ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

****

Cap. cccxlvi.

An Act to repeal, alter, and amend the several Acts relating to *Billingsgate Market* in the City of *London*. [3d *August* 1846.]

WHEREAS an Act was passed in the Tenth and Eleventh Years of the Reign of King *William* the Third, intituled *An Act for making* Billingsgate *a free Market for Sale of* 10 W. 3. c. 24.
Fish: And whereas an Act was passed in the Ninth Year of the Reign of Queen *Anne*, intituled *An Act for the better Preservation* 9 Ann. c. 26.
and Improvement of the Fishery within the River of Thames, *and for regulating and governing the Company of Fishermen of the said River:* And whereas an Act was passed in the First Year of the Reign of King *George* the First, intituled *An Act for the better* 1 G. 1. c. 18.
preventing fresh Fish taken by Foreigners being imported into this Kingdom; and for the Preservation of the Fry of Fish; and for the giving Leave to import Lobsters and Turbots in Foreign Bottoms; and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom called England: And whereas an Act was passed in the Twenty-second Year of the Reign of King *George* the Second, intituled *An Act for making a free Market for the Sale of* 22 G. 2. c. 49.
Fish in the City of Westminster; *and for preventing the forestalling*

and monopolizing of Fish; and for allowing the Sale of Fish under the Dimensions mentioned in a Clause contained in an Act of the First Year of His late Majesty's Reign, in case the same are taken with a Hook: And whereas an Act was passed in the Twenty-ninth
29 G. 2. c. 39. Year of the Reign of King *George* the Second, intituled *An Act for explaining, amending, and rendering more effectual an Act made in the Twenty-second Year of His present Majesty's Reign, intituled* '*An Act for making a free Market for the Sale of Fish in the City of* 'Westminster; *and for preventing the forestalling and monopolizing* 'of Fish; *and for allowing the Sale of Fish under the Dimensions* 'mentioned *in a Clause contained in an Act of the First Year of His* 'late *Majesty's Reign, in case the same are taken with a Hook:*' And whereas an Act was passed in the Thirty-third Year of the
33 G. 2. c. 27. Reign of King *George* the Second, intituled *An Act to repeal so much of an Act passed in the Twenty-ninth Year of His present Majesty's Reign, concerning a free Market for Fish at* Westminster, *as requires Fishermen to enter their Fishing Vessels at the Office of the Searcher of the Customs at* Gravesend; *and to regulate the Sale of Fish at the First Hand in the Fish Markets in* London *and* Westminster; *and to prevent Salesmen of Fish buying Fish to sell again on their own Account; and to allow Bret and Turbot, Brill and Pearl, although under the respective Dimensions mentioned in a former Act, to be imported and sold; and to punish Persons who shall take or sell any Spawn, Brood, or Fry of Fish, unsizeable Fish, or Fish out of Season, or Smelts under the Size of Five Inches; and for other Purposes:* And whereas an Act was passed in the Second Year of
2 G. 3. c. 15. the Reign of King *George* the Third, intituled *An Act for the better supplying the Cities of* London *and* Westminster *with Fish, and to reduce the present exorbitant Price thereof; and to protect and encourage Fishermen:* And whereas an Act was passed in the
30 G. 3. c. 54. Thirtieth Year of the Reign of King *George* the Third, intituled *An Act for vesting the Estate and Property of the Trustees of* Westminster *Fish Market in the Marine Society, for the Purposes therein mentioned; and for discontinuing the Powers of the said Trustees:* And whereas an Act was passed in the Thirty-sixth Year of the Reign
36 G. 4. c. 118. of King *George* the Third, intituled *An Act to authorize the Sale of Fish at* Billingsgate *by Retail:* And whereas an Act was passed in the Forty-first Year of the Reign of King *George* the Third, intituled
41 G. 3. c. 99. (U.K.) *An Act for granting Bounties for taking and bringing Fish to the Cities of* London *and* Westminster, *and other Places in the United Kingdom:* And whereas an Act was passed in the Forty-second
42 G. 3. c. 19. Year of the Reign of King *George* the Third, intituled *An Act to amend so much of an Act made in the Twenty-ninth Year of the Reign of His late Majesty King* George *the Second, intituled* "*An* "*Act for explaining, amending, and rendering more effectual an Act* "*made in the Twenty-second Year of His present Majesty's Reign,* "*intituled* 'An *Act for making a free Market for the Sale of Fish* "*in the City of* Westminster; *and for preventing the forestalling and* "*monopolizing of Fish; and for allowing the Sale of Fish under the* "*Dimensions mentioned in a Clause contained in an Act of the* "*First Year of His late Majesty's Reign, in case the same are taken* "*with a Hook,*'" *as relates to the Sale of Eels:* And whereas an Act was passed in the Forty-second Year of the Reign of King *George* the

Third, intituled *An Act for repealing so much of an Act made in the Second Year of the Reign of His present Majesty, intituled* '*An Act for the better supplying the Cities of* London *and* Westminster *with Fish, and to reduce the present exorbitant Price thereof; and to protect and encourage Fishermen,*' *as limits the Number of Fish to be sold by Wholesale within the said City of* London; *and for the better Regulation of the Sale of Fish by Wholesale in the Market of* Billingsgate *within the said City:* And whereas an Act was passed in the Forty-fifth Year of the Reign of King *George* the Third, intituled *An Act to amend an Act made in the Forty-first Year of His present Majesty, for granting Bounties for taking and bringing Fish to the Cities of* London *and* Westminster, *and other Places in the United Kingdom:* And whereas an Act was passed in the Fourth Year of the Reign of King *William* the Fourth, intituled *An Act to explain and amend an Act passed in the Thirty-third Year of the Reign of His late Majesty King* George *the Second, to regulate the Conveyance and Sale of Fish at First Hand:* And whereas the regular and sufficient Supply of Fish in and to the said *Billingsgate Market*, and the due Regulation and Maintenance thereof, are of great public Importance: And whereas it is expedient, for the more effectual Regulation of the said *Billingsgate Market*, and for the Encouragement of the Supply of Fish to the same, to consolidate the Provisions of the said recited Acts into One General Act, and that the Provisions of the said recited Acts should be repealed, so far as may be necessary for that Purpose; but the several Objects aforesaid cannot be obtained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 Provisions of the said several recited Acts, so far as they relate to or affect the Supply of Fish to and the Regulation of the said *Billingsgate Market*, except as herein-after excepted, shall be and the same are hereby repealed.

42 G. 3. c. 88.

45 G. 3. c. 64.

4 & 5 W. 4. c. 20.

Recited Acts in part repealed.

II. Provided nevertheless, and be it enacted, That nothing in this Act contained shall in any Manner alter, lessen, prejudice, or affect the Powers, Authorities, Estates, Rights, or Interests of the Mayor and Commonalty and Citizens of the City of *London*, or of the Deputy Oyster Meters of the said City.

Nothing to affect Powers of Mayor, &c. of London, or Deputy Oyster Meters.

III. Provided also, and be it enacted, That nothing in this Act contained shall in any Manner alter, lessen, prejudice, or affect the Estates or Property of the Marine Society.

Nothing to affect Rights of the Marine Society.

IV. Provided always, and be it enacted, That nothing herein contained shall prejudice any Right or Privilege which the *Hungerford Market* Company now possess or are entitled to, or may lawfully use or exercise, or to prevent the bringing or Supply of Fish to the said Market in such Mode or Manner as Fish may now be brought thereto.

Nothing to affect Rights of the Hungerford Market Company.

V. And be it enacted, That the several Clauses in the Lands Clauses Consolidation Act, 1845, with respect to the Purchase of Lands

Provisions of 8 & 9 Vict. c. 18. ex-

tended to this Act.

Lands by Agreement, and to the Purchase Money or Compensation coming to Persons having limited Interests, or prevented from treating, or not making Title, and so far only as relates to the same Clauses, but not further, and with respect to the Construction of the same Act and of this Act, shall (save as to such of the Provisions of the same Clauses respectively as are or may be inconsistent with the Provisions of this Act, or the Customs, Usages, and Charters of the City of *London*,) be incorporated with and form Part of this Act.

Short Title.

VI. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Billingsgate Market* Act, 1846."

Billingsgate Market declared a free Market for the Sale of Fish, Wholesale or Retail.

VII. And be it enacted, That from and after the passing of this Act *Billingsgate Market* shall be in every Day of the Week, except *Sunday*, a free and open Market for the wholesale and retail Sale of all Sorts of Fish; and that it shall and may be lawful for any Person to buy or sell, both by Wholesale and Retail, any Sort of Fish, or any Quantity thereof, in the said Market, without any Disturbance or Molestation whatsoever.

Mayor, &c. to continue to have the Control of the Market.

VIII. And for the Control, Maintenance, and Regulation of the said Market, be it enacted, That the Mayor and Commonalty and Citizens of the City of *London* shall, as heretofore, have Power, Authority, Jurisdiction, and Control over the said Market for the Sale of Fish both by Wholesale and Retail, as they now have over the several other public Markets of the said City.

Tolls specified in Schedule to be payable.

IX. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, by themselves, or any of their Collectors, Officers, or Servants, to demand and take, or cause to be demanded and taken, the several Tolls specified in the Schedule annexed to this Act, such Tolls to be paid and payable by the Owner of the Fish, or the Salesman, Consignee, or other Person to whom the same shall be delivered.

For Recovery of Tolls.

X. And be it enacted, That the said Mayor, Aldermen, and Commonalty, in Common Council assembled, shall set up and maintain in some conspicuous Part of the said Market a Table of the Tolls to be taken by virtue of this Act; and in case any Person shall refuse to pay the said Tolls or any Part thereof it shall be lawful for the Lord Mayor, or the Person appointed to receive such Tolls, to levy and recover the same by Distress and immediate Sale of a sufficient Part of the Fish in respect of which such Tolls shall be payable, rendering the Overplus (if any) which shall remain after Payment of the said Tolls, and the reasonable Costs, Charges, and Expences of such Distress and Sale, to the Owner, Salesman, Consignee, or other Person in whose Possession the said Fish were at the Time of the said Distress; and in case any Difference shall arise between the Parties concerning such Costs, Charges, and Expences, the same shall be finally settled by any Justice, upon Application made to him for that Purpose within Fourteen Days next after the said Distress and Sale.

XI. And

Tolls to be applied to Maintenance of Market, &c.

XI. And be it enacted, That the several Sums of Money which may and shall be collected by the levying of the said Tolls, or by the Recovery of Penalties, shall, after the Payment of all the Costs, Charges, and Expences incurred in the obtaining and passing of this Act, or otherwise incidental thereto, be applied by the said Mayor, Aldermen, and Commons, in Common Council assembled, to the Maintenance and Improvement of the said Market, and to the Payment of the Salaries of the Officers who may or shall be appointed for the Purposes above mentioned, and to the other necessary Expences of the said Market.

Mayor, &c. to make Bye Laws for the Regulation of the Market.

XII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, to make such Bye Laws, Rules, Orders, and Regulations as may from Time to Time be deemed necessary for the due Maintenance and Control of the said Market, both Wholesale and Retail, and the Hours of opening and closing thereof, for the ordering and regulating the Waggons, Carts, Machines, Vans, and any other Conveyances carrying Fish to or from the said Market, and for facilitating the landing or Delivery of Fish, and for collecting the Toll to be paid, and for preventing the Sale of Fish unfit for Sale or Food; and from Time to Time to repeal or alter such Bye Laws, Rules, Orders, and Regulations, and to make others; provided that such Bye Laws, Rules, Orders, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *England*; provided always, that any such Bye Laws, Rules, Orders, and Regulations as are contrary to or inconsistent with any Regulations and Directions of the Commissioners of Her Majesty's Customs respecting Foreign Fish shall be void; and to nominate and appoint such Officers as may be necessary for the levying of the said Tolls, and the Government and Regulation of the said Market, both Wholesale and Retail.

Bye Laws contrary to Regulations of the Customs, void.

Bye Laws, &c. to be submitted to the Board of Trade for their Approval.

XIII. Provided always, and be it enacted, That all Bye Laws, Rules, Orders, and Regulations which shall be made or altered by the said Mayor, Aldermen, and Commons, in Common Council assembled, under the Provisions of this Act, shall be submitted to the Committee of Her Majesty's Privy Council for managing the Affairs of Trade; and it shall be lawful for such Committee to approve of and sanction such Bye Laws, Rules, Orders, and Regulations, or to suggest such Alterations therein as to them shall seem fit; and if the said Mayor, Aldermen, and Commons, in Common Council assembled, shall concur in the said Alterations, or if the said Bye Laws, Rules, Orders, and Regulations shall be approved without Alteration, then and in that Case the Bye Laws, Rules, Orders, and Regulations so sanctioned or altered shall be forthwith published in manner hereinafter mentioned; but no Bye Law, Rule, Order, or Regulation shall have legal Effect unless in accordance with the expressed or implied Sanction of the said Committee: Provided also, that if the said Committee shall, for Four Weeks after the Receipt of any such Bye Laws, Rules, Orders, and Regulations, fail to express an Opinion on the Bye Laws, Rules, Orders, and Regulations so submitted to them, then and in that Case it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, at the Termination of such Four

If Board of Trade fail to approve Bye Laws in Four Weeks, Mayor, &c. may adopt them.

Four Weeks, to publish such Bye Laws, Rules, Orders, and Regulations in manner herein-after mentioned, and such Bye Laws, Rules, Orders, and Regulations shall have full legal Effect at the Termination of Four Weeks from the Time of the Publication thereof.

Bye Laws to be painted on Boards, and placed in a conspicuous Place in the Market.

XIV. And be it enacted, That a Table of the said Bye Laws, Rules, Orders, and Regulations for the Time being shall at all Times be painted on Boards, or printed on Paper and pasted on Boards, and hung up and affixed or continued in some conspicuous Place in the said Market, so as to give public Notice thereof to the Parties interested therein or affected thereby; and such Boards shall from Time to Time be renewed as often as the Bye Laws, Rules, Orders, and Regulations thereon, or any Part thereof, shall be obliterated or destroyed; and no Penalty imposed by any such Bye Law, Rule, Order, or Regulation shall be recoverable unless the same shall have been published and kept published in manner aforesaid; and that if any Alteration shall from Time to Time be made in the said Bye Laws, Rules, Orders, and Regulations, the said Table shall be corrected in accordance with the said Alterations.

Penalties may be levied for enforcing Bye Laws.

XV. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, by the Bye Laws, Rules, Orders, and Regulations so to be made by them, from Time to Time to impose such reasonable Penalties for enforcing the better Observance thereof as they shall think fit, not exceeding Five Pounds for any One Offence: Provided always, that such Bye Laws, Rules, Orders, and Regulations be so framed as to allow the Justice before whom any Penalty imposed thereby may be sought to be recovered to order the whole or Part only of such Penalty to be paid.

Proof of Publication of Bye Laws.

XVI. And be it enacted, That such Bye Laws, Rules, Orders, and Regulations, when so published and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Persons acting under the same; and for Proof of the Publication of any such Bye Laws, Rules, Orders, and Regulations it shall be sufficient to prove that a printed Paper or painted Board containing a Copy of such Bye Laws, Rules, Orders, and Regulations was affixed and continued in manner by this Act directed, and in case of its being afterwards displaced or damaged then that such Paper or Board was replaced as soon as conveniently might be.

Fishing Boats to be exempt from all Dues, except Tolls, and 2*s.* per Cargo each Voyage on passing the Nore.

XVII. And be it enacted, That all Fishing Smacks, Steam Boats, or other Description of Vessels which shall be solely employed in the catching, carrying, or importing Fish for the Supply of the said Market, shall be and they are hereby exempted from all Claims, Dues, and Customs whatsoever while the said Fishing Smacks, Steam Boats, or other Description of Vessels shall be solely engaged in such Employment, save and except the Tolls payable by virtue of this Act, and the Payment by each Fishing Smack, Steam Boat, or other Description of Vessel of the Sum of Two Shillings *per* Voyage for each Time of passing the *Nore* with Fish for the said Market, as herein-after mentioned.

XVIII. And

Fishing Boats to pay 2*s.* each Voyage on passing the Nore, to the Collector of Customs, London.

XVIII. And be it enacted, That the Owner, Master, chief Officer, or other Person who shall have the Care or Conduct of any Fishing Smack, Steam Boat, or other Description of Vessel which shall be wholly or partly made use of for catching, carrying, or importing Fish, or which shall be wholly or partly laden with Fish for the Supply of the said Market, and passing the *Nore* with such Fish for the said Market, shall, within Three Days after such Fishing Smack, Steam Boat, or other Description of Vessel shall have passed the *Nore*, pay to the Person who for the Time being shall act as Deputed Clerk in the Coast Office under the Collector Outwards in the Port of *London* at the Custom House, *London*, the Sum of Two Shillings *per* Voyage for each Time of passing the *Nore* with any such Fish on board as aforesaid.

Account of Cargo of Fishing Boats to be given.

XIX. And be it enacted, That at the Time of making the said Payment of Two Shillings as aforesaid the Owner, Master, chief Officer, or other Person who shall have the Care or Conduct of such Fishing Smack, Steam Boat, or other Description of Vessel, or his Agent, shall deliver to the Person who shall for the Time being act as such Deputed Clerk as aforesaid an Account, as near as may be, of the Quantity and Description of Fish so imported for the said Market.

Penalty on neglecting to pay 2*s.* or deliver an Account of Cargo.

XX. And be it enacted, That in case the said Owner, Master, chief Officer, or other Person having the Care or Conduct of any such Fishing Smack, Steam Boat, or other Description of Vessel, or his Agent, shall refuse or neglect to pay the said Sum of Two Shillings, or to deliver the said Account as aforesaid, to such Person as aforesaid, the said Owner, Master, chief Officer, or other Person, or his Agent, shall forfeit and pay, on Conviction before any Justice, a Penalty of not exceeding Ten Pounds, to be paid to and for the Use of the Marine Society; and that it shall be lawful for the said Marine Society, but for no other Party, to prefer such Complaint as aforesaid before the said Justice as aforesaid, and to recover the same Penalty in the Manner herein-after mentioned.

Clerk to enter Monies paid and Account of Cargoes in a Book, and to make weekly Returns to the Marine Society.

XXI. And be it enacted, That such Person as aforesaid shall make a correct Entry in a Book to be kept for that Purpose of the Sums paid to him as aforesaid, and also of the said Account of the several Cargoes as aforesaid, and shall make a weekly Return of the same to the said Marine Society; and in the event of such Person as aforesaid neglecting to make such Entry or Return as aforesaid, such Person as aforesaid shall forfeit and pay, upon Conviction before any Justice, a Penalty of Five Pounds, to be paid to and for the Use of the said Marine Society as aforesaid, upon their Complaint, and to be recovered by them as herein-after mentioned.

Application of the 2*s.* per Voyage.

XXII. And be it enacted, That the said Sum of Two Shillings so to be paid as aforesaid shall be applied in manner following; (that is to say,) there shall be kept and retained by and for the Use of the Person so receiving the said Sum of Two Shillings *per* Voyage the Sum of Sixpence, and the remaining One Shilling and Sixpence is hereby vested in the said Marine Society, and shall be paid by such Person

Person from Time to Time to the said Society, whose Receipt shall be and is hereby declared to be at all Times a full Discharge to such Person for the same, which said Sum of One Shilling and Sixpence shall be applied by the said Society for the general Purposes of the said Society.

Marine Society to appoint Inspectors of Fishing Vessels.

XXIII. And be it enacted, That the said Marine Society are hereby authorized to appoint, and from Time to Time, at their Pleasure, to remove One or more Officer or Officers, to be called the Inspector or Inspectors of Fishing Vessels, who shall take account of the Arrival and passing of all Fishing Smacks, Steam Boats, and other Description of Vessels wholly or partly laden with Fish for the Supply of the said Market, and of the Quantity and Description of Fish on board the same, and shall make a Return of the same to the said Marine Society, and that it shall be lawful for the said Officer or Officers to enter upon and board any Fishing Smack, Steam Boat, or other Description of Vessel which he shall suspect of having Fish on board for the said Market; and all and every the Masters, chief Officers, or other Person or Persons having the Care or Conduct of the said Fishing Smacks, Steam Boats, or other Description of Vessels, are hereby required to give to the said Inspectors such Account of the Arrival and passing thereof, and of the Quantities and Description of Fish on board the same, according to the best of their Knowledge; and any Person or Persons refusing to give such Account, or hindering such Inspector or Inspectors in the Execution of his or their said Office, or preventing or endeavouring to prevent any Person or Persons on board such Vessel or Vessels from giving such Account as aforesaid, shall, on Conviction before a Justice, be subject to a Penalty not exceeding Five Pounds, to be paid to and for the Use of the said Marine Society as aforesaid, upon their Complaint, and to be recovered by them as herein-after mentioned.

Such Officers not to molest any Fisherman.

XXIV. Provided always, and be it enacted, That nothing herein contained shall extend to entitle the said Officer to hinder, annoy, or molest any Fisherman or Person employed in the Fishery in the carrying on of his lawful Calling, or unnecessarily to interfere with any Steam Vessel under way.

Justices to examine Parties and Witnesses.

XXV. And be it enacted, That where in this Act the Imposition of any Penalties or any other Matter is referred to the Determination of any Justice as aforesaid it shall be lawful for such Justice to examine the Parties interested therein and their Witnesses on Oath, and to administer the Oaths necessary for that Purpose, and the Costs of every such Inquiry shall be in the Discretion of such Justice; and if either Party shall fail to appear at the Time and Place appointed by the Justice for going into any such Matter, without reasonable Excuse to the Satisfaction of such Justice, due Notice of such Appointment having been given to such defaulting Party, it shall be lawful for such Justice to proceed *ex parte*.

Penalties to be summarily recovered before

XXVI. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law, Rule, Order, or Regulation made in pursuance thereof, the Recovery of

of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding before any Justice; and on Complaint being made to any Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party either in Person or by leaving a Copy of the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party so offending it shall be lawful for any Two Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness, it shall be lawful for any such Two Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit. Two Justices.

XXVII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Justice shall issue a Warrant of Distress accordingly. Penalties to be levied by Distress.

XXVIII. And be it enacted, That it shall be lawful for any Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can conveniently be made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of any Justice, for his Appearance on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to such Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had within his Jurisdiction whereon to levy such Penalty or Forfeiture and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain, without Bail, for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied. Offenders may be imprisoned in default of Distress.

XXIX. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice unless the Complaint respecting such Offence shall have been made before such Justice within Three Months next after the Commission of such Offence. Penalties to be sued for within Three Months.

XXX. And be it enacted, That all Forfeitures, Penalties, and Costs shall be recovered and recoverable by the same Ways and Means and in Penalties, &c. to be recovered

according to Provisions of 8 & 9 Vict. c. 18.

in the Forms which are provided in those several respects in the said Lands Clauses Consolidation Act, 1845.

Nothing to alter Acts as to Carriage of Fish by Road.

XXXI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to alter, vary, or abridge the several Acts and Provisions now in force with reference to the Carriage and Conveyance of Fish on Roads, or the Tolls to be paid by the Carriages and Horses conveying the same, or the several Acts and Provisions for the licensing and Regulation of the said Carriages and Drivers thereof.

Nothing to alter Provisions exempting Fishermen from Impressment.

XXXII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to alter, vary, or abridge the several Acts and Provisions now in force by which any Persons of the Degrees therein specified, who shall be employed in the Fisheries of this Kingdom, are freed and exempted from being impressed into the Service of Her Majesty, Her Heirs and Successors, other than in the Cases therein specified.

Interpretation of Act.

XXXIII. And be it enacted, That in this Act the following Words shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include the Feminine:

The Word "Justice" shall mean any Justice of the Peace acting within his Jurisdiction:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Month" shall mean Calendar Month.

Public Act.

XXXIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULE referred to in the foregoing Act.

TOLLS to be levied on all Boats, Steam and other Vessels, Smacks, Barges, Lighters, or other Craft laden with Fish for landing or Delivery at Billingsgate Market, also on all Waggons, Carts, Machines, Vans, or other Conveyances with Fish for unloading or Sale thereat.

	s.	*d.*
On every Peter Boat with River Fish - - -	0	6
— small Boat, Wherry, or Skiff - - -	1	0
— Hatch Boat - - - - -	1	6
— great Boat, Smack, or Vessel, laden with Lobsters, Mackerel, fresh Herrings, Sprats, or Plaice -	2	6
— great Boat, Smack, or Vessel, Lighter, Barge, or other Craft, laden with Salmon, or Barrels of Red and White Herrings, Cod Fish, Haddocks, or any other Fish not otherwise enumerated -	5	0
— Lug Boat, Barge, Smack, or Vessel, not more than Half laden - - - - -	2	6
— Cart, Machine, Van, Waggon, or any other Description of Conveyance, with Fish:—		
With not more than Two Horses -	1	0
With more than Two Horses - -	1	6
— Oyster Boat, Smack, Vessel, or Cock, Lighter, Barge, or other Craft, for Groundage, per Day, 2*d.*; for Metage, per Bushel, ½*d.*; and per Voyage, 1*s.* 1*d.*		

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