carefully attended to the same, and consumed or burned as far as possible the Smoke arising from such Furnace.

Constables may be empowered to enter and inspect Furnaces and Steam Engines.

IV. If the Owner or Occupier of any Premises or the Commander of any Steam Vessel to which the Provisions of this Act shall apply shall refuse to allow their Premises or Steam Vessel to be inspected by a Person duly authorized by the Commissioners of Police for that Purpose, it shall be lawful for any Constable authorized by Warrant under the Hand of One of Her Majesty's Principal Secretaries of State, or (in the Metropolitan Police District) by the Order in Writing of the Commissioners of Police of the Metropolis, or (in the City of *London* or Liberties thereof) by the Order in Writing of the Commissioner of Police of the said City and Liberties, with or without any Assistant, to enter into and upon any Building or Premises in the Metropolis in which any Furnace may be, or in which such noxious Trade or Business may be carried on, or into any Steam Vessel on the River *Thames* between *London Bridge* and *Richmond Bridge*, and to examine into the Construction of such Furnace, into the Manner of carrying on such Trade or Business, or into the Construction of the Steam Engine and Furnace by which such Vessel shall be worked; and any Person obstructing any such Constable or his Assistant in the Execution of any such Warrant or Order shall, upon a summary Conviction for such Offence before any Justice or Justices, forfeit and pay any Sum not exceeding Twenty Pounds.

No Information to be laid except by Authority of Secretary of State or Commissioners of Police.

V. Provided always, That no Information shall be laid against any Person for the Recovery of any Penalty under this Act, except by the Authority of One of Her Majesty's Principal Secretaries of State, or in the Metropolitan Police District by the Commissioners of Police of the Metropolis, or in the City of *London* or Liberties thereof by the Commissioner of Police of the said City and Liberties respectively, acting under the Orders and Directions of such Secretary of State.

Definition of Metropolis. 15 & 16 Vict. c. 85.

VI. In this Act the Expression "the Metropolis" shall have the same Meaning and Construction as is assigned to such Expression for the Purposes of the Act of the last Session of Parliament, Chapter Eighty-five, "to amend the Laws concerning the Burial of the Dead "in the Metropolis."

Not to affect 14 & 15 Vict. c. 75. or 16 & 17 Vict. c. cxli.

VII. Nothing in this Act shall be held to alter or repeal any of the Provisions of the City of *London* Sewers Act, 1851, or of the *Whitechapel* Improvement Act, 1853.

Penalties recoverable under 11 & 12 Vict. c. 43.

VIII. All Penalties by this Act imposed shall be recoverable according to the Provisions of the Act of the Twelfth Year of Her present Majesty, Chapter Forty-three.

CAP. CXXIX.

An Act further to amend the Law relating to Pilotage. [20th *August* 1853.]

'WHEREAS it is expedient that the Right of piloting Ships Outwards from the Port 'of *London*, and the Right of piloting Ship Inwards to the same Port, should be vested 'in One Body of Pilots, and that such Pilots should be subject to uniform Authority and 'Control:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Union of Trinity House and Cinque Port Pilots.

So much of 6 G. 4. c. 125. as relates to Cinque Port Pilots, and 9 G. 4. c. 86., repealed.

I. So much of the Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, as relates to the Society or Fellowship of the *Trinity House* of *Dover*, *Deal*, and the *Isle of Thanet*, or to the Pilots of the said Society or Fellowship, commonly called the Cinque Port Pilots, and the whole of the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-six, shall be repealed, save as herein-after mentioned.

Power to the Trinity House to license Pilots for the Passage

II. It shall be lawful for the *Trinity House*, after such Examination and in such Manner as by the Second Section of the said Act of the Sixth Year of the Reign of King *George* the Fourth is provided in respect of the Pilots to be licensed under the Authority therein contained,

from Dungeness Inwards as well as Outwards.

tained, to license Pilots as well for the Purpose of conducting Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway* to *London Bridge* and *Rochester Bridge*, and all the Channels, Creeks, and Docks of the same, and from the South Buoy of the *Brake* Westward as far as the West End of the *Owers*, as for the Purpose of conducting Vessels within the Limits and in the Manner within and in which Pilots may be licensed to act under the said Second Section of the said last-mentioned Act; and all the Provisions of the said Act and of any other Act now in force, and all Byelaws, Rules, Orders, or Ordinances, applicable to Pilots licensed under the said Section, shall be applicable to Pilots licensed under the Authority of this Act to the same Extent and in the same Manner as if such last-mentioned Authority had been contained in the said Section; and no Licences granted by any other Corporation, Body, or Persons to pilot any Vessels Inwards or Outwards within the Limits aforesaid shall be of any Force or Effect whatever: Provided always, that no such Licence shall be granted until Three Months after the Regulations herein-after provided to be made by the *Trinity House* shall have been published and sent to the Court of Loadmanage, and to the Society or Fellowship of Cinque Port Pilots.

Present Cinque Port Pilots to be competent to pilot Vessels either Inwards or Outwards within the Limits for which they are now licensed.

III. All Cinque Port Pilots duly licensed and authorized before this Act comes into operation to pilot any Vessels from *Dungeness* or the *Downs* up the Rivers *Thames* or *Medway* shall, notwithstanding the Repeal and Enactment herein-before contained, be authorized to pilot the like Vessels within the same Limits and in the same Manner within and in which they might have lawfully piloted the same before the passing of this Act according to the Terms of their existing Licences, and shall also by virtue of such existing Licences (without any Licence from the *Trinity House* in that Behalf) be authorized to pilot the like Vessels down the said Rivers *Thames* and *Medway*, or from those Rivers to the *Downs* or *Dungeness*, or from the West End of the *Owers* to the South Buoy of the *Brake*, within the Limits within which such existing Licences authorize them to act in piloting such Vessels from the *Downs* to the said Rivers, and up the same, or from the South Buoy of the *Brake* to the West End of the *Owers*; and it shall be lawful for the *Trinity House* by a supplemental Licence to authorize any such Cinque Port Pilot to pilot any Vessels in any Parts of the Rivers *Thames* and *Medway* or in any of the Seas or Channels leading to or from such Rivers to which his existing Licence may not extend, after Examination in respect of the further Limits within which he is to be so licensed to act, and upon the Payment of such Fee, if any, as the said *Trinity House* may, with the Consent of the Board of Trade, appoint for the Purpose; and such supplemental Licence shall be taken to be Part of and to be held upon the same Conditions and subject to the same Regulations in all respects as such existing Licence.

The above-mentioned Cinque Port Pilots to be subject to the same Rules, &c. as Trinity House Pilots.

IV. The said Cinque Port Pilots who have been so licensed as aforesaid before this Act comes into operation shall be subject to all the Provisions of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five, and of any other Act now in force, which relate to Pilots licensed by the *Trinity House* (except such of them as are contained in the Fourth Section of the said Act of the Sixth Year of King *George* the Fourth), and shall likewise be subject to the Government and Regulations of the *Trinity House*, and to all Byelaws, Rules, Orders, or Ordinances duly issued by it for the Purpose of insuring the good Conduct and constant Attendance of Pilots upon their Duty, and to such Penalties as may be duly annexed to the Breach of the said Regulations, Byelaws, Rules, Orders, or Ordinances, in the same Manner and to the same Extent in and to which Pilots licensed by the said *Trinity House* are subject thereto.

Present Trinity House Pilots may pilot Ships Inwards within the Limits of their Licences.

V. All Pilots licensed before this Act comes into operation by the said *Trinity House* to pilot any Vessels upon the Rivers *Thames* and *Medway* or from *London Bridge* to the *Downs*, or from the *Isle of Wight* to *London Bridge*, shall be authorized to pilot the like Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway*, and from the South Buoy of the *Brake* to the Westward to the End of the *Owers*, or within such or so much of the same Limits as under their present Licences they might act within in piloting such Vessels down the said Rivers or Outwards or to the Westward: Provided always, that nothing herein contained shall be deemed to confer any Privilege of piloting above *Gravesend* and *Stangate Creek* respectively upon any Pilots by whatever Authority they may be licensed, except with the Concurrence of the *Trinity House* in the Case of each Pilot.

VI. A sufficient

Union of Trinity House and Cinque Port Pilots.

Power to the Trinity House to make Regulations for a constant Supply of Pilots at Dungeness.

VI. A sufficient Number of duly qualified Pilots shall always be ready to take charge of Vessels coming from the Westward past *Dungeness*; and the *Trinity House* shall make such Regulations with respect to the Body of Pilots under its Control as may be necessary in order to provide for an uninterrupted Supply of Pilots for such Vessels, and to insure their constant Attendance upon and due Performance of their Duty, both by Night and Day, whether by cruising between the *South Foreland* and *Dungeness*, or by going off from Shore upon Signals made for the Purpose, or by both of such Means, or by any other Means, and whether in rotation or otherwise, as the said *Trinity House* may think fit; and if any Pilots affected by the said Regulations, or any Masters or Owners or Insurers of Ships, being not less than Six in Number, consider themselves aggrieved by such Regulations, or by any Defect or Omission therein, they may appeal to Her Majesty in Council, and Her Majesty in Council may thereupon revoke or alter any of such Regulations, or may make Additions thereto, in such Manner as, having regard to the Object of this Enactment and to the Interests of the Persons concerned, may appear to be just and expedient, and every Order so made shall be conclusive in the Matter.

Vessels coming past Dungeness, not having a Pilot already on board, to take the first qualified Pilot who offers.

Penalty on Masters failing to display the usual signal for a Pilot.

VII. Every Master or other Person in command of any Vessel coming from the Westward and bound to any Place in the Rivers *Thames* and *Medway* (unless she has a duly qualified Pilot on board or is exempted from compulsory Pilotage), shall, on the Arrival of such Vessel off *Dungeness*, and thenceforth until she has passed the South Buoy of the *Brake*, or a Line to be drawn from *Sandown Castle* to the said Buoy, or until a duly qualified Pilot has come on board, display and keep flying the usual Signal for a Pilot; and if any Pilot duly qualified for the Passage to be made by such Vessel is within Hail, or is approaching and within Half a Mile, and has the proper distinguishing Flag flying in his Boat, such Master or other Person as aforesaid shall, by heaving-to in proper Time or shortening Sail, or by any practicable Means consistent with the Safety of his Vessel, facilitate such Pilot getting on board, and shall give the Charge of piloting his Vessel to such Pilot; or if there are Two or more of such Pilots offering at the same Time, to such One of them as may according to the Regulations for the Time being in force be entitled or required to take such Charge; and if any such Master or other Person as aforesaid fails to display or keep flying the usual Signal for a Pilot in manner herein-before required, or to facilitate any such duly qualified Pilot as aforesaid getting on board as herein-before required, or to give the Charge of piloting his Vessel to such Pilot as herein-before mentioned in that Behalf, he shall forfeit double the Sum which might have been demanded for the Pilotage of his Vessel, such Sum to be paid to the *Trinity House*, and to be recoverable in the same Manner in which Forfeitures are recoverable under the said Act of the Sixth Year of the Reign of King *George* the Fourth.

Rates to be demanded for Duties hitherto performed by Cinque Port Pilots.

VIII. Until any such Alteration as herein-after provided for be made, the Rates and Prices to be demanded and received by all Pilots performing the Duties hitherto performed by Cinque Port Pilots shall be such Rates and Prices as have immediately before this Act comes into operation been lawfully demanded and received by such last-mentioned Pilots; and it shall be lawful for the said *Trinity House* to increase, reduce, alter, or modify all or any of the said Rates or Prices, or to substitute other Rates or Prices in lieu thereof, with the same Consent, in the same Manner, and subject to the same Conditions with, in, and subject to which the *Trinity House* is empowered to increase, reduce, alter, and modify the Rates and Prices to be demanded and received by Pilots licensed by it, or to substitute other Rates and Prices in lieu of such last-mentioned Rates and Prices, but so that in no Case shall any higher Rate be imposed or demanded than might have been imposed or demanded if this Act had not passed.

Existing Cinque Port Pilots to have same Remedies for the Recovery of Rates as Trinity House Pilots.

Rates on Foreign Vessels claiming Benefit of Reciprocity of Treaties.

IX. All Rates and Prices which may be lawfully demanded or received by the said Cinque Port Pilots licensed before this Act comes into operation, or by any other Pilots licensed by or under the Government of the *Trinity House*, shall be recoverable in the same Manner in which Rates and Prices lawfully demanded or received by Pilots licensed by the *Trinity House* under the said Act of the Sixth Year of King *George* the Fourth are by that Act made recoverable; and all Rates or Prices which may be lawfully demanded or received by any Pilots under the Government of the said *Trinity House* for the Pilotage of Foreign Vessels, the Owners, Masters, Agents, or Consignees of which claim, by virtue of any Treaty of

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of Reciprocity, to be entitled to the Privileges of *British* Vessels, shall be recoverable from the same Persons, in the same Manner, and subject to the same Conditions from whom and in and subject to which Pilotage Rates on *British* Vessels are recoverable under the Forty-fourth and Forty-fifth Sections of the said Act.

Property of Society of Cinque Port Pilots to be transferred to Trinity House.

X. All Property of every kind, whether real or personal, which may belong to or be held by the Court of Loadmanage or the said Society of Cinque Port Pilots, or any Branch thereof, or any Officer of the said Society, or any other Person as Trustee for the said Society, or any Branch thereof, or which may be legally applicable for the Benefit of the said Society or of the Members thereof, or for any Purposes connected with Pilotage, (including a Piece of Land near *Dover* which was by Indentures of Lease and Release, dated respectively the Sixteenth and Seventeenth Days of *August* One thousand seven hundred and twenty-six, conveyed to Trustees therein named, upon certain Trusts, for the Poor of the *Trinity House* of *Dover*,) shall, upon the passing of this Act, belong to and become vested in the *Trinity House of Deptford Strond;* and the said *Trinity House* shall have Power to sell the same or any Part thereof as Occasion may require, and to give full Discharges for the Purchase Money of any Part thereof which may be sold; and all Monies which if this Act had not passed would have been paid for any Purpose connected with the Relief or Benefit of Cinque Port Pilots, their Appointees, Widows, or Issue, either in respect of surplus Duties on Foreign Vessels, or by way of Fees or Contributions from Cinque Port Pilots licensed before this Act comes into operation, and all Sums which would if this Act had not passed been payable by such Pilots as *Trinity* Money or Clerks Fees, and all Penalties or Fines payable by or in respect of such Pilots, shall, save as such Contributions, *Trinity* Money, or Clerks Fees may be varied or remitted under the Regulations to be made and approved as herein-after mentioned, and save also such of the said Contributions as may cease by reason of any such Purchases or Commutations of Claims as herein-after provided for, be paid to the *Trinity House*, and the said Property and Monies shall be carried to and form Part of the Pilotage Funds of the *Trinity House*.

Payments to Cinque Port Pilots Fund to be made henceforth to the Trinity House.

Trinity House to pay Debts and to settle the Claims of Persons now in receipt of Relief, and of existing Cinque Port Pilots.

XI. The said *Trinity House* shall, out of their said Pilotage Fund, pay all Debts, if any, lawfully and properly incurred by the said Court of Loadmanage before this Act comes into operation, and also such Compensation or Superannuation Allowances (if any) as the Board of Trade may in its Discretion allow to any Persons now in the Employ or Service of the Court of Loadmanage, or of the Lord Warden of the Cinque Ports, or of the Society of Cinque Port Pilots, who may be deprived of Salaries or Emoluments by reason of the passing of this Act, so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four; and may in the next place, subject to the Regulations to be made and approved as herein-after mentioned, either purchase out of the said Funds the Claims of all or any of the Persons who, but for the passing of this Act, would have been in the Receipt of Pensions or other Relief either out of the said Cinque Port Pilots Fund, or under any Byelaws of the said Society now in force, or who have already paid Widows Dues, or have otherwise contributed to the Relief of superannuated Cinque Port Pilots, or of the Widows, Appointees, or Issue of Cinque Port Pilots, such Purchases to be made upon such Terms as may be determined by the said Regulations, or may, subject as aforesaid, continue to pay out of the said Funds Pensions or other Relief to all or any of the Persons who might if this Act had not passed have received the same out of the said Funds, or under any Byelaws of the said Society now in force, such Pensions or other Relief to be of such Amount as may be determined by the said Regulations to be made and approved as herein-after mentioned; and the *Trinity House* may, subject to such Regulations, make Arrangements for enabling any Person who, but for the passing of this Act, would be entitled to a Pension or other Relief under the Byelaws of the said Society of Cinque Port Pilots now in force, or any Cinque Port Pilot licensed before this Act comes into operation, to purchase an Interest in the said *Trinity House* Pilots Fund; and the Terms of such Purchase, including the Amount and Nature of such Interest, and the Consideration payable for the same, shall be determined by such Regulations as aforesaid; and every Cinque Port Pilot who chooses to make such Purchase shall thereafter pay to the said *Trinity House*

Trinity House may enable existing Cinque Port Pilots to purchase an Interest in the Trinity House Pilots Fund.

House the same Contributions, whether by way of Poundage or otherwise, as are for the Time being payable by Pilots licensed by the *Trinity House*.

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XII. The said *Trinity House* shall also out of their said Pilotage Funds pay all such Superannuation Allowances or other Relief to Pilots licensed by them before this Act comes into operation, or to the Widows and Children of such Pilots, as might have been payable by the said *Trinity House* if this Act had not passed; and, subject to the Charges aforesaid, the said *Trinity House* Pilots Fund shall be chargeable in the first instance with such Expenses as the said *Trinity House* may duly incur in the Performance of its Duties in respect of Pilots and Pilotage, so nevertheless that no Superannuation Allowance to any Person in the Employ of the said *Trinity House* which is included in such Expenses shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances for the Time being in force; and, subject thereto, the said *Trinity House* Pilots Fund shall be administered by the said *Trinity House* for the Benefit of such Pilots licensed by the said *Trinity House* after this Act comes into operation as are incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, and of the Widows and Children of Pilots so licensed, or of such incapacitated Pilots only, upon such Conditions and under such Regulations as the said *Trinity House*, with the Consent of the Board of Trade, may think fit to adopt; and if it appears to the said *Trinity House* that the Contributions for the Time being payable to the said *Trinity House* Pilots Fund are insufficient to enable them to grant Allowances of proper and adequate Amount, it shall be lawful for the said *Trinity House*, with such Consent and subject to such Regulations as aforesaid, from Time to Time to increase and alter the Amount of the annual Contribution, or of the Poundage upon the Sums earned by Pilots, which under the Fourth Section of the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, Pilots licensed by the said *Trinity House* are required to pay to the said Pilotage Fund.

As to Charges on Trinity House Pilotage Fund, and its future Management.

XIII. 'And whereas it is intended that Cinque Port Pilots licensed before this Act comes 'into operation, their Widows and Appointees, shall, as a Body, receive, under the Provisions 'herein-before contained, Benefits equal in Amount to the Benefits which they might lawfully 'and properly have received out of the several Funds and Payments so transferred to the '*Trinity House* as aforesaid if this Act had not passed: And whereas it has been estimated 'that the Funds and Payments so transferred, including the Principal as well as the Interest 'of the said Funds, would, if duly applied, be sufficient to carry the said Intention into 'effect; but in consequence of the numerous Contingencies involved it is impossible to 'calculate with Certainty the Amount which will be necessary for that Purpose, or to 'determine with Precision the Manner in which such Amount shall be applied, and it is 'therefore expedient that all due Claims of the said Cinque Port Pilots, their Widows, 'Appointees, and Issue, should be provided for by the said *Trinity House* out of their 'General Pilotage Funds as herein-before provided, and that the Board of Trade and the '*Trinity House* should be intrusted with such Powers as are necessary for settling the said 'Claims, and for carrying into effect the Provisions herein-before contained in respect 'thereof:' Be it enacted, That for the Purpose of carrying the said Intention and Provisions into effect the said *Trinity House* may, with the Approval of the Board of Trade, from Time to Time make Regulations for altering and determining the Payments and Contributions to be made by Cinque Port Pilots licensed before this Act comes into operation, and for settling, purchasing, and commuting the Claims of Persons now in receipt of Relief from the said Cinque Port Pilots Fund, and of the said Cinque Port Pilots licensed before this Act comes into operation, their Widows, Appointees, and Issue, and for determining the Terms and Conditions on which such Settlement is to be made, and in framing such Regulations due Regard shall be had to the Intention herein-before expressed; and the said *Trinity House* may also, with such Consent as aforesaid, from Time to Time make Regulations for the future Management of the *Trinity House* Pilots Fund, and also for the Management and Maintenance of any Pilot Boats or Cutters belonging to the said Cinque Port Pilots, or to any Pilots for the Time being under the Government of the said *Trinity House*, and for the

Recital of Principles upon which Claims of Cinque Ports Pilots are to be settled.

Trinity House, with Consent of Board of Trade, may make Regulations for settling the above Claims.

Distribution of the Earnings (if any) of such Boats or Cutters, and for the Succession to, Purchase of, or Transfer of any Interests therein; and all such Regulations, after being approved of by the Board of Trade, shall be binding upon all Parties.

Licensing Masters and Mates.

Power to the Board of Trade to examine and grant Pilotage Certificates to Masters and Mates on the Pilotage Authorities refusing to do so under 12 & 13 Vict. c. 83.

XIV. 'And whereas by the Act of the Thirteenth Year of the Reign of Her present 'Majesty, Chapter Eighty-eight, Provision was made for enabling a Master or Mate to pilot 'his own Vessel without the Assistance of a licensed Pilot upon his passing an Examination 'before or under the Direction of the proper Pilotage Authorities, and obtaining a Certificate 'as therein mentioned, but the Institution of such Examination was left to the Option of the 'said Authorities: And whereas it is expedient to extend and amend the Provisions of the 'said Act:' Be it enacted, That if upon Complaint to the Board of Trade it appear to such Board that any such Authority as aforesaid have without reasonable Cause refused or neglected to examine any Master or Mate who has applied to them for the Purpose, or after he has passed have without reasonable Cause refused or neglected to grant him a Certificate, or that the Examination of any such Master or Mate has been unfairly or improperly conducted, or that any Terms imposed or sought to be imposed by such Authority are unfair or improper, the Board of Trade may, if in their Judgment the Circumstances appear to require it, appoint Persons to examine such Master or Mate, and if he be found fit to pilot his Vessel within the Limits for which he is examined, may grant him a Certificate setting forth the Limits and the Vessel for which he is certified, upon such Terms and Conditions, and subject to such Regulations, as such Board may think fit; and such Certificate shall be in force for One Year, and may be renewed from Year to Year either by the said Authorities in the Manner and upon the Terms in the said Act mentioned, or by the Board of Trade, if such Board so think fit, such Renewal to be indorsed on the said Certificate either by such Person as the Board of Trade may appoint for the Purpose, or in the Manner by the said Act provided as to the Certificates therein mentioned; and all Certificates granted under this Act shall have the same Effect as Certificates granted under the said last-recited Act.

Fees to be paid upon such Licences and the Renewals thereof.

XV. All Masters or Mates to or for whom any such Certificates as aforesaid are granted or renewed by any Pilotage Authority shall pay to such Authority, or as it may direct, such Fees upon their respective Certificates and upon the Renewals thereof as may from Time to Time be fixed for that Purpose by the said Authority, with the Consent of Her Majesty in Council; and all Masters and Mates to or for whom any such Certificates are granted or renewed by the Board of Trade shall pay to such Board or as it may direct such Fees upon their Certificates and upon the Renewals thereof as may be fixed by such Board, so nevertheless that in the Case of Certificates granted or renewed by the Board of Trade such Fees shall in no Case be less than the Fees payable by the Pilots in the same District upon their Licences and the Renewal thereof; and such Fees shall in the Case of Certificates and Renewals granted by Pilotage Authorities be applicable either to paying the Expense of the Examinations, or any other general Expenses connected with Pilotage incurred by such Authorities, or to the Pilots Superannuation Fund (if any), or otherwise for the Benefit of the Pilots licensed by such Authorities, as such Authorities may think fit; and such Fees shall in the Case of Certificates granted or renewed by the Board of Trade be applicable to the Expense of the Examinations, and the Surplus (if any) shall be applied for the Benefit of the Pilots of the Port or District in such Manner as such Board may think fit.

Power to withdraw Certificates.

XVI. If at any Time it appears to the Board of Trade or to any Pilotage Authority that any Master or Mate to whom a Certificate has been granted by such Board or Authority under the Provisions of the said last-mentioned Act or of this Act has been guilty of Misconduct, or has shown himself incompetent to pilot his Vessel, such Board or such Authority (as the Case may be) may thereupon withdraw his Certificate, and such Certificate shall thenceforth cease to be of any Effect whatever.

Returns and Accounts.

Pilots to make Returns of their Earnings to the Bodies by whom they are licensed.

XVII. 'And whereas it is expedient to make Provision for ascertaining and making 'public the Amount of Pilotage Rates levied on Shipping, with other Particulars relating 'to Pilotage:' Be it enacted, That every Person duly authorized or licensed to act as a Pilot shall, before the Thirty-first Day of *January* in each Year, give to the Pilotage Authority by whom he is so authorized or licensed a full Account of all Sums of Money earned by him as a Pilot in the course of the preceding Year, with the Names and Descriptions

Returns and Accounts.

tions of the Vessels in respect of which, and a Statement of the Services by means of which, the same have been earned; and if any such Pilot upon being applied to for such Account fail to deliver the same within One Month after such Application, the Pilotage Authority by whom he has been licensed or authorized is hereby empowered and required to withdraw his Licence, or to deprive him of his Authority to act as Pilot, until the said Account is delivered.

Pilotage Authorities to make full Returns to the Board of Trade of various Particulars connected with Pilotage.

XVIII. Every Pilotage Authority shall deliver periodically to the Board of Trade, in such Form and at such Times as it may require, Returns of the following Particulars with regard to Pilotage within the Port or District under the Jurisdiction of such Authority; that is to say,

All Byelaws, Regulations, Orders, or Ordinances relating to Pilots or Pilotage for the Time being in force:

The Names and Ages of all Pilots or Apprentices licensed or authorized to act by such Authority, and of all Pilots or Apprentices acting either mediately or immediately under such Authority, whether so licensed or authorized or not:

The Service for which each Pilot or Apprentice is licensed:

The Rates of Pilotage for the Time being in force, including therein the Rates and Descriptions of all Charges upon Shipping made for or in respect of Pilots or Pilotage:

The total Amount received for Pilotage, distinguishing the several Amounts received from *British* Vessels and from Foreign Vessels respectively, and the several Amounts received in respect of different Classes of Vessels paying different Rates of Pilotage, according to the Scale of such Rates for the Time being in force, and the several Amounts received for the several Classes of Service rendered by Pilots; and also the Amount paid by such Vessels (if any) as have before reaching the Limits of Pilotage Water if outward-bound, or their Port of Destination if inward-bound, to take or pay for Two or more Pilots, whether licensed by the same or by different Pilotage Authorities; together with the Numbers of the Vessels of each of the several Classes paying such several Amounts as aforesaid:

The Receipt and Expenditure of all Monies received by or on behalf of such Authority, or by or on behalf of any Sub-Commissioners appointed by them, in respect of Pilots or Pilotage:

And shall allow the Board of Trade, or any Persons appointed by such Board for the Purpose, to inspect any Books or Documents in its or their Possession relating to the several Matters herein-before required to be returned to the Board of Trade.

If any of the local Authorities fail to give the required Returns, they may be deprived of their Authority, and the Power of appointing Pilots shall vest in the Trinity House.

XIX. If any of such Pilotage Authorities as aforesaid (other than the said *Trinity House* or Sub-Commissioners of Pilotage appointed by it) fail to deliver to the Board of Trade the periodical Returns herein-before required within One Year of such Time as may be fixed by that Board for the Purpose, or if any of such Authorities do not allow the said Board, or any Persons who may be appointed by it for the Purpose, to inspect any Books or Documents in their Possession relating to the Matters herein-before required to be returned by them, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to direct that all the Rights and Powers of such Authorities in respect of Pilotage shall cease or be suspended during such Time as Her Majesty may direct; and thereupon the said *Trinity House* shall thereafter or during such Time as such Suspension may continue have and exercise the same Powers of appointing Sub-Commissioners of Pilotage and of licensing Pilots, and of establishing and altering Rates of Pilotage, within the District within which the Authority so making Default has previously appointed or licensed Pilots, as the said *Trinity House* is by the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, authorized to exercise in all Ports or Places in *England* for which no particular Provision is made by any Act of Parliament or Charter for the Appointment of Pilots, and shall also during such Time as aforesaid have and exercise the same Rights, Title, and Powers to and in respect of any Pilotage Funds or other Pilotage Property which the said Pilotage Authorities would or might have had or exercised if not so suspended as aforesaid.

Such Returns to be laid before Parliament.

XX. The Board of Trade shall, without Delay, cause the several Returns herein-before required to be made to such Board to be laid before both Houses of Parliament.

XXI. 'And

Power to make Alterations.

XXI. 'And whereas it is expedient to give Facilities for amending the System of 'Pilotage, and for reducing or otherwise altering the Rates payable in respect thereof:' Be it enacted, That it shall be lawful for every Pilotage Authority, by Regulation or Byelaw made with the Consent of Her Majesty in Council, from Time to Time to do all or any of the following Things in relation to Pilots and Pilotage within their respective Districts; *viz.*

Pilotage Authorities, with Consent of Her Majesty, may do the following Things:

Fix and alter Qualifications of Pilots:

To determine the Qualifications to be required from Persons applying to be licensed as Pilots, whether in respect of their Age, Skill, Time of Service, Character, or otherwise, and from Time to Time to alter any Regulations for the Time being in force with respect to such Qualifications:

Make and alter Regulations for the Government of Pilots, and of certificated Masters and Mates:

To make and from Time to Time to alter Regulations for the Government of the Pilots licensed by them, and for insuring the good Conduct of such Pilots, and their constant Attendance on and effectual Performance of their Duty either at Sea or on Shore, and for licensing and regulating Pilot Boats; and to make, and from Time to Time to alter, the Terms, Conditions, and Regulations upon which such Certificates as herein-before mentioned are granted by such Pilotage Authority to Masters and Mates; and for punishing any Breach of such Regulations as aforesaid committed by such Pilots or by such Masters and Mates by the Withdrawal or Suspension of their Licences or Certificates, as the Case may be, or by the Infliction of Penalties, to be recoverable summarily before Two Justices, so that no such Penalty be made to exceed the Sum of Twenty Pounds, and so that every such Penalty be capable of Reduction at the Discretion of the Justices by whom the same is inflicted:

Alter and reduce Rates of Pilotage:

To fix and from Time to Time to alter the Rates and Prices or other Remuneration to be demanded and received by Pilots licensed by such Authority, or to substitute other Rates and Prices in lieu of those for the Time being demanded or received, or to alter the Mode of remunerating Pilots, in such Manner as such Authority may, with such Consent as aforesaid, think fit, so that no higher Rates or Prices be demanded or received from the Masters or Owners of Ships than the Rates and Prices which might, if this Act had not passed, have been demanded or received:

Make and extend Exemptions from compulsory Pilotage:

To exempt the Masters of any Ships or Vessels, or of any Classes of Ships or Vessels, from being compelled to employ Pilots, and to annex any Terms or Conditions to such Exemptions, and from Time to Time to revoke and alter any Exemptions so made, and to revise and extend any Exemptions now existing by virtue of any Act of Parliament or Charter, upon such Terms and Conditions and in such Manner as such Authority, with such Consent as aforesaid, may think fit:

Arrange the Limits of Pilotage Districts.

To make such Arrangements with any other Pilotage Authority in the same or any neighbouring Port or District for altering the Limits of their respective Districts, and for extending the Powers of such neighbouring Authority or the Privileges of the Pilots licensed by such Authority or any of them to all or any Parts of its own District, or for limiting its own Powers or the Privileges of its own Pilots or any of them, or for sharing the said last-mentioned Powers and Privileges with the said other Authority and the Pilots licensed by it, as may appear to such Pilotage Authorities to be desirable for the Purpose of facilitating Navigation, or of reducing Charges on Shipping.

And every Regulation or Byelaw duly made by any Pilotage Authority in exercise of the Powers hereby given to it, and with such Consent as aforesaid, shall be valid and effectual, notwithstanding any Act of Parliament, Rule, Law, or Custom to the contrary.

No new Sub-Commissioners to be appointed, or Pilotage District extended, without Consent.

XXII. In Ports, Places, or Districts for which no Sub-Commissioners of Pilotage have hitherto been appointed, no such Sub-Commissioners shall hereafter be appointed without the Consent of Her Majesty in Council, and no Pilotage District under the Jurisdiction of any Sub-Commissioners of Pilotage shall hereafter be extended without such Consent.

Trinity House Regulations to be approved by Her Majesty in Council instead of by a Chief Justice under 6 G. 4. c. 125.

XXIII. So much of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five, as provides that no Byelaws, Rules, Orders, Regulations, or Ordinances to be made by the *Trinity House* as therein mentioned shall have Force or Effect before they have been examined, sanctioned, and approved by the Chief Justice of the Court of Queen's Bench or of the Common Pleas, shall be repealed; and all Byelaws, Rules, Orders, Regulations, or Ordinances hereafter made by the *Trinity House*, in exercise of the Powers

Powers contained in the said Act or in this Act, shall be submitted to Her Majesty in Council for Approval, and shall, if so approved, but not otherwise, have the Force and Effect of Law. *Power to make Alterations.*

XXIV. Every Order in Council made in pursuance of the Provisions herein-before contained shall be laid before both Houses of Parliament as soon as possible after the making thereof. All such Orders to be laid befor Parliament.

XXV. This Act shall, so far as the Context and Subject Matter admit, extend to all Ports and Districts in *Great Britain* or *Ireland* or the *Isle of Man*, or in the Rivers thereof respectively, or in the Seas or Channels adjacent thereto respectively, in which any Masters of Vessels are compelled by Law to employ Pilots, or in which any Persons are licensed or authorized to act as Pilots by or under the Authority of Law, or in which the Rates or Prices to be demanded or received for Pilotage Services are fixed by Law or under Authority derived from Law. *Miscellaneous* Places, &c. to which the Act is to extend.

XXVI. In the Construction of this Act the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; that is to say, Interpretation of Terms.

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond:*

The Expression "Pilotage Authority" shall include the said *Trinity House*, and all other Bodies or Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage:

The Expression "Cinque Port Pilots" shall mean the Pilots of the Society or Fellowship of the *Trinity House* of *Dover*, *Deal*, and the *Isle of Thanet.*

XXVII. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three. Time of Commencement.

XXVIII. This Act may be cited as the "Pilotage Law Amendment Act, 1853." Short Title.

XXIX. No Provision contained in the First Section of an Act of the Fourth Year of the Reign of Her present Majesty, Chapter Sixty-eight, and no Order or Certificate duly made and issued by virtue thereof, shall cease or become void by reason of the passing of this Act. Proviso as to 3 & 4 Vict. c. 68. s. 1.

CAP. CXXX.

An Act to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland.* [20th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, which Act was amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-nine, and an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Four, and an Act passed in the same Session of Parliament, Chapter Eighty-six, and an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine: And whereas various Works for the Drainage of Lands, and Improvement of Navigation and Water Power in connexion therewith, in *Ireland*, have been undertaken and carried on by the Commissioners appointed to act in execution of the said Acts both under the ordinary Provisions and the Provisions for summary Proceedings in the said Acts respectively 5 & 6 Vict. c. 89. 8 & 9 Vict. c. 69. 9 & 10 Vict. cc. 4. and 86. 10 & 11 Vict. c. 79.