ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. XXXIX.

An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Veſſels on the Coaſt of *England*. [20th *April* 1812.]

WHEREAS Ships and Veſſels have frequently been wrecked, and many Lives and much Property have been loſt, from the Ignorance or 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 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 Coaſt of *England*: And whereas an Act was paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, intituled *An Act for the better Regulation of Pilots, and of the Pilotage of Ships and Veſſels navigating the* Britiſh *Seas*, which is now near expiring; and it is expedient that the ſame ſhould be continued, with Alterations and Amendments, as is hereinafter enacted: 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 the ſaid Act, paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, ſo far as the ſame relates to any Rates of Pilotage due or to become due, 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 Commencement of the Operation of any of the Proviſions of this Act, in relation to any ſuch Matters as aforeſaid, ſhall be and the ſame is hereby continued; and 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.

48G.3.c.104.

48G.3.c.104. continued, as far as relates to Rates and Penalties incurred.

Proviſions in Acts relating to Pilots, repealed.

From the paſſing of this Act, the Corporation of Trinity-Houſe of Deptford ſhall licenſe fit Perſons as Pilots, to conduct all Veſſels within certain Limits;

II. And be it further enacted, That from and after the paſſing of this Act, 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 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

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*: And that from and after the paſſing of this Act, it ſhall be lawful for the Lord Warden of the Cinque Ports, and Conſtable of *Dover* Caſtle, or his Lieutenant for the Time being, and they are hereby required to appoint and licenſe fit and competent Perſons, duly ſkilled as Pilots, for the Purpoſe of conducting all Ships and Veſſels ſailing, navigating and paſſing from the Weſtward up the Rivers *Thames* and *Medway*, that is to ſay, from *Dungeneſs* up to *London Bridge* and *Rocheſter Bridge*, and from the Buoy of the Brake to the Weſtward, that is to ſay, from the ſaid Buoy to the Weſt End of the Owers; all which Veſſels ſhall be conducted and piloted by ſuch Pilots ſo appointed and licenſed, and by no other Pilots or Perſons whomſoever; 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 Traders inwards from the Ports between *Boulogne* inclusive and the *Baltic*, ſuch Ships and Veſſels having *Britiſh* Regiſters, and coming up 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 *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 Lord Warden of the Cinque Ports and Conſtable of *Dover* Caſtle for the Time being, or his Lieutenant for the Time being, 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.

like Powers given to the Lord Warden of the Cinque Ports, &c.

except as herein excepted.

III. And be it further enacted, That from and after the paſſing of this Act, 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 whatever, 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 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

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

tion 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 King *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 by the Trinity Houſe, except as herein ſpecified, nor take charge of a Ship drawing more than 14 feet Water, on Penalty on himſelf and the Maſter of the Ship.

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; and that no Perſon ſhall be ſo licenſed, or be allowed until after Three Years Licence and Service, to take charge as a Pilot of any Ship or Veſſel drawing more than Fourteen Feet Water, in the Rivers *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.

VI. And be it further enacted, That no Perſon ſhall, from and after the paſſing of this Act, 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*, by the Lord Warden of the Cinque Ports and Conſtable of *Dover* Caſtle for the Time being, or his Lieutenant 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.

Pilots of lower Claſs to be allowed after certain Period of Service to take charge of Ships of greater Draught than

VII. And be it further enacted, That no Perſon belonging as a Pilot to the Society or Fellowſhip of Pilots of *Dover*, *Deal*, and the *Iſle of Thanet*, commonly called *Cinque Port Pilots*, ſhall from and after the paſſing of this Act, be allowed to take Charge as a Pilot of any Ship or Veſſel drawing more than Eleven Feet Six Inches Water, until he ſhall have been licenſed and acted as a Pilot for Three Years, or of any Ship or Veſſel drawing more than Fourteen Feet Water, until he ſhall have

been licenſed and acted as a Pilot for Two Years more, making Five Years in the Whole, or of any Ship or Veſſel drawing more than Seventeen Feet Water, until he ſhall have been licenſed and acted as a Pilot Two Years more, making Seven Years in the Whole; and at the Expiration of ſuch Period of Seven Years, ſuch Pilot ſhall be again examined as to his Fitneſs and Competency, and if he ſhall be approved of in ſuch Examination and licenſed, ſhall be authorized and allowed and entitled to take Charge of any Ships or Veſſels of any Draft of Water: Provided always, that in caſe of the Abſence of Pilots who have been licenſed and have acted as ſuch for the Terms of Three Years and upwards, Five Years and upwards, and Seven Years and upwards reſpectively, the Pilots in the lower Claſſes may take Charge of Ships drawing more Water than hereinbefore ſpecified for their reſpective Years of Service, and ſhall not in ſuch Caſe be liable to any Penalties for ſo doing; nor ſhall the Maſters of the Ships who may take any ſuch Pilot on board in the Abſence of the Pilots of the upper Claſſes, nor the Owners of ſuch Ships 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 ſuch Ship or Veſſel, or any Cargo on board the ſame, by reaſon of ſuch Pilots being ſo employed in their Ships in the Abſence of the others: Provided always, that in any ſuch Caſe the proper Flag ſhall be kept flying, within the Limits and Diſtances herein-after mentioned, and for the Period of One Hour after the Veſſel ſhall have been at anchor, as is in this Act provided for Cinque Port Pilots coming on board of any Veſſel within ſuch Limits; and the Maſter or Perſon commanding any ſuch Ship or Veſſel ſhall be ſubject to the Penalties and Forfeitures by this Act impoſed for neglecting to keep a Pilot Signal flying accordingly, although he ſhall have agreed to take any ſuch Pilot of a lower Claſs, in caſe of no other Pilot coming on board; and any Pilot having ſuch Licenſe as ſhall qualify him to take Charge of any ſuch Ship or Veſſel on board of which any ſuch Pilot of a lower Claſs ſhall ſo be, ſhall be entitled within ſuch Time, Limits, and Diſtance as aforeſaid, to ſuperſede ſuch Pilot of a lower Claſs.

heretofore in Abſence of Pilots of higher Claſs.

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, or after he ſhall have been licenſed and ſerved for Seven Years, ſhall take the Oath marked (C.) in the Schedule hereunto annexed, to be adminiſtered unto him by the Regiſter of the Court of Loadmanage, who is hereby authorized to adminiſter ſuch Oath.

Maſter and Wardens of the Trinity Houſes of Dover, &c. appointed to examine Pilots, ſhall take the Oath in Schedule (C.).

IX. And be it further enacted, That from and after the paſſing of this Act, the reſpective Rates or Prices herein-after 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 Lord Warden of the Cinque Ports and Conſtable of *Dover* Caſtle for the Time being, or his Lieutenant for the Time being, 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.

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.

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 have been or 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.

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.

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 meantime 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 ſhortening ſail, 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 his Ship or Veſſel to ſuch Cinque Port Pilot; and every Perſon commanding any ſuch Ship or Veſſel, who ſhall not diſplay and keep flying the uſual Signal for a Pilot to come on board, from the Time ſuch Ship or Veſſel ſhall have arrived off *Dungeneſs*, and until the Veſſel ſhall have paſſed the Buoy of the Brake in a Line to be drawn from *Sandown* Caſtle to the ſaid Buoy (unleſs in the meantime a duly qualified Pilot ſhall have come on board) or who ſhall decline to take any ſuch Cinque Port Pilot on board, or to give ſuch Charge of his Ship or Veſſel to ſuch Pilot, or who ſhall not heave to, ſhorten ſail, or otherwiſe facilitate ſuch Pilot coming on board as aforeſaid, conſiſtently with the Safety of the Ship or Veſſel, ſhall forfeit and pay double the Amount of the Sum which would have been demanded for the Pilotage of ſuch Ship or Veſſel, and ſhall forfeit the further Sum of Five Pounds for every Fifty Tons Burthen of ſuch Ship or Veſſel: Provided always, that ſuch additional Penalty of Five Pounds for every Fifty Tons, ſhall not in any Caſe be ſued for or recovered, unleſs the Corporation of the Trinity Houſe, as to all Caſes in which Pilots licenſed by or under the ſaid Corporation ſhall be concerned, or unleſs the ſaid Lord Warden for the Time being, or his Lieutenant for the Time being, ſhall licenſe and authorize by written Certificate the Proceeding for ſuch additional Penalty as to all Cauſes in which

Pilots by or under the ſaid Lord Warden ſhall be concerned: 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.

XII. And whereas great Convenience to Trade will ariſe by putting an End to the 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 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.

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.

XIII. And whereas the Pilots of the Cinque Ports are divided into Two Claſſes, called the Upper and Lower Book Pilots: And whereas the permitting Cinque Port Pilots of the Lower Book to take Charge of Ships which heretofore would only be taken by Pilots of the Upper Book, will diminiſh the Profits of the Upper Book Pilots, and increaſe the Profits of the Lower Book Pilots; and it is therefore reaſonable that Compenſation ſhould be made by the Lower Book Pilots to the Perſons who are at this Time Upper Book Pilots; be it therefore enacted, That it ſhall be lawful for the Court of Loadmanage from Time to Time to ſettle the amount of the Deductions to be made from the Rates received by Lower Book Pilots for taking charge of Veſſels of greater Draft of Water than they could heretofore by Law take, and in what Proportions, and how and in what Manner, and to whom the ſame are to be paid, and how the ſame ſhall be applied in making Compenſation to the preſent Upper Book Pilots for the Loſſes they may ſuſtain by ſuch Lower Book Pilots taking Charge of ſuch Veſſels as aforeſaid; provided that ſuch Deductions ſo to be fixed as aforeſaid, ſhall from Time to Time be diminiſhed and decreaſed as the preſent Sixty-four Upper Book Pilots ſhall die, be ſuperannuated, or diſcontinue to act as Pilots; and that ſuch Deductions ſhall be taken and accepted in lieu of all other Allowances or Contributions whatſoever from the ſaid Lower Book Pilots, except Trinity Money, Clerks Fees, and for Widows.

Court of Loadmanage to ſettle the Compenſation to be paid to the Upper Book Pilots, by the Lower Book Pilots, for being allowed to take charge of Ships of greater Draft.

XIV. And

Directing Rules to be made for Cinque Port Pilots.

XIV. And be it further enacted, That all Perſons licenſed to act as Cinque Port Pilots ſhall from Time to Time, and at all Times hereafter, be ſubject to the Regulation and Government of the Lord Warden of the Cinque Ports and Conſtable of *Dover* Caſtle for the Time being; and the Maſter and Wardens of the ſaid Society or Fellowſhip of Pilots of *Dover* Caſtle and the *Iſle of Thanet*, and the Lord Warden of the Cinque Ports, Conſtable of *Dover* Caſtle for the Time being, his Lieutenant for the Time being, and the Deputy Lieutenant for the Time being, or either of them, with the Aſſent of the Commiſſioners of Loadmanage or the major Part of them preſent 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, conſtant Attendance, 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; and from Time to Time to annul, alter, or amend all and every of ſuch or of any exiſting Rules or Orders, or Bye Laws, and to make ſuch other Bye Laws, Rules, and Regulations, as they ſhall deem fit and proper; and all ſuch Rules and Regulations hereafter to be made ſhall, before the ſame are allowed to take Effect or become binding on any Perſon or Perſons whatever, be forthwith printed and tranſmitted to the Cuſtom Houſe in *London*, and there hung up in ſome conſpicuous Place in the Long Room of the ſaid Cuſtoms; and Notices ſhall be publiſhed in the *Gazette*, and alſo put up at the Cuſtom Houſes within the Cinque Ports, of ſuch Bye Laws, Rules, and Regulations, or any Alterations thereof, for Inſpection, for One Calendar Month, in order that any Perſons intereſted therein, whether as Owners or Maſters of Ships, or Pilots or otherwiſe, may tranſmit to the Lord Warden of the Cinque Ports, or his Lieutenant, any Objections which they may have thereto, for the Purpoſe of the ſame being altered or confirmed; and if no Objection to the Rules and Regulations ſo made or altered ſhall be propoſed by or on the Behalf of any Perſon or Perſons within the Space of Thirty Days after the Notices ſhall have been given and made public in the Manner herein-before provided, they ſhall have the ſame Force and Effect, to all Intents and Purpoſes, as all other Rules and Regulations for the Governance of Pilots within the Juriſdiction of the Cinque Ports have; but if an Objection ſhall be made, to the Lord Warden or his Lieutenant, by or on Behalf of any Perſon or Perſons, to any Rule or Regulation, or to any Alteration in any Rule or Regulation, of which Notice ſhall be given as aforeſaid, within Thirty Days after the Publication thereof, then and in ſuch Caſe the Operation thereof ſhall be ſuſpended until Reference ſhall be had to His Majeſty's moſt Honourable Privy Council, who are hereby authorized and empowered to hear, as well any Perſon who ſhall be deputed by the Court of Loadmanage, as by the Perſon or Perſons objecting, and finally to decide as to the confirming, altering, or rejecting ſuch Rules or Regulations, which Deciſion of the Privy Council ſhall be final and be binding on all Parties; 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 at all Times in the Poſſeſſion 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 Rates of Payment out of ſuch Surplus Earnings of the Lower Book Pilots, as may ariſe from their being allowed to take the higher Claſſes of Ships in the Abſence of Pilots of the Upper Book, under the Proviſions of this Act, for the better Support and Maintenance of the Upper Book Pilots, and alſo 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 of their Licences 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.

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

XV. 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, collected 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.

The Number of Cinque Port Pilots ſhall be increaſed.

XVI. 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; and by an Act paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, the Number of ſuch Pilots were increaſed to One hundred and forty; be it therefore enacted, That Twenty Cinque Port Pilots 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 increaſed Number of Pilots ſhall be kept up; but

XVII. And be it further enacted, That whenever the increaſed Numbers of the ſaid Pilots ſhall reſpectively take place as herein-before provided, the

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

the Numbers ſo increaſed ſhall from thenceforth be kept up from Time to Time 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.

XVIII. 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.

XIX. 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: 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.

Pilotage may be demanded as ſoon as the Ship is moored.

The Trinity Houſe of Deptford ſhall

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

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 of 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: Provided always, that such Sub-Commissioners as have been already appointed under the Authority of the said Act of the Forty-eighth Year of His present Majesty, shall continue to act in the same Manner as if they were appointed under this Act.

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.

Sub-Commissionersalready appointed shall continue to act.

XXI. Provided always, and be it further enacted, That it shall be lawful for the Corporation of the Trinity House of the Ports of *Hull* and *Newcastle* respectively, to appoint Sub-Commissioners of Pilotage to examine Pilots and give Licences for Pilots for piloting Ships and Vessels into or out of any Ports, Harbours, or Places, within the Limits of their respective Jurisdictions; any Thing in this or any Act or Acts of Parliament to the contrary notwithstanding.

The Trinity Houses of Hull and Newcastle may appoint Sub-Commissioners to examine Pilots, &c.

XXII. 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, or other Person belonging to any such Ship or Vessel, and having the Command thereof, or if in Ballast, by any other Person or Persons appointed by any Owner, or the Master, or any Agent of the Owner, for the Purpose of entering into or going out of any Dock, or for changing the Moorings of such Ship or Vessel.

Shipsbrought into any Port by Pilots, may beremovedby the Master, &c. forcertain Purposes.

XXIII. 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

Notice of Appointment of Pilots to be fixed up at the Trinity House, &c.

after which no other Pilot shall act.

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 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.

XXIV. And be it further enacted, That if any Person suspended, or adjudged to have forfeited his Licence as a Pilot, shall, during the Time of such Suspension, or after such Adjudication, 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 as a Pilot.

Pilots so suspended, &c. may appeal to the Privy Council.

XXV. 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.

Owners or Masters of Ships shall not be answerable for any Loss, nor Consignees prevented from recovering Insurance, for want of Pilots, &c.

XXVI. 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 wilful Neglect of the Master of the Ship or Vessel in not heaving to or using all practicable Means consistently with the Safety of the Vessel for the Purpose of taking on board any Pilot who shall be ready and offer to take Charge of such Ship or Vessel.

Owners not liable for more than the

XXVII. Provided always, and be it further enacted, That no Owner of any such Ship or Vessel shall be liable, in any such Case, for any Loss or

Damage beyond the Value of such Ship or Vessel and her Appurtenances, and the Freight due or to grow due for and during such Voyage wherein such Loss or Damage may happen or arise. Value of the Ship and Freight.

XXVIII. 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, as to their being compelled to take Pilots on board. Act not to extend to Ships belonging to His Majesty;

XXIX. 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. nor to Vessels not exceeding 60 Tons.

XXX. 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, for or by Reason or Means of any Neglect, Default, Incompetency, or Incapacity of any Pilot taken on board of any such Ship or Vessel under or in pursuance of any of the Provisions of this Act. Owners not to be liable for Loss arising from Incompetency of Pilots, &c.

XXXI. 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. Act not to deprive Persons of Remedy by Civil Action.

XXXII. And be it further enacted, That nothing in this Act shall extend, or be construed to extend, to the taking away, abridging, defeating, impeaching, or interrupting of any Grants, Liberties, Franchises, or Privileges heretofore granted by any Charters or Acts of Parliament to the Pilots of the Trinity House of the Town of *Kingston-upon-Hull*, or the Trinity House of *Newcastle-upon-Tyne*, or 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, or to the Burthen of Vessels navigating to or from such Ports. Act not to affect any Districts having separate Jurisdiction.

XXXIII. 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. Not to prevent the Masters, &c. of Ships residing at Dover, &c. from piloting their own Ships in the Thames or Medway.

Licenſed Pilots may ſuperſede unlicenſed ones; Penalty on Maſters continuing unlicenſed Pilots, &c. after a proper Pilot ſhall have offered to take charge of the Ship.

XXXIV. 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 to act himſelf as a Pilot, or 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.

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

XXXVI. 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 Houſe of *Deptford Strond*, for any particular Port or Place, in conſequence of their receiving Certificates of Examinations 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.

XXXVII. 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 insuring 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 hereafter 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.

XXXVIII. And, in order that all such Bye Laws, Rules, and Regulations, may be previously examined by the Parties interested therein, be it further 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 reasonable Times; and Notice shall be given in the *Gazette*, of such Bye Laws being so hung up for Inspection as aforesaid.

Copies of proposed Bye Laws to be previously transmitted to the Privy Council, and to the Commissioners of Customs, who shall cause printed Copies to be hung up at the Custom Houses.

XXXIX. 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.

XL. 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

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

ſubjoined thereto for better ſecuring the due Obedience of ſuch Pilot to the Bye-Laws, Rules, Orders, Regulations, and Ordinances made in purſuance of the ſaid Act, or which ſhall be made and framed purſuant to this Act; which Bond 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: Provided always, that all Bonds before given by Pilots under any former Act, ſhall continue in force and be deemed to be given under this Act, unleſs new Bonds ſhall in any Caſe be required by the ſaid Corporation or Society reſpectively, in which Caſe new Bonds ſhall be given.

Bye Laws, &c. under former Act to remain valid unleſs altered by this Act.

XLI. And be it further enacted, That all Bye Laws, Rules, Regulations, and Orders made under the ſaid recited Act of the Forty-eighth Year aforeſaid, and in force under the ſame at the Time of the paſſing of this Act, ſhall remain and continue in full Force until the ſame ſhall be annulled or allowed under this Act, or other Bye Laws, Rules, and Regulations ſhall be made under this Act in lieu thereof; and ſhall be and are hereby declared to be good and valid Bye Laws, Rules, and Regulations, and Orders, under this Act, as fully as if they had been made under the Authority of the ſame, any Thing herein before or in the ſaid recited Act to the contrary notwithſtanding.

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

XLII. And be it further enacted, That the Maſter or Perſon commanding any Ship or Veſſel bound to the River *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* or other Place appointed for the Performance of Quarantine; and every Pilot conducting any ſuch Veſſel to *Standgate Creek*, ſhall be entitled to Eight Shillings *per Diem*, for the Days he ſhall be obliged to remain on Quarantine.

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

XLIII. 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 Pilots ſhall be liable to for quitting a Ship or Veſſel before ſhe ſhall arrive at her Place of Deſtination.

Deſcription of Pilot to be indorſed on his Licence, &c.

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

quired 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.

Pilots keeping Public Houſes, &c. (unleſs authorized) or offending againſt the Revenue Laws, &c. ſhall be diſmiſſed or ſuſpended.

XLV. And be it further enacted, That from and after the paſſing of this Act, 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 the keeping of any Public Houſe or Tavern, or Place of public 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 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 until his Licence has been regiſtered; nor without having his Licence in his Cuſtody, &c.

XLVI. 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, unleſs in the Caſes in this Act ſpecified, of Pilots of a lower Claſs acting in the Abſence of Pilots of higher Claſſes; 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.

On Death of a Pilot, his Licence ſhall be returned to the Corporation that granted it.

XLVII. And be it further 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,

demanded, a Sum not exceeding Twenty Pounds, nor less than Forty Shillings.

Corporations authorized to license Vessels for having Pilots in Attendance at Sea, &c.

XLVIII. 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 of 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.

How Pilot Boats shall be fitted, and the Name and Number of the principal Pilot painted thereon.

XLIX. 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 authorized 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.

Penalty for carrying such distinguishing Flag, without having such Pilot on board.

L. 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 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 a Sum of One hundred Pounds.

Penalty on Pilots declining to take

LI. And be it further enacted, That every Pilot licensed by virtue of this Act, or otherwise duly licensed, who shall, when disengaged, or

on

off 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 by any Officer of the Society or Fellowſhip to which ſuch Pilot ſhall belong, 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 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 ſuch 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 Captain of any of His Majeſty's Ships, or of the Owner, Maſter, Captain, or Perſon having the chief Command of any 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 any Ship or Veſſel, or ſhall negligently or wilfully run any 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.

Charge of Veſſels, or exacting more than the allowed Fee, &c.

LII. 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 *bona fide* be neceſſary and proper for the Uſe thereof, with Intent thereby to enhance or increaſe the Charge or Expenſe 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.

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

LIII. 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

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

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 ſuch 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.

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

LIV. 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.

No Pilot ſhall be taken to Sea without his Conſent, except in caſe of Neceſſity, and then ſhall receive Half a Guinea per Diem.

LV. 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 Six-pence *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.

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.

LVI. 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 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 before Parliament, within Twenty Days after the Commencement of each Session.

How Pilotage of Ships not Foreign may be recovered.

LVII. 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 Master 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.

LVIII. 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 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, if Payment thereof shall be demanded from any such Consignee or Consignees within Twenty one Days thereafter; and if any such Sum or Sums which shall so become due, and shall be so demanded as aforesaid, shall not thereupon be paid, then 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 Twenty Pounds may be recovered by virtue of this Act; and such Consignees or Agents of Foreign Ships or Vessels are hereby authorized and empowered to retain in their Hands respectively, out of any Monies which they may have received or shall thereafter receive 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, 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.

LIX. And be it further enacted, That the Master of every Ship or Vessel which shall be piloted or conducted by any other Person 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, and shall likewise forfeit an additional Penalty of Five Pounds for every Fifty Tons Burthen of such Ship or Vessel, if the Corporation of Trinity House of *Deptford Strond*, as to Cases in which Pilots licensed by or under the said Corporation shall be concerned, or the said Lord Warden for the Time being, or his Lieutenant for the Time being, as to all Cases in which the Cinque Port Pilots shall be concerned, shall think it proper that the Person prosecuting should be at Liberty to proceed for the Recovery of such additional Penalty, and certify the same in Writing: Provided always, that nothing in this Act shall extend to subject to Penalties any Master of any Ship or Vessel (not anchoring within the Limits of any Port or Place for which Pilots are or shall be appointed) 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

Exception.

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 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 this 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.

LX. 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.

LXI. And in order to prevent or settle Controversies concerning the Draught of Water of Ships and Vessels which shall be from Time to Time on the River *Thames* (not having *British* Registers); be it further 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.

Names of Pilots to be inserted in the Report of Ships coming into the Port of London.

LXII. 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 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 Ten Pounds, nor less than Five Pounds, to be paid by every Person who shall neglect to comply with the foregoing Regulations respectively.

and reported monthly to the Trinity House.

Like Reports to be made of Vessels clearing outwards.

LXIII. And be it further enacted, That the Master of every Ship or Vessel, not having a *British* Register, who shall not furnish or give the Name of the Pilot or Pilots who shall have been employed to pilot his Ship or Vessel into the Port of *London*, shall be deemed to have sailed and been navigated into the said Port without a Pilot, and shall be liable to pay the same or the like Pilotage for such his Ship or Vessel, for and in respect of the Distance which he shall or may have navigated and sailed up the River *Thames*, or the Channels leading thereto without a Pilot, as he would have been liable to pay if a Pilot had been employed by him; and the same shall be paid to the Collector appointed by the Corporation of Trinity House, and shall go toward the Fund by this Act established in relation to the Surplus Rates of Pilotage: Provided nevertheless, that in all Cases where due Proof shall be made to the Corporation of the Trinity House, at any Time within Three Months after any such Payment, that a Pilot was in any such Case regularly and duly employed and paid, then and in any such Case the Sum or Sums of Money which shall have been so paid, shall be returned to the Person or Persons who shall have paid the same, or any other Person or Persons by him or them duly authorized and empowered to receive the same.

Masters of Foreign Ships not giving the Name of Pilot, shall be deemed to have failed without one, and shall pay Pilotage.

LXIV. 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 twelve, 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 completed, shall be transmitted as aforesaid by the respective Bodies Politic 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 Politic 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*

List of Pilots to be transmitted to the Trinity House and the Commissioners of Customs.

December annually, of the Names and Residences 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.

Commissioners of Customs to transmit to their principal Officers at the several Ports in England the Names, &c. of Pilots residing within the Limits of each Port.

LXV. 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 twelve, 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.

All Acts relating to the Regulation of Pilots extended to this Act.

LXVI. And be it further enacted, That all Acts of Parliament, and all Clauses, Provisions, Powers, Authorities, Regulations, Penalties, and Forfeitures contained in any Act which in any Manner relate to the Regulation of Pilots or Pilotage within any River, Port, or Harbour, or within any local Limits specified in any such Act, Clause, or Provision, and in which any Reference is made to the said Act of the Forty-eighth Year aforesaid, or in any Manner apply thereto, or vary or alter any of the Provisions thereof as to Pilots or Pilotage within any such Limits, shall continue in full Force, notwithstanding the Repeal of the said Act of the Forty-eighth Year aforesaid, and be deemed to refer and apply to this Act, and shall be so construed as if the same were particularly referred to in this Act; any Thing in this Act to the contrary notwithstanding.

Provisions of former Acts for Preservation of Beacons, shall extend to all Vessels appointed to exhibit Lights, &c.

LXVII. 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.

LXVIII. 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 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 Expense of replacing or making good any Damage occasioned by such Misconduct.

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

LXIX. 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 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 nor less than 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 Sixpenny Duty in the Port of London.

LXX. 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 Twenty Pounds may be recovered.

LXXI. And be it further enacted, That all Fines, Penalties and Forfeitures, which are by this Act imposed, or which shall be imposed by any Bye Law made under the Authority thereof, the Manner of levying whereof is not herein otherwise expressly directed, which shall not exceed Twenty Pounds, or in respect of which the Party prosecuting shall proceed for any Sum not exceeding Twenty Pounds, which in all Cases it shall be lawful for him to do, with the Consent of the Corporation of Trinity House of *Deptford Strond*, or of the said Lord Warden for the Time being, or his Lieutenant for the Time being, in the Cases in this

this Act before mentioned, notwithſtanding a greater Penalty might otherwiſe be recoverable, may be levied and recovered within Six Calendar Months after the Offence or Offences committed, or within ſuch other Time as is herein-after in that Behalf directed, before any Juſtice or Juſtices of the Peace for the County, City, Diviſion, or Place, where the Offence or Offences 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 or Veſſel, 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 of the Cinque Ports, or by any other Perſon, on any Part of the Sea from *Orfordneſs* to the Mouth of the River *Thames*, or from *Dungeneſs*, to the Mouth of the River *Thames*, or upon 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, 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 ſuch Offender ſhall be convicted, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, nor leſs than Twenty-one Days, unleſs ſuch Fine, Penalty, or Forfeiture, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid.

How Penalties above Twenty Pounds may be recovered.

LXXII. 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 the loweſt Penalty being leſs than Twenty Pounds, a greater Sum may be awarded than Twenty Pounds, and in which the Party proſecuting ſuch Offence ſhall, with the Conſent of the Corporation of Trinity Houſe of *Deptford Strond*, or of the ſaid Lord Warden for the Time being, or his Lieutenant for the Time being, in the Caſes in this Act before mentioned, proceed for any greater Sum than Twenty Pounds, ſhall and may be recovered, with full Coſts of Suit, 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 herein-after in that Behalf directed; and in any ſuch Caſe or Caſes it ſhall be lawful to ſue for the full Penalty or Penalties, and it ſhall alſo be lawful for the Jury giving the Verdict, to award any Sum, not leſs than the Sum ſpecified as the loweſt Penalty, nor greater than the Sum ſpecified as the higheſt Penalty, for the Offence for which the Action, Bill, Plaint, or Information, is or ſhall be brought: 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 elapſe and run out before any Proſecution hereby authorized and directed ſhall have been commenced for the Recovery of

ſuch

ſuch Fines, Penalties, or Forfeitures; and if it ſhall in Manner herein-after 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 the 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.

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

LXXIII. Provided always, and be it further enacted, 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.

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

LXXIV. 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 within the Juriſdiction of the Juſtice or Juſtices granting ſuch Warrant or Warrants, 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, 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 indorſed, 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.

LXXV. 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 Pilots under any other Juriſdiction or Authority, or by any other Perſon or Perſons, in relation to any Matters wherein 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 or other 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.

LXXVI. 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 Teſtimony, guilty of Perjury.

LXXVII. 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.

Convictions may be drawn up in the following Form.

LXXVIII. 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. or in Words to the like Effect, *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 Fifty ſecond Year of the Reign of King *George* the Third, intituled [*here inſert the Title of this Act*] and I [*or*, We] do adjudge, that he hath therefore forfeited the Sum of [*here inſert the Penalty*]. Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year firſt above written.'

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.

LXXIX. And

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

LXXIX. 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 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 anywise notwithstanding.

Proceedings not to be quashed for want of Form, or removed by Certiorari.

Limitation of Actions.

LXXX. 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 Judgement 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.

LXXXI. Provided always, and it is hereby further enacted and declared, 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 *Thames* aforesaid.

Public Act.

LXXXII. 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,

Act may be altered or repealed this Session.

LXXXIII. And be it further enacted, That this Act may be altered, amended, or repealed, by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULES to whi

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

FROM	TO	7 Feet and under.	8 Feet.	9 Feet.	10 Feet.	11 Feet.	12 Feet
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.
The Sea, Ordfordneſs, the Downs, Hoſely Bay, and vice verſâ	Nore or Warps	4 0 0	4 10 0	5 0 0	5 10 0	5 15 0	6 16
	Graveſend, Chatham, Standgate Creek, or Blackſtakes	5 0 0	5 17 0	6 14 0	7 10 0	8 5 0	9 0
	Longreach	5 5 0	6 2 0	6 19 0	7 15 0	8 12 0	9 10
	Woolwich or Blackwall	5 15 0	6 12 0	7 9 0	8 5 0	9 5 0	10 0
	Moorings or London Docks	6 6 0	7 1 0	7 16 0	8 11 0	9 15 0	10 10
The Nore or Warp, or thereabouts, and vice verſâ	Graveſend, Standgate Creek, or Blackſtakes	2 2 0	2 7 0	2 11 0	2 15 0	3 5 0	3 12
	Longreach or Chatham	2 10 0	2 15 0	3 0 0	3 5 0	3 15 0	4 5
	Woolwich or Blackwall	3 0 0	3 7 0	3 14 0	4 0 0	4 10 0	4 18
	Moorings or London Docks	3 10 0	3 17 0	4 4 0	4 10 0	5 5 0	5 15
Graveſend Reach, and vice verſâ	Longreach	0 10 0	0 16 0	1 2 0	1 7 6	1 12 6	1 17
	Woolwich or Blackwall	1 5 0	1 10 0	1 15 0	2 0 0	2 8 0	2 18
	Moorings or London Docks	1 10 0	1 17 0	2 4 0	2 10 0	3 0 0	3 10
	Sheerneſs or Blackſtakes	3 0 0	3 4 0	3 7 0	3 10 0	4 0 0	4 10
	Chatham	3 10 0	3 14 0	3 17 0	4 0 0	4 10 0	5 0
Longreach, and vice verſâ	Woolwich or Blackwall	1 0 0	1 4 0	1 7 0	1 10 0	2 0 0	2 10
	Moorings or London Docks	1 10 0	1 14 0	1 17 0	2 0 0	2 10 0	3 0
	Sheerneſs or Blackſtakes	3 10 0	3 14 0	3 17 0	4 0 0	4 10 0	5 0
	Chatham	4 0 0	4 4 0	4 7 0	4 10 0	5 0 0	5 10
Woolwich or Blackwall, and vice verſâ	Moorings or London Docks	1 0 0	1 4 0	1 7 0	1 10 0	1 12 6	1 15
	Sheerneſs or Blackſtakes	4 0 0	4 4 0	4 7 0	4 10 0	5 0 0	5 10
	Chatham	4 10 0	4 14 0	4 17 0	5 0 0	5 10 0	6 0

Ships not having Britiſh Regiſters are to pay One-fourth more of the Rates of Pilotage than ſtated in the ab

For Half a Foot exceeding the above Draughts of W
For intermediate Diſtances a proportionate Rate.

For removing a Ship or Veſſel from Moori
For a Ship under 300 Tons
300 to 600 -
600 to 1,000
above 1,000

In the River Thames above Graveſend { For a Boat of a Claſs carrying an Anchor of above 4 c
- - Do. - with an Anchor above 2 cwt.
- - Do. - with an Anchor under 2 cwt.

And for each Man's Service in th

s Act refers.

)

nd down the North Channel, from and to Hoſely Bay; or from or off the Entrance of the ea from the River.

Feet.		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.	£	s.	d.
5	9	8	0	0	8	10	0	9	10	0	10	5	0	11	16	0	12	10	0	14	0	0	15	10	0	18	0	0	20	0	0
15	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
5	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
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	30	0	0	—		
10	0	12	10	0	13	10	0	14	5	0	16	0	0	18	10	0	22	6	0	25	5	0	—			—			—		
18	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
10	0	4	14	6	5	2	0	5	14	0	6	6	0	7	7	0	9	0	0	10	10	0	11	11	0	12	12	0	13	13	0
7	6	5	18	0	6	6	0	6	15	0	7	15	0	8	18	0	10	0	0	12	12	0	13	13	0	15	0	0	—		
5	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	6	2	7	6	2	12	6	2	17	6	3	2	6	3	7	6	3	12	6	3	17	6	5	0	0	6	0	0	—		
8	0	3	18	0	4	5	0	4	13	0	5	2	0	5	10	0	6	15	0	8	5	0	9	15	0	10	10	0	—		
0	0	4	10	0	5	0	0	5	10	0	6	0	0	6	10	0	8	0	0	9	10	0	—			—			—		
0	0	5	10	0	6	0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	—			—			—		
10	0	6	0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	—			—			—		
0	0	3	10	0	4	0	0	4	10	0	5	0	0	5	12	6	6	6	0	7	0	0	9	0	0	10	0	0	—		
10	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	—			—		
10	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	—			—		
0	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	—			—		
0	0	2	5	0	2	10	0	2	15	0	3	0	0	3	5	0	3	10	0	3	15	0	—			—			—		
0	0	6	10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	—			—			—		
10	0	7	0	0	7	10	0	8	0	0	8	10	0	9	0	0	9	10	0	10	0	0	—			—			—		

ble, (except chiefly laden with Corn or other Proviſions) and which is to be paid at the Cuſtom Houſe.

Medium Price between the Two Limits.

a Dry or Wet Dock:
- £0 15 0
- 1 1 0
- 1 11 6
- 2 2 0

h a correſponding Tow Line, the Rate £2 2 0
reſponding Tow Line - - 1 11 6
- - - - - 1 1 0
} Per Trip for the whole Diſtance from Gravesend to London; and in Proportion for any Part of that Diſtance.

ats, 10s. 6d. per Tide.

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A TABLE of the reſpective Rates to be received by the Pilots of the Cin

FROM	TO	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Fe
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£. s.
The Downs	Nore, Sheerneſs, Standgate Creek, Graveſend	5 5 0	7 17 6	8 13 3	9 9 0	10 4
	Longreach	5 16 0	8 8 6	9 9 0	10 4 9	11 3
	Blackwall or London	6 12 3	8 19 6	10 4 9	11 0 6	12 1
Standgate Creek	Graveſend	3 6 2	3 17 0	4 8 2	4 19 0	5 10

For every Half Foot exceeding 10 Feet of the above Draughts of Wate

For intermediate Diſtances a proportionate Rate equal to Half the Differe

Ships and Veſſels which ſhall be boarded by Pilots Weſtw

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, a S the South Pier Head on with the Citadel on
4. From off Dover and Weſtward of the South Fore
5. From off the South Foreland, and to the Northw or for coming on board when at anchor there

Ships not having Britiſh Regiſters, to pay One fourth more of the Rates of Pilotage than is ſtated in this Ta added £10 per Cent. when the Number of Cinque Port Pilots ſhall be increaſed to 160, and £20 per Cent w the Cinque Ports, or by his Authority, in the London Gazette, and in one or more Newſpapers circulating in

In the River above Graveſend.

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

B.

ort 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.
11 0 6	11 16 3	12 12 0	13 7 9	16 1 3	19 0 0	22 1 0	24 5 0	26 9 2	28 13 3
11 18 10	12 18 3	13 14 0	15 0 9	17 14 4	21 4 2	24 5 1	26 9 2	28 13 3	30 17 4
12 17 3	14 0 4	14 16 0	16 13 9	19 7 5	23 8 3	26 9 2	28 13 3	—	—
6 2 3	6 12 3	7 3 3	7 14 4	8 5 4	8 16 4	9 7 4	—	—	—

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

etween the Two Limits.

f the Downs are to pay the ſeveral Rates following:

	£	s.	d.
	5	5	0
	4	4	0
be deemed Weſt of Dover until ſhe ſhall have paſſed the Flag Staffs on Caſtern Redoubt on the Heights	3	3	0
o the Downs	2	2	0
f that Promontory to the Anchorage in the Downs,	1	1	0

xcept ſuch as are chiefly laden with Corn or other Proviſions. To all the ſeveral Rates above mentioned ſhall be hey ſhall be increaſed to 180; of which increaſed Numbers reſpectively Notice ſhall be given by the Lord Warden of he Counties of Middleſex and Kent.

	£	s.	d.	
orreſponding 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.
orreſponding Tow Line,	1	11	6	
	1	1	0	

Schedule (C.)

OATH to be taken by the Maſter and Wardens of the Society of The 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 Long Sand 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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