

and adjudged to be an unlawful Combination to advance the Price of Coals, and every Person concerned therein shall be liable to be punished by Indictment or Information for the same, in his Majesty's Court of King's Bench at *Westminster*.

Publick Act.

III. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act, to all Intents and Purposes; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded or set forth.

C A P. LIV.

An Act to regulate, for a limited Time, the shipping and carrying Slaves in *British* Vessels from the Coast of *Africa*.

Preamble.

From Aug^r 1788, no Vessel clearing out from Great Britain, to carry Slaves from Africa, in greater Numbers than herein mentioned.

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

Master of Vessels so forfeit 30l. for every Slave exceeding the limited Number.

If more than 2-5ths of the Slaves be Children, 5 of the Surplus to be deemed equal to 4 Slaves.

Masters of Vessels, before they land any Slaves in the West Indies, to declare upon Oath, before the Officer of the Customs, the Burthen of the Vessel, &c.

Masters landing Slaves contrary hereto to forfeit 500l.

Officers of the Customs to take an Account of the Slaves on board such Vessels.

Where there is no Officer of the Customs, any Ci-

‘**W**HEREAS it is expedient to regulate the shipping and carrying of Slaves in *British* Vessels from the Coast of *Africa*;’ be it therefore enacted; and it is hereby 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 eighty-eight, to have on board, at any one Time, or to convey, carry, bring, or transport Slaves from the Coast of *Africa*, to any Parts 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 and passed 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 herein-before 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.

II. 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.

III. And be it further enacted by the Authority aforesaid, That on the Arrival of any such Ship or Vessel in any Island in the *West Indies*, belonging to, or under the Dominion of his Majesty, from the Coast of *Africa*, carrying or conveying any such Slaves as aforesaid, the Master, or other Person having or taking the Charge or Command of such Ship or Vessel, shall, before any of the said Slaves shall be unshipped or landed from such Ship or Vessel, repair to the nearest Custom House, and there declare, on Oath, before the Collector, or other Chief Officer of the Customs (who is hereby authorised and required to administer the said Oath), the Burthen of such Ship or Vessel, and shall at the same Time shew to such Officer the Certificate of the Registry thereof, and shall also deliver to the said Officer upon Oath (who is hereby authorised and required to administer the said Oath) an exact and true Account of the greatest Number of such Slaves, and specify the Number of such Slaves as shall exceed the aforesaid Height of four Feet four Inches, who were or shall have been at any one Time in or on board such Ship or Vessel, before, when, or after such Ship or Vessel quitted or departed from the Coast of *Africa* for that Voyage; and if such Master, or other Person taking or having the Charge or Command of any such Ship or Vessel, shall unship or land, or shall cause to be unshipped or landed, or shall wilfully permit or suffer to be unshipped or landed, any such Slaves, contrary to the true Intent and Meaning of this Act, such Master, or other Person as aforesaid, shall forfeit and pay the Sum of five hundred Pounds of lawful Money of *Great Britain* for every such Offence; and one Moiety of the said Forfeiture shall go to his Majesty, his Heirs or Successors, and the other Moiety of the said Forfeiture shall go to the Person or Persons who shall first sue for the same: And it shall and may be lawful for such Collector, or other Chief Officer of the Customs, and he is hereby required to search, or to cause Search to be made in every Part of such Ship or Vessel, to see and to take an Account of the Number of such Slaves on board such Ship or Vessel, and to specify in such Account the Number of Slaves not exceeding four Feet four Inches in Height: Provided always, That in case the said Collector, or other Chief Officer of the Customs, shall be absent, or that there shall be no such Officer in any such Island where the said Ship shall arrive as aforesaid, or in case there shall be no such other Officer of the Revenue, then any Civil Officer in the

the said Island shall be, and he is hereby authorized and required, upon Application as aforesaid, to administer the said Oath to such Master, or other Person taking or having the Charge of such Vessel, and to receive the said Declaration of the Burthen of such Ship as aforesaid.

IV. And be it further enacted by the Authority aforesaid, That it shall not be lawful for the Master, or other Person taking or having the Charge or Command of any such Ship or Vessel as aforesaid, which shall be cleared out from any Port in *Great Britain* after the first Day of *August* one thousand seven hundred and eighty-eight, to take or have on board such Ship or Vessel, or convey, carry, bring, or transport any Slaves from the Coast of *Africa* to any Parts beyond Sea, in any such Ship or Vessel as aforesaid, unless such Ship or Vessel shall, at the Time of her so clearing out, have been entered for such Purpose at the Custom House of the Port from whence she cleared out; and unless the Surgeon of or belonging to such Ship or Vessel shall have given Bond to his Majesty, his Heirs and Successors, and shall have left the same in the Hands of the Collector or Comptroller of the Customs in the Port from whence such Ship or Vessel shall depart for such Voyage to the Coast of *Africa*, in the penal Sum of one hundred Pounds, with Condition, that such Surgeon shall keep a regular and true Journal containing an Account of the greatest Number of Slaves which shall have been, at any Time during such Voyage, on board such Ship or Vessel, from the Time of the Arrival of such Ship or Vessel on the Coast of *Africa* as aforesaid, until her Arrival at the Port of her Delivery, and of the Deaths of any such Slaves or Crew of the said Ship or Vessel, and of the Cause thereof, during the Voyage, from the first Departure of the said Ship or Vessel, to her Arrival on the Coast of *Africa*, during her Stay on the said Coast, and after her Departure from thence to the said Port of Delivery, or during such Time as such Surgeon shall have been on board such Ship; and that the said Surgeon shall deliver such Journal to the Collector, or other Officer as aforesaid, at the first *British* Port where such Ship or Vessel shall arrive after leaving the Coast of *Africa*, and shall make Oath to the Truth of such Journal, to the best of his Knowledge and Belief, before such Collector or other Officer as aforesaid, who is hereby authorized and required to administer the said Oath; and such Collector, or other Officer as aforesaid, shall deliver to such Master or other Person as aforesaid, and to such Surgeon respectively, Copies of the Oath of such Master, or other Person as aforesaid, and also of the said Journal, which Copies shall severally be attested (as true Copies) by such Collector or other Officer as aforesaid, under his Hand and Seal, and Duplicates of the said Copies, attested in like Manner, shall be transmitted by the said Collector, or other Chief Officer, to the Commissioners of his Majesty's Customs in *London*; and if such Master or Surgeon shall act contrary hereto, such Master or Surgeon shall, for every such Offence, forfeit the Sum of one hundred Pounds; 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 sue for the same.

Commissioners of the Customs. Masters or Surgeons acting contrary hereto,

V. And be it further enacted by the Authority aforesaid, That the several Provisions contained in this Act shall extend and be in force, with respect to such *British* Ships as aforesaid, as shall have sailed before the first Day of *August* one thousand seven hundred and eighty-eight, from any Port of *Great Britain*, and shall on the Coast of *Africa* take on board and convey any Slaves to any Parts beyond Sea, in all Cases where a printed Copy thereof shall be delivered to the Commander or principal Officer of any such Ship, before such Ship shall have taken in a greater Number of Slaves than in the Proportions herein-before limited.

VI. Provided always, That if any such *British* Ship as aforesaid shall have on board a greater Number of the said Slaves, of any Description, than in such Proportions as aforesaid, at the Time the Copy of this Act is delivered to such Commander or principal Officer, or other Person having Charge of the same as aforesaid, it shall not be lawful for such Commander or principal Officer as aforesaid, or any other Person having Charge of the same, to receive on board any more of the said Description of Slaves than shall have been on board at the Time of the said Copy of this Act being delivered, or of any other Description of Slaves, so as to exceed in the whole the Proportions herein-before prescribed, reckoning five Children who shall not exceed four Feet four Inches in Height as equal to four grown Slaves as aforesaid; and if any such Master, or other Person as aforesaid, shall act contrary hereto, he shall forfeit and pay the Sum of thirty Pounds of lawful Money of *Great Britain*, for every such Slave so taken on board; and one Moiety of the said Forfeiture shall go to his Majesty, his Heirs and Successors, and the other Moiety to any Person or Persons who shall first sue for the same.

prescribed Proportions. Masters acting contrary hereto, to forfeit 30l. for every slave.

VII. And, in order to the due Execution of this Act, with respect to such Ships as shall have sailed previous to the first Day of *August* one thousand seven hundred and eighty-eight; be it enacted by the Authority aforesaid, That it shall and may be lawful for the Lords Commissioners of the Admiralty to appoint a proper Person or Persons to deliver Copies thereof to the Commanders, or other principal Officers, who shall be on board such Ships or Vessels, which Person or Persons so appointed shall be, and he and they is and are hereby authorized to take an Account of the Number of the Slaves, their Sex, and such of them as shall exceed the Height of four Feet four Inches, on board such Ships as they shall find on the Coast of *Africa*, or the Seas adjacent thereto, at the Times they shall deliver the printed Copies of this Act on board the same, by mustering the said Slaves; and the said Person or Persons to be appointed as before provided shall, with as little Delay as possible, transmit to each of the Collectors of the Customs in the *British* Islands in the *West Indies*, a List of the Ships on board of which Copies of this Act shall have been delivered, as herein-before

vil Officer to receive the Oath of the Master.

No Vessel to carry any Slaves, unless it be entered for that Purpose at clearing out, and unless the Surgeon give Bond to keep a Journal of the Number of the Slaves, &c. during the Voyage.

Journal to be delivered to the Officer at the first British Port of Arrival, Officer to deliver to the Master, and Surgeon, Copies of the Oath of the former, and the Journal of the latter, and to transmit Duplicates to the

Act to extend to Ships which sailed before Aug. 1, 1788, if a Copy be delivered to the Commander before he has taken in more than the limited Number of Slaves.

If at the Time of the Delivery of the Act, there shall be on board any Ship a Number of Slaves of any Description beyond the allowed Proportions, no more of that Description is to be received, nor of any other, so as to exceed in the whole the

Admiralty to appoint a proper Person to deliver Copies of the Act to the Commanders of Ships which sailed previous to Aug. 1, 1788, and to take an Account of the Slaves. A List of the Ships to which the Act has been

before provided, and of the Names of the Commanders thereof, together with such Account so taken in each Vessel as aforesaid.

delivered, &c. to be sent to the Collectors of the Customs in the British West India Islands.

Commanders, &c. obstructing the Persons so appointed by the Admiralty, to forfeit 100l.

Not to extend to Ships taking on board Slaves found shipwrecked, &c.

The upper and lower Cabin, and the Space between Decks, to be allotted to the Slaves, and no Goods to be stowed therein after two Thirds of the Complement shall be on board.

If any Person take the Charge of a Vessel, who is not qualified as herein directed, he shall forfeit 50l. as also the Owner who shall hire him.

No Insurance to be made against any Loss, except the Perils of the Sea, &c.

No Vessel to be cleared out, that has not a Surgeon to her, who has passed his Examination at Surgeons Hall. If the Officer at the Port of Discharge of any Vessel, shall be satisfied that there have not died, during her Voyage, more than in the Proportion of two Slaves in the 100 of her Cargo, 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 100l. and the Surgeon 50l.

VIII. And be it further enacted by the Authority aforesaid, That if any Commander or Officer, or other Person, on board of any such *British* Ship as aforesaid, shall obstruct or hinder any Person or Persons to be appointed by the Lords Commissioners of the Admiralty, as herein-before provided, from examining and ascertaining the Number of Slaves in any such Ship or Vessel in Manner aforesaid, such Commander, or Officer, or other Person so obstructing or hindering as aforesaid, shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds of lawful Money of *Great Britain*, one Moiety whereof shall be applied to the Use of his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall sue or prosecute for the same.

IX. Provided always, That nothing in this Act 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 Person having Charge of such Ship or Vessel so taking on board such Slaves.

X. And be it further enacted by the Authority aforesaid, That in every such Ship or Vessel the upper as well as lower Cabin, and the Space between Decks, shall be allotted and properly prepared for the Reception of the said Slaves; and that after any such Ship or Vessel shall have taken two thirds of her Complement of Slaves on board, in the Proportions herein-before directed, no Goods, Wares, or Merchandize, shall ever be stowed or put in any such Cabin or Place in which any such Slaves shall be.

XI. And be it further enacted by the Authority aforesaid, That, from and after the first Day of *August* one thousand seven hundred and eighty-eight, it shall not be lawful for any Person to become a Master, or to take or have the Command or Charge of any such Ship or Vessel at the Time he shall clear out from any Port of *Great Britain*, for purchasing and carrying Slaves from the Coast of *Africa*, unless such Master, or Person taking or having the Charge or Command of any such Ship or Vessel, shall have already served in such Capacity during one Voyage, or shall have served as Chief Mate or Surgeon during the whole of two Voyages, or either as Chief or other Mate, during three Voyages, in purchasing and carrying Slaves from the Coast of *Africa*; under Pain that such Master, or Person taking or having the Charge or Command of any such Ship or Vessel, and also the Owner or Owners, who shall hire or employ such Person, shall, for every such Offence respectively, forfeit and pay the Sum of fifty Pounds.

XII. And be it further enacted by the Authority aforesaid, That from and after the first Day of *August* one thousand seven hundred and eighty-eight, it shall not be lawful for any Owner or Owners of any such 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, Insurrection, 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, hereafter made contrary to this Act, shall be, and the same is hereby declared to be null and void, to all Intents and Purposes whatsoever.

XIII. And be it further enacted by the Authority aforesaid, That no such Ship or Vessel shall be allowed to clear out, unless it shall appear to the Collector or other principal Officer of the Customs at the Port, that there is one Surgeon at least engaged to proceed on board such Ship or Vessel; and unless such Surgeon shall have produced, to such Collector or other principal Officer of the Customs, a Certificate of his having passed his Examination at Surgeons Hall.

XIV. And be it further enacted by the Authority aforesaid, That if it shall be made appear to the Satisfaction of the Collector, or other principal Officer of the Port where such Ship or Vessel shall be discharged, that there shall not have died more than in the Proportion of two Slaves in the hundred, from the Time of the Arrival of such Ship or Vessel on the Coast of *Africa*, to the Time of her Arrival at her Port of Discharge in any of the Islands in the *West Indies*, belonging to, or under the Dominion of his Majesty, in such Case, the Collector or other principal Officer as aforesaid, shall, and he is hereby authorised and required to make out Certificates, specifying the Number of Slaves that appear to have been taken on board the said Ship or Vessel, and the Number that have died within the Period above-mentioned; one of which Certificates shall be delivered to the Master, and the other to the Surgeon of such Ship or Vessel; and on Production of such Certificates, the Commissioners of his Majesty's Customs in *England* and *Scotland* respectively shall, and they are hereby authorised and required to direct the Sum of one hundred Pounds to be paid to the Master, and the Sum of fifty Pounds to be paid to the Surgeon of such Ship or Vessel, out of any Money that shall be in the Hands of the Receiver General of the Customs of *England* and *Scotland* respectively; or if it shall be made appear to the Collector, or other principal Officer as aforesaid, that there shall not have died more than in the Proportion of three Slaves in the hundred, from the Time of the Arrival of such Ship or Vessel on the Coast of *Africa*, to the Time of her Arrival at her Port of Discharge in any of the said *West India* Islands, in such Case the Collector, or other principal Officer as aforesaid shall, and he is hereby authorised and required to make out like Certificates, and to deliver one to the Master, and the other to the Surgeon of such Ship or Vessel; and the Commissioners of the Customs in *England* and *Scotland* respectively shall, and they are hereby authorised and required, on Production of such Certificates, to direct

direct the Sum of fifty Pounds to be paid to the Master, and the Sum of twenty-five Pounds to be paid to the Surgeon of such Ship or Vessel.

where the Mortality has not been greater than in the Proportion of 3 in the 100; on the Production of which, the Master to be paid 50l. and the Surgeon 25l.

XV. And whereas Cases may occur in which it may be just and warrantable that Compensation should be made to Individuals who may sustain Losses in consequence of this Act; be it further enacted, That *Brook Watson* Esquire, *Samuel Beachcroft* Esquire, and *William Roe* Esquire, shall be, and they are hereby appointed Commissioners for the Purpose of enquiring into any Losses which may be sustained, in consequence of this Act, by any Merchants or Owners of any Ships or Vessels engaged in the *African Trade*, who shall make Application to the said Commissioners before the first Day of *September* next ensuing; and that all Persons making such Application shall, as soon as they are enabled so to do, lay before the said Commissioners full Statements of the Grounds of their respective Claims, specifying the Particulars of all the Expences, net Proceeds, Profits, or Losses attending the Voyage or Adventure, in respect of which such Application shall be made, together with all such Circumstances as shall appear to the said Commissioners necessary for their Information, in order to ascertain the Losses of the Persons so applying; and the said Commissioners shall have Power to examine upon Oath, touching the Matters of the said Claims, all Persons whom the said Commissioners shall think fit; and all Persons are hereby directed and required punctually to attend the said Commissioners at such Time and Place as they shall appoint; and the said Commissioners, as soon as they shall have completed the Examination of the several Claims laid before them, shall determine the Amount of the Losses which *bona fide* have been sustained by any of the said Claimants in consequence of this Act, and which the said Claimants shall not have been able to avoid, and shall report, as soon as conveniently may be, to both Houses of Parliament, what Compensation shall appear to the said Commissioners to be reasonable to be made to such Claimants: And the said Commissioners, before they proceed to take any Step in pursuance of this Act, shall take an Oath before the Master of the Rolls for the Time being, or one of his Majesty's Justices of the Court of King's Bench or Common Pleas, or one of the Barons of the Exchequer, which they or either of them are hereby authorized and required to administer, in the Form following; that is to say,

"I *A. B.* do swear, That, according to the best of my Skill and Knowledge, I will faithfully and impartially execute the several Powers and Trusts vested in me by virtue of an Act, intituled, *An Act to regulate, for a limited Time, the shipping and carrying Slaves in British Vessels from the Coast of Africa.*"

XVI. And be it further enacted, That the Lords Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, is and are hereby authorized and required to issue and cause to be paid all such Sums of Money, not exceeding two thousand Pounds, to such Person or Persons as the said Commissioners shall, by Writing under their Hands, desire or direct, out of any Part of the Publick Monies remaining in his Majesty's Exchequer; which Sum so issued and paid shall be employed for the Payment of Clerks, Messengers, and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of this Act, and in such Manner, and in such Proportions, as shall be appointed by the said Commissioners, by Writing under their Hands and Seals in that Behalf; the same to be accounted for by the Person or Persons to whom the same shall be issued and paid according to the Course of his Majesty's Exchequer, without any Fee or other Charges to be taken or demanded for the issuing and Payment of the same, or on the passing of the said Accounts, other than such Sum as the said Commissioners shall appoint; and which Money so issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever, imposed by Authority of Parliament.

XVII. And be it further enacted by the Authority aforesaid, That in case of a Vacancy or Vacancies, by Death or Resignation, of any one or more of the said Commissioners during the Recess of Parliament, it shall and may be lawful for his Majesty to nominate and appoint such Person or Persons as he may think proper to supply such Vacancy or Vacancies; and that every Person so nominated and appointed shall be held and considered to be invested with all the same Powers as are delegated to the Commissioners appointed by this Act.

XVIII. And be it further enacted by the Authority aforesaid, That any Offence committed in Breach or Violation of this Act, may be tried in any Court of Oyer and Terminer in any County in *England* wherein such Offence shall have been committed; or in case such Offence shall have been committed in Parts beyond the Seas, then in such County within which the Ship on board which such Offence shall have been committed shall have cleared out, or in the County of *Middlesex*; and any Penalty or Forfeiture inflicted by this Act may be prosecuted, sued for, and recovered, in any Court of Record in *Great Britain*; and in every such Action or Suit, the Party against whom Judgment shall be given (whether Plaintiff or Defendant) shall pay Double Costs of Suit; and every such Action shall and may be brought at any Time within three Years after the Offence committed, and not afterwards; and every such Action shall be carried on without wilful Delay.

XIX. And be it further enacted by the Authority aforesaid, That if any Person taking any Oath by this Act authorized or required to be taken, shall thereby commit wilful Perjury, or if any Person shall unlawfully procure or suborn any Person to take any Oath by this Act authorized or required to be taken, whereby such Person shall commit wilful Perjury, every such Person shall incur and suffer the like Pains and Penalties as are by Law inflicted upon Persons committing wilful and corrupt Perjury, or Subornation of Perjury.

XX. And

and like Certificates to be given

Commissioners appointed to enquire into Losses sustained in consequence of this Act, by Persons who shall apply before Sept. 1, 1788.

Persons so applying to lay before the Commissioners the Grounds of their Claims. Commissioners may examine upon Oath; are to determine the Amount of Losses, and report to Parliament what Compensation should be made the Claimants. Commissioners to take the following

Oath.

Treasury to order 2000l. to be issued for Payment of Clerks, &c.

His Majesty may appoint to Vacancies of Commissioners during the Recess of Parliament.

How Offences may be tried,

and how Penalties may be sued for.

Double Costs. Limitation of Actions.

Persons committing, or suborning others to commit, Perjury, to be liable to the Penalties inflicted by Law thereon.

Continuance of
this Act.

XX. And be it further enacted, That this Act shall continue in force till the first Day of *August* one thousand seven hundred and eighty-nine, and no longer, except for the Purpose of trying or suing any Person in consequence of any Offence or Offences committed in Breach or Violation of this Act.

C A P. LV.

An Act for the better and more effectual Protection of Stocking Frames, and the Machines or Engines annexed thereto, or used therewith; and for the Punishment of Persons destroying or injuring of such Stocking Frames, Machines, or Engines, and the Framework-knitted Pieces, Stockings, and other Articles and Goods used and made in the Hosiery or Framework-knitted Manufactory; or breaking or destroying any Machinery contained in any Mill or Mills used or any way employed in preparing or spinning of Wool or Cotton for the Use of the Stocking Frame.

Preamble.

‘ WHEREAS the Frames for making of Framework-knitted Pieces, Stockings, and other Articles and Goods in the Hosiery or Framework-knitted Manufactory, are very valuable and expensive Machines, and generally the Property of the Hosier or Manufacturer, who lets the same to Hire to his Workmen or Framework Knitters; and it hath frequently happened that the Hosier, or Manufacturer, being the Owner or Employer of such Frame or Frames, and having so put and let the same out to Hire, and wanting, for the Accommodation of his Trade and Business, to take and remove such Frame or Frames from the Use and Possession of one Workman into the Hands and Custody of another, and having for such Purpose given the customary and usual Notice to the Workman in whose Hands or Custody such Frame was, so to deliver up the same, such Workman hath wilfully detained and withheld the same, and sometimes absolutely and unlawfully sold and disposed thereof, to the great Grievance, Inconvenience, and Loss of such Hosier or Manufacturer: And whereas it hath frequently happened, when Discontents have arisen amongst the Framework Knitters, that they and other disorderly Persons have assembled in a riotous and tumultuous Manner, and have destroyed or materially damaged great Numbers of Stocking Frames, and the Machines or Engines thereto annexed or used therewith, and committed great Violences and Outrages upon many of his Majesty's good Subjects; wherefore it is necessary that more effectual Provision should be made against such unlawful Practices, and for preventing such Violences and Outrages for the future, and for bringing all Offenders in the Premises to more speedy and exemplary Justice: May it therefore please your Majesty that it may be enacted; and 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 present Parliament assembled, and by the Authority of the same, That if any Framework Knitter or Framework Knitters, who shall or may rent or take by the Hire, any Stocking Frame or Frames, either with or without any Machine or Engine thereto annexed, or therewith to be employed, of and from any Person or Persons whomsoever, shall at any Time, from and after the passing of this Act, refuse to yield up and re-deliver such Frame or Frames, with the Machine or Engine therewith let (if any such there shall be) to the Person or Persons of whom he or they shall or may so rent the same, having received from such Person or Persons fourteen Days previous Notice for such Purpose, then, and in every such Case, the Person so offending, being thereof lawfully convicted by the Oath or (if the Owner or Employer thereof be of the People called *Quakers*) solemn Affirmation of the Owner or Employer of such Frame or Frames, or by the Oath or Affirmation of any other credible Witness or Witnesses, before any one or more Justice or Justices of the Peace of the County, Riding, Division, City, Liberty, Town, or Place, where such Offence shall be committed, or where the Person or Persons so charged shall reside or inhabit (which Oath or Affirmation the said Justice or Justices is and are hereby empowered and required to administer), the Person or Persons so offending shall, for every such Offence, forfeit the Sum of twenty Shillings to and for the Use of the Poor of the Parish where such Offence shall be committed; and in case the said Forfeiture shall not be immediately paid, and the said Frame or Frames, with the Machine or Engine therewith let (if any such there shall be) delivered up to the Owner or Owners thereof, within six Days next after such Conviction, the Justice or Justices before whom such Conviction shall be had shall commit the Party or Parties so convicted to the Common Gaol or other publick Prison of such County, Riding, Division, City, Liberty, Town, or Place, there to remain without Bail or Mainprize, and be kept to hard Labour, for any Time not exceeding three Calendar Months, nor less than one Calendar Month.

Framework
Knitters hiring
Frames, and re-
fusing to return
them on 14 Days
Notice, to forfeit
20 s.;

and if not im-
mediately paid,
and the Frames
returned in six
Days after Con-
viction, to be
imprisoned not
more than three
Months nor less
than one.

Persons so hiring
Frames, and sell-
ing them, to be
imprisoned, not
less than three,
nor more than
twelve Months;

and Persons pur-
chasing them
liable to the same
Punishment.

II. And be it further enacted by the Authority aforesaid, That if any Person so renting or taking to Hire any Stocking Frame, with or without any such Machine or Engine as aforesaid, shall at any Time, from and after the passing of this Act, sell or otherwise unlawfully dispose of any such Stocking Frame, or the Machine or Engine therewith let (if any such there shall be) without the Consent of the Owner or Owners thereof, every such Offender, being thereof lawfully convicted upon any Indictment to be found against him, shall suffer solitary Imprisonment in the Common Gaol or House of Correction of the County, Riding, Division, City, Liberty, Town, or Place wherein such Offence shall have been committed, without Bail or Mainprize, for a Space not less than three Calendar Months, nor exceeding twelve Calendar Months.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and knowingly receive or purchase any such Stocking Frame, Machine, or Engine, so sold or unlawfully disposed