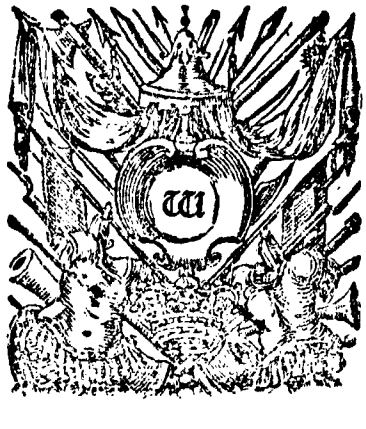
Anno ſexto

Georgii III. Regis.

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



WHEREAS the Entrance into the Port of Liverpool is very dangerous without a skilful Pilot, and many Ships and Lives have of late Years been loſt, owing to the Negligence and Ignorance of Perſons taking upon them to conduct Ships and Veſſels into and out of the ſaid Port; and the Prices of Pilotage there, are not at preſent ſettled by any Law or Charter: And whereas a proper Regulation of the Pilots at the ſaid Port, and the aſcertaining of their Rates or Prices, would tend greatly to promote and encourage Trade and Navigation, and be of publick Utility; but the ſame cannot take Effect and be carried into Execution without the Authority of Parliament; 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, Preamble.

Commissioners.

That the Mayor, Aldermen, Bailiffs, and Common Council Men of the Borough and Corporation of Liverpool aforesaid for the time being, together with John Atherton the younger, John Backhouse, Joseph Brooks, Thomas Brown, Thomas Case, George Campbell the younger, William Crosbie, Thomas Dunbar, John Dobson, William Haliday, Peter Holme, Arthur Heywood, Benjamin Heywood, Richard Hillary, Thomas Hodgson the elder, Robert Hesketh, Stephen Hayes, William Horner, Richard Kent, Charles Lowndes, Isaac Oldham, Thomas Rumbold, Richard Savage, Samuel Shaw, Thomas Smyth, Gil Slater, John Stronge, Thomas Staniforth, and John Walker, Merchants; Jonathan Brooks, Bryan Blundell, Thomas Birch, James Clemens, Edward Chaffers, William Dobb, George Drinkwater, John Gawith, Nehemiah Holland, William Hutchinson, John Kitching, Edmund Lyon, Thomas Leatherbarrow, Peter Lea, Thomas Midgley, John Nuns, Alexander Nottingham, Gilbert Rigby, William Rice, Richard Townshend, Joseph Taylor, John White, Joseph Wayles, Thomas Ward, and Samuel Woodward, Mariners, and late Commanders of Vessels; shall be, and they are hereby nominated, constituted, and appointed Commissioners for carrying this present Act into Execution, and for the Purposes herein after-mentioned and expressed; 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 may, and they are hereby authorized and required, within the Space of One Month from and after the passing of this Act, to meet in the Town Hall 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 choose Thirteen to be a Committee; and also a Clerk.

And be it further enacted by the Authority aforesaid, That at the said First or other subsequent Meetings, it shall and may be lawful for any Thirty one or more of the

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 Writinng 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 and may be lawful to and for ſuch Committee ſo to be appointed, or the major Part of them, to uſe and exerciſe the ſeveral Powers and Authorities veſted in them in and by this Act, for the Term or Time of Three Years, or until other Perſons ſhall be choſen in their Place by virtue and in purſuance of this Act; and all Inſtruments or Nominations of any Perſons 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.

Provided always, and it is hereby further enacted, That every Perſon to be appointed of the Committee in purſuance of this Act, ſhall, within Three Days next after ſuch Appointment, and Notice 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; or in Default thereof, ſuch Appointment ſhall be void and of none Effect.

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

And it is hereby further enacted, That in caſe any of the Perſons ſo to be appointed 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 of the ſaid Caſes, it ſhall and may 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 within the Exchange in Liverpool aforeſaid, for the Election of One or more Perſon or Perſons, as the Caſe ſhall require, to be 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 publick Place within the Exchange in Liverpool aforesaid, at least Seven Days before the Time of such Meeting; and it shall and may 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 of such Committee, in the Stead or Place of such of the said Person or Persons of such 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 thenceforth be of such Committee, to and for all the Purposes of this Act, and shall have the same Power and Authority in all Things relating to this Act, as if he or they had been originally chosen of such Committee: And every such Instrument or Nomination of such Person or Persons to be of the said Committee, shall from time to time be entered in a Book, to be kept by the Clerk of the said Committee for the time being.

Committee to be sworn.

Provided always, and be it further enacted, That every Person to be appointed of the Committee by virtue and in pursuance of this Act, at the Time of his subscribing the Instrument aforesaid, and before he or they shall act in or exercise any of the Powers or Authorities hereby given to him or them, 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,

The Oath.

I *A. B.* do swear, That I will impartially examine and enquire 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 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 of Parliament, made in the Sixth Year of the Reign of His Majesty King *George* the Third, 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 be it further enacted by the Authority aforesaid, That all and every Person and Persons, who in any Examination upon Oath directed to be taken by this Act, shall wilfully give false Evidence, shall and may 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 or Persons are or may be subject or liable to for wilful and corrupt Perjury by the Laws and Statutes of this Realm; and if any Person or Persons, summoned to give Evidence to the said Committee, shall neglect or 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 Seven or more of them; every Person so offending, having no reasonable Excuse, to be allowed of by such Committee, or any Seven 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 Seven or more of them. Penalty on Persons giving false Evidence, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all and every the Person and Persons who shall from time to time be appointed of the Committee in pursuance of this Act, or the major Part of them, and they are hereby authorized and required to examine and enquire into the Skill and Ability of all and every Person and Persons, 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 impowered 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 or Persons so offering him or themselves as a Pilot or Pilots within such Port, shall be approved of by the Committee so to be appointed as aforesaid, or the major Part 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 proper Hand-writing of Seven or more of such Committee, and from thenceforth such Person or Persons shall be deemed duly qualified to exercise and follow the Occupation or Business of a Pilot within the Port of Liverpool aforesaid. Committee to examine, and grant Licences to Pilots.

And

Pilots to pay for the First Licence 4*l.* 4*s.*

And it is hereby further enacted, That all and every Person and Persons who shall receive such Licence or Warrant as aforesaid, shall for the First Licence or Warrant so to be received pay to the Clerk of the said Committee, so to be appointed as aforesaid, the Sum of Four Pounds Four Shillings, and for every Licence or Warrant which shall be afterwards granted as aforesaid to any Person or Persons to whom a Licence or Warrant had before been granted as aforesaid, the Sum of Two Pounds Two Shillings for the Purposes of this Act, and shall be subject to the several Clauses and Regulations in this Act, and to such Orders, Rules, and Bye-laws as shall be made in pursuance and by virtue thereof; and no such Licence or Warrant, so to be granted as aforesaid, shall continue in Force for any longer Time than One Year from the Date of such Licence or Warrant.

afterwards 2*l.* 2*s.*

to be in Force for a Year.

Meetings of the Committee appointed.

And it is hereby further enacted, That the First Meeting of the several Person and Persons who shall be appointed of the Committee as aforesaid, or the major Part of them, in order to grant such Licences or Warrants as aforesaid, and for other necessary Business, shall be on the First Monday 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 Monday after the Twenty fourth Day of June in every subsequent Year, and at such other intermediate Time and Times, and at such Place as they, or any Seven of them, shall appoint, with or without Adjournments; 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 aforesaid, at least Three Days before.

Persons acting without a Licence to forfeit 10*l.*

And be it further enacted, That if any Person or Persons shall, from and after the Twenty fifth Day of July, One thousand seven hundred and sixty six, take upon him or themselves to conduct or pilot any Ship or Vessel, into or out of the said Port of Liverpool, before he or they shall have been first examined, approved, and admitted as a Pilot by the Committee so to be appointed as aforesaid, or the major Part 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 or Persons

shall, for every such Offence, forfeit the Sum of Ten Pounds.

Pilots misbehaving to have their Licences recalled; and if they act afterwards, punished.

And be it further enacted by the Authority aforesaid, That in case any such Pilot or Pilots, 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 Seven of them, that such Pilot or Pilots shall have misbehaved him or themselves in the Conduct of any Ship or Vessel, or in the Execution of any other Part of their Duty as Pilots; or if such Pilot or Pilots shall refuse to obey any Summons of such Committee, or the major Part of them, requiring his or their Appearance before the said Committee, or to obey such Orders as such Committee, or the major Part of them, shall make in the Premisses, or in any wise offend against this Act; then such Committee, or the major Part of them, upon Examination thereof, are hereby authorized and required to recall the Licence or Licences granted to such Pilot or Pilots, and to declare the same to be from thenceforth utterly void; and if any such Person or Persons so offending shall, after such Declaration and Notice thereof given to him or them in Person, or left at his or their usual Place of Abode, act as a Pilot in conducting Ships or Vessels into or out of the Port of Liverpool, he or they shall be subject to all the Penalties inflicted on Persons acting as unlicensed Pilots by this Act.

Prices of piloting *British* Ships.

And, for preventing any exorbitant Demands by any Pilot or Pilots so to be licensed as aforesaid, for the conducting or piloting any Ship or Vessel into or out of the said Port of Liverpool, be it enacted by the Authority aforesaid, That the following and no greater or other Rates or Prices shall be demanded or taken by such Pilot or Pilots than what is and are herein after-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 during the Winter Season, such Winter Season to begin and commence on the First Day of October, and end on the Thirty first Day of March yearly, both Days inclusive, the Sum of Seven Shillings a Foot for every Foot of Water such Ship or Vessel so to be piloted or conducted into the

Port of Liverpool shall then draw; and for piloting or conducting any such Ship or Vessel out of the said Port, during such Winter Season, the Sum of Four Shillings a Foot for every Foot of Water such Ship or Vessel, so to be piloted or conducted out of the said Port, shall then draw; and for piloting or conducting any such Ship or Vessel into the said Port during the Summer Season, such Summer Season to begin and commence on the First Day of April, and end on the Thirtieth Day of September yearly, both Days inclusive, the Sum of Five Shillings a Foot for every Foot of Water such Ship or Vessel so to be piloted or conducted into the said Port shall then draw; and for piloting or conducting any such Ship or Vessel out of the said Port during the like Summer Season, the Sum of Three Shillings a Foot for every Foot of Water such Ship or Vessel so to be piloted or conducted out of the said Port shall then draw; and so in Proportion for Half a Foot of Water, in all the Cases aforesaid; but no Allowance to be made for odd Inches above or under Half a Foot.

Less Prices, if not piloted from the Distance of the *Great Ormshead*.

Provided always, That in case any such Ship or Vessel, bound into the said Port of Liverpool, shall not be piloted or conducted by One of the Pilots so to be licensed as aforesaid from the Length or Distance of the Great Ormshead on the Coast of Wales; then, and in such Case, no more than Six Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw, shall be demanded or paid for such Pilotage during the said Winter Season; and Four Shillings a Foot, and no more, for every Foot of Water such Ship or Vessel shall then draw during the said Summer Season; and so in Proportion for Half a Foot of Water, in each of the Cases aforesaid; but no Allowance to be made for odd Inches above or under Half a Foot.

Vessels in the Coasting Trade to pay only One Half of the Prices.

Provided also, and it is hereby further enacted, 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, which shall be conducted or piloted into or out of the said Port by any of the Pilots so to be licensed as aforesaid, shall pay or cause to be paid One Half only, and no more, of the said respective Rates or Prices for such respective Pilotage, according to the said Season of the Year.

But not to pay for less than Eight Feet Draught of Water.

Provided also, That no Master or Commander of any Coasting Ship or Vessel, including such as trade to or from Ireland, which shall be conducted or piloted into or out of the said Port of Liverpool by any of the

Pilots

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 Coasting Ships or Vessels; but if such Coasting Ship or Vessel shall draw more than Eight Feet Draught of Water, the Overplus shall be paid for according to the Rates aforesaid.

Prices for alien Ships.

And whereas Ships or Vessels belonging to Aliens or the Subjects of foreign Nations frequenting the Port of Liverpool usually draw little Water in Proportion to their Burthen, be it therefore enacted by the Authority aforesaid, That the following and no greater Rates or Prices shall be demanded or taken for the piloting or conducting of any such alien Ship or Vessel into or out of the said Port; that is to say, For piloting or conducting any such Ship or Vessel into the said Port during the Winter Season (such Season to be computed as aforesaid) the Sum of Ten Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw; and for piloting or conducting any such Ship or Vessel out of the said Port during the said Winter Season, the Sum of Seven Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw; and for piloting or conducting any such Ship or Vessel into the said Port during the Summer Season (such Summer Season to be computed as aforesaid) the Sum of Eight Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw; and for piloting or conducting any such Ship or Vessel out of the said Port during the said Summer Season, the Sum of Five Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw; and so in Proportion for Half a Foot of Water, in any of the Cases aforesaid; but no Allowance to be made for odd Inches above or under Half a Foot.

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

Provided always, That in case any Ship or Vessel belonging to Aliens, or the Subjects of foreign Nations, bound into the Port of Liverpool, shall not be piloted or conducted by One of the Pilots so to be licensed as aforesaid from the Length or Distance of the Great Ormshead on the Coast of Wales, then and in such Case no more than Nine Shillings a Foot for every Foot of Water such Ship or Vessel shall then draw shall be demanded or paid for such Pilotage during the said Winter Season; and Seven Shillings a Foot, and no more, for every Foot of Water such Ship or Vessel shall then draw during the said Summer Season; and so in Proportion for Half a Foot of Water, in each of the Cases aforesaid; but

but no Allowance to be made for odd Inches above or under Half a Foot.

Pilots offering to inward bound Vessels, and refused, to be paid.

And be it further enacted by the Authority aforesaid, 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, 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 inwards, 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.

Ships not met with before having passed certain Buoys, no more than Half Price to be paid.

And be it further enacted by the Authority aforesaid, That if any Ship or Vessel inward bound, coming through Formby Channel, and not having met with a Pilot so to be licensed as aforesaid before such Ship or Vessel shall have passed the North East Buoy of Burbo Sand, or the Buoy of the Middle Patch, no more than One Half of the Rate or Price for piloting such Ship or Vessel inward, from any Point short of the Length or Distance of the Great Ormshead on the Coast of Wales aforesaid, hereby directed to be taken according to the said Season of the Year, shall be demanded by or paid to such Pilot who shall conduct or pilot such Ship or Vessel from such respective Length or Distance into the said Port of Liverpool.

If no Pilot shall offer before having passed *Crosbie Perch*, the Master may refuse.

Provided always, That if none of the Pilots so to be licensed as aforesaid shall be ready and offer his or their Service before such Ship or Vessel shall have passed the Perch on Crosbie Point, such Master or Commander may refuse to employ any of such Pilots at his Discretion.

If met with between either of the said Buoys and *Crosbie Perch*, to pay half Price to any Pilot offering,

Provided also, and it is hereby further enacted, That if any Master or Commander of any Ship or Vessel inward bound, who shall have conducted such Ship or Vessel to, or so far as either of the Buoys aforesaid, and before such Ship or Vessel shall have passed the Perch on Crosbie Point, shall refuse to take on Board and employ One of the Pilots so to be licensed as aforesaid, who shall have offered his Service, such Master or Commander shall pay or cause to be paid to such licensed Pilot, who first or who only shall have offered his Service as aforesaid, One Half of the Rate or Price for Pilotage inward, hereby directed to be taken according to the said Season of the Year, as if the same Pilot had actually been employed in conducting or piloting such Ship or

Veſſel into the ſaid Port of Liverpool, from any Point ſhort of the Length or Diſtance of the Great Ormſtead on the Coaſt of Wales aforeſaid.

and leading the Way with his Boat.

Provided always, That notwithſtanding ſuch Refuſal of the Maſter or Commander to take on Board and employ any ſuch Pilot in any of the Caſes aforeſaid, the Pilot ſo offering his Service ſhall and is hereby required to attend and lead the Way with his Boat for ſuch Ship or Veſſel to follow, until ſuch Ship or Veſſel ſhall be brought to an Anchor within the River Merſey, or into One of the Wet Docks or other Place of Diſcharge in Liverpool, as the Caſe ſhall happen, before ſuch Pilot ſhall be intitled to any of ſuch reſpective Rates or Prices for Pilotage as aforeſaid.

Pilots refuſing, after a Veſſel hath paſſed either of the ſaid Buoys, to be puniſhed.

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 made by the Maſter or Commander of ſuch inward bound Ship or Veſſel, after having paſſed either of the Buoys aforeſaid, 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, ſuch Pilot ſhall for every ſuch Offence forfeit the Sum of 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.

A Ship forced back before the Pilot has left her, and brought into *Liverpool* or *Hoyl Lake*, and piloted out again, to pay the Prices outward from *Liverpool*, and a Moiety thereof.

And it is hereby further enacted, That in caſe any Ship or Veſſel which ſhall be piloted or conducted by any of the Pilots ſo to be licenſed as aforeſaid, out of the ſaid Port, ſhall be put back by Storm, contrary Winds, or otherwiſe, before ſuch Pilot ſhall have left and parted with ſuch Ship or Veſſel, ſuch Pilot ſhall, and is hereby required, to pilot or conduct ſuch Ship or Veſſel either into the Road of Hoyl Lake, or into the Port of Liverpool, as ſhall appear moſt convenient for the Safety and Preſervation of ſuch Ship or Veſſel; and ſuch Licenſed Pilot ſhall, and is hereby required to conduct or pilot, or procure to be conducted or piloted, by ſome other ſuch Licenſed Pilot, ſuch Ship or Veſſel out again to Sea; and ſhall receive or be paid for the Whole of ſuch Pilotage, the Rates or Prices following; videlicet, For a Ship or Veſſel for foreign Parts belonging to His Majeſty's Subject, if in the ſaid Winter Seaſon, the Sum of Six Shillings a Foot, and no more; and in the ſaid Summer Seaſon, the Sum of Four Shillings and Six Pence a Foot, and no more: For an Alien Ship or Veſſel, if in the ſaid Winter Seaſon, the Sum of Ten Shillings and Six Pence a Foot, and no more;

and in the said Summer Season, the Sum of Seven Shillings and Six Pence a Foot, and no more: For a Coasting Ship or Vessel, if in the said Winter Season, the Sum of Three Shillings a Foot, and no more; and in the said Summer Season, the Sum of Two Shillings and Three Pence a Foot, and no more; for every Foot of Water such respective Ships or Vessels so to be piloted or conducted shall then draw; and so in Proportion for Half a Foot of Water, in any of the Cases aforesaid; but no Allowance to be made for odd Inches above or under Half a Foot.

If a Ship outward bound be brought back into *Hoyl Lake* without a Pilot, and be afterwards piloted out from thence, to pay Half Price.

And be it further enacted by the Authority aforesaid, 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, contrary Winds, or otherwise, after having, by the Consent of 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 Hoyl Lake, 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 Hoyl Lake to Sea, no more shall be taken or paid for such Pilotage than One Half of the full Rate or Price hereby directed to be taken for Pilotage outward, according to the Season of the Year before-mentioned.

A Ship only piloted from *Hoyl* into *Liverpool*, to pay Half Price.

And it is hereby further enacted, That in case any Ship or Vessel shall be only piloted or conducted by any of the Pilots so to be licensed as aforesaid, from the said Road of Hoyl Lake, or from the North East Buoy of Hoyl, into the said Port of Liverpool, no more shall be taken or paid for such Pilotage than One Half of the Rate or Price hereby directed to be taken for Pilotage inward, according to the Season of the Year before-mentioned, from any Point short of the Length or Distance of the Great Ormshead on the Coast of Wales aforesaid.

Penalty on not piloting outward bound Vessels to certain Distances.

And it is hereby further enacted by the Authority aforesaid, That every Pilot so to be licensed as aforesaid, who shall take upon him 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 on Mad Wharf; 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 Buoy upon

Helbree Swaſh or Spit, before ſuch Pilot ſhall part with any ſuch Ship or Veſſel; and upon Refuſal in either of the ſaid Caſes ſuch Pilot, ſhall not be intitled 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 ſo to be appointed as aforeſaid.

Every Veſſel pilotted inwards to be moored in the River, and afterwards conducted to One of the Wet Docks, or other Place of Diſcharge.

And be it further enacted by the Authority aforeſaid, 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, or other Place of Diſcharge, within the ſaid Port, without being paid any other or greater 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.

Maſters in the Coaſting Trade may pilot their own Veſſels, and any Perſon aſſiſt a Ship in Diſtreſs.

Provided always, That this Act ſhall not extend to prevent or hinder the Maſter or other Perſon, having the Command of any Ship or Veſſel in the Coaſting Trade, including ſuch as trade to or from Ireland, from conducting or piloting his own 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, or to ſubject ſuch Perſon or Perſons to any of the Penalties in this Act; any thing contained to the contrary thereof in any wiſe notwithſtanding.

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

And be it further enacted by the Authority aforeſaid, 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 then draw; and in caſe the Pilot ſo employed ſhall ſuſpect the Truth of the Declaration of ſuch Maſter or Commander, ſuch Pilot ſhall and 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.

Pilot required to attend a Veſſel at Anchor in the River to have 5*s.* a Day, and 10*s.* a Day for his Boat.

And be it further enacted by the Authority aforeſaid, That if the Owner, Maſter, or Commander, of any Ship or Veſſel ſhall require the Attendance of a Pilot ſo to be licenſed as aforeſaid, on Board a Ship or Veſſel during her riding at Anchor in the River Merſey, ſuch Pilot ſhall and is hereby required to attend ſuch

Ship

Ship or Vessel, and shall be paid for every Day he shall so attend, the Sum of Five Shillings, and no more; and if the Attendance of his Pilot Boat shall also be required during the Time aforesaid, the further Sum of Ten Shillings a Day, for every Day such Pilot Boat shall so attend or be made use of, and no more.

If dismissed in less than a Day, to be paid as for a whole Day;

Provided always, and it is hereby further enacted, That in case such Pilot shall not be employed, or such Pilot Boat made use of the whole Day, but be dismissed in less Time than a Day, such Pilot shall nevertheless be paid the said Sum of Five Shillings for his own, and Ten Shillings for the Attendance of his Boat, as aforesaid.

but not to be paid for the Day of mooring, &c.

Provided also, That none of the Pilots to to be licensed as aforesaid, who shall have the Charge of any Ship or Vessel, either inward or outward bound, shall demand or be paid for his or their Attendance upon the Day of conducting such Ship or Vessel from Sea, and being properly moored at Anchor in the River Mersey; or for the Day upon which such Ship or Vessel shall be conducted from such Mooring into One of the Wet Docks; nor for the Day upon which any Ship or Vessel shall be conducted out of One of the Wet Docks into and mooring her in the said River; or for the Day upon which such Ship or Vessel shall be conducted from such Mooring to Sea.

On Non-payment of Rates, Committee may distrain.

And be it further enacted by the Authority aforesaid, That in case any Owner or Master, or any other Person, having or taking upon himself, or appearing to have or take the Command, Charge, Agency, or Consignment of any Ship or Ships, Vessel or Vessels, charged or chargeable with the said respective Rates or Prices for Pilotage hereby directed to be paid, shall refuse to pay the same; then, and in such Case, it shall and may be lawful to and for the Committee so to be appointed as aforesaid, or the major Part of them, or any Person or Persons to be by them, or the major Part of them, for that Purpose appointed, and preferable to, and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever, claimable by or due to any Person or Persons whomsoever, to seize, take, and distrain any of the Goods, Merchandize, Guns, Tackle, 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

or Prices, shall be paid and satisfied; and in case of any Neglect or Delay in Payment of such Sum or Sums of Money, for the Space of Three Days next after such seizing, taking, or distraining, then it shall and may be lawful to and for the Committee so to be appointed as aforesaid, or the major Part 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 so due and unpaid, with all reasonable Charges of such taking, seizing, distraining, appraising, and selling, rendering the said Rates or Prices so due and unpaid to the Pilot or Pilots intitled thereto, and to the Masters or Owners, Agents or Consignees of such Ship or Vessel respectively, the Overplus (if any there be) upon Demand.

Rates outward to be secured, or Pilot may refuse.

And be it further enacted by the Authority aforesaid, That if any of the Pilots so to be licensed as aforesaid, shall be requested by the Master, Commander, Owner, Agent, or Consignee, of any Ship or Vessel outward bound, to take the Charge or Conduct of such Ship or Vessel, it shall and may be lawful to and for such Pilot, previous to his taking such Charge or Conduct, to demand a sufficient Security from such Master, Commander, Owner, Agent, or Consignee, for the Payment of such Pilotage outward, according to the Rates or Prices herein before directed to be paid; and if such Master, Commander, Owner, Agent, or Consignee, shall refuse to give such Security, then, and in such Case, such Pilot may refuse to conduct or pilot such Ship or Vessel, and shall not be subject to any of the Penalties inflicted by this Act on Pilots refusing to take the Charge or Conduct of a Ship or Vessel.

Committee to settle the Clerks and other Officers Fees or Salaries;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Committee so to be appointed as aforesaid, or the major Part of them, to appoint or settle such Fees or 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.

and to keep an Account of Money received for Licences, and of their Disbursements.

And be it further enacted, That the Committee so to be appointed as aforesaid, shall keep, or cause to be kept and entered in proper Books, Minutes of the Proceed-

ings and Transactions of such Committee, and fair, just, and true Accounts of all the Money which shall be received for the granting such Licences or Warrants as aforesaid, as also of the Money which shall be expended by them in obedience to or in consequence of this Act; which Books of Account, and other Proceedings, shall be open at all convenient Hours of Business, to the Inspection of all Persons who shall be licensed Pilots, and to the Commissioners who are hereby, or shall hereafter be, appointed by virtue and in pursuance of this Act: And it shall and may be lawful to and for the Mayor, or Deputy Mayor, and Two of the Common Council Men 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 Council Men, shall be binding and conclusive upon all Parties interested or concerned; and whatsoever Sum or Sums of Money shall, upon such Adjustment or Settlement of such Account, appear to remain in the Hands of such Committee, shall, immediately after such Adjustment, be paid to such Person or Persons, and applied in such Manner as the major Part of the Pilots, so to be licensed as aforesaid, shall, by Writing under their Hands, direct or appoint.

Account to be audited by Two of the Common Council Men;

and the Balance paid as the Majority of the Pilots shall direct.

And, for the supplying a sufficient Number of Commissioners, and also a Clerk, for the Purposes of this Act, be it further enacted by the Authority aforesaid, 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 publick Meetings; then, and in any of such Cases, and so often as it shall so happen, any Ten or more of the surviving Commissioners (whereof the said Mayor, or Deputy Mayor for the time being to be One) may appoint a Meeting of the Commissioners in the Town-hall, 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 as aforesaid; and shall

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

shall give Notice of the Time of such Meeting or Meetings, by affixing Notices 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 to be One) assembled together at the Time to be appointed for such Meeting, they shall and may proceed to elect One or more new Commissioner or Commissioners, or Clerk, in lieu of the said Commissioners or Clerk who shall be dead or refuse to act, or resign, or be removed as aforesaid; and the Person and Persons who shall be so chosen and appointed by the Majority of such Fifteen or more of the said Commissioners then present, by an Instrument in Writing under their Hands, shall from thenceforth be a Commissioner or Commissioners, or Clerk, to all the Purposes aforesaid, and shall have the same Power and Authority in all Things relating to this Act, as if they had been expressly named and appointed by this Act; and every such Instrument or Nomination of such new Commissioners or Clerk, shall from time to time be entered in a Book, to be kept by such Clerk for the time being.

Committee impowered to make Bye-Laws,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the several Persons so to be appointed of the Committee as aforesaid, or the major Part of them, at any Time or Times hereafter, to make, ordain, and establish, such Orders, Rules, and Bye-Laws, for the better Government and Regulation of the Pilots so to be appointed or licensed as aforesaid; and also, from time to time, as Occasion may be, to repeal, add to, amend, or alter, such Rules, Orders, and Bye-Laws, as to them shall seem meet and convenient; 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 herein after directed; and that it shall and may be lawful to and for the several Persons so to be appointed of the Committee as aforesaid, or the major Part of them, to suspend or deprive any of the Pilots who shall have been appointed and licensed as aforesaid, for breaking such Rules or Orders, or omitting any Thing required by the same, or for acting in any wise contrary to such Rules or Orders; and if any Pilot or Pilots so suspended or deprived, during the Time of such Suspen-

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tion or Deprivation, shall take upon him or themselves to pilot or conduct any Ship or Vessel into or out of the said Port of Liverpool, such Pilot or Pilots shall be liable to all such Pains and Penalties as are provided by this Act against such Person or Persons as shall pilot or conduct Ships or Vessels into or out of the said Port of Liverpool, without being first examined, approved, and licensed by the said Committee, or the major Part of them.

which are to be printed, &c.

And be it further enacted, That the several Persons so to be appointed of the Committee as aforesaid, or the major Part 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 Expence and Charge thereof out of the Money to arise by the granting such Licences or Warrants as aforesaid.

but not to be repugnant to the Laws of the Realm, of the Jurisdiction of the Lord High Admiral,

Provided always, That the said Rules, Orders, and Bye-Laws, or any of them, be not contrary or repugnant to the Laws, Statutes, or Customs of the Realm of Great Britain, nor prejudicial or derogatory to any Right, Authority, or Jurisdiction, belonging to the Office of the Lord High Admiral of Great Britain.

nor to extend to the Corporation of the *Trinity-Houses* of *Deptford Strond*, *Dover*, *Deal*, the *Isle of Thanet*,

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*;

Provided also, That nothing in this Act contained shall 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

nor to prejudice the Corporation of *Liverpool*.

bour 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.

Justices may determine Offences.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor or his Deputy for the time being, or any 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 levied 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 either Side; 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 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 they 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 on the Goods and Chattles of the Offender, 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 Chattles of any Person so offending can, at the Time of such Conviction, be found; then, and in such Case, it shall and may 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 to the House of Correction or Common Gaol of the said Town of Liverpool, there to be kept to hard Labour for any Time not exceeding the Space of 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, shall go and be paid, One Moiety thereof to the Use of the Informer, and the other Moiety thereof to the Committee so to be appointed as aforesaid for the time being, to be by them, or the major Part of them, applied and distributed in the Relief of such poor Pilots so to be licensed as aforesaid, or the Widows or Children of Persons who were so licensed at the Time of their Deaths, as by the Committee so to be appointed as aforesaid, or the major Part of them, shall be thought meet and necessary.

Power to mitigate Penalties.

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

Provided also, That if any Person or Persons shall find him or themselves aggrieved, or remain unsatisfied in the Judgement of the said Mayor, Deputy Mayor, 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 and Persons shall and may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next Quarter Sessions to be held for the said Borough of Liverpool, or to any Adjournment of the said Quarter Sessions, or to 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 impowered 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

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the said Penalties and Forfeitures by the Ways and Means aforesaid mentioned, 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 and conclusive 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.

Provided nevertheless, and be it further enacted by the Authority aforesaid, 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 Premisses, 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 present Act, in the following Form, or Words to that Effect:

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 (*or Her*) 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;

And be it further enacted by the Authority aforesaid, 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 Proceeding 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;

nor the Parties distraining deemed Trespassers *ab initio*.

provided

provided that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, if sufficient Tender of Amends hath been made to him, her, or them, by or on Behalf of the Defendant or Defendants before such Action brought.

Limitation of Actions. And be it further enacted by the Authority aforesaid, 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 next 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 before 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 by Law.

General Issue.

Treble Costs.

Publick Act. And be it further enacted and declared by the Authority aforesaid, 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.