ANNO SECUNDO & TERTIO

GULIELMI IV. REGIS.

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Cap. cv.

An Act for better regulating the Pilotage of the Port of *Kingston upon Hull* and of the River *Humber*, and for other Purposes relating thereto.

[4th *July* 1832.]

WHEREAS an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, intituled *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Tonnage of Ballast Lighters employed at the said Port:* And whereas it is expedient that the said recited Act should be repealed, and that better Provision should be made for carrying into execution the Purposes thereby intended: May it therefore please Your Majesty that it may be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 Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby declared to be repealed.

39 & 40 G. 3. c. 10.

Recited Act repealed.

II. Provided always, and be it further enacted, That notwithstanding the Repeal of the said recited Act hereby repealed all Rates and

Rates and Monies due under former

Act may be recovered by Commissioners for executing this Act.

and Dues which before the passing of this Act shall have been legally imposed, and all Fines and Penalties which shall have been incurred, and all Bonds, Contracts, and Agreements which shall have been given or entered into, under or by virtue of the said recited Act, and all other Monies due to the Commissioners acting in the Execution of the said recited Act, and which shall respectively remain uncollected or unpaid, or be in existence and unperformed, at the Time of the passing of this Act, shall and may be collected, recovered, and enforced by the Commissioners for executing this Act, in the same Manner and by the same Ways and Means as if such Rates and Dues had been imposed, and as if such Fines and Penalties had been incurred, and as if such Bonds, Contracts, and Agreements had been entered into, under or by virtue of this Act; and all Treasurers, Collectors, and other Officers and Persons who at the Time of the passing of this Act shall have in their Possession or under their Controul any Money, Books, Documents, Papers, Writings, or other Effects belonging to the Commissioners acting in the Execution of the said former Act hereby repealed shall be liable to account for and to deliver up all such Money, Books, Documents, Papers, Writings, and Effects to the Commissioners for executing this Act, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, or Persons had been appointed by the Commissioners for executing this Act; and all other Persons who at the Time of the passing of this Act shall owe any Money to the Commissioners acting in the Execution of the said former Act, for or in respect of any Matter or Thing affecting or relating to such Act, shall be liable to the Payment of such Money to the Commissioners for executing this Act, and in case of Refusal or Neglect to pay the same shall be subject to the Provisions of this Act for the Recovery thereof, as if such Money had become due under this Act.

Conveyances, &c. under former Act declared valid.

III. Provided also, and be it further enacted, That all Bonds, Assignments, Grants, Conveyances, Leases, and other Securities made or granted to or by any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, by virtue or under the Authority of the said former Act hereby repealed, shall be as valid and effectual to all Intents and Purposes whatsoever as if such Act had not been repealed.

Property of Commissioners under former Act vested in Commissioners for executing this Act.

IV. Provided also, and be it further enacted, That the Right and Property of and in all Offices, Edifices, Buildings, Materials, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Chattels, and Effects, purchased or otherwise obtained by or granted or otherwise belonging to the Commissioners acting in the Execution of the said former Act hereby repealed, for the Purposes of such Act, and whether conveyed to or vested in such Commissioners in their own Names, or conveyed to or vested in other Persons in Trust for or to or for the Use of such Commissioners, for the Purposes of such Act, or which shall at any Time hereafter be purchased or obtained by the Commissioners acting in the Execution of this Act, shall be and the same is and are hereby absolutely vested in the Commissioners for the Time being for executing this Act, for the Purposes of this Act; and such

such Offices, Edifices, Buildings, Materials, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Chattels, and Effects, so hereby vested in the said Commissioners, may be sold and disposed of from Time to Time as such Commissioners shall think proper; and the Money arising by such Sale or Sales shall be applied in aid of such of the Purposes of this Act as the said Commissioners shall think proper; and the said Commissioners are hereby empowered to bring any Action, or to prefer any Bill of Indictment, as the Case may require, against any Person who shall injure, steal, or carry away any or any Part of any Articles or Effects so vested in them; and in all such Actions or Bills of Indictment it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which any such Action shall be brought, or any such Bill of Indictment shall be preferred, is or are the Property of "The Commissioners for regulating the Pilotage of the Port of *Kingston upon Hull* and of the River *Humber*," without stating the Name or Names of all or of any of the said Commissioners.

This Act made liable to Debts created under former Act.

V. Provided also, and be it further enacted, That this Act, and the several Rates and Dues hereby authorized to be raised by the said Commissioners for the Purposes of this Act, shall be and the same respectively are hereby made liable to the Payment of all Monies which at the Time of the passing of this Act shall be due and owing from or by the Commissioners for executing the said former Act hereby repealed, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had become due on the Credit of this Act.

Present Officers to continue in Office unless removed by Commissioners.

VI. Provided also, and be it further enacted, That the Clerk and Treasurer (if appointed consistently with the Provisions of this Act in reference to the Offices of Clerk and Treasurer), and all other Officers and Persons appointed under the said former Act hereby repealed, or in the Employment of the Commissioners acting in the Execution of such Act at the Time of the passing of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Commissioners for executing this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and they and their Sureties shall be liable to the same Penalties, Obligations, Restrictions, and Regulations, in every respect, as if they had been appointed or taken under or by virtue of this Act.

Appointment of Commissioners.

VII. And be it further enacted, That the Mayor, Recorder, and Aldermen of the Town or Borough of *Kingston upon Hull* for the Time being, the Wardens, Elder Brethren, and Assistants of the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House in *Kingston upon Hull*, commonly called the Corporation of the Trinity House in *Kingston upon Hull*, for the Time being, together with *John Brodrick*, *George Moon*, *Robert Gill* the elder, *William Spyvee Cooper*, *Thomas Ward*, *Alexander Webster*, *Robert Keighley*, *Thomas Ward Gleadow*, *Edward Gibson*, *Joseph Godmond*, *James Headley*, *John Collender*, *William Ward*, *Richard John Moxon*, *Thomas Chilton*, *Richard Park*, *John Terry*, *Henry Levett*, *Joseph Sanderson*,

Sanderson, John Collinson, George Locking, Richard Marshall, William Laverack, William Priest, Thomas Firbank, Edward Spence, William Hopwood, Thomas Prissick, William Ringrose, Dennis Peacock, James Bowden, Henry Bolton, Isaac Whitaker, Thomas Loft, Robert Blyth, John Bernhard La Marche, Thomas Thompson, Isaac Turner, Samuel Hall Egginton, John Hollingworth, and *Thomas Newmarch,* Merchants and Shipowners, and their Successors, to be elected in manner hereinafter directed, shall be and they are hereby appointed Commissioners for carrying into execution the several Powers and Authorities by this Act vested in and directed to be exercised by them; and no Person shall be capable of being elected a Commissioner for the Purposes of this Act except the Persons hereby constituted Commissioners by virtue of their several Offices, unless he shall be an Owner or Part Owner of some Ship or Vessel, or a Merchant, and shall be resident at the said Town of *Kingston upon Hull,* or within Three Miles thereof; and the Commissioners herein-before particularly and individually named, and also the Commissioners to be from Time to Time appointed as herein-after mentioned, shall continue Commissioners for the Term of Three Years from the passing of this Act, or from the Date of their respective Appointments, as the Case shall be, and until they shall be re-appointed Commissioners, or until other Persons shall be chosen in their respective Places, by virtue of this Act.

Commissioners to acknowledge their Acceptance of Office within Seven Days.

VIII. Provided always, and be it further enacted, That every Commissioner above particularly and individually named shall, at the First Meeting of the said Commissioners, or within Seven Days then next following, acknowledge his Acceptance of the Office by subscribing an Instrument in Writing to that Effect in a Book to be kept for that Purpose by the said Commissioners; and every Person who shall hereafter be elected a Commissioner in pursuance of this Act shall, within Ten Days next after such Election, and Notice in Writing to him given thereof by the Clerk to the said Commissioners, attend at the Time and Place appointed in and by such Notice, and subscribe his Name to the Instrument above mentioned, acknowledging his Acceptance of the Office; and in case any Person in this Act named, or who shall be hereafter elected a Commissioner under the Powers of this Act, shall refuse or neglect to acknowledge his Acceptance of such Office within the Time and in the Manner herein-before mentioned, the Nomination of such Person in this Act, or the Election of such Person under the Powers of this Act (as the Case may be), shall be void.

First Meeting of the Commissioners.

IX. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, within One Calendar Month next after the passing of this Act, to meet at the Pilot Office within the said Town of *Kingston upon Hull,* upon a printed or written Notice signed by the Mayor of the Town or Borough of *Kingston upon Hull* for the Time being, or by his Deputy, or in default thereof by the acting Warden of the Trinity House in *Kingston upon Hull* aforesaid, or by his Deputy, being sent by the Clerk to the said Commissioners to the usual Places of Abode of the others of the said Commissioners, of the Day and Hour of such Meeting, Three Days at least previous to the Day of such Meeting; and

the said Commissioners shall then and there proceed in the Execution of this Act; and such Meeting shall and may be adjourned to such Time and Place as the Commissioners present at such Meeting shall direct and appoint.

Subsequent Meetings of the Commissioners.

X. And be it further enacted, That all subsequent Meetings of the said Commissioners shall be held at the Pilot Office aforesaid, or at such other Place as the said Commissioners shall from Time to Time appoint for that Purpose, on the First *Thursday* in every Month in the present and every subsequent Year, and at such intermediate Times as the said Commissioners shall by Adjournment from any of such monthly Meetings appoint; of all which Adjournments a printed or written Notice shall be sent by the Clerk to the said Commissioners to the usual Place of Abode of each of the Commissioners then residing in the said Town of *Kingston upon Hull*, or within Three Miles thereof, at least Two Days before the Time appointed for every such adjourned Meeting.

Power to call Special Meetings of Commissioners.

XI. Provided always, and be it further enacted, That it shall be lawful for the Chairman for the Time being of the said Commissioners, or for any Five or more of the said Commissioners, at any Time or Times, as Occasion may require, whether any Adjournment of the said Commissioners shall be then subsisting or not, to summon a Special Meeting of the said Commissioners by Writing under his or their Hand or Hands, to be delivered to the Clerk of the said Commissioners, and such Writing shall specify the Purpose or Purposes for which such Special Meeting shall be summoned; and upon the Receipt of such Writing the said Clerk shall forthwith send printed or written Notices of such Special Meeting, specifying in such Notices the Name or Names of the Person or Persons so summoning such Meeting, and the Purpose or Purposes for which the same shall be summoned, to each of the said Commissioners then residing in the said Town of *Kingston upon Hull* or within Three Miles thereof, at least One Day before the Time appointed for such Special Meeting.

Commissioners to choose a Chairman at their First Meeting, and afterwards annually.

XII. And be it further enacted, That the Commissioners present at the First Meeting of the said Commissioners which shall be held after the passing of this Act shall choose out of the Commissioners a Chairman of the said Commissioners, who shall be and continue to act as Chairman until the First Meeting of the said Commissioners which shall happen after the Twenty-eighth Day of *February* next ensuing the passing of this Act; and the said Commissioners shall also, at their First Meeting after the said Twenty-eighth Day of *February*, and also at their First Meeting after the Twenty-eighth Day of *February* in every succeeding Year, elect some Person, being a Commissioner under this Act, to be the Chairman of their several Meetings for putting this Act in execution, who shall be and continue to act as Chairman of the said Commissioners for the Year thence next ensuing until the Meeting of the Commissioners which shall first happen after every such annual Election, when such Chairman shall go out of Office, and his Place be supplied by the Chairman elected by the Commissioners present at such previous Meeting: Provided always, that any Chairman so going out of Office shall be

capable of being immediately or at any and every future Election re-elected; provided also, that when and so often as the Chairman to be chosen by virtue of this Act shall be so removed as aforesaid, or shall die or resign, or become disqualified to act, or otherwise cease to be a Commissioner, it shall be lawful for the said Commissioners in like Manner, at the Meeting to be held next after such Vacancy, to choose some other of the said Commissioners to be Chairman; and no Act or Proceeding of the said Commissioners at any of the Meetings to be held in pursuance of this Act shall be of any Force or Effect unless the Chairman for the Time being, or the *pro tempore* Chairman to be elected and chosen as herein-after mentioned, shall be present, nor unless there shall be Four or more other Commissioners present at such Meeting; and all Matters and Things to be done at all or any of the said Meetings shall from Time to Time be ordered and determined according to the Vote of the Majority of the Commissioners then present; and where the Number of Votes shall be equal, including the Vote of the Chairman, such Chairman shall have an additional or casting Vote; and no Commissioner shall be capable of acting or voting in any Case where he shall be charged with any Offence against this Act, or where his Interest is either directly or indirectly concerned.

Power to elect Chairman pro tempore, in case of Absence or Non-attendance of Chairman.

XIII. Provided nevertheless, and be it further enacted, That if the Chairman for the Time being of the said Commissioners shall be prevented from attending, or shall refuse or neglect to attend, any Meeting of the said Commissioners at the Expiration of Fifteen Minutes after the Time appointed, or being present shall decline or refuse to take the Chair or to act as Chairman of such Meeting, the Commissioners present at such Meeting shall and may elect and appoint one of the Commissioners present to be Chairman *pro tempore*, and after such Election and Appointment may and shall proceed to the Business of the Meeting.

Mode of electing Commissioners for supplying Vacancies, &c.

XIV. And be it further enacted, That when any of the Commissioners in this Act particularly and individually named, or to be elected as herein-after mentioned, shall die, or refuse to acknowledge his Acceptance of Office as aforesaid, or shall by Writing under his Hand resign his said Office, 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, then and in every such Case the said Commissioners shall and they are hereby required, at their first monthly Meeting held thereafter, to fix and appoint a Day and Time (not being more than Ten nor less than Five Days thereafter) for a Meeting of the said Commissioners for the Appointment of a new Commissioner to supply the Place of every such Commissioner as aforesaid, and shall make known the Time and Purpose of such Meeting by advertizing the same once at least in each of the Newspapers published at the said Town of *Kingston upon Hull*, and by affixing a Notice thereof in Writing upon some conspicuous Part of the Pilot Office in the said Town, and also by sending a printed or written Notice thereof to such of the said Commissioners as shall be resident within the said Town, or within Three Miles thereof, 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, including the Chairman, not being less than Five,) shall elect and appoint a Commissioner in lieu of every Commissioner who shall have died, or who shall have refused or neglected to acknowledge his Acceptance of the said Office, or shall have resigned his said Office as aforesaid, or shall have acted for the Term of Three Years, or shall have been chosen an Alderman, Elder Brother, or Assistant as aforesaid; or the said Commissioners may re-appoint every Commissioner who shall have acted for the said Space of Three Years; and every such Commissioner so elected or re-appointed shall have the same Power and Authority in all Matters and Things relating to this Act as if he had been expressly named in this Act; and every such Election or Re-appointment shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners.

Commissioners may appoint Officers, and fix their Salaries or Allowances.

XV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any of their Meetings to be held as herein-before directed, to elect and appoint a Treasurer, and also a Clerk, Commodore of Pilots, and Ballast Master, and such other Officers as the said Commissioners shall from Time to Time think proper and necessary for the due Execution of this Act; and it shall be lawful for the said Commissioners from Time to Time to remove, suspend, or displace all or any of such Officers as they shall see Occasion, and appoint others in the Room or Place of such of them as shall be so removed, suspended, or displaced, or in the Room of such as shall die or resign their Offices; and also to pay such Salaries or make such other Allowances, either permanent or temporary, to such Clerk, Commodore, Ballast Master, and other Officers, as the said Commissioners shall judge necessary and reasonable; and the said Commissioners shall and are hereby required to take sufficient Security from every such Treasurer, and may also take such Security from every such other Officer as they may think necessary for the due and faithful Execution of his Office, which Securities may be taken in the Name either of the Clerk or Chairman of the said Commissioners.

Clerk and Treasurer not to be the same Person, &c.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint their Clerk in the Execution of this Act, or the Partner, or any Person in the Service or Employ of such Clerk or of his Partner, to be their Treasurer for the Purposes of this Act, or to continue or appoint their Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk to the said Commissioners, or in his Service or Employ, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or in his Service or Employ, shall accept the Office of Clerk to the said Commissioners, or shall act as

Deputy

Deputy of or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt.

Persons holding Office not to act as Commissioners.

XVII. Provided always, and be it further enacted, That it shall not be lawful for any Person holding any Office under the Provisions of this Act to act as a Commissioner in the Execution thereof.

Officers to account.

XVIII. And be it further enacted, That every Officer or other Person continued or appointed by virtue of this Act shall, at such Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, which Accounts shall show the Money received and also the Money expended by such Officer or Person by virtue or for the Purposes of this Act, and the Objects of such Expenditure, together with proper Vouchers for such Payments; and every such Officer and Person shall pay all such Money as shall remain due from him to the Treasurer for the Time being to the said Commissioners, or to such Persons as they shall appoint to receive the same; and if any such Officer or Person shall refuse or wilfully neglect to render such Accounts, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or to deliver within One Calendar Month after being thereunto required by the said Commissioners all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners or to such other Persons as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or by such Person as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace, such Justice is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer or Person so refusing or neglecting to appear before him; and upon such Officer or Person appearing, or having been so summoned and not appearing without some reasonable Excuse, or not being found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath or Affirmation, it shall appear to such Justice that any Money remains due from such Officer or Person, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money and the Charges of such Distress and Sale, or if it shall appear to such Justice that such Officer or Person has refused or wilfully neglected to render such Accounts, or to produce the Vouchers relating

relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remain in his Custody or Power, and that he refuses or wilfully neglects to deliver or to give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice is hereby required to commit such Offender to some Common Gaol or House of Correction in or for the County, Riding, City, Division, Town, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have paid such Money as aforesaid, or have compounded with the said Commissioners for such Money, and have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), or until he shall have rendered such Accounts or have produced the Vouchers relating thereto, or until he shall have delivered up such Books, Papers, and Writings, or have given Satisfaction in respect thereof to the said Commissioners, or to such other Persons as aforesaid; but no such Offender shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months for Want of Distress only: Provided always, that no Prosecution or Commitment, under the Provisions of this Act, of any such Officer or Person as aforesaid, shall discharge any Surety or Security that may have been taken by or given to the said Commissioners for the faithful Execution of his Office, or for the Payment of any Money received or to be received by him.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

XIX. And be it further enacted, That the said Commissioners shall and they are hereby required to cause a Book or Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been expended, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners and of the Pilots, without Fee or Reward; and the said Commissioners and Pilots or any of them shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and if the Clerk or Clerks to the said Commissioners, or other Person or Persons with whom the Books, Accounts, and Papers belonging to the said Commissioners shall have been deposited, shall on any reasonable Demand refuse to permit or shall not permit the said Commissioners or Pilots, or any of them, to inspect the said Books, Accounts, and Papers, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks or other Person or Persons so refusing shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence.

Proper Books of Proceedings, &c. to be kept.

XX. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, in which they shall, either by themselves or by their Clerk for the Time being, make or cause to be made fair and regular Entries of their several Meetings held in pursuance of this Act, and of the Names of the Commissioners present thereat respectively, and of the Election and Nomination of

all Commissioners, Officers, and Persons to act in the Execution of this Act, and of all Acts, Orders, Rules, Resolutions, Reports, Proceedings, Matters, and Things relative to the Execution of this Act; and the Chairman of every such Meeting shall subscribe his Name at the End of the Proceedings of every such Meeting; and all such Entries, being so signed, shall be allowed to be read in Evidence in all Causes, Suits, Actions, Appeals, or other Proceedings relating to any thing done in pursuance of this Act; and every such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners; and if the said Clerk or other Person having the Custody thereof shall not permit the said Commissioners to peruse and inspect such Book or Books, such Clerk or Person shall forfeit and pay the Sum of Twenty Shillings for every such Offence.

Commissioners to sue and be sued in the Name of their Clerk or of any One Commissioner.

XXI. And be it further enacted, That all Actions, Suits, Appeals, and other Proceedings whatsoever to be commenced or instituted by or on behalf of the said Commissioners shall and lawfully may be commenced or instituted and prosecuted in the Name of their Clerk for the Time being, or of any One of the said Commissioners for the Time being, as a nominal Plaintiff or Appellant, or otherwise, for and on behalf of the said Commissioners; and all Actions, Suits, or other Proceedings to be commenced or instituted against the said Commissioners shall be commenced, instituted, and prosecuted against their Clerk, or against any One of the said Commissioners for the Time being, as the nominal Defendant; and no Action, Suit, or other Proceeding which may be so commenced, instituted, or prosecuted by or against the said Commissioners in the Name of their Clerk or of any One of the said Commissioners shall abate or be discontinued by the Death, Resignation, Suspension, or Removal of such Clerk or Commissioner, or by any Act or Default of such Clerk or Commissioner done or suffered without the Consent or Direction of the said Commissioners; but such Clerk or Commissioner shall be always deemed Plaintiff or Defendant, Appellant or Respondent, (as the Case may be,) in every such Action, Suit, or other Proceeding: Provided always, that in all Cases in which the Clerk of the said Commissioners, or any One of the said Commissioners as aforesaid, shall be the Plaintiff or Defendant, Appellant or Respondent on the Record in any Action or Proceeding in which in effect the said Commissioners shall be suing or be sued, pleading or impleaded, appealing or appealed against in the Name of such Clerk or of such Commissioner as aforesaid, such Clerk or such Commissioner (as the Case may be) may and shall, if not otherwise interested, be a good and competent Witness in any such Action or Proceeding either for or against the said Commissioners; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk or by such Commissioner (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record, or Appellant or Respondent as aforesaid: Provided always, that no such Clerk or Commissioner in whose Name, as such nominal Plaintiff or Appellant, any Action, Suit, or other Proceeding shall be commenced or prosecuted by the said Commissioners, or against whom, as such nominal Defendant or

Respondent, any Action, Suit, or other Proceeding shall be commenced or prosecuted, shall by reason thereof be liable to or become chargeable with any Costs, Damages, or Expences; but that every Plaintiff or Appellant suing, appealing, or proceeding against the said Commissioners in the Name of their said Clerk or of any One of the said Commissioners shall, on obtaining Judgment in any such Action, Suit, or other Proceeding, have the like Remedies for Satisfaction thereof as if the said Commissioners had been made Defendants in such Action or Suit.

Trinity House in Hull authorized to license Pilots.

XXII. And whereas the Guild or Brotherhood of Masters and Pilots, Seamen of the Trinity House in *Kingston upon Hull*, commonly called "The Corporation of the Trinity House in *Kingston upon Hull*," have, as well by Usage for a long Period of Years as by virtue of Letters Patent or Charters granted to them by the Crown, been empowered to appoint Pilots to conduct Ships and Vessels sailing or navigating into and out of the Port of *Kingston upon Hull* and the Limits and Liberties thereof, and into and out of and upon the River *Humber*, and from the said River out to Sea, and between *Flamborough Head* Northward and *Winterton Ness* Southward, and into and out of the several Ports, Creeks, Harbours, and Places situate between those Two last-mentioned Headlands or Places, in pursuance of which Powers the said Corporation have from Time to Time appointed a sufficient Number of Pilots for the Purposes before mentioned; be it further enacted, That it shall be lawful for the said Guild or Brotherhood of Masters and Pilots, Seamen of the Trinity House in *Kingston upon Hull* commonly called "The Corporation of the Trinity House in *Kingston upon Hull*," and they are hereby required, to grant Licences under their Common Seal to such Persons as they shall, after due Examination, approve of and think properly qualified to be Pilots for conducting Ships and Vessels into and out of the Port of *Kingston upon Hull*, and of the Port of *Great Grimsby* in the County of *Lincoln*, and upon any Part of the River *Humber* below the said Port of *Kingston upon Hull*, and so far out at Sea as to bring the *North Ness* 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 a certain Sand or Shoal called the *New Sand*, and also so far along the Coast to the Northward thereof as the said *North Ness* of *Dimlington*, and to the Southward thereof as a certain Point or Headland on the Coast of *Lincolnshire*, commonly called or known by the Name of *Donna Nook*; and the Persons so licensed shall for the Purposes of this Act be called "*Humber* Pilots;" and all Ships and Vessels sailing, navigating, and passing as aforesaid, except as herein-after provided, shall be conducted and piloted within the Limits aforesaid by Pilots so licensed, and by no other Pilots or Persons.

Licences granted under former Act to remain in force.

XXIII. Provided always, and be it further enacted, That all Licences granted to Pilots under the Provisions and Powers of the said former Act hereby repealed shall, until the Twenty-first Day of *August* next after the passing of this Act, be of the same Force and Efficacy as if granted in pursuance of the Provisions of this Act; and all Pilots acting under such Licences shall be entitled to all the Benefits

Benefits conferred, and shall be liable to all the Rules, Regulations, and Penalties imposed by this Act on Pilots licensed under the Powers of this Act.

Exempting the Masters, &c. of certain Vessels from Liability to Pilotage.

XXIV. Provided also, and be it further enacted, That nothing in this Act contained shall oblige the Master or other Person having the Command of any Ship or Vessel employed in the Coasting Trade of *Great Britain* or *Ireland*, whether laden or in Ballast, or of any Ship or Vessel of less than Six Feet Draught of Water, the same being the Property of a Subject or Subjects of the King of the United Kingdom of *Great Britain* and *Ireland*, or of any Ship or Vessel putting into the said River *Humber* for the Purpose of Shelter, or of obtaining Stores or Provisions only, to employ any Pilot, nor to prevent any Owner, Part Owner, Master or Mate of, or any Person belonging to any Ship or Vessel inward bound, from conducting or piloting the same into and up the said River *Humber*, in case none of the said *Humber* Pilots shall be ready and offer to conduct and pilot the same, nor to prevent any Person from assisting any Ship or Vessel in Distress.

When unlicensed Persons, &c. may act as Pilots.

XXV. Provided also, and be it further enacted, That any Person whatsoever shall and may lawfully, and without being subject to any Penalty by this Act imposed, assume or continue in the Charge or Conduct of any Ship or Vessel inward bound as a Pilot where and so long as any of the said *Humber* Pilots shall not have offered to take the Charge of such Ship or Vessel, or shall not have made a Signal for that Purpose, or where and so long as such Ship or Vessel shall be in Distress, or under Circumstances which shall have rendered it necessary for the Master of such Ship or Vessel to avail himself of the best Assistance which at the Time could be procured; any thing in this Act contained to the contrary notwithstanding.

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

XXVI. And be it further enacted, That every Person who shall be licensed as a *Humber* Pilot by virtue of this Act shall for his first Licence pay to the Clerk to the Commissioners for executing this Act the Sum of Six Pounds Six Shillings, and for every Licence or Renewal of a Licence which shall be afterwards granted to the same Person the Sum of Three Pounds Three Shillings; and every Pilot so licensed shall be subject to the several Regulations and Provisions in this Act contained, and to such Orders, Rules, and Bye Laws as shall be made in pursuance hereof, or as shall be hereby directed to remain in force: 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.

Corporation of the Trinity House of Hull may vacate Licences.

XXVII. And be it further enacted, That every Licence granted under the Authority of the said former Act hereby repealed, and every Licence which shall be granted or renewed by the said Corporation of the Trinity House in *Kingston upon Hull* under the Authority of this Act, shall and may be by the said Corporation annulled, suspended, or adjudged to be forfeited, in such Manner, and at such Time or Times, as to the said Corporation shall seem meet, if it shall appear to the said Corporation that any such *Humber* Pilot

Pilot shall have neglected or refused to perform his Duty or shall have become incapable of performing his Duty as a Pilot, and whether any such Neglect, Refusal, or Incapacity shall or shall not have been previously made a Subject of Complaint by the said Commissioners to the said Corporation in pursuance of this Act.

Pilots to give the Preference to His Majesty's Ships.

XXVIII. And be it further enacted, That every *Humber* Pilot who shall have been licensed and appointed at the Time of the passing of this Act, or who shall hereafter be licensed and appointed by the said Corporation of the Trinity House, 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 *Humber* Pilot shall refuse or neglect to take the Charge or Conduct of any of His Majesty's Ships or Vessels, or of any Ship or Vessel in the Merchants Service inward bound, upon a proper Signal being made, or a Gun or Guns being fired by any such Ship or Vessel, or upon the Orders or Directions of the Commodore of Pilots to be appointed as herein-before mentioned, or upon the Request of the Master, Commander, Owner, Agent, or Person having the Consignment of any Ship or Vessel outward bound to which such *Humber* Pilot may have been appointed as herein-after provided, or if such outward-bound Ship or Vessel shall be about to sail from any of the Roadsteads in the River *Humber*, upon a proper Signal being made, or a Gun or Guns being fired by such Ship or Vessel, or if any such Pilot shall refuse or neglect to give every Assistance in his Power to any Ship or Vessel in Distress or in want of extra Assistance, or in case it shall appear to the said Commissioners that any such Pilot shall have misbehaved himself in the Conduct of any Ship or Vessel, or in the Execution of his Duty as a *Humber* Pilot, or if any such 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, in pursuance of the Powers hereby given, every such Pilot shall forfeit and pay such Sum, not exceeding Twenty Pounds, as the said Commissioners or any Five or more of them shall order and adjudge; and if the said Commissioners or any Five or more of them, upon Examination of the Circumstances or Cause of Complaint, shall think that the Pilot so offending should be suspended or broken, and shall state the Matter of Complaint, and such their Opinion, in Writing, to the said Corporation of the Trinity House, the said Corporation are hereby required to inquire into the Matter of such Complaint, and upon Proof of the Offence complained of by the Oath of any credible Witness, (which Oath the acting Warden of the said Corporation for the Time being or his Deputy is hereby empowered to administer,) or by the voluntary Confession of the Party, either to suspend for such Time as the said Corporation shall think proper, or to entirely break and dismiss such Pilot, and to declare his Licence to be utterly void, according to their Discretion; and such Pilot so broken or suspended shall thereupon deliver up his

Licence to the said Corporation, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Commissioners empowered to suspend Pilots in certain Cases.

XXIX. Provided always, and be it further enacted, That if at any Time Complaint shall be made to the said Commissioners against any of the said *Humber* Pilots for Drunkenness whilst on Duty, or for using abusive or improper Language to the Master, Owner, or Agent of any Ship or Vessel of which such Pilot shall be in charge, or to any of the said Commissioners, or to their Clerk, Commodore of Pilots, or other Officer or Officers appointed under or in pursuance of this Act, when in the Execution and Discharge of his or their Duty, or for wilful Refusal or Neglect to obey any Summons issued by or in pursuance of the Orders of the said Commissioners, or any Five or more of them, requiring his Appearance before them for any Breach, Nonobservance, or Contempt of any of the Bye Laws, Rules, or Orders made or to be made by the said Commissioners for the better Regulation and Government of the said *Humber* Pilots, and the same shall be proved to their Satisfaction, it shall be lawful for the said Commissioners or any Five or more of them, without referring the Cause of Complaint and their Opinion thereon to the said Corporation of the Trinity House, to order and adjudge such Pilot to be suspended from acting as a Pilot for any Period not exceeding Three Calendar Months, and to require such Pilot to deliver up his Licence to them the said Commissioners; and the said Commissioners shall thereupon notify in Writing to the said Corporation of the Trinity House their Order and Adjudication therein, and shall also transmit to the Office of the Wardens Clerk to the said Corporation the Licence of every such Pilot so suspended, there to be deposited and remain during the Period of such Suspension: Provided also, that nothing herein contained shall extend or be construed to extend to authorize and empower the said Commissioners to order and adjudge any such Pilot to be suspended as aforesaid upon any Matter of Complaint, or otherwise, touching or in any Manner affecting the Neglect or Default, Incompetency or Incapacity, of any such Pilot in the Conduct of any Ship or Vessel to which he may be appointed under or in pursuance of any of the Provisions of this Act (except in Cases of Drunkenness as aforesaid).

Penalty on Pilots acting as such after having been broken or during Suspension.

XXX. And be it further enacted, That if any *Humber* Pilot, after having been broken, shall at any Time, or after having been suspended, shall during the Period of such Suspension (provided Notice in Writing of such breaking or Suspension, signed by the Clerk to the said Commissioners, shall have been given to such Pilot, or left at his last or usual Place of Abode,) act as a Pilot in taking charge of or in conducting any Ship or Vessel into or out of the said Port of *Kingston upon Hull*, or upon any Part of the said River *Humber* below the said Port, or out at Sea, between the Entrance of the said River and the *North Ness* of *Dimlington* to the Northward, or *Donna Nook* Southward, he shall be subject and liable to all the Penalties inflicted by this Act on Persons acting as Pilots without having obtained such Licence as aforesaid.

XXXI. And

As to the Rates of Pilotage to be demanded by Pilots.

XXXI. And be it further enacted, That no greater Rates shall be demanded or taken by any such *Humber* Pilot for the piloting or conducting of any Ship or Vessel from Place to Place expressed in the Schedule to this Act annexed than what shall be from Time to Time ascertained, fixed, and settled by the said Commissioners at any of their Meetings to be held under and by virtue of the Provisions of this Act: Provided nevertheless, that the Rates so to be ascertained, fixed, and settled by the said Commissioners shall never exceed the highest or be lower than the lowest Rate mentioned in such Schedule.

Commissioners empowered to fix, alter, and vary Rates.

XXXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, from Time to Time, at their Discretion, to fix the Rates to be paid for Pilotage for any of the Distances in the said Schedule mentioned, and to vary and alter all or any such Rates, and also to determine what shall be considered the different Seasons of the Year, if they the said Commissioners shall think proper to make a Difference of Rates according to the Season of the Year: Provided always, that the Rate so altered shall never exceed the highest or be lower than the lowest of the Rates mentioned in the said Schedule; and all Pilots licensed as by this Act required, piloting or conducting Vessels, shall be paid according to the Rates so fixed from Time to Time by the said Commissioners.

Compensation to Pilots for extraordinary Assistance to be settled by the Commissioners.

XXXIII. And be it further enacted, That in case any Ship or Vessel shall be met with in Distress, at Sea or in the River *Humber*, by any of the said *Humber* Pilots, and shall stand in need of any extraordinary Assistance of such Pilot, his Crew or Boat, then the Compensation to be made for such Assistance shall be settled and ascertained, according to the Circumstances of the Case, by the said Commissioners; and if any Agreement or Agreements for such extraordinary Assistance shall at any Time be made by any such Pilot or Pilots, such Agreement or Agreements shall be null and void; or in case any Ship or Vessel shall, at the particular Request of the Master or Commander, or other Person having the Command thereof, be piloted or assisted by any of the said *Humber* Pilots into the said River *Humber* from any further Distance than such as is provided for by the Schedule hereunto annexed, every such Pilot shall be paid for such extra Pilotage such Sum as the said Commissioners shall order and direct.

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

XXXIV. And be it further enacted, That every Master of any Ship or Vessel outward bound from the said Port of *Kingston upon Hull* who is by this Act required to take a Pilot shall apply for such Pilot at the Pilot Office aforesaid, and upon such Application the Commodore of Pilots shall appoint a Pilot to take charge of such Ship or Vessel; and any Master of any such Ship or Vessel, or of any Ship or Vessel outward bound, by this Act required to take a Pilot, who shall himself act as a Pilot, or who shall employ as a Pilot any unlicensed Person within the Limits for which Pilots are directed to be licensed under this Act, or being inward bound shall himself act as a Pilot, or shall employ or continue to employ as a Pilot within

within the Limits aforesaid any unlicensed Person, after any of the said *Humber* Pilots shall have offered to take charge of such Ship or Vessel, or shall have made a Signal for that Purpose, shall forfeit for every such Offence Double the Amount of the Sum which would have been legally demandable for the Pilotage of such Ship or Vessel, and shall likewise forfeit for every such Offence an additional Penalty of Five Pounds for every Fifty Tons Burthen of such Ship or Vessel, in case the said Commissioners, or any Five or more of them, shall think proper that Proceedings should be taken for the Recovery of such additional Penalty, and shall make an Order for that Purpose, to be entered in the Book of their Proceedings; and such Penalty, when recovered, shall be paid and applied in such and the same Manner as any other Penalty or Forfeiture to be incurred under this Act, the Recovery and Application whereof is not otherwise specially provided for.

Penalty on unlicensed Persons acting as Pilots.

XXXV. And be it further enacted, That it shall be lawful for any of the said *Humber* Pilots, within the Limits of his Licence, to supersede in the Charge of any Ship or Vessel any Person not licensed to act as a Pilot, or not licensed so to act within such Limits; and every Person assuming or continuing in the Charge or Conduct of any Ship or Vessel within the Limits aforesaid, without having obtained a Licence to act as a *Humber* Pilot under and by virtue of the Provisions of this Act, shall forfeit the Sum of Twenty Pounds for every such Offence.

Masters of Ships liable to Pilotage inward bound to display a Signal for a Pilot, and to facilitate the Pilot getting on board.

XXXVI. And be it further enacted, That the Master or other Person having the Command of any Ship or Vessel which under the Provisions of this Act shall be liable to Pilotage shall, on arriving at or within the Limits for which Pilots are directed to be licensed under this Act, display and keep flying or hoisted the usual Signal for a Pilot to come on board, by hoisting a Flag in the Daytime and a Light in the Night-time at the Mast-head, in a conspicuous Situation, clear of the Sails and Rigging of the Vessel, and so as to be distinctly visible; and if any *Humber* Pilot shall be within Hail or approaching, and within a reasonable Distance of any such Ship or Vessel, with the proper distinguishing Flag flying in his Vessel or Boat, the Master or other Person having the Command of such Ship or Vessel shall, by heaving to in proper Time, or shortening Sail, or by all practicable Means consistently with the Safety of the Ship or Vessel, facilitate such Pilot getting on board; and every Master or other Person having the Command of any such Ship or Vessel, who shall not display and keep flying or hoisted such Signal for a Pilot to come on board from the Time such Ship or Vessel shall have arrived off any or either of the Limits before specified, as the Case shall be, or who shall not heave to, shorten Sail, or otherwise, consistently with the Safety of the Ship or Vessel, facilitate such Pilot getting on board as aforesaid, shall forfeit and pay Double the Amount of the Sum which would have been demanded for Pilotage of such Ship or Vessel from the Place or Distance where such Ship or Vessel, under the Provisions of this Act, ought to have displayed and kept flying or hoisted such Signal for a Pilot to come on board as aforesaid.

XXXVII. Pro-

Pilots leading the Way in any Vessel entitled to Pilotage.

XXXVII. Provided always, and be it further enacted, That in case any Ship or Vessel coming into or going out of the said Port of *Kingston upon Hull*, or any of the Roadsteads of the said River *Humber* below the said Port, shall be in want of a Pilot, and none of the said *Humber* Pilots can be procured, and there shall be any of the said Pilots on board any other Ship or Vessel passing into or out of the said Port or any of the said Roadsteads, such Pilot on board any such other Ship or Vessel may lead the Way for and direct the Course of the Ship or Vessel so in want of a Pilot, either into or out of the said Port or any of the said Roadsteads, as the Case may be, or so far in her Course until another *Humber* Pilot can be obtained; and the Master or Commander of every such Ship or Vessel which shall be so piloted or directed by any *Humber* Pilot leading the Way in such other Ship or Vessel shall be subject and liable to the Payment of the Whole or of a Proportion, according to the Distance such Ship or Vessel shall have been piloted or directed in manner aforesaid, of the said Rates of Pilotage, in the same Manner as he would have been subject and liable if the Pilot had actually been on board and had charge of such Ship or Vessel, and had piloted or conducted the same into or out of the said Port or any of the said Roadsteads.

Trinity House in Hull may license Pilot Boats, &c.

XXXVIII. And be it further enacted, That it shall be lawful for the said Corporation of the Trinity House in *Kingston upon Hull* to license Vessels of such Size and Description as they shall think proper, for the Purpose of having Pilots constantly in attendance in such Vessels within the Limits for which Pilots are directed to be licensed under this Act; and if any such Pilot Boat or Vessel licensed under this Act shall run before any Ship or Vessel not having any licensed *Humber* Pilot on board when such Ship or Vessel cannot, from particular Circumstances, be boarded by any such Pilot, for the Purpose of directing her Course until One of the said *Humber* Pilots can be put on board, the Pilot on board such Boat or Vessel, or other Person having the Command thereof, shall be entitled to the full Pilotage for the Distances run until One of the said *Humber* Pilots shall be put on board, as if such Pilot or Person had been actually on board such Ship or Vessel, and had the Charge of her as a Pilot.

Ships forced back, after parting with Pilots, and piloted out again, to pay only Half Rates.

XXXIX. And be it further enacted, That in case any Ship or Vessel which shall have been piloted or conducted by any of the said *Humber* Pilots out of the said Port of *Kingston upon Hull*, or any of the said Roadsteads below the said Port, to Sea, shall be forced back by Storm or contrary Winds 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 *Humber* Pilots to conduct such Ship or Vessel out of such Roadstead or Place to Sea, he shall then for such Service be liable to pay One Half of the full Sum hereby made payable for Pilotage outward from such Roadstead or Place.

Distance to which outward-bound Ships are to be piloted.

XL. And be it further enacted, That every such *Humber* Pilot who shall take upon himself the Charge or Conduct of any Ship or Vessel about to sail out of the said Port of *Kingston upon Hull*, or from any of

of the Roadsteads of the said River *Humber*, shall and is hereby required to take charge of such Ship or Vessel at her Moorings in any of the Wet Docks or Basins or elsewhere in the said Port, or in any of the Roadsteads aforesaid, where such Ship or Vessel shall then be, and to conduct or pilot such Ship or Vessel so far out to Sea as to bring the said *North Ness* of *Dimlington* 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 whenever any such 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 said Roadsteads in the said River *Humber*, for the Purpose of taking in Goods, or for any other Purpose whatever, such Pilot shall attend accordingly, and shall be paid such Sum as the Commissioners shall appoint, not being less than the Sum of Three Shillings and Sixpence *per* Day for every Day of Twenty-four Hours Attendance; and if such Pilot shall so attend and 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, according to the Circumstances of the Case, as shall be settled and directed by the said Commissioners; and if any such Pilot, after he shall have been engaged to serve, shall presume to quit any such Ship or Vessel on board of which his Services are so required, without the Consent of the Master or Commander thereof, before he has performed the Service for which he was engaged, such Pilot shall forfeit the Pilotage, or other Sum or Sums of Money to which, on his duly performing his Duty, he would have been entitled, and on being lawfully convicted of so quitting any Ship or Vessel shall forfeit the Sum of Ten Pounds for every such Offence.

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

XLI. And be it further enacted, That every such Pilot as aforesaid who shall be employed to pilot or conduct any Ship or Vessel into the said Port of *Kingston upon Hull* shall and is hereby required to take the same to such Place of Delivery, whether in the Haven or the old Harbour, or in any of the Wet Docks of the said Port, as the Master or Commander of such Ship or Vessel shall require, or so near thereunto as he can safely get, and there moor such Ship or Vessel in some proper Situation, 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, and to conduct her higher up the said Haven or old Harbour, or into any of the said Wet Docks or other Place of Delivery, the Pilot who shall have brought the said Ship or Vessel to such Mooring, or some other of the said *Humber* Pilots to be by the said Commodore of Pilots appointed for that Purpose, on the Application of the Master or Commander of such Ship or Vessel, shall attend, and shall be paid, for unmooring, transporting, and removing such Ship or Vessel to her Place of Delivery as aforesaid, 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 Ten Feet of Water and upwards, and not exceeding Thirteen Feet,

Rates for birthing Ships.

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.

Remuneration to Pilots detained on board Ships performing Quarantine.

XLII. And be it further enacted, That the Master or Commander of every Ship or Vessel which shall be piloted by any *Humber* Pilot into *Whitebooth Roads*, or into any other Roadstead in the said River *Humber* to be appointed for the Performance of Quarantine, shall pay the full Charges of Pilotage into *Whitebooth Roads* or into such other Place as aforesaid; and the Pilot so conducting such Ship or Vessel into *Whitebooth Roads* or into such other Place as aforesaid shall, in case such Ship or Vessel has a *British* Register, or is the Property of Subjects of His Majesty, be entitled to such further Sum not exceeding Six Shillings *per Diem*, and if such Ship or Vessel has not a *British* Register, or is not the Property of Subjects of His Majesty, a Sum not exceeding Eight Shillings *per Diem*, for the Days during which such Pilot shall be obliged to remain in Quarantine, exclusive of the Day of the Arrival of such Ship or Vessel at *Whitebooth Roads* or at such other Place as aforesaid, and of the Day of her Release or Departure therefrom, according to the Discretion of the said Commissioners.

Master to give Pilots a true Account of Draught of Water.

XLIII. And be it further enacted, That the Master or Commander of every Ship or Vessel so to be piloted and conducted as aforesaid shall and is hereby required to give a true Account to the Pilot employed in the conducting or piloting such Ship or Vessel of the Draught of Water of such Ship or Vessel; and in case the Pilot so employed shall suspect the Truth of such Account, the said Commodore of Pilots is hereby authorized, upon the Request of the said Pilot to that Effect, to admeasure or to cause to be admeasured such Ship or Vessel; and if on such Admeasurement it shall appear that such Master or Commander wilfully and fraudulently gave a false Account of her Draught of Water, he shall forfeit and pay a Penalty not exceeding Ten Pounds and not less than Five Pounds, together with all Expences to be incurred in the Recovery thereof.

Persons liable to pay Pilotage.

XLIV. And be it further enacted, That the Master, Owner, Agent, or Consignee, or other Person taking upon himself or herself the Charge or Consignment of any Ship or Vessel inward or outward bound, which shall be piloted, assisted, or attended by any *Humber* Pilot who for such Services shall be entitled to any Remuneration under the Provisions of this Act, shall be accountable for such Remuneration, and shall pay the same to such Person or Persons as shall from Time to Time be appointed by the said Commissioners to receive the same at the Pilot Office aforesaid, or at such other Place as shall from Time to Time be appointed by the said Commissioners for the Receipt of Pilotage; and if any such Pilotage shall remain unpaid for Three Days after the same shall have been demanded from the Person or Persons herein-before declared to be accountable for the same, the same shall and may be levied by Distress and Sale in manner hereinafter mentioned.

XLV. And

In what Manner Pilotage is to be paid.

XLV. And be it further enacted, That the Master, Owner, Agent, or Consignee, or other Person taking upon himself or herself the Consignment of any such Ship or Vessel as is by this Act required to be piloted by a Pilot licensed in pursuance thereof, shall, whether a Pilot be actually employed or not, pay at the said Pilot Office, or at such other Place as aforesaid, to such Person or Persons as shall from Time to Time be appointed by the said Commissioners to receive the same, the full Pilotage inwards and outwards respectively of such Ship or Vessel; that is to say, as to Pilotage outwards, the full Amount of Pilotage for the Distance which such Ship or Vessel shall by this Act be required to be piloted by such licensed Pilot; and as to Pilotage inwards, where a duly licensed Pilot shall have been on board, the full Amount of Pilotage for the Distance piloted by him, if greater than that which such Ship or Vessel shall by this Act be required to be piloted, and if a less Distance, or if no such Pilot shall have been on board, then the full Amount of Pilotage for the Distance which such Ship or Vessel shall by this Act be required to be piloted, unless the Person or Persons hereby required to pay such Pilotage shall prove, to the Satisfaction of the said Commissioners, that no such licensed Pilot could be obtained for the Whole or for any Part of such Distance as last aforesaid, in which Case Pilotage shall be paid for that Part only (if any) of such Distance for which such licensed Pilot could have been obtained.

On Nonpayment of Pilotage, &c. Commissioners may distrain.

XLVI. And be it further enacted, That in case any Master, Owner, Agent, or Consignee or other Person having or taking upon himself or herself the Charge or Consignment of any Ship or Vessel, whether inward or outward bound, shall refuse or neglect to pay the Remuneration to which any *Humber* Pilot acting under the Provisions of this Act shall by virtue thereof be entitled for the Pilotage of or for any other Services rendered to such Ship or Vessel, and such Sums of Money as the Master, Owner, Agent, or Consignee or other Person having the Charge of or taking upon himself or herself the Consignment of any Vessel is by this Act made liable to pay for Pilotage, whether a Pilot be actually employed or not, within Three Days after the same shall have been demanded of such Master, Owner, Agent, or Consignee or other Person as aforesaid, by the Person or Persons appointed by the said Commissioners to receive the same, by a Notice signed by such Person or Persons for that Purpose being given to or left at the usual or last Place of Abode or of Business of such Master, Owner, Agent, or Consignee or other Person as aforesaid, then it shall be lawful for the said Commissioners or any Five or more of them, by virtue of a Warrant under their Hands and Seals, to cause to be seized and distrained any of the Goods, Merchandize, or Effects of or belonging to such Master or Commander, Owner, Agent, or Consignee, or other Person as aforesaid, or 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 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

same shall not be paid within Seven Days next after such Seizure and Distress, then it shall be lawful for the said Commissioners to cause such Goods, Merchandize, or other Things so seized and distrained to be appraised by any Two or more sufficient Persons or sworn Appraisers, and to be afterwards sold and disposed of, and thereout to satisfy the said Sum or Sums of Money so due and unpaid for such Pilotage or otherwise as aforesaid, together with all reasonable Charges and Expences attending such seizing, distraining, appraising, selling, and disposing of the same, rendering the Overplus thereof (if any) to the Master, Owner, Agent, Consignee, or other Person as aforesaid, on Demand.

Agents or Consignees of Vessels authorized to retain amount of Pilotage, &c.

XLVII. And be it further enacted, That the Agent or Consignee or other Person taking upon himself or herself the Charge or Consignment of any Ship or Vessel inward or outward bound, from whom any Sum of Money due to any *Humber* Pilot acting under the Provisions of this Act, for Pilotage or for other Services rendered to such Ship or Vessel, shall have been recovered or shall be recoverable, or by whom any such Sum of Money shall have been paid, is hereby authorized and empowered to retain in his or her Hands respectively, out of any Monies which he or she may have received or shall thereafter receive, for or on account of such Ship or Vessel, or the Owner or Owners thereof, so much as shall be sufficient to pay and discharge such Pilotage or other Remuneration, and any Expences attending the same.

Masters unavoidably taking Pilots to Sea to pay Wages; and wilfully taking them, to incur a Penalty also.

XLVIII. And whereas it may sometimes happen that such *Humber* Pilots may be through Stress of Weather unavoidably carried to Sea beyond the Limits of Pilotage in this Act prescribed; be it therefore enacted, That the Master of any Ship or Vessel on board of which any such Pilot shall through Stress of Weather be unavoidably carried to Sea beyond the Limits aforesaid shall pay to such 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 to the Mate of such Ship or Vessel, in addition to the Rate of Pilotage to which such Pilot shall be entitled as Pilot of such Ship or Vessel; and in case any such Pilot shall be wilfully and forcibly carried to Sea beyond the said Limits otherwise than through Stress of Weather, such Master shall pay to such Pilot such Wages as herein-before mentioned, and shall also forfeit and pay the Sum of Twenty Pounds.

A Majority of Pilots may form a Joint Stock, &c.

XLIX. And be it further enacted, That if at any Time a Majority of the said *Humber* Pilots shall desire and agree to have a Joint Stock of the Earnings of all the said Pilots, for the Benefit of such Pilots, it shall be lawful for them so to do, provided such Agreement be made and 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 such Agreement shall continue in force so long as it shall meet the Approbation of the said Commissioners, and shall be subject to such Regulations and Restric-

tions as the said Commissioners shall think proper, and the same shall be binding upon all the said Pilots.

Penalty on Pilots disobeying the Orders of Dockmasters, &c.

L. And be it further enacted, That if any of the said *Humber* Pilots, having the Charge or Direction of any Ship or Vessel coming into, going out of, using, lying in, or navigating any of the Basins or Docks, or the old Haven or Harbour of the said Port of *Kingston upon Hull*, or the Entrances to the same respectively, or the Roadsteads near or adjoining to such Entrances, shall neglect or refuse to obey such Orders or Directions as shall from Time to Time be given to such Pilot by the Dock and Haven Master, or by any of his Assistants, or by the Haven Masters at the said Port, or any or either of them respectively, under and by virtue of and agreeably to the Powers vested in them or any of them respectively, touching or relating to the mooring, unmooring, removing, or navigating of such Ships or Vessels so being under the Charge or Direction of any such Pilot as aforesaid, or shall, in the Charge or Conduct of any such Ship or Vessel, neglect or refuse to observe or obey any Signal or Signals made by the said Dock and Haven Master or by any of his Assistants, or by the said Haven Masters, or either of them respectively, when approaching the Entrance of any of the said Docks or Basins, or of the said Harbour or Haven, then and in every such Case every Pilot so offending shall forfeit and pay the Sum of Five Pounds, and shall also be liable to be dismissed from being a Pilot, or to be suspended from acting as such, at the Discretion of the said Corporation of the Trinity House.

Pilots not to keep Public Houses or sell Wines, &c.

LI. And be it further enacted, That no *Humber* Pilot, licensed as aforesaid, shall sell or be concerned in the Sale of Tobacco, Tea, or any other exciseable Commodity whatsoever, without having first obtained the Permission in Writing of the said Commissioners for that Purpose, and no such Pilot shall keep a Tavern, Public House, or other House as a Dealer in or Retailer of Wines, Spirits, Beer, or Liquors of any kind.

Trinity House in Hull to appoint Sub-Commissioners of Pilotage at Goole, and license Pilots for the Port of Goole, &c.

LII. And be it further enacted, That it shall be lawful for the said Corporation of the Trinity House in *Kingston upon Hull* and they are hereby required to appoint from Time to Time, as often and for such Periods as they in their Discretion shall think fit, such Number of Persons at *Goole* in the West Riding of the County of *York*, not being more than Five or less than Three, to be Sub-Commissioners of Pilotage; and such Persons so to be appointed shall examine, and they are hereby authorized and required, so long as their Deputation or Appointment shall not be revoked or superseded by the Appointment of other Persons in their Places, to examine into the Qualification of Persons to act as Pilots for the Port of *Goole* aforesaid and the Waters thereof, and upon any Part of the River *Humber* between the said Port and a certain Part of the said River *Humber* called *Hull Roads*; and it shall be lawful for the said Corporation and they are hereby required, on receiving a Certificate under the Hands of any Three of the Persons so to be appointed, that any Person examined as aforesaid is duly qualified to act for the said Port of

Goole and the Limits aforesaid, to give a Licence to such Person to act as a Pilot accordingly.

Such Sub-Commissioners to have like Powers as other Sub-Commissioners.

LIII. And be it further enacted, That the said Corporation of the Trinity House in *Kingston upon Hull* shall from Time to Time grant such Powers and Authorities to the said Sub-Commissioners as shall be granted by the said Corporation to the Sub-Commissioners appointed respectively at other Ports within the Jurisdiction of the said Corporation.

Commissioners to settle Salvage for Anchors, &c.

LIV. And be it further enacted, That it shall be lawful for the Commissioners acting in the Execution of this Act, or any Five or more of them, and they are hereby required, upon Application in Writing made to them for that Purpose, to adjust and determine any Difference, whenever any shall arise between the Owner or Master, or the Agent for the Owner or Master of any Ship or Vessel whereof the Anchors, Cables, or other Stores or Materials shall be found in the said River *Humber* or the Entrance thereof, and the Person or Persons finding, taking up, and bringing the same, touching the Salvage thereof; and the Award or Determination in Writing of the said Commissioners or any Five or more of them shall be final and conclusive between the said Parties.

Persons finding Anchors, &c. to bring same to Hull.

LV. And be it further enacted, That if any Person or Persons shall find and take up any such Anchor, Cable, or any other Sort of Ship's Stores or Materials within the River *Humber* or at the Entrance thereof, and shall not without Delay bring the same to the said Town of *Kingston upon Hull*, and within the Space of Two Days from the bringing thereof deliver the same to the Owner or Master of the Ship or Vessel to which the same belonged, or to his Agent, or in case any such Anchor, Cable, or other Sort of Ship's Stores or Materials so found shall not be claimed by the Owner or Master of such Ship or Vessel or by his Agent, or if such Owner, Master, or Agent cannot be found or ascertained within the said Space of Time, then if the Person or Persons finding and taking up such Anchor, Cable, or other Sort of Ship's Stores or Materials shall not land and put the same in such public Place near to the Entrance of some of the Wet Docks or Haven of the said Town 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 or to their Clerk for the Time being, in order that such Anchors, Cables, or other Ship's Stores or Materials so found and brought may be advertized 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 Stores or Materials, cut, break, destroy, or remove the same, or the Buoy, Buoy Rope, or any other Mark or Fastening to any such Anchor, Cable, or other Ship's Stores or Materials so found as aforesaid, or, when any such Anchors, Cables, or other Sort of Ship's Stores or Materials are so found, shall alter or deface any Mark or Marks thereof, every Person so offending shall forfeit and pay the Sum of Twenty Pounds for every such Offence: Provided always, that if any of the said *Humber* Pilots shall be guilty of any of the Offences herein-

Pilots guilty of destroying Buoys, &c. to be broken.

herein-before mentioned, he shall, on Conviction thereof, in addition to the Penalty herein-before mentioned, be from thenceforth (if the said Corporation of the Trinity House shall adjudge proper) broken and disqualified from acting as such *Humber* Pilot, and his Licence or Authority as such shall be absolutely void.

Charges for Award in reference to Salvage.

LVI. Provided also, and be it further enacted, That there shall be paid to the said Commissioners by the said Parties, in equal Moieties, to be applied to the Purposes of this Act, for every Award which the said Commissioners shall make upon any Difference as to any Matter of Salvage referred to them, the Sum of Seven Shillings and Sixpence, in addition to the Stamp Duty and other Expences attending upon the preparing of such Award, and for advertizing any Anchor, Cable, or other Sort of Ship's Stores or Materials as aforesaid the Sum of Five Shillings, together with the Expences attending the same, such last-mentioned Sum and Expences to be paid in equal Moieties by the Person or Persons finding and bringing such Anchor, Cable, or other Sort of Ship's Stores or Materials, and the Owner or Agent of the Ship to which the same belonged.

All Vessels carrying Ballast for Hire to be registered.

LVII. And be it further enacted, That from and after the Expiration of One Calendar Month from the passing of this Act all Persons who shall keep or use any Lighter, Barge, Boat, or other Description of Vessel at the said Town of *Kingston upon Hull*, for the Purpose of carrying or supplying for Hire or Reward Ballast for Ships or Vessels, shall cause such Lighter, Barge, Boat, or other Vessel to be registered by the Clerk to the said Commissioners in a Book of Registry to be kept by him for that Purpose, and the said Clerk shall in such Book enter in numerical Order and Progression the Name or Names of the Owner or Owners of every such Lighter, Barge, Boat, or other Vessel, together with the Tonnage thereof, to which Register all Persons interested shall and may have recourse at all seasonable Times, on Payment to the said Clerk, to be applied to the Purposes of this Act, of the Sum of Sixpence for every Search therein; and if any Person shall, after the Expiration of the said One Calendar Month from the passing of this Act, keep or use for carrying or supplying for Hire or Reward Ballast for Ships or Vessels at the said Town of *Kingston upon Hull*, any Lighter, Barge, Boat, or other Description of Vessel whatsoever, without having registered or caused and procured the same to be registered as aforesaid, or shall deliver or supply for Hire or Reward Ballast for such Ships or Vessels by any other Ways or Means than by means of such registered Lighter, Barge, Boat, or other Vessel, such Person shall forfeit and pay a Sum not exceeding Twenty Pounds nor less than Five Pounds for every such Offence.

Ballast Vessels to be measured, &c.

LVIII. And be it further enacted, That every Person who shall keep or use at the said Town of *Kingston upon Hull* any Lighter, Barge, Boat, or other Vessel, for carrying or supplying for Hire or Reward Ballast for Ships or Vessels as aforesaid, shall before the Registry thereof as aforesaid produce such Lighter, Barge, Boat, or other Vessel to the Ballast Master, or to such other Person as shall be appointed for that Purpose by the said Commissioners under and by

by virtue of this Act, at some convenient Place within the Wet Docks or Haven of the said Town, as the said Commissioners shall order and appoint, and shall at such Time, at his and their own Expence, cause the Tonnage of the said Lighter, Barge, Boat, or other Vessel to be ascertained to the Satisfaction of such Ballast Master or other Person as aforesaid, by causing the same to be fairly and properly weighed, and Two Gauge Marks to be made and fixed on the Stem and Stern thereof, and between every Two Gauge Marks to cause visible Marks to be made, and set with Copper or Brass Nails, or in such other Manner as the said Commissioners shall direct, in order that the Tonnage and Burthen of every such Lighter, Barge, Boat, or other Description of Vessel may be computed and distinguished by a gradual Progression of Two Tons and a Half, and shall at all Times afterwards preserve and keep clean and legible the same Marks so to be made and fixed as aforesaid, on pain of forfeiting the Sum of Five Pounds for every Default therein.

Owners to be paid for Ballastaccording to Tonnage.

LIX. And be it further enacted, That the Owner or Owners of every such Ballast Lighter, Barge, Boat, 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 shall have been pumped therefrom, and the Lighter, Barge, Boat, or other Vessel shall have been trimmed, so as to make the same swim at equal Marks at the Stem and Stern thereof.

Ballast Master to attend to see Lighters marked.

LX. And be it further enacted, That the said Ballast Master or other Person appointed as aforesaid shall, when required, attend within the Hours for transacting Business at the Custom House of the said Port of *Kingston upon Hull*, upon receiving Twenty-four Hours Notice from the Owner or Owners of any such Lighter, Barge, Boat, or other Vessel, for the Purpose of seeing the same weighed, marked, and registered as aforesaid, upon pain of forfeiting to the Owner or Owners of every such Lighter, Barge, Boat, or other Vessel any Sum not exceeding Fifty Shillings for every Time such Ballast Master or other Person as aforesaid to whom such Notice shall have been given as aforesaid shall neglect so to attend, unless prevented from attending by Sickness or some other sufficient Cause.

Lighters to take their Turn in supplying Ballast.

LXI. And be it further enacted, That the Clerk to the said Commissioners shall enter in a Book or Books to be kept for that Purpose, in a due and regular Rotation, as well the Names of such Lighters, Barges, Boats, or other Description of Vessels when and as they shall severally arrive with Ballast, as the Names of all Ships and Vessels the Owners or Masters whereof shall apply for Ballast; and the said Lighters, Barges, Boats, and other Vessels shall be employed in supplying Ballast, and the Ships and other Vessels requiring the same shall be supplied in regular Rotation according to the said Entries so made by the said Clerk; and it shall be lawful for the said Clerk to demand and receive, and the Owner or Master of every Ship or Vessel so supplied with Ballast is hereby required to pay to him, on Demand, the full current Price of such Ballast, and also One Shilling for entering his Ship or Vessel for such Supply; and the said Clerk shall pay over unto the Owners or Owner of every such

Lighter, Barge, Boat, or other Vessel supplying such Ballast the Money so to be received by him for such Ballast, first deducting thereout One Halfpenny *per* Ton for every Ton of Ballast supplied, and also the Amount of all Fines (if any) imposed on any such Owners or Owner, or upon the Master or other Person employed on board of any such Lighter, Barge, Boat, or other Vessel, by the said Commissioners, in pursuance of the Powers vested in them by this Act, and which said Sums of Money the said Clerk is hereby authorized and required to deduct and retain accordingly, to be paid over to the said Commissioners, and by them applied to the Purposes of this Act.

Ballast Lighters to be inspected once a Year.

LXII. And be it further enacted, That the said Ballast Master or other Person appointed as aforesaid shall yearly on the First *Monday* in the Month of *July*, or within Eight Days then next following, within the Hours for transacting Business at the Custom House as aforesaid, review and examine all such Lighters, Barges, Boats, and other Vessels at some convenient Place within any of the said Wet Docks or the Haven of the said Port of *Kingston upon Hull*, to be appointed by the said Commissioners and notified as hereinafter mentioned, and see that the Name, Number, and Tonnage marked thereon are plain and legible, and the Gauge Marks aforesaid complete and perfect, and to inquire and examine whether any Frauds have been committed by Alterations made therein, or otherwise; and the said Commissioners shall affix or cause to be affixed, on some conspicuous Place near the Place to be appointed by the said Commissioners as aforesaid, and also on some conspicuous Part of the said Pilot Office, Three Days Notice of the Time or Times when the said Ballast Master or other Person appointed as aforesaid, or One of them, will attend to make such Review and Examination; and in case the said Ballast Master or other Person appointed as aforesaid, as the Case may be, shall find that any such Frauds have been committed, or any such Gauge Marks altered, or are then incomplete, or that any other Cause of Complaint exists, he shall make a Report thereof to the said Commissioners; and in case any Owner, Part Owner, Master, or other Person employed on board of any such Lighter, Barge, Boat, or other Vessel as aforesaid, shall neglect or refuse to produce his Lighter, Barge, Boat, or other Vessel to be reviewed and examined upon such Notice of Review and Examination being given as aforesaid, or shall, after such Notice has been given, lade or use such Lighter, Barge, Boat, or other Vessel before it shall have been reviewed and examined as aforesaid, or shall refuse or neglect, previous to the Delivery of any Ballast, properly to trim the same, and to pump out all the Water therefrom, or shall wilfully or fraudulently obliterate, deface, or alter the Name, Number, or Tonnage of such Lighter, Barge, Boat, or other Vessel, or shall not report the Arrival of such Lighter, Barge, Boat, or other Vessel as herein-before required, and deliver the Ballast therein in a due and regular Rotation as aforesaid, or shall neglect or refuse to obey the Bye Laws, Rules, and Orders made or to be made by the said Commissioners for the better Regulation of the said Ballast Lighters, Barges, Boats, or other Vessels, and of their Owners or Masters, concerning the carrying, supplying, and delivering of Ballast

to Ships and Vessels, or otherwise in relation thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds; or, upon Proof of the Offence complained of before them, it shall be lawful for the said Commissioners to discharge such Lighter, Barge, Boat, or other Vessel from the Registry aforesaid; and every such Lighter, Barge, Boat, or other Vessel so discharged shall from thenceforth be rendered incapable of again carrying, in the said Port of *Kingston upon Hull*, Ballast for Hire or Reward, or of supplying Ships and Vessels therewith, without the subsequent Consent of the Commissioners or any Five or more of them first obtained.

Lighters not to be withdrawn without Six Months Notice.

LXIII. Provided always, and be it further enacted, That if any Owner or Master of any Lighter, Barge, Boat, or other Vessel which shall have been registered as aforesaid, under the Provisions of this Act, for carrying or supplying for Hire or Reward Ballast for Ships and Vessels, shall withdraw such Lighter, Barge, Boat, or other Vessel from the said Registry, or shall discontinue such carrying or supplying of Ballast for Hire or Reward without first giving Six Calendar Months Notice in Writing, previous to the First Day of *January* in any subsequent Year, to the Clerk to the said Commissioners, of his Intention so to do, or shall, after being dismissed from carrying or supplying Ballast for Hire or Reward as aforesaid, again employ such Lighter, Barge, Boat, or other Vessel in the carrying or supplying for Hire or Reward Ballast for Ships and Vessels, without the Consent of the said Commissioners being first obtained as aforesaid, such Owner or Master shall forfeit and pay the Sum of Twenty Pounds for every such Offence.

Charge to be paid for inspecting Lighters.

LXIV. Provided always, and be it further enacted, That there shall be paid to the said Commissioners, to be applied towards the Expence of carrying this Act into execution, by the Owners or Owner of every such Lighter, Barge, Boat, or other Vessel, the Sum of Two Shillings and Sixpence for every such annual Review and Examination thereof.

Power to make Bye Laws, &c.

LXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to make such Orders, Rules, and Bye Laws for the better Government and Regulation of the Pilots, the Use, Management, owning, manning, working, and navigating of the Pilot Boats to be employed by them, the settling, adjusting, and determining of Salvage for Anchors, Cables, and other Ship's Stores or Materials found as aforesaid, the fair and regular supplying of Ships and Vessels with Ballast, and for the better Government and Regulation of Lighters, Barges, Boats, and other Vessels employed in carrying or supplying such Ballast for Hire or Reward, their Owners, Masters, and Crews respectively, and all other Matters and Things in anywise relating to the due Execution of this Act, as such Commissioners shall think proper; and also from Time to Time, as Occasion may require, to repeal, amend, or alter all or any of such Orders, Rules, or Bye Laws, and to make such other Orders, Rules, or Bye Laws as to them shall seem proper, and to fix and appoint such reasonable pecuniary Penalties (not exceeding Twenty Pounds

Pounds for any One Offence) for the Nonobservance of such Orders, Rules, or Bye Laws, or any of them, or of any Part thereof, as to such Commissioners shall seem meet.

Bye Laws, Rates, and Lists of Pilots to be printed and exhibited.

LXVI. And be it further enacted, That the said Commissioners shall cause the said Orders, Rules, and Bye Laws, with the Rates of Pilotage, and also a List of the Pilots so to be licensed and appointed as aforesaid, to be from Time to Time printed and distributed, and also to be affixed and continued, and to be renewed as often as the same shall be obliterated or defaced, at the Pilot Office and Custom House in *Kingston upon Hull* aforesaid.

Bye Laws made under repealed Act to remain in force until altered or repealed.

LXVII. Provided always, and be it further enacted, That all Orders, Rules, or Bye Laws made under the said former Act hereby repealed, and which were in force at the Time of the passing of this Act, shall continue in as full Force and of the same Virtue and Effect under this Act, and for carrying into effect the Provisions thereof, as if they had been made under the Authority of this Act any thing in this Act contained to the contrary notwithstanding: Provided always, that no Order, Rule, or Bye Law made under the Authority of this Act shall be repugnant to the Laws or Customs of the Realm of *Great Britain*, nor prejudicial to any Right, Authority, or Jurisdiction belonging to the Office of Lord High Admiral of *Great Britain*, or vested in the said Corporation of the Trinity House in *Kingston upon Hull*, or to the Powers or Provisions of this Act; and all such Orders, Rules, and Bye Laws shall be subject to Appeal in manner herein-after mentioned.

Bye Laws not to be contrary to the Laws of the Land.

Authenticated Bye Laws to be Evidence.

LXVIII. And be it further enacted, That all Bye Laws, Rules, and Orders made under the Powers given by this Act, or hereby directed to remain in force, shall be entered in a Book to be kept for that Purpose by the said Commissioners; and in all Proceedings for Offences against such Bye Laws, Rules, or Orders an examined Copy of any Bye Law, Rule, or Order entered in such Book shall be deemed sufficient Evidence thereof; and in order to affect the Party charged with Notice of such Bye Law, Rule, or Order, it shall be sufficient to prove that a printed Paper containing a Copy of such Bye Law, Rule, or Order hath been affixed and published, and continued and renewed, in manner by this Act directed.

Fines and Penalties to be paid to the Commissioners, &c.

LXIX. And be it further enacted, That all Fines or Penalties to be levied or recovered in pursuance of this Act, or under any Bye Law, Order, Rule, or Regulation hereby directed to remain in force, or hereafter to be made under the Authority of this Act, by whomsoever incurred, (save and except such Fines or Penalties the Application whereof shall by this Act be otherwise expressly provided for,) shall go to and be paid to the Commissioners for the Time being acting in the Execution of this Act, to be applied by them for the Purposes and in the Manner herein-after mentioned.

Application of Money received by the

LXX. And be it further enacted, That the said Commissioners shall, out of the Money already in hand or which shall hereafter be received

received by them from the granting and renewing of the Licences of Pilots, the Deduction out of the Price of Ballast, the Per-centage herein-after mentioned, and the Penalties and Forfeitures to be incurred and recovered under this Act, in the first place, pay all the Costs, Charges, and Expences of preparing, applying for, and obtaining this Act, or otherwise incident thereto, and of carrying the same into execution, and in the next place the said Commissioners may, at their Discretion, 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) towards the Support and Relief of worn-out or disabled *Humber* Pilots, their Widows and Children, and for rewarding such meritorious *Humber* Pilots and Apprentices as are herein-after more particularly mentioned. Comissioners.

LXXI. And be it further enacted, That in order to enable the said Commissioners to reward meritorious *Humber* Pilots for long and faithful Services, and also their Apprentices, the said Clerk or other Person appointed by the said Commissioners to receive the Monies due to Pilots under and by virtue of this Act, in respect of Services by them performed, is hereby authorized and required to deduct and retain any Sum appointed by the said Commissioners, not exceeding Two Pounds Ten Shillings *per Centum*, out of the Monies so received for any such Pilot on account of any such Services, and also the Amount of all Fines imposed on any such Pilot by the said Commissioners in pursuance of the Powers vested in them by this Act; and the Money so deducted and retained by such Clerk or other Person aforesaid shall be applied by the said Commissioners, together with such a Proportion of the Money to be received for the Licences granted to such Pilots as the said Commissioners shall direct, in Rewards to such of the said Pilots, or to such of their Apprentices, as shall be by the said Commissioners deemed, on account of their long and faithful Services, or otherwise, particularly deserving. For granting Rewards to meritorious Pilots.

LXXII. And in order to enable the said Commissioners to provide more effectually for the Support and Relief of such worn-out and disabled *Humber* Pilots and their Widows, be it further enacted, That it shall be lawful for the said Commissioners, by and out of the Monies to be received by them as last aforesaid, to purchase a Piece or Parcel of Land or Ground, situate either in the said Town of *Kingston-upon-Hull* or within Three Miles thereof, not exceeding in the whole One Acre, of and from any Person or Persons who shall be willing and legally capacitated to sell any such Land or Ground, and to erect thereon an Almshouse or Almshouses, wherein such poor, worn-out, and disabled *Humber* Pilots and their Widows may be supported and sustained; and it shall be lawful for the said Commissioners and their Successors to hold such Land or Ground without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever. Power to build Almshouses.

LXXIII. And be it further enacted, That the said Commissioners shall and they are hereby required, once in every Year at the least, to Accounts to be audited annually.

to audit and adjust all Accounts of the Monies received and disbursed by them under the Provisions and in the Execution of this Act.

For securing the Attendance of Witnesses.

LXXIV. And be it further enacted, That if any Person summoned as a Witness to give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or Complainant, or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, (having been paid or tendered a reasonable Sum for his or her Costs and Expences,) without a reasonable Excuse for his or her Refusal or Neglect, or appearing shall refuse to be examined on Oath (or on solemn Affirmation in case he or she be of the People called *Quakers*) and to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay the Sum of Ten Pounds for every such Offence.

Manner of recovering Penalties not exceeding 20*l.*

LXXV. And be it further enacted, That all Fines, Penalties, or Forfeitures, not exceeding Twenty Pounds, imposed by this Act, or by any Order, Rule, or Bye Law by this Act directed to remain in force, or hereafter to be made under the Authority of this Act, (other than and except Fines by the said Commissioners imposed by virtue of any Powers to them given for that Purpose by any Provisions in this Act,) the Manner of recovering whereof is not herein otherwise directed, shall and may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some One or more Justices of the Peace for the said Town of *Kingston-upon-Hull* and County of the same Town, or for the County, Riding, City, Division, or Place wherein the Offender shall then be or reside (such Justices not having acted as Commissioners under this Act in any Transaction relative to the Cause of Complaint or Matter in dispute), upon Complaint made to them for that Purpose, and afterwards be levied, (as well as the Costs, if any, of such Proceeding,) on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices (which they are hereby empowered and required to grant); and the Overplus (if any) of the Money so raised or recovered, after discharging such Fine, Penalty, or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained; all which Fines, Penalties, and Forfeitures not herein directed to be otherwise applied shall be paid to the Treasurer of the said Commissioners, and be applied for the Purposes of this Act; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender or Offenders so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his, her, or their Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress

(such Time not being more than Seven Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise); but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Fines, Penalties, or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, either upon the Confession of the Offender or Offenders or otherwise, that he, she, or they hath not or have not sufficient Goods and Chattels whereupon such Fines, Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justices, and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender or Offenders to some Common Gaol or House of Correction for the County, Riding, or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Fine, Penalty, or Forfeiture shall be sooner paid and satisfied, together with all the Costs and Charges attending such Proceeding as aforesaid, to be ascertained by such Justices, or until such Offender or Offenders shall be otherwise discharged by due Course of Law.

Recovery of Penalties exceeding 20*l.*

LXXVI. Provided always, and be it further enacted, That in all Cases where any Fine, Penalty, or Forfeiture by this Act imposed for any Offence committed against the same, or against any Order, Rule, or Bye Law hereby directed to remain in force or hereafter to be made in pursuance thereof, shall exceed the Sum of Twenty Pounds, the same shall and may be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, commenced within Twelve Calendar Months after the Offence shall have been committed, or by a summary Remedy, as herein provided for the Recovery of Penalties not exceeding Twenty Pounds: Provided always, that no such Suit or Action shall be commenced, sued, or prosecuted without an Order for that Purpose first made by the said Commissioners or by some Five or more of them, and entered in the Book of their Proceedings.

Damages and Charges, in case of Dispute, to be settled by Two Justices.

LXXVII. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some One or more Justices of the Peace; and where by this Act any Damages and Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's

Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

LXXVIII. And be it further enacted, That in all Cases in which by this Act any Fine, Penalty, or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, by Notice in Writing under the Hand and Seal of such Justice, given to him or her, or left at his or her usual or last Place or Places of Abode, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Fine, Penalty, or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Justices may mitigate Penalties to One Half.

LXXIX. Provided always, and be it further enacted, That it shall be lawful for the said Justices from Time to Time to mitigate or lessen any of the pecuniary Penalties or Forfeitures imposed by this Act, so that such Mitigation do not in any Case extend to the Remission of more than One Half of the Penalty which might otherwise be inflicted by this Act.

For securing Offenders whose Names and Residences are unknown.

LXXX. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent who shall commit any Offence against this Act, and to convey him or her before some Justice of the Peace for the County, Riding, Division, or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction.

LXXXI. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; that is to say,

Form of Information.

‘ } BE it remembered, That on the Day of
‘ to wit. } *A. B.* of informeth me *C. D.*, One of His
‘ Majesty's Justices of the Peace for that *E. F.* of
‘ [*here describe the Offence, and the Time and Place*
‘ *when and where committed*] contrary to an Act passed in the Second
‘ Year of the Reign of His Majesty King *William* the Fourth, inti-
‘ tuled [*here insert the Title of thts Act*], which hath imposed a Penalty
‘ of

'of for the said Offence. Taken the Day of
'before me. *C. D.*'

'to wit. } BE it remembered, That on the Day of
'*A. B.* is convicted before me *C. D.*, one of His Majesty's Justices of the Peace for [*here specify the Offence, and the Time and Place when and where the same was committed,*] contrary to an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of the Act*]. Given under my Hand and Seal, the Day and Year first above written. *C. D.*' Form of Conviction.

LXXXII. And be it further enacted, That when any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him or her, but all Persons aggrieved by such Defect or Irregularity shall and may recover full Satisfaction for the special Damage in an Action on the Case. Distress not to be illegal for Want of Form.

LXXXIII. And be it further enacted, That all Persons and Bodies Corporate who may think themselves aggrieved by any Order, Judgment, or Determination made or given in pursuance of any Order, Rule, or Bye Law of the said Commissioners, and also the said Commissioners and all other Persons and Bodies Corporate who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County, Riding, or Place within which the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County, Riding, or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable. Persons aggrieved may appeal to the Quarter Sessions.

Proceedings not to be quashed for Want of Form.

LXXXIV. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or by any other Writ or Proceeding whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

LXXXV. And be it further enacted, That no Action, Suit, or Information, nor any other Proceeding, of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or of any of the Orders made, given, or directed in, by, or under this Act, unless Ten Days previous Notice in Writing shall be given by the Party or Parties intending to commence such Action, Suit, Information, or other Proceeding to the intended Defendant or Defendants, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, Information, or Proceeding shall be laid and brought in the County, Riding, Division, or Place within which the Matter in dispute or Cause of Action shall have arisen; and the Defendant or Defendants in such Action, Suit, Information, or Proceeding may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done or were omitted to be done (as the Case may be) in pursuance or by the Authority of this Act; and if they shall appear to have been so done or to have been so omitted to be done, or that such Action, Suit, Information, or Proceeding shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant or Defendants; upon which Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action, Suit, Information, or Proceeding after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

Plaintiff not to recover after Tender of Amends.

LXXXVI. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party or Parties who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he,

she, or they shall think fit; whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Actions to be brought in certain Cases.

LXXXVII. And be it further enacted, That if in case any Person by this Act made liable to the Payment of Pilotage or other Remuneration to which any *Humber* Pilot acting under the Provisions of this Act shall by virtue thereof be entitled, or if any Person liable to the Payment of any of the Penalties or Forfeitures by this Act imposed shall secrete himself, or withdraw, or retire, so as that no Warrant, Summons, or other Process can be served upon him, in case such Person shall not have any Goods, Merchandize, Chattels, or Effects belonging to him which may be seized or distrained in the Manner by this Act directed, it shall be lawful for the said Commissioners to commence and prosecute an Action at Law in any Court of Record against such Person for the Recovery of such Pilotage or other Remuneration, Penalties, or Forfeitures so due from or payable by such Person.

General Power to Justices to administer Oaths.

LXXXVIII. And be it further enacted, That in all Cases in which any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons, or to take cognizance of, or to hear or determine any Matter or Complaint, it shall be lawful for such Justice or Justices, and he and they is and are hereby required, to administer an Oath to or to receive the Affirmation of any Person or Persons before he, she, or they shall be examined by or before such Justice or Justices.

As to Construction and Meaning of certain Words.

LXXXIX. And in order to prevent Doubts touching the Meaning of certain Expressions used in this Act, be it enacted, That for the Purposes of this Act the Entrance of the River *Humber* shall be taken to be at an imaginary Line drawn from the *Spurn Point* on the Coast of *Yorkshire* to the Floating Light Vessel near the *New Sand* or the Buoy of the said Sand, and from such Floating Light Vessel or Buoy to a certain Headland on the Coast of *Lincolnshire* called *Donna Nook*; and the Word Pilots shall be taken to mean Pilots licensed by the Corporation of the Trinity House in *Kingston-upon-Hull* in pursuance of this Act or the said recited Act hereby repealed; and the Words inward bound and outward bound shall in all Cases where a contrary or different Meaning is not specifically expressed be taken to mean respectively and to include all Ships and Vessels bound to or from the said Port of *Kingston upon Hull*, or to or from some other Port or Place situate on the said River *Humber*, or some or One of the several Rivers and Streams flowing into the same, or to or from some or One of the several Roadsteads in the said River *Humber*; and the Port of *Kingston upon Hull* shall be taken to include the Harbour and Docks situate at the Town of *Kingston upon Hull*, but not to extend higher up the River *Humber* than a certain Clough called *Galley Clough*, forming the Entrance of a certain Drain, dividing the Lordship of *Myton* in the County of the said Town of *Kingston upon Hull* from certain Lands in the Parish of *Kirk Ella* in the same County, situate in the *Wold Ings*, called

called "*Wold Ings* and *Carr Drain*," where the same Drain discharges itself into the said River *Humber*; and all Powers and Authorities by this Act vested in the said Commissioners may be lawfully and effectually exercised by any Five or more of them duly assembled at any Meeting held in pursuance of this Act; and wherever in this Act any Word or Words is or are used or employed importing the Singular Number or the Masculine Gender only, such Word or Words shall extend to and be construed to include several Acts, Matters, and Things of the same Kind, contemporary, consecutive, or repeated, as well as One Act, Matter, or Thing, and several or various Times as well as One Time, and several Persons as well as One Person, and Females as well as Males, and a Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it shall be otherwise specially directed or provided for.

What shall be good Service of Notice on the Commissioners.

XC. And be it further enacted, That in all Cases where it may be necessary for any Person to serve any Notice, Writ, or other Proceeding upon the Commissioners, the Service thereof respectively upon the Chairman or the Clerk to the said Commissioners, or left at the Office of such Clerk, or at the last or usual Place of Abode of such Chairman or Clerk, shall be deemed sufficient Service of the same upon the said Commissioners.

What shall be good Service of Notice by Commissioners.

XCI. And be it further enacted, That in all Cases where it may be necessary for the said Commissioners to give any Notice to any Person or Body Corporate under the Provisions of this Act, such Notice shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by any Five or more of the said Commissioners, or by the Chairman or the Clerk to the said Commissioners for the Time being, and shall be delivered to such Person, or left at his last or usual Place of Abode, or be delivered to some Member of such Body, or be delivered at his last or usual Place of Abode to some Inmate thereof, or to some Clerk or other Officer of such Body, or left at the Office of such Clerk or Officer, or at his last or usual Place of Abode, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed.

Mode of giving Notice of Meeting of Commissioners, and other public Notices.

XCII. And be it further enacted, That in all Cases where by this Act Notice is required or directed to be given of any of the Meetings of the said Commissioners, and in all other Cases where by this Act any public Notice is directed to be given by the said Commissioners (except in such Cases where by this Act such Notices respectively are expressly directed to be given in some other Manner), such Notice shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Chairman or the Clerk to the said Commissioners for the Time being; and all such Notices so given shall be good and sufficient in Law for the Purposes of this Act.

Saving of Rights.

XCIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to take away, prejudice, diminish, or alter any Grants, Liberties, Franchises, Powers, Authorities, or Immunities granted, given, or allowed by any Act of Parliament, Grant,

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 to the Trinity House of *Newcastle upon Tyne*; or any Jurisdiction or Power, Dues, Duties, or Payments, of or belonging to the Mayor and Burgesses of *Kingston upon Hull*, in or concerning the Port and Harbour of *Kingston uponHull*, as settled and vested in them by any Letters Patent, Charters, or Grants, Act of Parliament, or otherwise; or affect any of the Rights, Powers, Privileges, Jurisdictions, or Authorities of the Guild or Brotherhood of Masters and Pilots, Seamen of the Trinity House in *Kingston upon Hull* aforesaid, in Matters of Pilotage or otherwise, or in, about, or concerning the said Haven, Docks, or Roadsteads, or other Premises vested in them in or by the said recited Act hereby repealed, or otherwise, or which they might have used, exercised, or enjoyed by virtue of the said recited Act or of any Act or Acts of Parliament, or of any Charters, Letters Patent, ancient Usage, 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; or any of the Rights, Powers, Privileges, Jurisdictions, or Authorities, Tolls, Dues, Duties, or Payments of or belonging to the Dock Company of *Kingston upon Hull*, with which the said Dock Company are invested, or which they might have received or collected, used, exercised, and enjoyed, by Act of Parliament, Grant, or other Title whatsoever, in case this Act had not been made; or 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; or the Rights, Powers, Privileges, Jurisdictions, or Authorities, Tolls, Dues, Duties, or Payments of or belonging to the *Grimbsy Haven* Company, with which the said Haven Company are invested, or which they might have received, collected, exercised, or enjoyed, by Act of Parliament or otherwise, in case this Act had not been made; or the Rights, Powers, Jurisdictions, Tolls, Dues, or Payments of or belonging to the Undertakers of the Navigation of the Rivers *Aire* and *Calder* in the County of *York*.

Public Act.

XCIV. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons.

The SCHEDULE referred to in this Act.

From or to	To or from	Not exceeding	Not less than
		s. d.	*s. d.*
The Distance at Sea where the North Ness of Dimlington bears West-south-west to the Northward of Kilnsea North Cliff.	Hawke Roads or Grimsby Roads	2/6 per Foot	1/4 per Foot.
	Whitebooth Roads - -	3/6 per Foot	2/8 per Foot.
	The Port of Kingston-upon-Hull	5/ per Foot	4/ per Foot.
The Distance at Sea where Kilnsea North Cliff bears West-north-west to the Northward of the New Sand Buoy or the Floating Light Vessel at the Entrance of the River Humber.	Hawke Roads or Grimsby Roads	1/6 per Foot	1/ per Foot.
	Whitebooth Roads - -	2/6 per Foot	2/ per Foot.
	The Port of Kingston-upon-Hull	4/ per Foot	3/ per Foot.
The said New Sand Buoy or the Floating Light Vessel at the Entrance of the River Humber, to the Eastward of the Point where the Spurn High Lighthouse bears North-east.	Hawke Roads or Grimsby Roads	1/2 per Foot	/10 per Foot.
	Whitebooth Roads - -	2/4 per Foot	1/8 per Foot.
	The Port of Kingston-upon-Hull	3/6 per Foot	2/6 per Foot.
The Spurn High Lighthouse bearing North-east.	Hawke Roads or Grimsby Roads	1/2 per Foot	/8 per Foot.
	Whitebooth Roads - -	2/4 per Foot	1/4 per Foot.
	The Port of Kingston-upon-Hull	3/6 per Foot	2/ per Foot.
The Hawke Roads, the Buoy of the Burcome or Grimsby Roads.	Whitebooth Roads - - -	1/6 per Foot	1/ per Foot.
	The Port of Kingston-upon-Hull	2/6 per Foot	1/9 per Foot.
Whitebooth Roads - - -	The Port of Kingston-upon-Hull	1/6 per Foot	1/ per Foot.

Ships and Vessels belonging to Aliens are to pay One Fourth more than Ships and Vessels having British Registers, or being owned by Subjects of the King of Great Britain, except when such first-mentioned Ships shall by any Order of His Majesty's Most Honourable Privy Council be privileged to enter the Ports of the Kingdom of England upon paying the same Duties of Tonnage or Rates of Pilotage as are paid by British Ships, in which Case such Ships and Vessels not having British Registers, or not being owned by Subjects of His said Majesty, shall pay the like Rates of Pilotage only as are payable by Ships and Vessels having British Registerss, or being owned by Subjects of His said Majesty.

For the fractional Part of a Foot, such fractional Part being not less than Half a Foot, a proportionate Rate.

For intermediate Distances, a proportionate Rate.

Ships and Vessels in ballast to pay only Two Thirds of the above Rates.

Ships and Vessels employed in the Coasting Trade, whether laden or in ballast, to pay One Half of the above Rates.

Ships and Vessels drawing less than Six Feet Water to pay for Six Feet.

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