

non-suit or forbear further prosecution, or suffer discontinuance, or if a verdict pass against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their, double costs, for which he, she, or they, shall have the like remedy, as in cases where the costs by law are given to the defendants; and if any such action or suit as aforesaid shall be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court before which such action or suit shall be commenced or prosecuted, shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow him his double costs of suit in all such cases as aforesaid.

II. And be it also enacted by the authority aforesaid, That if any action or suit hath been already commenced against any person or persons for any such act, matter, or thing, so advised, commanded, appointed, or done, or forborne to be done, it shall and may be lawful for the defendants or defenders in such action or suit respectively, in whatever court in *Great Britain* and in the said *West India* islands such action or suit shall have been commenced, to apply to such court or courts respectively, to stay all proceedings therein respectively, by motion in a summary way, and such court or courts are hereby required to make order for that purpose accordingly; and the court or courts making such order shall allow and award to the defendants or defenders respectively double costs of suit, for which they shall respectively have the like remedy, as in cases where the costs are by law given to defendants or defenders.

C A P. LVIII.

An act for requiring all boats, barges, and other vessels, of certain descriptions, used on navigable rivers, and on inland navigations, in Great Britain, to be registered.—[May 5, 1795.]

WHEREAS it is expedient to ascertain the quantity of vessels employed in the inland trade and navigation of Great Britain, and the number of men retained in navigating the same; 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 every lighter, barge, boat, wherry, or other vessel, exceeding the burthen of thirteen tons, which, from and after the fifteenth day of *June* one thousand seven hundred and ninety-five, shall be worked, rowed, or navigated, in or upon any river, canal, or other inland water or navigation in *Great Britain*, shall be registered in manner herein-after mentioned; and that the person or persons claiming the property therein shall, on or before the said fifteenth day of *June* one thousand seven hundred and ninety-five, cause the same to be registered, and shall obtain a certificate of such registry from the clerk of

Preamble.
From June 15, 1795, every vessel exceeding 13 tons used on navigable rivers, and inland navigations, to be registered.

Anno regni tricesimo quinto GEORGII III. c. 58. [1795.

the peace, town clerk, sheriff depute, or steward clerk, of the county, riding, shire, stewartry, division, or place, to which such lighter, barge, boat, wherry, or other vessel shall belong, in the manner herein-after directed, or from their respective deputies; and that every such register and certificate respectively shall truly set forth, whether the vessel so to be registered be a lighter, barge, boat, wherry, or what other vessel, and also the name or names, with the place or places of abode of the master or person having the charge or command thereof, together with the number and capacities of all and every person and persons respectively then and usually employed in working the same, and also the burthen thereof, and also, to the best of his or their belief, shall give a just account of the line and extent of the navigation in which such vessel hath been usually navigated, and where situated; and that the form of such certificate shall be as follows; viz.

Certificate of registry to be in the following form.

‘ IN pursuance of an act, passed in the thirty-fifth year of the
 ‘ reign of King *George* the Third, intituled, *An act* [here set
 ‘ forth the title of the act] having this day declared
 ‘ to me , clerk of the peace for the of
 ‘ that is at present master of the
 ‘ and that the said admeasures tons, and
 ‘ no more and is at present worked by the number of
 ‘ persons, in the several capacities under-mentioned; viz.

Number of men employed on board the	Capacity on board.

‘ And that the line and extent of the navigation in which the
 ‘ said has been usually navigated is from
 ‘ to extending miles, or thereabouts;
 ‘ I do hereby certify, that the said is duly registered
 ‘ at my office, and described under the particulars herein set
 ‘ forth. Given under my hand at this
 ‘ day of in the year of our Lord

‘ Signed *A. B.*’

Fee for registry and certificate.

For which registry and certificate so granted, every such clerk of the peace, town clerk, sheriff depute, or steward clerk, shall be entitled

entitled to demand and receive from the person making such register, and granting such certificate, the fee of two shillings and sixpence, and no more.

II. And be it further enacted by the authority aforesaid, That every particular herein-before required to be inserted in the register to be entered under this act, and certificate to be granted thereupon, shall be verified on the oath or affirmation of the master or other person having the charge or command of such vessel previous to the registry thereof, (if the same shall be required by any person or persons appointed, as herein-after is mentioned, by the commissioners for the time being for executing the office of lord high admiral of *Great Britain*, or any three or more of them, (which oath may be administered by the chief magistrate of any city, borough, or town corporate, or by any justice of the peace residing near the place of such registry), and for the administering of which oath or affirmation the sum of one shilling, and no more, shall be paid.

Particulars of registry to be verified on oath of the master if required, &c.

III. And be it further enacted by the authority aforesaid, That the said commissioners of the admiralty may, and they are hereby authorized to appoint, by warrant or commission under their hands, in every county, riding, shire, stewartry, division, or place, in *Great Britain*, (when and wherever they shall see occasion), one or more person or persons to survey, examine, and admeasure, all such vessels as aforesaid, as shall be kept or worked in or upon any such river, canal, or other inland water or navigation, as aforesaid; and that, on the production of any such warrant or commission, the master, or other person having the charge or command of any such vessel, which shall be kept or worked in or upon any such river, canal, or other inland water or navigation, and which shall have been registered, and shall have procured a certificate of the registry thereof, shall, upon demand, produce such certificate of registry to such officer or officers; and such officer or officers respectively (taking to his or their assistance, if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of such vessels) shall and may, and he and they is and are hereby authorized to go on board every vessel kept, worked, or rowed, as aforesaid, (whether such vessel shall have been registered under this act or not), and accurately examine and admeasure the same, as to all and every particular contained, or directed to be inserted in the register or certificate herein-before required, in the presence of the master, or of such other person as shall have the charge of such vessel, and shall set down in writing a just account of all such particulars as are specified or required by this act to be specified in the register, or certificate of registry above-mentioned, and shall require the master, or other person aforesaid, to sign his name to the account of such surveying officer or officers; and such master, or other person aforesaid, shall sign his name to such account accordingly, unless he shall dissent from the particulars set forth and described therein, in which case such master or other person shall, and he is hereby required to set down in writing accounts.

Admiralty to appoint surveyors of vessels.

Masters to produce certificates of registry to surveyors, who may admeasure vessels, &c. and require masters to sign accounts of particulars of registry.

Masters dissenting, to set down their reasons at the foot of such

writing his reasons for such dissent at the foot of such account, and sign the same accordingly

Penalty on persons neglecting to register vessels, delivering false descriptions, obstructing surveyors, making false registers, granting false certificates, or neglecting to grant certificates.

IV. And be it further enacted by the authority aforesaid, That if any person or persons herein required to cause any such vessel to be registered shall neglect or refuse to register the same, and demand a certificate thereof, within the time herein limited for that purpose; or shall wilfully deliver to any person or persons hereby authorised to make such registry as aforesaid, a false description of any of the particulars hereby required to be contained in such register, and certificate thereof; or shall wilfully obstruct any surveying officer or officers, or any person or persons acting in his or their aid or assistance, in surveying, examining, or admeasuring, any such vessel, or in going on board, or being on board the same for that purpose, or shall assault such surveying officer or officers, or any person acting in the aid or assistance of such surveying officer or officers, in the execution of this act; or if any person or persons herein-before authorised to make such registry, and grant such certificates of registry, or to survey, examine, or admeasure any such vessel, and to take an account thereof, shall knowingly make any false register, or grant any false certificate, or make out any false account in regard to any of the particulars required by this act, or shall refuse or wilfully neglect to grant a certificate, (the same being demanded according to the directions of this act), he or they, on being convicted thereof in any of his Majesty's courts of record at *Westminster*, courts of oyer and terminer or general gaol delivery in *England*, or courts of great sessions in *Wales*, or in the court of justiciary or the court of exchequer in *Scotland*, shall respectively forfeit the sum of twenty pounds.

Vessels used without registry forfeited, and the master liable to penalty.

V. And be it further enacted by the authority aforesaid, That if any lighter, barge, boat, or other vessel, exceeding the burthen of thirteen tons, as aforesaid, shall be worked, rowed, or navigated, in or upon any river, canal, or other inland water or navigation, at any time after the said fifteenth day of *June* one thousand seven hundred and ninety-five, during the continuance of this act, without being duly registered, and certificate thereof duly obtained, according to the directions of this act, every such lighter, barge, boat, wherry, or other vessel shall be forfeited and lost, and shall and may be seized by any such surveying officer or officers appointed under the authority of this act; and the master, or other person having or taking the charge or command thereof shall, for every day on which such lighter, barge, boat, or other vessel, shall be worked, rowed, or navigated, as aforesaid, contrary to this act, forfeit the sum of ten pounds.

Burthen, names of the owners, &c. to be painted on vessels, on penalty.

VI. And be it further enacted, That every owner or master of any lighter, barge, boat, wherry, or other vessel, passing upon any such river, canal, or inland water or navigation, shall cause the true number of tons burthen thereof, and also the name or names of the owner or owners thereof, and the place to which such vessel shall belong, to be painted in large white capital figures on a black ground, four inches in length at the least, and

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of a proportional breadth on the outside of the stern of every such lighter, barge, boat, wherry, or other vessel, higher than the place to which the same shall sink into the water when fully laden, and to continue the same thereupon in a distinct and legible manner, so long as such vessel shall be used as aforesaid; and every owner, master, or other person having the care or command of any lighter, barge, boat, wherry, or other vessel, or who shall navigate the same upon any such river, canal, or other inland water or navigation, without having such figures thereon as herein-before directed, or who shall wilfully alter, erase, deface, or destroy, such figures, or any part thereof, shall, for every such offence, forfeit and pay any sum not exceeding twenty pounds, nor less than five pounds.

VII. And be it further enacted by the authority aforesaid, That as to every lighter, barge, boat, wherry, or other vessel, which shall begin to be kept or worked at any time after the said fifteenth day of *June* one thousand seven hundred and ninety-five, and during the continuance of this act, in or upon any such river, canal, or other inland water or navigation, the same shall be duly registered, and certificate thereof duly obtained, in the manner herein-before directed; and shall be surveyed and admeasured, and the burthen thereof ascertained, and duly marked, according to the directions of this act, before the same shall be so worked, or rowed or navigated thereon, under pain of forfeiting the respective penalties and forfeitures herein-before mentioned, with respect to the like vessels so worked, rowed, or navigated, on or before the said fifteenth day of *June* one thousand seven hundred and ninety-five.

Vessels begun to be worked after June 15, to be registered, &c.

VIII. And be it further enacted by the authority aforesaid, That every person herein-before required and authorised to make and enter registers, and grant certificates, shall cause every such register to be duly entered in a book to be provided for that purpose, in the order in which the same shall be made; and shall, on or before the fifteenth day of *August* one thousand seven hundred and ninety-five, make out and transmit to the commissioners of the admiralty aforesaid, signed by him, and in his name, a true and faithful extract of all such registers, distinguishing, by the respective titles of such extracts, the particular rivers, canals, or other inland waters or navigations, in or upon which each lighter, barge, boat, wherry, or other vessel, then was and had been usually navigated; and which shall be made in the form following; *viz.*

Registers to be entered in a book, and by Aug. 15, 1795, an extract of them to be transmitted to the admiralty in the following form.

Navigation from _____ to _____ in the
of _____ extending _____ miles, or thereabouts,

No of vessels registered progressive.	Kind of vessel.	Burthen of D°.	Master's name.	Number of men employed.	Capacities.

Penalty for neglecting to transmit extracts of registers, &c.

And if any such person shall neglect or refuse to transmit such extract of all such registers, or shall wilfully transmit any false extract thereof, every such person shall, for every such offence, forfeit the sum of one hundred pounds.

To what places vessels shall be deemed to belong.

IX. And be it further enacted by the authority aforesaid, That the county, riding, division, shire, stewardry, or place, to which any such lighter, barge, boat, wherry, or other vessel, shall be deemed and taken to belong for the purposes of this act, shall be any one of the counties, ridings, shires, stewardries, divisions, or places, in which such river, canal, or other inland water or navigation, whereon such lighter, barge, boat, wherry, or other vessel, shall be worked, rowed, or navigated, shall run or be, or the master or other person having the charge or command thereof, shall usually reside.

Penalty for falsely swearing, counterfeiting certificates, &c.

X. And be it further enacted by the authority aforesaid, That if any person or persons shall falsely make oath to any of the matters herein-before required to be so verified, such person or persons shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and that if any person or persons shall counterfeit, erase, alter, or falsify, any certificate required or directed to be obtained by this act, or shall knowingly or wilfully make use of any certificate so counterfeited, erased, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of one hundred pounds.

Act not to extend to vessels of the royal family, or for pleasure.

XI. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall extend or be construed to extend to require to be registered, according to the directions of this act, any lighter, barge, boat, wherry, or other vessel, under whatsoever description the same may fall, being the property of his Majesty, or the royal family, or any of them, or any boat used solely for pleasure; any thing herein contained to the contrary thereof notwithstanding.

XII. And

XII. And be it further enacted by the authority aforesaid, That the penalties and forfeitures incurred by this act (except as herein is otherwise specially directed) shall and may be sued for, prosecuted, and recovered, in such courts, and be disposed of in such manner, and by such ways, means, and methods, as any penalties or forfeitures inflicted, or which may be incurred, for any offence committed against the laws of excise may now legally be sued for, prosecuted, recovered, and disposed of; and that the officer or officers concerned in seizures or prosecutions under this act, shall be entitled to and receive the same share of the produce arising from such seizures, as in the case of seizure for unlawful importation, and to such share of the produce arising from any pecuniary fine or penalty for any offence against this act, as any officer or officers is or are now by any law or regulation entitled to upon prosecutions for pecuniary penalties.

How penalties may be recovered and applied.

XIII. And be it further enacted by the authority aforesaid, That this act shall have continuance until the fifth day of *April* one thousand seven hundred and ninety-eight, and from thence until the end of the then next session of parliament, and no longer.

Continuance of act.

C A P. LIX.

An act for granting to his Majesty additional duties on distilleries in Scotland, and on the exportation of British-made spirits from England to Scotland, and from Scotland to England; and to amend an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland and from Scotland to England, for a limited time.—[May 5, 1795.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Preamble.

commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts to be passed in this session of parliament, have freely and voluntarily resolved to give and grant to your Majesty the further and additional duties herein-after mentioned; and do most humbly beseech 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, from and after the tenth day of *October* one thousand seven hundred and ninety-five, there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs, and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof by any act or acts

From Oct. 10, 1795, the following additional duties to be paid in Scotland:

of