration of property in the same port, by the sale of one or more shares in any ship after registering thereof, such sale shall always be acknowledged by indorsement on the certificate of the register before two witnesses, in order to prove that the entire property in such ship remains to some of the subjects of *England*, if any dispute arises concerning the same.

Ship's name not to be altered without registering *de novo*, and if sold, such sale to be indorsed on the register's certificate.

C A P. XXIII.

An act for continuing several former acts for punishing officer and soldiers who shall mutiny or desert his Majesty's service, and for punishing false musters, and for payment of quarters, for one year longer. EXP.

C A P. XXIV.

An act requiring the practisers of law to take the oaths, and subscribe the declaration therein mentioned.

FOR the better security of his Majesty's government, and the publick peace of this kingdom; be it 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 parliament assembled, and by the authority of the same, That if any person at any time after the five and twentieth day of *May*, which shall be in the year of our Lord one thousand six hundred ninety six, shall act as a serjeant at law, counsellor at law, barrister, advocate, attorney, solicitor, procter, clerk or notary, by practising in any manner as such in any court or courts whatsoever, not having, before the time of such acting, taken in his Majesty's court of *Chancery*, or *King's Bench*, or quarter sessions of the county wherein he lives, the oaths mentioned and appointed to be taken in and by one act made in the first year of the reign of King *William* and Queen *Mary*, intituled, *An act for the abrogating of the oaths of allegiance and supremacy, and appointing other oaths*, and made and subscribed the declaration appointed to be made and subscribed in and by one act made in the five and twentieth year of the reign of King *Charles* the Second, intituled, *An act*

Persons practising law not taking the oaths by 1 W. & M. ff. 1. c. 8. to incur the penalties in statute of premunire, 16 R. 2. c. 5.

25 Car. 2. c. 29.