



ANNO TRICESIMO NONO & QUADRAGESIMO

# GEORGI II. REGIS.

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## *Cap. 10.*

An Act for the Appointment and Regulation of Pilots for the conducting of Ships and Vessels into and out of the Port of *Kingston-upon-Hull*; and for ascertaining the Salvage for Anchors, Cables, and other Ships Materials, found in the River *Humber*; and for the better ascertaining the Tonnage of Ballast Lighters employed at the said Port.

[4th April 1800.]

**W**HEREAS the Corporation of Wardens, Elder Brethren, and Assistants of the Guild or Brotherhood of the Trinity House of *Kingston-upon-Hull*, have for a long Period of Years, by Usage as well as by virtue of Letters Patent or Charters granted to them by the Crown, exercised the Power of appointing Pilots to conduct Ships and Vessels from the River *Humber* to cross the Seas, or to pass from the said River *Humber* beyond *Flamborough Head* Northward, and *Wintertonness* Southward; but they are not invested with sufficient Powers to prevent other Persons from acting as Pilots within the said Limits: And whereas it would greatly tend to the Safety of Ships and Vessels sailing or trading from and to the Port of *Kingston-upon-Hull*, if effectual Powers were given for appointing and regulating of Pilots for conducting of such Ships and Vessels between the said Port and the Sea, and for a small Distance out at

[*Loc. & Per.*]

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Sea;

Trinity  
House em-  
powered to  
license Pilots.

Penalty on  
acting as  
Pilots with-  
out Licence.

Sea ; and for preventing Persons not so appointed from acting as Pilots of any such Ships and Vessels, or of any Ships or Vessels destined from the said Port to cross the Seas, or to pass beyond *Flamborough Head* Northward, or *Wintertonness* Southward ; and also for settling and ascertaining the Salvage for Anchors, Cables, and other Ships Materials found in the said River *Humber* ; and for the better ascertaining the Tonnage of Ballast Lighters employed at the said Port : 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 it shall be lawful for the Wardens, Elder Brethren, and Assistants of the said Trinity House, and they are hereby authorized and empowered from Time to Time, by Writing under their Common Seal, to license and appoint such Persons as they shall, upon Examination touching their Skill and Abilities, approve of and think properly qualified for that Purpose, to be Pilots for the conducting of Ships and Vessels into and out of the Port of *Kingston-upon-Hull* aforesaid, and upon any Part of the River *Humber* below the said Port, and so far out at Sea as to bring the *Northness of Dimlington* on the Coast of *Holderness* to bear or be seen a sufficient Distance clear or open of the Land to the Southward thereof, so as to pass clear of the *New Sand* ; and the Persons so licensed shall for the Purposes of this Act be called *River Pilots* ; and if any Person, without having such Licence to act as a River Pilot as aforesaid, shall, after the Expiration of One Calendar Month from the passing of this Act, take upon himself to conduct or pilot any Ship or Vessel into or out of the said Port, or at any Place between the said Port and the Place at Sea where the said *Northness of Dimlington* bears as aforesaid ; or if any Person, other than such as shall have been examined and declared by the said Wardens, Elder Brethren, and Assistants, under their Common Seal, to be properly qualified and capable of conducting Ships and Vessels as a Pilot at Sea, shall, after the Expiration of the said One Calendar Month from the passing of this Act, take upon himself to act as Pilot of any Ship or Vessel destined on a Voyage from the said Port of *Kingston-upon-Hull*, in conducting such Ship or Vessel from the Place near the Entrance of the said River *Humber*, where the said *Northness of Dimlington* bears as aforesaid, to cross the Seas, or to pass from *Flamborough Head* Northward, or *Wintertonness* Southward ; every such Person shall respectively forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Certain Ves-  
sels may be  
piloted by  
the Masters,  
&c.

II. Provided always, That nothing in this Act contained shall extend to oblige the Master or other Person having the Command of any Ship or Vessel outward-bound, after she has been piloted out of the said River *Humber* to Sea, to employ or make use of any Pilot to conduct such Ship or Vessel to cross or pass further out at Sea, or to oblige the Master or other Person having the Command of any Ship or Vessel in the Coal Trade or other Coasting Trade, whether laden or in Ballast, or of any *British* Ship or Vessel of less than Six Feet Draught of Water, or of any Ship or Vessel coming into any of the Roadsteads within the said River *Humber* for the Purpose of Shelter, or of obtaining Stores or Provisions only, to employ or make use of any Pilot ; nor to prevent or hinder any Owner, Part Owner, Master, or Mate of or any Person belonging to any Ship or Vessel inward-bound, from conducting or piloting the Ship or Vessel to which he shall

belong into and up the said River *Humber*; in case none of the said River Pilots shall be ready and offer to conduct and pilot the same; nor to prevent or hinder any Person or Persons from assisting any Ship or Vessel in Distress.

III. And be it further enacted, That every Person who shall be licensed as a River Pilot by virtue of this Act shall, for his first Licence, pay to the Treasurer, or Clerk to the Commissioners appointed in or by virtue of this Act, any Sum not exceeding Six Guineas; and for every Licence which shall be afterwards granted to the same Person any Sum not exceeding Three Guineas, at the Discretion of the said Commissioners, for the Purposes of this Act; and every such Person shall be subject to the several Clauses, Regulations, and Provisions in this Act contained, and to such Orders, Rules, and Bye Laws as shall be made in pursuance hereof: Provided always, that no Licence to be granted in pursuance of this Act shall continue in force for more than One Year from the Date thereof.

Pilots to pay for their first Licence Six Guineas, and afterwards Three Guineas.

IV. And be it further enacted, That it shall be lawful to and for the said Corporation of the Trinity House, by Writing under their Common Seal, at any Time to suspend, discontinue, or vacate the Licence granted to any such River Pilot as aforesaid, who shall refuse or neglect to take the Charge or Conduct of any of His Majesty's Ships, or shall behave improperly in the Discharge of his Duty in the Execution of this Act, whether such Refusal, Neglect, or improper Conduct shall be made a Subject of Complaint by the said Commissioners to the said Corporation in pursuance of this Act, or not.

Trinity House may suspend Pilots.

V. And be it further enacted, That from and after the passing of this Act, the Mayor, Recorder, and Aldermen of the Town or Borough of *Kingston-upon-Hull* for the Time being, the said Wardens, Elder Brethren, and Assistants of the said Trinity House for the Time being, together with *Edward Anderson, John Boyes, Christopher Briggs, Christopher Bolton, Jonas Brown, John Burstall the younger, Henry Coates, William Collinson, John Collinson, Edward Foster Coulson, Edward Finley, Joel Foster, Andrew Hollingworth, Benjamin Hickson, George Knox, Daniel M'Pharson, Peter Middleton, John Robinson Ship Owner, John Todd Merchant, Richard Terry, and Robert Wilkinson*, shall be and they are hereby constituted and appointed Commissioners for carrying into execution the several Powers and Authorities by this Act directed to be done and performed by them; and that all Acts, Matters, and Things hereby authorized or directed to be done and executed by the said Commissioners, may be done and executed by any Five or more of them, (being the major Part of the said Commissioners assembled at their respective Meetings, to be held for the Purposes of this Act,) and the same shall be as valid and effectual as if done or executed by all the said Commissioners.

Commissioners.

VI. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, within One Calendar Month after the passing of this Act, to meet in the Guildhall within the said Town of *Kingston-upon-Hull*, upon Three Days Notice being given by the said Mayor, or the acting Warden of the said Trinity House, or his Deputy, unto the other of the said Commissioners, of the Day and Hour of such Meeting; and the said Commissioners shall at such First Meeting adjourn themselves

First Meeting of Commissioners.

selves to meet at such convenient Place, within the said Town of *Kingston-upon-Hull*, at any Time within Seven Days from the said First Meeting, as they shall see proper (of which Meeting by Adjournment Three Days previous Notice shall be given to all the said Commissioners); and the said Commissioners herein-before particularly named, and also the Commissioners to be appointed as herein-after mentioned, shall continue Commissioners for the Term of Three Years from the passing of this Act, or the Date of their respective Appointments, as the Case shall be, and also until they shall be re-appointed Commissioners, or until other Persons shall be chosen in their respective Places by virtue of this Act; and all Instruments for the Appointment of Persons to be Commissioners as aforesaid shall be entered in a Book to be kept by the Clerk to the said Commissioners.

Commissioners to settle the Clerks and other Officers Salaries.

VII. And be it further enacted, That the said Commissioners shall at such First or any other Meeting to be held for the Execution of this Act, by an Instrument in Writing under the Hands of the said Commissioners, or any Five or more of them, elect, choose, and appoint a Treasurer and Clerk, and such other Officers as the said Commissioners shall think proper and necessary for the Execution of this Act, who shall continue in their respective Offices only during the Pleasure of the said Commissioners, and shall appoint and settle such Salaries or other Allowances to such Clerk and other Officers to be appointed as aforesaid, as the said Commissioners shall judge necessary and reasonable; and the said Commissioners shall and are hereby required to take such Security from every such Treasurer, for the due and faithful Execution of his Office, as they shall think proper.

Commissioners to acknowledge their Acceptance of the Trust.

VIII. Provided always, and be it further enacted, That every Commissioner above particularly named shall, at the First Meeting of the said Commissioners, or within Seven Days then next following, subscribe an Instrument in Writing, to be provided for that Purpose, acknowledging his Acceptance of the said Office; and that every Person who shall hereafter be appointed a Commissioner in pursuance of this Act shall, within Ten Days next after such Appointment and Notice in Writing to him given thereof by the said Clerk, attend at the Time and Place appointed in and by such Notice, and subscribe his Name at the Foot of the Instrument above mentioned, acknowledging his Acceptance of the said Office; and in case any Person named or appointed a Commissioner as aforesaid shall refuse or neglect to acknowledge his Acceptance of the said Office as aforesaid, his Nomination by this Act, or his Appointment to be hereafter made, as the Case shall be, shall be void and of none effect.

Future Meetings of Commissioners.

IX. And be it further enacted, That all the subsequent Meetings of the said Commissioners shall be at some convenient Place within the said Town of *Kingston-upon-Hull*, to be appointed by the said Commissioners, on the First *Thursday* in every Month in the present and every subsequent Year, and at such intermediate Time and Times, and at such Place or Places, as the said Commissioners shall appoint by Adjournment at any of such Monthly Meetings, of which Adjournment Notice in Writing shall be sent by the Clerk to the usual Places of Abode of all and every the said Commissioners then residing in the said Town of *Kingston-upon-Hull*, or the Suburbs

Suburbs thereof, at least Two Days before the Time appointed for every such adjourned Meeting.

X. And, for the supplying a sufficient Number of Commissioners, and also a Treasurer and Clerk for the Purposes of this Act, be it further enacted, That when any of the said Commissioners herein-before particularly named or to be appointed as herein-after mentioned shall die, or refuse to acknowledge his Acceptance of the said Office as aforesaid, or shall have acted as a Commissioner in the Execution of this Act for the Term of Three Years, or shall be elected an Alderman of the said Town or Borough, or an elder Brother or Assistant of the said Corporation of the Trinity House, or in case any Treasurer or Clerk to the said Commissioners shall die, resign, or be removed by the said Commissioners, then and in every such Case any Five or more of the remaining Commissioners (whereof the said Mayor, or acting Warden or his Deputy, shall be One), although not assembled at a Meeting to be held in pursuance of this Act, may appoint a Meeting of the said Commissioners in the Guildhall in the Town of *Kingston-upon-Hull* aforesaid, for the Appointment of a new Commissioner, Treasurer, or Clerk, to supply the Place of every such Commissioner, Treasurer, or Clerk as aforesaid, and shall make known the Time and Purpose of such Meeting by affixing Notice thereof in Writing on some conspicuous Part of the said Guildhall and Trinity House, and also on the Custom House in the said Town, and by sending Notice thereof to such of the said Commissioners as shall be resident within the said Town, at least Three Days before the Time of such Meeting; and the major Part of the Commissioners assembled at the Time to be appointed for such Meeting (the whole Number present not being less than Five, and the said Mayor, or acting Warden or his Deputy, being One,) shall, by Writing under their Hands, appoint a Commissioner in lieu of every Commissioner who shall be dead, or refuse or neglect to acknowledge his Acceptance of the said Office, or have acted for the Term of Three Years, or been chosen an Alderman, elder Brother, or Assistant as aforesaid, or a Treasurer or Clerk in lieu of such as shall die, resign, or be removed as aforesaid, as the Case shall require; and every Person who shall be so appointed shall from thenceforth be a Commissioner, or Treasurer, or Clerk for the Purposes aforesaid; and every such Commissioner shall have the same Power and Authority in all Matters and Things relating to this Act as if he had been expressly named and appointed in and by this Act; and every such Appointment shall be entered in a Book to be kept by the Clerk to the said Commissioners.

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

XI. And be it further enacted, That every such River Pilot as aforesaid shall at all Times afford every Assistance in his Power to any of His Majesty's Ships, and when any of them shall by Signal or otherwise appear to be in want of a Pilot, shall go to assist and pilot such Ships in preference to any other Ship or Vessel whatsoever; and in case any such River Pilot shall refuse or neglect to take the Charge or Conduct of any of His Majesty's Ships, or any other Ship or Vessel whatsoever, upon a proper Signal being made or a Gun or Guns fired by any Ship or Vessel inward-bound, or at the Request of the Master, Commander, Owner, Agent, or Consignee of any Ship or Vessel outward-bound; or if any such River Pilot shall refuse or neglect to give every Assistance in his Power to any Ship or Vessel in Distress, or in want of any extra Assistance; or in case

Pilots to assist King's Ships in preference to others.

Pilots misbehaving to forfeit not exceeding 20*l.*;

[*Loc. & Per.*]

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and, on Complaint by Commissioners to the Trinity House, to be suspended.

it shall appear to the said Commissioners that any such River Pilot shall have misbehaved himself in the Conduct of any Ship or Vessel, or in the Execution of his Duty as a River Pilot; or if any such River Pilot shall (without some reasonable Excuse) refuse to obey any Summons issued in pursuance of the Order of any Five or more of the said Commissioners, requiring his Appearance before them, or to obey such Orders as shall be made and passed at any of their Meetings for the Purposes of this Act; every such Pilot shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Offence; and if the said Commissioners, upon Examination of the Cause of Complaint, shall think that the Pilot so offending should be suspended or broke, and shall state the Matter of Complaint and such their Opinion to the said Corporation of Wardens, elder Brethren, and Assistants, the said Corporation are hereby required to inquire into the Matter of Complaint, and upon Proof of the Offence complained of, by the Oath of any credible Witness, (which Oath the said Mayor and Aldermen, acting Warden or his Deputy, elder Brother or Assistant, or any One of them, is hereby empowered to administer,) according to their Discretion, either to suspend or to entirely break and dismiss such Pilot, and to declare his Licence to be void; and such Pilot shall be accordingly either suspended, or broke and dismissed, and his Licence shall be from thenceforth utterly void, as the Case shall be; and if any such River Pilot, after being suspended or broke and dismissed as aforesaid, and Notice thereof in Writing, signed by the Clerk, given to such Pilot or left at his usual Place of Abode, shall during the Time of such Suspension, or after such Dismission, take upon himself to pilot or conduct any Ship or Vessel into or out of the said Port of *Kingston-upon-Hull* aforesaid, or upon any Part of the said River below the said Port, or out at Sea between the Entrance into the said River and the Place where the *Northness of Dimlington* bears as aforesaid, he shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Rates for piloting British Ships.

XII. And, for ascertaining the Rates to be paid to the said River Pilots for the conducting or piloting any Ships or Vessels as aforesaid, be it further enacted, That no greater Rates shall be demanded or taken by any such River Pilot than what shall be from Time to Time ascertained, fixed, and settled by the said Commissioners at any of their Meetings, so that the Rate so to be ascertained, fixed, and settled for piloting or conducting any Ship or Vessel belonging to any of His Majesty's Subjects into the said Port of *Kingston-upon-Hull* from the Place at Sea where the *Northness of Dimlington* bears as aforesaid, be not less than Three Shillings nor more than Five Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel into the said Port from the Place within the said River *Humber* where the *Spurn Lighthouse* bears North-east, or from any Distance within the said River *Humber* to the Buoy of the *Burcome*, not less than Two Shillings and Sixpence nor more than Three Shillings and Sixpence for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel into the said Port from the Distance of the said Buoy, not less than Two Shillings nor more than Three Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot,

such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel into the said Port from *Whitebooth Road* to the said River *Humber*, not less than One Shilling nor more than Two Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel from the said Port so far out to Sea as to bring the said *Northness of Dimlington* to bear as aforesaid, not less than Three Shillings nor more than Five Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot.

XIII. And, for ascertaining the Rates to be paid to the said River Pilots for the conducting or piloting any Alien Ship or Vessel, be it further enacted, That no greater Rates shall be demanded or taken by any such River Pilots than what shall be from Time to Time ascertained, fixed, and settled by the said Commissioners, so that the Rate to be ascertained, fixed, and settled for piloting or conducting any Ship or Vessel belonging to Aliens into the said Port of *Kingston-upon-Hull* from the Place at Sea where the *Northness of Dimlington* bears as aforesaid, be not less than Five Shillings nor more than Seven Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Alien Ship or Vessel into the said Port from the Place within the *Humber* where the *Spurn Lighthouse* bears North-east, or from any Distance within the said River *Humber* to the Buoy of the *Burcome*, not less than Four Shillings nor more than Five Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel into the said Port from the Distance of the said Buoy, not less than Three Shillings nor more than Six Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Ship or Vessel into the said Port from *Whitebooth Road* in the said River *Humber*, not less than One Shilling and Sixpence nor more than Three Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot; and for piloting and conducting any such Alien Ship or Vessel from the said Port so far out to Sea as to bring the said *Northness of Dimlington* to bear as aforesaid, not less than Five Shillings nor more than Seven Shillings for every Foot of Water such Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot.

Rates for  
piloting Alien  
Ships.

XIV. Provided always, That in any of the Cases aforesaid or hereinafter mentioned, if the Fraction of a Foot shall exceed Half a Foot, the same, in ascertaining the Rates, shall be deemed and considered as Half a Foot.

Fraction of a  
Foot.

XV. Provided always, and be it further enacted, That in ascertaining the said respective Rates the said Commissioners shall be and they are hereby authorized and empowered, at their Discretion, to vary and alter all

Commission-  
ers empow-  
ered to vary  
and regu-  
all

late the  
Prices of  
Pilotage.

all or any such Rates of Pilotage aforesaid, and also to determine what shall be considered the different Seasons of the Year, if the said Commissioners should determine to make a Difference of Rate according to the Season of the Year, provided they do not vary or alter any of the said Rates so as to make the same lower or higher than the respective Sums herein-before mentioned.

Ships out-  
ward-bound,  
in Ballast, to  
pay only Two  
Thirds of the  
Rates.

XVI. Provided always, That every Master or other Person having the Command of any Ship or Vessel sailing from the said Port of *Kingston-upon-Hull* with Ballast only, and not laden or Part laden with Goods or Merchandize liable to the Payment of Freight, which shall be conducted or piloted out of the said Port by any of the said River Pilots, shall pay or cause to be paid Two Third Parts only of the Rates which such Ship or Vessel would be liable to if laden or Part laden for such respective Pilotage.

Coasters to  
pay only Half  
of the Rates.

XVII. Provided also, That the Master or other Person having the Command of any Ship or Vessel employed in the Coasting Trade, and which shall have been actually so employed for Six Calendar Months or upwards then next preceding, which shall be conducted or piloted into or out of the said Port by any of the said River Pilots, shall be subject to the Payment of One Half Part only of the said respective Rates payable in respect of *British* Ships or Vessels.

Vessels draw-  
ing less than  
Six Feet Wa-  
ter to pay for  
Six Feet.

XVIII. Provided also, That if any Ship or Vessel whatsoever, whether trading Coastwise or otherwise, which shall be conducted or piloted into, out of, or upon the said River *Humber*, by any of the said River Pilots, shall not draw so much as Six Feet Water, such Ship or Vessel shall nevertheless, in ascertaining the Rate of Pilotage payable for the same by virtue of this Act, be deemed and considered to draw Six Feet Water; any thing herein contained to the contrary notwithstanding.

Proportion-  
ing the Rates  
of Pilotage.

XIX. Provided always, and be it further enacted, That if any Ship or Vessel of any of His Majesty's Subjects, or of Aliens, not bound to the said Port of *Kingston-upon-Hull*, shall, on account of contrary Winds and bad Weather, or otherwise, be piloted from or to the *Northness of Dimlington*, bearing as above-mentioned, into or out of any of the Roadsteads of the said River *Humber* below the Roadstead of the said Port of *Kingston-upon-Hull*, the following Proportions of the Rates for Pilotage which shall for the Time being be payable as herein-before mentioned for or in respect of *British* and Alien Ships respectively, and no more, shall be demanded by or paid to any such River Pilot so piloting such Ship or Vessel; (that is to say,) if such Ship or Vessel shall be piloted from or to the Place where the *Northness of Dimlington* bears as aforesaid into or from the *Hawk Road* or *Grimby Road*, in the said River *Humber*, One Third Part of the said Rates hereby imposed for piloting *British* and Alien Ships respectively the whole Extent of the first above-mentioned Distance; and if such Ship or Vessel shall be piloted from or to the said Distance into or from *Whitebooth Road*, Two Third Parts of such Rates.

Rewards for  
Pilots assist-  
ing Ships in  
Distress to be

XX. And, as an Encouragement to the said River Pilots to ply out at Sea, be it further enacted, That in case any Ship or Vessel shall be met with in Distress by any of the said River Pilots, and shall be assisted by such



such Pilot, or any of his Crew or Boat, then such Compensation shall be made for such Assistance as shall be settled and determined by the said Commissioners at their next Meeting after Application shall have been made to them by either Party for that Purpose; and if any Agreement for such extraordinary Assistance shall have been made, such Agreement shall be null and void; or in case any *British* or Alien Ship or Vessel shall, at the particular Request of the Master or other Person having the Command thereof, be piloted or assisted by any of the said River Pilots into the said Port from any further Distance than what is hereby provided for, every such River Pilot shall be paid for such extra Pilotage such Sum as the said Commissioners shall order and direct, not less than Nine-pence nor more than One Shilling and Three-pence for every Foot of Water any such *British* Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot, and not less than One Shilling nor more than Two Shillings for every Foot of Water any such Alien Ship or Vessel shall draw, and so in proportion for the Fraction of a Foot, such Fraction not being less than Half a Foot, over and above the said Rates of Pilotage by this Act imposed for piloting such Ships or Vessels respectively from the Distance of the said *Northness of Dimlington* bearing as aforesaid, or into the said Port.

settled by  
Commis-  
sioners.

Additional  
Pilotage for  
piloting extra  
Distance.

XXI. And be it further enacted, That in case the Master or Commander of any Ship or Vessel drawing Six Feet Water or upwards, which shall be outward-bound and about to proceed down the said River *Humber*, or which shall be inward-bound, shall refuse to take on board and employ One of the said River Pilots who shall offer his Service (except such Ships or Vessels as are employed on the Coal or Coasting Trade), such Master or Commander shall pay or cause to be paid to the River Pilot who first or who only shall offer his Service as aforesaid, and shall be so refused, the full Pilotage which such Master or Commander would have been subject or liable to pay by virtue of this Act if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into or out of the said Port of *Kingston-upon-Hull*, together with the Expence to be incurred in the Recovery of the same.

Masters of  
inward or  
outward  
bound Ships  
refusing  
Pilots, Pilot-  
age to be  
paid.

XXII. Provided always, and be it further enacted, That in case any Ship or Vessel coming into or going out of the said Port shall be in Want of a Pilot, and none of the said River Pilots can be procured, and there shall be any of the said River Pilots on board any other Ship or Vessel passing into or out of the said Port, such Pilot on board any such other Ship or Vessel may lead the Way for and conduct the Ship or Vessel so in Want of a Pilot either into or out of the said Port, or so far in her Course until another River Pilot can be obtained; and the Master or Commander of every such Ship or Vessel which shall be so piloted or conducted by any Pilot leading the Way in such other Ship or Vessel shall be subject and liable to the Payment of the Whole, or such a Proportion, according to the Distance such Ship or Vessel shall have been piloted or conducted as aforesaid, of the said Rates of Pilotage, as he would have been subject and liable to if the Pilot had actually been on board of such Ship or Vessel, and piloted or conducted the same into or out of the said Port, as shall be fixed and settled by the said Commissioners at any of their Meetings; and such Pilotage so to be received shall be added to the Stock of the Boat to which such Pilot shall belong.

Pilots leading  
the Way in  
certain Cases  
in any other  
Vessel to be  
entitled to  
full Pilotage.

Ships forced back after parting with Pilots, and piloted out again from any of the Roads, to pay not exceeding One Half of the Rates.

XXIII. And be it further enacted, That in case any Ship or Vessel which shall have been piloted or conducted by any of the said River Pilots out of the said Port of *Kingston-upon-Hull*, shall be forced back, by Storm or otherwise, after having, by the Consent of the Master or Commander of such Ship or Vessel, parted with such Pilot, and shall be conducted by such Master or Commander into any of the Roadsteads or Places in the said River, and such Master or Commander shall afterwards employ any of the said River Pilots to conduct such Ship or Vessel out of such Roadstead or Place to Sea, then such a Proportion, not exceeding One Half of the full Sum, shall be paid for such Pilotage as is hereby directed to be taken for Pilotage outward, as shall be settled and fixed by the said Commissioners.

To what Distance outward-bound Ships are to be piloted.

XXIV. And be it further enacted, That every such River Pilot as aforesaid who shall take upon himself the Charge of any Ship or Vessel about to sail out of the said Port of *Kingston-upon-Hull*, shall and is hereby required to take charge of such Ship or Vessel at her Moorings in the Dock or other Place within the said Port, and to conduct or pilot such Ship or Vessel about to sail out of the said Port of *Kingston-upon-Hull* so far out to Sea as to bring the *Northness of Dimlington* to bear as above-mentioned; and whenever any such River Pilot shall be required by the Master or Commander of any Ship or Vessel, whether outward or inward-bound, to attend such Ship or Vessel at Anchor in any of the Roadsteads in the said River *Humber*, for the Purpose of taking in Goods, or for any other Purpose, such River Pilot shall attend accordingly, on not less than Three Shillings and Sixpence *per Day* for every Day of Twenty-four Hours Attendance, according to the Discretion of the said Commissioners, being paid or secured to be paid to such Pilot; and if such Pilot shall be employed for a Part only of a Day, he shall be paid the like Sum as for a whole Day; and in case the Use or Attendance of a Pilot's Crew or Boat shall be required, there shall be paid for the Use of such Crew or Boat such Sum of Money by the Tide, Day, or otherwise, as shall be settled and directed by the said Commissioners, according to the Circumstances of the Case; and if any such River Pilot, after he is engaged to serve, shall presume to quit any Ship or Vessel so detained, without the Consent of the Master or Commander of every such Ship or Vessel, such Pilot shall forfeit the Pilotage which on his duly performing his Duty he would have been entitled to, and, on being lawfully convicted of so quitting any Ship or Vessel, shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Pilots to have 3s. 6d. per Day for their Attendance.

Pilots quitting Ships without Leave, to forfeit Pilotage, and not exceeding 10%.

Places to which inward-bound Ships are to be piloted.

XXV. And be it further enacted, That every such River Pilot as aforesaid who shall pilot or conduct any Ship or Vessel into the said Port of *Kingston-upon-Hull* shall and is hereby required to take the same as high in the Haven of the said Port as above the Place called *The Garrison Jetty*, and as much higher in the said Haven as may be, and from thence, if the Tide will permit, into the Wet Dock of the said Port, or to such other Place of Delivery within the Limits of the said Port, as the Master of such Ship or Vessel shall require; but if the Tide will not allow thereof, then to moor her in a proper Situation in the said Haven, without being paid any other Rate than is hereby directed to be paid for piloting such Ship or Vessel into the said Port; and in case the Attendance of any such Pilot shall be required to take care of such Ship or Vessel from such first Mooring,

Rates for birthing Ships.

Mooring, and to conduct her into the said Wet Dock or other Place of Delivery, the Pilot that shall have brought the said Ship or Vessel to such Mooring, or some other of the said River Pilots, to be by the said Pilot or the said Master procured, shall attend, and shall be paid for unmooring, transporting, and remooring such Ship or Vessel at her Delivery-birth in the said Dock or other Place within the said Port, if such Ship or Vessel shall draw Thirteen Feet of Water and upwards, not less than Nine Shillings nor more than Eleven Shillings; and if such Ship or Vessel shall draw upwards of Ten Feet and under Thirteen Feet of Water, not less than Six Shillings and Sixpence nor more than Eight Shillings and Sixpence; and if such Ship or Vessel shall draw under Ten Feet of Water, not less than Four Shillings nor more than Six Shillings, according to the Discretion of the said Commissioners.

XXVI. And be it further enacted, That the Master or Commander of every Ship or Vessel so to be piloted or conducted into or out of the said Port of *Kingston-upon-Hull* shall and is hereby required to declare and give a true Account to the Pilot employed in conducting or piloting such Ship or Vessel of the Draught of Water such Ship or Vessel shall draw; and in case the Pilot so employed shall suspect the Truth of such Declaration, such Pilot is hereby authorized to admeasure, or cause such Ship or Vessel to be admeasured, in order to find the true Draught of Water such Ship or Vessel shall then draw; and if on such Admeasurement it shall appear that such Master or Commander gave a false Account wilfully and fraudulently, such Master or Commander shall not only pay to such Pilot the full Pilotage by this Act made payable for or in respect of such Ship or Vessel, with all the Expences of the Admeasurement, but shall also forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Masters to give Pilot a true Account of the Draught of Water of their Ships, and Pilot authorized to admeasure.

XXVII. And be it further enacted, That all and every Person or Persons taking or appearing to take upon himself or themselves the Charge, Agency, or Consignment of any Ship or Ships, Vessel or Vessels, so charged or chargeable with the said respective Rates for Pilotage and extra Attendances, outward-bound, shall be accountable to such River Pilot or Pilots for such Rates of Pilotage as shall be so due for such Pilotage outward, according to the Rates aforesaid; and the same shall and may be levied by Distress and Sale, in manner herein-after mentioned, upon any of the Goods, Merchandize, or Effects of the Person or Persons so taking or appearing to take upon himself or themselves the Charge, Agency, or Consignment of such Ship or Ships, Vessel or Vessels, after the Expiration of Three Days from the Day on which such Pilotage shall have been demanded.

Persons liable to Pilotage.

XXVIII. And be it further enacted, That the said respective Rates of Pilotage, and other Sums of Money by this Act made payable to the said River Pilots, shall be paid to such Pilots respectively by the Owners or Masters, Agents or Consignees, or other Persons having or taking upon themselves, or appearing to have or take upon themselves, the Command, Agency, or Consignment of such Ships or Vessels respectively for or in respect of which such Rates of Pilotage and Sums of Money shall by virtue of this Act become payable, within Three Days from the

On Nonpayment of Rate, Commissioners may distrain.

the Day on which such Pilotage shall have been demanded ; and in case any such Owner, Master, Agent, Consignee, or other Person having or taking, or appearing to have or take, the Command, Agency, or Consignment of any such Ship or Vessel as aforesaid, shall refuse or neglect to pay any such Rate of Pilotage or Sum of Money, within the said Three Days, then it shall be lawful for any Person or Persons, by virtue of a Warrant for that Purpose under the Hands and Seals of any Five or more of the said Commissioners; to seize and distrain any of the Goods, Merchandize, Effects, Guns, Tackle, Ammunition, Furniture, Apparel, or other Things of or belonging to any such Ship or Vessel, and the same to detain and keep until the Sum or Sums of Money due to any such River Pilot for the Pilotage of such Ship or Vessel, or otherwise as aforesaid, together with all reasonable Charges and Expences occasioned by or attending such Seizure and Distress, shall be paid and satisfied ; and in case the same shall not be paid within Seven Days next after such seizing or distraining, then it shall be lawful for the said Commissioners, by Warrant under the Hands and Seals of any Five or more of them, to cause the Goods, Merchandize, or other Things so seized and distrained, to be appraised by any Two sufficient Persons or Appraisers of the said Town of *Kingston-upon-Hull*, and to be afterwards sold and disposed of, and thereout to satisfy the Rate and Sum of Money so unpaid as aforesaid, together with all reasonable Charges of such seizing, distraining, appraising, selling, and disposing of the same ; rendering the Overplus thereof, if any, to the Owner, Master, Agent, Consignee, or other Person having or appearing to have the Command of such Ship or Vessel, on Demand.

Masters forcibly taking away Pilots, to pay them Mates' Wages and forfeit not exceeding 20*l*.

XXIX. And whereas it may happen that some of the said River Pilots may be unavoidably through Stress of Weather, or forcibly, carried to Sea beyond the Limits for Pilotage herein prescribed ; be it therefore further enacted, That the Master or Commander of any Ship or Vessel on board of which any such Pilot shall be forcibly, or through Stress of Weather unavoidably carried to Sea beyond the Limits aforesaid, shall pay to such River Pilot, for the Time he shall be detained on board after passing the said Limits, the same Wages as shall be payable by the said Master or Commander to the Mate of such Ship or Vessel, over and above the Rate of Pilotage which he shall be entitled to as Pilot of such Ship or Vessel ; and in case of any such Pilot being forcibly carried to Sea beyond the said Limits, otherwise than through Stress of Weather, such Master or Commander shall also forfeit and pay any Sum not exceeding Twenty Pounds.

Majority of Pilots may have a Joint Stock.

XXX. And be it further enacted, That if at any Time or Times a Majority of the said River Pilots shall consent and agree to have a Joint Stock of the Earnings of all the said Pilots, for the Benefit of the whole of them, then it shall be lawful for them so to do, provided such Consent and Agreement be made or expressed in Writing under the Hands and Seals of such Majority as aforesaid, and be made by and with the Approbation and Consent of the said Commissioners; by Writing under the Hands of any Five or more of them ; and the same shall continue in force so long as it shall meet the Approbation of the said Commissioners, under such Regulations and Restrictions as the said Commissioners shall think proper, and the same shall be binding upon all the said Pilots.

XXXI. And

XXXI. And be it further enacted, That the said Commissioners shall cause to be kept and entered in proper Books, Minutes of their Proceedings; and shall cause to be kept fair, just, and true Accounts of all the Money which shall be received for Licences, or for or in respect of the Penalties and Forfeitures which shall be incurred under this Act, as also of such Money as shall be expended in Salaries, or other Allowances, to the said Clerk or other Officers, or otherwise in carrying into Execution this Act, in pursuance of any Order or Orders of the said Commissioners; all which Books of Accounts and other Proceedings shall be open at all convenient Hours of Business to the Inspection of the said River Pilots.

Commissioners to keep Accounts of Money received for Licences, for Penalties, and of Disbursements.

XXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, by and out of the Money to be received by the granting and renewing of such Licences, by the Deduction out of the Price of Ballast, and the Per-centage herein-after mentioned, and by the Penalties and Forfeitures to be incurred and recovered under this Act, in the first place to pay the Charges and Expences of carrying this Act into Execution, and in the next place, at their Discretion, to pay and apply the Surplus or Remainder of the Monies so to be received (the Proportion of the said Licence Money herein-after mentioned excepted) to disabled River Pilots, their Widows and Children, and for rewarding such meritorious licensed River Pilots as are herein-after more particularly mentioned.

Application of Licence Money and Fines.

XXXIII. And be it further enacted, That in order to enable the said Commissioners to reward meritorious River Pilots, whether Masters or others, for long and faithful Services, the said Clerk or other Receiver or Receivers of the Rates of Pilotage herein-before mentioned are hereby authorized and required to deduct and retain any Sum not exceeding Two Pounds Ten Shillings *per Centum* out of the gross Earnings or total Amount of the said Rates of Pilotage of the several River Pilot Boats, their Masters and Crews respectively, to be applied by the said Commissioners, together with such a Proportion of the Money to be received for such Licences as the said Commissioners shall direct, in Rewards to such River Pilots as shall be by such Commissioners deemed, on account of their long and faithful Services, particularly deserving of the same, Regard being had to the Conduct of any such Pilots who are, or have been common Seamen and Apprentices, upon the Recommendation of their Masters respectively.

Rewards to meritorious Pilots.

XXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby required, Once in every Year, to audit and adjust all Accounts of the Receipts and Disbursements in consequence of this Act.

Accounts to be audited by Five or more Commissioners.

XXXV. And be it further enacted, That no such River Pilot as aforesaid shall on any Account whatsoever keep a Tavern, Public House, or other House, as a Dealer in or Retailer of Wines or Liquors, of any kind, within the said Town of *Kingston-upon-Hull*, or the Suburbs thereof, without first having obtained the Consent of the said Commissioners for that Purpose.

Pilots not to keep Public Houses.

Expences of obtaining this Act to be ascertained by the Commissioners.

XXXVI. And for ascertaining and defraying the Charges and Expences of obtaining and passing this Act, be it further enacted, That the said Commissioners shall and they are hereby authorized and required, at some of their Meetings to be held within Three Calendar Months next after the passing of this Act, to examine and settle the Account of the Charges and Expences incident to and attending the obtaining and passing this Act; and after such Account shall have been so examined and settled, the said Commissioners shall cause Two fair Copies thereof to be made, which Copies shall be signed by any Five or more of the said Commissioners, and the same so signed shall be deemed Originals, and One of such Copies shall be kept by the Clerk to the said Commissioners, and the other Copy shall be deposited with the Clerk of the Peace for the Town and County of *Kingston-upon-Hull* aforesaid, and be by him kept among the Records of the Quarter Sessions for the said Town and County; and the said Clerk of the Peace shall write upon the Back of the Copy which shall be so deposited with him the Day on which he shall have received the same; and the said Commissioners shall forthwith cause Notice to be given in the Newspapers published within the said Town, of the said Account being in the Custody of their Clerk, and of the Clerk of the Peace as aforesaid.

The said Expences to be raised by a Tonnage Duty of One Halfpenny per Ton.

XXXVII. And be it further enacted, That from and after the depositing of the said Account with the Clerk of the Peace as aforesaid, there shall be demanded, collected, and taken by such Person or Persons as the said Commissioners shall, by Writing under the Hands of any Five or more of them, appoint for that Purpose, of and from the Master or Commander of every Ship or Vessel, *British* or Foreign, which is by this Act made subject to and chargeable with the said Rates of Pilotage, and which shall enter the said Port of *Kingston-upon-Hull*, the Duty of One Halfpenny per Ton of every such Ship or Vessel respectively, according to the Admeasurement thereof; and in case any such Master or Commander shall not pay such Duty or Duties within Three Days after Demand made thereof, the same shall and may be levied and recovered in like Manner, and by the like Ways and Means, as the said Rates of Pilotage are by this Act authorized or directed to be levied and recovered.

Application of the Tonnage Duty.

XXXVIII. And be it further enacted, That the Money arising by the said Tonnage Duties shall from Time to Time be applied, in the first place, in paying such Salaries, or other Allowances, as the said Commissioners shall judge reasonable, to their Clerk, and to the Collector or Collectors of the said Tonnage Duties, for their Trouble respectively in keeping the Accounts, and collecting and receiving, and otherwise relating to the said Tonnage Duties, and also all other Charges, Demands, and Expences which the said Commissioners shall think reasonable on account of the said Tonnage Duties; and after Payment thereof, the Remainder of the Money arising by the Tonnage Duties shall be applied in paying and defraying the Charges and Expences of obtaining and passing this Act, according to the Account so to be settled and signed as aforesaid, with Interest for the same, after the Rate of Five Pounds per Centum per Annum, to such Persons as shall have advanced any Money towards such Charges and Expences, for the Money so advanced, from the respective Times of advancing the same.

XXXIX. And

XXXIX. And be it further enacted, That the said Commissioners shall and are hereby required to cause a distinct and separate Account to be kept of all Money arising from Time to Time by the said Tonnage Duties, and also of all Payments and Disbursements which shall be made by them on account thereof, or relating thereto as aforesaid, and also of all Sums which shall from Time to Time be applied towards paying and defraying the Charges and Expences of obtaining and passing this Act as aforesaid; which Account, and also the Account so to be signed, and in the Custody of the Clerk to the said Commissioners, and the Clerk of the Peace respectively as aforesaid, shall at all seasonable Times be open to the Inspection of all Persons interested, upon Payment of One Shilling for every such Inspection; and any such Persons shall be at liberty to take a Copy of or Extract from either of the said Accounts, upon Payment of One Shilling and Sixpence for the same.

Accounts to be kept of the Receipts and Payments in respect of the Tonnage Duty.

XL. And be it further enacted, That from and immediately after the said Charges and Expences of obtaining and passing this Act, with such Interest as aforesaid, shall have been fully paid and discharged by virtue hereof, the said Tonnage Duties shall cease, determine, and be no longer paid or payable; any thing in this Act contained to the contrary notwithstanding.

Tonnage Duty to cease after the Charges are paid.

XLI. And whereas it frequently happens that Ships and Vessels are through Stress of Weather forced from their Anchors and Cables in the said River *Humber*, and the Entrance thereof, and unreasonable Sums of Money demanded for Salvage by the Persons taking up such Anchors and Cables, and the Anchors and Cables so taken up, together with Buoy Ropes and Buoys belonging thereto, have frequently been clandestinely secreted from the Owners thereof, and afterwards fraudulently sold and disposed of; for preventing such unreasonable Demands and such Frauds for the future, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and directed, upon Application to them for that Purpose, to adjust and determine any Difference, whenever any such shall arise, between the Owner or Master, or Agent for the Owner, of the Anchors, Cables, or other Stores or Materials of any Ship or Vessel, which shall be found in the said River *Humber*, or the Entrance thereof, and brought to the said Port of *Kingston-upon-Hull*, and the Person or Persons finding, taking up, and bringing the same; and the Determination of the said Commissioners therein shall be final and conclusive; and that if at any Time any Person or Persons shall find and take up any such Anchor, Cable, or any other Sort of Ship's Stores or Materials, and shall not without Delay bring the same to the said Port, or the Limits thereof, and within the Space of Two Days from the bringing the same into the said Port, or the Limits thereof, deliver the same up to the Owner thereof, or his Agent; or if any such Anchor, Cable, or other Ship's Materials, so found, is not claimed by the Owner thereof, or his Agent, or such Owner or his Agent cannot be found or ascertained within the said Space; then, if the Person or Persons finding and taking up such Anchor, Cable, or other Ship's Materials, shall not land and put the same in such public Place near to the Entrance of the said Haven as the said Commissioners shall appoint, and give Notice thereof, with a particular Description in Writing of the same, and of the Place where found, to the said Commissioners

Commissioners to settle Salvage of Anchors.

Persons finding Anchors, &c. to bring them to Hull and give Notice thereof, with a Description in Writing, in order to such Anchors, &c. being advertised.

or

Persons taking away any Buoy, &c. to forfeit not exceeding 20l.

If Offence committed by Pilots, they are to be broke.

All Vessels carrying Ballast for Hire, to be registered.

Lighters to be weighed.

Tonnage to be ascertained by Gauge Marks.

or their Clerk, in order that the Anchors, Cables, or other Ship's Materials so found and brought may be advertised in such Manner as the said Commissioners shall think proper; or if any Person or Persons shall at any Time or Times, with an Intent to injure or defraud the Owner of any Anchor, Cable, or other Ship's Materials, cut, break, destroy, or remove the Buoy, Buoy Rope, or other Mark or Fastening to any such Anchor, Cable, or other Ship's Materials so found as aforesaid, or when any such Anchors, Cables, or other Ship's Materials are found, shall alter or deface the Marks thereof, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds; and if any of the said River Pilots shall be guilty of any of the said Offences, he shall not only forfeit the said Penalty, but (if the said Commissioners shall adjudge proper) shall also from thenceforth be broke and disqualified from acting as a Pilot; and there shall from Time to Time be paid to the said Clerk for the Purposes of this Act, for every Award the said Commissioners shall make upon any Difference as to any Matter of Salvage being referred to them, the Sum of Seven Shillings and Sixpence, over and above the Stamp Duty chargeable on such Award by the said Parties in Difference, in equal Moieties; and for advertising any Anchor, Cable, or other Ship's Materials as aforesaid, the Sum of Five Shillings, besides the Expences attending the same, by the Person or Persons finding and bringing such Anchor, Cable, or other Ship's Materials, and the Owner thereof, in equal Shares.

XLII. And whereas it would be a great Benefit to the Persons concerned in Ships and Vessels resorting to the said Port of *Kingston-upon-Hull*, if the Lighters and other Vessels carrying for Hire, Ballast for Ships or Vessels, within the said Port, or the Limits thereof, as to the Tonnage of the same, were put under proper Regulations; be it further enacted, That from and after the Expiration of Two Calendar Months from the passing of this Act, all and every Person and Persons who shall keep or use for carrying for Hire, Ballast for Ships or Vessels, any Lighter or other Vessel within the said Port of *Kingston-upon-Hull*, or the Limits thereof, shall cause the same to be registered by the Clerk to the said Commissioners in a Register to be by him kept for that Purpose, in which Register the said Clerk shall enter, in numerical Progression, the Name of the Owner or Owners of every such Lighter or other Vessel, together with the Tonnage thereof; to which Register all Persons interested shall have Recourse at all seasonable Times, on Payment, for the Purposes of this Act, of Sixpence for every Search; and every Person who shall keep or use for the carrying for Hire, Ballast for Ships or Vessels, any Lighter or other Vessel within the said Port of *Kingston-upon-Hull*, or the Limits thereof, shall produce such Lighter or other Vessel to the Clerk to the said Commissioners, at or as near as convenient to the Gates between the said Wet Dock and the said Haven, or other convenient Place within the said Haven or Dock, to be appointed by the said Commissioners, and shall at the same Time, at his or their own Expence, cause the Tonnage of the said Lighter or other Vessel to be ascertained to the Satisfaction of the said Clerk, by causing the same to be fairly and properly weighed, and Two Gauge Marks to be made and fixed on the Stem and Stern of every such Lighter or other Vessel, and between every Two Gauge Marks to cause visible Marks to be made and set, in order that



the Tonnage and Burthen of every such Lighter, or other Vessel respectively, may be computed and distinguished by a gradual Progression of Two Tons and a Half, with Copper or Brass Nails, or in such Manner and Form as the said Commissioners shall direct; and shall at all Times afterwards preserve and keep clean and legible the same Name, Number, and Tonnage so to be marked as aforesaid; and the Owner of every such Lighter or other Vessel shall be paid for the Ballast delivered out of the same according to the Tonnage so to be ascertained as aforesaid, after the Water has been pumped therefrom, and the Lighter trimmed so as to make the same swim at equal Marks at the Stem and Stern thereof; and the Owner of every such Lighter or other Vessel shall pay to the Treasurer or Clerk to the said Commissioners, to be applied towards carrying this Act into execution, the Sum of Seven Shillings and Sixpence, and no more; and such Clerk shall attend within the Hours of transacting Business at the Custom House, to see every such Lighter or other Vessel weighed, marked, and registered as aforesaid, upon Twenty-four Hours Notice given to him for that Purpose, upon Pain of forfeiting to the Owner of such Lighter or other Vessel any Sum not exceeding Fifty Shillings for every Time he shall neglect so to attend, unless such Clerk shall be prevented from attending on account of Sickness or some other sufficient Cause; and the said Clerk shall also enter in a Book to be kept for that Purpose, in a due and regular Rotation, as well the Names of such Lighters or other Vessels, when and as they shall severally arrive or be laden with Ballast, as the Names of such Ships or Vessels, the Owners or Masters whereof shall apply for Ballast; and it shall be lawful for the said Clerk to demand and receive from such Owners or Masters, for the Use of the Owners of the Lighters or other Vessels supplying the Quantity of Ballast required, the full current Price of such Ballast, and also One Shilling for each and every Entry; and the said Clerk shall pay unto the Owner of every Lighter or other Vessel the Money so by him received for such Ballast, first deducting thereout One Halfpenny *per* Ton for every Ton of Ballast so delivered, (and which Deduction the said Clerk is hereby authorized to make,) to be applied for the Purposes of this Act.

Lighters to take their Turn in supplying Ships with Ballast.

XLIII. And be it further enacted, That the Clerk to the said Commissioners shall yearly and every Year, on the First *Monday* in *July*, or within Eight Days then next following, within the Hours of Business, review and examine all such Lighters and other Vessels at or near the said Dock Gates, or such other convenient Place as aforesaid, and see that the Name, Number, and Tonnage marked thereon are plain and legible, and the Gauge Marks complete and perfect, and whether any Frauds have been committed by Alterations made therein or otherwise; and such Clerk shall affix or cause to be affixed, on some conspicuous Place near the said Dock Gates, Three Days Notice of the Time or Times when he will attend to make such Review and Examination; and in case he shall find that any such Fraud hath been committed, or any such Gauge Marks are altered or incomplete, or any Cause of Complaint, he shall make a Presentment thereof to the said Commissioners; and in case the Owner or Part Owner, Master or other Person employed on board of any such Lighter or other Vessel as aforesaid, shall neglect or refuse to produce his Lighter or other Vessel to be reviewed and examined as aforesaid, Notice of the Time of such Review and Examination being given as

Commissioners Clerk to examine all such Vessels yearly;

and if he shall discover any Fraud, to present same to the Commissioners.

Owners refusing to produce Lighter to be reviewed, or

[*Loc. & Per.*]

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aforesaid,

to trim and pump before Delivery of Ballast, to forfeit not exceeding 5*l*.

aforesaid, and shall afterwards lade or use such Lighter or other Vessel before it shall have been reviewed and examined by such Clerk, or shall refuse or neglect, previous to the Delivery of any Ballast, properly to trim the same, and to pump all the Water out of such Lighter or other Vessel as aforesaid, or shall wilfully and fraudulently obliterate or alter the Name, Number, or Tonnage of such Lighter or other Vessel, or shall not report the Arrival of such Lighter or other Vessel, and deliver the Ballast therein in a due and regular Rotation as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and there shall be paid towards the Expence of carrying this Act into execution, for the Trouble of taking and making every such Review and Examination, by the Owner or Owners of such Lighter or other Vessel, the Sum of Two Shillings and Sixpence for every such Lighter or other Vessel so reviewed and examined.

Not to extend to the Trinity House of Deptford Strond, Dover, Deal, the Isle of Thanet, or Newcastle-upon-Tyne.

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

Not to prejudice the Corporation of Kingston-upon-Hull:

XLV. Provided also, That nothing in this Act contained shall extend or be construed to extend to take away, alter, abridge, lessen, change, or interrupt any Jurisdiction or Power of the Mayor and Burgesses of *Kingston-upon-Hull*, in, about, or concerning the Port and Harbour of *Kingston-upon-Hull*, as settled and vested in them by any Letters Patent, Charters, or Grants, Act of Parliament, or otherwise; or to prejudice or take away any Dues, Duties, or Payments, Right, Property, or Jurisdiction of the said Mayor and Burgesses.

Nor the Trinity House of Kingston-upon-Hull:

XLVI. Provided also, That nothing in this Act contained shall extend or be construed to extend to take away, impeach, diminish, change, or affect the Rights, Powers, Privileges, Jurisdictions, or Authorities of the Guild or Brotherhood of Masters and Pilots, Seamen of the Trinity House of *Kingston-upon-Hull* aforesaid, about or concerning the said Haven, Dock, or Roadsteads, or other Premises vested in them, or which they might have used, exercised, and enjoyed by virtue of any Charter, Letters Patent, Act of Parliament, or Title whatsoever, in case this Act had not been made, otherwise than as the same are by this Act expressly extended, varied, altered, or restrained.

Nor the Dock Company of Kingston-upon-Hull.

XLVII. Provided also, That nothing in this Act contained shall extend or be construed to extend to take away, impeach, diminish, change, or affect the Rights, Powers, Privileges, Jurisdictions, or Authorities of the Dock Company of *Kingston-upon-Hull*, or to lessen, prejudice, or take away any Tolls, Dues, Duties, or Payments, Right, Property, or Authority, with which the said Dock Company are vested, or which they might have received, collected, used, exercised, and enjoyed, by Act of Parliament,

Parliament, Grant, or other Title whatsoever, in case this Act had not been made.

XLVIII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, alter, abridge, lessen, interrupt, or affect any Jurisdiction or Power of the Mayor and Burgesses of *Great Grimsby* in the County of *Lincoln*, in, about, or concerning the Port and Haven of *Grimsby*, as settled and vested in them by any Letters Patent, Charters, or Grants, or which, in Right of Prescription or otherwise, they lawfully can or may have or claim; nor to diminish, abrogate, change, or affect the Rights, Powers, Privileges, Jurisdictions, or Authorities of the *Grimsby Haven* Company; or to reduce, annihilate, or prejudice any Tolls, Dues, Duties, or Payments, Rights, Property, or Authority, with which the said Haven Company are invested, or which they might have received, collected, exercised, and enjoyed, by Act of Parliament or otherwise, in case this Act had not been made.

Not to affect the Rights of the Corporation of Great Grimsby.

XLIX. And be it further enacted, That it shall be lawful for the said Commissioners at any Time or Times to make, ordain, and establish such Orders, Rules, and Bye Laws, for the better Government and Regulation of the River Pilots to be appointed and licensed as aforesaid; the Management, owning, manning, working, plying, navigating, and keeping in a proper State of Repair and Condition the Pilot Boats to be employed by them, for the adjusting of Salvage, for the fair and regular supplying of Ships and Vessels with Ballast by the Lighters taking a due and proper Turn or Rotation in serving Ships or Vessels, and in all other Matters relating to the due Execution of this Act; and also from Time to Time, as Occasion may require, to repeal, add to, amend, or alter such Rules, Orders, and Bye Laws, as to them shall from Time to Time seem meet and convenient, and to fix and appoint reasonable pecuniary Penalties, not exceeding Ten Pounds for any One Offence, for the Non-observance, Non-performance, or other Breach of all or any of such Rules, Orders, or Bye Laws; and the said Commissioners shall cause the said Orders, Rules, and Bye Laws, with the Rates of Pilotage, and a List of the said River Pilots, to be from Time to Time printed, distributed, and rendered as conspicuous as may be.

Commissioners empowered to make Bye Laws,

which shall be printed:

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

But not to be repugnant to the Laws of the Realm.

LI. And be it further enacted, That it shall be lawful for any Two Justices of the Peace for the said Town of *Kingston-upon-Hull*, and County of the same Town, such Justices or either of them not having acted as a Commissioner under this Act in any Transaction relative to the Cause of Complaint or Matter in dispute, to hear and determine any Offence against this Act, or against any Rule, Order, or Bye Law made by the said Commissioners in pursuance thereof; and the said Justices of the Peace are hereby authorized and required, upon Information exhibited

Two Justices of the Peace to hear and determine Offences.

or

or Complaint made in that Behalf, to summon the Party accused, and also the Witness or Witnesses on each Side, and to examine into the Matter or Matters of Fact, and upon due Proof thereof, either by the voluntary Confession of the said Party, or by the Oath or Oaths of One or more credible Witness or Witnesses, or by the solemn Affirmation or Affirmations of such Witness or Witnesses, in case he, she, or they be of the People called *Quakers*, (all which Oaths and Affirmations such Justices are hereby empowered and required to administer,) to give Judgment or Sentence for the Penalty or Forfeiture, according as in and by this Act is directed, or as shall be directed in and by any such Rule, Order, or Bye Law to be made as aforesaid, and to award reasonable Costs to be paid by the Offender, and to issue their Warrant under their Hands and Seals for levying such Penalty or Forfeiture and Costs so adjudged and awarded, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any) to the Owner of such Goods and Chattels upon Demand; and in case sufficient Goods and Chattels of such Offender cannot be found within the said Town and County to answer and pay such Penalty or Forfeiture and Costs as aforesaid; and the same shall not be paid, it shall be lawful for such Justices of the Peace, and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol or House of Correction of and for the said Town and County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, as the said Justices so committing such Offender shall judge proper and direct, unless such Penalty or Forfeiture, and all reasonable Costs and Charges, shall be sooner paid and satisfied; which said Penalties and Forfeitures so adjudged and paid or levied as aforesaid, and for the Appropriation whereof no Provision is hereby otherwise made, shall go and be paid to the Treasurer or Clerk to the said Commissioners, to be applied and disposed of in the Manner herein-before mentioned.

For compelling the Attendance of Witnesses.

LII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any such Justices of the Peace, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, or if any Person shall be summoned as a Witness to give Evidence at any General Quarter Sessions of the Peace for the said Town and County, or Adjournment, upon any Appeal by virtue of this Act, and any such Person shall refuse or neglect to appear at the Time and Place to be for that Purpose mentioned in such Summons, without a reasonable Excuse for such his, her, or their Refusal or Neglect, or appearing shall refuse to be examined on Oath, or (in case of a Quaker) on solemn Affirmation, and to give Evidence before such Justices of the Peace, or at such Sessions or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit for every such Offence any Sum not exceeding Forty Shillings.

Persons aggrieved may appeal to the Quarter Sessions.

LIII. And be it further enacted, That if any Person shall find himself aggrieved by or dissatisfied with the Conviction or Judgment of the said Justices, by reason of any Sentence, Judgment, or Decree, given, pronounced, made, and recorded by them in pursuance of this Act, then such Person shall and may, within Four Calendar Months after the Cause of Complaint shall have arisen, but not later, complain or appeal to the Justices

Justices of the Peace at any Quarter Sessions to be held for the said Town and County of *Kingston-upon-Hull*, or at any Adjournment thereof, at the Election of the Party aggrieved, such Party first giving or causing to be given Ten Days Notice at the least in Writing of his Intention to bring such Appeal, and of the Matter thereof, to the Justices of the Peace before whom such Person shall have been convicted, and to the Person or Persons who is or are intended to be affected by such Appeal, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said Town and County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide such Order as shall be made, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or Adjournment; and the said Justices at such Sessions or Adjournment thereof are hereby empowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of such Complaint or Appeal, and to award such Costs to the Party appealing or appealed against as they shall think proper, and by their Order or Warrant to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, rendering the Overplus (if any) to the Owners of such Goods and Chattels, upon Demand; and in case sufficient Goods and Chattels of such Person cannot be found within the said Town and County to answer and pay such Costs as aforesaid, and the same shall not be paid, it shall be lawful for such Justices of the Peace, and they are hereby required, by Warrant under their Hands and Seals, to commit such Person to the Common Gaol or House of Correction of and for the said Town and County, there to remain, without Bail or Mainprize, for any Time not exceeding Two Calendar Months, as the Justices so committing such Person shall think proper and direct; which Order and Determination shall be final, conclusive, and binding unto all Parties, and shall not be removed or removable by any Writ of Certiorari, or otherwise, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

LIV. Provided always, and be it further enacted, That no Person shall be subject or liable to the Payment of any Penalty or Forfeiture inflicted by virtue of this Act for any Offence against this Act, or any Rule, Order, or Bye Law to be made in pursuance thereof, unless some Proceeding shall be had according to the Directions of this Act respecting the Recovery of such Penalty or Forfeiture, within Six Calendar Months next after the Offence committed.

Proceedings to be within Six Months.

LV. And, for the more easy Conviction of such Offenders as aforesaid, be it further enacted, That the Justices of the Peace before whom any Person shall be convicted of any Offence against this Act, or against any Rule, Order, or Bye Law to be made in pursuance thereof, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Words to the same Effect; *videlicet*,

Form of Conviction.

‘ Town of Kingston-upon-Hull, } BE it remembered, That on the  
 ‘ and County of the same } Day of                      in the Year of our Lord  
 ‘ Town, to wit.                      }  
 ‘    A. B. is convicted before us  
 ‘ Two of His Majesty's Justices of the Peace for the Town of *Kingston-*  
 ‘ *upon-Hull* and County of the same Town, by virtue of an Act of Par-  
 ‘ liament passed in the Fortieth Year of the Reign of His Majesty King  
 [Loc. & Per.]                      3 B                      ‘ George

George the Third, intituled [set forth the Title of this Act] of  
 [specifying the Offence, and the Time and Place when  
 and where the same was committed, as the Case shall be,] for which  
 Offence we adjudge the said A. B. to have forfeited the Sum of  
 . . . . . Given under our Hands and Seals the  
 Day and Year first above written.'

Distress not  
 to be deemed  
 unlawful for  
 Want of  
 Form.

LVI. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity or other Proceeding, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall see fit, whereupon such Proceedings or Orders and Judgments shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings  
 not to be  
 quashed for  
 Want of  
 Form.

LVII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or against any Rule, Order, or Bye Law to be made in pursuance thereof, or any Order made, or other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, or of any such Rule, Order, or Bye Law, shall be made void or quashed for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

Limitation  
 of Actions.

LVIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act until Twenty-one Days Notice thereof shall be first given in Writing to the Treasurer or Clerk to the said Commissioners, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action or Suit shall be laid and tried in the County of *York*, or in the said Town and County of *Kingston-upon-Hull*, and not in any other County or Place; and that the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the

General  
 Issue.

special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than aforesaid, then the Jury shall find for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action, or if Judgment shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Case by Law. Treble Costs.

LIX. And be it further enacted, That this Act shall be deemed, Public Act. adjudged, and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1829.

