

It is obvious that to do so is inconsistent with those principles of freedom of action in matters of trade which have prevailed of late years, and that the obligation must be maintained, if at all, by special and exceptional reasons, which do not apply to other employments. The reasons commonly alleged are as follows:—

1. That it is necessary in order to maintain a competent supply of pilots.

A practical answer to this reason seems to be that in those ports of this country where pilotage is voluntary the supply of pilots is as good as where it is compulsory; at Cork as at Falmouth, at Newcastle as at Liverpool, on the north as on the south side of the Thames. In fact, where pilots are really wanted they are as much, or nearly as much, employed under a voluntary as under a compulsory system. But with the great difference, that in the former case the responsibility rests with the employer, in the latter with the Government, legislature, or pilotage authority, in other words with nobody.

2. That it is necessary for the protection of the ship, its crew, and cargo.

In answer to this reason it may well be said that it is no part of the business of Government to take a ship out of the hands of those most interested in her safety. And that merchants, shipowners, and insurers are much better judges of what they need than Government can be.

3. That if the number of pilots is to be determined by Government, it is necessary, in order to fix their number and secure them employment, to require that all ships shall employ them.

The answer to this is that the number of pilots is best fixed by the demand for their services, and that this demand will in every large port secure the proper number of pilots. But this argument may, perhaps be best met by an illustration. Some Governments have fixed the number of bakers to be employed in a town. If, in order to do this effectually, these Governments were to require each inhabitant to buy and eat a certain quantity of bread, the argument would be a parallel one.

4. That it is necessary to place every ship in the hands of a pilot on entering a port, in order to prevent confusion and risk to other ships in the port.

This however, it may be said, is a matter not of pilotage, but of port regulation, and is generally so regarded. In the Thames, where a very large proportion of the ships which lie in the river are free from compulsory pilotage, and where harbour management is efficient, no difficulty is experienced. In Falmouth where there is no efficient harbour authority, but where pilotage is compulsory, there are constant complaints and disasters arising from the improper mooring of ships.

It will be seen from the above, that whatever may be the value of the arguments in favor of a compulsory system, they are not without replies.

But the case does not rest here. There are, over and above the general principle above referred to, other serious objections to the practice of compelling ships to employ pilots:

1. It is unjust, for it obliges many ships that do not require pilots to pay for keeping up a staff for those who do.

2. The captain and his officers, from their general knowledge and their acquaintance with their ship and crew, must often be better able to manage her, even in pilotage waters, than a pilot to whom the vessel is strange. To compel the former to give up charge to the latter may lead to disaster.

3. The system tends to create and maintain a body of protected monopolists, whose interests are not identical with those of the shipowner, who know that they must be employed, and whose independent services are probably not so readily or so effectively given as if their employment depended on their efficiency.\* As an illustration of this, may be mentioned the numerous enactments and regulations contained in the Pilotage Act and in the bye-laws of the pilotage authorities for the purpose of compelling pilots to do their duty; and the constant endeavour by fresh regulations to supply the want of that stimulus, which freedom of contract and employment would at once give.

4. A further and very serious objection is to be found in the consequence as regards liability, which has been so fully stated above.

The liability of the owner and his servants is put an end to, and the security against mismanagement arising from this liability is seriously diminished, whilst persons sustaining damage by collision are deprived of their remedy.

Looking to these various considerations, there can be no doubt that the arguments against compulsory pilotage are of greater weight than those in its favor.

Can it thus be at once put an end to? Can we say at once—

1. That no shipowner shall be compelled to employ a pilot?

2. That all pilotage authorities shall license all competent men who apply to them.

As regards the first point, the difficulties are—

1. The opposition of existing pilots. They have been very powerful in elections at Deal, Falmouth, Liverpool, and elsewhere. In future they will probably be less so.

2. The injury to the pilot funds. I do not think there is much in this. They will only, to all experience, earn as much under a voluntary as under a compulsory system. At any rate this difficulty might be met by a rise in pilotage rates.

3. The opposition of the large shipowners, who always take and always would take pilots; who get a staff of pilots kept up for them by others; and who, under the present law, are exempt from liability when their ships are in charge of a compulsory pilot.

This opposition is very formidable in London, Liverpool, Bristol, and Glasgow.

I am scarcely competent to form a judgment on the strength of these different sources of opposition. It is weakening, no doubt. The Deputy Master and some of the Elder Brethren of the Trinity House are now against compulsory pilotage. The steam shipowners are many of them against it; and even at Liverpool there are symptoms of a change of opinion.

But if we cannot do away with compulsory pilotage altogether, some or all of the following measures might be attempted:—

1. Make the owner liable for damage done by a compulsory pilot.

\* See a good letter from Mr. Carr, a north-country shipowner, Parliamentary paper, 455, 1862, No. 95.