ANNO TRICESIMO QUARTO

Georgii III. Regis.

****

CAP. LXV.

An Act for better regulating and governing the Watermen, Wherrymen, and Lightermen, upon the River of *Thames*, between *Graveſend* and *Windſor*.

[23d *May* 1794.]

Preamble.

HEREAS, by an Act paſſed in the Second and Third Years of the Reign of their late Majeſties *Philip* and *Mary*, intituled, *An Act touching Watermen and Bargemen upon the River of* Thames, it was enacted, That the Mayor and Court of Aldermen of the City of *London*, for the Time being, ſhould, from Time to Time, at their Diſcretion, limit, ſet, and aſſeſs, the Price or Prices, and Sums of Money, that every Perſon or Perſons authorized to row upon the River of *Thames*, betwixt *Graveſend* and *Windſor*, ſhould take for his or their Labour or Fare from Place to Place, particularly betwixt *Graveſend* and *Windſor* aforeſaid; which Prices or Aſſeſſments afterwards ſhould be ſigned and ſubſcribed by Two of the Privy Council at the leaſt, and made publick, as in and by the ſaid Act is directed; and it was thereby farther enacted, that every Perſon and Perſons that ſhould take, for his or their Fare or Labour, above the Prices that ſhould be aſſeſſed in Form aforeſaid, ſhould forfeit for every ſuch Offence Forty Shillings, and alſo ſhould ſuffer Impriſonment by One Half Year; the ſaid Forfeiture to be recovered as in and by the ſaid Act is expreſſed: And whereas for many Years paſt the ſaid Puniſhment hath been conſidered much too ſevere for the Offence, and there being no Powers for mitigating the ſame, the Offenders

2 and 3 *Phil. & Mar.* Cap. 16. and

11 and 12. *Gul.* III, Cap. 21 recited.

ders have generally escaped Punishment for their Extortion: And whereas, by an Act, passed in the Eleventh and Twelfth Years of the Reign of His late Majesty King *William* the Third, intituled, *An Act for the Explanation and better Execution of former Acts made touching Watermen and Wherrymen rowing on the River of* Thames; *and for the better ordering and governing the said Watermen, Wherrymen, and Lightermen, upon the said River, between* Gravesend *and* Windsor, it was enacted, that there should be Yearly appointed, elected, and chosen, by the Court of Lord Mayor and Aldermen of the City of *London*, for the Time being, the Number of Eight Persons, of the most wise, discreet, and best Sort of Watermen, and the Number of Three Persons out of Twelve Persons, to be Yearly nominated by the Lightermen, of the most wise, discreet, and best Sort of Lightermen, being Householders, having Two Lighters or Flat Boats upon the said River, between *Gravesend* and *Windsor*; which Elections should be Yearly, at the First Court of Aldermen to be holden within the said City, next after the First Day of *June*; and the said Eleven Persons so to be elected should be named or called the Overseers and Rulers of all the Wherrymen, Watermen, and Lightermen, that, from and after the said First Day of *June* should use, occupy, or exercise, any Rowing upon the said River of *Thames* betwixt *Gravesend* and *Windsor* aforesaid; which said Overseers and Rulers should keep and maintain good Order and Obedience amongst the said Watermen and Lightermen, according to the true Meaning of that present and former Acts; and that the Assistants and Auditors of the Society or Company of Wherrymen, Watermen, and Lightermen, should be also appointed Yearly in the Manner therein mentioned, for the better Order and Government of the said Company; and that the said Rulers, Auditors, and Assistants, or the major Part of them present, being all duly summoned as therein mentioned, should and might, and they were thereby empowered and authorized, from Time to Time, for the better and more effectual keeping and maintaining good Order and Obedience amongst the said Society and Company, to make, ordain, and provide, such reasonable and lawful Rules, Orders, and Constitutions, as in their Discretion they should think fit, with reasonable Pains and Penalties to the same annexed; which said Rules, Orders, and Constitutions, should, from Time to Time, be laid before the Court of Lord Mayor and Aldermen of the City of *London*, for the Time being, to be by them examined, altered, or approved, and afterwards confirmed or altered by the Lord Chief Justice of either Bench, for the common Good and Profit of His Majesty's Subjects; and for the further and better enforcing due Obedience to the said Rules, Orders, and Constitutions, and more easy and speedy Recovery of the Pains and Penalties to the same annexed, it was thereby further enacted, that the Lord Mayor of *London*, and the Aldermen of the said City, and the Justices of the Peace within the Shires next adjoining to the said River of *Thames* between *Gravesend* and *Windsor*, every of them within their several Jurisdictions and Authorities, should have full Power and Authority, by virtue of that present Act, upon Complaint made to them, or any of them, by the said Overseers and Rulers, or any Two of them, to examine, hear, and determine, by the Oath of One or more Witnesses, (which every of them were thereby authorized to administer), or by the Confession of the Offender, all Complaints or Offences to be done or committed by any such Person or Persons that should offend contrary to the true Meaning of that present Act, or any Rule, Order, or Constitution, to be made pursuant to the

Authority thereby given, and by Diſtreſs and Sale of the Goods of every ſuch Offender, by Warrant under the Hand and Seal of the ſaid Lord Mayor and Aldermen, or One or more of the ſaid Aldermen or Juſtices, to cauſe to be levied, from Time to Time, all the Penalties inflicted by former Acts, and that preſent Act, touching Watermen, Wherrymen, or Lightermen, or by any ſuch Rule, Order, or Conſtitution, that ſhould by virtue of that preſent Act be forfeited: And whereas, in purſuance of the laſt in Part recited Act of Parliament, certain Rules, Orders, and Conſtitutions, have, from Time to Time, been made for the better Rule and Government of the ſaid Society or Company, but the ſame have hitherto proved inadequate and ineffectual: And whereas it would tend to the more ſpeedy and effectual Adminiſtration of Juſtice, and be of great publick Utility and Convenience, if ſo much of the ſaid Act of the Second and Third Years of their late Majeſties *Philip* and *Mary*, as ſubjects Perſons, taking for their Fare or Labour above the aſſeſſed Prices, to the Fine of Forty Shillings, and alſo to Half a Year's Impriſonment, ſhould be repealed; and if the Court of Mayor and Aldermen of the ſaid City of *London* for the Time being were authorized and empowered to make, frame, and ſet down, in Writing, reaſonable Rules, Orders, and Conſtitutions, for governing and regulating the Watermen, Wherrymen, and Lightermen, upon the River *Thames*, between the Limits aforeſaid; and if the Lord Mayor, Recorder, or any One Alderman of the ſaid City of *London* for the Time being, and the Juſtices of the Peace within the Shires and Places next adjoining to the ſaid River of *Thames*, between *Graveſend* and *Windſor*, ſhould ſeverally and reſpectively have full Power and Authority to adjudge, aſcertain, and ſettle, the ſeveral Penalties, and to enforce Payment of the ſame, and to put the Laws, Statutes, Rules, Orders, and Conſtitutions, made and to be made, in Execution; and effectually to puniſh any Offence or Miſbehaviour done or committed by any ſuch Watermen, Wherrymen, or Lightermen, againſt the ſaid Laws, Rules, Orders, and Conſtitutions, which are now in Force, or which ſhall at any Time or Times hereafter be made purſuant to the Authorities and Directions of this Act, or of the ſeveral Acts of Parliament in that Caſe made and provided: May it therefore pleaſe Your 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 Firſt Day of *July* One thouſand ſeven hundred and ninety-four, ſo much of the ſaid in Part recited Act of the Second and Third Years of the Reign of their late Majeſties *Philip* and *Mary*, as ſubjects every or any Perſon, taking for his Fare or Labour above the Prices aſſeſſed for that Purpoſe as therein mentioned, to the Fine or Forfeiture of Forty Shillings, and alſo to Impriſonment by One Half Year, ſhall be, and the ſame is hereby repealed; and that, from and after the ſaid Firſt Day of *July*, the Court of Lord Mayor and Aldermen of the City of *London* ſhall have Authority, and are hereby impowered, from Time to Time, to make ſuch Rules, Orders, and Conſtitutions, for the better Government and Regulation of Watermen, Wherrymen, and Lightermen, rowing or uſing any Boat, Barge, or Lighter, or other Veſſel, upon the ſaid River *Thames*, between *Graveſend* and *Windſor*, as they ſhall think fit and neceſſary, and to alter, repeal, or make void, the ſame, or any of the Rules, Orders, or Conſtitutions, now in Force, in Manner and with

From *July* 1 1794 ſo much of firſt recited Acts as ſubjects Perſons taking more than their Fare to Penalties repealed &c.

the Approbation herein after mentioned; and the ſaid Lord Mayor, Recorder, or any One Alderman of the ſaid City, within the ſaid City, and His Majeſty's Juſtices of the Peace of the reſpective Counties and Places next adjoining to the ſaid River *Thames*, between *Graveſend* and *Windſor*, ſhall ſeverally and reſpectively have Power and Authority within the ſaid City, Counties, and Places reſpectively, to put in Execution the ſeveral Laws and Statutes, and alſo the Rules, Orders, and Conſtitutions, which are now in Force, or which ſhall at any Time hereafter be made by the ſaid Court of Mayor and Aldermen, in purſuance of this Act, or by the Rulers, Auditors, and Aſſiſtants, of the Watermens Company, and approved by the ſaid Court of Mayor and Aldermen, purſuant to the Authorities and Directions of the ſeveral Acts of Parliament in that Caſe made and provided, or any of them, againſt the aforeſaid Watermen, Wherrymen, and Lightermen, or any other Perſon or Perſons, for any Offence or Offences committed or to be committed againſt the ſaid Laws, Statutes, Rules, Orders, and Conſtitutions, or any of them, and as fully and effectually as if ſuch Rules, Orders, and Conſtitutions, were particularly ſet forth in this Act.

The Court of Mayor and Aldermen of *London* empowered to make Rules, *&c.* for regulating the Conduct and Demeanour of Watermen, Wherrymen, and Lightermen, upon the River *Thames*.

II. And be it further enacted by the Authority aforeſaid, That the Court of Mayor and Aldermen of the ſaid City of *London*, for the Time being, ſhall have full Power and Authority from Time to Time to alter, amend, repeal, or make void, any of the Rules, Orders, or Conſtitutions now in Force, or hereafter to be made, and to make, frame, and ſet down in Writing, ſuch other Rules, Orders, or Conſtitutions, for governing and regulating the Watermen, Wherrymen, and Lightermen, owning, rowing, or working, Boats or other Craft, upon the River *Thames*, between *Graveſend*, in the County of *Kent*, and *Windſor*, in the County of *Berks*, and to annex reaſonable Penalties and Forfeitures for the Breach of ſuch Rules, Orders, or Conſtitutions, not exceeding the Sum of Three Pounds for any One Offence, and ſuch Rules, Orders, and Conſtitutions, or any of them, from Time to Time, to alter, amend, repeal, or make void, as to the ſaid Court in their Diſcretion ſhall ſeem meet, for the better putting this Act in Execution, ſo as, after the making, altering, amending, or repealing thereof reſpectively, the Rules, Orders, and Conſtitutions, ſo to be made, and every ſuch Alteration, Amendment, and Repeal, be allowed and approved of from Time to Time by the Lord High Chancellor of *Great Britain*, the Lord Keeper, or Lords Commiſſioners of the Great Seal for the Time being, the Lord Chief Juſtice of the Court of King's Bench, the Lord Chief Juſtice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or any One or more of them, who are and is hereby required, on Requeſt from Time to Time to them, or any One or more of them, made by or on Behalf of the ſaid Court of Mayor and Aldermen, to peruſe and examine all ſuch Rules, Orders, or Conſtitutions, as ſhall from Time to Time be made, altered, amended, or repealed, by the ſaid Court of Mayor and Aldermen in purſuance of this Act, and laid before the ſaid Lord High Chancellor, Lord Keeper, or Lords Commiſſioners of the Great Seal for the Time being, the ſaid Lord Chief Juſtice of the Court of King's Bench, the ſaid Lord Chief Juſtice of the Court of Common Pleas, and the ſaid Lord Chief Baron of the Court of Exchequer, or any One or more of them, for their or his Allowance and Approbation; and they, or any One or more of them, are

The ſaid Rules, *&c.* to be approved and allowed of by One or more of the Judges;

or

or is to allow thereof, or alter the ſame before they, or any One or more of them, allow thereof, or to allow of any ſuch Repeal, as they, or any One or more of them ſhall, from Time to Time, think fit, and for doing thereof no Fee or Reward ſhall be paid or taken.

Who may allow, or alter the ſame.

III. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That when and as often as any Alteration in the Rules, Orders, and Conſtitutions now in Force, or hereafter to be made, or any new or other Rules, Orders, and Conſtitutions, ſhall be made by the ſaid Court of Mayor and Aldermen as aforeſaid, a Copy of ſuch intended Alterations, and of ſuch new or other Rules, Orders, and Conſtitutions, ſhall be ſent to, and left at *Waterman's Hall*, for the Peruſal of the Rulers, Auditors, and Aſſiſtants, of the Watermens Company, at leaſt Thirty Days before the ſame ſhall be allowed by the Lord High Chancellor of *Great Britain*, the Lord Keeper, or Lords Commiſſioners of the Great Seal for the Time being, the Lord Chief Juſtice of the Court of King's Bench, the Lord Chief Juſtice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or any One or more of them, as aforeſaid, in order that the ſaid Rulers, Auditors, and Aſſiſtants, may ſubmit to the Conſideration of the ſaid Court of Mayor and Aldermen their Objections (if any) to ſuch intended Alterations, or to ſuch new or other Rules, Orders, and Conſtitutions; and in caſe the ſaid Rulers, Auditors, and Aſſiſtants, ſhall not be ſatisfied with the Determination of the ſaid Court of Mayor and Aldermen in the Premiſes, on ſuch Objection reſpectively, then, that the ſaid Rulers, Auditors, and Aſſiſtants, may ſubmit their ſaid Objections to the Conſideration of the Lord High Chancellor of *Great Britain*, the Lord Keeper, or Lords Commiſſioners of the Great Seal for the Time being, the Lord Chief Juſtice of the Court of King's Bench, the Lord Chief Juſtice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or any One or more of them before ſuch intended Alterations or ſuch new or other Rules, Orders, and Conſtitutions, are allowed as aforeſaid.

Copy of intended Alterations, and New Rules to be ſent to the Watermens Company Thirty Days before allowed by the Judges, and the Company may ſubmit their Objections, &c.

IV. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That ſuch Rules, Orders, and Conſtitutions, ſo to be from Time to Time made, altered, or amended, by the ſaid Court of Mayor and Aldermen, ſhall, within Thirty Days after the ſame ſhall be allowed and approved of as aforeſaid, be printed and ſent to the ſeveral Publick Offices, lately eſtabliſhed by Authority of Parliament for the Adminiſtration of Juſtice, in the Counties of *Middleſex* and *Surrey*; and alſo to the ſeveral Clerks of the Peace of the ſaid Counties and Places adjoining to the River *Thames*, to be publiſhed in ſuch Manner as the Court of Quarter Seſſions in thoſe Counties ſhall direct, and alſo be made publick in ſuch other Manner as the ſaid Court of Mayor and Aldermen ſhall think proper, and from Time to Time order and direct.

The Rules, &c. to be printed and publiſhed.

V. And be it further enacted, by the Authority aforeſaid, That, in caſe any Waterman, Wherryman, Lighterman, or other Perſon or Perſons, ſhall offend againſt the Laws, Statutes, Rules, Orders, and Conſtitutions, which are now in Force, or which ſhall at any Time be made by the ſaid Court of Mayor and Aldermen, in purſuance of this Act, or by the Rulers, Auditors, and Aſſiſtants, of the Watermens Company,

Power veſted in the Lord Mayor, Aldermen, and Juſtices, to ſummon and apprehend Watermen, &c. and

examine Witneſſes upon Oath, and puniſh Offenders by Fine and Imprisonment.

Company, and approved by the ſaid Court of Mayor and Aldermen, purſuant to the Authorities and Directions of the ſeveral Acts of Parliament in that Caſe made and provided, or any of them, it ſhall and may be lawful to and for the ſaid Mayor, Recorder, or any One Alderman, of the ſaid City, and for any Juſtice or Juſtices of the Peace for the reſpective Counties and Places next adjoining to the ſaid River of *Thames*, between *Graveſend* and *Windſor*, and every of them, within their ſeveral and reſpective Juriſdictions, upon Complaint made of any ſuch Offence or Miſbehaviour, committed within their reſpective Juriſdictions, within Six Days after the Commiſſion of any ſuch Offence or Miſbehaviour, to cauſe the Offender or Offenders to be ſummoned perſonally, or by leaving ſuch Summons at his, her, or their laſt or uſual Place or reſpective Places of Abode, to appear and anſwer the ſaid Complaint: And if any Waterman, Wherryman, Lighterman, or other Perſon or Perſons, being duly ſummoned as aforeſaid, ſhall refuſe or neglect to appear and anſwer to any Complaint or Complaints made againſt him, her, or them, for any Offence or Offences committed by him, her, or them, againſt the ſaid Laws, Statutes, Rules, Orders, and Conſtitutions, or any of them, or againſt this Act, it ſhall be lawful for the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, in his or their reſpective Juriſdictions as aforeſaid, to iſſue his or their Warrant or Warrants for apprehending ſuch Waterman, Wherryman, Lighterman, or other Perſon or Perſons, upon Oath being made of the Service of ſuch Summons, and to cauſe the Party or Parties ſo offending or miſbehaving to be brought before him or them; and the Party or Parties accuſed being before ſuch Mayor, Recorder, Aldermen, or Juſtices reſpectively, either by Means of ſuch Summons, or of ſuch Warrant or Warrants as aforeſaid, he and they reſpectively is and are hereby authorized and required to examine upon Oath the Complainant, or any Witneſs or Witneſſes, touching ſuch Offence or Miſbehaviour; and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence or Miſbehaviour, either by his, her, or their own Confeſſion, or by the Oath of the Complainant, or of One or more credible Witneſs or Witneſſes, it ſhall be lawful for ſuch Mayor, Recorder, Aldermen, and Juſtices, or any One of them, to impoſe a Fine upon ſuch Offender or Offenders for the ſaid Offence, not exceeding the Penalty or Penalties inflicted or to be inflicted by this Act, or the ſaid other Laws and Statutes, or the ſaid Rules, Orders, and Conſtitutions, made and to be made as aforeſaid, or any of them: And if the Perſon or Perſons ſo convicted ſhall not forthwith pay the Penalty or Forfeiture ſo impoſed upon him, her, or them, it ſhall and may be lawful for ſuch Mayor, Recorder, Aldermen, or Juſtices reſpectively, to commit ſuch Perſon or Perſons ſo convicted to ſome Priſon within the ſaid City, Counties, and Places reſpectively, there to remain for any Space of Time not exceeding One Calendar Month, unleſs ſuch Penalty or Forfeiture ſhall be ſooner paid.

Conſtables not to take Watermen, &c. out of Boats or Craft until moored.

Notice to be inſerted in Warrants

VI. Provided alſo, and be it further enacted, That no Conſtable, or other Officer, ſhall, by virtue of any ſuch Warrant, apprehend or take any Waterman, Wherryman, or Lighterman, out of any Boat or Craft which they reſpectively may happen to be on board of, rowing, or navigating, until ſuch Boat or Craft ſhall be ſafely moored, unleſs there ſhall be ſufficient Hands on board to row or navigate or take care thereof; and Notice of this Proviſion ſhall be inſerted in every ſuch Warrant for the

the Information of the Conſtable, or other Officer, who may have the Execution thereof.

Power to ſummon Perſon on Refuſal of Payment of Fares and apprehend them on Non-appearance, and examine Witneſſes on Oath, and order Payment, &c.

VII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall refuſe to pay any ſuch Waterman or Wherryman, Watermen or Wherrymen, the Money juſtly due to him or them for carrying any ſuch Perſon or Perſons in his or their Boat or Boats according to the Rates now eſtabliſhed, or which ſhall hereafter be duly eſtabliſhed, it ſhall be lawful for the ſaid Mayor, Recorder, Aldermen, or Juſtices of the Peace reſpectively, or any One or more of them, within whoſe Juriſdiction ſuch Refuſal ſhall be made, upon Complaint made of any ſuch Refuſal, to ſummon ſuch Perſon or Perſons to anſwer the ſaid Complaint, by cauſing ſuch Summons to be ſerved perſonally, or by leaving the ſame at his, her, or their laſt or uſual Place or reſpective Places of Abode; and if any Perſon or Perſons, being duly ſummoned as aforeſaid, ſhall refuſe or neglect to appear and anſwer to any Complaint or Complaints made againſt him, her, or them, for refuſing any ſuch Payment as laſt herein-before is mentioned, it ſhall be lawful for the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, or any One or more of them, in his or their reſpective Juriſdictions as aforeſaid, to iſſue his or their Warrant or Warrants for apprehending ſuch Perſon or Perſons, upon Oath being made of ſuch his, her, or their Refuſal as aforeſaid, and Service of ſuch Summons, and to cauſe the Party or Parties ſo offending to be brought before him or them; and the Party or Parties accuſed being before ſuch Mayor, Recorder, Aldermen, or Juſtices reſpectively, either by Means of ſuch Summons, or of ſuch Warrant or Warrants, as laſt herein-before mentioned, he and they reſpectively is and are hereby authorized and required, upon due Proof made of ſuch Refuſal of Payment unto ſuch Waterman or Wherryman, Watermen or Wherrymen, of the Money juſtly due to him or them for carrying the Perſon or Perſons accuſed in his or their Boat or Boats, upon Oath, or upon Confeſſion of the Party or Parties, to order Payment of ſuch Sum or Sums of Money, which ſuch Waterman or Wherryman, Watermen or Wherrymen, ſhall appear to be entitled to; and alſo to award reaſonable Satisfaction to be made to him or them, for his or their Loſs of Time and Coſts, in the Diſcretion of the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively; and if the ſaid Perſon or Perſons ſo offending ſhall not pay ſuch Sum or Sums of Money, and make ſuch reaſonable Satisfaction (if awarded) as aforeſaid, it ſhall be lawful for the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, to commit the Perſon or Perſons ſo refuſing to ſome Priſon within the City of *London*, and the ſaid ſeveral Counties and Places adjoining to the ſaid River of *Thames*, there to remain for any Space of Time not exceeding One Calendar Month, unleſs the ſaid Sum or Sums of Money, ſo ordered and awarded as aforeſaid, ſhall be ſooner paid.

Perſons refuſing to pay Fares, or to give their Names and Reſidence, or giving fictitious Names or Places of Abode, may be puniſhed by Fine, &c.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall refuſe to pay any ſuch Waterman or Wherryman, Watermen or Wherrymen, the Money demanded by him or them for carrying any ſuch Perſon or Perſons in his or their Boat or Boats, and ſhall alſo refuſe to give to ſuch Waterman or Wherryman, Watermen or Wherrymen, upon Demand the Name or Names, and Place or Places of Abode, of him, her, or them, ſo refuſing, or inſtead thereof ſhall wilfully

fully give any falſe or fictitious Name or Names, or Place or Places of Abode, for the Purpoſe of preventing him, her, or them, from being ſummoned as aforeſaid, every Perſon ſo refuſing to make ſuch Payment, or to give his or her real Name and Place of Abode as aforeſaid, or ſo refuſing Payment, and giving ſuch falſe or fictitious Name or Place of Abode, ſhall, for every ſuch Offence, forfeit and pay a Penalty not exceeding Five Pounds, and ſuch Offender or Offenders ſhall or may thereupon be ſummoned and otherwiſe proceeded againſt, not only for the Recovery of the Money juſtly due to ſuch Waterman or Wherryman, Watermen or Wherrymen, and reaſonable Satisfaction for his or their Loſs of Time and Coſts, but alſo for enforcing the Payment of the Penalty or Forfeiture laſt herein-before inflicted, in ſuch and the ſame Manner, in all Reſpects, as is herein-before mentioned and directed, for the Recovery of Money due to any Waterman or Wherryman, for carrying any Perſon in his Boat, and of ſuch reaſonable Satisfaction as aforeſaid.

Overſeers or Rulers of the Waterman's Company to hear and determine Complaints between Watermen and Watermen.

IX. And be it further enacted, by the Authority aforeſaid, That in caſe and when any Waterman, Wherryman, or Lighterman, or the Widow of any Waterman, Wherryman, or Lighterman, ſhall have cauſe of Complaint againſt any other Waterman, Wherryman, or Lighterman, or the Widow of any Waterman, Wherryman, or Lighterman, whether Maſter, Apprentice, or Servant, for any Offence or Miſbehaviour againſt this Act, or any of the ſaid other Laws and Statutes, or of the ſaid Rules, Orders, and Conſtitutions, made and to be made as aforeſaid, and by ſuch Offence or Miſbehaviour, the Waterman, Wherryman, or Lighterman, or ſuch Widow, ſo having cauſe of Complaint, ſhall ſuffer, or ſuppoſe himſelf or herſelf to ſuffer, any Damage, Injury, or ill Treatment, it ſhall be lawful for the Overſeers and Rulers for the Time being of the ſaid Society or Company of Watermen, Wherrymen, and Lightermen, or any Two or more of them, (as well as for the ſaid Mayor, Recorder, Aldermen, and Juſtices reſpectively hereby authorized as aforeſaid), to hear and determine concerning any ſuch Offence or Miſbehaviour, and convict the Offender as herein-after is mentioned and directed; that is to ſay, in every ſuch Caſe it ſhall be lawful for the ſaid Overſeers or Rulers, or any Two or more of them, upon Complaint made by any Waterman, Wherryman, or Lighterman, or ſuch Widow, of any ſuch Offence or Miſbehaviour, within Six Days after the Commiſſion thereof, to cauſe the Waterman, Wherryman, or Lighterman, or ſuch Widow, ſo offending, to be ſummoned perſonally, or by leaving ſuch Summons at his, her, or their, laſt or uſual Place of Abode, to appear and anſwer the ſaid Complaint; and the Party accuſed being before ſuch Two or more Overſeers or Rulers, to hear and examine the Complainant, or any Witneſs or Witneſſes, touching ſuch Offence or Miſbehaviour, and determine concerning the ſame; and if the Waterman, Wherryman, or Lighterman, or ſuch Widow, accuſed, ſhall be convicted of any ſuch Offence or Miſbehaviour, it ſhall be lawful for ſuch Overſeers or Rulers, or any Two or more of them, to impoſe a Fine upon ſuch Offender for the ſaid Offence or Miſbehaviour, not exceeding the Penalty or Penalties inflicted, or to be inflicted, by this Act, or the ſaid other Laws and Statutes, or the ſaid Rules, Orders, and Conſtitutions, made and to be made as aforeſaid, or any of them; and if the Waterman, Wherryman, or Lighterman, or ſuch Widow, ſo convicted, ſhall not

forthwith pay the Penalty or Forfeiture ſo impoſed upon him, her, or them, it ſhall be lawful for the aforeſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, within whoſe Juriſdiction the ſaid Offence or Miſbehaviour ſhall have been committed, upon Production to him or them reſpectively of ſuch Conviction, drawn up in Writing in the Form and Manner herein-after ſet forth, or to that Effect, to iſſue his or their Warrant or Warrants for apprehending ſuch Waterman, Wherryman, or Lighterman, or ſuch Widow, and to cauſe him, her, or them, to be brought before the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, or any of them; and upon being ſo brought, if the Party ſo convicted ſhall not forthwith pay the Penalty or Forfeiture ſo impoſed upon him, her or them, it ſhall be lawful for ſuch Mayor, Recorder, Aldermen, or Juſtices reſpectively, to commit ſuch Waterman, Wherryman, or Lighterman, or ſuch Widow, ſo convicted, to ſome Priſon within the ſaid City, Counties, and Places reſpectively, there to remain for any Space of Time not exceeding One Calendar Month, unleſs ſuch Penalty or Forfeiture ſhall be ſooner paid.

Form of Conviction by the Rulers.

To wit. 'BE it remembered, That on this Day of in the Year of His Majeſty's Reign, *A. B.* is 'convicted before us, Two of the Rulers of 'the Society or Company of Watermen, Wherrymen, and 'Lightermen, for *(here ſet forth the Offence)* 'and we do adjudge him to pay and 'forfeit for the ſame the Sum of 'Given under our Hands and Seals the Day and 'Year aforeſaid.'

X. Provided always nevertheleſs, That the Juriſdiction or Authority ſo hereby given to the ſaid Overſeers or Rulers ſhall not extend, or be conſtrued to extend, to the Conviction of any Offender who ſhall not be a Waterman, Wherryman, or Lighterman, or the Apprentice or Servant of a Waterman, Wherryman, or Lighterman, or duly authorized by Law to act as ſuch; nor to any Caſe in which the Perſon ſuſtaining Damage, Injury, or ill Treatment, by ſuch Offence or Miſbehaviour, or the Perſon complaining thereof as aforeſaid, ſhall not be a Waterman, Wherryman, or Lighterman, or the Apprentice or Servant of a Waterman, Wherryman, or Lighterman, or ſo duly authorized as laſt mentioned.

Apprentices to ſerve, in Addition to the Seven Years, for which they are bound, the Space of Time they ſhall be reſpectively impriſoned.

XI. And whereas Apprentices to Watermen, Wherrymen, and Lightermen, or to the Widows of Watermen, Wherrymen, or Lightermen, may probably be ſometimes reſpectively impriſoned in conſequence of Offences againſt this Act, or againſt ſome of the Laws, Statutes, Rules, Orders, or Conſtitutions aforeſaid, and during ſuch Impriſonment their Maſters or Miſtreſſes reſpectively will be deprived of the Benefit of their Services, and ſuch Apprentices ſo impriſoned will be prevented from improving in their Buſineſs; be it therefore further enacted by the Authority aforeſaid, That every ſuch Apprentice, who ſhall be impriſoned for any Offence againſt this Act, or againſt any of the Laws, Statutes, Rules, Orders, and Conſtitutions, made and to be made as aforeſaid, ſhall ſerve as an Apprentice to his then Maſter or Miſtreſs, his or her Executors, Adminiſtrators, or Aſſigns, not only till the Expiration of the Term for which

which ſuch Apprentice ought to ſerve according to the Laws and Cuſtoms already exiſting, and any Agreement which may have been made in that Behalf, but alſo for and during ſuch further Space of Time, to be computed from the End of the ſaid Term, as ſhall be equal in Extent or Duration to the Time during which ſuch Apprentice ſhall have been ſo impriſoned as aforeſaid: And that no ſuch Apprentice ſhall be conſidered as having ſerved a legal Apprenticeſhip, or entitled to the Privileges and Benefits of ſerving an Apprenticeſhip, unleſs and until he ſhall have actually and *bona fide* ſerved ſuch further Space of Time, according to the true Intent and Meaning of theſe Preſents; any Agreement concerning ſuch Apprenticeſhip, or any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Mayor, Aldermen, &c. may adminiſter Oaths, &c.

XII. And be it further enacted by the Authority aforeſaid, That in every Caſe in which any Oath is by this Act directed to be made or taken, the ſaid Mayor, Recorder, Aldermen, and Juſtices reſpectively, before whom ſuch Oath is hereby directed to be made or taken, ſhall have full Power to adminiſter and take the ſame, or inſtead thereof, a ſolemn Affirmation by any of the People called *Quakers*, as the Caſe may require; and that the Mayor, Recorder, Aldermen, or Juſtices reſpectively, before whom any Perſon ſhall be convicted in Manner preſcribed by this Act, ſhall cauſe ſuch reſpective Conviction to be drawn up in the Form or to the Effect following; (that is to ſay),

How Mayor, Aldermen, &c. to proceed for Conviction of Offenders.

Form of Conviction by the Juſtices.

To wit. 'BE it remembered, That on this Day of in the Year of His Majeſty's Reign, *A. B.* is convicted before me One of His Majeſty's Juſtices of the Peace for the City, County, or Place *(as the Caſe ſhall happen to be)*, for *(here ſet forth the Offence)* and I do adjudge him to pay and forfeit for the ſame the Sum of being the Penalty by him forfeited; and alſo the Sum of for Loſs of Time and Coſts, *(if awarded, as the Caſe ſhall happen to be)*. Given under my Hand and Seal, or our Hands and Seals, the Day and Year aforeſaid.'

Application of Penalties and Forfeitures.

XIII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures which ſhall be levied or recovered and received, in purſuance and by virtue of this Act, ſhall be paid to the Rulers and Overſeers of the ſaid Company, or the major Part of them, for the Time being, within One Calendar Month after the ſame ſhall be levied, and ſhall be by them paid and diſtributed to the poor aged and decayed Freemen of the ſaid Company and their Widows, ſaving only that it ſhall be lawful for the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, before whom any Offender or Offenders ſhall be convicted, out of the ſaid Forfeitures and Penalties, to reward any Perſon or Perſons who ſhall inform of any Offence or Offences againſt this Act, according to the Diſcretion of ſuch Mayor, Recorder, Aldermen, or Juſtices reſpectively, ſo as ſuch Reward exceed not One Moiety or Half Part of the reſpective Penalties or Forfeitures.

Persons aggrieved may appeal to the Quarter Sessions.

XIV. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by the Order or Judgement of the ſaid Mayor, Recorder, Aldermen, or Juſtices of the Peace, or Overſeers or Rulers reſpectively, on Account of any Offence committed, or ſuppoſed to be committed againſt this Act, or againſt any of ſuch Rules, Orders, and Conſtitutions, as aforeſaid, it ſhall be lawful for ſuch Perſon or Perſons to appeal to the next General or Quarter Seſſions of the Peace to be holden for the County, City, or Place, where any ſuch Conviction ſhall be made, the Perſon or Perſons, at the Time of Conviction, entering into a Recognizance, with One Surety, in the Sum of Twenty Pounds, to proſecute ſuch Appeal with Effect, and to abide by the Order or Orders which ſhall be made on ſuch Appeal; and the Juſtices in the ſaid General or Quarter Seſſions are hereby authorized to hear and determine every ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts, as to them ſhall appear to be juſt and reaſonable, and to cauſe to be levied, under the Order of any ſuch Seſſions, the Coſts which ſhall be awarded, together with ſuch Sum of Money as any ſuch Court of Seſſions, on the Hearing any ſuch Appeal, ſhall adjudge to be forfeited, by Diſtreſs and Sale of the Goods and Chattels of the Perſon who ſhall refuſe to pay ſuch Coſts and Sums of Money forfeited, or of the Perſon or Perſons who ſhall have been Surety or Sureties for him as aforeſaid.

Proceedings not to be quaſhed for Want of Form;

nor removeable by *Certiorari*.

XV. Provided alſo, and be it enacted, That no Order or Proceedings, to be made or had by or before the ſaid Mayor, Recorder, Aldermen, Juſtices, or Overſeers or Rulers reſpectively, by virtue of this Act, ſhall be quaſhed or vacated for Want of Form; and that the Order of the Juſtices at their General or Quarter Seſſions, within their ſeveral Juriſdictions, ſhall be final; and that no Proceedings of the ſaid Mayor, Recorder, Aldermen, or Juſtices reſpectively, out of Seſſions, or in their General Quarter Seſſions, in purſuance of this Act, ſhall be removeable by *Certiorari* or otherwiſe.

Limitation of Actions.

XVI. Provided always, and be it further enacted, That no Perſon ſhall be puniſhed for any Offence againſt this Act, unleſs ſuch Perſon ſhall be proſecuted for the ſame within Six Days after the Offence committed.

Actions for Things done in purſuance of this Act, to be brought within Three Months, and the Perſons ſued may plead the General Iſſue.

XVII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, it ſhall be brought or commenced within Three Calendar Months next after every ſuch Cauſe of Action ſhall have accrued, and not afterwards, and ſhall be brought, laid, and tried, in the County, City, or Place, in which the Cauſe of Action ſhall have ariſen, and not elſewhere; and 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 Trial or Trials which ſhall be had thereon, and that the ſame was done in purſuance and by Authority 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 laſt before limited, or ſhall be laid or brought in any other County, City, or Place, than where the Cauſe of Action ſhall have ariſen, then, and in any of ſuch Caſes, the Jury or Juries ſhall find for the

the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or ſhall diſcontinue his Action or Actions, or if Judgement ſhall be given for the Defendant or Defendants therein, then, and in any of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or may have for his or their Coſts in any other Caſes by Law.

Double Coſts.

Clauſe in Act 24 *Geo.* II, Cap. 44, extended to Juſtices acting under this Act.

XVIII. And be it further enacted by the Authority aforeſaid, That the Statute made in the Twenty-fourth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the rendering the Juſtices of the Peace more ſafe in the Execution of their Office, and for indemnifying Conſtables and others acting in Obedience to their Warrant*, ſo far as the ſaid Act relates to the rendering the Juſtices more ſafe in the Execution of their Office, ſhall extend, and be conſtrued to extend, to the ſaid Mayor, Recorder, Aldermen, and Juſtices of the Peace reſpectively, acting under the Authority or in Execution of this Act; and no Action or Suit ſhall be had or commenced againſt, or Writ iſſued out, or Copy of Writ ſerved upon, any Peace Officer or Officers, for any Thing done in the Execution of this Act, until Notice in Writing ſhall have been given to him or them, or left at his or their uſual Place of Abode, by the Attorney for the Party commencing ſuch Action, or ſuing out or ſerving the Copy of the ſaid Writ; which ſaid Notice in Writing ſhall contain the Name and Place of Abode of the Perſon who is to bring ſuch Action, together with the Cauſe of Action or Complaint, and the Name and Place of Abode of the ſaid Attorney ſhall be underwrote or indorſed thereon; and any Peace Officer or Officers ſhall be at Liberty, and may, by virtue of this Act, at any Time within Fourteen Days after ſuch Notice, tender or cauſe to be tendered any Sum or Sums of Money, as Amends for the Injury complained of, to the Party complaining, or to the ſaid Attorney; and if the ſame is not accepted, the Defendant or Defendants in ſuch Action or Actions may plead ſuch Tender in bar of ſuch Action or Actions, together with the General Iſſue, or any other Plea, with Leave of the Court; and if, upon Iſſue joined upon ſuch Tender, the Jury ſhall find the Amends tendered to have been ſufficient, the ſaid Jury ſhall find a Verdict for the Defendant or Defendants; and in ſuch Caſe, or if the Plaintiff ſhall become Nonſuit, or diſcontinue his Action, or if Judgement ſhall be given for the Defendant or Defendants, upon Demurrer, the Defendant or Defendants ſhall be entitled to his and their Coſts; and if the Jury ſhall find that no ſuch Tender was made, or that the Amends tendered were not ſufficient, and alſo ſhall find againſt the Defendant or Defendants on ſuch other Plea or Pleas by them pleaded, the ſaid Jury ſhall give a Verdict for the Plaintiff, and ſuch Damages as they ſhall think proper, for which the Plaintiff ſhall have Judgement, together with his, her, or their full Coſts.

Notice to be given to Peace Officers before commencing Suit againſt him.

Tender of Amends may be made by him,

and pleaded in bar of the Action.

If none, or inſufficient Tender has been made, Plaintiff, upon a Verdict, to recover.

Act not to abridge the late Duke of *Richmond*'s Right of holding a Court in *Graveſend*, &c. called *Curia curſus aquæ*.

XIX. Provided always, and be it further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to the leſſening, taking away, abridging, hindering, prejudicing, or otherwiſe howſoever impeaching, of any Right belonging to or lawfully claimed by the late *Charles* Duke of *Richmond* and *Lennox*, Lord of the Manor of *Graveſend*, his Heirs, Executors, Adminiſtrators, or Aſſigns, for the holding a certain Court within the ſaid Manor called (*Curia curſus aquæ*),

aquæ), or *The Court of the Water Courſe*, for the better Government of Barges, Boats, and Veſſels, uſing the Ferry or Paſſage from the Town of *Graveſend* to *London*, and of the Perſons owning or working the ſame, or of any other Rights, Liberties, Powers, and Privileges whatſoever, belonging to the ſaid late Duke, his Heirs, Executors, Adminiſtrators, and Aſſigns, relating to the ſaid Ferry or Paſſage, or to the Barges, Tilt-Boats, or other Boats and Veſſels, uſing the ſaid Ferry or Paſſage, or plying at the Bridge of the ſaid Town of *Graveſend*, or the Perſons owning or working the ſame, or otherwiſe howſoever.

Nor to leſſen &c. the Liberties, &c. of the Inhabitants of *Graveſend*, relating to the Ferry from *Graveſend* to *London*, &c.

XX. Provided alſo, and be it further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to the leſſening, taking away, abridging, hindering, prejudicing, or impeaching, of any Grants, Liberties, Franchiſes, Cuſtoms, Privileges, or Uſages, now or heretofore lawfully uſed, held, or enjoyed, by the Mayor, Jurats, and capital Inhabitants of the Villages and Pariſhes of *Graveſend* and *Milton*, in the County of *Kent*, touching, concerning, or relating, to the Paſſage and Ferry upon the ſaid River of *Thames*, from the ſaid Villages and Pariſhes of *Graveſend* and *Milton* to the ſaid City of *London*, or touching or concerning the Government or Gubernation of the ſaid Paſſage or Ferry; but that the ſaid Mayor, Jurats, and Inhabitants, and their Succeſſors, ſhall and may do and execute all and every ſuch lawful Act and Acts, Powers, and Authorities, touching the ſaid Paſſage and Ferry, and the Government thereof, as they might or could have done if this Act had not been made; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Not to abridge the Powers of the Maſter, &c. of the Trinity Houſe, in licenſing Mariners.

XXI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to abridge or alter any of the Powers or Authorities veſted in the Maſter, Wardens, and Aſſiſtants of the *Trinity-Houſe, Deptford Strond*, in and by an Act of Parliament, made and paſſed in the Eighth Year of the Reign of Queen *Elizabeth*, intituled, *An Act concerning Sea Marks and Mariners*; nor ſhall any Mariner or Mariners, licenſed or to be licenſed by the ſaid Maſter, Wardens, and Aſſiſtants, to row or uſe any Boat or Wherry on the ſaid River *Thames*, or any of the Men employed by the ſaid Maſter, Wardens, or Aſſiſtants, in rowing or uſing any Ballaſt Lighters or Boats on the ſaid River, be ſubject by reaſon of any Matter, Clauſe, or Thing herein contained, to the Rules, Orders, or Government, of the ſaid Mayor and Aldermen.

Not to affect the preſent Laws, unleſs hereby expreſsly altered or repealed.

XXII. Provided alſo, and be it further enacted, That all Clauſes, Proviſoes, and Exceptions, contained in the ſeveral Laws now in being, for regulating Watermen, Wherrymen, and Lightermen, or any of them, and not hereby expreſsly repealed or altered, ſhall be of ſuch and the ſame Force and Effect as they were before the making of this Act.

Perſons convicted under this Act not to be otherwiſe puniſhed.

XXIII. Provided alſo, and be it further enacted, That any Perſon, convicted of any Offence againſt this Act, and who ſhall ſuffer for the ſame accordingly, ſhall not be otherwiſe puniſhed, or ſuffer for ſuch Offence, by virtue of the ſaid before-mentioned Laws, or any other Statute of this Realm, or of ſuch preſent or future Rules, Orders, and Conſtitutions

as

Offenders not to be Twice punished for the same Offence.

as aforesaid, or any of them; and that no Offender against the said Laws, Statutes, Rules, Orders, and Constitutions, or any of them, shall be Twice punished for One and the same Offence.

Publick Act.

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

FINIS.