

charged; or if there shall not be on board any such Vessel such medical Practitioner as aforesaid, or such Medicines and other things necessary to the medical treatment of the Passengers, as is hereinbefore required; or if any such Ship shall be cleared out before such Lists of Passengers, as hereinbefore mentioned, shall have been delivered in manner and form aforesaid, to such Officer as aforesaid; or if any such List shall be wilfully false; or if the Copy or Abstract of this Act be not produced as hereinbefore required; or if any Passenger shall not be allowed to continue on board such Ship in manner hereinbefore provided; or if any Passenger shall, without his or her previous consent, be put on shore at any place other than the place at which the Master had contracted to land such Passenger, the Master of any such Ship shall, for and in respect of each and every such offence, be liable, on such summary conviction as hereinafter mentioned, to the payment of a fine of not less than Five Pounds, nor more than Twenty Pounds sterling *British money*.

Provided nevertheless, and be it further Enacted, That nothing herein contained shall take away or abridge any right of suit or action which may accrue to any Passenger in any such Ship, or to any other Person in respect of the breach or non-performance of any Contract made or entered into between or on the behalf of any such Passenger or other Person, and the Master, Owner or Owners of any such Ship.

17.
The right of Action of Passengers not to be taken away or abridged.

And be it further Enacted, That all indictments or informations against any Person or Persons for or in respect of any offences by them committed, or alleged to have been committed, under this Act, and that all proceedings for the recovery of any fines, penalties or forfeitures incurred, or alleged to have been incurred, by any Person or Persons under this Act, shall be preferred and prosecuted by any Person or Persons whomsoever, and shall be proceeded with and determined before such and the same Courts, Magistrates and Justices of the Peace, and in such and the same manner, and by such and the same Persons, and with, under and subject to all such and the same rules, provisoes, conditions and restrictions, as in the case of any indictments or informations preferred, or proceedings taken for or in respect of any offence committed, or for the recovery of any fines, penalties or forfeitures incurred under any Act of Parliament now in force for the prevention of Smuggling, or relating to the Customs, or to Trade or Navigation: Provided always, That in order to the preferring, prosecuting, proceeding with, or determining any such indictments or informations under this present Act the direction or consent of the Commissioners of Customs shall not be necessary or required; anything in such Acts of Parliament as aforesaid to the contrary in anywise notwithstanding.

18.
Prosecutions and recovery of Penalties.