ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. LXXVIII.

An Act for the better Regulation and Encouragement of Pilots for the conducting of Ships and Veſſels into and out of the Port of *Liverpool*.

[6th *June* 1797.]

Preamble. 6 Geo. III. recited

WHEREAS an Act was paſſed in the Sixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the better Regulation of Pilots for the conducting of Ships and Veſſels into and out of the Port of* Liverpool: And whereas ſince the paſſing of the ſaid recited Act, although the Trade and Commerce of the ſaid Port has greatly increaſed, yet the Rates of Pilotage are at this Time inadequate to the Services performed: And whereas the Regulations and Proviſions of the ſaid recited Act are not applicable in ſome Caſes, and are incompetent in others, to the Nature and Extent of the Trade and Commerce now carried on to and from the ſaid Port of *Liverpool*; and it is therefore expedient that the ſaid recited Act ſhould be repealed, and that other Proviſions ſhould be made for effectually carrying into Execution the good Purpoſes thereby intended: May it therefore pleaſe Your Majeſty that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 the ſaid recited Act, paſſed in the Sixth Year of the Reign of His preſent Majeſty, ſhall be, and the ſame is hereby repealed; ſave and except as to the recovering of any Arrears which may on the Day of paſſing of this Act remain unpaid, or to any Fine or Penalty which ſhall have been incurred at any Time before the paſſing of this Act.

Recited Act repealed.

Commiſſioners.

II. And be it further enacted, That the Mayor, Aldermen, Bailiffs, and Common Councilmen of the Borough and Corporation of *Liverpool* aforeſaid, for the Time being, together with *Nicholas Aſhton*, *John Backhouſe*, *Daniel Backhouſe*, *John Backhouſe* the younger, *George Booth*, *Thomas Booth*, *Moſes Benſon*, *John Bolton*, *Johnſon Bradſhaw*, *William Begg*, *Cornelius Bourne*, *Edward Atherton*, *James Aſtley*, *William Anderſon*, *John Bridge Aſpinall*, *James Aſpinall*, *William Aſpinall*, *Edward Aſhburner*, *Ralph Abram*, *Henry Billinge*, *Stephen Backhouſe*, *John Butler*, *George Brown*, *Edward Chaffers*, *Edgar Currie*, *Thomas Clarke*, *John Cragg*, *Joſeph Cazneau*, *William Deniſon*, *Plato Denny*, *James Drinkwater*, *John Dawſon*, *Thomas Dawſon*, *William Dickſon*, *William Earle*, *Edward Falkner*, *Joſeph Fletcher*, *James Finchett*, *Caleb Fletcher*, *Thomas France*, *William Forbes*, *Ralph Fiſher*, *William Gregſon* the younger, *James Gregſon*, *John Gladſtone*, *Joſeph Greaves*, *James Grierſon*, *William Gibbons*, *Thomas Hodgſon* the elder, *William Hutchinſon*, *Thomas Hodgſon* the younger, *John Hodgſon*, *John Hurry*, *Thomas Hughes*, *William Harper*, *Francis Holland*, *Thomas Harriſon*, *William Harding*, *John Houghton*, *Jonathan Jackſon*, *Robert Johnſon*, *John Johnſon*, *Patrick Kewly*, *Joſeph Leay*, *Henry Midgley*, *Thomas Midgley*, *Samuel M'Dowall*, *Edward Maſon*, *Thomas Molyneaux*, *John Myers*, *James Murphy*, *Thomas Moſs*, *Clement Noble*, *Jacob Nelſon*, *William Nielſon*, *William Naylor*, *Allan Pearſon*, *Samuel Poole*, *James Penny*, *Thomas Rigmaiden*, *Thomas Rodie*, *William Rigg*, *Gill Slater*, *John Stanton*, *Samuel Staniforth*, *John Tarleton*, *Nicholas Thornborough*, *John Terry*, *John Tarlton* the younger, *John Thomas*, *George Venables*, *Richard Walker*, *Joſeph Ward*, *Robert Ward*, *Ralph Wright*, *Richard Wickſtead*, *Joſeph Withers*, *William Ward*, *William White*, *George Warbrick*, and *James Welch*, Merchants and late Commanders of Veſſels, ſhall be, and they are hereby nominated, conſtituted, and appointed, Commiſſioners for carrying this Act into Execution, and they, or any Thirty-one or more of them, (whereof the Mayor or Deputy Mayor of the ſaid Borough and Corporation of *Liverpool* for the Time being ſhall be One,) ſhall, and they are hereby authorized and required, within One Month from and after the paſſing of this Act, to meet in the Town Hall or ſome other Publick Room within the Exchange in *Liverpool* aforeſaid, upon Publick Notice to be given by the ſaid Mayor or Deputy Mayor for the Time being of the Meeting of ſuch Commiſſioners, at leaſt Seven Days before ſuch Meeting, by Writing affixed at the Cuſtom Houſe, and on ſome Publick Place within the Exchange in *Liverpool* aforeſaid, of the Day, Hour, and Place of Meeting, and to adjourn themſelves from Time to Time as often as there ſhall be Occaſion, or otherwiſe, in caſe no Adjournment ſhall be then ſubſiſting, or previous to the Day of ſuch Adjournment, (if Neceſſity ſhall ſo require,) to meet from Time to Time at ſuch Day, Hour, and Place, within the ſaid Borough of *Liverpool*, as ſhall be appointed by like Publick Notice by the ſaid Mayor or Deputy Mayor for the Time being.

Commiſſioners to appoint a Committee, and alſo a Clerk.

III. And be it further enacted, That at the ſaid Firſt or other ſubſequent Meetings it ſhall and may be lawful for any Thirty-one or more of the ſaid Commiſſioners ſo aſſembled as aforeſaid, (whereof the ſaid Mayor or Deputy Mayor ſhall be One,) or for the major Part of them, to elect, chooſe, and appoint, by an Inſtrument in Writing under their Hands, Thirteen of the ſaid Commiſſioners reſiding within the Borough of *Liverpool* aforeſaid to be a Committee, and alſo to chooſe and appoint a Clerk of the ſaid Committee for the Purpoſes herein-after mentioned,

who ſhall continue in his ſaid Office only during the Pleaſure of the ſaid Commiſſioners, or any Eight or more of them, being the major Part of the ſaid Commiſſioners at any of the Meetings herein-after mentioned; and that it ſhall be lawful to and for ſuch Committee, or any Five or more of them, to uſe and exerciſe the ſeveral Powers and Authorities veſted in them in and by this Act for the Term of Three Years, or until other Perſons ſhall be choſen in their Place by virtue of this Act; and all Inſtruments or Nominations of any Perſon to be of ſuch Committee ſhall be entered in a Book to be kept by the Clerk of the ſaid Committee for the Time being.

Committee to acknowledge their Acceptance of the Truſt.

IV. Provided always, That every Perſon to be appointed a Member of the Committee in purſuance of this Act ſhall, within One Calendar Month next after ſuch Appointment and Notice in Writing to him given thereof by the Clerk of the ſaid Committee, meet at the Time and Place appointed in and by ſuch Notice, and ſubſcribe his Name at the Foot of an Inſtrument in Writing to be provided for that Purpoſe, acknowledging his Acceptance of the ſaid Truſt, and that he is willing to act therein, and in Default thereof ſuch Appointment ſhall be void and of none Effect.

Committee to ſettle the Clerk's and other Officers' Fees and Salaries.

V. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Committee, or the major Part of them, to appoint and ſettle ſuch Fees and Salaries of the Clerk ſo to be elected as aforeſaid, and of ſuch other Officers as ſuch Committee, or the major Part of them, ſhall judge neceſſary to be employed under them for carrying this Act into Execution, as to them, or the major Part of them, ſhall ſeem reaſonable and neceſſary.

On the Death of any of the Commiſſioners or Clerk, others to be elected.

VI. And for the ſupplying a ſufficient Number of Commiſſioners, and alſo a Clerk, for the Purpoſes of this Act, be it further enacted, That in caſe any of the ſaid Commiſſioners ſo appointed or to be appointed as aforeſaid ſhall die or refuſe to act, or in caſe the Clerk of the ſaid Committee ſo to be appointed as aforeſaid ſhall die, reſign, or be removed by the ſaid Commiſſioners, or any Eight of them, being the major Part of the ſaid Commiſſioners aſſembled at any of their Public Meetings, then and in any of ſuch Caſes any Ten or more of the ſurviving Commiſſioners (whereof the ſaid Mayor or Deputy Mayor for the Time being ſhall be One) may appoint a Meeting of the Commiſſioners in the Town Hall, or ſome other Public Room within the Exchange in *Liverpool* aforeſaid, for the Election of One or more new Commiſſioner or Commiſſioners, or Clerk, as the Caſe ſhall require, to ſupply the Places of the Perſons ſo dying, refuſing to act, reſigning, or removed, and ſhall make known the Time of ſuch Meeting or Meetings, by affixing Notices thereof in Writing at the Cuſtom Houſe, and on ſome Publick Place within the Exchange in *Liverpool* aforeſaid, at leaſt Seven Days before the Time of ſuch Meeting; and in caſe there ſhall be Fifteen or more of the ſaid Commiſſioners (whereof the ſaid Mayor or Deputy Mayor ſhall be One) aſſembled together at the Time to be appointed for ſuch Meeting, they ſhall proceed to elect One or more new Commiſſioner or Commiſſioners, or Clerk, in Lieu of the ſaid Commiſſioner or Commiſſioners, or Clerk, who ſhall be dead or refuſe to act, or who ſhall reſign or be removed as aforeſaid; and the Perſon or Perſons who ſhall be ſo choſen and appointed, by an Inſtrument in Writing

under the Hands of ſuch Majority of Commiſſioners, ſhall from thenceforth be a Commiſſioner or Commiſſioners, or Clerk, for all the Purpoſes aforeſaid, and ſhall have the ſame Power and Authority in all Matters and Things relating to this Act as if he or they had been expreſsly named and appointed by this Act; and every ſuch Inſtrument or Nomination of ſuch new Commiſſioner or Commiſſioners, or Clerk, ſhall from Time to Time be entered in a Book to be kept by the Clerk to the ſaid Committee for the Time being.

On the Death, &c. of any of the Committee, others to be elected.

VII. And it is hereby further enacted, That in caſe any of the Perſons ſo to be appointed a Member of the Committee as aforeſaid ſhall die or refuſe to act, or ſhall have acted in the Execution of the ſaid Truſt for the Term of Three Years, then and in any or either of the ſaid Caſes it ſhall be lawful to and for any Ten or more of the ſurviving Commiſſioners (whereof the ſaid Mayor or Deputy Mayor for the Time being ſhall be One) to appoint a Meeting of the Commiſſioners in the Town Hall, or ſome other Public Room within the Exchange in *Liverpool* aforeſaid, for the Election of One or more Perſon or Perſons as the Caſe ſhall require, to be a Member or Members of the ſaid Committee, in the Place or Places of the Perſon or Perſons ſo dying or refuſing to act, or who ſhall have acted for the Term of Three Years; and Notice in Writing of the Time of ſuch Meeting or Meetings, ſubſcribed by the Clerk of the ſaid Committee, ſhall be affixed at the Cuſtom Houſe, and upon ſome Public Place within the Exchange in *Liverpool* aforeſaid, at leaſt Seven Days before the Time of ſuch Meeting; and it ſhall be lawful for any Fifteen or more of the ſaid Commiſſioners, (whereof the ſaid Mayor or Deputy Mayor for the Time being ſhall be One,) aſſembled together at the Time to be appointed for ſuch Meeting, to elect One or more Perſon or Perſons to be a Member or Members of ſuch Committee, in the Stead or Place of ſuch Member or Members of the ſaid Committee as ſhall be dead or refuſe to act, or ſhall have acted for the Term of Three Years; and the Perſon or Perſons who ſhall be ſo choſen and appointed by the major Part of ſuch Fifteen or more of the ſaid Commiſſioners then preſent, by an Inſtrument in Writing under their Hands, ſhall from thenceforward be a Member or Members of ſuch Committee, to and for the Purpoſes of this Act, and ſhall have the ſame Power and Authority in all Things relating thereto as if he or they had been originally choſen a Member or Members of ſuch Committee; and every Inſtrument or Nomination of ſuch Perſon or Perſons to be a Member or Members of the ſaid Committee ſhall, from Time to Time, be entered in a Book to be kept for that Purpoſe by the Clerk of the ſaid Committee for the Time being.

Committee to be ſworn.

VIII. And be it further enacted, That every Perſon to be appointed a Member of the Committee by virtue of this Act, at the Time of his ſubſcribing the Inſtrument aforeſaid, and before he ſhall act in or exerciſe any of the Powers or Authorities hereby given to him, ſhall take and ſubſcribe the following Oath, which Oath ſhall be adminiſtered by any Two of the ſaid Commiſſioners for the Time being; (that is to ſay,)

'I *A. B.* do ſwear, That I will impartially examine and inquire into the Capacity and Skill of all and every Perſon and Perſons who ſhall tender or offer himſelf to be admitted as a Pilot within the Port of *Liverpool*, before me; and that I will, without Favour or Affection,

'Prejudice or Malice, Fee or Reward, truly and impartially, according 'to the beſt of my Skill and Knowledge, execute and perform all and 'every the Powers and Authorities repoſed in me as a Committee-man 'appointed in purſuance of an Act made in the Thirty-ſeventh Year of 'the Reign of His Majeſty King *George* the Third, intituled, *An Act 'for the better Regulation and Encouragement of Pilots for the conducting 'of Ships and Veſſels into and out of the Port of* Liverpool."

Meetings of the Committee appointed, and Adjournments provided for.

IX. And be it further enacted, That the Firſt Meeting of the Perſons who ſhall be appointed of the Committee as aforeſaid, or any Five or more of them, in order to grant ſuch Licences or Warrants, and for other neceſſary Buſineſs, ſhall be on the Firſt *Thurſday* after the Twenty-fourth Day of *June* next after the paſſing of this Act, at ſome convenient Place within the Town of *Liverpool* aforeſaid, to be for that Purpoſe appointed by the ſaid Mayor or Deputy Mayor for the Time being; and they ſhall alſo meet for the ſame Purpoſes on the Firſt *Thurſday* in every Month after the Twenty-fourth Day of *June* in the preſent and every ſubſequent Year, and ſuch other intermediate Time and Times, and at ſuch Place, as they, or any Five or more of them, ſhall appoint by Adjournment at ſuch Monthly Meetings, whereof Notice in Writing ſhall be ſent by the Clerk to the uſual Places of Abode of all and every of the Members of the ſaid Committee then reſiding in *Liverpool*, at leaſt Three Days before the Time appointed for ſuch Meeting.

Committee to examine and grant Licences to Pilots.

X. And be it further enacted, That it ſhall be lawful for every Perſon who ſhall from Time to Time be appointed of the Committee in purſuance of this Act, or any Five or more of them, and they are hereby authorized and required, to examine and inquire into the Skill and Ability of any Perſon who ſhall tender or offer himſelf to be admitted as a Pilot within the Port of *Liverpool* aforeſaid, as well by the Examination of Witneſſes upon Oath, (which Oath the ſaid Committee, or any Two of them, are hereby empowered to adminiſter,) as by ſuch other Ways and Means as to them, or the major Part of them, ſhall ſeem proper; and if upon ſuch Examination and Inquiry the Perſon ſo offering himſelf as a Pilot within ſuch Port ſhall be approved of by the Committee ſo to be appointed as aforeſaid, or any Five or more of them, he ſhall receive a Licence or Warrant containing his Name, Age, Stature, Complexion, and Place of Abode, and certifying that he is duly qualified to act as a Pilot to conduct Veſſels into and out of the ſaid Port of *Liverpool*, which Licence or Warrant ſhall be ſubſcribed with the Hand Writing of Five or more of ſuch Committee, and from thenceforth ſuch Perſon ſhall be deemed duly qualified to exerciſe the Occupation of a Pilot within the Port of *Liverpool* aforeſaid.

Pilots ſhall pay for their Firſt Licence 6*l.* 6*s.* and afterwards 3*l.* 3*s.* and the Licence to be in Force for One Year.

XI. And it is hereby further enacted, That every Perſon who ſhall upon his Firſt Admiſſion as a Pilot, after the paſſing of this Act, receive ſuch Licence or Warrant, ſhall for the Firſt Licence or Warrant pay to the Clerk of the ſaid Committee ſo to be appointed as aforeſaid the Sum of Six Pounds and Six Shillings, and for every Licence or Warrant which ſhall be afterwards granted to any Perſon to whom a Licence or Warrant had before been granted, the Sum of Three Pounds and Three Shillings for the Purpoſes of this Act, and ſhall be ſubject to the ſeveral Clauſes, Regulations, and Proviſions in this Act contained, and to ſuch Orders,

Orders, Rules, and Bye Laws, as ſhall be made in purſuance hereof; and no ſuch Licence or Warrant ſhall continue in Force for any longer Time than One Year from the Date thereof.

Perſons acting without a Licence to forfeit 20*l.*

XII. And be it further enacted, That if any Perſon ſhall, from and after the Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-ſeven, take upon himſelf to conduct or pilot any Ship or Veſſel into or out of the ſaid Port of *Liverpool*, before he ſhall have been firſt examined, approved, and admitted as a Pilot by the Committee ſo to be appointed as aforeſaid or any Five or more of them, and ſhall have received ſuch Licence or Warrant as aforeſaid for that Purpoſe, or ſhall after the Expiration of ſuch Licence or Warrant continue to act as a Pilot without a Renewal of the ſame, every ſuch Perſon ſhall for each and every ſuch Offence forfeit Twenty Pounds.

Pilots miſbehaving to have their Licences recalled, and if they act afterwards to be liable to the ſame Penalties as if they were not licenſed.

XIII. And be it further enacted, That in caſe any ſuch Pilot, who ſhall receive a Licence or Warrant as aforeſaid, ſhall refuſe to take the Charge or Conduct of any of His Majeſty's Ships, or any Ship or Veſſel in the Merchants Service, upon a proper Signal being made, or a Gun or Guns fired by any Ship or Veſſel inward-bound, or at the Requeſt of the Maſter, Commander, Owner, Agent, or Conſignee of any Ship or Veſſel outward-bound, or in caſe it ſhall appear to the Committee ſo to be appointed as aforeſaid, or any Five or more of them, that ſuch Pilot ſhall have miſbehaved himſelf in the Conduct of any Ship or Veſſel, or in the Execution of any Part of his Duty as a Pilot, or if any ſuch Pilot ſhall refuſe to obey any Summons of ſuch Committee, or any Five or more of them, requiring his Appearance before the ſaid Committee, or to obey ſuch Orders as ſuch Committee, or any Five or more of them, ſhall make, or ſhall in anywiſe offend againſt this Act, then ſuch Committee, or any Five or more of them, upon Examination thereof, are hereby required to recall the Licence granted to ſuch Pilot, and to declare the ſame to be from thenceforth utterly void; and if any ſuch Perſon ſo offending ſhall, after ſuch Declaration and Notice thereof given to him in Perſon, or left at his uſual Place of Abode, act as a Pilot in the conducting of Ships or Veſſels into or out of the Port of *Liverpool*, he ſhall be ſubject to all the Penalties inflicted by this Act on Perſons acting as Pilots without a Licence or Warrant.

Prices for piloting Britiſh Ships.

XIV. And, for preventing any exorbitant Demands by any Pilot ſo to be licenſed as aforeſaid for the conducting or piloting of any Ship or Veſſel into or out of the ſaid Port of *Liverpool*, be it enacted, That no greater Rates or Prices ſhall be demanded or taken by ſuch Pilot than what is and are hereinafter mentioned; (that is to ſay,) For piloting or conducting any Ship or Veſſel belonging to His Majeſty's Subjects into the ſaid Port of *Liverpool*, not leſs than Six Shillings nor more than Nine Shillings for every Foot of Water ſuch Ship or Veſſel ſhall draw, and ſo in Proportion for every Half Foot of Water ſuch Ship or Veſſel ſhall draw; and for piloting or conducting any ſuch Ship or Veſſel out of the ſaid Port, not leſs than Three Shillings and not more than Five Shillings for every Foot of Water ſuch Ship or Veſſel ſhall draw, and ſo in Proportion for every Half Foot of Water ſuch Ship or Veſſel ſhall draw; but no Allowance ſhall be made for any Draught of Water above or under Half a Foot.

XV. Provided always, That in caſe any ſuch Ship or Veſſel bound to the ſaid Port of *Liverpool* ſhall not be piloted or conducted by One of the Pilots ſo to be licenſed as aforeſaid, from the Diſtance of the *Great Ormſhead* on the Coaſt of *Wales*, then not leſs than Five Shillings nor more than Eight Shillings *per* Foot for every Foot of Water ſuch Ship or Veſſel ſhall draw, ſhall be demanded or paid for ſuch Pilotage, and ſo in Proportion for every Half Foot of Water which ſuch Ship or Veſſel ſhall draw in each of the Caſes aforeſaid, but no Allowance ſhall be made for any Draught of Water above or under Half a Foot. Leſs Prices if Veſſels are not piloted from the Diſtance of the *Great Ormſhead*.

XVI. Provided alſo, That every Maſter or other Perſon having the Command of any Ship or Veſſel in the Coaſting Trade, including ſuch as trade to or from *Ireland*, the Iſlands of *Faro* or *Fero*, *Guernſey*, *Jerſey*, *Alderney*, *Sark* and *Man*, which ſhall be conducted or piloted into or out of the ſaid Port, ſhall pay or cauſe to be paid One-half only of the ſaid reſpective Rates or Prices for ſuch reſpective Pilotage. Veſſels in the Coaſting Trade to pay only One-half of the Prices.

XVII. Provided alſo, That no Ship or Veſſel whatſoever ſhall be deemed or taken or conſtrued to be a Coaſting Veſſel, for the Purpoſes of this Act, which ſhall not ſail from the Port of *Liverpool* on a Coaſting Voyage, or which ſhall not have been, previous to any Exemption from the Rates impoſed by this Act on Ships in the Foreign Trade being claimed, really and *bonâ fide* employed in the Coaſting Trade for Six Months. What Veſſels ſhall be deemed to be in the Coaſting Trade.

XVIII. Provided alſo, That no Maſter or Commander of any Ship or Veſſel whatſoever, including ſuch as trade to or from *Ireland*, the Iſlands of *Faro* or *Fero*, *Guernſey*, *Jerſey*, *Alderney*, *Sark* and *Man*, whether Coaſtwiſe or otherwiſe, or of any Ship or Veſſel of any other Deſcription which ſhall be conducted or piloted into or out of the ſaid Port of *Liverpool* by any of the Pilots ſo to be licenſed as aforeſaid, ſhall pay any leſs Sum for ſuch Pilotage than for Eight Feet Draught of Water, according to the Rates hereby directed to be paid for ſuch Ships or Veſſels; but if ſuch Ships or Veſſels ſhall draw more than Eight Feet Draught of Water, the Overplus ſhall be paid for and according to the Rates aforeſaid. Veſſels not to pay for leſs than Eight Feet Draught of Water.

XIX. And whereas it is expedient that Ships or Veſſels belonging to Aliens frequenting the Port of *Liverpool* ſhould be charged with higher Rates than the before-mentioned Rates of Pilotage; be it therefore enacted, That the following and no greater Rates or Prices for the piloting or conducting of any Alien Ship or Veſſel into or out of the ſaid Port ſhall be demanded or taken; (that is to ſay,) For piloting or conducting any ſuch Ship or Veſſel into the ſaid Port, not leſs than Nine Shillings nor more than Twelve Shillings for every Foot of Water ſuch Ship or Veſſel ſhall draw, and ſo in Proportion for every Half Foot of Water in the Caſes aforeſaid, but no Allowance whatever ſhall be made for any Draught of Water above or under Half a Foot; and for piloting or conducting any ſuch Alien Ship or Veſſel out of the ſaid Port of *Liverpool*, not leſs than Six Shillings nor more than Eight Shillings for every Foot of Water ſuch Alien Ship or Veſſel ſhall draw, and ſo in Proportion for every Half Foot of Water, but no Allowance ſhall be made for any Draught of Water above or under Half a Foot. Prices for piloting Alien Ships.

Leſs Prices for piloting Alien Ships, if not piloted from the Diſtance of the *Great Ormſhead*.

XX. Provided always, That in caſe any Ship or Veſſel belonging to Aliens, bound to the Port of *Liverpool*, ſhall not be piloted or conducted by One of the Pilots ſo to be licenſed as aforeſaid, from the Diſtance of the *Great Ormſhead* on the Coaſt of *Wales*, then not leſs than Eight Shillings nor more than Eleven Shillings for every Foot of Water ſuch Ship or Veſſel ſhall draw, ſhall be demanded or paid for ſuch Pilotage, and ſo in Proportion for every Half Foot of Water in each of the Caſes aforeſaid, but no Allowance ſhall be made for any Draught of Water above or under Half a Foot.

Commiſſioners empowered to regulate the Prices of Pilotage.

XXI. And be it further enacted, That the ſaid Commiſſioners, or any Eight or more of them, being the major Part of the ſaid Commiſſioners at any of their Meetings ſo to be called and held as and for any of the Purpoſes herein-after mentioned, ſuch Purpoſe being expreſſed in the Notice for calling ſuch Meeting, ſhall have full Power and Authority, and they are hereby authorized and required, at their Diſcretion to vary and alter, fix and determine all ſuch Rates of Pilotage as aforeſaid, and alſo what ſhall be conſidered the different Seaſons of the Year, if the ſaid Commiſſioners ſhould herein-after determine to make a Difference of Rate according to the Seaſon of the Year, provided the Alterations of ſuchRates are not higher or lower than thoſe herein-before mentioned.

Only One-half the Pilotage to be paid from certain Diſtances.

XXII. And be it further enacted, That if any Ship or Veſſel inward-bound, not having met with a Pilot licenſed as aforeſaid before the Houſe, at preſent being the only Houſe on *Great Helbro* Iſland, ſhall bear South-South-Weſt by the Compaſs, or ſhall be piloted from the Road of *Hoylake* only, no more than One-half of the Rates or Prices for piloting ſuch Ship or Veſſel inward-bound from any Point ſhort of the Diſtance of the *Great Ormſhead* on the Coaſt of *Wales*, hereby directed to be taken, ſhall be demanded by or paid to ſuch Pilot who ſhall conduct or pilot ſuch Ship or Veſſel from ſuch reſpective Diſtance into the ſaid Port of *Liverpool*.

Committee in certain Caſes to ſettle the Pilotage.

XXIII. Provided always, That if none of the Pilots ſo to be licenſed as aforeſaid ſhall board or offer his or their Service or Services before ſuch Ship or Veſſel ſhall have paſſed the *Brazil* Buoy in the *Rock* Channel, or the *Middle Patch* Buoy in *Formby* Channel, that then the Pilotage for conducting ſuch Ship or Veſſel into the Port of *Liverpool* ſhall be fixed at the Diſcretion of the Committee at their next Meeting.

Maſters of Veſſels inward-bound refuſing to take Pilots who offer, to be liable to full Pilotage.

XXIV. And be it further enacted, That in caſe the Maſter or Commander of any Ship or Veſſel inward-bound ſhall refuſe to take on board and employ a Pilot ſo to be licenſed as aforeſaid who ſhall offer his Service, (except ſuch as ſhall be in Ballaſt in the Coaſting Trade, or be under the Burden of One Hundred Tons, for which Proviſion is herein-after made,) ſuch Maſter or Commander ſhall pay or cauſe to be paid to the Pilot who firſt or who only ſhall offer his Service as aforeſaid, and ſhall be ſo refuſed, the full Pilotage according to the different Rates and Prices herein-before directed to be paid, as if the ſaid Pilot had been received and employed in conducting or piloting ſuch Ship or Veſſel into the ſaid Port of *Liverpool*.

XXV. Pro-

Pilots leading the Way in any Veſſel, to be entitled to Pilotage.

XXV. Provided always, and be it enacted, That in caſe any Ship or Veſſel ſhall be in Want of a Pilot, and none can be procured, and there ſhall be any Pilot on board any other Ship or Veſſel going into or coming out of the Port of *Liverpool*, ſuch Pilot on board any ſuch other Ship or Veſſel may lead the Way for and conduct the Ship or Veſſel ſo in Want of a Pilot either into or out of the ſaid Port; and the Maſter or Commander of every ſuch Ship or Veſſel which ſhall be ſo piloted or conducted into or out of the ſaid Port by any Pilot leading the Way in ſuch other Ship or Veſſel ſhall and is hereby declared to be ſubject and liable to the ſame Rates of and for Pilotage as if the Pilot had actually been on board of ſuch Ship or Veſſel, and piloted or conducted the ſame into or out of the ſaid Port; and ſuch Pilotage ſo to be received ſhall be applied to the Stock of the Boat to which ſuch Pilot ſhall belong.

Reward for Pilots aſſiſting Ships in Diſtreſs to be ſettled by the Committee.

XXVI. Provided alſo, and it is hereby further enacted, That in caſe any Ship or Veſſel ſhall be met with in Diſtreſs by any Pilot or Pilots ſo to be licenſed as aforeſaid, and ſhall ſtand in Need of any extraordinary Aſſiſtance of the Crew or Boat, that then the Compenſation to be made ſhall be ſettled and determined upon, according to the Circumſtances of the Caſe, by the Committee aforeſaid at their next Meeting; and that if any Agreement or Agreements for ſuch extraordinary Aſſiſtance ſhall at any Time be made by the Pilot or Pilots, ſuch Agreement or Agreements ſhall be null and void.

Pilots refuſing to conduct Ships, or aſſiſt Ships in Diſtreſs, to forfeit 10*l.* and loſe their Licence.

XXVII. And it is hereby further enacted, That if any ſuch Pilot ſo to be licenſed as aforeſaid, after being perſonally required, or after a proper Signal ſhall be made by the Maſter or Commander of any ſuch inward-bound Ship or Veſſel, ſhall refuſe to take the Charge of ſuch Ship or Veſſel, or, in caſe ſuch Ship or Veſſel cannot be boarded without imminent Danger, ſhall refuſe to lead the Way with his Boat, or ſhall refuſe ſuch extraordinary Aſſiſtance as aforeſaid to any Ship or Veſſel in Diſtreſs, ſuch Pilot ſhall for each and every ſuch Offence forfeit any Sum not exceeding Ten Pounds, and ſhall and may be deprived of his Licence or Warrant, at the Diſcretion of the Committee ſo to be appointed as aforeſaid.

Compenſation to be made to Pilots for taking Veſſels out of Port which have been forced back.

XXVIII. And whereas it ſometimes happens that Ships or Veſſels outward-bound from the ſaid Port are forced back by Storm or otherwiſe, before ſuch Pilots have left and parted with ſuch Ships and Veſſels; and whereas in ſuch Caſe it is expedient that ſuch Pilots ſhould have reaſonable Compenſation made to them, over and above all other Rates of Pilotage by this Act impoſed; be it therefore further enacted, That the ſaid Committee, or any Five or more of them, at any of their Meetings, ſhall have full Power and Authority to fix and determine ſuch Compenſation as aforeſaid, provided that ſuch Compenſation ſhall not in any Caſe exceed a Moiety of the Rates to which ſuch outward-bound Ships or Veſſels would have been liable to pay in caſe ſuch Ships or Veſſels had not been forced back as aforeſaid.

Ships forced back after parting with the Pilot, and piloted out

XXIX. And be it further enacted, That in caſe any Ship or Veſſel which hath been piloted or conducted by any of the Pilots ſo to be licenſed as aforeſaid out of the ſaid Port of *Liverpool*, ſhall afterwards be forced back by Storm or otherwiſe, after having, by the Conſent of

again from *Hoylake*, to pay One-half the Prices.

the Maſter or Commander of ſuch Ship or Veſſel, parted with ſuch Pilot, and ſhall be conducted by ſuch Maſter or Commander into the Road of *Hoylake*, and ſuch Maſter or Commander ſhall afterwards employ any of the Pilots ſo to be licenſed as aforeſaid to conduct ſuch Ship or Veſſel out of the ſaid Road of *Hoylake* to Sea, then One-half of the full Sum ſhall be paid for ſuch Pilotage as is hereby directed to be taken for Pilotage outward, according to the Rates to be fixed by the Commiſſioners as herein-before mentioned.

Diſtances to which Veſſels are to be piloted.

XXX. And it is hereby further enacted, That every Pilot ſo to be licenſed as aforeſaid, who ſhall take upon himſelf the Charge of any Ship or Veſſel ſailing out of the Port of *Liverpool* through *Formby* Channel, ſhall and is hereby required to conduct or pilot ſuch Ship or Veſſel ſo far to the Weſtward as the Buoy commonly called or known by the Name of the *North-Weſt Buoy*; and if ſuch Ship or Veſſel ſhall be piloted out of the ſaid Port through the *Rock* Channel, ſuch Pilot ſhall and is hereby required to pilot and conduct ſuch Ship or Veſſel ſo far to the Weſtward as the North-Weſt Buoy of *Hoyle*, if the Captain or other Perſon having the Charge or Command of ſuch Ship or Veſſel ſhall require it, before ſuch Pilot ſhall part with any ſuch Ship or Veſſel; and upon Refuſal in either Caſe ſuch Pilot ſhall not be entitled to any of the Rates or Prices hereby directed to be paid for Pilotage, and ſhall and may be deprived of his Licence or Warrant at the Diſcretion of the Committee appointed as aforeſaid.

Places to which Veſſels are to be piloted inwards.

XXXI. And be it further enacted, That every Pilot ſo to be licenſed as aforeſaid, who ſhall pilot or conduct any Ship or Veſſel into the ſaid Port of *Liverpool*, ſhall and is hereby required to take care (if Need be) to cauſe ſuch Ship or Veſſel to be properly moored at Anchor in the River *Merſey*, and afterwards to conduct ſuch Ship or Veſſel into one of the Wet Docks within the ſaid Port, without being paid any other Rate or Price than is hereby directed to be taken for the piloting or conducting ſuch Ship or Veſſel into the ſaid Port of *Liverpool*; but in caſe ſuch Attendance ſhall be required during ſuch Ship or Veſſel being at Anchor in the River *Merſey*, and before ſhe is docked, Five Shillings *per* Day ſhall be paid as herein-after provided.

Maſters in the Coaſting Trade in Ballaſt, or under 100 Tons, may pilot their own Veſſels.

XXXII. Provided always, That this Act ſhall not extend to prevent or hinder the Maſter or other Perſons having the Command of any Ship or Veſſel in Ballaſt in the Coaſting Trade, or any Ship or Veſſel being under the Burden of One Hundred Tons, by the Certificate of Regiſtry in the Coaſting Trade, from conducting or piloting his ſaid Ship or Veſſel into or out of the ſaid Port of *Liverpool*, nor to hinder any Perſon or Perſons from aſſiſting any Ship or Veſſel in Diſtreſs, nor to ſubject any ſuch Perſon or Perſons to any of the Penalties of this Act, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Every Maſter to give the Pilot a true Account of the Draught of Water of his Ship, and

XXXIII. And be it further enacted, That the Maſter or Commander of every Ship or Veſſel ſo to be piloted or conducted into or out of the Port of *Liverpool* ſhall, and is hereby required to declare and give a true Account, to the Pilot employed in conducting or piloting ſuch Ship or Veſſel, of the Draught of Water ſuch Ship or Veſſel ſhall draw; and in caſe the Pilot ſo employed ſhall ſuſpect the Truth of ſuch Declaration,

claration, ſuch Pilot is hereby authorized to admeaſure, or cauſe ſuch Ship or Veſſel to be admeaſured, in order to find the true Draught of Water ſuch Ship or Veſſel ſhall then draw; and if on ſuch Admeaſurement it ſhall appear that ſuch Maſter or Commander gave a falſe Account wilfully and fraudulently, ſuch Maſter or Commander ſhall not only forfeit a Sum equal to double the Amount of Pilotage, according to the Rate or Rates aforeſaid, but alſo all the Expences of the Admeaſurement as aforeſaid, and be ſubject to a Fine at the Diſcretion of the Committee, in any Sum not exceeding Ten Pounds nor leſs than Two Pounds, together with all Expences incurred in the Recovery thereof. the Pilot authorized to admeaſure.

XXXIV. And be it further enacted, That if the Owner, Maſter, or Commander of any Ship or Veſſel ſhall require the Attendance of a Pilot, licenſed as aforeſaid, on board any Ship or Veſſel during her Riding at Anchor, or being at *Hoylake*, or in the River *Merſey*, ſuch Pilot ſhall attend ſuch Ship or Veſſel, and be paid for every Day he ſhall ſo attend Five Shillings and no more. Pilot attending a Veſſel to have 5 *s.* per Day.

XXXV. Provided always, That in caſe ſuch Pilot ſhall not be employed the whole Day, but be diſmiſſed in leſs Time than a Day, ſuch Pilot ſhall be paid Five Shillings for his Attendance. Not to be paid for leſs than a Day.

XXXVI. Provided alſo, That the Pilots ſo to be licenſed as aforeſaid, who ſhall have the Charge of any Ship or Veſſel, ſhall be paid for every Day of their Attendance whilſt in the River, except the Day of going to Sea with ſuch Ships or Veſſels as ſhall be outward-bound, and the Day of returning from Sea, and the Day of Docking, for ſuch as ſhall be inward-bound. Pilots to be paid for every Day except the Day of going to Sea, &c.

XXXVII. And be it further enacted, That in caſe the Maſter or Commander of any Ship or Veſſel outward-bound, except ſuch as ſhall be in Ballaſt in the Coaſting Trade, or be under the Burden of One Hundred Tons, for which Proviſion is hereinbefore made, and who ſhall proceed to Sea, and ſhall refuſe to take on board and employ a Pilot ſo to be licenſed as aforeſaid, ſuch Maſter or Commander, Agent or Conſignee, of ſuch Ship or Veſſel, ſhall pay or cauſe to be paid to the Pilot who firſt or who only ſhall offer his Service as aforeſaid, and ſhall be ſo refuſed, the full Pilotage, according to the different Rates and Prices hereinbefore directed to be paid, in like Manner as if the ſaid Pilot had been received and employed in conducting or piloting ſuch Ship or Veſſel into or out of the ſaid Port of *Liverpool*, together with all Expences to be incurred in the Recovery of the ſame. Maſters outward-bound refuſing to take Pilots to be liable to full Pilotage.

XXXVIII. And be it further enacted, That all and every Perſon or Perſons taking, or appearing to take, upon himſelf or themſelves the Charge, Agency, or Conſignment of any Ship or Ships, Veſſel or Veſſels, ſo charged or chargeable with the ſaid reſpective Rates for Pilotage and extra Attendances outward-bound, ſhall be accountable to ſuch Pilot or Pilots for ſuch Rates of Pilotage as ſhall be ſo due for ſuch Pilotage outward, according to the Rates or Price aforeſaid; and the ſame ſhall and may be levied by Diſtreſs and Sale in Manner hereinafter mentioned, of any of the Goods, Merchandizes, and Effects of the ſaid Perſon or Perſons ſo taking upon himſelf or themſelves the Charge, Perſons liable to Pilotage.

Agency, or Conſignment of ſuch Ship or Ships, Veſſel or Veſſels, after the Expiration of Three Days from the Day on which ſuch Pilotage ſhall have been demanded.

On Non-payment of Rate, Committee may diſtrain.

XXXIX. And be it further enacted, That in caſe any Owner or Maſter, Agent or Conſignee, or any other Perſon or Perſons having or taking upon himſelf, or appearing to have or take, the Command, Agency, or Conſignment of any Ship or Ships, Veſſel or Veſſels, charged or chargeable with the ſaid reſpective Rates or Prices for Pilotage and extra Attendances, ſhall refuſe to pay the ſame, then it ſhall be lawful to and for the Committee ſo to be appointed as aforeſaid, or any Five or more of them, or any other Perſon or Perſons to be by them, or any Five or more of them, for that Purpoſe appointed, and preferable to and notwithſtanding any other Right whatſoever claimable by or due to any Perſon or Perſons whomſoever, to ſeize, take, and diſtrain any of the Goods, Merchandizes, Effects, Guns, Tackle, Ammunition, Furniture, and Apparel of or belonging to any ſuch Ship or Veſſel, and the ſame to detain and keep until the Sum or Sums of Money due for piloting or conducting ſuch Ship or Veſſel into or out of the ſaid Port of *Liverpool*, according to the ſaid Rates or Prices, ſhall be paid and ſatisfied; and in caſe of any Neglect, Refuſal, or Delay in Payment of ſuch Sum or Sums of Money for Three Days next after ſuch ſeizing, taking, or diſtraining, then it ſhall be lawful to and for the ſaid Committee appointed as aforeſaid, or any Five or more of them, or ſuch other Perſon or Perſons as they ſhall authorize and appoint, to cauſe the ſame to be appraiſed by any Two ſufficient Perſons or ſworn Appraiſers of the ſaid Borough and Town of *Liverpool*, and afterwards to ſell and diſpoſe of the Goods ſo taken and appraiſed, and thereout to ſatisfy the ſaid Rates or Prices for Pilotage unpaid, together with all reaſonable Charges of ſuch taking, ſeizing, diſtraining, appraiſing, and ſelling the ſame, and alſo the Charge of any extra Attendances to the Pilot or Pilots entitled thereto, rendering the Overplus thereof (if any) to the Maſters or Owners, Agents or Conſignees, of ſuch Ships or Veſſels reſpectively upon Demand.

Penalty on Maſters forcibly taking away Pilots.

XL. And whereas it has ſometimes happened that Pilots have been forcibly carried to Sea beyond the Limits for Pilotage herein preſcribed, to the great Detriment and Inconvenience of the Public by the Want of ſuch Pilots ſo carried away, as well as to the great Loſs of ſuch Pilots themſelves; Be it therefore enacted, That any Maſter of a Ship or Veſſel ſo forcibly carrying away any ſuch Pilot as aforeſaid ſhall forfeit and pay any Sum not exceeding Twenty Pounds nor leſs than Five Pounds, at the Diſcretion of the ſaid Committee, and the Owner, Agent, or Conſignee as aforeſaid ſhall be liable to make ſuch reaſonable Compenſation to ſuch Pilot or Pilots according to the Diſcretion of the Committee, which Penalty or Penalties, Compenſation or Compenſations, ſhall be levied and recovered in ſuch Manner and Form as is herein preſcribed for the Recovery of the Rates of Pilotage.

Majority of Pilots may have a joint Stock.

XLI. And be it further enacted, That if at any Time or Times hereafter a Majority of licenſed Pilots, of and belonging to the ſaid Port of *Liverpool*, ſhall conſent and agree to have a joint Stock of all their Earnings for the Benefit of the Whole, then it ſhall be lawful for them ſo to do, provided ſuch Conſent and Agreement be made or expreſſed in Writing

under the Hands and Seals of such Majority as aforesaid, and be made by and with the Approbation and Consent of the Committee so to be appointed as aforesaid, and shall continue in Force so long as it shall meet the Approbation of the said Committee, under such Regulations and Restrictions as the said Committee shall think proper.

Committee to keep an Account of Money received for Licences and other Disbursements.

XLII. And be it further enacted, That the said Committee shall, at their First Meeting after the Twenty-fourth Day of *June* in every Year, appoint One of their Members for their Chairman, and shall also keep or cause to be kept and entered in proper Books, Minutes of their Proceedings; and shall also at such Meeting appoint One other of their Members to be Treasurer, who shall keep fair, just, and true Accounts of all the Money which shall be received for the granting such Licences or Warrants as aforesaid, and also of all Fines, Penalties, and Forfeitures which shall be incurred under this Act, as also of such Money as shall be expended by him in pursuance of any Order or Orders of such Committee; all which Books of Accounts and other Proceedings shall be open at all convenient Hours of Business to the Inspection of all Persons who shall be Licensed Pilots, and also to the Commissioners who are hereby or who shall hereafter be appointed by virtue of this Act.

Sums to be applied to poor or disabled Pilots, &c.

XLIII. And be it further enacted, That the Treasurer so to be appointed as aforesaid shall keep a separate Account of all Sum and Sums of Money to be by him received for the Fines, Penalties, and Forfeitures incurred under this Act, the Amount whereof shall be faithfully applied and paid by him, under the Direction of the said Committee, for the Relief of poor or disabled Pilots, their Widows and Children; and also that such Treasurer shall keep One other separate Account of all Sum and Sums of Money by him received for granting of such Licences or Warrants as aforesaid, and also of the Money which shall be by him expended in pursuance of this Act; and whatsoever Sum or Sums of Money shall, upon such Adjustment or Settlement of such last-mentioned Account so signed as aforesaid, appear to remain in the Hands of such Treasurer, shall, immediately after such Adjustment, be applied in Manner following; (that is to say,) One-third under the Direction of the Committee, for the rewarding of such meritorious Licensed Pilots as are herein-after more particularly mentioned, and the remaining Two-thirds to be immediately paid to such Person or Persons, and applied in such Manner, as the major Part of such Licensed Pilots as aforesaid shall by any Writing under their Hand or Hands direct and appoint.

Rewards to be paid to meritorious Pilots.

XLIV. And be it further enacted, That in order further to enable the said Committee to reward meritorious Pilots, whether Masters or other Licensed Pilots, for long and faithful Services, the Collector or Collectors, Receiver or Receivers for the Time being, of the Rates and Pilotage hereinbefore mentioned, are hereby authorized and required to pay One Pound *per Centum* out of the gross Earnings or total Amount of the Rates of Pilotage of the several Pilot Boats, their Masters and Crews respectively, now or hereafter to be employed, into the Hands of the Treasurer of the said Committee, such One Pound *per Centum* to be from Time to Time, together with One-third of the Licence Money before mentioned, paid and applied by the said Treasurer, under the Direction of the said Committee, for the rewarding and encouraging such Licensed Pilots as shall be by such Committee deemed more deserving

ſerving than the reſt, Regard being had as to the Conduct of any Licenſed Journeymen and Apprentices, upon the Recommendation of their Maſters reſpectively.

Accounts to be kept of the Money ariſing and expended.

XLV. And be it further enacted, That the Treaſurer for the Time being ſhall alſo keep One other ſeparate Account of the Money ariſing from the before-mentioned *per Centage*, and of the Expenditure of the ſame under the Directions of the Committee as aforeſaid; and that when the Sum or Sums of Money ariſing from any or all of the Receipts hereinbefore mentioned ſhall amount to Fifty Pounds, that then every ſuch Sum or Sums of Money ſhall be forthwith depoſited in any *Liverpool* Bank or Banks, or other Place of Security, under the Directions of the ſaid Committee, in Truſt for the ſeveral Purpoſes hereinbefore mentioned.

Accounts to be audited by the Mayor and Two of the Common Councilmen.

XLVI. And be it further enacted, That it ſhall and may be lawful to and for the Mayor or Deputy Mayor and Two of the Common Councilmen of the ſaid Borough and Corporation, and they are hereby required, once in every Year after the paſſing of this Act, to audit and adjuſt the Account of all the Receipts and Diſburſements received or expended in conſequence thereof; and ſuch Adjuſtment or Settlement, after the ſame ſhall have been ſigned by the ſaid Mayor or Deputy Mayor and Two of the ſaid Common Councilmen, ſhall be binding and concluſive upon all Parties either directly or indirectly intereſted or concerned.

Committee empowered to claſs Pilots.

XLVII. And be it further enacted, That it ſhall be lawful to and for the ſaid Committee for the Time being to claſs ſuch Licenſed Pilots in ſuch Order or Orders, Degree or Degrees, and under ſuch Reſtriction or Reſtrictions, Regulation or Regulations, as they in their Diſcretion ſhall think fit more particularly for the greater Safety and Preſervation of Ships and Veſſels of a large Draught of Water.

Pilots not to keep Public Houſes.

XLVIII. And be it further enacted, That no Pilot or Pilots ſo to be licenſed as aforeſaid ſhall on any Account whatſoever be permitted or ſuffered to keep a Tavern, Public Houſe, or other Houſe, as a Dealer in or Retailer of Wines or Liquors of any Kind within the Town and Port of *Liverpool*, without firſt having obtained the Conſent of the ſaid Committee for that Purpoſe.

Committee empowered to make Bye-Laws,

XLIX. And be it further enacted, That it ſhall and may be lawful to and for the ſeveral Perſons ſo to be appointed of the Committee as aforeſaid, or any Five or more of them, at any Time or Times hereafter, to make, ordain, and eſtabliſh Orders, Rules, and Bye-Laws for the better Government and Regulation of the Pilots appointed or licenſed as aforeſaid; and alſo from Time to Time, as Occaſion may require, to repeal, add to, amend, or alter ſuch Rules, Orders, and Bye-Laws as to them ſhall ſeem meet and convenient, and to make, ordain, and eſtabliſh other Orders, Rules, and Bye-Laws in Lieu of ſuch as ſhall be repealed, added to, amended, or altered, and to fix and appoint reaſonable pecuniary Penalties, not exceeding Five Pounds for the Non-obſervance, Non-performance, or other Breach of all or any ſuch Rules, Orders, or Bye-Laws, or any Part of them, to be recovered by ſuch Ways and Means as are hereinafter directed: And it ſhall be lawful to and for the ſeveral Perſons ſo to be appointed of the Committee as aforeſaid, or any Five

or more of them, to ſuſpend or deprive of the Uſe of his Licence, any Pilot for breaking ſuch Rules, Orders, or Bye-Laws, or omitting any Thing required by the ſame, or for acting in anywiſe contrary to ſuch Rules, Orders, or Bye-Laws; and if any Pilot ſo ſuſpended or deprived of the Uſe of his Licence, during the Time of ſuch Suſpenſion or Deprivation, ſhall take upon himſelf to pilot or conduct any Ship or Veſſel into or out of the ſaid Port of *Liverpool*, ſuch Pilot ſhall be liable to all ſuch Pains and Penalties as are provided by this Act againſt ſuch Perſon as ſhall pilot and conduct Ships or Veſſels into or out of the ſaid Port of *Liverpool*, without being firſt licenſed by the ſaid Committee, or any Five or more of them.

which ſhall be printed,

L. And be it further enacted, That the ſaid Committee, or any Five or more of them, ſhall cauſe the ſaid Rules, Orders, and Bye-Laws, as alſo a Liſt of the Pilots ſo to be licenſed as aforeſaid, to be from Time to Time printed and diſtributed, and likewiſe hung up at the Dock Office in *Liverpool*, and in the moſt conſpicuous Place at the Cuſtom Houſe, and to pay the Expences thereof out of the Money to ariſe by the granting ſuch Licences or Warrants.

but not to be repugnant to the Laws of the Realm, &c.

LI. Provided always, That the ſaid Rules, Orders, and Bye-Laws, or any of them, ſhall not be contrary or repugnant to the Laws, Statutes, or Cuſtoms of the Realm of *Great Britain*, nor prejudicial nor derogatory to any Right, Authority, or Juriſdiction belonging to the Office of the Lord High Admiral of *Great Britain*, or to the Powers, Proviſions, or Authorities heretofore made, given, or created.

Not to extend to the Corporation of the *Trinity Houſes* of *Deptford Strond*, *Dover*, *Deal*, or the Iſle of *Thanet*,

LII. Provided alſo, That nothing in this Act ſhall extend to the taking away, abridging, defeating, impeaching, or interrupting of any Grants, Liberties, Franchiſes, Powers, Authorities, or Immunities, granted, given, and allowed by any Act of Parliament, Grant, or Charter to the Maſter, Wardens, and Aſſiſtants of the Guild, Fraternity, or Brotherhood of the Moſt Glorious and Undivided *Trinity*, and of *Saint Clement* in the Pariſh of *Deptford Strond* in the County of *Kent*, or to the Society and Fellowſhip of the Maſter, Wardens, and Pilots of the *Trinity Houſe* of *Dover*, *Deal*, and the Iſle of *Thanet*.

Hull, or *Newcaſtle*,

LIII. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, abridge, defeat, impeach, or interrupt any Grants, Liberties, Franchiſes, and Privileges heretofore granted to, or which by any ancient Uſage and Cuſtom have from Time to Time been enjoyed and uſed by, the Pilots of the *Trinity Houſe* of the Town of *Kingſton upon Hull*, or the *Trinity Houſe* of *Newcaſtle-upon-Tyne*; or to take away, alter, abridge, leſſen, change, or interrupt any Juriſdiction or Power of the Mayor, Aldermen, Bailiffs, and Common Council of the Borough and Corporation of *Liverpool*, in, about, or concerning the Docks and Harbour of *Liverpool*, as ſettled and veſted in them by any Act or Acts of Parliament, or to prejudice or take away any Right, Property, or Juriſdiction of the Mayor, or of the Mayor, Bailiffs, and Burgeſſes of the ſaid Borough and Corporation.

nor to prejudice the Corporation of *Liverpool*.

Juſtices may determine Offences.

LIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor or his Deputy for the Time being, or any Juſtice

Juſtice or Juſtices of the Peace for the ſaid Town and Borough of *Liverpool*, to hear and determine any of the Offences which are made ſubject to and puniſhable by any pecuniary Penalties directed to be inflicted by this Act; and ſuch Mayor, Deputy Mayor, Juſtice or Juſtices of the Peace, is and are hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf, within Two Months after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on both Sides, or if ſuch Information or Complaint ſhall be verified upon Oath by One or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party or Parties ſo offending, and upon the Appearance or Contempt of the Party ſo accuſed in not appearing, upon Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes upon Oath, and to give ſuch Sentence, Judgement, or Determination as ſhall be juſt and conformable to the Tenor and true Meaning of this Act; and where the Party accuſed ſhall be convicted of ſuch Offence upon ſuch Information as aforeſaid or Confeſſion of the Party accuſed, it ſhall and may be lawful to and for ſuch Mayor or his Deputy, Juſtice or Juſtices, and he and they is and are hereby required to iſſue his or their Warrant or Warrants for levying the pecuniary Penalties and Forfeitures ſo adjudged to be incurred, by Diſtreſs or Diſtreſſes of the Goods and Chattels of the Offender or Offenders, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in Five Days, rendering to the Party offending (after Payment of the ſaid Penalties, and all the Coſts of the Conviction, Diſtreſs, and Sale) the Overplus, if any there be; and in caſe any Perſon or Perſons ſhall be convicted in purſuance of this Act of any Offence puniſhable by pecuniary Penalties as aforeſaid, and no Goods or Chattels of any Perſon ſo offending can at the Time of ſuch Conviction be found, then it ſhall be lawful to and for ſuch Mayor or his Deputy, or ſuch Juſtice or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be convicted as aforeſaid, to commit ſuch Offender or Offenders to the Houſe of Correction or Common Gaol in the ſaid Town of *Liverpool*, there to be kept to hard Labour for any Time not exceeding Three Months, or until ſuch pecuniary Penalties ſhall be paid; which ſaid pecuniary Penalties ſo adjudged and paid or levied in the Manner hereby directed, and for the Appropriation whereof no Proviſion is otherwiſe made, ſhall go and be paid One Moiety to the Uſe of the Informer, and the other Moiety to the Committee ſo to be appointed as aforeſaid for the Time being, to be by them, or any Five or more of them, applied and diſtributed in the Relief of ſuch poor Pilots licenſed as aforeſaid, or the Widows or Children of Perſons who were ſo licenſed at the Time of their Deaths, as by the ſaid Committee, or any Five or more of them, ſhall be thought meet and neceſſary.

Power to mitigate Penalties.

LV. Provided always, That it ſhall be lawful to and for the ſaid Mayor or Deputy Mayor, or Juſtice or Juſtices of the Peace as aforeſaid, for the Time being, by whom ſuch Judgement, Sentence, or Determination ſhall be given, from Time to Time where he or they ſhall ſee Cauſe, to mitigate, compound, or leſſen any of the pecuniary Penalties or Forfeitures aforeſaid as he or they in his or their Diſcretion ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above One Moiety of the Penalty inflicted by this Act; and every Payment of the Sum directed by ſuch Mitigation or Compoſition ſhall be a ſufficient

Diſcharge

Diſcharge for the Perſon or Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Perſons aggrieved may appeal to the Quarter Seſſions.

LVI. Provided alſo, That if any Perſon or Perſons ſhall find himſelf or themſelves aggrieved by or diſſatisfied with the Judgement of the ſaid Mayor, Deputy Mayor, or Juſtice or Juſtices, by reaſon of any Sentence, Judgement, or Decree given, pronounced, made, and recorded by them or any of them in purſuance of this Act, then ſuch Perſon or Perſons ſhall and may complain or appeal to the Juſtices of the Peace at the next Quarter Seſſions to be held for the ſaid Borough of *Liverpool*, or at any Adjournment thereof, or at the next Quarter Seſſions to be held at *Ormſkirk* or *Wigan* for the County Palatine of *Lancaſter*, at the Election of the Party aggrieved, who are hereby empowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the Matter of ſuch Complaint or Appeal, and in caſe of Conviction, to iſſue a Warrant or Warrants for the levying and enforcing the Payment of the ſaid Penalties and Forfeitures by the Ways and Means aforementioned, together with ſuch Coſts and Charges to the Party in whoſe Favour ſuch Appeal ſhall be determined, as the Juſtices in their ſaid Seſſions ſhall order and direct; which Order and Determination ſhall be final, concluſive, and binding unto all Parties, and ſhall not be removed or removeable by any Writ of *Certiorari*, or otherwiſe, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere.

Proceedings not to be quaſhed for Want of Form.

LVII. Provided nevertheleſs, That no Order or other Proceedings to be had or made by or before any Mayor, Deputy Mayor, Juſtice or Juſtices of the Peace, in relation to the Premiſes, ſhall be quaſhed or vacated for Want of Form only; and that it ſhall and may be ſufficient for ſuch Mayor, Deputy Mayor, Juſtice or Juſtices, to draw up the Conviction of any Offender againſt this Act in the following Form:

Form of Conviction.

County or Borough, to wit. } 'BE it remembered, That on the Day of in the Year of our Lord is (*or* are) convicted before of His Majeſty's Juſtices of the Peace for aforeſaid, for [*ſpecifying the Offence, Time, and Place when and where the ſame was committed, as the Caſe ſhall be*]. Given under Hand and Seal, (*or* Hands and Seals,) the Day and Year aforeſaid.'

Diſtreſs not to be deemed unlawful for Want of Form.

LVIII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, or the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe, provided that no Plaintiff or Plaintiffs ſhall recover in any Action or Actions for ſuch Irregularity, if ſufficient Tender

Tender of Amends hath been made to him, her, or them by or on Behalf of the Defendant or Defendants before such Action shall be brought.

Persons giving false Evidence to be deemed guilty of Perjury.

LIX. And be it further enacted, That every Person and Persons who, in any Examination upon Oath directed to be taken by this Act, shall wilfully give false Evidence, shall be prosecuted and indicted for the same; and such Person or Persons as shall be convicted thereof, shall be subject and liable to the same Punishments and Disqualifications which any Person may be subject or liable to for wilful and corrupt Perjury by the Laws and Statutes of this Realm; and if any Person summoned to give Evidence shall refuse to appear, or appearing, shall refuse to be sworn by or give Evidence before the Committee so to be appointed as aforesaid, or any Five or more of them, every Person so offending, unless in case of reasonable Excuse, to be allowed of by such Committee, or any Five or more of them, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds at the Discretion of the said Committee, or any Five or more of them; and that a Copy of this Clause shall be printed in large Letters, and stuck up in the Committee Room, and in the Cabin of each of the Pilot Boats.

Limitation of Actions.

LX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given to the Person or Persons against whom the same is to be brought; and every such Action or Suit shall be commenced within Six Months after the Cause of Action shall arise, and shall be laid and brought in the County Palatine of *Lancaster*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence on any Trial to be had thereupon, and that the Matter in question was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall be brought before or after the Time herein limited in that Behalf, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant shall have appeared, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs of Suit, upon Affidavit made, or the Certificate of the Judge or Judges before whom such Cause shall be tried, of all or any of the Circumstances before mentioned, as the Case may happen, and shall have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases of Law.

General Issue.

Treble Costs.

Publick Act.

LXI. And be it further enacted, That this Act shall be taken and allowed in all Courts of Judicature within this Kingdom as a Publick Act, and all Judges and Justices are hereby required to take notice thereof judicially as such, without specially pleading the same.

FINIS.