

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CLII.

An Act to amend ſo much of an Act made in the Seventh Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for the further preventing His Majeſty's Subjects from trading to the* Eaſt Indies *under foreign Commiſſions, and for encouraging and further ſecuring the lawful Trade thereto; and for further regulating the Pilots of* Dover, Deal, *and the* Iſle of Thanet, as relates to the ſaid Pilots. [11th *Auguſt* 1803.]

WHEREAS by an Act made in the Seventh Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for the further preventing His Majeſty's Subjects from trading to the* Eaſt Indies *under foreign Commiſſions, and for encouraging and further ſecuring the lawful Trade thereto; and for further regulating the Pilots of* Dover, Deal, *and the* Iſle of Thanet, it was enacted, that it ſhould be lawful for the Lord Warden of the Cinque Ports for the Time being, or his Deputy, with the Aſſent of the Commiſſioners of Load Manage and of the Maſters and Wardens of the Society or Fellowſhip of Pilots of the Trinity Houſe of the Cinque Ports, or the major Part of them, at an Aſſembly, commonly called 7 Geo. 1. c. 21.

A Court of Load Manage, to be held by the ſaid Lord Warden, or his Deputy, during the Continuance of an Act of the Third Year of His ſaid late Majeſty's Reign therein mentioned, to make ſuch Rules and Orders for the better Government and Regulation of the Pilots reſiding at *Dover*, *Deal*, and the *Iſle of Thanet*, as ſhould be thought fit and convenient; and to order and direct a proportionable and ſufficient Number of the reſpective Pilots reſiding at *Dover*, *Deal*, and the *Iſle of Thanet*, not leſs than Eighteen, to ply conſtantly at Sea at all ſeaſonable Times, to be ready to conduct ſuch Ships and Veſſels up the Rivers of *Thames* and *Medway*, as ſhould have Occaſion for them; and that it ſhould be lawful for the ſaid Lord Warden of the Cinque Ports for the Time being, or his Deputy, with ſuch Aſſent as aforeſaid, and at ſuch Court of Load Manage as aforeſaid, to ſuſpend or deprive any of the ſaid Pilots for breaking ſuch Rules or Orders, or omitting any Thing required by the ſame, or for acting any way contrary to ſuch Rules or Orders; and if any of the ſaid Pilots ſo ſuſpended or deprived, during the Time of ſuch Suſpenſion or Deprivation, ſhould take upon him or themſelves to conduct any Ship or Veſſel by or from *Dover*, *Deal*, or the *Iſle of Thanet*, to any Place or Places in or upon the ſaid Rivers of *Thames* or *Medway*, ſuch Pilots ſhould be liable to all ſuch Pains and Penalties, to be recovered in like Manner and Form, as are provided by an Act of the Third Year of His ſaid late Majeſty's Reign therein mentioned againſt ſuch Perſons as ſhould conduct Ships from and to the Places aforeſaid without being firſt examined and approved as in the ſame laſt-mentioned Act is expreſſed: And whereas the ſaid Proviſions in the ſaid recited Act have by ſubſequent Statutes been continued to the Twenty-fifth Day of *March* One thouſand eight hundred and ſix: And whereas divers Rules and Orders have been made by the ſaid Lord Warden, or his Deputy, with the Aſſent of the Commiſſioners of Load Manage and of the Maſters and Wardens of the Society or Fellowſhip of Pilots of the Trinity Houſe of the Cinque Ports, at an Aſſembly commonly called *A Court of Load Manage*, but the ſame have been found ineffectual, by Reaſon that the Power of puniſhing by ſuſpending or depriving any of the ſaid Pilots from breaking ſuch Rules or Orders, is by the ſaid Act given and limited to be exerciſed by the ſaid Lord Warden, with ſuch Aſſent as aforeſaid, and at ſuch Court of Load Manage as aforeſaid, which Court cannot be aſſembled at ſuch Times and Places as the Occaſion of exerciſing ſuch Power of Puniſhment as aforeſaid requires: And whereas it is expedient that the ſaid Lord Warden, or his Deputy, with ſuch Aſſent as aforeſaid, and at ſuch Court of Load Manage aſſembled as aforeſaid, ſhould have Power to make ſuch Rules and Orders for the better Government and Regulation of the ſaid Pilots, on Pain of Suſpenſion or Deprivation of ſuch Pilots as ſhall offend againſt the ſame; and that the Lord Warden for the Time being, or his Deputy, the Lieutenant of *Dover* Caſtle, or his Deputy or Deputies, or any Two of the Wardens of the ſaid Society or Fellowſhip of Pilots reſiding at *Dover* or *Deal*, or any One of ſuch Wardens reſiding at *Ramſgate* or *Margate*, ſhould have Power to hear and determine any Complaint againſt ſuch Pilots for Breach of ſuch Rules and Orders, and upon Conviction of ſuch Pilots, to inflict ſuch Puniſhment of Suſpenſion or Deprivation as the ſaid Rules and Orders may direct and the Caſe may require; be it therefore 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

the same, That the Lord Warden of the Cinque Ports for the Time being, or his Deputy, with the Assent of the Commissioners of Load Manage, and of the Masters and Wardens of the Society or Fellowship of Pilots of the Trinity House of the Cinque Ports, or the major Part of them, at an Assembly commonly called *A Court of Load Manage*, to be held by the said Lord Warden, or his Deputy, shall within Six Weeks after the passing of this Act, proceed to make, and shall make all such Rules and Orders for the better Government and Regulation of the Pilots residing at *Dover*, *Deal*, and the *Isle of Thanet*, as shall be by them thought fit and convenient, as well relating to the Services of the said Pilots in taking Charge of and conducting and navigating His Majesty's Ships and Vessels and the Ships and Vessels in His Majesty's Employ, and the Ships and Vessels of Merchants, up the said Rivers *Thames* and *Medway*, as to the Services of the said Pilots in conducting and navigating His Majesty's Ships and Vessels, and the Ships and Vessels in His Majesty's Employ on the Coasts of *France*, *Flanders*, and *Holland*, and to the *Baltic* Sea, and for effectually securing to His Majesty the Performance of such Services; which Rules and Regulations when so made, shall be forthwith printed, and Copies thereof delivered to every Member of the said Society, and also to every new Member of the said Society on his Election.

The Warden of the Cinque Ports, or his Deputy, with the Assent of the Commissioners of Load Manage, *etc.* shall make Rules and Orders for the Regulation of Pilots at *Dover*, *Deal*, and the *Isle of Thanet*.

Rules to be printed.

II. And be it further enacted, That if any Pilot belonging to the said Society or Fellowship of Pilots shall hereafter, contrary to such Rules and Orders as aforesaid, refuse or neglect, upon being duly warned for that Purpose, to take Charge of and to navigate and conduct any Ship or Vessel, or shall break such Rules and Orders in any other Respect, or omit any Thing required by such Rules and Orders to be done by him, then and in either of such Cases, it shall and may be lawful to and for the Lord Warden of the Cinque Ports for the Time being, or his Deputy, or the Lieutenant of *Dover* Castle for the Time being, or his Deputy or Deputies, or to or for any Two of the Wardens of the said Society or Fellowship of Pilots residing at the Place where such Pilot so refusing shall then be, if at *Dover* or *Deal*, or any One of such Wardens if at *Ramsgate* or *Margate*, on Complaint upon Oath made to him or them (which Oath he and they respectively are hereby authorized to administer), by any Person or Persons concerning the Breach of any such Rule or Order by any such Pilot as aforesaid, to hear and determine the said Complaint, and upon the Oath of One or more credible Witness or Witnesses, or Confession of the Party charged by such Complaint, to convict such Party, and to inflict such Punishment, or Suspension or Deprivation as the Rule or Order which shall have been broken may authorize and allow; and the said Lord Warden, or his Deputy, and other Persons hereby authorized to hear and determine such Complaints, shall return such Conviction to the Court of Load Manage to be held next after such Conviction.

Proceedings to be had against Pilots refusing to obey such Rules.

Convictions to be returned to the Court of Load Manage.

III. And be it further enacted, That it shall and may be lawful to and for the Party or Parties aggrieved by any such Conviction to appeal against the same to the Court of Load Manage for the said Cinque Ports to be holden next after such Conviction, upon which Appeal it shall and may be lawful to and for such Court to enquire into the Circumstances of the Case, as well upon the Oath of the said Pilot as of any other Persons, which Oath and Oaths the said Court is hereby authorized and empowered to administer, and to confirm, mitigate, or quash such Conviction,

Party aggrieved by such Convictions may appeal to the Court of Load Manage.

viction, as the Circumſtances of the Caſe in their Judgement and Diſcretion may ſeem to require: Provided nevertheleſs, that ſuch Conviction, notwithſtanding ſuch Appeal, ſhall, till the Reverſal of the ſame on ſuch Appeal, be in ſuch Force and Effect as if the ſame had been final and concluſive, and had not been ſubject to any Appeal whatſoever.

Penalty on Pilots navigating Veſſels during their Suſpenſion.

IV. And be it further enacted, That in caſe of ſuch Pilot or Perſon, during the Time of his Suſpenſion or Deprivation as aforeſaid, ſhall take upon himſelf directly or indirectly to pilot or navigate, or to be aſſiſting in the piloting or navigating of any Ship or Veſſel by or from *Dover*, *Deal*, or the *Iſle of Thanet*, to any Place or Places whatſoever in or upon the ſaid Rivers of *Thames* or *Medway*, or upon the Coaſt of *France*, *Flanders*, or *Holland*, or to the *Baltic* Sea, ſuch Pilot ſhall forfeit and pay for every ſuch Offence the Sum of Ten Pounds, to be ſued for and recovered with full Coſts of Suit by any Perſon or Perſons, by Suit or Action to be brought in the Court of Admiralty for the Cinque Ports, or otherwiſe, at the Option of ſuch Perſon or Perſons, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Privilege, Protection, Wager of Law, or more than One Imparlance ſhall be allowed; One Moiety of which ſaid Sum ſo to be forfeited and recovered ſhall go to the Informer, and the other Moiety thereof to the Maſter and Wardens of the ſaid Society for the Time being, to be by them diſtributed to and among ſuch ſuperannuated Pilots and the Widows of Pilots of the ſaid Society, in like Manner and Proportion as the ſaid Maſter and Wardens for the Time being ſhall think fit and appoint, and as heretofore hath been uſed and practiſed by the ſaid Society.

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