

"Your committee would further observe, that where pilotage is compulsory it is generally the practice to limit the number of pilots, to prevent them from accepting a less sum than the fixed rates, and to make it compulsory on each pilot to take his turn, and to accept whatever employment may offer. If the obligation on the ship to employ a pilot were done away with, the corresponding limitations and obligations of the pilots would also be done away with, and the probable consequence would be that more men would offer, and the supply would adapt itself to the demand.

"The general regulations which it would be necessary to frame under the authority of Parliament in order to carry into effect the requisite change would be so simple as not to create any difficulty, your committee are of opinion that the pilots should be left under the local regulations of the existing pilotage authorities, who would fix the rates and the qualifications of the pilots to be licensed by the difficulties of the navigation and the wants of the place, subject to the approval of the Board of Trade.

"Your committee do not anticipate that any difficulty respecting the law and practice of insurance will accrue from the change. The law will thenceforth leave all parties at liberty to form a free contract; and the merchant, the underwriter, and the shipowner will be competent to adjust their policy of insurance upon what terms they please. All experience proves that masters will avail themselves of the services of a qualified pilot in any navigation which is in the slightest degree dangerous, and the existing exemptions in respect of coasting vessels which gave rise at present to no difficulties, justify the anticipation, that if the pilotage of the foreign trade is thrown open, commerce and shipping may be relieved of restrictions which now in many cases fetter their efforts.

"In conclusion, it is right to add, that by an Act of Mr. Labouchere's in 1849, an important alteration was made, enabling pilotage authorities to grant licenses to competent masters and mates, which should free them from compulsory pilotage; and by the subsequent Act of 1853 and 1854 the Board of Trade was enabled, if the local authorities should refuse to act, to license the masters and mates themselves; and the number licensed by the Trinity House is steadily increasing, and that in more than one port where the local authorities have refused to act, the Board of Trade have exercised the power of licensing committed to them. Your committee cannot but consider this a great improvement in the previous state of things, though there are still numerous complaints." It is to be observed that this committee included the Members for Bristol and Liverpool, heretofore the stronghold of the compulsory system.

Under these circumstances Mr. Milner Gibson, who thoroughly understood the subject and had a strong opinion on the point, was much inclined to attack compulsory pilotage generally. As it was, he, in the Act 25 and 26 Vict. cap. 63., sec. 41 (1862), introduced a clause which was intended to exempt ships from compulsory pilotage when merely calling for orders or otherwise passing through a pilotage district without loading or discharging. Unfortunately it is so worded, that in the opinion of the law officers (which, however, has not been confirmed by the courts, and may be questioned) it does not exempt a ship calling for orders where the ultimate port of destination is not known at the time when she calls. It is construed as exempting a ship which puts into Falmouth in distress, or which passes through the Downs or Yarmouth Roads on her way to Hull or Newcastle, or through the Solent on her way to London. But it is supposed not to exempt a ship which puts into Falmouth in order to learn where she is to go.

As pilotage is a local matter and depends on local Acts no complete view of compulsory pilotage can be given without a reference to local cases.

The principal pilotage authority is the Trinity House of London, which, besides managing the pilotage of the Thames, can appoint sub-commissioners for any port which has no local pilotage Act of its own. Other ports are governed by their own local Acts. The accompanying Return (pp. 5. to 6*) gives a list of these authorities.

There is every variety in the pilotage laws of these different ports, so far as compulsory pilotage is concerned.

In the Trinity House districts there is compulsory pilotage (p. 376), but with the following large exemptions (p. 379), in addition to the general exemptions above referred to:—

- (1.) Ships employed in the coasting trade of the United Kingdom.
- (2.) Ships of not more than 60 tons burden.
- (3.) Ships trading to Boulogne, or to any place in Europe north of Boulogne.
- (4.) Ships from Guernsey, Jersey, Alderney, Sark, or Man, which are wholly laden with stone, being the produce of those islands.
- (5.) Ships navigating within the limits of the port to which they belong.
- (6.) Ships passing through the limits of any pilotage district on their voyages between two places both situate out of such limits, and not being bound to any place within such limits, nor anchoring therein.

These exemptions—for some of which no good reasons can be given—are considerably wider than those which existed under former Acts.

As has been stated, all coasters are exempt, and all vessels from or to ports in Europe north of Boulogne. This last exemption originally applied to the London district only, and was extended by "The Merchant Shipping Act, 1854," to the Trinity House outport districts. The Trinity House have asked to have the exemption confined as before, but the Board of Trade refused to attempt to confine any existing exemption. (See Parliamentary paper 455, 1862, Nos. 13 and 14.) There is really no sense or principle in the exemptions. A vessel from St. Petersburg is as likely to need a pilot either in London or the outports as one from Havre; and a vessel from Antwerp or Havre is as likely to require a pilot as one from Liverpool or Glasgow.

Vessels in ballast from one port of the United Kingdom to another have been exempted in Trinity House districts by bye-law. (See Parliamentary paper 455, No. 92.)

Under the local Acts relating to Liverpool, Dublin, the Clyde, Hull, and Bristol, pilotage is, I believe, compulsory on ships engaged in the foreign trade, and in some cases on certain coasters.

* Parliamentary paper 433, 1866.