

vided) to fail
without Con-
voy.

fail or depart from any Port or Place whatever, unless under the Convoy and Protection of such Ship or Ships, Vessel or Vessels, as shall or may be appointed for that Purpose.

Masters of
Vessels not to
separate from
Convoy with-
out Leave.

II. And be it further enacted, That the Master or other Person having the Charge or Command of every such Ship or Vessel which shall fail or depart under the Protection of Convoy, shall and is hereby required to use his utmost Endeavours to continue with such Convoy during the Whole of the Voyage, or during such Part thereof as such Convoy shall be directed to accompany and protect such Ship or Vessel, and shall not wilfully separate or depart therefrom upon any Pretence whatever, without Order or Leave for that Purpose from the Officer having the Command of such Convoy.

If a Master
fails without
Convoy, or
separates from
it without
Leave, he
shall forfeit
1,000*l.*, and
if the Cargo
be naval or
military
Stores, 1,500*l.*

III. And be it further enacted, That if any Master or other Person having the Charge or Command of any such Ship or Vessel which by this Act is required not to fail or depart without Convoy, shall, contrary to the Directions contained in this Act, fail or depart from any Port or Place whatever (except as herein-after is provided) without such Convoy as shall be appointed for that Purpose, or shall afterwards desert or wilfully separate or depart from such Convoy without Leave obtained from the Captain or other Officer in His Majesty's Navy, entrusted with the Charge of such Convoy, before such Ship or Vessel shall have arrived at the Port or Place of her Destination, or so far on her Voyage as such Convoy shall be directed to accompany and protect such Ship or Vessel, every such Master or other Person having the Charge or Command of such Ship or Vessel, shall forfeit, for every such Offence, the Sum of One thousand Pounds; and in case the Whole or any Part of the Cargo of any such Ship or Vessel shall consist of Naval or Military Stores, every Master or other Person having the Charge or Command of such Ship or Vessel so laden with Naval or Military Stores, who shall fail or depart without such Convoy as aforesaid, or shall afterwards desert, or wilfully separate or depart from such Convoy without Leave obtained as aforesaid, shall forfeit, for every such Offence, the Sum of One thousand five hundred Pounds: Provided nevertheless, That it shall be lawful for the Court out of which the Record for the Trial of any Action or Suit for the Recovery of any such Penalty shall issue, to mitigate or lessen the same as the said Court in their Discretion shall think fit, having Regard to the Circumstances of the Case and the Value of the Ship and Cargo, so as by such Mitigation the Penalty be not made less than Fifty Pounds.

Penalty may
be mitigated.

If a Vessel fail
without Con-
voy, or sepa-
rates from
it without
Leave, the In-
surances shall
be void with
respect to the
Property of
the Master or
any Person
privity to the
Offence; and
any Person
shall transact
Settlement
thereon, or

IV. And be it further enacted, That in case any such Ship or Vessel shall fail or depart without Convoy, or shall afterwards desert or wilfully separate or depart from such Convoy, contrary to the Provisions of this Act, every Policy of Insurance, or Contract or Agreement for any Insurance upon such Ship or Vessel, or upon any Goods, Wares, or Merchandize, laden or to be laden on board thereof, or upon any Property, Freight, or other Interest arising out of the same, whereon Insurances may lawfully be made, (and which shall be the Property of the Master or other Person having the Charge or Command of such Ship or Vessel so failing without Convoy, or wilfully quitting the same, or of any Person interested in such Ship or Vessel, or Cargo, who shall have directed, or have been any way privy to, or instrumental in, causing such Ship or Vessel