individually to any Fine, Penalty, or Forfeiture, or to Execution of any Process against the Person or Property, anything in any Act incorporated with this Act or with any such Act notwithstanding.

Extension of Provisions as to Actions and Suits.

26. The Provisions of this Act respecting Actions and Suits by and against the Admiralty relative to Lands shall apply in relation to all Lands for the Time being purchased or taken or contracted to be purchased or taken by the Admiralty under any General or Special Act in force at the passing of this Act.

Nothing to affect Rights of Admiralty.

27. Nothing in this Act shall take away or prejudicially affect any Power, Right, or Authority that would or might have been vested in or exercised by the Admiralty if this Act had not been passed.

CAP. LVIII.

An Act for confirming a Provisional Order concerning Pilotage made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to *Hartlepool*. [25th *July* 1864.]

25 & 26 Vict. c. 63.

'WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament:

'And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the Schedule hereto, with the Amendment herein-after mentioned, should be confirmed by Act of Parliament:'

Be it therefore 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, as follows:

Order set forth in Schedule confirmed.

1. The Provisional Order set out in the Schedule hereto shall be and is hereby confirmed, and all the Provisions thereof in manner and form as they are set out in the said Schedule shall, from and after the passing of this Act, take effect and have full Validity and Force, except as herein-after mentioned.

Amendment of Order.

Compensation Money payable by Treasury in respect of differential Dues for the District to be paid to the Commissioners.

2. Clause Eighteen of the said Order shall be deemed to be and is by this Act expunged therefrom, and in lieu of that Clause the following Clause shall be deemed to be inserted therein; *videlicet:* A Proportion of the Compensation Money payable by the Commissioners of Her Majesty's Treasury, (under the Provisions of Section Twelve of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Forty-seven,) to the Trinity House of *Newcastle-upon-Tyne* for differential Dues (that is to say), the annual Sum of One thousand two hundred and eighty-five Pounds Two Shillings, shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners, and shall be applied by the Commissioners for the Use and Benefit of the Pilots of the *Hartlepool* Pilotage District, in like Manner as the whole of the said Compensation Money is now by Law applicable for the Use and Benefit of the Pilots of the whole District which is now within the Jurisdiction of the Trinity House of *Newcastle-upon-Tyne*.

Construction of Order.

3. The said Order, with the Omission and Addition aforesaid, shall be read and construed as if such Omission and Addition had been made therein by the Board of Trade.

Short Title.

4. This Act may be cited as The *Hartlepool* Pilotage Order Confirmation Act, 1864.

SCHE-

SCHEDULE.

HARTLEPOOL.

Provisional Order of the Board of Trade for constituting Pilotage Commissioners for Hartlepool in the County of Durham, and for regulating their Jurisdiction.

Whereas, under The Merchant Shipping Act Amendment Act, 1862, the shipowners and merchants resident and carrying on business within the port of Hartlepool made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act to transfer that portion of the jurisdiction in pilotage matters within the port of Hartlepool then and now exercised by the Trinity House of Newcastle-upon-Tyne, and the Monies belonging thereto, to a local pilotage authority to be constituted by such Order: Preamble.

And whereas notice of the application aforesaid was published according to the requirements of the said Act:

And whereas the Board of Trade at the time in the said Act appointed in this behalf referred the said application to the pilotage authority of the district, namely, the Trinity House of Newcastle-upon-Tyne, and more than six weeks have elapsed since such reference before the making of the present Provisional Order:

And whereas the Board of Trade, after making such inquiries as they thought expedient, and after considering all objections, determined to proceed with the proposed Provisional Order, and accordingly have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Preliminary.

1. In this Order— Interpretation.

The term "the Act of 1855" means the Hartlepool Port and Harbour Act, 1855:

The term "the East Dock Company" means the Company for the time being in actual possession of the works and property at Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the North-eastern Railway Company, or their Lessees:

The term "the West Dock Company" means the Company for the time being in actual possession of the works and property at West Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the West Hartlepool Harbour and Railway Company:

The term "the Hartlepool Pilots" means the persons for the time being licensed as Pilots for Hartlepool:

The term "the West Hartlepool Pilots" means the persons for the time being licensed as Pilots for West Hartlepool:

The term "the registered Shipowners of Hartlepool" means the Shipowners registered in the Custom House Books at Hartlepool:

The term "the registered Shipowners of West Hartlepool" means the Shipowners registered in the Custom House Books at West Hartlepool.

Hartlepool Pilotage Commissioners.

2. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be fourteen, which Commissioners and their successors shall be and Incorporation of Commissioners.

and are hereby for the purposes of this Order incorporated by the name of The Hartlepool Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Hartlepool Pilotage Commissioners.

Appointment and election of Commissioners.

3. The appointment and election of the several Commissioners shall be regulated as follows:

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those three Commissioners shall appoint another person to fill the vacancy, and so toties quoties:

(2.) The Hartlepool Port and Harbour Commissioners incorporated by the Act of 1855 shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The East Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(4.) The West Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(5.) The Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(6.) The West Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(7.) The registered Shipowners of Hartlepool shall from time to time elect three persons to be Commissioners:

(8.) The registered Shipowners of West Hartlepool shall from time to time elect three persons to be Commissioners.

Tenure of office of appointed Commissioners.

4. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated herewith) each such appointment shall be operative for five years and no longer, but at the end of the term of five years an outgoing Commissioner shall be capable of re-appointment.

Election of Commissioners by Hartlepool Pilots.

5. With respect to the election of Commissioners by the Hartlepool Pilots the following provisions shall take effect:

(1.) The first meeting of Hartlepool Pilots for the election of a Commissioner shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, or in their default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of Hartlepool Pilots for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the 23d day of August in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at

at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the Hartlepool Pilots as are licensed at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the Hartlepool Pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the Commissioners appointed by the Board of Trade, shall attend and act as Chairman of the meeting:

(6.) The election of Commissioners at the first and each annual meeting shall be made by the majority of licensed pilots present at the meeting:

(7.) Each Commissioner elected at the first or at any annual meeting shall go out of office at the next annual meeting, but shall be re-eligible:

(8.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by West Hartlepool Pilots.

6. With respect to the election of Commissioners by the West Hartlepool Pilots, the provisions of the last foregoing section shall apply in that case as if they were here repeated, with the substitution only of the West Hartlepool Pilots for the Hartlepool Pilots, and of the Athenæum of West Hartlepool for the Town Hall of the borough of Hartlepool.

Election of Commissioners by Hartlepool Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of Hartlepool, the following provisions shall take effect:

(1.) The first meeting of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, or in their default by the Board of Trade, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the 23d day of August in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the registered Shipowners of Hartlepool as are registered at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting, and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the registered Shipowners of Hartlepool as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings, and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Hartlepool, up to and inclusive of the then last 31st day of December, certified under the Hand of the Collector of Customs of the port, shall be sufficient evidence of the persons therein being registered Shipowners of Hartlepool, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector shall supply a copy of such list to every person requiring the same on payment of the sum of 6*d.* for every 100 words of such copy, and copies of such list shall be fixed by the Clerk of the Commissioners on the outer doors of the Town Hall of the borough of Hartlepool and of the Athenæum of West Hartlepool two days at least before the day appointed for the first and each such annual meeting:

(6.) At

(6.) At the first and each such annual election each registered Shipowner of Hartlepool shall be entitled to one vote and no more for each of the persons then proposed to be elected as Commissioners:

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Hartlepool present at the meeting:

(8.) Every person elected as a Commissioner by the registered Shipowners of Hartlepool shall be required to have the following qualification; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Hartlepool on the 31st day of December next before the day of election, such shipping being of the then market value, above all encumbrances thereon, of not less than 150 tons of shipping at the port of Hartlepool:

(9.) Such one of the Commissioners elected by the registered Shipowners of Hartlepool at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible; the remaining one shall go out of office at the fourth meeting, but shall be re-eligible:

(10.) Each Commissioner elected by the registered Shipowners of Hartlepool at the second meeting, and at subsequent annual meetings, shall go out of office at the third meeting after his election, but shall be re-eligible:

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by West Hartlepool Shipowners.

8. With respect to the election of Commissioners by the registered Shipowners of West Hartlepool, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of West Hartlepool for the registered Shipowners of Hartlepool.

Incorporation of parts of 10 & 11 Vict. c. 16.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the Powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of 500*l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order:

(3.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be five:

(4.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the 23d day of August in each year:

(5.) Section fifty-four of the same Act shall not be incorporated with this Order:

(6.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(7.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(8.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

Limits

Limits of District.

10. The Hartlepool Pilotage District shall, for the purposes of this Order, be deemed to extend from a point called Black Halls on the north side of the borough of Hartlepool to the southernmost end of the village of Seaton Carew on the south side of that borough. Definition of Hartlepool Pilotage District.

Pilotage.

11. The jurisdiction in pilotage matters within the Hartlepool Pilotage District now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order. Transfer of jurisdiction to Commissioners.

12. All Pilots licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the passing of an Act confirming this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order. Continuance of existing licences.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels within the Hartlepool Pilotage District, and may, if they think fit, license and authorize by writing any person so examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid. Examination and licensing of Pilots.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of forty shillings for such his licence; and every Pilot licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their Clerk for the time being for their use, the sum of ten shillings for the renewal of his licence; provided, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade. Licence and renewal fees.

15. The following Pilotage dues shall be paid, namely, Pilotage dues.

For every British ship or other vessel piloted and conducted within the Hartlepool Pilotage District, from and including the 1st day of April to the 1st day of October in any year, at the rate of one shilling and threepence for every foot of water which such ship or vessel draws:

For every such ship or vessel so piloted and conducted, from and including the 1st day of October in any year to the 1st day of April in the following year, at the rate of one shilling and sixpence for each such foot:

which Pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within five days after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

16. Nothing in this Order shall extend to oblige the Owner or Master of any ship or vessel to employ or make use of any Pilot in piloting or conducting such ship or vessel within the Hartlepool Pilotage District if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot. Pilotage not compulsory.

Miscellaneous.

17. All money standing in the books of the Trinity House of Newcastle-upon-Tyne to the credit of the Hartlepool Pilotage District, or properly applicable thereto, at the time of the passing of an Act confirming this Order, shall be paid to the Commissioners incorporated by this Order. Transfer of Pilotage money to Commissioners.

18. All compensation money payable by the Commissioners of Her Majesty's Treasury under the provisions of Section 12. of 24 & 25 Vict. c. 47. to the Trinity House of Newcastle- Compensation in respect of differential dues

for the district to be paid to the Commissioners.

castle-upon-Tyne for differential dues payable in respect of the said district shall, after the passing of an Act confirming this Order, be paid to and received by the Commissioners.

Compensation to Officers no longer employed by Commissioners.

19. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage within the Hartlepool district are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the Monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service.

Saving for effect of general Acts.

20. Nothing in this Order shall exempt the Commissioners or the port of Hartlepool from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the Hartlepool Pilotage District defined by this Order.

Short title.

21. This Order may be cited as The Hartlepool Pilotage Order, 1864.

Board of Trade, Whitehall.
Dated this 27th day of May 1864. (Signed) JAMES BOOTH, Secretary.

CAP. LIX.

An Act to continue the Deputy Commissioners in Lunacy in *Scotland*, and to make further Provision for the Salaries of the Deputy Commissioners, Secretary, and Clerk of the General Board of Lunacy in *Scotland*.

[25th *July* 1864.]

20 & 21 Vict. c. 71.
25 & 26 Vict. c. 54.

'WHEREAS by the Act Twentieth and Twenty-first *Victoria*, Chapter Seventy-one, Provision was made for the Appointment of Deputy Commissioners under the said Act for Five Years after the passing thereof, and by the Act Twenty-fifth and Twenty-sixth *Victoria*, Chapter Fifty-four, the Provisions of the first-recited Act were continued until the First Day of *August* One thousand eight hundred and sixty-four: And whereas it is expedient that the said Provisions should be further continued, and that the said Acts should be amended:' 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, as follows:

Continuance of Deputy Commissioners.

1. The Provisions of the first-recited Act in regard to the Appointment of Deputy Commissioners shall be and are hereby continued until the First Day of *August* One thousand eight hundred and sixty-six.

Treasury to regulate Salaries of Secretary, Clerk, and Deputy Commissioners.

2. The Provisions of Sections Thirteen, Sixteen, and Twenty-one of the first-recited Act with respect to the Amount of Salary payable to the Secretary, Clerk, and Deputy Commissioners appointed or to be appointed under the same are hereby repealed, and the said Secretary, Clerk, and Deputy Commissioners shall receive Salaries of such Amount as shall from Time to Time be regulated and approved by the Commissioners of Her Majesty's Treasury; but such Salaries shall not exceed the Sums herein-after specified, that is to say, Six hundred Pounds *per Annum* for the said Secretary, Three hundred Pounds *per Annum* for the said Clerk, and Six hundred Pounds *per Annum* for each of the said Deputy Commissioners.