

FOREIGN SEAMEN DESERTERS.

15 & 16 *Vict.*,
c. 26.

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“*The Foreign Deserters Act, 1852.*”

AN ACT to enable Her Majesty to carry into effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships. [17th June, 1852.]

Preamble.

WHEREAS arrangements have been made with certain foreign Powers for the recovery of seamen deserting from the ships of such Powers when in British ports, and for the recovery of seamen deserting from British ships when in the ports of such Powers; And, whereas it is expedient to enable Her Majesty to

carry such arrangements into effect, and likewise to enable Her Majesty to carry into effect any similar arrangements of a like nature which may be made hereafter :

1. Whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of any foreign Power, Her Majesty may, by Order in Council stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to a subject of such Power, when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient.

Her Majesty may by Order in Council declare that deserters from foreign ships may be apprehended and given up.

2. Upon such publication as hereinafter mentioned of any such Order in Council, then, during such time as the same remains in force, and subject to such limitations and qualifications, if any, as may be therein contained, every Justice of the Peace or other officer having jurisdiction in the case of seamen who desert from British merchant ships in Her Majesty's dominions shall, on application being made by a Consul of the foreign Power to which such Order in Council relates, or his deputy or representative, aid in apprehending any seaman or apprentice who deserts from any merchant ship belonging to a subject of such Power, and may for that purpose, upon complaint on oath duly made, issue his warrant for the apprehension of any such deserter, and, upon due proof of the desertion, order him to be conveyed on board the vessel to which he belongs, or to be delivered to the master or mate of such vessel, or to the owner of such vessel or his agent, to be so conveyed : and thereupon it shall be lawful for the person ordered to convey such deserter, or for the master or mate of such vessel, or the owner or his agent (as the case may require), to convey him on board accordingly.

Upon publication of Order in Council Justices shall aid in recovering deserters from the ships of foreign Powers and may apprehend them, and send them on board.

3. If any person protects or harbours any deserter who is liable to be apprehended under this Act, knowing or having reason to believe that he has deserted, such person shall for every offence be liable to a penalty not exceeding ten pounds ; and every such penalty shall be recovered, paid, and applied in the same manner as penalties for harbouring or protecting deserters from British merchant ships.

Penalty on persons harbouring such deserters.

4. Every Order in Council to be made under the authority of this Act shall be published in the *London Gazette* as soon as may be after the making thereof.

Orders published in *London Gazette*.

15 & 16 Vict.,
c. 26.

Orders may
be revoked,
&c.

Short title.

5. Her Majesty may, by Order in Council, from time to time revoke or alter any Order in Council previously made under the authority of this Act.

6. This Act may be cited as "The Foreign Deserters Act, 1852."