



ANNO QUADRAGESIMO NONO

GEORGI III. REGIS.

Cap. 190.

An Act for the better Government of the Watermen working on the Passage between *Gosport, Portsmouth, and Portsea*, and other Places within *Portsmouth Harbour*, and to and from *Spithead, Saint Helen's*, and other Parts within the *Isle of Wight*, in the County of *Southampton*, and to and from certain Places in the said Island; and for regulating the Fares of such Watermen.

[20th June 1809.]

WHEREAS the Conduct of the Watermen working on the Passage between *Gosport*, in the Parish of *Alverstoke*, and *Portsmouth*, and *Portsea*, and to and from *Hardway, Fareham, Portchester, Palsgrove, Wymering*, and other Places within *Portsmouth Harbour*, and to and from *Spithead* and *Saint Helen's*, and other Parts and Places within the *Isle of Wight*, in the County of *Southampton*, by reason of their demanding exorbitant and unequal Prices for the Carriage of Passengers, and their refusing to carry Passengers across the Harbour of *Portsmouth*, and to and from *Hardway, Fareham, Portchester, Palsgrove, Wymering*, and other Places within *Portsmouth Harbour*, and to the Ships and Vessels

[*Loc. & Per.*]

43 Q

of

of His Majesty, and other Ships and Vessels lying within the said Harbour, and at *Spithead, Saint Helen's*, and other Places within the said *Isle of Wight*, in the County of *Southampton*, and to and from the Places lying within the said Harbour and in the said *Isle of Wight*, between *Cowes* and *Saint Helen's*, has been long complained of and is now become a general Grievance, and is a great Inconvenience and Detriment to the Inhabitants of the said Towns and Neighbourhood, and also to the Officers and Seamen belonging to the said Ships and Vessels: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That His Majesty's Justices of the Peace for the County of *Southampton* for the Time being, the Mayor, Recorder, and Aldermen of the Borough of *Portsmouth* for the Time being, the Steward of the Bishoprick of *Winchester* for the Time being, the Bishop of *Winchester's* Bailiff of the Borough and Manor of *Gosport* for the Time being, the Rector of *Alverstoke* for the Time being, the Incumbent of *Gosport* Chapel for the Time being, the Commissioners of His Majesty's Dock Yard at *Portsmouth* for the Time being, the Governor of *Haslar* Hospital for the Time being, *George Porter* Esquire, *Samuel Jellicoe* Esquire, *William Grover Carter* Esquire, *William Grant* Esquire, *Andrew Lindegreen* Esquire, *James Lyss* Esquire, *William Carver* Esquire, *Richard Burbey* Esquire, *William Page* Esquire, *William Baker*, *William Page* the younger, *William Baker* the younger, *Samuel Jellicoe* the younger, *Thomas Heather*, *Cornelius Hayter* Esquire, *John Atkins*, the Reverend *Francis Clifton*, *John Lind* Doctor of Physick, *Joseph Carter* Esquire, *George Garret* Esquire, *Matthias March*, *William Ellis*, *Edward Jukes*, *George Morfs Jukes*, *John Goodeve*, *Robert Curry*, *William Burney* Doctor of Laws, *William Turner*, *Thomas Sharp*, *John Hickey*, *John Weymouth*, *John Snook*, *Edward Goodeve*, *Robert Forbes* Esquire, *James Goodeve* Mercer, *James Neale*, *Daniel Howard*, *Roger Callaway*, *George Augustus Callaway*, *James Hay*, *John Balmbrough*, *Joseph Goodeve* the younger, *Benjamin Goodeve*, *James Westmore*, *Thomas Andrews Minchin*, *James Collins*, *Andrew Hewson*, *Robert Cruickshank*, *Tristram Harper*, *James Paul*, *John Devereux*, *Thomas Norrish*, and *William Midlane*, shall be and they are hereby appointed Commissioners for putting in Execution the several Powers and Authorities in and by this Act given.

Commis-
sioners.

Meetings of
Commission-
ers.

II. And be it further enacted, That the said Commissioners, or any Seven or more of them, are hereby empowered and required to meet on the First *Tuesday* in the Months of *July*, *November*, and *March* in each Year, at some convenient Place within the said Borough of *Gosport* or Borough of *Portsmouth*, to be appointed by the said Commissioners, such Meetings to be alternately held at the said Borough of *Gosport* and Borough of *Portsmouth*; the First Meeting of the said Commissioners to be held at the *India Arms Inn* in *Gosport*, on the First *Tuesday* in *July* next after the passing of this Act, and the said Commissioners, or any Seven or more of them, shall and may, if they shall see fit, from Time to Time adjourn such Meetings, or any or either of them, in such Manner and to such Time as they shall think proper; and that the Commissioners, or any Seven or more of them, at such First Meeting to be holden as aforesaid, or at any Adjournment or Adjournments thereof, shall and they are hereby required

required to proceed to fix and assess the Rates and Fares to be taken by the said Watermen for the Passage of any Person or Persons, either with or without Horses or other Cattle, to and from Gosport, Portsmouth, and Portsea, and other Parts within the said Harbour of Portsmouth, and to and from any Ships or Vessels lying within the said Harbour, and also to and from Spithead, Saint Helen's, the Motherbank, Stokes Bay, and other Parts within the said Isle of Wight, and to and from any Ships or Vessels lying thereat, and also to and from Brading, Ryde, Cowes, or any other Place in the said Island, between Saint Helen's and Cowes, which Rates and Fares so assessed and rated shall continued in force respectively until they, or any or either of them, shall be altered by any Order of the said Commissioners, to be made at any subsequent Meeting of the said Commissioners, which Alteration it shall and may be lawful for the said Commissioners, or any Seven or more of them, at any Time or Times hereafter to make at any Meeting to be held in pursuance of the Provisions of this Act.

III. And be it further enacted, That annually at the Meeting to be held in the Month of July the said Commissioners, or any Seven or more of them, shall and they are hereby required to elect, nominate, and appoint, by Writing under their Hands in the Book or Books for entering the Proceedings of the said Commissioners, another Commissioner in the Room and Stead of every Commissioner, other than those appointed or acting by virtue of the respective Offices herein-before mentioned, who shall have died, neglected to act for One whole Year, or ceased to be qualified in Manner herein-after directed; and Notice in Writing of the Time and Place of Meeting for every such Election, and of the Purpose thereof, and of all other Meetings of the said Commissioners for the Purposes of this Act, shall be given by the Clerk of the said Commissioners to each of the said Commissioners who shall be resident within the said Town of Gosport, or either of the Towns of Portsmouth or Portsea, or left at their respective last or usual Places of Abode within such Towns respectively, and such Notice shall be affixed on the Door of the Market House in Gosport, and also on the Door of the Guildhall in Portsmouth, Seven Days at least before such Meeting shall be holden; and every such Commissioner so elected shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the same Rules, Regulations, and Restrictions, as fully and effectually to all Intents and Purposes whatsoever, as if he had been named herein a Commissioner.

Once in every Year Vacancies occasioned by the Death, &c. of Commissioners to be filled up; and Notice of Meetings for that Purpose, and of all other Meetings under this Act.

IV. Provided always, and be it further enacted, That on every such annual Election of Commissioners, Regard shall be had to there being an equal Number of Commissioners for the said Parish of Alverstoke and the said Borough of Portsmouth, for which Purpose the Commissioner to be chosen in the Room of any one so dying, neglecting to act, or ceasing to be qualified as aforesaid, shall be elected and chosen from among the Inhabitants of the Parish or Borough in which the Commissioner resided, in whose Room or Stead the new Commissioner is to be elected and appointed, so that the Number of elected Commissioners residing in the Parish of Alverstoke shall be always equal to those residing within the Borough of Portsmouth.

Equal Number of Commissioners on each Side of the Water.

Commissioners
to taken an
Oath.

V. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, save and except in administering the Oath herein mentioned to the other Commissioners, until he shall have taken an Oath to the Effect following; that is to say,

Oath.

‘ I *A. B.* do swear, That I will, without Favour or Affection, faithfully and impartially execute, perform, and discharge the Office and Duty of a Commissioner, according to the Powers, Authorities, and Directions given and established by an Act passed in the Forty-ninth Year of the Reign of King *George* the Third, intituled, *An Act* [*here insert the Title of this Act*], according to the best of my Skill and Knowledge. /

‘ So help me GOD.’

Which Oath the said Commissioners, or any One or more of them, is and are hereby empowered and required to administer to each other, and a Minute of the administering thereof shall be entered in the Book of the Proceedings of the said Commissioners.

Qualification
of Commis-
sioners.

VI. And be it further enacted, That no Person shall be qualified to act as a Commissioner in the Execution of this Act, other than those acting by virtue of the respective Offices before-mentioned, unless he shall at the Time of acting be a Householder in the said Parish of *Alverstoke* or in the Town of *Portsmouth*, or the Town of *Portsea*, and possessed of a Real Estate of the annual Value of One hundred Pounds, or of a Personal Estate of the Value of Two thousand five hundred Pounds, above all Charges and Incumbrances whatsoever; and if any Person, not being qualified as aforesaid, shall presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and in every such Action, Bill, Plaint, and Information, the Proof of such Qualification shall be on the Defendant; and it shall be sufficient for the Plaintiff or Prosecutor to prove that the Person so sued or prosecuted has acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Judgements, Orders, Decrees, Acts, and Proceedings of all and every Person and Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid previous to his or their being convicted of such Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been duly qualified according to the Directions of this Act.

Appointment
of Clerk, and
in case of
Death, &c.
Commissioners
to appoint
another.

VII. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may, at their first or any subsequent Meeting to be holden in pursuance of this Act, nominate and appoint, under their Hands in the Book or Books wherein the Proceedings of the said Commissioners shall from Time to Time be entered, One Person to be Clerk to the said Commissioners and Treasurer of the Monies to be raised by

by virtue and for the Purposes of this Act, and that the said Clerk and Treasurer shall continue in the said Office during his good Behaviour; and that as often as the said Office shall become vacant by Death, Resignation, Incapacity, or Dismissal of such Clerk and Treasurer, which said Dismissal may, for any Misbehaviour of the Person holding such Office, be made by the Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, it shall and may be lawful for the said Commissioners, or any Seven or more of them, at the next Meeting of the said Commissioners to be held in pursuance of this Act, after such Death, Resignation, Incapacity, or Dismissal, to elect and appoint some other fit and proper Person to be Clerk to the said Commissioners, and Treasurer of the Monies to be raised by virtue and for the Purposes of this Act, in the Room of the Person so dying, resigning, or dismissed as aforesaid; and the said Commissioners, or any Seven or more of them, may and they are hereby empowered, out of the Monies to be raised by virtue of this Act, to make such Allowance to the said Clerk and Treasurer for the Time being as to them, or any Seven or more of them, shall seem reasonable, provided the said Allowance shall not exceed Twenty-five Pounds a Year; and the said Commissioners, or any Seven or more of them, shall and may and they are hereby required to take such Security from Time to Time, for the due Execution of the said Office of Treasurer, as the said Commissioners, or any Seven or more of them, shall think proper.

VIII. And be it further enacted, That it shall be, and it is hereby declared to be, the Duty of such Clerk and Treasurer to attend all the Meetings of the said Commissioners, to make an Entry of their Proceedings in a Book or Books to be provided and kept for that Purpose, to give the several Notices herein directed to be given, to keep an accurate Account of the Monies raised and expended by virtue of or in the Execution of this Act, to pay thereout all such Sum and Sums of Money as the said Commissioners, or any Five or more of them, shall from Time to Time at any Meeting to be holden in pursuance of this Act order and direct, to render an Account of his Receipts and Disbursements, and produce Vouchers for the latter to the Commissioners at the Meeting in the Month of *July* in each Year, and to pay, use, and apply the Balance which such Commissioners, or any Five or more of them, at such Meeting shall adjudge to be due on such Account, in such Manner as the said Commissioners, or any Five or more of them, shall at such Meeting direct, and generally to perform all such Matters and Things as he shall be directed by the said Commissioners, or any Five or more of them.

Declaring
what shall be
the Duty of
the Clerk and
Treasurer.

IX. And be it further enacted, That if, at any Meeting appointed to be held in pursuance hereof, a sufficient Number of Commissioners shall not attend to hold the same, the Clerk to the said Commissioners shall adjourn the same; or in case of his omitting so to do, the same shall *ipso facto* stand adjourned to the same Day in the next ensuing Week, to be then held at the same Hour of the Day, and at the same Place, as the Meeting at which such sufficient Number of Commissioners shall not have attended, was to have been holden, and so from Week to Week until a sufficient Number of Commissioners shall attend, of which adjourned Meeting Three Days Notice shall be given in such Manner as is herein-before directed with

Power for the
Clerk to ad-
journ Meet-
ings, &c.

[*Lac. & Per.*]

43 R

respect

respect to any original Meeting; and that if such Defect of Attendance shall happen on the annual licensing Day herein-after appointed, the several Licences then in force shall continue in force until and upon the Day on which a sufficient Number of Commissioners shall attend to hold a Meeting.

Two Tables or Rates of Fares to be allowed; to be determined by a Flag which is payable.

X. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required to make and settle Two several and distinct Tables of Rates and Fares, the Rates and Fares in one of which shall be payable in fair Weather, and the other in foul Weather; and for the Purpose of obviating any Doubt as to the Time at which the said Rates and Fares may be respectively demanded, the said Commissioners shall provide a Blue Flag, to be hoisted on the Beach at *Gosport*, by such Person, and in such Manner and Form, as the said Commissioners, or any Five or more of them, at any Meeting to be holden in pursuance of the Provisions of this Act, shall from Time to Time appoint and order, or as shall be directed by any Bye-Law to be made in pursuance of the Provisions herein-after contained, and which said Person shall be paid such Sum and Sums of Money as the said Commissioners, or any Five or more of them, shall from Time to Time direct; and so long as the said Flag shall remain hoisted, the foul Weather Fares shall be demanded, and at all other Times the fine Weather Fares only shall be payable: Provided always, that if the said Flag shall be hoisted or hauled down while the said Watermen, or any or either of them, is or are in the Act of carrying any Person or Persons to or from any Place or Places as aforesaid, the said Watermen shall be paid the Rate or Rates, Fare or Fares, which was or were payable at the Time such Person or Persons first left the Shore or Place in the Boat of such Waterman or Watermen.

Watermen to be entitled to the Fare payable at the Time of being hired.

Tables of Fares to be printed, and a Copy delivered to each licensed Waterman.

XI. And be it further enacted, That when the said Tables of Rates and Fares shall be settled by the said Commissioners, the same shall be printed, and the said Commissioners shall cause a Copy thereof to be delivered to each of the said Watermen to be licensed as herein-after mentioned, and One Copy of such Rates painted on a Board shall be affixed on the Door of the Market House in *Gosport* aforesaid, One other such Copy on the Door of the Guildhall of *Portsmouth* aforesaid, and One other such Copy in the Town of *Portsea*, at or near the Gates of His Majesty's Dock Yard there; and when and as often as the same, or either of them, shall be defaced or destroyed, the said Commissioners shall cause the same to be replaced by another or others; and when and as often as any Alteration or Alterations shall be made by the said Commissioners in the said Tables of Rates or Fares, the same shall be in like Manner printed, delivered, painted, and affixed as aforesaid.

Penalty on taking higher Rates or refusing to take Passage.

XII. And be it further enacted, That in case any such Waterman, or other Person employed by him, shall demand or take more than the Rates or Prices so to be assessed and rated as aforesaid, except as herein-after mentioned, or shall (not being prevented by some obvious Difficulty or Danger, which such Waterman shall make appear to the Satisfaction of the Justice or Justices before whom any Complaint shall be laid) refuse to carry any Passenger for such Rates or Prices, every such Waterman so offending

offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be levied and recovered, paid and applied in Manner herein-after mentioned: Provided always nevertheless, that it shall and may be lawful to and for the said Watermen to demand Double the Rate of Fare fixed by the said Tables between the Hours of Six of the Clock in the Evening, and Six of the Clock in the Morning, between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in each Year; and between the Hours of Ten of the Clock in the Evening, and Five of the Clock in the Morning, between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in each Year.

XIII. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay any Waterman or Watermen licensed as herein-after mentioned the Fare or Fares which he or they is, are, or shall be entitled to demand, it shall and may be lawful to and for any Justice of the Peace of the said County of *Southampton*, if the Offence shall be committed out of the Borough of *Portsmouth*, or of the Borough of *Portsmouth* if the Offence shall be committed within it, or of the Borough of *Portsmouth*, or the County of *Southampton*, if the Offence shall be committed upon the Water within the Harbour of *Portsmouth*, upon Complaint thereof, to grant a Warrant to bring before him the Person or Persons against whom such Complaint shall be made, and, upon Proof upon Oath of One Witness (which Oath such Justice is hereby empowered to administer), to award reasonable Satisfaction to the Party aggrieved for his Damages and Costs, and, upon Refusal to pay or make such Satisfaction, to levy the same by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing.

Penalty on
Persons not
paying the
established
Fare.

XIV. And, for better preventing the Misbehaviour of any such Waterman, or any Apprentice or Assistant employed by him, be it further enacted, That upon Complaint of any Misbehaviour of any Waterman, Apprentice, or Assistant, in assaulting, insulting, or using abusive or insulting Language to any Person or Persons whomsoever, it shall and may be lawful to and for any such Justice of the Peace for the said County of *Southampton* or Borough of *Portsmouth*, within his respective or concurrent Jurisdiction, to summon such Waterman, Apprentice, or Assistant before him to answer the said Complaint, and upon Proof thereof upon Oath (which Oath the said Justice is hereby empowered to administer), or by his own Confession, or on the View of a Justice of the Peace, such Waterman, Apprentice, or Assistant, shall forfeit the Sum of Twenty Shillings, to be levied and recovered, paid, and applied in Manner herein-after mentioned; and if sufficient Distress cannot be had, he shall be committed to the House of Correction for the County, Borough, or Place where the Complaint shall be heard, for One Calendar Month, or every Waterman convicted of any such Offence shall forfeit and lose his Licence, and shall not be again licensed for the Space of One whole Year next ensuing; and such Waterman, Apprentice, or Assistant so offending shall and may, by Authority of this Act, unless such Person being a Waterman shall, upon Demand, produce and shew to the Party aggrieved his Licence, so that such Party may ascertain his Name and Place of Abode, or being an Apprentice or Assistant shall at the Time of the Offence committed be actually

Punishing
Watermen
and Apprentices
for Misbehaviour,
&c.

actually on board the Boat of his Master, having the Name and Place of Abode of such Master painted thereon, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, or other Peace Officer, in order to be conveyed before some Justice of the Peace to be dealt with according to Law.

Watermen
to be sum-
moned.

XV. And be it further enacted, That the said Commissioners shall, at their First Meeting to be holden as aforesaid, appoint One or more Meeting or Meetings to be held at such Place as they the said Commissioners, or any Five or more of them shall think proper, for examining and licensing the several Waterman working for Hire on the said Passage between *Gosport* and *Portsmouth* or *Portsea*, or to or from any of the several Places aforesaid, of which said Meeting and Meetings respectively Notice shall be given by the Clerk to the said Commissioners at least Ten Days before the respective Times appointed for holding the same, by affixing the said Notice on the Market House in *Gosport*, on the Door of the Guildhall at *Portsmouth*, and on or near the Gate of the Dock Yard in *Portsea*, and other conspicuous Places in the said Towns, and by publishing the same in such Newspapers as shall be printed in the said Towns, or either of them, at some one of which said Meetings the several Watermen working for Hire on the said Passage, or to or from any of the several Places aforesaid, shall attend for the Purpose of being examined as to their Qualifications, Skill, and Ability, by such Persons as the said Commissioners, or any Five of them, shall then and there appoint for that Purpose; and that every Person who shall, at any Time after such Meeting or Meetings so to be held as aforesaid, be desirous of working for Hire upon the said Passage, or between any of the several Places aforesaid, shall, before he shall begin so to do, make Application to the said Commissioners at some Meeting to be held in pursuance of this Act, and shall attend for the Purpose of being so examined as aforesaid, at such Time and Place, and before such Person or Persons, as the said Commissioners, or any Five or more of them, at such Meeting shall direct.

Commis-
sioners em-
powered to
licence Wa-
termen.

XVI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and they are hereby empowered and required, under their Hands and Seals, to licence every of the said Watermen who shall on such Examination be found duly qualified to act as such Watermen, which said Licences shall be numbered in progressive Order, and a Minute thereof, and of the Name and Place of Abode of such Waterman, entered by the Clerk to the said Commissioners in a Book to be kept for that Purpose; and that at the same Time a corresponding Number to that in the Licence shall be given to the Party to whom such Licence shall be granted, which Number, and the Name and Place of Abode of the Person to whom the same shall be given, shall be painted in legible Letters and Figures on some conspicuous Part on the Inside of every Boat used by such Waterman, and shall be from Time to Time renewed as the same shall be defaced or obliterated.

Commis-
sioners to grant
and renew
Licences.

XVII. And be it further enacted, That all and every such Licence, which shall be granted before the First *Tuesday* in the Month of *November* next, shall, unless revoked in pursuance of the Provisions herein contained,

tained, continue in force until and upon the First *Tuesday* in the Month of *November* in the Year of our Lord One thousand eight hundred and ten, and no longer; and that every Licence which shall be granted on or after that Day, shall, unless so revoked, continue in force until and upon the First *Tuesday* in the Month of *November* next after granting the same, and no longer; and that at the Meeting which shall be so held in the Month of *November* in every Year, or at any Adjournment or Adjournments thereof, the Commissioners present, or any Five or more of them, shall and they are hereby required to grant to every Waterman whose Licence shall be then in force a further or renewed Licence, which, unless such Licence shall be revoked in pursuance of the Provisions herein contained, shall continue in force until and upon the First *Tuesday* in the Month of *November* in the then next Year; and that every such renewed Licence shall bear the same Number as the original Licence, or such other as the said Commissioners shall think fit, and a like Minute thereof, and of the Name and Place of Abode of such Waterman shall be entered by the Clerk, and, together with the Name and Place of Abode of the Waterman, shall be affixed, painted, and kept on the respective Boats, as is herein-before directed with respect to original Licences.

XVIII. And be it further enacted, That the Clerk to the said Commissioners shall and he is hereby required, within Thirty Days next after each and every licensing Day, to make out a correct List of the Persons who shall on such preceding licensing Day have obtained any original or renewed Licence, with his Number, Name, and Place of Abode; and that all Persons may have Access thereto and be at Liberty to inspect the same at the Office or Place of Abode of such Clerk, on any Morning between the Hours of Eleven in the Forenoon and Three in the Afternoon, on Payment of the Sum of One Shilling if the Person desiring such Inspection be not a licensed Waterman, and without any Fee or Reward if he be so.

Clerk to make
List of licensed
Watermen.

XIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners by any original or renewed Licence, to restrict and prevent any Waterman to whom the same shall be granted, and who in their Judgement shall by reason of his Age or Infirmary be unfit to work outside the Harbour, from working without the said Harbour; and that upon obtaining any original or renewed Licence, the Party applying for the same shall pay to the Commissioners, or their Clerk and Treasurer, the Sums following; (that is to say), if such Licence shall be a general one for working both within and without the Harbour, the Sum of Twenty Shillings, and if for working within the Harbour only the Sum of Ten Shillings, of which said respective Sums paid for any original Licence the Clerk and Treasurer may retain Two Shillings and Sixpence for his own Trouble, and the Residue thereof shall be applied towards the Expences of carrying this Act into Execution: Provided nevertheless, that if the Monies to be so paid shall, in the Judgement of the said Commissioners, at any Time appear to the said Commissioners, at any Meeting to be held in pursuance of this Act, to be more than sufficient to defray the Expences of carrying the same into Execution, it shall and may be lawful for the said Commissioners from Time to Time to reduce the same, and at any other Time to reduce the same again, so nevertheless

Watermen
may be re-
stricted to
work within
the Harbour
only, and
to pay for
Licence.

Watermen to
give Notice
of Removal.

that they shall at no Time exceed the Sums herein-before mentioned: Provided nevertheless, that if at the Time of any Application for a Licence by a Person not before licensed, the Commissioners shall think the Number of licensed Watermen to be such that it would be inconvenient to increase the same, they shall not be bound to licence the Person so applying, unless such Person shall have served an Apprenticeship of at least Three Years to some licensed Waterman: Provided also, that if after the Licence so obtained as aforesaid any such Waterman shall remove from the Place of Abode expressed in such Licence, then and in such Case he shall, within Three Days next following the Day of such Removal, give Notice thereof to the Clerk of the said Commissioners for the Time being, and so from Time to Time as often as he shall change his Place of Abode.

Watermen to
give in the
Names of
Apprentices
and Assistants.

XX. And be it further enacted, That every Waterman shall and he is hereby required, at the Time of his obtaining any original or renewed Licence, to give to the Clerk to the said Commissioners the Name and Names of every Apprentice and Assistant employed by him, and on every Change of such Apprentice or Assistant, to give in the Name of the Person or Persons succeeding such Apprentice or Assistant respectively, within Three Days next after the Day of such Change; and upon the taking of any Apprentice, or Employment of any Assistant after obtaining such Licence, within Three Days next after the Day of such last-mentioned Taking or Employment, in like Manner to give unto such Clerk the Name or Names of such last-mentioned Apprentice or Assistant, under the Penalty of Twenty Shillings for every Offence contrary hereto; and that the Name of every such Apprentice and Assistant shall be forthwith entered by such Clerk in the Book in which the Entry of the Licences is directed to be made, and in the List herein-before directed to be made out.

Licensed
Watermen
may take
One Ap-
prentice.

XXI. And be it further enacted, That it shall and may be lawful to and for every such licensed Waterman to have Apprentices, but not more than Two at the same Time, nor to take the Second till the First hath served Two Years of his Apprenticeship.

Boat not to
be entrusted
solely to the
Care of an
Apprentice.

XXII. And be it further enacted, That it shall not be lawful for any such Apprentice, until he shall have attained the full Age of Eighteen Years, and have been apprenticed for the Space of Two Years, to take upon himself the sole Care and Management of any Boat; and in case any such Apprentice shall offend herein, or any licensed Waterman shall permit any Boat to be under the Care or Management of any Person or Persons other than himself, or some other licensed Waterman, or of some Person who shall be of the Age of Eighteen Years and shall have served at least Two Years of his Apprenticeship, the Master of the said Apprentice or such licensed Person so offending as aforesaid, shall forfeit and pay for every such Offence the Sum of Five Pounds, to be levied, recovered, paid, and applied in Manner herein-after mentioned; and if sufficient Distress cannot be had, he shall be committed to the House of Correction where the Complaint shall be heard, for any Time not exceeding Two Calendar Months.

Penalty on
Persons work-
ing on the

XXIII. And be it further enacted, That if any Waterman or other Person (except an Apprentice to a licensed Waterman who shall have attained

attained the Age of Eighteen Years, and shall have served Two Years of his Apprenticeship, and shall be using the Boat of his Master) shall work for Hire upon the said Passage or between any of the Places aforesaid, without having obtained such Licence as aforesaid, or after the same shall have been revoked, or after the Time for which the same is hereby declared to be in force, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be levied, recovered, paid, and applied in Manner herein-after mentioned; and if sufficient Distress cannot be had, he shall be committed to the House of Correction where the Offence shall be heard, for any Time not exceeding Three Calendar Months.

said Passage
without a
Licence.

XXIV. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any such Waterman or Apprentice, so having the Charge of his Master's Boat as aforesaid, to receive, take into, or carry in his Wherry or Boat at one and the same Time, any more than Ten Persons in fair Weather, or than Six when such Flag shall be or remain hoisted as aforesaid; and in case any such Waterman or Apprentice shall take or receive into or carry in his said Wherry or Boat any greater Number of Persons than are respectively allowed to be carried as aforesaid, every such Waterman or Apprentice so offending, and being thereof convicted by the Oath of One or more credible Witnesses or Witnesses, or by Confession of the Party or Parties, before any One or more of His Majesty's Justices of the Peace for the said County of *Southampton* or Borough of *Portsmouth* respectively, or on View of any such Justice or Justices, shall for every such Offence forfeit the Sum of Five Pounds, to be levied, recovered, paid, and applied in Manner herein-after mentioned; and if sufficient Distress cannot be had, he shall be committed to the House of Correction of the County, Borough, or Place where the Complaint shall be heard, for Two Calendar Months; and it shall and may be lawful for the said Commissioners, or any Five or more of them, to revoke the Licence granted to such Waterman, and he shall not again be licensed.

Watermen
to take no
more than
Ten Passengers
in fair Wea-
ther and Six
in foul, under
Penalty of 5*l.*

XXV. And be it further enacted, That the said licensed Watermen shall keep their Boats in good Repair, Order, and Condition, and well and sufficiently provided with Masts, Sails, Oars, Rudder, and all other proper Gear and Tackle, and that whenever any such Watermen shall be hired to go to any Place, Ship, or Vessel without the said Harbour of *Portsmouth*, they shall provide themselves with and have in their respective Boats Two Sets of Sails, one adapted for fair and the other for foul Weather, and that on such Occasions every such Waterman shall have at least One Assistant; and that it shall and may be lawful to and for any Two or more of the said Commissioners, or any Person or Persons to be specially appointed by the Commissioners under this Act, or any Five or more of them, at some Meeting to be holden pursuant to the Provisions of this Act, and who shall be paid such Sum and Sums of Money for their Service as the said Commissioners, or any Five or more of them, shall from Time to Time direct, from Time to Time to inspect the said Boats, and for any Two or more of such Commissioners, or such Person so to be appointed, to order such of the said Boats as shall and may be found deficient in any Respect to be laid by, and such Boat shall not be used again till the Defect shall have

Boats to be
kept in good
Condition.

have been repaired, and the said Boats shall have been inspected and approved of by the said Commissioners, or any Two or more of them, or by such Person or Persons so to be specially appointed as aforesaid; and in case any such Waterman shall use any Boat not in good Repair and Condition, and well and sufficiently provided with Masts, Sails, Oars, Rudder, and other proper Gears and Tackle, or without its Number, and the Name and Place of Abode of such Waterman painted in legible Figures and Letters in some conspicuous Part on the Inside thereof, or, on being hired to go to any Place or Ship without the said Harbour of *Portsmouth*, shall not provide himself with and have on board the said Boat Two Sets of Sails as aforesaid and One Assistant, or shall presume to use any Boat which shall have been declared insufficient as aforesaid, until such Boat shall have afterwards been inspected and approved of by the said Commissioners, or any Two or more of them, or by such Person or Persons so to be appointed as aforesaid; or if any Person who shall be licensed only to work within the said Harbour shall use his Boat for Hire on the Outside thereof, every such Waterman so offending shall for every such Offence forfeit the Sum of Forty Shillings, to be levied and recovered, paid, and applied in Manner herein-after mentioned.

Seven Commissioners may make Orders at any of their Meetings for carrying this Act into Execution.

XXVI. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may from Time to Time, at any of their Meetings to be held pursuant to the Provisions of this Act, make such Bye Laws, Orders, Rules, and Regulations, as to them, or the major Part of them present at any such Meeting, shall appear necessary for the better and more effectually carrying this Act into Execution, and the Regulation of the said Watermen, and fixing the Hours, Days, and Times during which they may be prohibited from working, and also for the Regulation and Government of the several Persons to be appointed to hoist the said Flag and to inspect the said Boats, and to annex such reasonable Penalties and Forfeitures for the Breach thereof, as they shall in their Discretion think meet, so that no such Penalty shall exceed the Sum of Five Pounds for any Offence, and provided that such Bye Laws, Orders, Rules, and Regulations, be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or inconsistent with any of the Provisions and Directions of this Act; and all such Bye Laws, Orders, Rules, and Regulations, shall be subject to Appeal as in this Act directed.

Commissioners may revoke Orders, &c.

XXVII. Provided always, and it is hereby enacted, That all such Orders, Rules, and Regulations may be revoked, amended, varied, altered, or made void by the said Commissioners, or any Seven or more of them, at any of their Meetings to be holden by virtue of this Act, in such Manner as they, or any Seven or more of them, shall think proper; and that such Orders, Rules, and Regulations, and all Amendments, Variations, and Alterations therein, shall from Time to Time be printed and made publick, and the Breach of any such Rules, Orders, and Regulations shall be punishable, and the Penalties and Forfeitures for the Breaches recoverable by and before any Justice or Justices of the Peace for the said County of *Southampton* or Borough of *Portsmouth* respectively, in such and the like Manner as any other Penalties and Forfeitures may be recovered by virtue of this Act.

XXVIII. And

XXVIII. And whereas the Hard or Landing Place from the said Harbour of *Portsmouth* on the *Gosport* Side thereof is liable to be much injured by Ships, Vessels, Lighters, Barges, Boats of Burthen, or other Boats lying thereon, which by due Care in the Persons having the Command of such Ships, Vessels, Lighters, Barges, Boats of Burthen, and other Boats may be avoided, be it therefore further enacted by the Authority aforesaid, That, from and after the passing of this Act, if any Master, or other Person having the Command of any such Ship, Vessel, Lighter, Barge, Boat of Burthen, or other Boat, shall place or permit, or suffer any such Ship, Vessel, Lighter, Barge, Boat of Burthen, or other Boat, to lie over or upon the said Hard or Landing Place on the *Gosport* Side of the said Harbour of *Portsmouth*, every such Master, or other Person having the Command of any such Ship, Vessel, Lighter, Barge, Boat of Burthen, or other Boat, so placed, permitted, or suffered to lie over or upon the said Hard, shall for every such Offence forfeit and pay the Sum of Five Pounds, to be levied, recovered, paid, and applied in Manner herein-after mentioned.

Penalty on Vessels lying on Gosport Hard.

XXIX. And be it further enacted, That all Penalties and Forfeitures imposed by this Act, or by any such Bye Law, Order, Rule, and Regulation made in pursuance thereof (the Manner of Recovery whereof is not otherwise particularly mentioned), shall and may, if not otherwise sooner paid, be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace in or for the County of *Southampton*, or in or for the County, City, Borough, Town, Division, or Place wherein such Offender or Offenders shall be or reside, or where such Goods and Chattels shall be, which Warrant such Justice or Justices is and are hereby empowered and required to grant, such Offender or Offenders having been first convicted of any Offence or Offences done or committed contrary to the true Intent and Meaning of this Act, before any One or more Justice or Justices of the Peace for the said County of *Southampton* or Borough of *Portsmouth*, according to their respective Jurisdictions under this Act, upon the Oath of One or more credible Witness or Witnesses, which Oath the said Justice and Justices is and are hereby empowered to administer, or on the Confession of the Offender or Offenders; and the said Penalties and Forfeitures when recovered, rendering the Overplus (if any be), after deducting the Expence of such Distress and Sale, upon Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, shall be paid to the said Commissioners, or any Five or more of them, and shall be applied (if not otherwise directed to be applied by this Act) for and towards the Purposes of this Act; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for such Justice or Justices, and he and they are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County, City, Borough, Town, or Place where such Offender or Offenders shall be or reside, for any Time not exceeding Two Calendar Months where the Penalty shall not amount to Five Pounds, but in all Cases where the Penalty shall amount to or exceed that Sum, and where no other Punishment on Non-payment thereof shall be herein-

In what Manner Penalties (unless otherwise particularly directed) are to be recovered.

[Loc. & Per.]

43 T

before

before directed to be inflicted, the said Offender or Offenders shall be committed as aforesaid, for any Time not exceeding Six Calendar Months, unless such Penalties and Forfeitures respectively shall be sooner paid.

Informations for Offences to be given within Three Months.

XXX. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, unless Information shall be given of such Offence or Offences within Three Calendar Months next after the Offence shall have been committed.

Allowing a concurrent Jurisdiction to the Justices for Southampton and the Borough of Portsmouth, in certain Cases,

XXXI. And, for the better enforcing due Obedience to this Act, and ascertaining the Mode of Recovery of the respective Penalties, be it further enacted, That the Justices of the Peace of the said County of *Southampton*, as to Offences committed in the said County out of the Borough of *Portsmouth* aforesaid, and the Justices of the Peace of the said Borough of *Portsmouth*, as to Offences committed within the said Borough of *Portsmouth*, and every of them, shall have full Power and Authority by virtue of this Act, upon Complaint made to them or any of them by any Person or Persons, to examine, hear, and determine by the Oath of One or more Witness or Witnesses (which Oath each and every of them are hereby authorized to administer), or by the Confession of the Offender, all Complaints or Offences to be done or committed within their said respective Jurisdictions, contrary to the true Intent and Meaning of this Act: Provided nevertheless, that where any Offence against this Act shall be committed upon the Water within the Harbour of *Portsmouth*, the Justices of the Peace for the County of *Southampton*, and those for the Borough of *Portsmouth*, shall have a concurrent Jurisdiction as to such Offences, and the Parties making Complaint thereof may make such Complaint to the one or the other as they shall think proper.

XXXII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; that is to say,

Form of Conviction.

‘ County of Southampton or Borough }
 ‘ of Portsmouth, to wit, } **BE** it remembered, That on this
 ‘ Day of in the
 ‘ Year of the Reign of *A. B.* is convicted
 ‘ before Justice or Justices of the
 ‘ Peace for of having [*as the Offence may be*] and I [*or,*
 ‘ we] the said Justice or Justices do adjudge him, [*her, or them*] to forfeit
 ‘ and pay for the same the Sum of and for the Costs of
 ‘ Prosecution the Sum of Given under my Hand and
 ‘ Seal [*or, our Hands and Seals*] the Day and Year first aforesaid.’

Offenders convicted to pay the Expence of Summons and Conviction.

XXXIII. And be it further enacted, That if any Person or Persons shall be guilty of any Offence against this Act, or any of the Powers or Directions herein contained, and shall be thereupon summoned, or shall appear before any One or more Justice or Justices of the Peace, and such Person or Persons shall be convicted of any such Offence, every such Person or Persons shall pay the Costs of such Summons and Conviction, and the Distress to be taken in consequence of such Conviction shall be for such Costs, as well as the other Monies for which such Distress shall be

be made; any Statute, Law, Custom, or Usage to the contrary in anywise notwithstanding.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful to and for the Justice or Justices of the Peace, before whom any of the specifick Penalties or Forfeitures by this Act imposed shall be recovered, to mitigate, compound, or lessen any of the said Penalties or Forfeitures as he or they in his or their Discretion shall think fit, so as that the same be not mitigated or reduced to less than One Moiety or Half Part thereof, together with Costs as aforesaid.

Mitigation of Penalties.

XXXV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties distrained be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall be afterwards done by him or them; but the Party or Parties aggrieved by such Irregularity shall or may recover full Satisfaction for the special Damages, together with Costs of Suit, in an Action of Trespass or on the Case, at his, her, or their Election.

Distress not to be deemed unlawful for Want of Form only.

XXXVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Thirty Days Notice thereof shall have been first given in Writing to the Clerk and Treasurer of the said Commissioners, signed by the Plaintiff or Plaintiffs, and stating his, her, or their Place of Abode, and unless the same shall be commenced before the Expiration of Six Calendar Months next after the Fact committed, nor after Tender of reasonable Amends shall have been made by or in Behalf of the Defendant or Defendants in such Action or Suit, nor unless such Action or Suit shall be laid or brought in the County of *Southampton*; and the Defendant or Defendants, in any such Action or Suit to be commenced for any Thing done in pursuance of this Act, shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act; and if such Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Thirty Days Notice thereof was given in Manner aforesaid, or such Notice shall not state the Plaintiff or Plaintiffs true Place or Places of Abode, or that such Action or Suit was not commenced before the Expiration of Six Calendar Months next after the Fact committed; or if it shall appear that Tender of reasonable Amends was made by or on the Behalf of the Defendant or Defendants in such Action or Suit, before such Action or Suit was commenced or brought, or if the Venue in such Action or Suit shall be laid in any other County or Place than the County of *Southampton*, then the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and

Limitation of Actions.

and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any Case by Law, and the Plaintiff or Plaintiffs shall not in such Action be permitted to give any Thing in Evidence which shall not have been expressed in such Notice, and it shall be incumbent on the Plaintiff or Plaintiffs to prove such Notice to have been given, or in Default thereof the Defendant or Defendants shall be entitled to such Verdict and Costs as aforesaid.

Informers
may be re-
warded out
of the Penal-
ties.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace for the said County of *Southampton* or Borough of *Portsmouth* before whom such Persons shall be convicted, or the said Commissioners, or any Five or more of them, from Time to Time, if they shall see Cause, to pay and apply such Part of the Penalties and Forfeitures to be recovered for any Offence or Offences committed against this Act as they shall think proper, not exceeding One Moiety of them, or any of them, to and for the Use of the Informer or Informers of such respective Offence or Offences; any Thing herein contained to the contrary notwithstanding.

Appeal.

XXXVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, such Person or Persons shall and may, as to Things done in the said County of *Southampton* and out of the said Borough, appeal to the Justices of the Peace for the County of *Southampton*, and as to Things done within the said Borough of *Portsmouth*, to the Justices of the said Borough, at the then next General or General Quarter Sessions of the Peace which shall be holden in and for the said County or Borough respectively, after the Expiration of Twenty Days from the Cause of such Appeal, such Appellant first giving or causing to be given Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Cause thereof, to the Clerk to the said Commissioners, and within Two Days next after such Notice given, entering into a Recognizance or Recognizances before some Justice of the Peace for the said County or Borough, as the Case may require, with Two sufficient Sureties, in the Penalty of Thirty Pounds, conditioned to try such Appeal at such Sessions, and abide the Order of, and to pay such Costs as shall be awarded by the said Justices upon the Hearing of the said Appeal; and the said Justices, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall at the said Sessions to which the said Appeal shall be made, or if they shall see fit to adjourn the same, at the Sessions then next following at farthest, hear and finally determine the Causes and Matter of such Appeal in a summary Way, and award such Costs for the Appellant or Appellants, or Respondent or Respondents, as they the said Justices respectively shall think proper; and the Determination of such Justices shall be final, binding, and conclusive to all Parties concerned or interested therein: Provided nevertheless, that all Appeals against Convictions before any Justice or Justices for the Borough of *Portsmouth* shall be made to the Sessions for the said Borough, and all Appeals against Convictions before any Justice or Justices of the Peace for the County of *Southampton* shall be made to the Sessions for the County at large.

XXXIX. And

XXXIX. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order, Matter, or Thing to be done or transacted in or relating to the Execution of this Act, shall be removed by *Certiorari*, or vacated or quashed for the Want of Form only; any Law or Statute to the contrary notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

XL. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Waterman or Watermen working across the Lake between *Haslar* and *Gosport*, in the Ferry Boat or Ferry Boats belonging to the Commissioners of His Majesty's Transport Service for the Care of sick and wounded Seamen, and for the Care and Custody of Prisoners of War; but that the Waterman or Watermen working the said Ferry Boat or Boats of the said Commissioners may at all Times work the same without any Controul or Interference of the Commissioners named or to be named under the Authority of this Act, as if this Act had not been made.

This Act not
to extend to
Watermen
working on
Haslar Lake.

XLI. Provided always, and be it further enacted, That nothing herein contained shall be deemed or construed to take away, prejudice, or lessen the Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions of the Mayor, Aldermen, and Burgeses of the Borough of *Portsmouth*, in their Corporate Capacity to them belonging or appertaining; but that the said Mayor, Aldermen, and Burgeses shall and may from Time to Time and at all Times hereafter have, hold, exercise, and enjoy all such Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions, in as full, ample, and beneficial Manner to all Intents and Purposes, as they might have held and enjoyed the same before the passing of this Act, or in case the same had never been made; and provided always, that nothing herein contained shall abridge or lessen the exclusive Jurisdiction of the Justices of the Peace for the said Borough of *Portsmouth*, within or upon the Water of the Harbour of *Portsmouth*, or to give any Jurisdiction therein or thereupon to the Justices for the County at large, save only for the Purpose of carrying this Act into Execution, and recovering the several Penalties imposed hereby, or to be imposed by virtue of any Bye Law, Rule, Order, or Regulation to be made by virtue hereof.

Saving the
Rights of
the Corpo-
ration of
Portsmouth.

XLII. Provided always, and be it further enacted, That nothing herein contained shall be deemed or construed to take away, prejudice, or lessen the Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions of the Bishop of *Winchester*, as Lord of the Manors of *Gosport* and *Alverstoke*, or otherwise to him belonging or appertaining; but that the said Bishop of *Winchester* shall and may, from Time to Time, and at all Times hereafter, have, hold, exercise, and enjoy all such Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions, in as full, ample, and beneficial Manner, to all Intents and Purposes, as he might have held and enjoyed the same before the passing of this Act, or in case the same had never been made, so as such Liberties, Customs, Privileges, Franchises, Immunities, Exemptions, Rights, Powers, and Jurisdictions, do not defeat the End or Design of this Act, or the Acts of the said Commissioners in pursuance hereof.

Saving the
Rights of the
Bishop of
Winchester.

Publick Act.

XLIII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1809.