Anno decimo

Georgii III. Regis.

An Act for the better regulating the Navigation of the River *Trent*, from *Wilden Ferry*, otherwise *Cavendiſh Bridge*, in the County of *Derby*, to *Gainsborough*, in the County of *Lincoln*.

WHEREAS a conſiderable Navigation is carried on upon the River Trent, from a Place called Wilden Ferry, otherwiſe Cavendiſh Bridge, in the County of Derby, to the Town of Gainsborough, in the County of Lincoln: And whereas the Lands and Grounds adjoining to or lying near the ſaid River from Wilden Ferry, otherwiſe Cavendiſh Bridge, to Gainsborough aforeſaid, ſuffer conſiderable Damage, from the many Treſpaſſes committed upon the ſaid Lands and Grounds by the Perſons employed in navigating Keels, Boats, Barges, Lighters, or other Veſſels, upon the ſaid River, from Wilden Ferry, otherwiſe Cavendiſh Bridge, to Gainsborough aforeſaid: And whereas ſuch Treſpaſſes as well as other Miſchiefs might in a great Meaſure be prevented, and the Crew, Boatmen, Lightermen, or Watermen, belonging to or employed in any ſuch Keel, Boat, Barge, Lighter, or other Veſſel, navigated upon the ſaid River, from Wilden Ferry, otherwiſe Cavendiſh Bridge, to Gainſborough aforeſaid, would become more cautious and in- Preamble.

offenſive in their Behaviour, if every ſuch Keel, Boat, Barge, Lighter, or other Veſſel were numbered, and the Name or Names of the Owner or Owners thereof, and the Place of his, her, or their reſpective Abode, were properly marked on the Outſide of every ſuch Keel, Boat, Barge, Lighter, or other Veſſel: May it therefore pleaſe Your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty-fourth Day June, in the Year One thouſand ſeven hundred and ſeventy, every Owner of any Keel, Boat, Barge, Lighter, or other Veſſel, navigated upon the ſaid River Trent, from Wilden Ferry, otherwiſe Cavendiſh Bridge, to Gainſborough aforeſaid, or any Part thereof, ſhall cauſe the ſame to be numbered, and the Name or Names, and Place or Places of Abode, of the Owner or Owners thereof, to be ſet in large white Capital Letters, Six Inches long, and broad in Proportion, upon a black Ground, ſo that the ſame ſhall at all Times be in Sight, plain and legible, in ſome conſpicuous Place on each of the Outſides of every ſuch Keel, Boat, Barge, Lighter, or other Veſſel, higher than the ſame ſhall ſink into the Water when loaded; and if the Owner of any ſuch Keel, Boat, Barge, Lighter, or other Veſſel, ſhall not at all Times have the ſame numbered, and the Name or Names, and Place or Places of Abode, of the Owner or Owners thereof, put on the Outſides of his or their Keel, Boat, Barge, Lighter, or other Veſſel, as aforeſaid, every ſuch Owner or Owners ſhall, for every ſuch Neglect or Default, forfeit and pay the Sum of Five Pounds; and every Maſter or other Perſon having the Charge of, or navigating any ſuch Keel, Boat, Barge, Lighter, or other Veſſel, ſo not marked and numbered as aforeſaid, or being guilty of hiding or defacing ſuch Marks or Numbers, ſo as to prevent the ſame from being plain and legible, every ſuch Maſter or other Perſon ſhall, for every ſuch Neglect or Default, forfeit and pay the Sum of Forty Shillings.

Veſſels to be marked and numbered, and the Owners Names and Places of Abode.

And be it further enacted by the Authority aforeſaid, That the ſaid Penalties and Forfeitures ſhall, upon Proof of the Offence or Offences, before any One or more Juſtice or Juſtices of the Peace for the Counties of Derby, Leiceſter, Nottingham, or Lincoln reſpectively, wherein the Offender or Offenders ſhall be or reſide, either

Penalty for not marking the Veſſels.

either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices is and are hereby required and impowered to adminiſter, without Fee or Reward) be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices (which Warrant ſuch Juſtice or Juſtices is and are hereby impowered to grant); and the Overplus, after the ſaid Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale are recovered and deducted, ſhall be returned, upon Demand, unto the Owner or Owners of ſuch Goods and Chattels; and the Penalties and Forfeitures, when paid or levied, ſhall be paid to the Informer or Informers; and in caſe ſufficient Diſtreſs ſhall not be found, and the ſaid Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful to and for ſuch Juſtice or Juſtices of the Peace, and he or they is and are hereby authoriſed and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the ſaid Counties of Derby, Leiceſter, Nottingham, or Lincoln reſpectively, as the Caſe ſhall be, there to remain without Bail or Mainprize, for any Time not exceeding Three Months, unleſs the ſaid Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Penalty to be levied by Diſtreſs and Sale.

Penalty to go to the Informer.

For want of Diſtreſs, Offender to be committed.

Provided always, and be it enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgement of any Juſtice or Juſtices of the Peace, upon account of any Offence committed or ſuppoſed to be committed againſt this Act, may appeal to the Juſtices of the Peace for the ſaid Counties of Derby, Leiceſter, Nottingham, or Lincoln reſpectively, as the Caſe ſhall happen, at their next General or Quarter Seſſions; the Perſon or Perſons ſo appealing giving Security, to the Satisfaction of the ſaid Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General or Quarter Seſſions, in caſe ſuch Order or Judgement ſhall be affirmed; and the Juſtices in their ſaid General or Quarter Seſſions, are hereby authoriſed and required to hear and determine ſuch Appeal, and to make Order therein, and to award ſuch Coſts as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removable by any

Perſons aggrieved may appeal to the Quarter Seſſions.

Security to be given to proſecute with Effect.

Writ of Certiorari, or otherwise, into any of his Majesty's Courts of Record at Westminster, or elsewhere.

Limitation of Actions. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing to be done in pursuance of this Act, or in relation to the Matters herein contained, every such Action and Suit shall be brought and commenced within the Space of Six Calendar Months next after the doing of the Matter or Thing for which such Action or Suit shall be brought or commenced, and not afterwards, and shall be brought, laid, and tried in the Counties of Derby, Leicester, Nottingham, or Lincoln respectively, as the Case shall happen, and not elsewhere; and the Defendant or Defendants in all such Actions and Suits, may

General Issue. plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing was done in pursuance of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid or brought in any other County, then, and in either or in any of such Cases, the Jury or Juries shall find for the Defendant or Defendants; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared; or if upon a Demurrer or Demurrers Judgement shall be given for the Defendant or Defendants, then, and in either or any of the Cases aforesaid, such Defendant or

Treble Costs. Defendants shall have Treble Costs, upon Affidavit made, or Certificate of the Judge before whom such Cause shall be tried, that such was prosecuted against such Defendant or Defendants; for Matters contained in this Act; and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have for his and their Costs of Suit in other Cases by Law.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

FINIS.