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**LAWS OF PRINCE EDWARD ISLAND.**

**CAP. XVIII.**

An Act to make provision for the regulation of Seamen shipped on board of any ship or vessel owned in, or belonging to Prince Edward Island, while such ship or vessel shall be within the precincts of the said Island.

[Passed April 3, 1865.]

**B**E it enacted by the Lieutenant Governor, Council and Assembly, as follows:

I. From and after the passing of this Act, if any person or persons in this Island, shall trust or give credit to any mariner or seaman, belonging to any ship or vessel registered in or belonging to this Island, while such ship shall be within the precincts of this Island, without the knowledge or allowance of the master or commander thereof, no *capias* or other process of arrest of the person of such mariner or seaman, for any debts so contracted, shall be issued against or secured upon the person of such mariner or seaman, until he shall have performed the voyage, which he may be then entered upon and discharged of the same; and every such process so issued, shall be deemed and adjudged utterly void in law; and any one Justice of the Court from which such process shall issue, to whom it shall be made to appear, that any mariner or seaman is committed or detained upon process, granted for any such debt contracted while he was engaged and actually entered on pay and on any voyage, shall forthwith order his release.

II. Whenever either at the commencement or during the progress of any voyage, any mariner or seaman, or apprentice, neglects or refuses to join, or deserts from, or refuses to proceed to sea, in any such ship or vessel, so within this Island, in which he is duly engaged to serve, or is found otherwise absenting himself therefrom, without leave, the master or any mate, or the owner, ship's husband, or consignee, may, with or without the assistance of the local police officers or constables (who are hereby directed to give the same if required) apprehend him without first procuring a warrant, and may thereupon in any case, and shall in case he so requires, convey him before a two of Her Majesty's Justices of the Peace in the County wherein he shall be so apprehended, or in Charlottetown before the Police Court, or any two Justices as aforesaid, to be dealt with according to law; and may for the

purpose of conveying him before such Justices or Court, detain him in custody for a period not exceeding twenty-four hours, or such shorter time as may be necessary; or may if he does not so require, if there be no Justices of the Peace at or near the place, at once convey him on board; and if any such apprehension, appears to such Court or Justices before whom the case is brought, to have been made on improper or on insufficient grounds, the master, mate, owner, ship's husband, or consignee who makes the same, or causes the same to be made, shall incur a penalty not exceeding ten pounds; but such penalty if inflicted, shall be a bar to any action for false imprisonment in respect of such apprehension.

III. Upon conviction of any mariner, seaman, or apprentice, for any offence or dereliction of duty as aforesaid, it shall be the duty of such Court or Justices, to commit such mariner, seaman or apprentice to prison, that he may be forthcoming to proceed on the voyage he has so agreed or been engaged for, to be delivered by order of the Court or Justices who committed him, or some other Justice of the Peace of the same County; and all necessary charges attending his being so secured, and which have been actually paid by the said master, owner, ship's husband or consignee, may be deducted from such mariner seaman or apprentices wages, as the same may become due; and it shall be the duty of the owner, master, officer or the consignee of such ship or vessel complaining as aforesaid, to supply for the use of the said mariner or seaman, or apprentice, all necessary bedding, provisions and maintenances during the time of his detention in prison, as aforesaid, and pay to the jailer of said prison his lawful fees, on receiving and discharging such mariner or seaman, or apprentice; and in default thereof, the said jailer may make the supplies aforesaid, and maintain an action therefor, together with the fees aforesaid, against the owner of the said vessel, or the officer or consignee complaining as aforesaid, in any court of record, or if the sum shall not exceed twenty pounds, before any Court of Commissioners for the recovery of Small Debts.

IV. If any master or commander of any such ship or vessel, or any other person or persons, shall hire, or engage, harbor or conceal any mariner, seaman or apprentice, who shall have signed any former contract or articles, knowing him to have deserted from, or to belong to any other ship or vessel in this Island, registered in and belonging to the same, every