ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CIV.

An Act for the better Regulation of Pilots, and of the Pilotage of Ships and Veſſels navigating the *Britiſh* Seas. [25th *June* 1808.]

WHEREAS Ships and Veſſels have frequently been wrecked, and many Lives and much Property have been loſt, from the Ignorance and Miſconduct of Perſons taking Charge of ſuch Ships or Veſſels as Pilots: And whereas the Corporation of Trinity Houſe of *Deptford Strond* have, as well by Uſage for more than Three Centuries as by Grants from the Crown, and under the Authority of an Act paſſed in the Fifth Year of the Reign of His late Majeſty King *George* the Second, been empowered to appoint Pilots, Loadſmen, or Guides, to conduct Ships or Veſſels into and out of and upon the River of *Thames* through the *North Channel* to or by *Orfordneſs* and round the *Long Sand Head* through the *Queen's Channel* or other Channels into the *Downs*, and from and by *Orfordneſs*, and up the *North Channel*, and up the Rivers *Thames* and *Medway*, and the ſeveral Creeks and Channels belonging or running into the ſame, and to make ſuch Orders and Conſtitutions as ſhould be needful for the wholeſome Government of Seafaring Men and Maintenance and Increaſe of Navigation, and of all Seafaring Men within the ſaid River of *Thames*; in purſuance of which Powers the ſaid Corporation have from Time to Time appointed a ſufficient Number of Pilots for the Purpoſes before mentioned: And whereas there hath been Time out of Mind, and now is, a Society or Fellowſhip of Pilots of the Trinity Houſe of *Dover*, *Deal*, and the *Iſle of Thanet*, who have had the

Preſent Powers of the Trinity Houſe of Deptford Strond.

Preſent Powers of the Trinity Houſe of Dover.

the Pilotage and Loadmanage of all Ships from the said Places up the Rivers *Thames* and *Medway*; which said Society or Fellowship have been confirmed by various Acts of Parliament for regulating the Pilots of the Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called *Cinque Port Pilots*, notwithstanding which many Persons not having Licence or Authority, or competent Knowledge or Experience, have taken upon themselves to act as Pilots for conducting Ships or Vessels to and from and upon the said Rivers, to the great Hazard of such Ships or Vessels and their Cargoes, and the Lives of their Crews: And whereas the Provisions of the said Acts have been found inadequate to the Regulation of Pilotage and the Prevention of such Mischiefs, and it is therefore necessary that further and more effectual Regulations should be made for that Purpose, and that all the Provisions and Regulations relating to the several Descriptions of Pilots aforesaid should be repealed: And whereas Acts of Parliament have been passed for establishing separate and peculiar Jurisdictions in relation to Pilotage in certain Ports and on different Parts of the Coast of *England*, which by reason of the same being limited have been found insufficient to answer the good Purposes intended thereby, and it is therefore necessary that more effectual Regulations should be made in relation to Pilotage on the Coasts of *England*: And whereas it is necessary for duly enforcing the Laws respecting Quarantine, on which the Health of His Majesty's Subjects essentially depends, that the Names and Places of Residence of all Pilots in *England* should be known by those whose Duty it is to convey Information respecting those Laws from Time to Time to them; 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 all and every the Clauses, Provisions, Powers, Penalties, Forfeitures, Matters, and Things relating as well to Pilots appointed by the said Corporation of Trinity House of *Deptford Strond* as to Pilots of the Fellowship of *Dover*, *Deal*, and the *Isle of Thanet*, and to the Pilotage by and Regulation of all such Pilots as aforesaid, and also as to the Conduct of all Persons in Matters of Pilotage, within the Jurisdiction of the said Corporation of the Trinity House of *Deptford Strond* and the Liberty of the *Cinque Ports*, which are contained in any Act or Acts of Parliament heretofore made, shall be and the same are hereby repealed, except only so far as such Acts relate to any Rates of Pilotage due or to become due before the Commencement of the respective new Rates to be established under the Provisions of this Act, or to any Penalty or Forfeiture incurred or to be incurred, or any other Act, Matter, or Thing done or to be done before the Establishment of the new Rules and Regulations which are to be made under the Provisions of this Act, or before the Commencement of the Operations of any of the Provisions of this Act in relation to any such Matters as aforesaid.

Provisions in Acts relating to Pilots repealed.

From Oct. 1, 1808, the Corporation of Trinity House of Deptford shall license fit Per-

II. And be it further enacted, That from and after the First Day of *October* One thousand eight hundred and eight, it shall be lawful for 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*, (commonly called *The Corporation of Trinity House of Deptford Strond*) and they are hereby required

quired to appoint and license under their Common Seal, fit and competent Persons, duly skilled, as Pilots, for the Purpose of conducting all Ships and Vessels sailing, navigating, and passing up and down or upon the Rivers of *Thames* and *Medway*, and all and every the several Channels, Creeks, and Docks thereof or therein, or leading or adjoining thereto, as well between *Orfordness* and *London* Bridge, as from *London* Bridge to the *Downs*, and from the *Downs* westward as far as the *Isle of Wight*, and in the *English Channel* from the *Isle of Wight* up to *London* Bridge, which Vessels shall be conducted and piloted by such Pilots so appointed and licensed, and by no other Pilots or Persons whomsoever, except Pilots appointed by the Society or Fellowship of the Trinity House of *Dover*, *Deal*, and the *Isle of Thanet*, (commonly called *Cinque Port Pilots*) so far as such Pilots are hereby authorised to pilot Ships and Vessels from the Westward up to *London* Bridge, and from *London* Bridge downwards to the Westward; that is to say, from any Port or Place between the *Isle of Wight* and the said Bridge, according to the Provisions in that Behalf herein-after contained, and also save and except, as well all Colliers as also all Ships and Vessels trading to *Norway* and to the *Cattegat* and *Baltic*, and likewise round the *North Cape* and into the *White Sea*, and save and except all constant Trades inwards from the Ports between *Boulogne* inclusive, and the *Baltic*, such Ships and Vessels having *British* Registers, and coming up or going down the *North Channel* by *Orfordness*, but not otherwise; and likewise save and except all Coasting Vessels, and all *Irish* Traders using the Navigation of the River of *Thames* as Coasters: Provided always, that it shall be lawful, after the passing of this Act, for any Pilot or Pilots heretofore appointed by the said Corporation of Trinity House of *Deptford Strond*, or by the Society or Fellowship of the Trinity House of *Dover*, *Deal*, and the *Isle of Thanet*, to pilot or conduct any Ship or Vessel within such Limits as such Pilot or Pilots might lawfully have conducted and piloted the same before the passing of this Act, under and by virtue of the Licences or Authorities granted to such Pilots respectively as aforesaid, which respective Licences shall continue in force notwithstanding this Act, so that such Pilots respectively do in all Things conform themselves to the Provisions of this Act, and the Rules and Regulations to be established under the same.

sons as Pilots to conduct all Vessels within certain Limits, and none others shall not, except as herein excepted.

Pilots heretofore duly appointed, may continue to act.

III. And be it further enacted, That from and after the First Day of *October* One thousand eight hundred and eight, the respective Rates or Prices herein-after enumerated in the Table marked (A) in the Schedule to this Act annexed, may be lawfully demanded and received by any Pilot licensed by the said Corporation of Trinity House of *Deptford Strond*, for the piloting or conducting of any Ship or Vessel from Place to Place, as expressed in the said Table; and that no greater Rates or Prices, or other Reward or Emolument shall, under any Pretence whatsoever, be demanded, solicited, or received, than such Rates or Prices.

Rates in Schedule A. may be demanded by Pilots.

IV. And be it further enacted, That each and every Pilot already appointed or to be appointed by the said Corporation of Trinity House of *Deptford Strond*, under the Authority of this Act (except only such Pilots as shall be appointed by the said Corporation, upon their receiving Certificates of Examination by any Sub-commissioners of Pilotage, as hereby directed) shall from Time to Time and at all Times hereafter pay or cause to be paid to the said Corporation of Trinity House of *Deptford Strond*, or

Pilots to pay annually Three Guineas to the Corporation of Trinity House of Deptford on Penalty of Suspension.

or to such Person or Persons as they shall appoint to receive the same on their Behalf, the Sum of Three Guineas, in the Month of *January* yearly, which Payment shall be accepted by the said Corporation in lieu and Satisfaction of and for all the ancient and accustomed Duties payable by such Pilots to the said Corporation, under the Provisions of an Act passed in the Fifth Year of the Reign of *George* the Second, or any other Statute or Charter whatever, and shall be applied for the Use and Benefit of the Poor of the said Corporation (after first defraying thereout the Expences incurred by the said Corporation) from Time to Time in carrying this Act into Execution; and in case such annual Payment shall not be duly made by the said Pilots respectively, it shall be lawful for the said Corporation to suspend the Persons so making Default from acting as Pilots, until due Payment shall be made of such annual Sums.

No Person shall be licensed as a Pilot unless qualified as herein specified.

V. And be it further enacted, That no Person shall be licensed by the said Corporation of Trinity House of *Deptford Strond*, as a Pilot for the Rivers of *Thames* or *Medway*, or the Channels leading thereto or therefrom, under the Provisions of this Act, who shall not have served as Mate for Three Years on board a square-rigged Vessel, or shall not have been in the actual Command of a square-rigged Vessel for one Year, or who shall not have been employed in the Pilot Service of the Corporation of Trinity House of *Deptford Strond* for Seven Years, or who shall not have served an Apprenticeship of Five Years to some Pilot Vessel licensed under this Act.

Till a Pilot has acted Three Years he shall not take Charge of a Ship drawing more than 14 Feet Water, on Penalty on himself and the Master of the Ship.

VI. And be it further enacted, That no Person shall be licensed or be allowed to take charge as a Pilot of any Ship or Vessel drawing more than Fourteen Feet Water in the Rivers of *Thames* or *Medway*, or any of the Channels thereof, until such Person shall have been licensed, and shall have acted as a Pilot for Three Years under lawful Authority, on pain of forfeiting Ten Pounds for every such Offence, as well by the Person acting as such Pilot, as also by the Master or Commander, or other Person having charge of such Ship or Vessel, who shall permit any such Person to take charge as a Pilot of the same, contrary to the Provision aforesaid.

No Cinque Port Pilot shall take Charge of any Ship till he has been admitted, on Penalty.

VII. And be it further enacted, That no Person shall, from and after the First Day of *October* One thousand eight hundred and eight, take charge of any Ship or Vessel as a Pilot belonging to the Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called *Cinque Port Pilots*, before he shall be examined by the Master and Two Wardens, or by Four Wardens of the said Society or Fellowship for the Time being, touching his Abilities, and shall be approved and admitted into the Society or Fellowship of the Trinity House of *Dover*, *Deal*, and the *Isle of Thanet*, at a Court of Loadmanage, holden by the Lord Warden of the Cinque Ports for the Time being, or his Deputy, and the Commissioners for Loadmanage for the Time being; and if any Person shall presume to act as a Pilot belonging to the said Society or Fellowship, without having been so examined, approved, and admitted as aforesaid, every such Person shall for the First Offence forfeit Ten Pounds, for the Second Twenty Pounds, and for every other Offence Forty Pounds.

Master and Wardens of the Trinity Houses of Dover, &c. appointed to ex-

VIII. And be it further enacted, That the Master and such Wardens of the said Society or Fellowship of Pilots of the Trinity House of *Dover*, *Deal*, and the Isle of *Thanet*, as shall be appointed from Time to Time,

to examine into the Skill and Ability of any Person on his being first admitted as a Pilot into the said Society or Fellowship, shall take the Oath marked (C.) in the Schedule hereunto annexed, to be administered to him by the Register of the Court of Loadmanage, who is hereby authorized to administer such Oath.

Examine Pilots shall take the Oath in Schedule (C.)

IX. And be it further enacted, That from and after the First Day of *October* One thousand eight hundred and eight, the respective Rates or Prices hereinafter enumerated in the Table marked (B.) in the Schedule to this Act annexed, may be lawfully demanded and received by any Pilot licensed by the Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, for the conducting of any Ship or Vessel from Place to Place, as expressed in the said Table; and that no greater Rates or Prices, or other Reward or Emolument shall, under any Pretence whatever, be received than such Rates or Prices.

Rates in Schedule (B.) may be demanded by such licensed Pilots.

X. And be it further enacted, That a proper and sufficient Number of Pilots of the Cinque Ports, not less than Eighteen at any one Time, and in Succession from Time to Time, without Intermission or any unnecessary Delay, shall, at all seasonable Times by Day and Night, constantly ply at Sea, or be afloat between the *South Foreland* and *Dungeness*, to take charge of Ships and Vessels coming from the Westward, and proper Signals shall be established, to be made at and from Signal Houses now erected, or which may be erected on commanding Situations near to *Dover*, to give Notice of Fleets of Vessels coming from the Westward; and upon the making of any Signals, giving Notice of the Approach of any Fleet from the Westward, all Cinque Port Pilots not on Duty at the Time, shall, according to such Rules and Regulations as to Number, Rotation, or otherwise as shall be made in that Behalf, forthwith prepare to go afloat, and shall go off in sufficient Time to fall in with such Ships and Vessels, on pain of forfeiting, in case of neglect herein, for the First Offence the Sum of Twenty Pounds, and for the Second the Offender shall be suspended from acting as a Pilot for Twelve Months, and for the Third Offence shall forfeit his Licence to act as such Pilot, and shall be rendered thereby incapable of acting thereafter as a Pilot.

A sufficient Number of Cinque Port Pilots shall constantly ply to take Charge of Ships coming from the Westward; and upon making Signals of Fleets from the Westward, all Pilots shall prepare to go off, on certain Penalties.

XI. And be it further enacted, That the Master or other Person having the Command of any Ship or Vessel coming from the Westward, and bound to any Place in the Rivers of *Thames* or *Medway*, not having a duly qualified Cinque Port Pilot on board, shall, on the Arrival of such Ship or Vessel off *Dungeness*, and until she shall have passed the Buoy of the Brake, or a Line to be drawn from *Sandown* Castle to the said Buoy, (unless in the mean Time she shall have received a proper Cinque Port Pilot on board) display and keep flying the usual Signal for a Pilot to come on board; and if any duly qualified Cinque Port Pilot shall be within hail, or approaching and within Half a Mile, with the proper distinguishing Flag or Vane flying in his Vessel or Boat, the Master or other Person having the Command of such Ship or Vessel shall, by heaving to in proper Time, or by all practicable Means, consistently with the Safety of the Ship or Vessel, facilitate such Pilot getting on board, and shall give the Charge of piloting of his Ship or Vessel to such Cinque Port Pilot; and every Person commanding any such Ship or Vessel, who shall decline to take any such Cinque Port Pilot on board, or to give such

Masters of Ships from the Westward not having a Cinque Port Pilot, shall display a Signal for one, and facilitate his getting on board, on Penalty for Neglect.

Charge of his Ship or Veſſel to ſuch Pilot, or who ſhall not heave to, or otherwiſe facilitate ſuch Pilot coming on board as aforeſaid, ſhall be ſubject to the Penalties by this Act impoſed for neglecting or declining to take on board a Pilot, and for navigating his Veſſel without a Pilot, contrary to the Proviſions of this Act: Provided always, that if any Ship or Veſſel bound to the Rivers *Thames* or *Medway*, ſhall anchor any where in the *Downs* between the South Foreland and a Line drawn from *Sandown* Caſtle and the South Buoy of the Brake, having any licenſed Pilot other than a Cinque Port Pilot on board, it ſhall be lawful for a Cinque Port Pilot to repair on board the ſame, at any Time before ſuch Ship or Veſſel ſhall have been at an anchor One Hour, with the Signal for a Pilot flying, and to take Charge of her up the ſaid Rivers, but not otherwiſe.

Cinque Port Pilots may repair on board Ships at anchor within certain Diſtances, not having ſuch Pilot on board.

Cinque Port Pilots quitting Ships, before Arrival at the Place to which bound in the Thames or Medway, without Conſent of the Maſter, liable to Penalties.

XII. And whereas, great Convenience to Trade will ariſe by putting an End to the preſent prevailing Uſage of Cinque Port Pilots quitting Ships or Veſſels at *Graveſend*, or elſewhere in the *Thames* or *Medway*, at their Diſcretion; be it therefore enacted, That from and after the Expiration of Twelve Months next after the paſſing of this Act, if any Cinque Port Pilot, taking Charge of any Ship or Veſſel into the *Thames* or *Medway*, ſhall quit ſuch Ship or Veſſel at *Graveſend*, or in any other Part of the *Thames*, or in any Part of the *Medway*, before ſuch Ship or Veſſel ſhall have arrived at the Place to which ſuch Ship or Veſſel is bound in the ſaid Rivers *Thames* or *Medway* reſpectively, without the Conſent of the Captain or other Perſon having the Command thereof, unleſs ſome other duly qualified Pilot ſhall, with ſuch Conſent, come on board, and ſhall take the Charge and Conduct of ſuch Ship or Veſſel for the Reſidue of the Pilotage to be performed, every ſuch Pilot ſhall forfeit for every ſuch Offence all Pay or Reward to which he might be entitled for having conducted or piloted ſuch Ship or Veſſel into the Rivers *Thames* or *Medway*, and ſhall alſo be ſubject to ſuch other Penalty or Puniſhment as by virtue of any of the Proviſions of this Act, or of the Rules and Regulations to be eſtabliſhed in purſuance hereof, any Pilot ſhall be liable to for quitting a Ship or Veſſel before ſhe ſhall arrive at her Place of Deſtination.

At a Court of Loadmanage, Rules ſhall be made for enforcing the Obſervance of this Act by Cinque Port Pilots, and for Performance of all their Duties.

XIII. And be it further enacted, That the Lord Warden of the Cinque Ports for the Time being, or his Deputy, with the Aſſent of the Commiſſioners of Loadmanage, and of the Maſters and Wardens of the Society or Fellowſhip of Pilots of *Dover*, *Deal*, and the Iſle of *Thanet*, or the major Part of them, at an Aſſembly commonly called *A Court of Loadmanage*, to be held by the ſaid Lord Warden or his Deputy, ſhall, within Four Calendar Months after the paſſing of this Act, proceed to make and ſhall make ſufficient Rules and Orders for enforcing the due Obſervance of the Proviſions of this Act by all Cinque Port Pilots, and for providing for the good Government and Regulation of all ſuch Pilots, as well relating to the Services of the ſaid Pilots in going off to and taking Charge of and conducting and navigating His Majeſty's Ships and Veſſels, and the Ships and Veſſels in His Majeſty's Employ, and alſo all Ships and Veſſels whatever and whereſoever, within the proper and uſual Limits of ſuch Pilots, or wherein they ſhall for the Time being act or be, and for effectually ſecuring the Performance of all the Duties and Services of ſuch Pilots at all Times; which Rules and Regulations when

so made shall be forthwith printed and transmitted to the Custom House in *London*, that the same may be seen by all Persons interested therein; and Copies thereof shall be delivered to every Member of the said Society, and also to every new Member of the said Society on his Election; and a Copy or Extract thereof shall be annexed to or indorsed upon the Licence or Warrant of every Pilot belonging to the Cinque Ports, as well those already admitted and licensed as all others hereafter to be licensed as such Pilots; and it shall be lawful in such Rules and Regulations to establish Penalties and Forfeitures for the enforcing such Rules and Regulations and better ordering of the said Pilots, and for suspending or depriving any of the said Pilots for breaking such Rules or Orders, or omitting to do any Thing required by the same to be done, or for acting in anywise contrary to such Rules or Orders.

Rules to be transmitted to the Custom House, London, &c.

XIV. Provided always, and be it further enacted, That if such Rules and Regulations in relation to Cinque Port Pilots shall not be made and transmitted as aforesaid, within Four Calendar Months after the passing of this Act, or if such Rules and Regulations, when made and transmitted, shall appear to be in any material Point erroneous, insufficient, or defective, it shall be lawful for any Owner of Ships, or other Persons interested in the Matter of such Rules or Regulations, to apply to His Majesty's Most Honourable Privy Council, who shall thereupon cause proper and sufficient Rules and Regulations to be drawn up for the Purposes aforesaid, in case no such Rules and Regulations shall have been made and transmitted as aforesaid, or shall amend, correct, or enlarge any such Rules and Regulations as shall have been made and transmitted; which Rules and Regulations so made or so amended, corrected and enlarged, shall be distributed, published, and made use of in such Manner as His Majesty's said Privy Council shall in that Behalf appoint and direct, and the same shall take Effect from such Time as in the said Rules or Regulations shall be expressed in regard to the Commencement thereof.

If such Rules shall not be duly made and transmitted, or shall be defective, the Privy Council shall order proper ones to be drawn up, and distributed.

XV. And whereas under the Provisions of an Act passed in the Third Year of His late Majesty King *George* the First, the Number of Pilots of the Cinque Ports was to be One hundred and twenty at the least, and it has been found by Experience, that the said Number is inadequate to the increased Trade and Navigation of this Kingdom; be it therefore enacted, That within Four Months after the passing of this Act, the Number of Cinque Port Pilots shall be increased to One hundred and forty at the least; to which Number of One hundred and forty, Twenty more shall be added, whenever such further Addition shall be directed to be made by an Order of His Majesty's Privy Council, upon Application made to His Majesty in Council for that Purpose by the Corporation of Trinity House of *Deptford Strond*; and that a further Addition of Twenty Cinque Port Pilots shall be made to the Number above-mentioned, increasing the whole Number to One hundred and eighty, by the like Authority, whenever such last-mentioned Addition shall be applied for by the Corporation of the Trinity House of *Deptford Strond* to His Majesty in Council.

The Number of Cinque Port Pilots shall be increased.

XVI. And be it further enacted, That whenever the increased Numbers of the said Pilots shall respectively take place as herein-before provided, the Numbers so increased shall from thenceforth be kept up from Time to Time by

The increased Number of Pilots shall be kept up; but

after a Definitive Treaty of Peace with France, Vacancies shall be filled up by Permission of the Privy Council.

by the Appointment of Pilots in Succession, as often as any Vacancy or Vacancies shall happen by Death, Incapacity, or Dismission; provided that after the Conclusion of a Definitive Treaty of Peace with *France*, no Vacancy shall be filled up as aforesaid, without a special Permission in that Behalf given by His Majesty's Privy Council, upon the Recommendation of the said Corporation of Trinity House, unless the Number of Pilots shall at any Time by Death or otherwise be reduced below One hundred and forty, in which Case the Vacancies shall be filled up from thenceforth from Time to Time, so as not to exceed One hundred and forty in the Whole.

Pilots shall qualify themselves to conduct and shall conduct Ships into and out of Ramsgate, Dover, Sandwich, and Margate Harbours on Penalty for Refusal.

XVII. And whereas certain Harbours near the *Downs* have become much frequented as Places of Safety, and Ships and Vessels lying in or sailing through the *Downs* are oftentimes compelled to run for those Harbours, and it is therefore necessary to make Provision for the Pilotage of such Harbours; be it therefore enacted, That all Pilots, whose Licences or Warrants shall authorize them to pilot Ships or Vessels from any Place to the Westward up to *London* Bridge, shall qualify themselves, and shall be examined as to their Qualification and Ability to conduct any Ship or Vessel into and out of *Ramsgate* Harbour, and the Harbours of *Dover*, *Sandwich*, and *Margate*, and shall be obliged to pilot any Ships or Vessels into and out of the said Harbours; and if any such Pilot shall refuse to take charge of or conduct any Ship or Vessel into or out of any of the said Harbours, such Pilot shall forfeit all Pay and Reward to which he might otherwise be entitled for the Pilotage of any such Ship or Vessel, and shall be subject to such Fine or other Punishment as shall be established in that Behalf by the Rules and Regulations of the Corporation or Society to which such Pilot shall belong.

Rates for such Pilotage.

XVIII. Provided always, and be it further enacted, That every licensed Pilot who shall take charge of and conduct any Ship or Vessel into or out of *Ramsgate* Harbour, or into or out of *Dover*, *Sandwich*, or *Margate*, shall be entitled to and shall receive for such Pilotage at and after the Rate of Five Shillings for every Foot of the Draught of Water of the Ship or Vessel so piloted and conducted by him into or out of any such Harbour, if such Ship or Vessel shall have been so piloted and conducted into or out of the same in moderate Weather; but if under any Circumstances of Distress, then such Pilot shall be entitled to such further Sum of Money, to be calculated according to the Extent and Circumstances of such Distress, as the Commissioners of Salvage established under the Lord Warden of the Cinque Ports shall upon Application either of the Pilot, or Owner, or Master of any such Ship or Vessel, upon enquiring into all such Circumstances direct; and such Commissioners shall and they are hereby required upon any such Application made, to enquire into all such Circumstances, and to determine the Amount of the Sum so to be paid for the Pilotage of any such Ship or Vessel into the said Harbours respectively, without any Fee or Reward for so doing.

When the Ship is moored, the Pilotage may be demanded.

XIX. Provided always, That on the Arrival of any Ship or Vessel, and as soon as she shall be moored in any of the said Harbours, it shall be lawful for the Pilot to demand the Pilotage due to him as aforesaid, and to quit the Ship forthwith.

XX. And

The Trinity House of Deptford shall appoint Sub-commissioners of Pilotage to examine Persons to act as Pilots at the requisite Ports, and on Certificate of their being qualified may grant them Licences.

XX. And be it further enacted, That it shall be lawful for the said Corporation of Trinity House of *Deptford Strond*, and they are hereby required to appoint from Time to Time (as often and for such Periods as they in their Discretion shall think fit) proper and competent Persons at such Ports or Places in *England* as they may think requisite (except within the Liberty of the Cinque Ports; and all such other Ports and Places within or for which Provision shall have been made by any Act or Acts of Parliament, or by any Charter or Charters for the Appointment of Pilots) not to exceed Five nor less than Three Persons at each Port or Place for which any such Appointment shall be made, which Persons so to be appointed shall be called Sub-Commissioners of Pilotage, and shall take the Oath in the Schedule hereunto annexed marked (D.) for the faithful Discharge of their Duty, and such Persons so to be appointed shall and they are hereby authorized (so long as their respective Appointments shall not be revoked or superseded by the Appointment of other Persons in their Places) to examine into the Qualification of Persons to act as Pilots for such respective Ports and Places, and the adjoining Coasts specified in their respective Appointments as aforesaid; and it shall be lawful for the said Corporation, upon their receiving a satisfactory Certificate under the Hands of any Three of the Persons so to be appointed, where the whole Number for any Port or Place shall consist of Four or Five, and by any Two where the whole Number shall consist of Three, that the Person examined as aforesaid is duly qualified to act for such Port or Ports and the adjoining Coasts, to give a Licence to such Person to act as a Pilot within the particular Limits (describing the same) for which he shall have passed such Examination, which Licence shall be granted in the first Instance for One Year, and shall afterwards from Year to Year be subject to Renewal and Confirmation, or otherwise, at the Discretion of the said Corporation of Trinity House.

Ships brought into any Port by Pilots may be removed by the Master for certain Purposes.

XXI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent any Ship or Vessel which shall be brought into any Port or Ports in *England* by any Pilot duly licensed, from being afterwards removed in such Port or Ports by the Master or Mate thereof, or other Person having the Command, for the Purpose of entering into or going out of any Dock, or for changing the Moorings of such Ship or Vessel.

Notice of Appointment of Pilots at particular Ports to be fixed up at the Trinity House, &c. in a limited Time, after which no other Pilots shall act.

XXII. And be it further enacted, That when and as soon as the said Corporation of Trinity House of *Deptford Strond* shall have licensed Pilots for any particular Port or Ports, and the respective Coasts near the same as aforesaid, they shall cause Notice of such Appointment to be published, by fixing up such Notice in Writing at the Trinity House, and at the Custom House in *London*, and also at the respective Custom Houses of the Ports for which and for the Coasts near the same such Appointment shall be made, and shall also afterwards cause such Notice to be published in the *London Gazette*, and in one or more Newspapers circulated in that Part of the Country where the Ports shall respectively be situated, which Publication in the *London Gazette* shall be good and sufficient Evidence of the Notice having been given; and from and after a Time or Times to be limited in the said Notices, which shall not in any Case or in relation to any Ships or Vessels whatever, be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionably more at the Discretion of the said

Corporation, in relation to Ships and Veſſels engaged in Foreign Voyages at the Time of ſuch Publication, all Ships and Veſſels ſailing, navigating, or paſſing into or out of the ſaid reſpective Ports or upon the Coaſts thereof, ſhall be conducted and piloted by ſuch Pilots only as ſhall be ſo licenſed as aforeſaid, and by no other Pilots whomſoever.

Pilots ſuſpended or deprived of Licence liable to Penalty for acting.

XXIII. And be it further enacted, That if any Perſon ſuſpended or deprived of his Licence as a Pilot, ſhall, during the Time of ſuch Suſpenſion, or after ſuch Deprivation, take upon himſelf to conduct any Ship or Veſſel except in Caſes of Diſtreſs, and in Caſes where no licenſed Pilots can be found, ſuch Perſon ſhall be liable to all ſuch Penalties, to be recovered and applied in like Manner and Form as are provided by this Act, againſt any Perſon who ſhall conduct or pilot any Ship or Veſſel without ever having been licenſed to act as a Pilot.

Pilots ſuſpended or adjudged to have forfeited their Licences, &c. may appeal to the Privy Council.

XXIV. Provided always, and be it further enacted, That every Pilot who ſhall be ſuſpended or adjudged to have forfeited his Licence, and every Perſon, who having complained of any ſuch Pilot, ſhall be diſſatisfied with the Adjudication made upon the Matter of ſuch Complaint, by the Corporation, Society, or Perſons who ſhall have cognizance of ſuch Complaint, may appeal to His Majeſty's Privy Council, who ſhall thereupon hear the Appeal, and confirm or annul any former Determination or Adjudication in the Premiſes, or, at their Diſcretion, make any particular and ſpecial Order relating thereto, and to the Matter of ſuch Appeal, as the Caſe may require.

No Owner or Maſter of a Ship ſhall be anſwerable for any Loſs, nor Owners of Ships or Conſignee of Goods prevented from recovering Inſurance, by a Pilot not being on board, &c.

XXV. Provided always, and be it further enacted, That no Owner or Maſter of any Ship or Veſſel ſhall be anſwerable for any Loſs or Damage, nor ſhall any Owner or Owners of any Ship or Veſſel or Conſignee of Goods, be prevented from recovering any Loſs or Damage, upon any Contract of Inſurance of the ſame, or upon any other Contract relating to any Ship or Veſſel, or any Cargo on board the ſame, by reaſon of no Pilot being on board of any ſuch Ship or Veſſel, (unleſs it ſhall be proved that the Want of a Pilot ſhall have ariſen from any Refuſal to take a Pilot on board, or from the Negligence of the Maſter of the Ship or Veſſel, in not heaving to for the Purpoſe of taking on board any Pilot, who ſhall be ready, and offer to take Charge of ſuch Ship or Veſſel.)

Act not to extend to Ships belonging to His Majeſty.

XXVI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to any Ships or Veſſels belonging to His Majeſty, His Heirs and Succeſſors.

Act not to extend to Veſſels not exceeding 60 Tons.

XXVII. Provided always, and be it further enacted, That none of the Clauſes, Proviſoes, Penalties or Regulations of this Act, ſhall extend or be conſtrued to extend to any Veſſel not exceeding the Burthen of Sixty Tons, having *Britiſh* Regiſters, nor to any Maſter or Owner of any ſuch Veſſel in reſpect thereof, or of the navigating of the ſame in any Channel, River, Port, or Place whatever.

Act not to deprive Perſons of Remedy by Civil Actions.

XXVIII. And be it further enacted, That nothing in this Act contained ſhall be conſtrued to extend to deprive any Perſons of any Remedy by Civil Action againſt Pilots or other Perſons, which they might have had if this Act had not been paſſed.

XXIX. And

Act not to give Authority to the Trinity House Deptford, within any Districts having separate Jurisdiction under any Act of Parliament, &c.

XXIX. And be it further enacted, That nothing in this Act shall extend or be construed to extend, to give any Authority to the Corporation of the Trinity House of *Deptford Strond*, within any Ports or Districts having separate Jurisdictions in Matters of Pilotage under any Act of Parliament or Charter, or to alter or repeal any Provisions contained in any Act or Acts of Parliament relating to the Pilots of any Ports or Districts, in relation to which Provisions shall have been made in any Act or Acts of Parliament as to Pilots or Pilotage, or the Pilotage within the Limits prescribed by any Act or Acts of Parliament relating to Pilotage, for such Ports, other than and except as herein particularly provided.

Act not to prevent the Master, &c. of Ships, residing at Dover, &c. from piloting their own Ships in the Rivers Thames or Medway.

XXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent or hinder the Master or Mate of any Ship or Vessel, or Owner or Part Owner, residing at *Dover*, *Deal*, or the *Isle of Thanet* from conducting or piloting his own Ship or Vessel up or down the Rivers *Thames* or *Medway*, or into or out of any Port or Place within the Jurisdiction of the Cinque Ports.

Licensed Pilots may supersede unlicensed ones. Penalty on Masters continuing unlicensed Pilots or acting out of their Limits, after a proper Pilot shall have offered to take Charge of the Ship.

XXXI. Provided also, and be it further enacted, That it shall be lawful for any licensed Pilot to supersede any Person not licensed as a Pilot, in the Charge of any Ship or Vessel within the Limits of his Licence; and every Master of any Ship or Vessel who shall continue any unlicensed Person, or any licensed Person acting out of the Limits for which he is qualified as a Pilot, after any Pilot licensed to act within the Limits in which such Ship or Vessel shall then actually be, shall have offered to take Charge of the Ship or Vessel, and every Person assuming or continuing in the Charge or Conduct of any Ship or Vessel without being duly licensed to act within the Limits in which such Ship or Vessel shall actually be, after any Pilot duly licensed and qualified to act in the Premises shall have offered to take charge of such Ship or Vessel, shall respectively forfeit for every such Offence a Sum not exceeding Fifty Pounds nor less than Twenty Pounds.

Trinity House of Deptford shall establish Rates of Pilotage, which shall be hung up at the respective Custom Houses.

XXXII. And be it further enacted, That it shall be lawful for the Corporation of Trinity House of *Deptford Strond*, and they are hereby authorized and required to establish, vary and alter, from Time to Time, as Circumstances shall render the same necessary, regular Rates of Pilotage, in relation to all Pilotage performed in any River, Port, or Place, or upon any Coast whatever, by any Pilot or Pilots who shall be licensed by the said Corporation, upon their receiving Certificates of Examination from any Sub-Commissioners of Pilotage hereby directed to be appointed; which Rates shall be regulated by and proportioned as well to the Size and Draught of Water of the Vessels, as to the Distance piloted, the Detention and Responsibility of the Pilot, and such other Circumstances as the said Corporation may think fit to take into Consideration in fixing and establishing such Rates, of which Establishment or Alterations of Rates of Pilotage Notice shall be given by hanging up printed Tables thereof, corrected from Time to Time as Variations therein shall be made, at the several Custom Houses at the Ports to which the said Rates shall apply.

Majority of Pilots or Owners of Ships being

XXXIII. Provided always, and be it further enacted, That if the major Part in Number of the Pilots who shall be licensed by the said Corporation of Trinity

dissatisfied with the Rates may appeal to the Privy Council, who may determine the Matter.

Trinity House of *Deptford Strond* for any particular Port or Place in consequence of their receiving Certificates of Examination as aforesaid, shall be dissatisfied with the Rates so established or altered, or in case any Owners of Ships or Vessels interested in any such Rates shall be dissatisfied with such respective Rates, it shall be lawful for such Parties respectively to appeal to the Lords of His Majesty's Most Honourable Privy Council; and it shall be lawful for any Committee of such Privy Council, calling to their Assistance any such Persons as they may think fit, to hear and determine the Matter of such Appeal or Appeals, and to settle, alter and regulate such Rates as to them shall appear to be expedient, in case the Matter of such Appeal shall, in the Discretion of the said Committee of Privy Council, appear to require the making any Orders therein.

Trinity House may make Bye Laws, and annex Penalties to Breach of them.

XXXIV. And be it further enacted, That all Persons licensed to act as Pilots or in Pilot Vessels by the said Corporation of Trinity House by virtue of this Act, shall from Time to Time, and at all Times hereafter, be subject to the Regulation and Government of the Master, Wardens, and Assistants of the said Corporation, who are hereby authorized and empowered, as well for ensuring the good Conduct and constant Attendance of such Pilots upon their Duty, as for enforcing the general Purposes of this Act, from Time to Time to make and frame all such Bye Laws, Rules, Orders, Regulations, and Ordinances as they shall think fit, therein specifying and directing also what annual or other Sums shall be paid by any such Pilots to the Sub-commissioners of Pilotage for the Examination of such Pilots, and for granting and renewing or confirming their Licences from Time to Time; and it shall be lawful for the said Master, Wardens, and Assistants of the said Corporation respectively, to annex such reasonable Penalties and Forfeitures for the Breach of such Bye Laws, Rules, Orders, and Ordinances when made, as to them shall seem expedient in that Behalf, and from Time to Time to annul, alter, and amend, all or any of the existing Bye Laws, and to make such other and new Bye Laws, Rules, Orders, and Ordinances as they shall think proper, so as such Bye Laws, Rules, Regulations, and Ordinances be made conformable to the true Intent and Meaning of this Act, and shall not be repugnant to the Laws of this Realm: Provided always, that no Bye Laws shall have Force or Effect before they shall have been examined, sanctioned, and approved by the Chief Justice of His Majesty's Court of King's Bench, or by the Chief Justice of His Majesty's Court of Common Pleas, the Sanction and Approbation of either of which Chief Justices shall be verified under his Hand and Seal; and all and every such Bye Laws, Rules, Orders, and Ordinances when so made and confirmed as aforesaid, shall be observed and kept, and put in Execution, and have the same Force and Effect and Operation, to all Intents and Purposes, as if the same were respectively enacted by this Act.

Bye Laws to be sanctioned by the Chief Justice of the King's Bench or Common Pleas.

Copies of proposed Bye Laws to be previously transmitted to the Privy Council; and to the Commissioners of

XXXV. And, in order that all such Bye Laws, Rules, and Regulations, may be previously examined by the Parties interested therein; be it enacted, That Copies of all such proposed Bye Laws, Rules, and Regulations, shall be transmitted to His Majesty's Privy Council and to the Commissioners of Customs in *London*, Three Calendar Months before the same shall be submitted to such Chief Justice as aforesaid, and the Commissioners of the Customs are hereby required, upon the Receipt of such

Copies, to cause the same to be printed and hung up, as soon as the same can be done, in the several Custom Houses of the principal Ports in *Great Britain*, to be open to the Inspection of all Persons interested therein at all seasonable Times.

Customs, who shall cause printed Copies to be hung up at the Custom Houses.

XXXVI. And be it further enacted, That all Copies of such Bye Laws, Rules, Orders, and Ordinances, as shall be so made and confirmed as aforesaid, shall be printed and shall be hung up in some public or conspicuous Place in the several Custom Houses of the Ports in *England*, within the Limits for which the Pilots respectively shall be licensed, and also at the Trinity House in *London*.

Copies of Bye Laws confirmed to be hung up in the Custom Houses and the Trinity House.

XXXVII. And be it further enacted, That every Person who shall apply for a Licence to act as a Pilot by virtue of this Act, shall, before any Licence shall be granted to him, execute a Bond in a penal Sum at the Discretion of the said Corporation of Trinity House of *Deptford Strond*, or the Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, in an Amount not exceeding One hundred Pounds, to be paid to the said Corporation or Society, their Successors and Assigns, with a Condition subjoined thereto for better securing the due Obedience of such Pilot to the Bye Laws, Rules, Orders, Regulations, and Ordinances which shall be made and framed pursuant to this Act; which Bonds shall be capable of being given in Evidence in any Court of Law or Equity, without being stamped according to the Laws relating to the Stamp Duties.

Persons applying for Licences shall execute a Bond for securing Obedience to Bye Laws.

XXXVIII. And be it further enacted, That the Master or Person commanding any Ship or Vessel bound to the River of *Thames*, and which shall repair to *Standgate Creek* for the Performance of Quarantine, shall pay the full Charges of Pilotage up to *Gravesend* or *Standgate Creek*; and every Pilot conducting any such Vessel to *Standgate Creek*, shall be entitled to such Pay *per Diem* for the Days he shall be obliged to remain on Quarantine as shall be in that Behalf allowed for such Detention by the Rates of Pilotage to be established by virtue of this Act.

Masters of Vessels bound to the River Thames repairing to Standgate Creek to pay full Charges of Pilotage, &c.

XXXIX. And be it further enacted, That if any Pilot taking charge of any Ship or Vessel into the Rivers *Thames* or *Medway*, shall quit such Ship or Vessel at *Standgate Creek* before such Ship or Vessel shall have arrived at the Place to which such Ship or Vessel is bound in the Rivers *Thames* or *Medway* respectively, without the Consent of the Captain or other Person having the Command thereof, unless some other duly qualified Pilot shall come on board and shall take the Charge and Conduct of such Ship or Vessel for the Residue of the Pilotage to be performed; every such Pilot shall forfeit for every such Offence all Pay or Reward to which he might be entitled for having conducted or piloted such Ship or Vessel to *Standgate Creek*, and shall also be subject to such other Penalty or Punishment as by virtue of any of the Provisions of this Act, or of the Rules and Regulations to be established in pursuance hereof, any Pilot shall be liable to for quitting a Ship or Vessel before she shall arrive at her Place of Destination.

Pilots quitting Ships at Standgate Creek before Arrival at the Place to which bound, to forfeit Pay, and be liable to Penalty.

XL. And be it further enacted, That a particular Description of the Person of every Pilot shall be indorsed on the Back of his Licence; and every Captain or Master, or other Person having the Command of a Ship

A Description of every Pilot to be indorsed on his Licence.

which shall be inſpected by Maſters of Veſſels, and if ſuſpected of not being the right Perſon, a Copy of it to be ſent to the Corporation granting it, &c.

or Veſſel, on receiving a Pilot on board, ſhall inſpect his Licence; and if he ſhall have Reaſon to think that ſuch Pilot is not the Perſon to whom the Licence was granted, ſuch Captain or Maſter, or other Perſon having the Command of ſuch Ship or Veſſel, is hereby required forthwith to tranſmit a Copy of ſuch Licence to the Corporation or Perſons by whom ſuch Licence ſhall have been granted, ſtating the Date thereof, together with ſuch Account and Deſcription of the Perſon producing ſuch Licence or Warrant, as may lead to the Diſcovery of the Offender.

After Dec. 31, 1808, if any Pilot ſhall keep a Publick Houſe, &c. (unleſs authorized), or ſhall offend againſt the Revenue Laws, &c. he ſhall be diſcharged or ſuſpended.

XLI. And be it further enacted, That from and after the Firſt Day of *December* One thouſand eight hundred and eight, if any Pilot licenſed by virtue of this Act, or otherwiſe duly licenſed, ſhall keep or be concerned in keeping, either by himſelf or any Agent or Servant, or other Perſon, or ſhall in any way be intereſted in keeping of any Publick Houſe or Tavern, or Place of publick Entertainment, or in the ſelling of any Wine or Spirituous Liquors, or Tobacco or Tea (unleſs ſuch Pilot ſhall have kept, or been concerned or intereſted in the ſame before the Firſt Day of *March* One thouſand eight hundred and eight, and ſhall be duly authorized by the Corporation or Authority under which ſuch Pilot ſhall act, to continue in ſuch Buſineſs or Employment); or if any Pilot licenſed as aforeſaid ſhall be convicted of any Offence againſt any Law or Laws relating to the Revenues of Cuſtoms or Exciſe, or ſhall be concerned in, or ſhall wilfully connive at any indirect Practices or Frauds againſt the Revenues of Cuſtoms or Exciſe, or ſhall procure, abet, connive at, or participate in any Deſtruction, Spoil, Concealment, Fraud, Exaction, or corrupt Practice relating to Ships or Veſſels, or Perſons in Diſtreſs at Sea or by Shipwreck, or relating to the Tackle, Apparel, or Furniture, or the Cargoes of ſuch Ships or Veſſels, or relating to the Crew or Paſſengers belonging thereto, or the Monies, Goods, or Chattels of any of them, then and in every ſuch Caſe every ſuch Pilot ſhall (over and above all other Puniſhments, Mulcts, and Penalties, for ſuch Offences) be diſmiſſed from being a Pilot, or ſhall be ſuſpended from acting as ſuch, at the Diſcretion of the Corporation or other Authority from which ſuch Pilot's Licence was derived.

No Pilot ſhall act till his Licence has been regiſtered by the principal Officers of the Cuſtoms near his Reſidence, nor without having his Licence in his Cuſtody, &c. on Penalty.

XLII. And be it further enacted, That no Perſon ſhall take Charge of any Veſſel, or in any Manner act as a Pilot, or receive any Compenſation for acting as a Pilot, unleſs he ſhall be authorized thereto by ſome lawful Licence, nor until ſuch Licence ſhall have been regiſtered by the principal Officers of the Cuſtom Houſe of the Place at or neareſt to which ſuch Pilot ſhall reſide, which Officers are hereby required to regiſter the ſame without Fee or Reward, nor without having his Licence at the Time of his ſo acting in his perſonal Cuſtody ready to be produced, and which he ſhall actually produce to the Maſter of any Ship or Veſſel, or other Perſon who ſhall be deſirous of employing him as a Pilot; nor ſhall any Perſon, although duly licenſed to act as a Pilot, act in that Capacity out of or beyond the Limits expreſſed in his Licence, or beyond the Extent of his Qualification therein expreſſed, on pain of forfeiting a Sum not exceeding Thirty Pounds nor leſs than Ten Pounds for the Firſt Offence, and for any Second or ſubſequent Offence any Sum not exceeding Fifty Pounds nor leſs than Thirty Pounds.

XLIII. And

XLIII. And be it enacted, That on the Death of any Pilot, his Executors and Administrators, or One of them, or the Person or Persons to whose Hands the Licence of such deceased Pilot shall come, shall, without wilful Delay, transmit such Licence to the Corporation, Company, or Persons by whom such Licence was granted, on pain of forfeiting for any Neglect therein, or for Refusal to deliver the same when lawfully demanded, a Sum not exceeding Twenty Pounds nor less than Forty Shillings. On Death of a Pilot, his Licence shall be returned to the Corporation that granted it, on Penalty.

XLIV. And be it further enacted, That it shall be lawful for the said Corporation of Trinity House of *Deptford Strond*, and also for the said Society or Fellowship of Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, and also for all other Corporate Bodies, or other Persons having lawful Authority to appoint Pilots within the Limits of their respective Jurisdictions, to license Vessels of such Size and Description as shall appear to them to be proper for the Purpose of having Pilots constantly in Attendance in such Vessels at Sea; and for the better Support of such Pilot Vessels, it shall be lawful for any Number of Pilots licensed by virtue of this Act, or otherwise lawfully licensed, with the Consent of the said Corporate Bodies, or Persons by whom respectively such Pilots have been or shall be appointed as aforesaid, to constitute a Joint Stock Company or Companies for the providing and maintaining of such Pilot Vessels; which Companies, and the said Vessels, shall at all Times be subject to such Rules and Regulations as shall from Time to Time be sanctioned and approved in that Behalf by the said Corporate Bodies, or Persons by whom respectively such Pilots shall respectively have been licensed. Corporate Bodies or Persons authorized to license Pilots may license Vessels for having Pilots in Attendance on them at Sea, and a Joint Stock Company may be constituted for providing them, &c.

XLV. And be it further enacted, That every Pilot Boat or Vessel, or other Boat or Vessel in the Pilot Service of any Corporation or Society established by Law in relation to Pilotage, or of any Persons authorised to act as a Pilot by such Corporation or Society, shall at all Times and on every Station be fitted with Black Sides, and have the upper Strake next the Gunwale painted White, and shall while afloat carry a Vane at the Mast Head, or else a Flag on a Sprit or Staff, or in some other equally conspicuous Situation; which Vane or Flag shall be of large Dimensions, proportioned to the Size of the Boat or Vessel carrying the same, and shall be half Red and half White, in horizontal Stripes, of which the uppermost shall be White, and the same shall at all Times be kept and preserved in a clean and distinct Condition, so as to be easily discerned at a proper and sufficient Distance, and every such Boat or Vessel shall also have the Name of the principal Pilot thereof for the Time being, painted in broad White Letters of Three Inches in Length on a Black Ground on her Stern, and on each Bow such Number as shall be expressed in the Licence of such principal Pilot; which Name and Numbers shall not be hid or concealed by any Person at any Time, on pain of forfeiting the Sum of Twenty Pounds for such Omission or Evasion, to be paid by such principal Pilot, who shall at all Times be answerable for the due Observance of the Matters aforesaid, by every Person on board such Boat or Vessel; and every other Boat not in the Service of any Corporation or Society carrying off a Pilot, shall exhibit a similar Flag on a Sprit or Mast, to distinguish that she has a Pilot on board. Pilot Boats shall be fitted as herein specified, with the Name and Number of the principal Pilot painted thereon. Penalty for concealing Name or Number. Boat carrying off a Pilot shall exhibit a Flag to distinguish she has a Pilot.

XLVI. And be it further enacted, That if any Boat or Vessel, not having a licensed Pilot on board, shall without lawful Authority carry such distinguishing Vane or Flag as aforesaid, the Owner or Owners, or the Master or Penalty for carrying such distinguishing Flag without

having such Pilot on board.

or other Person having Charge of such Boat or Vessel, displaying or carrying any such Vane or Flag, shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

Penalty on Pilots declining to take Charge of Vessels, or exacting more than the allowed Fee, &c.

XLVII. And be it further enacted, That every Pilot licensed by virtue of this Act, or otherwise duly licensed, who shall, when disengaged or on any frivolous Pretexts, decline to take charge of any Ship or Vessel, unless such Cause shall be shewn by the Pilot as shall justify his not taking charge of the Ship, or who shall decline, on being required by any Captain of any of His Majesty's Ships, or the Master or other Person having the Charge of any Ship or Vessel, to come on board of any Ship or Vessel, or who shall decline, when required by any Commissioned Officer in His Majesty's Navy, or by any Principal Officer of His Majesty's Customs, or by any other Person or Persons interested as Principal or Agent for or on Behalf of any Ship or Vessel wanting a Pilot, to go off to and take charge of any Ship or Vessel when it shall be safe so to do; or who shall exact or demand, or bargain for any greater Fee or Reward, or any greater Price or Hire for Pilotage than as are or shall be allowed by such Rates or Rules as are or shall hereafter be legally established in that Behalf; or who shall in anywise delay going on board any such Ship or Vessel, or taking Charge thereof when on board or alongside thereof, or who shall quit any such Ship or Vessel, or decline the Piloting thereof after he has been engaged or after going alongside thereof, without Leave of the Owner, Master, Captain, or Person having the chief Command of such Ship or Vessel, or before the Service shall have been performed for which he was hired, or shall by Drunkenness render himself incapable of conducting such Ship or Vessel, or shall negligently or wilfully run such Vessel on Shore, or lose the same, or do any Injury to the same or to the Tackle or Furniture thereof, or who shall lend his Licence to any unlicensed Person, to enable or assist him towards acting or claiming to act as a licensed Pilot, shall forfeit for every such Offence any Sum not exceeding One hundred Pounds, nor less than Ten Pounds, and shall be liable to be dismissed from being or suspended from acting as a Pilot, at the Discretion of the said Corporation of Trinity House of *Deptford Strond*, or at the Discretion of such other Corporate Body, or Person or Persons by whom such Pilot was licensed.

Penalty on Pilots for employing, or requiring Masters to employ, any Boat, &c. beyond what is necessary, thereby to increase Expence.

XLVIII. And be it further enacted, That in case any Pilot licensed by virtue of this Act shall employ or make use of, or shall compel or require any Person having the Command or Charge of any Ship or Vessel, to employ or make use of any Boat, Anchor, Cable, Hawser, or any other Matter or Thing in or for the Service or pretended Service of such Ship or Vessel, beyond what shall actually and *bonâ fide* be necessary and proper for the Use thereof, with Intent thereby to enhance or increase the Charge or Expence of Pilotage or Pilot Assistance of such Ship or Vessel, whether for the Gain and Emolument of such Pilot, or for the Gain or Emolument of any other Person or Persons whomsoever, then and in every such Case the Person so offending shall forfeit and pay a Sum not exceeding Fifty Pounds nor less than Ten Pounds, and shall also be liable to be deprived of his Licence, or to be suspended from acting as a Pilot for a limited Time, at the Discretion of the said Corporation of Trinity House of *Deptford Strond*, or other Authority by which he is or shall be licensed.

XLIX. And be it further enacted, That in case any Person licensed to act as a Pilot by virtue of this Act, or otherwise duly licensed, or any Person not being a Pilot, but acting under pretext or colour of Pilotage, shall wilfully and knowingly conduct, lead, decoy, or betray any Ship or Vessel into Danger in any Manner not already provided against by any Statute or Statutes; or shall unnecessarily or improperly cut any Cable or Cables of or belonging to any Ship or Vessel, or cause or procure the same to be cut unnecessarily and improperly; or if any such Person shall, by wilful Misrepresentation of any Circumstances upon which the Safety of any Ship or Vessel shall appear materially to depend for the Time being, obtain or endeavour to obtain the Charge and Conduct of any Ship or Vessel, then and in every such Case the Person so offending, or who shall aid in, procure, abet, or connive at the committing of any such Offence or Offences, shall forfeit and pay a Sum not exceeding One hundred Pounds, nor less than Twenty Pounds; and in case the Person so offending shall be a Pilot, he shall be either dismissed from being a Pilot, or suspended from acting as such for a limited Period, at the Discretion of the Corporation or other Authority by whom such Pilot was licensed.

Penalty for conducting any Vessel into Danger, or unnecessarily cutting Cables, &c.

L. And be it further enacted, That if any such licensed Pilot Vessel or Boat shall run before any Ship or Vessel, not having a licensed Pilot on board, for the Purpose of directing the Course of such Ship or Vessel until a Pilot can be put on board, the Pilot on board such Pilot Vessel, or the Person having charge of her, shall be entitled to the full Pilotage for the Distance run, until a duly licensed Pilot shall be put on board, as if such Person had been actually on board such Ship, and had the Charge of her as a Pilot.

Pilot Boats running before Vessels not having a Pilot on board entitled to Pilotage.

LI. And be it further enacted, That no Pilot shall be taken to Sea by the Commanding Officer of any of His Majesty's Ships, or by any Master of any Ship or Vessel in the Merchant Service, without his free Consent, except in case of absolute and unavoidable Necessity; and in such Case every Pilot so taken to Sea shall have and receive Ten Shillings and Sixpence *per diem*, until he shall be returned to the Port or Place where he was taken on board, or until he shall have been discharged from the Ship for a sufficient Time to have enabled him to return there.

No Pilot shall be taken to Sea without his Consent, except in case of Necessity, and then shall receive 10s. 6d. per diem.

LII. And whereas it is expedient that the surplus Rates of Pilotage imposed by this Act on Ships not having *British* Registers, should be applied for creating a Fund for such Pilots belonging to the Trinity House of *Deptford Strond*, and of the Fellowship of the Cinque Ports as shall be superannuated; be it enacted, That all such Excess of Rates as aforesaid, which shall pertain to the Establishment of the Trinity House, shall be paid to a Receiver or Receivers, to be appointed in that Behalf by the said Corporation at some Place or Places convenient for the making of such Payment within the Port of *London*, and shall be applied by the said Corporation in the Manner herein-after directed; and if such extra Rates of Pilotage shall pertain to the Establishment of the Cinque Ports, then the same shall be paid to a Receiver or Receivers, to be in that Behalf appointed by the Lord Warden and the Court of Loadmanage, at some convenient Place or Places for the Payment thereof within the said Port of *London*, and shall be applied by the said Court in the Manner herein-after in that Behalf directed; that is to say, in both Cases to create a Fund for the better Support and

Surplus Rates of Pilotage on Ships not having British Registers shall be paid to Receivers, and made a Fund for Relief of infirm Pilots, and an Account thereof shall be annually laid before Parliament.

Maintenance of such Pilots as shall become incapable of discharging their Duty from advanced Age, or from any Accident, or permanent Infirmity; to be applied and distributed in such Manner, and under such Rules and Regulations as the Corporation of the Trinity House of *Deptford Strond*, and the Lord Warden and the Court of Loadmanage of the Cinque Ports shall respectively order and provide; of which Receipts and Appropriations the said Corporations and Courts respectively shall annually lay an Account thereof before Parliament, within Ten Days after the Commencement of each Session.

How Pilotage of Ships, not Foreign, may be recovered.

LIII. And be it further enacted, That all Sums of Money which shall become due to any licensed Pilot for Pilotage, shall and may be recovered from the Owners or Masters of Ships or Vessels, or from the Consignees or Agents thereof, not being Foreign Ships or Vessels, who shall have paid or made themselves liable to pay any other Charge for the Ship or Vessel in the Port of her Delivery, and shall and may be levied in such and the like Manner according to the Amount of any such Sums of Money respectively, as any Penalty or Penalties may be recovered and levied under and by virtue of this Act, Demand thereof being made in Writing at least Fourteen Days before such Levy.

How Pilotage of Foreign Ships may be recovered.

LIV. And be it further enacted, That the Consignees or Agents of all Foreign Ships and Vessels, who shall have paid or engaged to pay any Charge whatever in relation to such Ship or Vessel, shall be liable to the Payment of, and shall pay all Sums for Pilotage outwards, due to the Pilot or Pilots who shall have piloted such Ships or Vessels, on Proof being made within Fourteen Days after such Pilotage shall have been performed, on the Oath of such Pilot before any Justice of the Peace, that the same has not been paid by the Captain of such Ship or Vessel; and in such Case the Sums of Money so due for Pilotage shall be recoverable in like Manner as any Penalty under the Sum of Ten Pounds may be recovered by virtue of this Act; and such Consignees or Agents of Foreign Ships or Vessels are hereby authorised and empowered to retain in their Hands respectively, out of any Monies which they may have received for or on account of such Foreign Ship or Vessel, or the Owner or Owners thereof, so much as shall be sufficient to pay and discharge such Pilotage outwards, and any Expences attending the same.

Consignees of Foreign Ships may retain Pilotage.

Penalty on Masters of Vessels piloted by any other than a licensed Pilot.

LV. And be it further enacted, That the Master of every Ship or Vessel which shall be piloted or conducted by any other than a duly licensed Pilot, within any Limits for which Pilots have been or shall be appointed by any lawful Authority, shall forfeit Double the Amount of the Sum which would have been demandable for the Pilotage of such Ship or Vessel, together with Five Pounds for every Fifty Tons Burthen of such Ship or Vessel: Provided always, that nothing in this Act shall extend to subject to Penalties any Master of any Ship or Vessel who shall act himself as Pilot in passing up and down the *English* Channel, or elsewhere in passing by any Part of the Coast of *England*, in the Course of any Voyage, or within the Limits of the Port or Place to which his Ship belongs, not being a Port or Place in relation to which Provision hath heretofore been made by any Act or Acts of Parliament, or by any Charter or Charters for the Appointment of Pilots, or who shall employ any Person as a Pilot, or who shall act himself as such for the Conduct of his Ship or Vessel, in any Case where and so long as a duly qualified Pilot shall not

Exception.

offer Assistance or make a Signal for that Purpose: Provided also, that this Act shall not extend or be construed to extend to hinder any Persons from assisting any Ship or Vessel in Distress at any Time or Place, nor shall subject such Persons, or any Master of any Ship or Vessel employing such Persons, to the Penalties of this Act, in respect of such Assistance given during the Distress of such Ship or Vessel, or in consequence thereof, or under any Circumstances which shall have rendered it necessary for such Master to avail himself of the best Assistance which at the Time could be procured; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Penalty for reporting to Pilots a false Account of the Draught of Water of Vessels, or altering Marks on Vessels to denote such Draught.

LVI. And be it further enacted, That every Person having the Command or Charge for the Time being of any Ship or Vessel, who shall report, or be privy or consenting to any other Person's reporting to any Pilot taking the Charge of such Ship or Vessel, a false Account of the Draught of Water of such Ship or Vessel, shall forfeit and pay for every such Offence, in addition to the Payment of the full Rate of Pilotage to the Pilot entitled thereto, double the Amount of such Pilotage; and any Person having the Command or Charge for the Time being of any Ship or Vessel, or having any Interest, Share, or Property therein, who shall fraudulently alter any Marks on the Stem or Sternpost thereof, denoting the Draught of Water, or shall be privy to and consenting thereto, shall for any such Offence forfeit and pay the Sum of Five hundred Pounds.

How Controversies respecting the Draught of Water of Vessels shall be settled.

LVII. And, in order to prevent or settle Controversies concerning the Draught of Water of Ships and Vessels which shall be from Time to Time in the River of *Thames* (not having *British* Registers), be it enacted, That whenever any Difference about the Draught of Water of any Ship or Vessel shall arise between the Master or other Person having the Command of any such Ship or Vessel, and any Person who shall have piloted the same into the said River, or who shall be required to pilot the same therefrom, pursuant to the Directions of this Act, the said Corporation of Trinity House, or some proper Officer or Person appointed by them, shall admeasure the Draught of Water of such Ship or Vessel, and shall settle and determine the same between the Parties, upon Application made by either of them to the said Corporation within Twelve Hours after such Ship or Vessel shall have arrived at her Moorings in the River, or before the Cargo thereof shall be begun to be unladen, or before such Ship or Vessel shall quit her Moorings on any outward Voyage; for which Admeasurement the Officer or Person making the same shall be paid One Guinea, if the Ship or Vessel shall be below or in the Pool, and Half a Guinea if above the Pool, by the Person requiring such Admeasurement, or making Application for the same to the said Corporation.

The Names of the Pilots to be inserted in the Report of Ships coming into the Port of London, by the Officer of the Customs, who shall report the

LVIII. And be it further enacted, That every Master or other Person having the Command for the Time being of any Ship or Vessel required to be piloted according to the Directions of this Act, shall, on coming into the Port of *London*, and in making the Entry or Report of his Ship or Vessel Inwards, insert or cause to be inserted in such Entry or Report the Name of the Pilot or Pilots employed or engaged by him, or by the Owner of such Ship or Vessel to pilot the same into the said Port of *London*, and which Insertion shall be made (without Fee or Reward) by the proper Officer of the Customs, in the said Entry or Report, who shall also report the same to

same monthly to the Trinity House.

to the Corporation of the Trinity House monthly; and also that the Principal Searcher or Clearing Officer of the Customs at *Gravesend* shall demand and take the Name or Names of the Pilot or Pilots of all Ships or Vessels clearing outwards from the Port of *London*, and shall transmit monthly Lists of such Names to the said Corporation of the Trinity House, on Pain of forfeiting a Sum not exceeding Five Pounds nor less than Forty Shillings, to be paid by every Person who shall neglect to comply with the foregoing Regulations respectively.

Clearing Officer at Gravesend to transmit like Reports of Vessels clearing outwards.

Lists of Pilots containing sundry Particulars to be transmitted to the Trinity House and the Commissioners of Customs.

LIX. And be it further enacted, That Lists of the Christian and Surnames, Ages, and Places of Residence, of all Pilots in *England*, shall, with the Dates of their Appointments, on or before the Thirty-first Day of *December* One thousand eight hundred and eight, be transmitted to the Corporation of Trinity House of *Deptford Strond*, at their Court House in *London*, distinguishing the Limits within which such Pilots are appointed to act respectively, and thenceforward from Time to Time as each Appointment of a Pilot shall take place; and also Duplicates of such Lists to the Commissioners of the Customs in *England*, annexing to the Lists to be transmitted to the Trinity House the Rates of Pilotage, and also stating the Rules and Regulations made and established in relation to such Pilots, in case such Rules and Regulations shall have been made by any other Authority than by Act of Parliament, or by the said Corporation of Trinity House of *Deptford Strond*, and the same, when so compleated, shall be transmitted as aforesaid by the respective Bodies Politick and Corporate, and other Persons authorized to appoint Pilots in any of the Ports, Harbours, or Rivers, or on any of the Coasts of *England*, by whom such Pilots shall have been appointed respectively; and the said Bodies Politick and Corporate, and other Persons authorized to appoint Pilots as aforesaid, shall and they are hereby required to transmit to the said Corporation of Trinity House, at their said Court House in *London*, annually on the Thirty-first Day of *December*, or within One Calendar Month afterwards, a List corrected up to the said Thirty-first Day of *December* annually, of the Names and Residence of the Pilots within their several Jurisdictions, and stating such Alterations as may have been made (if any) in the Rules and Regulations for governing Pilots within the respective Districts.

45 G. 3. c. 10. and 46 G. 3. c. 98.

Commissioners of Customs to transmit to their principal Officers at the several Ports in England the Names and Residence of the Pilots who shall reside within the Limits of each Port.

LX. And whereas by Two Acts passed in the Forty-fifth and Forty-sixth Years of His present Majesty, for the more effectual Performance of Quarantine, Pilots are required, on going on board Ships arriving from Foreign Parts, in certain Cases to give Information to the Commanders thereof respecting Proclamations and Orders in Council relative to the Performance of Quarantine, which renders it necessary that Notice of such Proclamations and Orders, which may have been issued subsequent to the Departure from *England* of such Ships, should be previously communicated to all Pilots throughout *England*; be it further enacted, That the said Commissioners of the Customs shall, within One Month, from the Thirty-first Day of *December* One thousand eight hundred and eight, transmit to the principal Officers of the Revenue under their Management at the several Ports in *England*, the Names and Places of Residence of such Pilots in the Lists so transmitted to them as shall reside within the Limits of each Port respectively, and so from thenceforward the Name of each Pilot of whose Nomination they shall receive Notice from the proper Authority, in order that the said principal Officers at the several

Ports may be enabled to communicate to every Pilot within the Limits of the Ports respectively all Proclamations or Orders in Council respecting the Performance of Quarantine by Ships arriving from infected Places, which the said Officers are hereby required to do.

Provisions of 8 Eliz. c. or any other Acts for Preservation of Beacons, shall extend to all Vessels appointed to exhibit Lights, &c.

LXI. And be it further enacted, That all the Provisions, Clauses, Penalties, and Forfeitures, contained in an Act passed in the Eighth Year of the Reign of Queen *Elizabeth*, or any other Act or Acts made and in force for the Preservation of Beacons and Sea Marks, shall extend and be construed to extend to all Vessels duly appointed to exhibit Lights therein for the Preservation of Ships and Vessels at Sea, and to all Persons removing, injuring, or destroying such Vessels or Lights; which Offences may be laid and tried in any County in *England*.

Penalty for riding by, &c. such Vessels, or any Buoy or Beacon.

LXII. And be it further enacted, That every Person who shall ride by, make fast to, or remove, or wilfully or negligently run down, or run foul of any Vessel appointed or placed to exhibit Lights, or any Buoy or Beacon belonging to the said Corporation of the Trinity House of *Deptford Strond*, or belonging to or placed by any other Corporation having lawful Authority to place the same, shall forfeit for every such Offence any Sum not exceeding Fifty Pounds nor less than Ten Pounds, together with the Expence of replacing or making good any Damage occasioned by such Misconduct.

39 G. 3. c. 69. Local.

LXIII. And whereas by an Act passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled, *An Act for rendering more commodious and for better regulating the Port of* London, the Dock Master or Dock Masters appointed by the *West India* Dock Company, under and by virtue of the said Act, have full Power and Authority to direct the mooring, unmooring, moving or removing of all Ships and other Vessels, Lighters, and Craft, as shall be within the Distance of Two hundred Yards from any Entrance out of the said River there into the Works of the said Company, as to the Time or Times, and Manner of their Entrance into, lying in, or going out of or from the same: And whereas the Powers given to the said Dock Master or Dock Masters, under and by virtue of the said recited Act, have not been found sufficient to enable him and them to enforce Obedience to his and their Orders and Directions, to Pilots having the Charge or Direction of navigating Ships and Vessels within the aforesaid Distance of Two hundred Yards of the respective Entrances into the said Docks from the River *Thames*; be it therefore enacted, That from and after the passing of this Act, if any Pilot or Pilots having the Charge or Direction of navigating any Ship or Vessel within the aforesaid Distance of Two hundred Yards from the respective Entrances into the said Docks from the River *Thames*, and either intended to go into, or having recently come out of the Docks, Basons, or other Works of the said Company, shall neglect or refuse to obey such Orders or Directions as shall or may from Time to Time be given to such Pilot or Pilots by the said Dock Master or Dock Masters under and by virtue of, and agreeably to the Powers vested in him and them by the said recited Act, touching or relating to the mooring, unmooring, moving, or removing of such Ships or Vessels so being under the Charge or Direction of such Pilot or Pilots as aforesaid, then and in every such Case every Pilot so offending shall forfeit and pay a Sum not exceeding Fifty Pounds and not less than

Penalty on Pilots for not obeying the Orders of the Dock Master of the West India Dock Company.

Twenty Pounds; and every such Pilot shall be liable to be dismissed from being a Pilot, or suspended from acting as such, at the Discretion of the Corporation, or other Authority by whom such Pilot was licensed.

List of Vessels employed for Pilotage, with the Number of Hands, to be annually transmitted to the Receiver of the 6d. Duty in the Port of London.

LXIV. And be it further enacted, That the Corporation of the Trinity House of *Deptford Strond*, and the Court of Loadmanage of the Cinque Ports, and all other Corporations for managing or directing Pilots in any Part of *England*, under the Authority of any Act of Parliament or Charter, shall annually, within One Month after the First Day of *January* in every Year, transmit to the Office of the Receiver of the Sixpenny Duty in the Port of *London*, a List of all the Vessels, of every Description, employed by them, or by Persons under their Authority, for the Purposes of Pilotage, with the Number of Men and Boys belonging to or serving in any such Vessel.

How Penalties not exceeding 20 l. may be recovered.

LXV. And be it further enacted, That all Fines, Penalties, or Forfeitures by this Act imposed or to be imposed by any Bye Law made under the Authority thereof, the Manner of levying whereof is not herein directed, and which shall not exceed Twenty Pounds, or in respect of which any Sum less than Twenty Pounds may be awarded at the Discretion of any Justice hearing the Offence, may be levied and recovered within Six Calendar Months after the Offence or Offences committed, or within such other Time as is hereinafter in that Behalf directed, before any Justice or Justices of the Peace for the County, City, Division, or Place where the Offence shall be committed, or if committed by any Pilot, before any Justice of the Peace or Magistrate of the City, Town, or Port to which such Pilot shall belong; or if committed by any Owner or Master of any Ship, by any Justice of the Peace or Magistrate of the County, City, Town, or Port at which such Owner or Master shall reside, or to which the Ship of such Owner or Master shall belong; or if committed by any Pilot of the Trinity House of *Deptford Strond*, or the Cinque Ports, or by any other Person on any Part of the Sea from *Folkstone* to the Mouth of the River *Thames*, or up the Rivers *Thames* or *Medway*, then by any Justice of the Peace of the Counties of *Kent*, *Surrey*, *Essex*, or *Middlesex*, or by any Magistrate of the City of *London*; and such Justice and Justices is and are hereby empowered and required, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders at the Time or Place in such Warrant specified; and if on Conviction of the Offender or Offenders respectively, or on his, her, or their Confession, or on the Evidence of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer) such Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall and may be lawful to and for such Justice or Justices to commit every such Offender to the common Gaol or House of Correction for the County, City, or Place where the Offender shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months nor less than Twenty-one Days, until such Fine, Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid: Provided always, that no Justice or Magistrate shall in any Case award any Sum exceeding Twenty Pounds.

LXVI. And

How Penalties above 20 l. may be recovered.

LXVI. And be it further enacted, That all Fines, Penalties, or Forfeitures exceeding the Sum of Twenty Pounds by this Act imposed, for any Offence or Offences committed against this Act, or in which any greater Sum may be awarded than Twenty Pounds, and in which the Party prosecuting such Offence shall proceed for any greater Sum than Twenty Pounds, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or any more than One Imparlance shall be allowed, within Twelve Calendar Months next after the Offence or Offences shall be committed, or within such other Time as is hereinafter in that Behalf directed: Provided always, that in case the said respective Periods of Six Calendar Months and Twelve Calendar Months, or either of them, within which Fines, Penalties, or Forfeitures are to be sued for as aforesaid, shall in any Case or Cases of elapse and run out before any Prosecution hereby authorized or directed shall have been commenced for the Recovery of such Fines, Penalties, or Forfeitures; and if it shall in Manner hereinafter mentioned be made to appear, as soon after as the Circumstances of the Case shall reasonably admit, that the Commencement of the Prosecution has been delayed by reason of the Absence of any Party or Parties, whether offending or complaining, or by the Absence of any necessary Witness or Witnesses; then upon such Circumstances being stated by Affidavit, in Writing, made before any Judge of any of His Majesty's Courts of Record at *Westminster*, it shall thereupon be lawful for any such Judge or Judges to order or authorize the Commencement of such Prosecution, within such further Time as such Judge shall think fit to limit in that Behalf; and in such Case the Prosecution or Prosecutions so ordered or authorized, shall and may be commenced and prosecuted within the Time or respective Times so limited, in like Manner and with the like Effect, in all Respects, as if such Prosecutions had been commenced and prosecuted within the said respective Periods of Six Months and Twelve Months hereby limited: Provided always, that nothing herein contained shall extend to affect or impede the Jurisdiction of the Court of Loadmanage, as far as respects the Pilots appointed under the Authority of the said Court; and provided also, that nothing in this Act contained shall extend or be construed to extend to affect or impair the Jurisdiction of the High Court of Admiralty.

Act not to affect the Jurisdiction of the Court of Loadmanage or of the High Court of Admiralty.

Justice of any County into which an Offender shall escape, or his Goods shall be, may indorse the original Warrant, which shall authorise the Peace Officers to execute it, &c.

LXVII. And be it further enacted, That in case any Person against whom a Warrant shall be issued by any Justice or Justices, before or after any Conviction for any Offence against this Act, shall escape, go into, or reside, or be in any other County, Riding, Division, City, Liberty, Town or Place, not of the Jurisdiction of such Justice or Justices granting such Warrant or Warrants; or if the Goods and Chattels of any Offender convicted of any Offence in pursuance of this Act, shall be in any County, Riding, Division, City, Liberty, Town, or Place, other than where the said Party was convicted, or Warrant of Distress granted, it shall be lawful for any Justice of the Peace of the County, Riding, Division, City, Liberty, Town, or Place into which such Person shall escape, either before or after Conviction, or where his Goods and Chattels shall be after such Conviction, and they and every of them are hereby required, upon Proof made upon Oath of the Hand-writing of any Justice or Justices granting such Warrant or Warrants, to indorse his or their Name or Names on such Warrant; and the same, when so delivered,

shall be sufficient Authority to all Peace Officers to execute such Warrant in such other County, Riding, Division, City, Town, or Place out of the Jurisdiction of the Justice or Justices granting the said Warrant; and any Justice or Justices respectively, on the Offender or Offenders being apprehended and brought before him or them within their respective Jurisdictions, may proceed to hear and determine the Complaint, in the same Manner as if it had originally arisen within his or their respective Jurisdictions; and may direct the Offender or Offenders to be carried to the Justice or Justices who granted the original Warrant, to be dealt with according to Law.

Application of Penalties.

LXVIII. And be it further enacted, That One-third of all Fines or Penalties to be levied in pursuance of this Act, or under any Bye-Law made in pursuance thereof, by whomsoever incurred, shall go to the Person who shall inform or sue for the same, and the Remainder of all such Fines or Penalties shall be paid and applied to the Fund of the Trinity House at *Deptford Strond*, and shall be applied, after defraying thereout the Expences of carrying this Act into Execution, in such Manner and for the like Purposes as the other Funds of the said Corporation are by Law or Usage applicable, in case such Fines or Penalties shall be incurred by Pilots licensed by the said Corporation, or by any other Person or Persons, in relation to any Matters wherein such last-mentioned Pilots shall be in anywise concerned; and in case such Fines or Penalties shall be incurred by Pilots of the Cinque Ports, or by any other Person or Persons in relation to any Matters wherein such last-mentioned Pilots shall be in anywise concerned, then the remaining Two-thirds of such last-mentioned Fines or Penalties shall go to such Fund as hath been or shall be established by the Persons having the Direction of the Cinque Port Pilots, and shall be applied to the Use of such respective Funds, after defraying, out of such Funds and Penalties, the respective Expences incurred in carrying this Act into Execution.

Witnesses not appearing may be committed to the House of Correction.

LXIX. And be it further enacted, That if any Person who shall be summoned as a Witness before any Justice or Justices of the Peace, shall refuse or neglect to appear at the Time by such Summons appointed, having no just Cause for such Neglect or Refusal, it shall be lawful for such Justice or Justices, on Proof of such Summons having been served, and of a Tender of reasonable Expences having been made to such Person on his being served with such Summons, to issue his or their Warrant under his Hand and Seal, or their Hands and Seals, to bring such Person before him or them; and if on Appearance, or on being brought before any Justice or Justices, such Person shall refuse to be examined on Oath concerning the Premises, without having some just Cause for such Refusal, it shall be lawful for such Justice or Justices, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Person to the House of Correction of the County, City, Division or Place where any such Person shall be apprehended, there to remain for any Time not exceeding Six Months nor less than Fourteen Days, as any such Justice or Justices shall direct.

Persons convicted of giving false Witness guilty of Perjury.

LXX. And be it further enacted, That every Person, who in any Examination upon Oath under the Provisions of this Act, shall wilfully give false Testimony or a false Account of the Matter sworn to by him, shall be liable to be prosecuted for the same by Indictment; and, if duly convicted of false

Swearing in the Premiſes, ſhall be ſubject and liable to ſuch Puniſhments, Diſqualifications, and Diſabilities, as any Perſon would be ſubject or liable to for wilful and corrupt Perjury in any other Caſe by the Laws and Statutes of the Realm.

Diſtreſs not unlawful on account of want of Form, &c.

LXXI. And be it further enacted, That where any Diſtreſſes 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, nor ſhall 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, Warrant of Diſtreſs, or the Proceedings relating thereto; neither ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards committed; but the Party or Parties aggrieved by ſuch Irregularity ſhall and may recover the full Satisfaction for the ſpecial Damage ſuſtained in an Action on the Caſe.

Convictions may be drawn up in the following Form.

LXXII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every Juſtice and Juſtices of the Peace before whom any Perſon ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up according to the following Form; *videlicet*,

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me [*or*, us] One [*or*, Two, *as the Caſe may be*] of His Majeſty's Juſtices of the Peace for the [*here ſpecify the Offence, and the Time and Place when and where committed, as the Caſe may be*] contrary to an Act paſſed in the Forty-eighth Year of the Reign of King *George* the Third, intituled, [*here inſert the Title of this Act*]. Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year firſt above written.'

No Writ ſhall be granted for Removal of Convictions.

And no *Certiorari* or other Writ or Proceſs, for the Removal of any ſuch Conviction, or any Proceedings thereon, into any of His Majeſty's Courts of Record at *Weſtminſter*, ſhall be allowed or granted.

Appeal may be made to the Quarter Seſſions, who may finally determine the Matter, and award Coſts.

LXXIII. And be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons ſo convicted by any Juſtice or Juſtices of the Peace before mentioned, of any Offence or Offences againſt this Act, or againſt any Rule, Order, or Bye Law made in purſuance thereof, within Three Calendar Months next after ſuch Conviction, to appeal to the Juſtices of the Peace aſſembled at the General Quarter Seſſions holden for the County, City, or Place where the Matter of Appeal ſhall ariſe, firſt giving Ten Days Notice of ſuch Appeal to the Perſon or Perſons appealed againſt, and of the Matter thereof, and within Fourteen Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, City, or Place, with ſufficient Sureties conditioned to try ſuch Appeal, and for abiding the Determination of the Court therein; and ſuch Juſtices ſhall, upon due Proof of ſuch Notice having been given, and Recognizance entered into, hear and determine the Matter of ſuch Appeal, and may either confirm or quaſh and annul the ſaid Conviction, and award ſuch Coſts to either Party as to them ſhall ſeem juſt and reaſonable, and the Deciſion of the ſaid Juſtices therein ſhall be final, binding, and concluſive; and no Proceeding to be had or taken in purſuance of this Act ſhall be quaſhed or

Proceedings not to be quaſhed for

wantof Form, nor removed by Certiorari.

or vacated for want of Form only, or be removed by *Certiorari* or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere; any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

Limitation of Actions.

LXXIV. And be it further enacted, That if any Suit or Action ſhall be brought or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, in every ſuch Caſe the Action or Suit ſhall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County, City, or Place where the Cauſe of Action ariſes, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, Not Guilty, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to be done, or if any ſuch Action or Suit ſhall be brought after the Time limited for bringing the ſame, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited or ſuffer a Diſcontinuance of his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Act not to prejudice any Right of the City of London.

LXXV. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice or take away any Right, Property, Authority, or Juriſdiction of the Mayor of the City of *London*, or of the Mayor and Commonalty and Citizens of the City of *London*, to, in, and upon the River of *Thames* aforeſaid.

Publick Act.

LXXVI. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Continuance of Act.

LXXVII. And be it further enacted, That this Act ſhall be in force for Four Years from the paſſing thereof.

SCHEDULES to which this Act refers.

SCHEDULE

TABLE of the RATES of PILOTAGE for piloting Ships from the River to the Downs, and Thames to London, and

FROM	TO	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
From the Sea, Orfordneſs, the Downs, Hoſely Bay, and vice verſâ	Nore or Warps	4 0 0	5 10 0	5 15 0	6 16 0	7 5 0
	Graveſend, Chatham, Standgate Creek, or Blackſtakes	5 0 0	7 10 0	8 5 0	9 0 0	9 15 0
	Longreach	5 5 0	7 15 0	8 12 0	9 10 0	10 5 0
	Woolwich or Blackwall	5 15 0	8 5 0	9 5 0	10 0 0	11 0 0
	Moorings or London Docks	6 6 0	8 11 0	9 15 0	10 10 0	11 10 0
From the Nore or Warp, or thereabouts, and vice verſâ	Graveſend or Standgate Creek	2 2 0	2 15 0	3 5 0	3 12 0	3 18 0
	Longreach or Chatham	2 10 0	3 5 0	3 15 0	4 5 0	4 10 0
	Woolwich or Blackwall	3 0 0	4 0 0	4 15 0	4 18 0	5 7 6
	Moorings or London Docks	3 10 0	4 10 0	5 5 0	5 15 0	6 5 0
From Graveſend Reach, and vice verſâ	Upward:					
	Longreach	0 10 0	1 7 6	1 12 6	1 17 6	2 2 6
	Woolwich or Blackwall	1 5 0	2 0 0	2 8 0	2 18 0	3 8 0
	Moorings or London Docks	1 10 0	2 10 0	3 0 0	3 10 0	4 0 0
	Downward:					
	Sheerneſs or Blackſtakes	3 0 0	3 10 0	4 0 0	4 10 0	5 0 0
	Chatham	3 10 0	4 0 0	4 10 0	5 0 0	5 10 0
From Longreach	Upward:					
	Woolwich or Blackwall	1 0 0	1 10 0	2 0 0	2 10 0	3 0 0
	Moorings or London Docks	1 10 0	2 0 0	2 10 0	3 0 0	3 10 0
	Downward:					
	Sheerneſs or Blackſtakes	3 10 0	4 0 0	4 10 0	5 0 0	5 10 0
	Chatham	4 0 0	4 10 0	5 0 0	5 10 0	6 0 0
	Upward:					
	Moorings or London Docks	1 0 0	1 10 0	1 12 6	1 15 0	2 0 0
	Downward:					
	Sheerneſs or Blackſtakes	4 0 0	4 10 0	5 0 0	5 10 0	6 0 0
	Chatham	4 10 0	5 0 0	5 10 0	6 0 0	6 10 0

Ships not having Britiſh Regiſters to pay One-fourth more of the Rates of Pilotage

For Half a Foot exceeding the above Draughts of Water

For intermediate Diſtances a proportionate Rate.

For removing a Ship or Veſſel from Moorings into a Dry

	£ s. d.
For a Ship under 300 Tons	0 15 0
300 to 600 —	1 1 0
600 to 1,000 —	1 11 6
above 1,000 —	2 2 0

In the River Thames above Graveſend:

For a Boat of a Claſs carrying an Anchor of above

Ditto with an Anchor above 2 cwt. and cor-

Ditto with an Anchor under 2 cwt. &c.

And for each Man's Service in thoſe Boats,

(A.)

up and down the North Channel, from and to Hosely-Bay; or from off the Entrance of the to Sea from the River.

14 Feet.			15 Feet.			16 Feet.			17 Feet.			18 Feet.			19 Feet.			20 Feet.			21 Feet.			22 Feet.			23 Feet & upwards.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
8	0	0	8	10	0	9	10	0	10	5	0	11	16	0	12	10	0	14	0	0	—			—			—		
10	10	0	11	5	0	12	0	0	12	15	0	15	6	0	18	2	0	21	0	0	23	2	0	25	4	0	27	6	0
10	17	6	11	15	0	12	10	0	14	6	6	16	16	0	20	4	0	23	2	0	25	0	0	27	0	0	29	0	0
12	0	0	12	15	0	13	10	0	15	8	0	17	14	0	21	5	0	24	0	0	27	0	0	—			—		
12	10	0	13	10	0	14	5	0	16	0	0	18	10	0	22	6	0	25	5	0	—			—			—		
4	2	0	4	10	0	4	18	0	5	10	0	6	6	0	7	0	0	8	8	0	9	9	0	10	10	0	11	11	0
4	14	6	5	2	0	5	14	0	6	6	0	7	7	0	8	0	0	10	10	0	11	11	0	12	12	0	13	13	0
5	18	0	6	6	0	6	15	0	7	15	0	8	18	0	10	0	0	12	12	0	13	13	0	—			—		
6	15	0	7	5	0	7	15	0	8	15	0	10	0	0	12	0	0	14	0	0	15	0	0	—			—		
2	7	6	2	12	6	2	17	6	3	2	6	3	7	6	3	12	6	3	17	6	—			—			—		
3	18	0	4	5	0	4	13	0	5	2	0	5	10	0	6	15	0	8	5	0	—			—			—		
4	10	0	5	0	0	5	10	0	6	0	0	6	10	0	8	0	0	9	10	0	—			—			—		
5	10	0	6	0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	—			—			—		
6	0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	—			—			—		
3	10	6	4	0	0	4	10	0	5	0	0	5	12	6	6	6	0	7	0	0	9	0	0	—			—		
4	0	0	4	10	0	5	0	0	5	12	6	6	6	0	7	0	0	8	0	0	10	0	0	—			—		
6	0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	—			—		
6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	10	0	0	—			—		
2	5	0	2	10	0	2	15	0	3	0	0	3	5	0	3	10	0	3	15	0	—			—			—		
6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	—			—			—		
7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	10	0	0	—			—			—		

than stated in the above Table, except chiefly laden with Corn or other Provisions.

the medium Price between the two Limits.

or Wet Dock.

	£	s.	d.	
4 cwt. with a corresponding Towline, the Rate	2	2	0	per Trip for the whole Distance from Gravesend to London, and in Proportion for any Part of that Distance.
responding Towline	1	11	6	
	1	1	0	

10s. 6d. per Tide.

SCHEDULE

A TABLE of the reſpective RATES to be received by the Pilots of the Cinque

FROM	TO	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
The Downs -	Nore, Sheerneſs, Standgate Creek, Graveſend -	5 0 0	7 10 0	8 5 0	9 0 0	9 15 9
	Longreach - -	5 10 6	8 0 6	9 0 0	9 15 0	10 12 6
	Blackwall or London -	6 6 0	8 11 0	9 15 0	10 10 0	11 10 0
Standgate Creek -	Graveſend - -	3 3 0	3 13 6	4 4 0	4 14 6	5 5 0

N. B. One Fourth Part is to be added to the reſpective Rates in the

For every Half Foot exceeding 10 Feet of the above Draughts of Water an

For intermediate Diſtances a proportionate Rate equal to Half the Difference

Ships and Veſſels which ſhall be boarded by Pilots Weſtward

For putting a Pilot on board, and for Pilotage to the Anchorage in the Downs.

1. From off Dungeneſs to the Downs - -
2. From the Weſtward of Folkſtone to the Downs
3. From the Weſtward of Dover to the Downs -
4. From off Dover and Weſtward of the South
5. From off the South Foreland, and to the Northward or for coming on board when at Anchor there

Ships not having Britiſh Regiſters to pay One Fourth more of the Rates of Pilotage

To all the ſeveral Rates above mentioned ſhall be added £.5 per Cent. when the Number of Cinque Port Pilots increaſed to 180; of which increaſed Numbers reſpectively, Notice ſhall be given by the Lord Warden of the of Middleſex and Kent.

In the River above Graveſend.

For a Boat of a Claſs carrying an Anchor of above 4 cwt. with a
Ditto with an Anchor above 2 cwt. and
Ditto with an Anchor under 2 cwt. &c. -
And For each Man's Service in thoſe Boats, 10s. 6d. per Tide.

(B)

Port Eſtabliſhment, according to the Regulations eſtabliſhed by this Act.

14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet and upwards.
£ s. d	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
10 10 0	11 5 0	12 0 0	12 15 0	25 6 0	18 2 0	21 0 0	23 2 6	25 4 0	27 6 0
11 7 6	12 6 0	13 1 0	14 6 6	16 17 6	20 4 0	23 2 0	25 4 0	27 6 0	29 8 0
12 5 0	13 7 0	14 2 0	15 18 0	18 9 0	22 6 0	25 4 0	27 16 6	—	—
5 15 6	6 6 0	6 16 6	7 7 0	7 17 6	8 8 0	8 18 6	—	—	—

ſeveral foregoing Claſſes for Ships not having Britiſh Regiſters.

increaſed Rate equal to the Medium between the Two Limits is to be paid.

between the Two Limits.

of the Downs are to pay the ſeveral Rates following:

	£ s. d.
- - - - - - -	5 5 0
- - - - - - -	4 4 0
- - - - - - -	3 3 0
Foreland to the Downs - - -	2 2 0
of that Promontory to the Anchorage in the Downs - - - - - - -	1 1 0

than is ſtated in this Table, except ſuch as are chiefly laden with Corn or other Proviſions.

ſhall be increaſed to 140; £ 10 per Cent. when they ſhall be increaſed to 160; and £ 20 per Cent. when they ſhall be Cinque Ports, or by his Authority, in the London Gazette, and in one or more Newſpapers circulating in the Counties

	£ s. d.	
correſponding Tow Line, the Rate -	2 2 0	Per Trip for the whole Diſtance from Gravesend to London, and in Proportion for any Part of this Diſtance.
correſponding Tow Line - -	1 11 6	
- - - -	1 1 0	

SCHEDULE (C.)

OATH to be taken by the Master and Wardens of the Society of Cinque Port Pilots.

'I *A. B.* do swear, That I will diligently and impartially examine and inquire into the Capacity and Skill of in the Art of piloting Ships and Vessels over the Flats and round the Longsand Head, and up the Rivers of *Thames* and *Medway*, and into *Ramsgate*, *Dover*, *Sandwich*, and *Margate* Harbours, and also upon the Coasts of *Flanders* and *Holland*; and will make true and speedy Return thereof to the Lord Warden of the Cinque Ports for the Time being, or his Deputy, without Favour, Affection, Fee, or Reward.

'So help me GOD.'

SCHEDULE (D.)

OATH to be taken by Sub-Commissioners for Pilotage.

'I *A. B.* do swear, That I will diligently and impartially examine into the Capacity and Skill of in the Art of Piloting Ships and Vessels into the Roadstead, Port, or Harbour, and upon the Coast following, *videlicet*, [*here describe the Limits within which the Person examined is intended to act as a Pilot*] and will make true and speedy Return thereof to the Corporation of Trinity House of *Deptford Strond*, without Favour, Affection, Fee, or Reward, other than such Fee or Reward as is allowed by the Bye Laws or Regulations duly established in that Behalf.

'So help me GOD.'

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