

*Merchant Shipping (Part V. Pilotage).**Misconduct by
Passengers in
Steamers.*

Penalty for
avoiding Pay-
ment of Fares.

upon having the full Amount of his Fare (if he has paid the same) returned or tendered to him, refuses to comply with such Request,
Shall for each such Offence incur a Penalty not exceeding Forty Shillings, to be paid to the said Owner.

323. The following Offenders, that is to say,

- (1.) Any Person who travels or attempts to travel in any Passenger Steamer which has been duly surveyed in conformity with the Provisions of this Act, without having previously paid his Fare, and with Intent to avoid Payment thereof; and
- (2.) Any Person who, having paid his Fare for a certain Distance, knowingly and wilfully proceeds in any such Steamer beyond such Distance, without previously paying the additional Fare for the additional Distance, and with Intent to avoid Payment thereof; and
- (3.) Any Person who knowingly and wilfully refuses or neglects, on arriving at the Point to which he has paid his Fare, to quit any such Steamer;

Shall for every such Offence incur a Penalty not exceeding Five Shillings, in addition to the Fare payable by him, such Penalty to be payable to the Owner of such Steamer.

Penalty on Per-
sons refusing to
give their Name
and Address.

324. Every Person who, having committed any of the Offences mentioned in the Two last preceding Sections or either of them, refuses on Application of the Master of the Ship or of any other Person in the Employ of the Owner thereof to give his Name and Address, or who on such Application gives a false Name or Address, shall incur a Penalty not exceeding Twenty Pounds, to be paid to the said Owner.

Power to refuse
or remove
Passengers who
are drunk or
misconduct
themselves.

325. The Master of any Home Trade Passenger Steam Ship may refuse to receive on board thereof any Person who by reason of Drunkenness or otherwise is in such a State, or misconducts himself in such a Manner, as to cause Annoyance to other Passengers on board, or if such Person is on board, may put him on shore at any convenient Place; and no Person so refused Admittance or put on shore shall be entitled to the Return of any Fare he may have paid.

Accidents.

Accidents to
Steam Ships to
be reported to
Board of Trade.

326. Whenever any Steam Ship has sustained or caused any Accident occasioning Loss of Life or any serious Injury to any Person, or has received any material Damage affecting her Seaworthiness or her Efficiency either in her Hull or in any Part of her Machinery, the Owner or Master shall, within Twenty-four Hours after the happening of such Accident or Damage, or as soon thereafter as possible, send to the Board of Trade, by Letter signed by such Owner or Master, a Report of such Accident or Damage, and of the probable Occasion thereof, stating the Name of the Ship, the Port to which she belongs, and the Place where she is; and if such Owner or Master neglect so to do he shall for such Offence incur a Penalty not exceeding Fifty Pounds.

Notice to be
given of appre-
hended Loss of
Steam Ships.

327. If the Owner of any Steam Ship have Reason, owing to the Nonappearance of such Ship, or to any other Circumstance, to apprehend that such Ship has been wholly lost, he shall as soon as conveniently may be send Notice thereof in like Manner to the Board of Trade, and if he neglect so to do within a reasonable Time he shall for such Offence incur a Penalty not exceeding Fifty Pounds.

Collisions to be
entered in
Official Log.

328. In every Case of Collision, in which it is practicable so to do, the Master shall immediately after the Occurrence, cause a Statement thereof, and of the Circumstances under which the same occurred, to be entered in the Official Log Book (if any), such Entry to be signed by the Master, and also by the Mate or One of the Crew, and in default shall incur a Penalty not exceeding Twenty Pounds.

*Carrying Dan-
gerous Goods.*

Provisions to
prevent the
taking danger-
ous Goods on
board without
due Notice.

Carrying Dangerous Goods.

329. No Person shall be entitled to carry in any Ship, or to require the Master or Owner of any Ship to carry therein, any Aquafortis, Oil of Vitriol, Gunpowder, or any other Goods which, in the Judgment of such Master or Owner, are of a dangerous Nature; and if any Person carries or sends by any Ship any Goods of a dangerous Nature without distinctly marking their Nature on the Outside of the Package containing the same, or otherwise giving Notice in Writing to the Master or Owner at or before the Time of carrying or sending the same to be shipped, he shall for every such Offence incur a Penalty not exceeding One hundred Pounds; and the Master or Owner of any Ship may refuse to take on board any Parcel that he suspects to contain Goods of a dangerous Nature, and may require them to be opened to ascertain the Fact.

PART V.

PILOTAGE.

*Application.**Application.*

Application of
Part V. of Act.

330. The Fifth Part of this Act shall apply to the United Kingdom only.

Powers of
Pilotage
Authorities
(General).

Powers of Pilotage Authorities (General).

General
Jurisdiction.

331. Every Pilotage Authority shall retain all Powers and Jurisdiction which it now lawfully possesses, so far as the same are consistent with the Provisions of this Act; but no Law relating to such Authority, or to the Pilots licensed by it, and no Act done by such Authority, shall, if inconsistent with any Provision of this Act, be of any Force whatever.

332. Every

Merchant Shipping (Part V. Pilotage).

332. Every Pilotage Authority shall have Power, by Byelaw made with the Consent of Her Majesty in Council, to exempt the Masters of any Ships, or of any Classes of Ships, from being compelled to employ qualified Pilots, and to annex any Terms or Conditions to such Exemptions, and to revise and extend any Exemptions now existing by virtue of this Act or any other Act of Parliament, Law, or Charter, or by Usage, upon such Terms and Conditions and in such Manner as may appear desirable to such Authority.

Power of Pilotage Authorities to make and extend Exemptions from compulsory Pilotage.

333. Subject to the Provisions contained in the Fifth Part of this Act, it shall be lawful for every Pilotage Authority, by Byelaw made with the Consent of Her Majesty in Council, from Time to Time to do all or any of the following Things within its Districts; (that is to say,)

Powers of Pilotage Authorities.

(1.) 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:

To determine Qualifications:

(2.) To make Regulations as to the Approval and licensing of Pilot Boats and Ships, with Power to establish and regulate Companies for the support of such Boats and Ships, and for a Participation in the Profits made thereby; the Companies so established to be exempt from the Provisions of the Act passed in the Session holden in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter One hundred and ten, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.*

To make Regulations as to Pilot Boats:

(3.) To make Regulations for the Government of the Pilots licensed by them, and for insuring their good Conduct, and their constant Attendance to and effectual Performance of their Duty, either at Sea or on shore.

To make Regulations for the Government of Pilots:

(4.) To fix the Terms and Conditions of granting Licences to Pilots and Apprentices, and of granting such Pilotage Certificates as herein-after mentioned to Masters and Mates, and to make Regulations for punishing any Breach of such Regulations as aforesaid committed by such Pilots or Apprentices 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:

To make Regulations as to Licences and Certificates:

(5.) To fix the Rates and Prices or other Remuneration to be demanded and received for the Time being by Pilots licensed by such Authority, or to alter the Mode of remunerating such 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 in the Case of the *Trinity House* than the Rates and Prices specified in the Table marked U. in the Schedule hereto; and in the Case of all other Pilotage Authorities, than the Rates and Prices which might have been lawfully fixed or demanded by such Pilotage Authorities respectively under any Act of Parliament, Charter, or Custom in force immediately before the Commencement of this Act:

To alter and reduce Rates of Pilotage:

(6.) To make such Arrangements with any other Pilotage Authority for altering the Limits of their respective Districts, and for extending the Powers of such other Authority or the Privileges of the Pilots licensed by such other Authority or any of them to all or any Part 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, or for delegating or surrendering such Powers and Privileges or any of them to any other Pilotage Authority either already constituted or to be constituted by Agreement between such Authorities, and to 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:

To arrange the Limits of Pilotage Districts:

(7.) To establish, either alone, or in conjunction with any other Pilotage Authority or Authorities, Funds for the Relief of superannuated or infirm qualified Pilots, or of their Wives, Widows, or Children, or to make any new Regulations with respect to any Funds already applicable to the above Purposes or any of them, with Power to determine the Amount, Manner, Time, and Persons (such Persons to be in the Service of such Pilotage Authority) to and in which and by and upon whom the Contributions in support of such existing or future Funds may be made or levied; and further, to declare the Persons or Class of Persons, (such Persons or Class of Persons being confined to Men in the Service of such Pilotage Authority, their Wives, Widows, or Children,) entitled to participate in the Benefits of such existing or future Funds, and the Terms and Conditions upon which they are to be so entitled:

To establish Funds for superannuated Pilots:

(8.) To repeal or alter any Byelaw made in exercise of the above Powers, and to make a new Byelaw or new Byelaws in lieu thereof:

To alter Byelaws.

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

334. Every Byelaw proposed to be enacted by any Pilotage Authority in pursuance of the foregoing Powers shall, before it is submitted to Her Majesty in Council for Her Assent, be published in such Manner as may from Time to Time be prescribed by the Board of Trade.

Publication of Byelaws.

Merchant Shipping (Part V. Pilotage).

Byelaws to be
laid before
Parliament.
Power of
Appeal to
Board of Trade.

335. 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.

336. If the greater Part in Number of the qualified Pilots belonging to any Port, or the Local Marine Board, where there is one, or at any Port where there is no Local Marine Board, if any Masters, Owners, or Insurers of Ships, being not less than Six in Number, consider themselves aggrieved by any Regulation or Byelaw in force when this Act comes into operation or hereafter made under some Authority other than the Provisions of this Act, or by any Defect or Omission therein, they may appeal to the Board of Trade, and the said Board may thereupon revoke or alter any such Regulation or Byelaw or may make Additions thereto in such Manner as, having regard 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.

Returns
by Pilotage
Authorities
(General).

Pilotage
Authorities to
make full
Returns to the
Board of Trade
of certain
Particulars con-
nected with
Pilotage.

Returns by Pilotage Authorities (General).

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

- (1.) All Byelaws, Regulations, Orders, or Ordinances relating to Pilots or Pilotage for the Time being in force;
- (2.) 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;
- (3.) The Service for which each Pilot or Apprentice is licensed;
- (4.) 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;
- (5.) The total Amount received for Pilotage, distinguishing the several Amounts received from *British* Ships and from Foreign Ships respectively, and the several Amounts received in respect of different Classes of Ships 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 Ships (if any) as have before reaching the outer 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 Ships of each of the several Classes paying such several Amounts as aforesaid;
- (6.) 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 Possession relating to the several Matters herein-before required to be returned to the Board of Trade.

If local Autho-
rities fail to give
the required
Returns, their
Jurisdiction
may be trans-
ferred to the
Trinity House.

338. If any of such Pilotage Authorities as aforesaid (other than the *Trinity House*, or Sub-Commissioners of Pilotage appointed by it, as herein-after mentioned,) 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 such 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 directs; and thereupon the *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 it is by this Act authorized to exercise in any District 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.

339. 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.

Returns to be
laid before
Parliament.

Licensing
of Masters
and Mates
(General).

Master or Mate,
if examined
and passed, to
receive a Pilot-
age Certificate,

Licensing of Masters and Mates (General).

340. The Master or Mate of any Ship may, upon giving due Notice, and consenting to pay the usual Expenses, apply to any Pilotage Authority to be examined as to his Capacity to pilot the Ship of which he is Master or Mate, or any One or more Ships belonging to the same Owner, within any Part of the District over which such Pilotage Authority has Jurisdiction; and such Master or Mate shall if such Authority thinks fit, thereupon be examined; and if found competent a Pilotage Certificate shall be granted to him, containing his Name, a Specification of the Ship or Ships in respect of which he has been examined, and a Description of the Limits within which he is to pilot the same, such Limits to be within

