

An Act for repealing an Act made in the ninth year of the reign of Her Late Majesty Queen Anne, intituled, An Act to oblige ships coming from places infected, more effectually to perform their quarentine; and for the better preventing the plague being brought from foreign parts into Great Britain ... and to hinder the spreading of infection.

Contributors

Great Britain.

Anne, Queen of Great Britain, 1665-1714.

George I, King of Great Britain, 1660-1727.

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Anno Regni
G E O R G I I
R E G I S

Magna Britannia, Francia, & Hibernia,
S E P T I M O.

At the Parliament Begun and Holden at *Westminster*,
the Seventeenth Day of *March*, Anno Dom. 1714.
In the First Year of the Reign of our Sovereign
Lord *G E O R G E*, by the Grace of God, of
Great Britain, France, and Ireland, King, Defender
of the Faith, &c.

And from thence Continued by several Prorogations to the Eighth Day of
December, 1720. Being the Sixth Session of this present Parliament.



L O N D O N,

Printed by *John Baskett*, Printer to the Kings most
Excellent Majesty, And by the Assigns of *Thomas*
Newcomb, and *Henry Hills*, deceas'd. 1721.

84632

Annals of the

ROYAL SOCIETY OF MEDICINE

AND OF THE

ROYAL SOCIETY OF PHYSICIANS

AND OF THE

ROYAL SOCIETY OF SURGEONS

AND OF THE

ROYAL SOCIETY OF MEDICAL JURISTS

AND OF THE

ROYAL SOCIETY OF MEDICAL OFFICERS

AND OF THE

ROYAL SOCIETY OF MEDICAL PRACTITIONERS

AND OF THE

ROYAL SOCIETY OF MEDICAL STUDENTS

AND OF THE

ROYAL SOCIETY OF MEDICAL RESEARCHERS

AND OF THE

ROYAL SOCIETY OF MEDICAL WRITERS



Anno Septimo

Georgii Regis.

An Act for repealing an Act made in the Ninth Year of the Reign of Her late Majesty Queen Anne, Intituled, *An Act to oblige Ships coming from Places infected, more effectually to perform their Quarentine*; And for the better preventing the Plague being brought from Foreign Parts into *Great Britain*, or *Ireland*, or the Isles of *Guernsey*, *Fersey*, *Alderney*, *Sark*, or *Man*; and to hinder the spreading of Infection.



Whereas in the Parliament begun and holden at Westminster in the Ninth Year of the Reign of Her late Majesty Queen Anne, an Act passed, Intituled, *An Act to oblige Ships coming from Places infected, more effectually to perform their Quarentine*: And whereas *Marseilles*, and other Places in the Southern Parts of France, have, for some time past, been visited with the Plague, which occasioned just Apprehensions lest the Infection might be brought into this Kingdom from the Places so infected, or other Places trading or corresponding therewith, unless timely Care were taken to prevent the same: And whereas it has been found by Experience, that the said Act is defective and insufficient for the Purposes intended; and the Penalties inflicted by the same not adequate to the Offences thereby prohibited; and some further Provisions are necessary to be made, in case it should please Almighty God to permit these Kingdoms to be

afflicted with the Plague: For Remedy thereof, Be it Enacted by the Kings 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 during the present Infection, and in all future Times, when any Country or Place shall be infected with the Plague, all Ships, Vessels, Persons, Goods, and Merchandizes whatsoever, coming or imported in such Ships or Vessels, into any Port or Place within Great Britain, or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, from any Place so infected, or from any Place the Inhabitants whereof are known to trade or correspond with any Country or Place actually infected, or from any Place from whence His Majesty, His Heirs or Successors, by and with the Advice of His or Their Privy-Council, shall judge it probable that the Infection may be brought, shall be obliged to make their Quarentine in such Place and Places, for such Time, and in such Manner, as hath been or shall, from time to time, be directed by His Majesty, His Heirs or Successors, by His or Their Order or Orders made in His or Their Privy-Council, and notified by Proclamation; and that until such Ships, Vessels, Persons, Goods, and Merchandizes, shall have respectively performed, and be discharged from such Quarentine, no such Persons, Goods, or Merchandizes, or any of them, shall come or be brought on Shore, or go or be put on board any other Ship or Vessel in any Place within His Majesties Dominions, unless in such Cases, and by such proper Licence, as shall be directed or permitted by such Order or Orders made by His Majesty, His Heirs or Successors, in Council, and notified, as aforesaid; and that all such Ships and Vessels, and the Persons and Goods coming or imported in, or going or being put on board the same, and all Ships, Vessels, Boats, and Persons receiving any Goods or Persons out of the same, shall be subject to such Orders, Rules, and Directions concerning Quarentine, and the Prevention of Infection, as have been or shall be made by His Majesty, His Heirs and Successors, in Council, and notified by Proclamations, as aforesaid.

And to the end it may be the better known, whether any Ship or Vessel be actually infected with the Plague, or whether such Ship or Vessel, or the Mariners or Cargo coming and imported in the same, are liable to any Orders touching Quarentine; Be it Enacted by the Authority aforesaid, That during the present Infection, and in all future Times, when any Country or Place shall be infected with the Plague, and any Order or Orders shall be made by His Majesty, His Heirs or Successors, concerning Quarentine, and the Prevention of Infection, and notified, as aforesaid, as often as any

Ship or Vessel shall attempt to enter into any Port or Place in Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, the Principal Officer of His Majesties Customs in such Port or Place, or such Person as shall be authorized to see Quarentine duly performed, shall go off, or cause some other Person to be by him appointed for that Purpose, to go off to such Ship or Vessel; and such Officer or other Person authorized to see Quarentine performed, as aforesaid, or the Person so by him appointed for that Purpose, shall, at a convenient Distance from such Ship or Vessel, demand of the Commander, Master, or other Person having Charge of such Ship or Vessel, and such Commander, Master, or other Person having Charge of such Ship or Vessel, shall, upon such Demand, give a true Account of the following Particulars; (that is to say) The Name of such Ship or Vessel; The Name of the Commander or the Person having Charge thereof; At what Place the Cargo was taken on board; What Place or Places the Ship or Vessel touched at in her Voyage; Whether such Places, or any, and which of them, were infected with the Plague; How long such Ship or Vessel had been in her Passage; How many Persons were on board when the said Ship or Vessel set Sail; Whether any, and what Persons, during that Voyage, on board such Ship or Vessel, had been or shall be then infected with the Plague; How many died in the Voyage, and of what Distemper; What Ships or Vessels he or any of his Ships Company with his Privy went on board, or had any of their Company come on board his Ship or Vessel in the Voyage; And to what Place such Ships or Vessels belonged; And also the true Contents of his Lading to the best of his Knowledge: And in case it shall appear upon such Examination or otherwise, that any Person then on board such Ship or Vessel, shall at the time of such Examination be actually infected with the Plague, in such case it shall and may be lawful to and for the Officers of any of His Majesties Ships of War, or any of His Majesties Forts or Garrisons, and all other His Majesties Officers, whom it may concern, upon Notice thereof given to them, or any of them respectively, and to and for any other Person or Persons, whom they shall call to their Aid and Assistance, and they are hereby required to resist and oppose the Entrance of such Ship or Vessel into any such Port or Place, or to oblige such Ship or Vessel to depart out of the same, and to use all necessary Means for the Purposes aforesaid, or either of them, be it by Firing of Guns upon such Ship or Vessel, or any other kind of Force and Violence whatsoever; and in case any such Ship or Vessel shall come from any Place visited with the Plague, or have any

Person on board actually infected, and the Commander, Master, or other Person having Charge of such Ship or Vessel, shall not discover the same, such Commander, Master, or other Person having Charge of such Ship or Vessel, shall be adjudged Guilty of Felony, and suffer Death, as in case of Felony, without Benefit of Clergy; And in case such Commander, Master, or other Person having Charge of such Ship or Vessel, shall, upon such Demand made, as aforesaid, not make a true Discovery in any other of the Particulars before mentioned, such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit the Sum of Two hundred Pounds; One Moiety thereof to the King, His Heirs and Successors, and the other Moiety to him or them who will sue for the same, by Action, Bill, Complaint, or Information, in any of His Majesties Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark or Man, respectively.

And be it further Enacted by the Authority aforesaid, That if any Commander, Master, or other Person having Charge of any Ship or Vessel liable to perform Quarentine, shall himself quit, or shall permit or suffer any Seaman, or Passenger coming in such Ship or Vessel, to quit such Ship or Vessel by going on Shore, or by going on board any other Ship, Boat, or Vessel before such Quarentine shall be fully performed, unless in such Cases, and by such proper Licence as shall be directed or permitted by such Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection, and notified, as aforesaid; or in case any Commander, Master, or other Person having Charge of such Ship or Vessel, shall not within convenient time, after due Notice given for that Purpose by the proper Officer, cause such Ship or Vessel, and the Lading, to be conveyed into the Place or Places appointed for such Ship or Vessel, and the Lading thereof, to perform Quarentine respectively, then and in every such case, every such Ship or Vessel, with her Tackle, Apparel and Furniture, shall be forfeited to His Majesty, His Heirs and Successors, and shall and may be seized, sued for, and recovered in His Majesties Court of Exchequer at Westminster, Edinburgh, or Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively, to the Use of His Majesty, His Heirs and Successors; and every such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit the Sum of Two hundred Pounds; one Moiety thereof to the King, His Heirs and Successors, and the other Moiety to him or them who will sue for the same; and also if any Person shall so quit such Ship or Vessel by going

on Shore, or by going on board any other Ship or Vessel contrary to the true Meaning of this Act, it shall and may be lawful for all Persons whatsoever, by Force and Violence, to compel such Person to return on board such Ship or Vessel; and every such Person so quitting such Ship or Vessel, shall, for every such Offence, suffer Imprisonment for the Space of Six Months, and shall also forfeit the Sum of Two hundred Pounds; one Moiety to the King, His Heirs and Successors, the other Moiety to him or them that will sue for the same; the same respective Penalties and Forfeitures to be recovered by Action, Bill, Plaint, or Information in any of His Majesties Courts of Record at Westminster, Edinburgh, or Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively.

And be it further Enacted by the Authority aforesaid, That if at any Time or Times hereafter any City, Town or Place within Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, shall be infected with the Plague, and the same, upon Examination, shall be made appear to His Majesty, His Heirs or Successors, in Council, it shall and may be lawful to and for His Majesty, His Heirs and Successors, by and with the Advice of His or Their Privy Council, during the Continuance of such Calamity, to make such Orders and Regulations concerning Quarentine, and the Prevention of Infection, as shall be necessary for the Safety and Preservation of His or Their Subjects, and to notify the same by Proclamation; and all and every Person and Persons, Officer and Officers, Civil and Military, whatsoever, shall render due and exact Obedience to all such Orders and Regulations so made and notified, as aforesaid.

And be it further Enacted by the Authority aforesaid, That during the present Infection, and in all future Times, when any Country or Place shall be infected with the Plague, it shall and may be lawful to and for His Majesty, His Heirs and Successors, to order Ships to be provided, or to cause Houses or Lazarets for the receiving and entertaining of Persons infected with the Plague, or obliged to perform Quarentine, during such Time as they shall continue infected, or until they shall have performed such Quarentine respectively; and also Sheds, Tents, and other Places, proper for the depositing, opening, and airing of Goods and Merchandizes comprized within any such Order or Orders, made or to be made and notified, as aforesaid, to be provided or erected, to continue for such Time and Term as His Majesty, His Heirs and Successors, shall think proper and direct, in convenient Places within any
Part

Part of Great Britain or Ireland, to be allowed and approved by Two or more Justices of the Peace for the County, Division, or Liberty, where the same shall respectively lie, sitting near thereunto, under their Hands and Seals, either in any Waste Grounds or Commons, or where such Waste Grounds or Commons are not sufficient, in the several Grounds of any Person or Persons whatsoever, not being a House, Park, Garden, Orchard, Yard, or planted Walk, or Avenue to a House, paying such Rate, Rent, or Consideration for the same to the Persons interested therein respectively, according to their several Interests in the same, as shall be agreed upon between the Persons so interested, their Guardians or Trustees, and any Two Persons to be appointed for that Purpose by His Majesty, His Heirs or Successors, under His or Their Sign-Manual; and in case of any Difference concerning such Rate, Rent, or Consideration, between the Persons so interested, their Guardians or Trustees, and such Persons so to be appointed by His Majesty, His Heirs or Successors, as aforesaid, the Justices of the Peace at the next General Quarter Sessions of the Peace to be held for such County, Division, or Liberty, wherein such Grounds shall lie, shall and may adjudge, determine, assess, and settle the same, and such Judgment and Determination shall be final; and His Majesty, His Heirs and Successors, shall and may hold and enjoy such Ground, for and during all such Time and Term as His Majesty, His Heirs or Successors, shall judge necessary for the Purposes aforesaid, paying for the same such Rate, Rent, or other Consideration, as shall be agreed upon, or assessed and adjudged, as aforesaid.

And be it further Enacted by the Authority aforesaid, That the proper Officers authorized to put in Execution such Orders, made or to be made and notified, as aforesaid, shall, and they are hereby impowered and required to cause and compel all Persons infected with the Plague, or obliged to perform Quarentine, and all Goods and Merchandizes comprized within any such Orders, made or to be made and notified, as aforesaid, respectively, to repair or be conveyed to some of the said Ships, Houses or Lazarets, Sheds, Tents, or other Places, provided, as aforesaid, according to such Order or Orders, made or to be made and notified, as aforesaid.

And be it further Enacted, That if any Person infected with the Plague, or obliged to perform Quarentine, shall wilfully refuse or neglect to repair within convenient time, after due Notice for that Purpose given to him, her, or them, by the proper Officer, to the Ship, House, Lazaret, or other Place duly appointed for him, her, or them; or

having been placed in such Ship, House, Lazaret, or other Place, shall escape, or attempt to escape out of the same, whilst he, she, or they shall continue infected, or before Quarentine fully performed respectively; It shall and may be lawful to and for the Watchmen and other Persons, appointed to see Quarentine performed, by any kind of Violence that the Case shall require, to compel every such Person so refusing or neglecting, as aforesaid, and every such Person so escaping, or attempting to escape, as aforesaid, to repair or return into such Ship, House, Lazaret, or other Place, so appointed for him, or her, as aforesaid; and every such Person so refusing or neglecting to repair within convenient time after such Notice, as aforesaid, into such Ship, House, Lazaret, or other Place appointed for him, or her, as aforesaid, and also every Person actually escaping, as aforesaid, shall be adjudged Guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

And be it further Enacted, That if any Person not infected, nor liable to perform Quarentine, shall presume to enter any Ship, House, Lazaret, or other Place so appointed, as aforesaid, whilst any Person or Persons so infected, or being under Quarentine, shall be therein, and shall return, or attempt to return from thence, unless in such Cases, and by such proper Licence, as shall be directed or permitted by such Order or Orders, made or to be made and notified, as aforesaid, It shall and may be lawful to and for the Watchmen, or other Persons appointed to guard or secure such Ship, House, Lazaret, or other Place, so appointed, as aforesaid, by any kind of Violence that the Case shall require, to compel such Person, so returning, or attempting to return, to repair into some Ship, House, Lazaret, or other Place, so appointed, as aforesaid, there to continue and perform Quarentine; and in case such Person shall actually escape out of such Ship, House, Lazaret, or other Place, where he, or she shall be so placed for Performance of Quarentine, before he or she shall have fully performed the same, he or she shall be adjudged Guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That if at any time or times hereafter, any City, Town, or Place within Great Britain, or Ireland, shall be infected with the Plague, It shall and may be lawful to and for His Majesty, His Heirs and Successors, to cause one or more Line, or Lines, Trench or Trenches, to be cast up or made about such infected City, Town, or Place, at a convenient Distance from the same, in Order to cut off the Communication between such infected City, Town, or Place, and the Rest of the Country; and to prohibit all Persons, Goods, and Merchandizes

chandizes whatsoever, to enter, pass, or be carried over such Lines or Trenches, unless in such Cases, and by such proper Licence, and subject to such Regulations and Restrictions for Performance of Quarentine, as shall be directed or permitted by any such Order or Orders, made or to be made and notified, as aforesaid; and in Case any Person or Persons, being within such Lines or Trenches, or any of them, shall, during the time of such Infection, presume or attempt to come out of the same, unless in such Cases, and by such proper Licence, and subject to such Regulations and Restrictions for Performance of Quarentine, as shall be directed or permitted by such Order or Orders, made or to be made and notified, as aforesaid; It shall and may be lawful to and for the Watchmen, or Persons appointed to guard or secure such Lines or Trenches, or any of them, by any kind of Violence that the Case shall require, to compel all and every such Person and Persons to return back within such Lines or Trenches; and in case any Person shall actually come out of such Lines or Trenches, or any of them (unless in such Cases, and by such proper Licence, and subject to such Regulations and Restrictions as aforesaid) every such Person shall be adjudged Guilty of Felony, and suffer Death as a Felon without Benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That during the present Infection, and at all Times hereafter, when any Foreign Country, or any Part of Great Britain or Ireland shall be infected with the Plague, It shall and may be lawful to and for any Two Justices of the Peace of any County, Riding, Division, or Liberty, next to such Place where any Ship or Vessel shall be performing Quarentine, or wherein any infected Place, or any House, Lazaret, or Place for Performance of Quarentine, shall be situate, or any Lines or Trenches shall be made, as aforesaid, and they are hereby required, from time to time, when any such Town or Place shall be infected with the Plague, or any Lines or Trenches shall be made, as aforesaid, or any Persons, Ships, Goods, or Merchandizes infected, or obliged to perform Quarentine, shall be put in any House, Lazaret, or other Place for Performance of Quarentine, to order the Inhabitants of such and so many Parishes, Townships, Villages, or Extraparochial Places about the same respectively, as they shall judge necessary; and such Inhabitants are hereby required, in pursuance of such Orders, upon Notice thereof, to keep sufficient Watches by Day and Night upon such Town or Place so infected, and upon such Lines and Trenches made, as aforesaid, and upon such Houses, Lazarets, Ships, or other Places for Performance of Quarentine, for such Time, in such Manner, and with such Numbers of Watchmen at every Place, as the
said

said Justices, by their said Order, shall direct and appoint; and such Watchmen are hereby required not to permit or suffer any such Person, Ships, Goods, or Merchandizes, to depart, or be conveyed out of such Town or Place infected, or such Lines or Trenches made, as aforesaid, or such House, Lazaret, or other Place for Performing of Quarentine, over which they shall be appointed to watch respectively, unless in such Cases, and by such proper Licence, as are or shall be directed or permitted by such Order or Orders, made or to be made and notified, as aforesaid; and in case any Inhabitant of any Parish, Township, Vill, or Extraparochial Place, shall neglect or refuse to keep such Watch, or to procure some able and sufficient Person to keep such Watch in his stead, according to such Order or Orders as shall be made by any Two Justices of the Peace in pursuance of this Act, and shall be thereof lawfully convicted upon his or her Appearance or Default, upon the Oath or Oaths of One or more credible Witnesses or Witnesses, by one or more Justice or Justices of the Peace of the County, Division, or Liberty, where such Offence shall be committed, or the Offender shall be found (which Oath such Justice or Justices of the Peace are hereby empowered and required to administer) the Person so convicted shall forfeit any Sum not exceeding One hundred Pounds, nor less than Ten Pounds, at the Discretion of such Justice or Justices; One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed, the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and every such Offender shall also by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize during the Space of Two Months, and from that time until Payment of the Sum of Money so adjudged by such Justice or Justices, as aforesaid: And in case any Person or Persons appointed or retained to serve as a Watchman or Watchmen for the Purposes aforesaid, or any of them, shall be guilty of any Breach or Neglect of his or their Duty in that behalf, and shall be thereof convicted upon the Oath or Oaths of One or more credible Witnesses or Witnesses, by One or more Justice or Justices of the Peace of the County, Division, or Liberty, where such Offence shall be committed, or the Offender shall be found (which Oath such Justice or Justices of the Peace are hereby empowered and required to administer) the Person so convicted shall, for every such Offence, forfeit any Sum not exceeding One hundred Pounds, nor less than Ten Pounds, at the Discretion of such Justice or Justices; One

Moety thereof to the Informer, and the other Moety to the Pooz of the Parish where such Offence shall be committed; the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and shall also for every such Offence by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize by the space of Two Months, and from that time until Payment of the Sum of Money so adjudged by such Justice or Justices, as aforesaid.

And it is hereby further Enacted, That if any Officer or Officers of His Majesties Customs, or any other Officer or Officers, Person or Persons whatsoever, to whom it doth or shall appertain to execute any Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection, and notified, as aforesaid, or to see the same put in Execution, shall be guilty of any wilful Breach or Neglect of his or their Duty in that Behalf, every such Officer and Person so offending shall forfeit his Office or Employment in the Customs, or other Office or Employment, and shall become from thenceforth incapable to hold and enjoy the same, or to take a new Grant thereof, and shall also forfeit the Sum of One hundred Pounds; One Moety thereof to the King, His Heirs and Successors, and the other Moety to him or them, who shall or will sue for the same, by Action, Bill, Plaint, or Information, in any of His Majesties Courts of Record at Westminster, Edinburgh, or Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively.

And whereas Cotton, Skins, and Human Hair, and certain other Species of Goods and Merchandizes, are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into His Majesties Dominions in Ships not obliged to perform Quarentine; Be it Enacted by the Authority aforesaid, That during the present Infection, and in all future Times, when any foreign Country or Place shall be infected with the Plague, all such Goods and Merchandizes as are or shall be particularly specified for that Purpose, in any Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection, and notified, as aforesaid, imported into any Part of His Majesties Dominions from any foreign Country or Place in any Ship or Vessel whatsoever, shall be subject and liable to such Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection, and notified, as aforesaid.

And be it Enacted by the Authority aforesaid, That if it shall appear to His Majesty, His Heirs or Successors, that during the Time of such Infection, as aforesaid, any Ship or Vessel shall come into any Port or Place within any of His Majesties Dominions from any Place infected with the Plague, or being laden with any Goods or Cargo taken on board such Ship or Vessel at any Place so infected, or from on board any Ship or Vessel so infected, as aforesaid, or that there shall be any Person or Persons on board such Ship or Vessel actually infected with the Plague, or that any Goods, Wares, or Merchandizes are actually infected with the Plague, then, and in any of the said Cases, It shall and may be lawful for His Majesty, His Heirs and Successors, by Order in Council, to direct, authorize, and empower any Person or Persons that shall be thought proper, to burn or destroy, or cause to be burnt or destroyed, such Ship or Vessel, with the Tackle, Apparel, and Furniture thereof, and such Goods, Wares, and Merchandizes infected, as aforesaid, or so much thereof as shall be necessary for preventing the Spreading of the Infection.

And it is hereby further Enacted, That after Quarentine shall have been duly performed by any Ship or Vessel, Person or Persons, obliged to perform Quarentine, according to such Order or Orders made and notified, as aforesaid, and this Act, and upon Proof to be made by the Oaths of the Master, or other Person having Charge of such Ship or Vessel, and of Two of the Persons belonging to such Ship or Vessel, or upon Proof to be made by the Oaths of Two Credible Witnesses before the Customor, Comptroller, or Collector of the Port where such Quarentine shall be performed, or the next Port thereunto, or before any of their Deputies, or any One Justice of the Peace living near to such Port or (where such Quarentine shall have been performed in any Inland Place) before any Two Justices of the Peace living near thereunto, or where such Quarentine shall have been performed within any of the said Isles of Guernsey, Jersey, Alderney, Sark, and Man, before any Two Justices or Magistrates of any of the said Isles respectively (which Persons are hereby authorized and required to administer such Oath) that such Ship or Vessel, and all and every such Person and Persons respectively, have duly performed Quarentine, as aforesaid, and that the Ship or Vessel, and all and every such Person and Persons, are free from Infection, then, and in the said respective Cases, such Customor, Comptroller, or Collector, or any of their Deputies, together with the said Justice of the Peace, or such Two Justices of the Peace, or such Jurats or Magistrates, as aforesaid, respectively, are hereby required to give a Certificate thereof,

and thereupon such Ship or Vessel, and all and every such Person and Persons so having performed Quarentine, shall be liable to no further Restraint or Detention upon the same Account for which such Ship or Vessel, Person or Persons shall have performed Quarentine, as aforesaid.

And it is hereby further Enacted, That the Officer before whom such Oath shall be made, and by whom such Certificate shall be given, shall, for such respective Oath and Certificate, demand no more than One Shilling for each, over and above the Stamp Duties.

Provided nevertheless, and it is hereby Enacted, That all Goods, Wares, and Merchandizes, shall, after Quarentine performed, be opened, and aired, in such Place or Places, and for such Time, and in such Manner, as hath been or shall be directed by His Majesty, His Heirs or Successors, by such Order or Orders, made or to be made and notified, as aforesaid; and after such Orders shall have been duly complied with, and Proof shall be made thereof by the Oaths of Two or more Credible Witnesses before the Customier, Comptroller, or Collector of the Port, lying next to such Place or Places where such Goods, Wares, or Merchandizes, shall have been opened and aired, as aforesaid, or any of their Deputies, and any One Justice of the Peace living near the same, or before any Two Jurats or Magistrates of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively (who are hereby authorized and required to administer such Oath) upon Certificate and Return of such Proof by such Customier, Comptroller, or Collector, or any of their Deputies, or such Two Jurats or Magistrates, as aforesaid, (who are hereby respectively required to make such Certificate and Return to the Commissioners appointed for the Management of the Customs in Great Britain, or Ireland, or to the Governour or Commander in Chief, being upon the Place, in the Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively,) such Goods, Wares, and Merchandizes, shall be forthwith discharged from any Restraint or Detention on the same Account, by Order of the said Commissioners, or any Two of them, or of the said Governour or Commander in Chief of any of the said Isles, as aforesaid, respectively; for every of which Oath, Certificate, and Order, no more shall be demanded or taken than the Sum of One Shilling.

Provided always, and be it Enacted, That if any Officer or other Person shall demand or take any greater Sum than is hereby allowed and limited for any such Oath, Order, or Certificate, to be administered or made in pursuance of this Act, every Person so offending shall forfeit the Sum of One hundred Pounds; one Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety to him or them,

who will sue for the same by Action, Bill, Plaint, or Information, in any of His Majesties Courts of Record at Westminster, Edinburgh, or Dublin, or in the proper Courts of Guernsey, Jersey, Alderney, Sark, or Man respectively; in which Cases Costs shall be allowed to either Party as in other Cases.

And whereas it is Notorious, that notwithstanding the many good Laws made to prevent the clandestine Importation of customable and prohibited Goods and Merchandizes, a Pernicious Trade, of that kind, is still carried on, for the most part, in open Boats, and Vessels of small Burthen, which privately, and in the Night, put into Creeks and secret Places on the Coast, thereby escaping the Observation of the Officers of the Customs; which Practices may prove highly Detrimental to the Safety of these Kingdoms, during a Time of Infection: For Prevention thereof, Be it Enacted by the Authority aforesaid, That during the present Infection, and in all future Times, when any part of Great Britain, Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, and Man, or France, Spain, Portugal, or the Low Countries, shall be infected with the Plague, It shall and may be lawful to and for His Majesty, His Heirs and Successors, by His or Their Proclamation, to prohibit and restrain all small Boats and Vessels, under the Burthen of Twenty Tuns, from sailing or passing out of any Port or Place of Great Britain, or Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, and Man, or any of them, until Security be first given by the Master of every such Boat or Vessel respectively, to the Satisfaction of the Principal Officer of the Customs, or the Chief Magistrate of the Port or Place from whence such Boat or Vessel shall sail, by Bond taken to the King, His Heirs or Successors, with sufficient Sureties, in the Penalty of Five hundred Pounds, with Condition, That if such Boat or Vessel shall not go to, or touch at any Country, Port, or Place to be mentioned for that Purpose in such Proclamation, and if the Master or other Person having Charge of such Boat or Vessel, and all and every Mariner and Mariners, Passenger and Passengers going in such Boat or Vessel, shall, during the Time aforesaid, not go on board any other Ship or Vessel at Sea, and if such Master or other Person having Charge of such Boat or Vessel, shall not permit or suffer any Person or Persons to come on board such Boat or Vessel at Sea, from any other Ship or Vessel, and shall not, during the Time aforesaid, receive any Goods or Merchandizes whatsoever out of any other Ship or Vessel, then such Bond shall be void, or to such effect; for the making of which Bond no more shall be taken than the Sum of One Shilling over and above
the

the Stamp-Duties; and in case any Boat or Vessel, for which such Security shall be required by such Proclamation, shall set sail or pass out of any Port or Place of Great Britain, or Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, and Man, or any of them respectively, before such Security shall be given, as aforesaid, every such Boat or Vessel, so sailing or passing out of any Port or Place contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel, and Furniture, shall be forfeited to the King, His Heirs and Successors, and shall and may be seized, sued for, and recovered in His Majesties Court of Exchequer at Westminster, Edinburgh, or Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man respectively, to the Use of His Majesty, His Heirs and Successors; and the Master of, and every Mariner sailing in every such Boat or Vessel, being thereof lawfully convicted upon his or their Appearance or Default, upon the Oath or Oaths of one or more Credible Witnesses, by one or more Justice or Justices of the Peace where such Offender shall be found, which Oath such Justice or Justices of the Peace are hereby impowered and required to administer, shall forfeit the Sum of Fifty Pounds; One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Offender shall be found; the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and for want of sufficient Distress, every such Offender shall by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize for the space of Three Months; and in case such Offender shall be found in any of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man, and shall be lawfully convicted of such Offence in any Action or Suit to be founded upon this Act, in the proper Court of any of the said Isles where he shall be so found, such Offender shall forfeit the Sum of Twenty Pounds; One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish or Place where such Offender shall be found, and shall suffer Imprisonment without Bail or Mainprize for the space of Three Months.

And forasmuch as the Persons using such clandestine Trade, are greatly encouraged to continue in the same, by reason great Numbers of Persons, for their private Lucre, receive and buy the Goods and Merchandizes so by them clandestinely imported contrary to Law: Be it therefore Enacted by the Authority aforesaid, That if any Person or Persons shall receive or buy any Goods, Wares, or Merchandizes, so clandestinely

bestinely run or imported, before the same shall have been legally condemned, knowing the same to be so clandestinely run or imported, and shall be thereof lawfully convicted upon his, her, or their Appearance or Default, upon the Oath or Oaths of One or more credible Witnesses by One or more Justice or Justices of the Peace of the County, Division, or Liberty where such Offence shall be committed, or the Offender shall be found (which Oath such Justice or Justices of the Peace are hereby required to administer) the Person so convicted shall forfeit the Sum of Ten Pounds; one Moiety thereof to the Informer, and the other Moiety, to the Poor of the Parish where such Offence shall be committed; the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and for want of such Distress, every such Offender shall by such Justice or Justices be committed to Prison, there to remain, without Bail or Mainprize, for the Space of Three Months.

And to the end that all Persons may know how to demean themselves in the Premises, Be it further Enacted by the Authority aforesaid, That when, and as often as His Majesty, His Heirs or Successors, shall make any Order or Orders concerning Quarentine, and the Prevention of Infection, and notifie the same by Proclamation, as aforesaid, such Proclamation shall be publickly read upon the next Sunday after the Receipt of the same, and the first Sunday in every Month afterwards, during the Time such Orders shall continue in Force, immediately after the Prayers and the Sermon, in all Parish-Churches and other Places set apart for Divine Worship within such Counties and Places as shall be specified for that Purpose in such Proclamation.

And be it further Enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in Pursuance of this present Act, that the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in Pursuance and by Authority of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the

like Remedy for the same, as the Defendant or Defendants hath or have in other Cases by Law.

And it is hereby Enacted, That this Act, and the several Clauses and Provisions therein contained, shall commence and take Effect from and after the Tenth Day of February, in the Year of our Lord One thousand seven hundred and twenty, and shall continue in force for the Space of Three Years, and from thence to the End of the then next Session of Parliament; and from and after the said Tenth Day of February, One thousand seven hundred and twenty, the aforesaid Act, made in the Ninth Year of the Reign of Her late Majesty Queen Anne, Intituled, An Act to oblige Ships coming from Places infected, more effectually to perform Quarentine (as to all Matters and Things to arise or be done, from and after the said Tenth Day of February, One thousand seven hundred and twenty) shall be and stand absolutely repealed.

And be it further Enacted by the Authority aforesaid, That the Watches by this Act before directed to be kept, shall be maintained at the Charges of the County or Riding wherein such Watches shall be respectively kept; and that the Justices of the Peace in their General Quarter Sessions shall have Power, and are hereby required to raise Monies, upon the respective Counties or Ridings, in which they are impowered to act by their Commissions, in such Manner, and by such Ways and Means, as they are respectively impowered to raise Money for County Goals and Bridges, to satisfy the Charges and Expences of such Watches as shall have been kept in pursuance of this Act; and the Monies so raised shall be paid to the Chief Constable of each Division, to be by him paid and distributed according to the Order of such Justices, to the Persons who shall be respectively entitled to receive the same on Account of keeping such Watches, as aforesaid.

And be it further Enacted by the Authority aforesaid, That if any Officer or other Person appointed to see Quarentine duly performed, or any Person placed or appointed as a Watchman upon any Town or Place infected with the Plague, or upon any Line or Lines, Trench or Trenches made, as aforesaid, or any House, Lazaret, Ship, or other Place for Performance of Quarentine in pursuance of this Act, shall knowingly and willingly permit or suffer any Person, Ship, Goods, or Merchandizes, to depart, or be conveyed out of such Town or Place infected, or such Line or Lines, Trench or Trenches made, as aforesaid, or such House, Lazaret, Ship, or other Place respectively appointed for performance of Quarentine, unless in such Cases, and by such proper Li-

cence, as are or shall be directed or permitted by some Order or Orders, made or to be made and notified by Proclamation, as aforesaid, then and in any of the said Cases, every such Officer and Person so offending, shall be adjudged Guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Provided always, and be it Enacted, That in case any Person shall think himself aggrieved by any Judgment of any Justice or Justices of the Peace given for any Offence against this Act, It shall and may be lawful for such Person to appeal against such Judgment to the Justices of the Peace in the General Quarter-Sessions of the Peace, which shall be held for the same County, Riding, Division, or Liberty, next after Notice of such Judgment of the said Justice or Justices; And the Justices of the Peace in the said General Quarter-Sessions are hereby impowered to summon Witnesses, and examine the same upon Oath, and to hear, and finally determine the Matter of the said Appeal; And in case the Justices in such General Quarter-Sessions shall give Judgment against such Appellant, then the same Justices shall award and order to the Party on whose Behalf such Appeal shall be determined, such reasonable Costs and Charges to be paid by such Appellant, as to the same Justices shall seem meet.

Provided always, and be it hereby Enacted, That no Attainder of Felony by virtue of this Act, shall extend to work any Corruption of Blood, or Forfeiture of any Goods, Chattels, Lands, Tenements, or Hereditaments.

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