

less Quantity than a Ton, for every Ton of such Goods, Wares, or Merchandize, Articles and Things, so remaining on such Quay or Wharf for a longer Space of Time than Forty-eight Hours as aforesaid, and likewise the further Sum of One Shilling *per* Ton for every Ton, and in proportion for a less Quantity than a Ton, of such Goods, Wares, or Merchandize, Articles and Things, for every succeeding Forty-eight Hours that such Goods, Wares, or Merchandize, Articles and Things shall so remain upon the said Quay or Wharf; and such Sum and Sums of Money shall and may be levied and recovered by such Ways and Means as the several other Rates and Duties in and by the said recited Act or by this Act granted can or may be levied or recovered.

Power to remove Goods lying on Quays beyond Forty-eight Hours.

XVII. And be it further enacted, That it shall not be lawful for any Person or Persons who shall have landed or caused to be landed and laid any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, Paving or other Stones, Limestones, Lime, Chalk, Bricks, Tiles, Slates, Bone, Gravel, Shingle, Ballast, Dung or Manure, or any other Article or Thing, upon any of the public Quays or Landing Places adjoining the said River *Welland* belonging to or occupied or held by the said Trustees, or in any Streets and Avenues leading to the said Quays or Landing Places or any of them, to continue or permit the same or any part thereof to remain and be thereon for any longer Time than Forty-eight Hours after the several Duties of Excise or Customs respectively be paid, and after all Cause of Detention of the same on the Part of the Excise or Custom-house Officers shall have ceased; and in all Cases where the said Goods or other Articles and Things aforesaid shall have so continued beyond the Space of Forty-eight Hours, it shall and may be lawful to and for the said Trustees, or any Person or Persons authorized and appointed by them, to remove or cause to be removed all such Goods and other Articles and Things as shall be found lying, continuing, and being on the said Quays and other Places above the said limited Time, to some Place

or Places of Safety, and therein to detain and keep the same until Payment of the Charges of such Removal and Detention, and of such Compensation besides, to the Person or Persons authorized as aforesaid, for their Trouble in and about the same, as the Trustees shall think reasonable; and if such Charges and Expenses shall not be paid within the Space of Three Days after Demand made thereof by the said Person or Persons authorized as aforesaid by the said Trustees, then and in that Case they the said Trustees, or the Person or Persons appointed as aforesaid, are hereby authorized and required to levy the same by Distress and Sale of the Goods and Chattels so respectively secured, and to render the Overplus (if any) to the Owner or Owners of such Goods, Wares, and Merchandize, Articles and other Things aforesaid, (the Charges of taking and keeping and making the Sale being deducted and allowed,) whenever the same shall be demanded;

Power to rent Quays, Warehouses, &c.

And that the said Trustees shall and may and they are hereby authorized and empowered, out of any of the Tonnage Rates and Duties aforesaid, to rent or hire, by the Year or otherwise, any convenient Quays, Cranes, Jetties, Landing Places, Wharfs, Warehouses, Yards, or other Places for the landing, receiving, and safe-keeping or lodging of Goods and other Articles and Things so to be removed from off the Quays and other Places as aforesaid, and to inclose, make, or build any Quays, Yards, Warehouses, or other Buildings, Cranes, or Jetties, on their own Ground, or on Ground to be purchased by them, as to them shall seem most convenient.

Trustees may sell Lands not wanted for Purposes of the Act.

XVIII. And be it further enacted, That it shall be lawful to and for the said Trustees and they are hereby authorized and empowered, from Time to Time, when and as Occasion shall arise, to sell, dispose of, and convey any Lands or Hereditaments or Buildings of which they are already possessed, or which they may hereafter acquire by Purchase or otherwise, which are not useful or necessary, or which may cease to be useful or necessary for the Purposes of this or the

said recited Act, such Sale and Disposition to be made or effected by public Auction, or in such other Manner as the said Trustees for the Time being shall deem expedient, and at and for such Price in Money as they shall think just and reasonable; and the Sale, Conveyance, and Assurance of any such Lands and Hereditaments to the Purchaser thereof shall and may be made and effected by Writing under the Hands and Seals of the said Trustees or any Seven or more of them, in the Words or to the Effect following; (that is to say,)

Form of Conveyance.

‘ **T** HIS Deed, made the Day of
 ‘ in the Year
 ‘ by virtue of an Act passed in the Year of
 ‘ the Reign of Queen *Victoria*, intituled [*set forth the Title*
 ‘ of this Act], witnesseth that
 ‘
 ‘ being of the Trustees of
 ‘ and under the said recited Act, in consideration of the Sum
 ‘ of paid to them by
 ‘ of do grant and convey all,
 ‘ &c., [*the Property to be aptly described*], and all the Right,
 ‘ Title, and Interest of the said
 ‘ in and to the same and every Part thereof,
 ‘ unto and to be holden by the said
 ‘ , his Heirs and Assigns. In witness whereof
 ‘ the said several Parties hereto have hereunto set their Hands
 ‘ and Seals.’

And the Price or Purchase Money of the Lands, Hereditaments, or Buildings so to be sold as lastly herein-before provided for shall be applied by the said Trustees in, for, and towards the Purposes of this Act: Provided always, that the said Trustees shall be and they are hereby incapacitated from holding at any One Time as Purchasers under the Provisions of this Act any larger Quantity of Land within the Limits aforesaid, for the Purposes of building such Quays, Wharfs, Cranes, Jetties, or other Works, than shall form a Frontage Bank to the said River on either Side thereof exceeding in

the whole Five hundred Yards; and should the Lands so held by the said Trustees at any One Time extend further on the Banks of the said River than to the Extent herein-before mentioned, the said Trustees shall and they are hereby required to offer and expose the same to Sale as in manner herein immediately before directed.

Power to borrow Money on Credit of Rates.

XIX. And inasmuch as it may be necessary or expedient for the said Trustees to borrow and take up at Interest Money for the more effectually and speedily executing all or some of the Works hereby authorized, and to which the aforesaid Rates, Tolls, and Duties are made applicable, be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered, from Time to Time, by Writing under their Hands and Seals, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds; and for securing the Repayment of the same, with Interest, respectively to grant, assign, make over, or charge the Rates, Tolls, and Duties hereby granted or made payable, or any Part thereof, to any Person or Persons who shall be willing to advance and lend such Money; all which Deeds or Assignments shall be made and granted in the Form or to the Effect following:

Form of Mortgage.

‘ **B** Y virtue of an Act passed in the Year of
 ‘ the Reign of Her Majesty Queen *Victoria*, intituled [*here set*
 ‘ forth the Title of this Act], we whose Hands and Seals are
 ‘ hereunto subscribed and set, being of the Trustees
 ‘ of and under the said Act, in consideration of the Sum of
 ‘ advanced and lent by
 ‘ upon the Credit and for the Purposes of the
 ‘ said Act, do hereby assign unto the said
 ‘ his Executors, Administrators, and Assigns, the
 ‘ Rates, Tolls, and Duties granted and arising or payable to
 ‘ the said Trustees by virtue of the said Act, to hold unto the
 ‘ said his Executors, Administrators,

‘ and Assigns, until the said Sum of
 ‘ with Interest for the same after the Rate of
 ‘ *per Centum per Annum*, shall be fully paid or satisfied to
 ‘ him or them. Dated this Day of

And that all Persons to whom any such Assignments or Securities shall be so made shall be equally entitled to the said Rates, Tolls, and Duties thereby assigned, according and in proportion to the Sums by them respectively lent and advanced on the Credit thereof as aforesaid, without any Preference by reason of any Priority of Assignment, or upon any other Account whatsoever.

Memorials of such Assignments to be entered.

XX. And be it further enacted, That Entries or Memorials of every such Assignment or Mortgage, containing the Dates, Names of the Parties, and Sums borrowed, shall be made in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees for the Time being, and shall and may be inspected at all seasonable Times by all Persons whomsoever, without Fee or Reward;

Mortgages may be transferred.

And it shall and may be lawful to and for all and every Person or Persons to whom any such Assignment or Security shall be made as aforesaid, or who shall be entitled to the Money thereby secured, from Time to Time to transfer and set over his, her, or their Right, Title, and Interest therein to any other Person or Persons whomsoever, either by Indorsement or otherwise; which Transfer shall and may be made by a Deed or Writing in the Form or to the Effect following:

‘ **I** A. B. of in consideration of the Sum of
 ‘ paid to me by C. D. of
 ‘ do hereby transfer a certain Mortgage or Security made to
 ‘ me by the Trustees of the River *Welland* in the County of
 ‘ *Lincoln*, bearing Date the Day of
 ‘ and the Principal Sum of thereby secured,
 ‘ and all the Interest now due or hereafter to grow due for the

‘ same, and all my Right and Property therein, unto the said
 ‘ C. D., his Executors, Administrators, or Assigns. In witness
 ‘ whereof I have hereunto set my Hand and Seal the
 ‘ Day of .’

Transfers to be produced, and Memorials thereof entered.

XXI. And be it further enacted, That every Deed or Instrument of such Transfer shall within Thirty Days after the Date thereof be produced to the said Clerk to the said Trustees for the Time being, who shall thereupon cause an Entry or Memorial thereof to the same Purport and Effect as is herein-before directed with respect to the original Assignment or Mortgage to be entered in the Book to be kept for entering Memorials of such original Assignments or Mortgages, for doing whereof he shall be paid Five Shillings by the Person requesting the same; and that after such Entry shall be made, but not before, every such Transfer shall entitle the Assignee or Assignees therein named, and his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Assignment or Mortgage; and such Assignees may in like manner transfer again, and so *toties quoties*, every Deed or Instrument of such Transfer being paid for as aforesaid; and it shall not be in the Power of the Person or Persons who shall have made such Transfer to make void, release, or discharge the same, or the original Security, or any Money due thereon.

No Ships to be entered inwards or cleared outwards until Duties paid.

XXII. And to the Intent that the Rates, Tolls, and Duties herein-before granted and made payable may be duly accounted for and paid, be it further enacted, That from and after the passing of this Act it shall be lawful for any Collector, Comptroller, or other Officer of Her Majesty's Customs to refuse to permit or allow any Ship or Vessel on or for which any such Rates, Tolls, or Duties are hereby made payable to be entered inwards, unless and until the Master or other Person having charge of such Ship or Vessel navigating the said River *Welland* shall have paid the Rates, Tolls, or Duties chargeable upon and payable for the same, and

shall have produced to the said Collector, Comptroller, or other Officer a Certificate under the Hand of the Person or Persons appointed by the said Trustees to collect and receive the said Rates, Tolls, and Duties, certifying the same to have been paid; and also to refuse to permit or allow any Goods or Merchandizes on or for which the before-mentioned Rates, Tolls, or Duties are by this Act imposed to be landed from any Ship or Vessel entered inwards, and to refuse to permit or suffer any Ship or Vessel to be cleared outwards, unless and until the Master or other Person having charge of any such Ship or Vessel shall have paid the Rates, Tolls, and Duties last aforesaid, and shall, if required, have produced to the said Collector, Comptroller, or other Officer a Certificate under the Hand of the Person or Persons appointed to collect or receive the said Tonnage Rates and Duties, certifying that the said Rates, Tolls, and Duties have been fully paid, which respective Certificates and Signatures such Person or Persons appointed to receive the said Rates, Tolls, and Duties are required to sign and give accordingly, without Fee or Reward, upon pain of forfeiting to the Use of the Party aggrieved, or other Person who shall sue for the same, the Sum of Five Pounds, together with Costs of Suit, and which Sum when forfeited shall, within Twelve Calendar Months after the Offence committed, be recovered in any of Her Majesty's Courts of Record at *Westminster* by Action of Debt.

Power to make Bye Laws, &c.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any of their Meetings held in pursuance of the said recited Act of the Fifth Year of the Reign of His late Majesty or of this Act, at any Time or Times hereafter to make, ordain, and establish Orders, Rules, Bye Laws, and Regulations for the better ordering and regulating of all Vessels navigating the said River *Welland* or resorting to the same, and the Pilots or Masters or other Persons or Person having for the Time being the Charge or Direction of any such Vessel, and also for the loading and unloading and delivering of Goods into or out of any such Vessel at any Quay or Wharf or other Place or Places adjoining the said River, and for effectually

preventing all Encroachments, Annoyances, Obstructions, Nuisances, and Injuries in and to the Banks and Sides of the said River and the Channel thereof, and the Navigation of and upon the said River; and also from Time to Time, as Occasion may require, to repeal, add to, amend, and alter such Orders, Rules, Bye Laws, and Regulations, and to make and establish others in lieu of such of them as shall be so repealed or altered,

And to impose Penalties for Breach thereof.

And to fix and appoint reasonable pecuniary Penalties, not exceeding Twenty Pounds for Nonobservance, Nonperformance, or Breach of all or any or any Part of such Orders, Rules, Bye Laws, or Regulations; which Penalties respectively shall and may be recovered by such Ways and Means as any Penalty under the said recited Act is or shall or may be recoverable; provided that such Orders, Rules, Bye Laws, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *England*, or any thing in this Act contained.

Bye Laws to be printed and published.

XXIV. And be it further enacted, That the said Trustees shall and they are hereby required to cause Copies of the said Orders, Rules, Bye Laws, and Regulations, or any Alteration thereof, to be from Time to Time printed and distributed or otherwise published, and to pay the Expenses thereof out of the Money to be collected and received by virtue of this Act: Provided nevertheless, that the said Orders, Rules, Bye Laws, and Regulations shall be subject to Appeal in the Manner in the said recited Act provided for.

All Vessels coming into the River to be subject to such Bye Laws.

XXV. And be it further enacted, That all Ships, Vessels, Hoys, Boats, Barges, Lighters, or other Craft coming into or navigating upon the said River *Welland* within the Limits aforesaid and Purview of this Act, and the Cargoes thereof, and the Pilots, Captains, Masters, and Crew respectively of every such Vessel, shall be subject to such Rules, Bye Laws,

and Regulations, and liable to and chargeable with the Penalties for Nonobservance, Breach, or Infraction thereof.

Penalty on throwing Ballast or Rubbish into the River.

XXVI. And be it further enacted, That if any Person, upon any Pretence whatsoever, after the passing of this Act, shall unload or cast out of any Ship, Boat, or other Vessel, or from any Carriage, or off from any House, Warehouse, or other Building, Quay, Yard, Garden, Place, or Ground, any Ballast, Sand, Stones, Chalk, Rubbish, Wreck, Filth, Gravel, or Ashes, or any other gross Substance whatsoever, into the said River *Welland* within the Limits aforesaid and Purview of this Act, the Captain or Master of any such Ship, Boat, or Vessel, or any other Person or Persons so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty on Persons destroying Mooring Ropes.

XXVII. And be it further enacted, That if any Person shall maliciously cut or destroy the Mooring Ropes of any Ship, Boat, or other Vessel within the said River *Welland*, he or she shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds nor less than Twenty Shillings.

Collectors may be Witnesses.

XXVIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Rates, Tolls, or Duties, or any of them, the Person or Persons acting by or under the Authority of the said Trustees shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being appointed to collect such Rates, Tolls, or Duties.

Extending Provisions of the recited Act of 5 Geo. 4, to this Act.

XXIX. And be it further enacted, That from and after the Day of the Commencement of this Act the Powers to sue and be sued, and all other Powers, Authorities, Provisions, Regulations, Directions, Remedies for Recovery of Fines,

Penalties, and Forfeitures, Right and Power of Appeal, Clauses, Enactments, Matters, and Things contained in or established, authorized, directed, or provided by the said recited Act of the Fifth Year of the Reign of His late Majesty King *George* the Fourth, so far as the same are or may be applicable to or available for the due Execution of this Act, and which are not by this Act otherwise particularly provided for, varied, or altered, shall be and the same are hereby extended to and declared to be applicable to this Act, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same were repeated and re-enacted in or were Part of this Act.

No Person to act as Pilot in the River and Wash without being licensed.

XXX. And whereas by and under the Authority of the Corporation of the Guild or Brotherhood of Masters and Pilots Seamen of the *Trinity House* in *Kingston-upon-Hull*, and by virtue of a Commission under the Common Seal of the said Corporation granted pursuant to a certain Act of Parliament therein mentioned Five of the said Trustees have during many Years past been appointed Sub-Commissioners of Pilotage of the said River *Welland* and *Fosdike Wash* or *Bay* from the Setway of the said River at or near a Place called *Clayhole*, to the High Bridge over the said River in the Town of *Spalding*: And whereas it is necessary or expedient that further Provisions and Regulations should be made in regard to the Pilotage of the said River and Wash, and it is also expedient that some Portion of the Revenues to be received by virtue of this Act should be made applicable and auxiliary, at the Discretion of the said Trustees, to the Pilots Fund; be it therefore further enacted, That after the passing of this Act if any Person or Persons shall take upon himself or themselves to conduct or pilot any Ship, Vessel, or Barge into or out of the said River and Wash, or Seaward thereof, without being licensed so to do by the *Trinity House* in *Kingston-upon-Hull* aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings, to be recovered and levied in the Manner and by the Means

whereby any other Penalty under this or the said recited Act is or may be recovered and levied.

Unlicensed Persons may act in the absence of licensed Pilots.

XXXI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to hinder or prevent any Person or Persons from assisting any Ship, Vessel, or Barge in Distress, or during the Absence or for Want of a licensed Pilot, from undertaking, if required by the Master or Commander thereof, to conduct or pilot any Ship, Vessel, or Barge, or in such last-mentioned Case to subject such Person or Persons to the Forfeiture and Penalty aforesaid.

Rates of Pilotage.

XXXII. And be it further enacted, That no greater or other Rates or Prices of Pilotage shall be demanded or taken than shall from Time to Time be authorized or directed by the *Trinity House* in *Kingston-upon-Hull* aforesaid; and that the said several Rates of Pilotage to become due and payable as aforesaid shall be paid into the Hands of such Person or Persons as the said Sub-Commissioners for the Time being shall nominate and appoint to receive the same, and the Amount thereof shall from Time to Time be subject to the Order and Disposition of the said Sub-Commissioners.

Pilot Sloop may be hired.

XXXIII. And be it further enacted, That the said Sub-Commissioners for the Time being shall and may, by and out of the Pilotage Rates to be received as aforesaid, either purchase or hire the Use of a fit Vessel or Vessels for carrying and conveying the Pilots up and down the Channels of the said River and Wash or Bay, or to be moored at or near the Setway aforesaid, for affording Shelter to the Pilots, and shall and may also by and out of the said Rates pay the Wages and for the Maintenance of the several Pilots, and of any Men or Boys to assist on board the Vessel or Vessels respectively to be purchased or hired as aforesaid, and also the Salary of a Secretary to be employed by them the said Sub-Commissioners, and of the Person or Persons appointed

or to be appointed for Receipt of the said Rates, and of any other Person or Persons whom they may think fit to employ in and about and for the more convenient Performance of the Duties and Business of the said Sub-Commissioners for the Time being, and all Costs and Expenses incidental thereto.

Pilots refused to be taken on board to be paid their Fee.

XXXIV. And be it further enacted, That in case the Master or Commander of any Ship, Vessel, or Barge, either inward or outward bound, shall refuse, when below or beyond the embanked Channel of the said River, to take on board and employ a Pilot, to be appointed and licensed as aforesaid, who shall offer his Service, such Master or Commander shall pay or cause to be paid the full Pilotage Rates and Prices which shall be fixed and directed to be taken as aforesaid, as if such Pilot had been received on board and employed in conducting or piloting such Ship, Vessel, or Barge into or out of the said River and Wash or Bay, or Seaward thereof.

Master to give to Pilot the true Draught of his Ship.

XXXV. And be it further enacted, That the Master or Commander of every Ship, Vessel, or Barge to be piloted or conducted as aforesaid shall and he is hereby required to declare and give to the Pilot employed in conducting or piloting, or offering to conduct or pilot, such Ship, Vessel, or Barge, a true Account of the Draught of Water which such Ship, Vessel, or Barge shall then draw; and in case such Master or Commander shall refuse so to do, or shall give an untrue Account of the Draught of Water of such Ship, Vessel, or Barge, he shall, on occasion of every such Refusal or untrue Account, forfeit and pay the Sum of Five Pounds, to be recovered and levied in the Manner and by the Means whereby any other Penalty under this Act is or may be recovered.

Pilotage of outward-bound Ships to be secured.

XXXVI. And be it further enacted, That if any of the Pilots appointed and licensed as aforesaid shall be required by the Master, Commander, Owner, Agent, or Consignee of any Ship, Vessel, or Barge, outward-bound, to take the

Charge or Conduct thereof, it shall and may be lawful to and for such Pilot, previously to his undertaking such Charge or Conduct, to demand Payment or sufficient Security from such Master, Commander, Owner, Agent, or Consignee, for the Payment of the Amount of the Pilotage Rate outwards; and if such Master, Commander, Owner, Agent, or Consignee shall refuse such Payment or Security, the Pilot called upon as aforesaid may refuse to conduct or pilot such Ship, Vessel, or Barge, and shall not be subject in respect thereof to any Penalty or Forfeiture whatsoever.

For Recovery of Pilotage Rates.

XXXVII. And be it further enacted, That in case any Owner or Master, or any other Person having or taking upon himself, or appearing to have or take, the Command, Charge, Agency, or Consignment of any Ship, Vessel, or Barge chargeable with the Rate or respective Rates of Pilotage aforesaid, shall refuse to pay the same, then and in such Case it shall be lawful to and for any Person acting under the Authority and by Order of any Three or more of the said Trustees or of the said Sub-Commissioners for the Time being, or of any One Justice of the Peace for the Parts of *Holland* in the County of *Lincoln*, and in preference to and notwithstanding any Right of Hypothecation, Attachment, or other Right whatsoever claimable by or due to any other Person or Persons whomsoever, to seize, take, and distrain any of the Goods, Stores, Guns, Ropes, Tackle, Furniture, and Apparel of or belonging to such Ship, Vessel, or Barge, and the same to detain and keep until the Sum or Sums of Money due for and in respect of such Pilotage Rate or Rates as aforesaid, and the reasonable Costs and Charges previous to and attending the making of such Seizure and Distrain, shall be paid and satisfied; and in case of Refusal, Neglect, or Default to pay the Amount of such Pilotage Rates, Costs, and Charges during Three Days next after such Seizure and Distrain, it shall and may be lawful to and for the Person who shall have taken the same as aforesaid, and at any Time within Seven Days after the Expiration of the said Three Days, to sell and dispose of the Goods, Articles, or Things so taken by public Auction, and

thereout to satisfy and pay the Pilotage Rate or Rates due as aforesaid, with all reasonable Charges in relation or incidental to the taking, seizing, distraining, keeping, and selling the same, and rendering the Overplus, if any, (upon lawful Demand made,) to the Master, Owner, Agent, or Consignee of such Ship, Vessel, or Barge as aforesaid.

Rates receivable may be applied in aid of Pilotage Fund.

XXXVIII. And whereas, in consideration of the Rates, Tolls, and Duties payable by virtue of this Act to the Trustees of this and the said recited Act, it is just and reasonable, that in case the Pilotage Funds herein-before mentioned should be found unequal and inadequate to the several Purposes to which they are applicable as aforesaid, that the same should be aided and assisted by and out of the Rates, Tolls, and Duties payable to and receivable by the said Trustees; therefore be it further enacted, That it shall and may be lawful to and for the said Trustees at any Annual Meeting to be held pursuant to the said recited Act, upon the Application and Request of the said Sub-Commissioners of Pilotage for the Time being, to direct and order Payment, out of the Proceeds of the aforesaid Rates, Tolls, and Duties, to the said Sub-Commissioners or their Order, of such Sum or Sums of Money as shall from Time to Time appear to the said Trustees at such Annual Meeting as aforesaid to be just and reasonable, and to be required for the Use and Purposes of the said recited Commission of Pilotage, or any renewed or other Commission, and the Matters and Things to be done and performed pursuant thereto, or pursuant to the Provisions of this Act in relation thereto.

Harbour Master may be appointed.

XXXIX. And be it further enacted, That for the more convenient Performance of the Duties of the said Trustees it shall and may be lawful to and for the said Trustees and they are hereby authorized and required from Time to Time to appoint a proper Person to be and act as Harbour Master of and for the said River within the Limits and Purview of this Act, and out of the Money arising by and from the

Rates, Tolls, and Duties aforesaid to allow and pay to every such Harbour Master such Salary or Compensation as they shall think proper, and with Power to remove or suspend such Harbour Master as they shall see Occasion; and every such Harbour Master shall and he is hereby authorized and empowered to direct and regulate the mooring and Removal of all Ships, Vessels, Barges, Lighters, Boats, and Floats of Timber coming into, lying, or being within or going out of the said River, and to cut, cast off, slacken, or loosen the Ropes, Cables, or Mooring Chains of such Ships, Vessels, Barges, Lighters, Boats, and Floats of Timber, in such Manner as he shall think necessary or proper for the Accommodation, Safety, and Convenience of the Ships, Vessels, Barges, Lighters, Boats, and Floats of Timber coming into, lying, or being within or going out of the said River; and in case the Owner, Master, or other Person having the Care of any such Ship, Vessel, Barge, Lighter, Boat, or Float of Timber shall refuse or wilfully neglect to moor or remove the same according to the Direction of such Harbour Master, immediately upon Notice given for that Purpose, or if any such Owner or Master or any other Person shall hinder or prevent the said Harbour Master from cutting, casting off, slackening, or loosening any such Rope, Cable, or Mooring Chain as aforesaid, or shall obstruct, hinder, or prevent the mooring or removing, by or under the Direction of the said Harbour Master, of any such Ship, Vessel, Barge, Lighter, Boat, or Float of Timber, every such Owner or Master or other Person shall for every such Offence forfeit and pay to the said Trustees for the Purposes of this Act any Sum of Money in their Discretion, not exceeding Five Pounds, to be recovered and levied in the Manner and by the Means whereby any other Penalty under this or the said recited Act is or may be recovered and levied; and it shall be lawful for such Harbour Master, or any Person or Persons by his Direction, to remove and moor such Ship, Vessel, Barge, Lighter, Boat, or Float of Timber, in such Manner and to such Place as he shall think proper or direct; and the Charges and Expenses thereof shall be repaid to him by the Owner or Master of such Ship, Vessel, Barge, Lighter, Boat, or Float of Timber, and shall

be recoverable (in case of Nonpayment thereof upon Demand) in like Manner as the last-mentioned Penalty shall or may be recoverable; and in case any such Harbour Master as aforesaid shall, in the mooring or Removal of any Ship, Vessel, Barge, Lighter, Boat, or Float of Timber, in pursuance of this Act, show any undue Partiality, or shall in any other respect be guilty of Misbehaviour in his Office, he shall for every such Offence forfeit and pay to the Person or Persons aggrieved by such undue Partiality or Misbehaviour as aforesaid any Sum not exceeding Five Pounds, to be recoverable in like Manner as the said last-mentioned Penalty or any other Penalty under this or the said recited Act is or may be recoverable.

Saving Rights of Trinity House in Kingston-upon-Hull.

XL. 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, or Charter to the Guild or Brotherhood of Masters and Pilots Seamen of the *Trinity House* in *Kingston-upon-Hull* aforesaid, in Matters of Pilotage or otherwise, which they might have used, exercised, or enjoyed by virtue 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.

Saving Rights of the Corporation of Wisbeach.

XLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, alter, lessen, or effect any of the Jurisdictions, Powers, Rights, Privileges, or Revenues given, granted, appertaining, or belonging to the Burgesses of the ancient Seaport Town of *Wisbeach*, or to the Mayor, Aldermen, and Burgesses of the Borough of *Wisbeach*, or any of them.

Saving the Rights of the Lord High Admiral of England or the Commissioners for the Time being.

XLII. And whereas the Conservation of the several Ports, Harbours, Creeks, Estuaries, and navigable Rivers of the United Kingdom is by Law vested in the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the said Kingdom for the Time being; be it enacted and provided, That nothing in this Act contained shall extend or be construed to extend to authorize the making, constructing, or erecting any Work below the ordinary High-water Mark at Spring Tides, without the Assent of the said Lord High Admiral or the Commissioners for the Time being for executing the Office of Lord High Admiral aforesaid having been first obtained for that Purpose, such Assent to be signified in Writing under the Hand of the Secretary of the Admiralty.

Reservation of the Rights of the Bedford Level Corporation, and of the Owners and Occupiers of the Land in the North Level, Great Portsand, and Deeping Fen.

XLIII. Provided always, and be it further enacted, That nothing in the said recited Act or in this Act contained shall extend or be construed to extend to annul, invalidate, lessen, or interfere with any of the Rights, Powers, or Privileges to which the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or to which the Adventurers, Participants, or Trustees the Drainage of the Fens commonly called *Deeping Fens*, or the said *North Level* Commissioners and their Committee, or the Owners and Occupiers of the Lands within the *North Level*, *Great Portsand*, and *Deeping Fen*, or any of them, were respectively entitled or which were vested in them respectively before the passing of this Act, but that all such Powers, Rights, and Privileges shall remain and continue at all Times hereafter in as full Force and Effect as if this Act had not been passed, and shall extend and apply as fully and effectually to any new Cut or Channel which may be embanked, made, or used under the Authority of the said recited Act or this Act, for the Passage

of the Waters of the said River *Welland* to Sea, as they now do to the present Course or Channel of the said River and the Outfall thereof, any thing herein contained to the contrary thereof notwithstanding.

Saving Rights of Trustees of Boston Harbour Acts.

XLIV. Provided always and be it enacted, That nothing herein contained shall extend or be construed to extend to prejudice, obstruct, prevent, impede, or defeat any Works made or executed or to be made or executed by the Mayor and Burgesses of the Borough of *Boston*, by virtue and in pursuance of an Act passed in the Fifty-second Year of the Reign of King *George* the Third, 52 Geo. III. c. 105.; intituled *An Act for improving the Port and Harbour of Boston in the County of Lincoln, and for fixing the Wharfage of Goods landed within the said Port and Harbour, and for better maintaining the Buoys, Beacons, and Sea-marks belonging thereto*, and of an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, 7 and 8 Geo. IV. c. 79.; intituled, *An Act to extend and enlarge the Powers of an Act passed in the Fifty-second Year of the Reign of His late Majesty, for improving the Port and Harbour of Boston, in the County of Lincoln*, and of another Act, passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, 4 and 5 Wm. IV. c. 87.; intituled *An Act to extend the Powers of the several Acts now in force for improving the Port and Harbour of Boston in the County of Lincoln*;

Of the Trustees of the River Welland;

Nor shall this Act, or any thing herein contained, extend or be construed to extend to abrogate, defeat, impair, lessen, prejudice, or annul the Rights and Interests which by virtue of the said Act of the Fourth and Fifth Years of His late Majesty are granted, reserved, and secured to or in favour of the Trustees of the said recited Act of the Fifth of His late Majesty, for the Improvement of the Outfall of the River *Welland* aforesaid, and the Drainage by and Navigation of the same River, except in so far as the Rights, Powers, and Authorities, Benefits and Advantages, reserved and belonging

to the said Mayor and Burgesses and Trustees respectively under or by virtue of the said several Acts of the Fifty-second Year of King *George* the Third, of the Seventh and Eighth Years of King *George* the Fourth, and the Fourth and Fifth Years of His late Majesty, are by this Act expressly altered or taken away.

Of the Corporation of Boston ;

XLV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, abridge, diminish, or take away any of the Rights, Privileges, Liberties, or Franchises, or any former or other Jurisdiction which the said Mayor and Burgesses of the said Borough of *Boston* were possessed of or had a Right unto, by Charter, Prescription, Custom, or otherwise, before the passing of this Act, except so far as the same are by this Act expressly altered or taken away.

And of the Company of Proprietors of Fosdyke Bridge.

XLVI. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prejudice, obstruct, or injure a certain Bridge erected over the said River *Welland* commonly called *Fosdyke Bridge*, or the Roads or Banks leading to or from the same, or any other Works made and executed or to be made and executed by the Company of Proprietors of *Fosdyke Bridge* aforesaid, under the Powers and Authorities of an Act passed in the Fifty-first Year of the Reign of King *George* the Third, 51 Geo. III. c. 71. ; intituled, *An Act for repealing so much of an Act of His present Majesty as relates to making a public Way over Fosdyke Wash in the County of Lincoln, and for granting further Powers for building a Bridge over the said Wash*, or to defeat or lessen the Tolls, Rates, and Duties authorized to be taken at the said Bridge by the said Company of Proprietors and their Successors, but that the Powers and Authorities of the said Company of Proprietors and the Bridge Tolls, Rates, and Duties, shall be preserved and continue as fully and effectually as if this Act had not been made.

Trustees to indemnify the Fosdyke Bridge Company against any Damage by the Scour of the Channel of the River.

XLVII. And be it further enacted, That the said Trustees, by and out of the Funds raised or to be created by virtue of the Provisions of this and the said recited Act, shall and they are hereby directed and required from Time to Time to make full Compensation and Satisfaction to the Company of Proprietors of the *Fosdyke Bridge* incorporated under an Act passed in the Fifty-first Year of the Reign of King *George* the Third, intituled, *An Act for repealing so much of an Act of His present Majesty as relates to making a public Way over Fosdyke Wash in the County of Lincoln, and for granting further Powers for building a Bridge over the said Wash*, for all such Damages or Injury which shall or may be occasioned by the increasing Scour of the Waters of the said River *Welland* and the Ebb and Flood Tides passing under the said Bridge, or in anywise consequential to such increasing Scour, which may happen or arise in consequence of the Works executed or to be executed by the said Trustees under the Powers and Authorities given to them by this or the said recited Act: Provided always, that in case it shall appear to the said Trustees that any such Damage or Injury is likely to occur as last herein-before mentioned, it shall and may be lawful for them the said Trustees, and they are hereby authorized and empowered, to adopt, use, and apply in or about the said Bridge, or the Foundation and Piles or other Works thereof, such Means as shall be deemed expedient or requisite in order to obviate and prevent any such Damage or Injury as aforesaid, provided that the same be done under the Superintendence and to the Satisfaction of the Surveyor of the Works of the said Company of Proprietors.

Amount of Damage how to be ascertained.

XLVIII. Provided always, and be it further enacted, That should any Difference hereafter arise between the said Trustees and the said Company of Proprietors as to the Amount of Compensation to be paid for such Damage or Injury as aforesaid, the same shall be ascertained and settled by Two Engineers, One to be appointed by either Party