



ANNO DECIMO

GEORGII IV. REGIS.

Cap. xxxiv.

An Act for the Improvement of the Harbour of
Aberdeen. [14th May 1829.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for deepening, cleansing, and making more commodious the Harbour of Aberdeen; for erecting new Piers and Quays therein; and for regulating Ships and Vessels trading into and going out of the said Harbour:* And whereas another Act was passed in the Thirty-fifth Year of His said late Majesty's Reign, intituled *An Act to continue the Term and alter and enlarge the Powers of An Act made in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act for deepening, cleansing, and making more commodious the Harbour of Aberdeen; for erecting new Piers and Quays therein; and for regulating Ships and Vessels trading into and going out of the said Harbour.'* And whereas another Act was passed in the Thirty-seventh Year of the Reign of His said late Majesty, intituled *An Act for enlarging and improving the Harbour of Aberdeen; for building new Quays, Wharfs, and Docks; and for making new Roads and Passages, and widening others, leading to and from the said Harbour:* And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act to amend several Acts of the Thirteenth, Thirty-fifth, and Thirty-seventh Years of His present Majesty, for deepening and making more commodious the Harbour of Aberdeen:* And whereas another Act was

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passed

53G.3.c.157. passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act for the further Improvement of the Harbour of Aberdeen*: And whereas by the said recited Acts considerable Alterations and Improvements were authorized to be made in the said Harbour, but which have not yet been fully executed; and it is desirable to complete and finish the same in Manner and according to the Map or Plan hereinafter mentioned; and for that Purpose it will be expedient that all the said recited Acts should be repealed, and that the Provisions contained therein should be amended and consolidated into One Act, and that further Powers should be granted as hereinafter mentioned: 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 all and every the said recited Acts shall, from and after the Twelfth Day of *July* One thousand eight hundred and twenty-nine, be repealed.

Repealing former Acts.

Magistrates and Council, Five Burgesses of Guild, and One Member of Incorporated Trades, to be Trustees.

II. And be it further enacted, That the Magistrates and City Council of *Aberdeen* for the Time being, together with Five Burgesses of Guild of the said City, and One Member of the Incorporated Trades of the said City, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Trustees for executing the Purposes of this Act; and the said Trustees, or a Committee of their Number, consisting of Nine Members of the said City Council, to be from Time to Time appointed by the said City Council, together with the said Five Burgesses of Guild and One Member of the Incorporated Trades, are hereby authorized and empowered, by themselves, their Agents, Workmen, and Servants, to make and execute all and singular the Works and Improvements shown upon the said Map or Plan; and also to deepen, cleanse, scour, and otherwise improve the said Harbour, and the Entrance thereof; and to maintain and keep in repair the Works, Buoys, Moorings, Lamps, Light Houses, and other Land Marks which have been already fixed and erected, and to make, erect, fix, and maintain such other or farther Works, Slips, Buoys, Moorings, Lamps, Light Houses, and other Land Marks, in, about, and adjacent to the said Harbour, as shall be judged necessary or proper by the said Trustees, for the Improvement of the said Harbour, and for the greater Safety and Accommodation of the Ships and Vessels resorting thereto; and to carry this Act into execution in all other respects whatsoever.

Five Burgesses and One Member of the Incorporated Trades to be elected every Two Years.

III. And be it further enacted, That the First Election of the said Five Burgesses of Guild and of the said One Member of the Incorporated Trades to be Trustees under this Act shall be upon the Thirteenth Day of *July* in the Year One thousand eight hundred and twenty-nine, and the Persons to be then chosen shall continue in Office till the Second *Tuesday* of *October* One thousand eight hundred and thirty-one, when they shall go out of Office; and upon that Day, and upon the Second *Tuesday* of *October* biennially thereafter, there shall be a new Election of Five Burgesses of Guild and One Member of the Incorporated Trades to be Trustees under this Act, who shall remain in Office for the Space of Two Years then next ensuing: Pro-

Provided always, that Persons going out of Office in Manner aforesaid may be re-elected.

IV. And be it further enacted, That the Five Burgesses of *Guild* appointed to be Trustees under this Act shall from Time to Time be elected and chosen by the Burgesses of Guild of the said City who shall actually be engaged in and carry on Trade and Business within the same, and who shall respectively stand rated in the Tax Roll of the said City for Payment of a Proportion of the Cess or Land Tax affecting the said City upon an annual Amount of the said Trade or Business to the Extent of Five hundred Pounds or upwards, according to the annual Tax Roll which shall have been last made up immediately preceding the Time of such Election, or who shall in their own Right be Owners of not less than Thirty Tons of Shipping registered at and belonging to the said Port of *Aberdeen*; and no Person shall be so elected a Trustee by the said Burgesses of Guild who shall not stand rated in the said Tax Roll for an annual Amount of Trade or Business to the Extent of Three thousand Pounds or upwards, or shall not in his own Right be an Owner of at least One hundred and fifty Tons of Shipping registered at and belonging to the said Port.

Burgesses of Guild, how to be chosen.

V. And be it further enacted, That the Member of the Incorporated Trades to be appointed a Trustee under this Act shall from Time to Time be elected and chosen by the Freemen or Members of the said Trades who shall respectively stand rated in the said Tax Roll at an annual Amount of Trade or Business to the Extent of Four hundred Pounds or upwards, or who shall in their own Right be Owners of not less than Twenty-five Tons of Shipping belonging to and registered at the said Port; and no Person shall be elected a Trustee by the said Trades who shall not stand rated in the said Tax Roll at an annual Amount of Trade or Business to the Extent of One thousand five hundred Pounds or upwards, or who shall not in his own Right be an Owner of at least Seventy-five Tons of Shipping belonging to and registered at the said Port.

Member of Incorporated Trades, how to be chosen.

VI. And be it further enacted, That One Partner in any Company or Copartnership which shall carry on Trade or Business as Burgesses of Guild within the said City, and shall stand rated in respect thereof in the said Tax Roll to the Extent of Five hundred Pounds and less than One thousand Pounds, shall be entitled to vote in all Elections to be made by the Burgesses of Guild in pursuance of this Act; and for every entire Sum of Five hundred Pounds of Trade or Business at which any such Company shall stand rated in the said Tax Roll over and above the First Five hundred Pounds, One other Partner of such Company shall be entitled to vote at such Elections.

Partners of Companies may vote at Elections of Burgesses of Guild.

VII. And be it further enacted, that One Partner in any Company or Copartnership which shall carry on Trade or Business within the said City as Freemen or Members of the Incorporated Trades, and shall stand rated in respect thereof in the said Tax Roll to the Extent of Four hundred Pounds and less than Eight hundred Pounds,

Partners of Companies of Incorporated Trades may vote at Elections of

a Trustee
from the
Trades.

Pounds, shall be entitled to vote in all Elections to be made by the Members of the Incorporated Trades in pursuance of this Act; and for every entire Sum of Four hundred Pounds of Trade or Business at which any such Company shall stand rated in the said Tax Roll over and above the first Four hundred Pounds, One other Partner of such Company shall be entitled to vote at such Elections.

Partners of
Companies
may be
elected by
Burgesses of
Guild.

VIII. And be it further enacted, That One Partner of any Company which shall carry on Trade or Business as Burgesses of Guild within the said City, and shall be rated as aforesaid in respect of such Trade or Business at the annual Amount of Three thousand Pounds, shall be eligible by the Burgesses of Guild to be a Trustee under this Act; and for every entire Sum of Three thousand Pounds at which any such Company shall be rated as aforesaid in respect of Trade or Business over and above the First Three thousand Pounds, One other Partner of such Company shall be eligible by the said Burgesses of Guild to be a Trustee under this Act.

Partners of
Companies
may be
elected by
Incorporated
Trades.

IX. And be it further enacted, That One Partner of any Company which shall carry on Business within the said City as Freemen or Members of the Incorporated Trades, and shall be rated in the said Tax Roll in respect of such Business to the Extent of One thousand five hundred Pounds, shall be eligible as a Trustee by the said Incorporated Trades; and for every entire Sum of One thousand five hundred Pounds of Trade or Business at which any such Company shall stand rated in the said Tax Roll over and above the First One thousand five hundred Pounds, One other Partner of such Company shall be eligible by the said Trades to be a Trustee under this Act.

No Person
to vote or be
a Trustee
who is not a
Burgess of
Guild or a
Freeman of
the Inco-
porated Trades.

X. Provided always, and be it further enacted, That no Person shall be entitled to vote for or be elected a Trustee under this Act who shall not be a Burgess of Guild or a Freeman of the Incorporated Trades of the said City; and that no Burgess of Guild shall be entitled to vote for or be elected a Trustee at any Election to be made by the said Incorporated Trades, nor shall any Member of the Incorporated Trades (unless he shall also be a Burgess of Guild) be entitled to vote for or be elected a Trustee at any Election to be made by the said Burgesses of Guild.

Ship Owners
desirous to
vote for or be
elected
Trustees to
register their
Names.

XI. And in order that the Persons who shall be concerned in the said Elections of Five Burgesses of Guild and One Member of the Incorporated Trades may be apprized of the Names of the different Persons qualified to elect and to be elected Trustees under this Act, be it further enacted, That One Month at least previous to every such Election the Trustees for the Improvement of the said Harbour who shall be in Office at the Time shall cause an Advertisement to be inserted in some One or more Newspaper or Newspapers published at *Aberdeen*, requiring all Burgesses of Guild and Members of the Incorporated Trades of the said City who, as Owners or Proprietors, in their own Right, of Shipping to the respective Amounts hereinbefore mentioned, may be desirous of claiming a Right to elect or to be elected at the next ensuing Election, to enter and enrol their Names and Designations, specifying therein whether they are

Burgesses of Guild or Members of the said Incorporated Trades, with the Extent and Particulars of the Tonnage in respect of which they claim a Right to vote or to be elected, in a Book to be opened for that Purpose, and lodged at such convenient Place within the said City as the said Trustees shall appoint; and such Book shall be patent and open every lawful Day, from Ten of the Clock in the Forenoon till Two of the Clock in the Afternoon, for the Space of Ten Days after the first Publication of such Advertisement; and no Person who shall fail or neglect to enter and enrol his Name and the other Particulars aforesaid in such Book, or to cause the same to be so entered and enrolled, shall be entitled to vote for or be elected a Trustee at the next ensuing Election, in respect of his being an Owner of Shipping at the said Port.

XII. And be it further enacted, That Eight Days at least previous to every Election the Trustees who shall be then in Office shall cause to be prepared and circulated printed Lists containing the Names and Designations of such Burgesses of Guild and Members of the Incorporated Trades as shall be qualified to elect or to be elected Trustees under this Act, according as the same shall be ascertained from the Tax Roll and from the Book for the Enrolment of the Owners of Shipping hereinbefore mentioned; and such Lists respectively shall distinguish as correctly as may be the Persons who shall be Burgesses of Guild from those who shall be Members of the Incorporated Trades of the said City.

List of Persons qualified to elect or be elected Trustees to be circulated.

XIII. And be it further enacted, That the said Trustees shall cause the Day and Place of every Election to be advertised in some One or more Newspaper or Newspapers published in *Aberdeen*, not less than Six Days nor more than Fourteen Days previous to such Election.

Day and Place of Election to be advertised.

XIV. And be it further enacted, That the Elections of Five Burgesses of Guild and One Member of the Incorporated Trades, to be made in pursuance of this Act, shall be by Ballot, or Notes written and signed by each Elector in his own proper Handwriting; and such Notes or Ballots shall contain the Designations of the Voters, and the Nature and Extent of their Qualifications, and shall also contain the Names and Designations of the Persons voted for; and the Trustees who shall be then in Office shall cause Two Boxes to be lodged at convenient but different Places within the said City, the one of which Boxes shall be for the Reception of the Votes of Burgesses of Guild, and the other of the said Boxes shall be for the Reception of the Votes of the Members of the Incorporated Trades; and the Notes or Ballots of Election shall be put into the said Boxes between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon of the Day of Election, at which last-mentioned Hour the Election shall be closed, and the Box containing the Votes of Burgesses of Guild shall be removed to the Public Court House, and the Box containing the Votes of the Incorporated Trades shall be removed to the Trinity Hall, both in the said City, where the said Boxes shall be severally opened in Presence of a General Meeting of the respective Electors, and of such of the said Trustees as shall then and

Elections how to be conducted.

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there attend; and each of such Meetings shall appoint Three of their own Number to be Scrutineers of the Votes along with such of the Trustees belonging to each respective Body of Electors as shall be then present; and the Five Burgesses of Guild and One Member of the Incorporated Trades who upon the Report of such Scrutineers shall be found to have the greatest Number of valid Votes shall, if duly qualified according to the Provisions of this Act, be and they are hereby nominated and appointed Trustees, along with the said Magistrates and City Council, for executing the Purposes of this Act, until the next biennial Election of Trustees to be made in Manner hereinbefore mentioned; and the Lists made up and authenticated by such Scrutineers shall be preserved, and shall be the Rule by which Vacancies shall be supplied during the Two Years then next ensuing, in Manner hereinafter mentioned; and the Provost, or in his Absence the acting Chief Magistrate of *Aberdeen* for the Time being, shall preside at all Meetings for the Election of the said Five Burgesses of Guild; and the Convener of the Incorporated Trades, or in his Absence the Master of the Trades Hospital in the said City, shall preside at all Meetings for the Election of a Trustee from that Body.

In case of Equality of Votes, Trustees to determine same.

XV. And be it further enacted, That in case there shall be an Equality of Votes at any of the said Elections, the Trustees who shall be present at a General Meeting of such Trustees to be held within Eight Days after such Elections shall have Power to determine which of the Persons having such Equality of Votes shall be the Trustee or Trustees for the ensuing Two Years.

Persons voting without being qualified to forfeit 20%.

XVI. And be it further enacted, That no Person shall have more than One Vote at any of the said Elections; and if any Person or Persons shall give more than One Vote, or shall vote without being duly qualified according to the Provisions of this Act, every Person so offending shall, for every such Offence, forfeit the Sum of Twenty Pounds Sterling, to be applied to the Purposes of this Act.

How Vacancies in Trustees to be supplied.

XVII. And be it further enacted, That in the Event of the Death, Refusal to act, or Resignation of any of the said Trustees to be elected in Manner aforesaid by the said Burgesses of Guild and the Members of the Incorporated Trades respectively, it shall and may be lawful to and for the other Trustees acting for the Time being to elect in his or their Stead the Person or Persons, of the same Class as the Person or Persons so dying, resigning, or refusing to act, whose Name or Names shall stand next in Rotation upon the respective Lists made up and authenticated as aforesaid, as having had the next greatest Number of Votes at the Election immediately preceding, and the Person or Persons so to be appointed to supply a Vacancy or Vacancies shall have the same Powers and Authorities as if he or they had been originally returned as chosen at such preceding Election, and shall remain in Office until the next General Election.

No Person in City Council to be elected a Trustee by

XVIII. And be it further enacted, That no Person who shall be a Member of the said City Council at the several Times of Election to be made in pursuance of this Act shall be elected as a Trustee by the said Burgesses

Burgesses of Guild, or by the said Incorporated Trades; and if any Trustee chosen at such Election shall, during the Time for which he shall have been so chosen, become a Member of the said City Council, he shall thereupon cease to be considered a Trustee from the said Burgesses of Guild or Incorporated Trades respectively, and his Place shall be filled up in the same Manner as other Vacancies are appointed to be filled up as hereinbefore mentioned.

Burgesses of Guild or Incorporated Trades.

XIX. And be it further enacted, That although any of the Bodies or Classes of Persons authorized to elect Trustees for the Purposes of this Act shall at any Time or Times fail, neglect, or refuse to make due and proper Elections of Trustees at the respective Periods appointed for such Elections, such Failure, Neglect, or Refusal shall not stop or prevent the Execution of this Act by the other Trustees who shall have been duly and regularly elected; nor shall the Death, Resignation, or Refusal to act of any of the said Trustees stop or prevent the other Trustees from acting in the Execution hereof; it being hereby provided that in all Cases the Trustees duly appointed and acting for the Time shall have full Power to execute the Purposes of this Act.

In case Elections be not duly made, the other Trustees regularly elected may carry this Act into Execution.

XX. Provided always, and be it further enacted, That in case any of the said Bodies or Classes of Persons authorized to elect Trustees for the Purposes of this Act shall at any Time or Times fail, neglect, or refuse to make due and proper Elections of such Trustees, the said Trustees acting for the Time being in the Execution of this Act shall and they are hereby required, within Three Calendar Months after such Failure, Neglect, or Refusal shall have been ascertained, to cause the necessary Measures to be taken for making a regular and valid Election of Trustees; and such Election shall be regulated and proceeded in, in the same Manner and in all respects as at the ordinary and proper Times for making Elections by the said Bodies or Classes of Persons respectively; and the same Course shall also in like Manner be taken and pursued when any such Failure, Neglect, or Refusal shall take place; and the Trustees or Trustee so elected shall remain in Office until the next periodical Election of Trustees under this Act.

In case Elections are not duly made, other Elections to take place.

XXI. And be it further enacted, That no Magistrate for the City of *Aberdeen*, although a Trustee under this Act, shall be disqualified from acting as a Justice of the Peace in any thing arising out of this Act, by reason of his being such Trustee.

Magistrates may act as Justices, although Trustees.

XXII. And be it further enacted, That the Right and Property of and in all Lands, Heritages, Buildings, and Erections, and the Materials thereof, and of and in all the Piers, Jetties, Lights, Light Houses, Works, Quays, Wharfs, Ways, Walls, Matters, and Things built or established by virtue of the said recited Acts, or to be built or established by virtue of this Act, and of and in all and every the Materials, Implements, Tools, Goods, Matters, and Things provided or had for the Purposes of the said recited Acts or of this Act, shall be and are hereby vested in the said Trustees; and all the Rates, Duties, and Tonnage hereby authorized to be levied, and all other Monies which

Vesting Property in Trustees, and making new Duties liable for Debts, &c. under former Acts.

which shall or may come into the Hands of the Trustees under or by virtue of this Act, shall be and the same are hereby made subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, and of all Interest due or that may become due thereon, as fully and effectually, to all Intents and Purposes, as if such Money had been borrowed or had become due and owing on the Credit of the Rates and Duties by this Act authorized to be levied and taken; and all and every Person or Persons indebted in any Sum or Sums of Money to the Trustees for executing the said recited Acts shall be liable to the Payment thereof to the Trustees under this Act; and all Covenants, Agreements, Conveyances, or Securities entered into or made by any Person or Persons with or to the Trustees for executing the said recited Acts, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same shall be fully satisfied and performed; and all Assignments and Conveyances of Rates and Duties, Orders, Contracts, and Agreements duly made or entered into by or under the Authority of the said Trustees for executing the said recited Acts, shall, so far as the same are not altered, repealed, or avoided, remain in full Force and Effect, and be observed and kept by the Trustees acting by virtue of this Act, under the Terms and Stipulations thereof respectively; and all Rates and Duties, Penalties and Forfeitures, due or incurred in virtue of the said recited Acts, shall be held to be due or incurred to and shall be exigible by the Trustees under this Act, any thing herein contained to the contrary notwithstanding.

Officers under former Acts (except the Treasurer) to continue.

XXIII. And be it further enacted, That each and every Clerk, Receiver of the Duties, Harbour Master, and other Officer (save and except the Treasurer), who shall have been appointed under and employed in the Execution of the said recited Acts or any of them, shall respectively continue to hold and exercise their respective Offices and Employments until they shall respectively resign, or be displaced or removed by the said Trustees, and shall have the like Powers and Authorities for carrying this Act into execution, and shall be subject to the like Rules and Regulations, Pains and Penalties, in all respects, as if they had been severally appointed by virtue of this Act.

Officers under former Acts to account.

XXIV. And be it further enacted, That all Persons who have been employed, or who shall have received any Rates, Dues, or other Monies, by virtue or in pursuance of the said recited Acts hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Harbour, shall account for, pay, and deliver over the same to the Trustees for executing this Act; and all Books, Accounts, Papers, and Writings kept under or by virtue of the said recited Acts shall have such and the same Force and Effect, and be received in Evidence in such and the same Manner, as if the said Acts had not been repealed.

Time and Place of General Meetings.

XXV. And be it further enacted, That there shall be held Four General Meetings of the said Trustees within the Town House of the said City of *Aberdeen*, upon every Second *Tuesday* of *January*, Second *Tuesday* of *April*, Second *Tuesday* of *July*, and Second *Tuesday* of *October*,

October, in every Year during the Continuation of this Act; and the First of the said General Meetings shall be held upon the Second *Tuesday of July* One thousand eight hundred and twenty-nine; and the said Trustees shall have Power and are hereby empowered to adjourn to such other Times and Places as to them or to the Majority of them at such Quarterly Meetings assembled shall seem meet and expedient; and all Acts, Matters, and Things hereby required to be done by the said Trustees at any General Meeting shall and may be done by the Majority of them assembled at such Meeting, the whole Number present not being less than Thirteen; and in all such Meetings, as well as in all Meetings of the Committee of Management hereinafter mentioned, the Provost or the Senior Magistrate of the City of *Aberdeen* present for the Time being shall preside, and besides his Vote in common with the other Trustees, shall, in case of Equality, have a casting or decisive Vote.

XXVI. And be it further enacted, That the ordinary Business and Affairs connected with the Execution of this Act shall be managed and conducted by and under the immediate Direction of a Committee of the said Trustees, consisting of the Provost and Eight other Members of the said City Council, to be from Time to Time elected and chosen by the said City Council, and of the Five Burgesses of Guild and One Member of the Incorporated Trades who shall be elected Trustees in Manner hereinbefore mentioned; and at all Meetings of such Committee Five shall constitute a Quorum; and at each Quarterly General Meeting of the said Trustees, or oftener if thought necessary or expedient, the said Committee shall cause the Books containing the Minutes of their Proceedings, with a Report or Abstract thereof, to be laid before the General Board of Trustees; and the said Committee shall further prepare and lay before the Quarterly General Meeting of the said Trustees which shall be holden in the Month of *January* yearly, a Statement or Prospectus of the Works proposed to be undertaken during the then ensuing Season, with an Estimate of the Expence thereof, as nearly as the same can be ascertained, for the Consideration and Approbation of such Meeting.

A Committee of Trustees to have the Management of the ordinary Affairs connected with the Execution of the Act.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or the said Committee of Management, to nominate and appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, for levying the Rates and Duties by this Act granted, and such other Officers and Servants as they shall judge necessary to be employed under them for carrying the same into execution, and from Time to Time to remove such Officers and Servants or any of them, and to appoint others in their Stead, and to settle such reasonable Fees or Salaries for them as to the said Trustees shall appear to be just and proper; and all and every the Collectors and Receivers of the said Rates and Duties shall keep fair and regular Books and Accounts of all Monies received under the Authority of this Act, (which Books and Accounts, and all other Books and Accounts to be kept in virtue of this Act, shall be open and patent to the said Trustees at all Times when they shall demand Inspection of the same,) and shall pay and dispose of such Monies in such

Collectors and other Officers to be appointed by Trustees.

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Manner as by the said Trustees shall be directed; and the Collector and Collectors, Person or Persons to be appointed to receive the said Rates and Duties, and all and every of them, shall give good and sufficient Security to the said Trustees for answering and paying the Monies arising from the same, and which shall be by him and them respectively collected or received.

Officers to
account.

XXVIII. And be it further enacted, That such Clerks, Treasurers, Collectors, Receivers, and Officers so to be appointed shall, under their Hands, at such Time and Times and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by him received by virtue of and for the Purposes of this Act, and how much thereof had been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due, to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and if any such Clerk, Treasurer, Collector, Receiver, or Officer shall neglect or refuse to make and render any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver up to the said Trustees, or to such Person as they shall appoint, within Thirty Days next after being thereunto required by the said Trustees, by Notice in Writing given to or left at the last or usual Place of Abode of such Collector, Receiver, or Officer, all Books, Accounts, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, then and in any of the Cases aforesaid the said Trustees may and they are hereby authorized and empowered to cause an Action to be brought against the Clerk, Treasurer, Collector, Receiver, or Officer so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace in and for the said City of *Aberdeen*, or in and for any other Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Clerk, Treasurer, Collector, Receiver, or Officer so neglecting or refusing to be brought before him, and upon his appearing or not being to be found to hear and determine the Matter in a summary Way; and if upon Complaint of the Party, or upon the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered to administer), or by Confession of the Party offending, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall remain due from such Clerk, Treasurer, Collector, Receiver, or Officer, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Clerk, Treasurer, Collector, Receiver, or Officer; and if no Goods
or

or Châtells of such Clerk, Treasurer, Collector, Receiver, or Officer can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Clerk, Treasurer, Collector, Receiver, or Officer shall have neglected or refused to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Accounts, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Clerk, Treasurer, Collector, Receiver, or Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then, and in any of the Cases aforesaid, such Justice shall commit such Offender to the Common Gaol of the said City of *Aberdeen*, or of any other Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make and receive), and until he shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Trustees as aforesaid: Provided always, that no Person shall be committed for Want of sufficient Distress for any longer Space of Time than Six Calendar Months.

XXIX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees or the said Committee of Management to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of the Partner of such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service of or Employ of any such Treasurer or of the Partner of any such Treasurer, the Clerk for the Purposes of this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, shall act as Treasurer, or as a Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of the Partner of such Treasurer, shall act as Clerk or as Deputy of the Clerk; or in any Manner officiate for the Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered by an Action in any Court competent within that Part of *Great Britain* called *Scotland*.

Clerk not to act as Treasurer, and vice versa.

XXX. And whereas the ancient Harbour Dues payable by Burghesses of Guild of the City of *Aberdeen* previous to the passing of the said

Trustees empowered to collect Du-

ties upon
Goods be-
longing to
Burgesses of
Guild.

said first-recited Act were One Penny *per* Barrel Bulk, and those payable by Persons not being Burgesses of Guild of the said City were Two-pence *per* Barrel Bulk; be it enacted, That from and after the said Twelfth Day of *July* One thousand eight hundred and twenty-nine, it shall be lawful to and for the said Trustees, or such Person or Persons as they or the said Committee of Management from Time to Time shall appoint, to demand, collect, receive, and take, (including the said original or former Harbour Dues of One Penny *per* Barrel Bulk, which subsisted and were in use to be levied within the said Harbour before the Commencement of the said first-recited Act,) of and from all and every the Owners and Proprietors (being Burgesses of Guild of the City of *Aberdeen*) of all Goods, Merchandize, Wares, Commodities, and Packages whatsoever which shall be imported or exported in any Ship, Vessel, Bark, Boat, or Lighter, or shall be loaded into or unloaded out of any Ship, Vessel, Bark, Boat, or Lighter, coming into or going out of the said Harbour of *Aberdeen*, or from their Agents, Factors, or Managers, the Sum of Three-pence Sterling for each and every Barrel Bulk of such Goods, Merchandize, Wares, and Commodities aforesaid, which shall be so imported, exported, loaded, or unloaded, belonging to Burgesses of Guild of the said City, according as the same are rated in the Bulking Tables now in use in the said Harbour, and set forth in the Schedule marked (A.) hereunto annexed; and in like Manner, for all and every such Goods, Merchandize, Wares, and Commodities which shall be so loaded or unloaded within the said Harbour, and belonging to Burgesses of Guild of the said City, and which by the present Usage and Custom of the said Harbour are not chargeable for Shore and Harbour Dues by the Barrel Bulk, the several Rates, Dues, and Duties specified in the Schedule marked (B.) hereunto annexed.

Duties on
Goods be-
longing to
Persons not
Burgesses of
Guild.

XXXI. And be it further enacted, That it shall be lawful to and for the said Trustees, or such Person or Persons as they or the said Committee of Management from Time to Time shall appoint, to ask, demand, collect, receive, and take, of and from all and every the Owners and Proprietors (not being Burgesses of Guild of the said City) of all Goods, Merchandize, Wares, Commodities, and Packages whatsoever, whether in use to be charged by the Barrel Bulk or otherwise, which shall be imported or exported in any Ship, Vessel, Bark, Boat, or Lighter, or shall be loaded into or unloaded out of any Ship, Vessel, Bark, Boat, or Lighter, coming into or going out of the said Harbour of *Aberdeen*, or from their Agents, Factors, or Managers, One Third Part more than is herein authorized to be collected, levied, and taken for Goods, Merchandize, Wares, and Commodities belonging to Burgesses of Guild, imported, exported, loaded, or unloaded within the said Harbour: Provided always, that the Freemen of the Incorporated Trades of *Aberdeen* shall not be liable or obliged, by virtue of this Act, to pay any more or further Shore and Harbour Dues than Burgesses of Guild for whatever Goods or Commodities the said Incorporated Trades are entitled to deal and traffic in by virtue of the Common Indenture passed between them and the Burgesses of Guild of the said City in the Month of *July* One thousand five hundred and eighty-seven, and of

Proviso for
Freemen of
Incorporated
Trades.

a Decree of the Court of Session pronounced in an Action of Declarator at the Instance of the said Incorporated Trades against the Magistrates and City Council of *Aberdeen*, bearing Date the Sixteenth Day of *January* in the Year One thousand seven hundred and ninety-three.

XXXII. And be it further enacted, That from and after the said Twelfth Day of *July* One thousand eight hundred and twenty-nine, no Burgesses of Guild or Freemen of the Incorporated Trades of the said City shall be entitled to the Privilege of the smaller Rates, Dues, and Duties by this Act appointed to be paid by such Burgesses of Guild or Freemen, unless the Goods, Merchandize, Wares, and Commodities on which such Duties are chargeable shall be imported or exported by such Burgesses or Freemen on their own Account and Risk, and unless such Burgesses or Freemen shall have been the *bonâ fide* Owner or Owners of such Goods, Wares, Merchandize, and Commodities, previous to the Time when the Vessel or Vessels in which the same may be imported shall have come within the Distance of Fifteen Miles from the said Harbour of *Aberdeen*.

No Burgess to be entitled to Privilege of smaller Duties, unless Goods are really his.

XXXIII. And be it further enacted, That all Ships, Vessels, Barks, Boats, or Lighters arriving in the said Harbour shall, from and after the Twelfth Day of *July* One thousand eight hundred and twenty-nine, be chargeable with and pay, and it shall be lawful to and for the said Trustees, or such Person or Persons as they or the said Committee of Management from Time to Time shall appoint, to ask, demand, receive, and take, the Rates, Dues, and Duties following upon each and every Ton which such Ships and other Vessels shall respectively measure; *videlicet*,

Tonnage Duties.

All Ships, Vessels, Barks, Boats, and Lighters belonging to *Aberdeen*, One Penny *per* Ton :

All Ships and other Vessels the Property of *British* Subjects, but not belonging to *Aberdeen*, One Penny and One Third of One Penny *per* Ton :

And all Ships and other Vessels belonging to Aliens, or Persons who are not *British* Subjects, and loading or unloading within the said Harbour, One Shilling and Two-pence *per* Ton.

XXXIV. Provided always, and be it further enacted, That all Ships, Vessels, Barks, Boats, or Lighters arriving in the said Harbour, either by Stress of Weather, windbound, or otherwise, and not loading or unloading, and whether belonging to *Aberdeen* or not, shall be chargeable with and pay only One Penny Sterling *per* Ton for each Ton of their respective Admeasurements, for Anchorage or Harbour Dues: Provided also, that every Ship or other Vessel which shall have once paid the Tonnage Duties hereby authorized to be imposed shall not be liable or obliged to pay the same again, notwithstanding that such Ship or Vessel may put back and return into the said Harbour upon and during the same Voyage for which the Tonnage Duties aforesaid had been paid.

Anchorage Dues.

XXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to any of His Majesty's Ships of War,

Vessels in His Majesty's Service.

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or any other Ship, Transport, or Packet of His Majesty, His Heirs and Successors, or any Vessel employed in any of His Majesty's Revenues of Customs or Excise, or in the Service or Employ of the Board of Ordnance, or any Ship, Transport, or Packet employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or any Vessel employed in or upon His Majesty's Service; and if any Person or Persons shall claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Tonnage of British Ships to be ascertained by their Register.

XXXVI. And be it further enacted, That in all Cases wherein it shall be necessary to ascertain the Tonnage of any *British or Irish* built Ship, Vessel, Bark, Lighter, or Boat having a Register, for the Purposes of this Act, the Production of the Register of such Ship, Vessel, Bark, Lighter, or Boat shall be deemed sufficient for that Purpose, without an actual Admeasurement of such Ship, Vessel, Bark, Lighter, or Boat; and the Master or Owner, or other Person having the Command or Management thereof, is hereby required to produce and show such Register accordingly, under a Penalty not exceeding, in case of Refusal, Ten Pounds.

Persons to be appointed by the Trustees to measure Foreign Vessels, &c.

XXXVII. And be it further enacted, That the said Trustees shall be and are hereby authorized to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Ships, Vessels, Barks, Lighters, or Boats, and of all other Ships, Barks, Lighters, or Boats having no Registers, which shall enter the said Harbour, in order to a due Collection of the Duties payable by such Ships, Vessels, Barks, Lighters, or Boats, and such Person or Persons is or are hereby empowered and required to admeasure the same accordingly, according to the Directions of an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the registering of British Vessels*.

6 G. 4. c. 110.

Penalty on Persons obstructing the measuring of Ships.

XXXVIII. And be it further enacted, That in case the Master, or other Person having the Command of any Ship, Vessel, Bark, Lighter, or Boat liable to any of the Duties imposed by this Act, or any other Person whatsoever, shall obstruct or hinder the said Trustees, or the Person or Persons appointed to collect the Rates or Duties hereby made payable, or the Person or Persons employed or appointed to admeasure Ships, Vessels, Barks, Lighters, or Boats, in pursuance of this Act, from entering on board such Ship, Vessel, Bark, Lighter, or Boat, or taking the Admeasurement thereof, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Power to His Majesty and Lords of the Treasury to reduce Duties on Foreign Ships.

XXXIX. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times when and so often as he or they shall deem fit so to do, in and by their Order in Writing, to reduce the Duties hereby made payable on all, or on such or so many of the Foreign Ships or Vessels

Vessels as he or they in their Judgment shall deem expedient, to the same and like Duties as are hereby made payable in respect of *British Ships* or Vessels not belonging to *Aberdeen*.

XL. And be it enacted, That the said Trustees, in General Meetings assembled, may and they are hereby empowered to lessen, reduce, or discontinue the aforesaid Rates and Duties granted by this Act, or any Part thereof, as they shall judge reasonable and expedient, and as the State of the said Rates and Duties and other Revenues will permit, and also to advance or revive the same again in such Manner as to them shall from Time to Time seem meet and expedient; so as the Rates or Duties when so advanced or revived again do not exceed the Rates or Duties hereinbefore granted.

Rates and Duties may be lessened.

XLI. And be it further enacted, That the several Ships, Goods, Wares, Merchandize, and Commodities which are enumerated in the Schedule marked (C.) hereunto annexed shall be exempted from all the Rates, Dues, and Duties imposed by this Act; or such Rates, Dues, and Duties shall be otherwise regulated as in the said Schedule particularly set forth.

Exemption from Duties.

XLII. And be it further enacted, That it shall and may be lawful for the Collector or other proper Officer of His Majesty's Customs within the said Harbour, and he is hereby authorized, to refuse to receive any Entry, or give or make any Cocquet or other Discharge or Clearance, or take any Report inwards or outwards for any Ship or other Vessel whatever, subject and liable to the Payment of the Rates and Duties imposed by this Act, until the said Rates and Duties shall be paid to the Collector or Collectors appointed to receive the same, or Satisfaction be made to him or them in respect thereof, and until a Receipt under the Hand of the said Collector or Collectors of the said Rates and Duties shall be produced to the said Collector or other proper Officer of His Majesty's Customs; and every such Collector or other Officer of His Majesty's Customs shall and he is hereby required to obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs in relation thereto.

Officers of Customs may refuse to give a Clearance till Payment of the Rates and Duties.

XLIII. And be it enacted, That it shall and may be lawful to and for the said Trustees, and to such Person or Persons as shall be for that Purpose authorized by them, to go on board any Ship, Bark, Boat, Lighter, or Vessel, and to demand, collect, and receive from any Owner, Master, or other Person having the Charge of any Ship, Bark, Lighter, or Vessel, or of any Goods, Merchandize, or Commodities on board of the same, the Rates and Duties by this Act imposed and made due and payable, and in case of Delay or Refusal of Payment to seize, take, and detain, preferable to and notwithstanding of any Attachment, Arrestment, or other Right whatsoever, claimable by or due to any other Person or Persons, any of the Goods, Merchandize, Commodities, Tackle, Furniture, and Apparel of or belonging to or on board of any such Ship, Bark, Lighter, or other Vessel, and the same to detain and keep until the said Rates and Duties respectively shall be satisfied and paid; and that in case of any

Duties to be levied in case of Refusal.

Neglect

Neglect or Delay in the Payment of the said Rates and Duties, or any of them, for the Space of Three Days after such taking, seizing, or detaining as aforesaid, it shall and may be then lawful to and for the said Trustees, and to and for such Person or Persons authorized by them as aforesaid, to cause the same to be appraised by Two or more sufficient Persons, and afterwards to sell and dispose of the Goods and other Effects taken and appraised, and therewith to satisfy the Rates and Duties so neglected or delayed to be paid, together with the Charge of such seizing, taking, detaining, and selling, (as the same shall be ascertained, by the Sellers upon Oath,) rendering the Master or Owner of such Ship, Bark, Boat, Lighter, or other Vessel, or to the Owners of such Goods, Merchandize, or Commodities, the Overplus (if any be), on Demand.

Settling the Amount of Rates in case of Dispute.

XLIV. And be it further enacted, That in case any Dispute shall arise regarding the Amount of the Dues or Duties hereby granted, or the Charges of recovering the same, it shall be lawful for the Trustees, or the Persons seizing or selling such Goods and Effects as aforesaid, to retain the same, or the Money arising from the Sale thereof, as the Case may happen, until the Amount of the Dues and the Charges of recovering the same shall be ascertained by the Sheriff Depute of the County of *Aberdeen* or his Substitute, who, upon Application made to him for that Purpose, shall examine into the Matter in a summary Way, and shall determine the Amount of the Rates and Charges Due and incurred, and shall award such Expences of Plea to either Party as to him shall appear right and proper; all which Expences of Plea shall and may be recovered summarily by poinding and distraining, by Warrant under the Hand of the said Sheriff Depute or Substitute, in case of Nonpayment, and which Warrant such Sheriff is hereby authorized and required to grant.

Shipmaster to give Account of Lading.

XLV. And be it further enacted, That every Shipmaster, immediately on his Arrival in the said Harbour, or at least before he begins to unload any Part of his Cargo, and every Shipmaster loading and taking in Goods within the said Harbour, after being loaded and cleared at the Custom House, is and shall be obliged, if required, to give in to the Collector of the said Duties, or to such other Person as the said Trustees shall appoint, an exact and full Account of his Cargo, by producing either his Bills of Lading, or a Copy of his Manifest or Intake Account; and every Person failing so to do, or not delivering a just and true Account of his Cargo, both outwards and inwards, as aforesaid, shall for every such Offence forfeit and pay a Penalty not exceeding Five Pounds Sterling.

Penalty on Shipmasters, &c. evading the Payment of Duties.

XLVI. And be it further enacted, That if any Master, Commander, or other Person taking upon himself the Command, or appearing to be Master or Commander, or any Owner, Factor, or Consignee, of any Ship, Bark, or other Vessel, or any Owner or Proprietor, Factor, or Consignee, of any Goods, Wares, or Merchandize, liable in the Rates and Duties by this Act imposed, shall at any Time from the Commencement of this Act elude or avoid the Payment of any Rates and Duties hereby granted by any Method whatsoever, every such Master, Commander, or other Person aforesaid shall for every such Offence

Offence forfeit unto the said Trustees the Sum of Five Pounds Sterling, and shall notwithstanding stand charged with and be liable to the Payment of the said Rates and Duties.

XLVII. And be it further enacted, That it shall be in the Power of the said Trustees to let on Lease to the best Bidder or Bidders at Public Roup or Sale for that Purpose appointed, and advertised in the *Aberdeen Journal*, or some other Newspaper published in *Aberdeen*, Three several Times, the First of such Advertisements being Twenty Days at least before such Roup or Sale, the Rates and Duties aforesaid, for any Time or Space not exceeding Three Years.

Trustees may let the Dues.

XLVIII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered, from Time to Time, to borrow and take up at Interest any Sum or Sums of Money which, with those already borrowed and still due on the Credit of the said former Acts, shall not in the whole exceed together at any One Time the Sum of Two hundred thousand Pounds Sterling, and to grant, assign, and set over, for securing the Payment of the same, with the Interest thereof respectively, the several Rates, Duties, and Tonnage given and granted by this Act, to any Person or Persons who shall be willing to advance and lend Money thereon; and that all the Monies so to be borrowed and advanced, as well as all the Rates, Dues, and Duties hereby authorized to be levied, shall be employed for the Ends and Purposes of this Act and not otherwise.

Trustees empowered to borrow Money, not exceeding 200,000*l.* including Debt under former Acts.

XLIX. And whereas, in pursuance of the Powers and Authorities in the said recited Acts contained, the Trustees acting under the same have become seised or possessed of certain Lands and Heritages which may not be found necessary for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby authorized and empowered, to lay out, improve, sell, feu, or otherwise dispose of by Public Roup or Sale the Lands and Heritages aforesaid, and also any other Lands or Heritages already embanked and reclaimed, or to be embanked and reclaimed, between the intended Floating Harbour and the River *Dee*, in such Manner in all respects as they the said Trustees shall think proper and most meet for the Benefit of the Trusts and Concerns of the said Harbour.

Trustees of the Harbour may sell Land not wanted.

L. And be it further enacted, That the said Trustees shall be bound and are hereby required to account for and apply to the Uses and Purposes of this Act, not only the whole Harbour Dues which shall be levied and paid to the said Trustees during the Continuance of this Act, but also the whole annual or gross Sums which they shall at any Time or Times hereafter make or receive from the Lands and Heritages aforesaid.

Harbour Dues and Produce of Land to be applied to the Purposes of this Act.

LI. And be it further enacted, That the said Trustees shall keep or cause to be kept regular Books by their Treasurer, containing Accounts of all the Monies borrowed or which shall be borrowed, and Duties and other Funds which shall be levied, raised, or received under or by virtue of this Act, and also of all the Monies which shall

Distinct Accounts to be kept.

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be expended by the said Trustees in making Purchases, and in making and completing the aforesaid Works, with the Expences of Management and Repairs, and all other Expences under or by virtue of this Act; and such Accounts shall be kept separate and distinct from all other Transactions, Debts, and Revenues belonging to the City of *Aberdeen*; which Books shall at all reasonable Times be open to the Inspection of the said Trustees, without Fee or Reward, and the said Trustees shall and may take Copies of or Extracts from the said Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Treasurer shall refuse to permit or shall not permit the said Trustees, or any of them, to inspect such Books, or any of them, or to take such Copies or Extracts as aforesaid, such Treasurer shall forfeit any Sum not exceeding Forty Shillings.

Trustees annually to elect Auditors.

LII. And be it further enacted, That the said Trustees at their Quarterly Meeting to be held upon the Second *Tuesday* of *January* next, and at every General Meeting to be held upon the Second *Tuesday* of *January* annually thereafter, shall and they are hereby authorized and required, to elect and appoint Two Persons, being Burgesses of Guild of the said City, and not being Trustees under this Act, to be Auditors of the said Accounts; and such Auditors shall continue in Office for One Year after such Second *Tuesday* of *January*, and no longer, unless re-elected.

Trustees to render Accounts to Auditors.

LIII. And be it further enacted, That the said Trustees or their Treasurer shall, One Month at least before the General Meeting to be held on the said Second *Tuesday* of *October* which will be in the Year One thousand eight hundred and thirty, and thereafter One Month at least before the said General Meeting, to be held on the Second *Tuesday* of *October* in every Year, render their said Accounts to the said Auditors; which Accounts the said Auditors are hereby authorized and empowered to examine, with the Documents or Vouchers instructing the same; and the said Auditors shall audit and docket the said Accounts, and report the same to the said General Meeting to be held on the said Second *Tuesday* of *October* in the said Year One thousand eight hundred and thirty, and in each succeeding Year; and such General Meeting shall thereupon, or without such Audit, in case the said Auditors shall have failed to make the same, proceed to consider the said Accounts, together with the said Audit and Docket, in case the same shall have been made, and shall cause the said Accounts, or an Abstract thereof, to be printed and circulated for the Information of all Parties concerned.

Trustees not personally liable.

LIV. Provided always, and be it further enacted, That no Trustee shall be held or adjudged to have rendered himself personally liable for the Repayment of any Money to be borrowed by virtue of this Act, or Interest thereof, or for Payment of any Sum which he shall not have bound himself to pay personally as an Individual, independent of his Office as a Trustee under this Act.

Maps to remain with the several

LV. And whereas a Map or Plan showing the Improvements which have already been effected under or by virtue of the said Act of the Fiftieth

Fiftieth Year of the Reign of His late Majesty, and also showing the Improvements which still remain to be executed recommended by *Thomas Telford* Civil Engineer, and approved by the Committee of Auditors named and appointed in and by the said last-mentioned Act, hath been prepared by the said *Thomas Telford*, and Copies of which said Map or Plan have been deposited with the Clerks of the Peace of the Counties of *Aberdeen* and *Kincardine*; be it further enacted, That the said Copies of the said Map or Plan shall remain deposited with the said Clerks of the Peace for the said Counties, to which Copies all Persons shall have Liberty to resort, and to examine and make Extracts from or Copies of the same, as Occasion shall require, paying to the said Clerks for every Inspection the Sum of One Shilling; and the said Copies, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere; and which Map or Plan shall not be deviated from unless in so far as such Deviations shall be recommended by One or more Engineer or Engineers as advantageous and beneficial Deviations from the same: Provided always, that all such Deviations shall be made and executed only upon such Land and Property as now form a Part of the said Harbour, and as now belong to the said Magistrates and Council, or to the said Trustees.

Clerks of the Peace.

LVI. And be it enacted, That the Servitude or Privilege which the Proprietors or Owners of the Salmon Fishings upon the Raik and Stells of the River *Dee* have hitherto enjoyed in and over the Grounds commonly called the *Inches*, lying within the Limits of the said Harbour, betwixt the North Side of the said River and the *Foot Dee Burn*, for building Fishing Huts and Shiels, drawing and drying their Nets, and otherwise accommodating their said Fishings, shall henceforth cease and determine, and in lieu thereof the Proprietors or Owners and the Lessee or Lessees of the aforesaid Salmon Fishings or the Raik and Stells, and their Servants, Workmen, or others employed by them, shall from thenceforth be entitled to and possess in all Time thereafter a Right of Servitude and Privilege of erecting Huts or Shiels, of drawing their Nets, of putting up a railed Inclosure of Fifty Yards square, for making, mending, and drying their Nets, and laying up their Cobles for Preservation during Winter, and of otherwise accommodating themselves in regard to the Exercise of the said Fishings upon and over the North Bank of the said River to the Extent of Fifty Yards in Breadth from the Edge thereof, and all along the same, from that Part of the *Inch Dyke* which was built by the Trustees under the said recited Acts to the Point where the said River will join the Shipping Tract, as specified in the Map or Plan hereinbefore mentioned, being Part of and comprised within the Limits of the Servitude or Privilege before mentioned; and which Space or Margin of Ground of Fifty Yards in Breadth from the Edge of the said River, and extending in Length as above mentioned, shall be banked up by the said Trustees, so as to form a gentle Slope or inclined Plane towards the River, fit for the Purposes of the said Fishings, and to the Satisfaction of the Proprietors or Owners thereof, and the Bank of the River shall be kept in repair by the said Trustees in all Time coming, so as to prevent the River from encroaching on the said Space or Margin of Ground over which the aforesaid

Servitude of the Salmon Fishers over the Inches to cease, and in lieu thereof alike Servitude over Part of the North Bank to be granted.

Servitude

Servitude is to extend ; nor shall it be lawful to the said Trustees to erect or cause to be erected any Houses, Buildings, or Works upon or within the aforesaid Space or Margin of Ground, but they shall be obliged at all Times to keep and preserve the same clear of all and every Obstruction which may tend in any respect to interfere with the free Exercise of the aforesaid Fishings, or to cause or occasion any Hindrance or Damage thereto.

For protect-
ing the Land
on the South
Side of the
Harbour.

LVII. And whereas by reason of the Embankment already made or to be made, pursuant to the said recited Acts and this Act, upon the North Side of the River *Dee*, it may happen that the Tide being thereby driven upon the opposite Bank of the River may overflow the Land on the South Side thereof more than heretofore ; be it therefore enacted, That in such Event it shall and may be lawful for the Proprietor or Proprietors of such Land so overflowed to make an Embankment for the Purpose of protecting such Land, in such Manner as shall be settled and agreed upon by and between such Proprietor or Proprietors and the said Trustees, and so as not to injure any Rights or Privileges which the Owners or Proprietors of the aforesaid Salmon Fishings of the Raik and Stells at present possess or enjoy ; and in case such Proprietor or Proprietors and the said Trustees cannot agree, then in such Manner as shall be ordered by the Sheriff Depute of the County of *Kincardine* upon the Application of either Party ; and the Sentence or Decree of such Sheriff Depute shall be final and conclusive, without being subject to Review by Suspension, Advocation, or Reduction, or in any way whatsoever ; and every such Embankment shall be made at the Expence of the said Trustees ; and the said Sheriff Depute shall direct the Expence of any Application to be made to him as aforesaid to be paid or defrayed in such Manner as to him shall seem proper ; and his Sentence or Decree therefor, or for the Expence of making such Embankment, shall not be stayed or delayed in its Execution in any way or upon any account whatsoever.

New Shots to
be made by
Trustees.

LVIII. And whereas in the Course of carrying on the different Works authorized by this Act, most of the present Shots or Stations for fishing upon the Raik and Stells aforesaid, and also the Stone Bulwark called the *Raik Dyke*, will be removed ; be it enacted, That in lieu and place thereof the said Trustees shall be authorized, and they are hereby authorized and required, to make out, to the Satisfaction of the said Proprietors or Owners of said Fishings, such Number of new Shots or Stations for fishing as the said Proprietors or Owners may think necessary, and in such Situations on either Side of the said River, upon the Lands in the said Harbour, as they may find convenient ; and if required by the said Proprietors or Owners, the Fishing Grounds of such new Shots shall be raised to the same Height as the Fishing Grounds of the Shots which may be removed in Manner above mentioned ; but after such new Shots shall be so made out and raised, the same shall be kept in repair and maintained by the said Proprietors or Owners themselves in all Time thereafter ; and further, the said Trustees shall be and they are hereby directed, when required by the Proprietors or Owners of the said Fishings, to rebuild the said Stone Bulwark called the *Raik Dyke*,

Raik Dyke
to be rebuilt.

of the same Dimensions as the present Dyke, to the Satisfaction of the said Proprietors or Owners, and in such Situation along the South Bank of the said River as they shall find necessary.

LIX. And be it further enacted, That in the Event of the Pier at the South Side of the Entry to the said Harbour being extended by the said Trustees further into the Sea than it is at present, it shall be lawful to and for the Proprietors or Owners of the Salmon Fishings in the Sea at the Mouth of the said River *Dee* to extend their Fishing Ground in that Direction, and for that Purpose to remove and clear away the Rocks and Stones along the Sea Coast Eastward or South-eastward as far beyond where they fish at present as the additional Length of the said South Pier shall happen to extend and be carried.

Fishing Ground to be extended corresponding with the South Pier.

LX. And whereas the Tracts or Channels leading from the North Side of the said River *Dee* along the present Old or Upper Quay within the said Harbour, and what is called *Foot Dee Burn*, (by which the Flood or Speat Water of the said River has hitherto been discharged,) will be shut up by the Works hereby authorized to be executed; be it enacted, That the said Trustees shall be authorized and they are hereby required to make a new Cut or Channel on the South Side of the said River of such Form and Dimensions as has been settled by Engineers who were appointed under and by virtue of the said Act of the Fiftieth Year of the Reign of His late Majesty, for discharging or spending the Flood or Speat Water of the said River, and to prevent the same from uniting with the River; which new Cut or Channel shall be taken off or commence at the March or Boundary between the said Fishings of the said Raik and Stells and those of the *Mid Chingle* upon the said River, and shall lead from thence into the *Torry Burn* and along the *Torry Quay*, until it again join the main Stream of the River, as shown upon the Map or Plan hereinbefore referred to, and shall be kept and maintained, at the Expence of the said Trustees, at such a Distance from the South Side of the said River at Low Water as to preserve a Space of Ground necessary for the Purposes of the Fishing; but provided always, that the said new Cut or Channel shall be made to admit or carry off a Quantity of Water equal as near as may be practicable, but not greater, than is at present conveyed from the main Body of the River on both Sides thereof by the different Tracks or Channels which at present lead from the same, any thing herein contained to the contrary notwithstanding; and in case the Trustees shall neglect to maintain the said South Channel for carrying off the Speat Water from the main River, or to keep in repair the North Banks of the said River, as before expressed, they shall be liable to the Proprietors, Owners, and Occupiers of the said Fishings in any Damage that may be occasioned to these Fishings by such Failure.

Trustees to make a new Cut for discharging Flood Water.

LXI. And be it further enacted, That the said Trustees shall be obliged either to convey into the Floating Harbour hereby authorized to be executed the Water issuing from the Streams or Burns called the *Den Burn* and *Mill Burn*, (which at present are discharged along the said Upper Quay,) or to carry off the said Water in some other

The Water of the Den Burn and Mill Burn to be carried off.

[Local.]

7 F

Manner,

Manner, so as the same shall not enter the River *Dee* above the lower Lock of the Floating Harbour; but provided always, that in case it shall be found that the Speat or Flood Water of the said *Den Burn* shall be injurious to the said Harbour, then the same may, in Speats or Floods only, be carried directly into the said River.

Trustees not to alter the Course of the River *Dee* after Five Years.

LXII. And be it further enacted, That it shall not be in the Power of the said Trustees to alter the Course of the said River *Dee*, or to do any thing by which the same may be altered, in consequence of the Authorities hereby given, after the Expiration of Five Years from the passing of this Act, unless with the express Consent of the whole Proprietors or Owners for the Time being of the said Salmon Fishings upon the Raik and Stells of the said River.

The Execution of the new Channel may be postponed;

LXIII. And be it further enacted, That it shall be lawful to the said Trustees, by Agreement with the Proprietors of the said Fishings upon the Raik and Stells, or a Majority in Value of such Proprietors, to postpone the Execution of the said new Cut or Channel on the South Side of the said River, for discharging the Flood or Speat Water thereof, until after the Alteration of the Bed of the River shall be completed; and if before the Expiration of such Number of Years as may be agreed on the said Trustees shall not be required by the said Proprietors, or a Majority in Value of them, to execute the said Cut or Channel, they shall not thereafter be bound to execute the same.

Owners of the Raik and Stells Fishings to be indemnified.

LXIV. And be it enacted, That the Proprietors or Owners of the Salmon Fishings upon the said Raik and Stells, and the Lessees, Tenants, or Occupiers of the same, shall be entitled to Indemnification for any Loss or Damage which their said Fishings may suffer in consequence of any of the Operations authorized by this Act, which may prevent the Proprietors of the said Fishings from working the same, or may hinder or prevent them from catching the same Proportion which they now do of the whole Salmon or Grilse which may be caught or taken in the River; the Amount of which Loss or Damage shall be ascertained by a Jury of Fifteen Persons to be named by the Sheriff of the County of *Aberdeen* as hereinafter mentioned, at the Distance of not less than Seven Years nor more than Ten Years after the Operations for effecting the intended Alterations on the said River shall have been completed; and the particular Time of ascertaining such Loss or Damage, within the Periods aforesaid, shall be fixed at the Option of a Majority in Value of the Proprietors or Owners of the said Fishery: Provided always, such Loss or Damage shall apply to the Fishings in the River only, and in ascertaining the same the Fishing in the Sea at the Mouth of the said River, although belonging to the same Proprietors or Owners, shall not be taken into consideration.

Other Persons to be indemnified.

LXV. And be it further enacted, That if any other Person or Persons shall at any Time or Times sustain any Damage in his, her, or their Lands, Tenements, Fishings, or Heritages, by the Execution of any of the Powers of this Act, or by any Act, Neglect, or Default of the said Trustees, or of the Workmen employed therein, then and in every such

such Case the Amount of such Damage shall be ascertained by a Jury of Fifteen Persons, to be named by the Sheriff of the County wherein such Lands, Tenements, Fishings, or Heritages shall be situate, as hereinafter mentioned.

LXVI. And be it further enacted, That it shall and may be lawful to and for the Sheriff Depute of the County wherein any Lands, Tenements, Fishings, or Heritages affected by any of the Operations of this Act shall be situate, or his Substitute, and they are hereby authorized and required, upon Application from the said Trustees, or from any other Person or Persons, Bodies Politic or Corporate, interested as Proprietors or Occupiers of any such Lands, Tenements, Fishings, or Heritages, to make out a List of Thirty substantial and disinterested Persons resident within such County; which Thirty Persons are hereby required to come and appear before the said Sheriff Depute or his Substitute at such Times and Places as in his Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and then and there, out of the Number of Persons who shall so appear, the Sheriff Clerk of the said County, or his Deputy, shall, in Presence of the said Sheriff Depute or his Substitute, and of the Parties interested, or their Agents, if they attend, (due Notice being given them,) draw out the Names of Fifteen of the said Persons, who shall form and be impannelled as a Jury for the Purposes before and after mentioned; and the said Sheriff Depute or his Substitute is hereby also authorized to issue Warrants or Precepts for citing before him at same Time and Place such Person or Persons as shall by either Party be thought necessary or proper to be examined upon Oath as Witnesses before the Jury touching or concerning any Damages which may happen to be claimed under this Act, or for the Recovery and Production of any Books, Papers, Deeds, or other Writings relating thereto, and shall and may authorize the Jury to view the Place or Places connected with the Matters in Question, as the said Sheriff Depute or his Substitute may think fit; and the said Jury upon their Oaths, to be administered by the said Sheriff Depute or his Substitute, shall enquire how far any of the Operations, Acts, Matters, or Things done, executed, or performed in pursuance of this Act have anywise occasioned such Damage as hereinbefore particularly mentioned to the said Salmon Fishings hereinbefore mentioned, or have any way occasioned Damage or been prejudicial to any other Lands, Tenements, Fishings, or Heritages; and if any Damage shall appear, the said Jury shall assess the Amount and Value thereof; and the said Sheriff Depute or his Substitute shall and may pronounce and give Judgment or Decree thereon; and the said Trustees shall be obliged to pay the Amount of any Sum or Sums of Money which shall be so assessed to the Party or Parties interested in and found entitled to the same; and the Verdict or Verdicts to be returned by any Jury or Juries to be named as aforesaid, authenticated by the Subscriptions of the several Persons composing the same, or of a Majority of them, and the Judgment or Judgments, Decree or Decrees, to be thereupon declared and pronounced by the said Sheriff Depute or his Substitute, shall be final, binding, and conclusive to all Intents and Purposes against and upon the said Trustees, and upon all and every Person or Persons, Bodies Politic or Corporate,

Juries to be summoned to assess Damages under this Act.

rate, having or claiming any Right, Title, or Interest in or out of the said Salmon Fishings hereinbefore mentioned, or any other Lands, Tenements, Fishings, or Hereditaments which may be anywise connected with or affected by any of the Operations, Acts, Matters, or Things done, executed, or performed in pursuance of this Act, and upon their Heirs, Executors, Administrators, and Successors whatsoever; and the said Verdict or Verdicts, and the Judgment or Judgments of the said Sheriff Depute or Substitute to follow on the same, shall be entered and kept among the Records of the Sheriff Court of the said County; and the same, or true Copies or Extracts thereof, shall be deemed and taken as good and sufficient Evidence and Proof in any Court of Law and Equity whatsoever.

Expences of
Juries.

LXVII. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, Fishings, or Heritages of or belonging to any Body or Bodies Politic or Corporate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, Fishings, Heritages, or other Property, than had been previously offered by or on behalf of the said Trustees; or where any Verdict shall be found for any Damages, where the Dispute is for Damages only; or where no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof, by or on behalf of the said Trustees; or where, by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Trustees, as hereinbefore mentioned; then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff, and be defrayed by the said Trustees; and in case such Costs shall not be paid by the said Trustees within Thirty Days after the same shall be demanded; the same shall and may be levied, by virtue of any Warrant under the Hand of any Justice of the Peace acting in and for the County where the Case shall arise, by Distress and Sale of the Goods and Chattels and Property hereby vested in the same Trustees or their Treasurer; but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on behalf of the said Trustees, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Trustees, by any Body or Bodies Politic or Corporate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey, or receive such Compensation as aforesaid, then and in all such Cases (except where, by reason of Absence or otherwise, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Trustees), the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury,
and

and taking such Verdict, and be borne and paid in the Manner following; (that is to say,) one Moiety or Half Part of the said Costs and Expences shall be borne and paid by the said Trustees, and the other Moiety or Half Part thereof by the Body or Bodies Politic or Corporate, or other Person or Persons, with whom the said Trustees shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Body or Bodies Politic or Corporate, or other Person or Persons aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Trustees by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

LXVIII. And be it further enacted, That if any Money shall be awarded to be paid for or in respect of any Lands, Tenements, Fishings, or Heritages taken or damnified under or by virtue of the Powers of this Act for the Purposes thereof, which are held under Entail, or are subject to Life Rents, Annuities, or other Incumbrances, or shall belong to any Corporation, Married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or the Bank of the *British Linen Company* in *Scotland*; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Fishings, or Heritages, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, Fishings, or Heritages, or affecting other Lands, Tenements, Fishings, or Heritages standing settled therewith, to the same or like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Fishings, or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, Fishings, and Heritages which shall be so taken or damnified as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and

Reinvesting
Purchase
Monies, if
amounting
to 200*l*.

[Local.]

7 G

Profits

Profits of the Lands, Tenements, Fishings, and Heritages so hereby directed to be purchased in case such Purchase or Settlement were made.

If less than
200l. and
exceeding
20l.

LXIX. Provided always, and be it further enacted, That if any Money so awarded to be paid for any Lands, Tenements, Fishings, or Heritages taken or damnified as aforesaid, and belonging to any Corporation, or to any Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, Fishings, or Heritages so taken or damnified, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, under the like Direction and Authority, be paid into either of the Banks, and be placed to his or their Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Two or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Interest arising therefrom, may be applied in any Manner hereinbefore directed, as far as the Case may be applicable.

Under 20l.

LXX. Provided also, and be it further enacted, That where such Money so awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Fishings, or Heritages so taken or damnified as aforesaid, in such Manner as the said Trustees or any Two or more of them shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of
not making
out Title, &c.

LXXI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded as aforesaid shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, Fishings, or Heritages be not known or discovered, then and in every such Case it shall and may be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *Scotland*, or *Royal Bank of Scotland*, or *Bank of the British Linen Company of Scotland*, to the Credit of the Parties interested, describing them, subject to the Order, Controul, or Disposition of the Court of Session; which said Court, on the Application of any Person or Person making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and is hereby empowered, in a sum-

a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, Royal Bank of *Scotland*, or the Manager of the said Bank of the *British Linen Company of Scotland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

- LXXII. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the said Banks in pursuance of this Act, as aforesaid, the Person or Persons who shall have been in Possession of such Lands, Tenements, Fishings, or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, Fishings, or Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Session; and such Money, and the Interest thereof, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Fishings, or Heritages, or to some Estate or Interest therein.

Where Questions arise touching the Title.

LXXIII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any such Lands, Tenements, Fishings, or Heritages, as aforesaid, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Lands, Tenements, Fishings, or Heritages, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sum of Money for such Purposes as the said Court shall direct.

For Payment of Expences of Purchases in Cases of Disability.

LXXIV. Provided always, and be it further enacted, That as the Loss or Damage, if any, arising to the said Fishings called the Raik and Stells, in consequence of the Operations authorized by this Act, may not be ascertained in less than Ten Years after the Completion of the said Operations, the said Court is hereby authorized and empowered to fix and direct to be paid such Proportion as the said Court shall think fit of the Amount of the said Damage, ascertained in Manner aforesaid, and which shall be found by the said Court to be applicable to any Part or Parts of the said Fishings which are held

Court to fix Proportion of Damages payable to the Heir in Possession during the Time the Damage to Salmon Fisheries

under

may remain
unascertain-
ed.

under Entail, to the Heir or Heirs in Possession for the Time being of the said entailed Fishing, his, her, or their Heirs, Executors, or Assignees, so that such Heir or Heirs in Possession for the Time being may thereby receive, out of the said Amount of Damages, to be ascertained in Manner aforesaid, a reasonable Indemnification for the annual Loss, if any, which he or they may have suffered by the said Operations previous to the Period when the Damage shall be finally paid, in Terms of this Act.

Goods to be
removed
from the
Quays.

LXXV. And be it also enacted, That it shall not be lawful for any Person or Persons, who shall have landed, or cause to be landed and laid, any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, Ballast, Paving or other Stones, Lime-stones, Lime, Chalk, Slates, Dung, or Manure, or any other Thing, (other than Materials for the necessary Repair of the Works and Improvements before mentioned, or for immediate Use in shipping,) upon any of the Piers and Quays or Landing Places within the said Harbour, or on any of the adjacent Streets and Avenues leading to the said Piers and Quays or any of them, to continue or permit the same or any Part thereof to remain and lie thereon for any longer Time than Forty-eight Hours; and in all Cases where the said Goods or others aforesaid shall have so continued beyond the Space of Forty-eight Hours, it shall and may be lawful to and for the said Trustees, or any Person or Persons authorized and appointed by them as aforesaid, to remove or cause to be removed all such Goods and other Things as shall be so found lying, continuing, and being on the said Quays, Piers, and other Places above the said limited Time, to some Place or Places of Safety, and therein to detain and keep the same till Payment of the Charges of such Removal and Detention, and of such Consideration besides to the said Person or Persons authorized as aforesaid, for their Trouble in and about the same, as the Provost or any One of the Baillies of the said City of *Aberdeen* shall think reasonable; and if such Charges and Expences shall not be paid within the Space of Three Days after Demand made thereof by the said Person or Persons authorized as aforesaid by the said Trustees, then and in that Case they are hereby authorized and required to levy the same by Distress and Sale of the said Goods and Merchandize so respectively secured, and to render the Overplus (if any be) to the Owner or Owners of such Goods, Merchandize, and others aforesaid, (the Charge of taking, removing, keeping, and making the Sale being deducted and allowed,) whenever the same shall be demanded.

Warehouses,
&c. may be
hired or
built.

LXXVI. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered, out of the Rates and Duties aforesaid, to rent or hire by the Year, or otherwise to build, erect, make out, and enclose, convenient Warehouses, Yards, or other Places for the receiving and safe-keeping or lodging of such Goods and other Things so to be removed from off the Quays and other Places as aforesaid, or which now are or may hereafter be allowed to be bonded and warehoused under any Act or Acts connected with His Majesty's Customs or Excise, and to permit the same to be used or occupied for that Purpose by the Owner or

Owners of such Goods, Merchandize, or other Commodities, or his or their Factors or Managers, upon Payment of such Rents or Compensations, and under such Regulations and Conditions, as the said Trustees may from Time to Time think reasonable and expedient.

LXXVII. And be it further enacted, That no Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other such combustible Things, shall be suffered to be and remain on the Quays and Piers aforesaid, already constructed or hereafter to be constructed within the said Harbour of *Aberdeen*, or in any Part thereof, or upon the Deck of any Ship or Vessel in the said Harbour, for above the Space of Twenty-four Hours; nor shall any Gunpowder be suffered to remain on board of any Ship or Vessel, or upon the said Piers or Quays, for above the Space of Six Hours after the Arrival of such Ship or Vessel in the said Harbour; and in case the Owner or Owners of such Goods and other Things, or the Master or Masters of any Ships, Barks, or other Vessels, shall make Default herein, every such Owner or Owners, Master or Masters, shall forfeit and pay for every such Offence the Sum of Ten Pounds Sterling; and in case any Ship, Vessel, Bark, Boat, or Lighter, in which any Gunpowder shall happen to be, shall arrive in the said Harbour upon a *Sunday* or any Custom House Holiday, it shall be lawful for the Master or Commander of any such Ship, Vessel, Bark, Boat, or Lighter, or for the Owner or Owners of such Gunpowder, to land and convey the same to some Place of Security, without a Sufferance or Leave from the Officers of His Majesty's Customs for so doing.

Removal of
Gunpowder
and other
Combusti-
bles.

LXXVIII. And be it further enacted, That no Person whatsoever shall have or keep, or cause to be had or kept, any Fire, Candle, or Lamp lighted on board of any Ship, Boat, or other Vessel lying in the said Harbour at any Time or Times whatsoever, (except only with the Permission of the said Trustees, as hereinafter mentioned,) upon Pain of forfeiting for every such Offence any Sum not exceeding Ten Pounds Sterling.

Fires, Can-
dles, &c. not
to be lighted
in Ships in
the Har-
bour;

LXXIX. And be it further enacted, That in case it shall appear to the said Trustees necessary and proper to permit any Fires, Candles, or Lamps to be lighted or used on board of any Ship, Boat, or other Vessel lying within the said Harbour, it shall be lawful for the said Trustees, from Time to Time, to authorize and permit the same to be lighted and used in such Part or Parts thereof, or on board of such Ships, Boats, or other Vessels, and during such Times and Hours, and under such Regulations only, as they shall order and direct in that Behalf.

except un-
der certain
Regulations.

LXXX. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed by them, to remove or cause to be removed, when and so often as he or they shall judge necessary, any Ship, Vessel, Bark, Lighter, or Boat lying in any of the Entrances or Passages of the said Harbour, or at any Quay, Pier,

Ships may
be removed
from one
Birth to an-
other.

[Local.]

7 H

and

and Breast, already built or hereafter to be built by virtue of this Act, or in any other Part of the said Harbour, from the Birth or Lying Place at which they shall respectively happen to be stationed or moored at the Time, to any other Birth or Lying Place, as he or they shall think proper; and the Masters, Commanders, and Owners and Consignees of such Ship, Vessel, Bark, Lighter, and Boat so to be removed, shall respectively pay to the said Trustees all such Costs and Charges as shall be reasonably expended in removing such Ship, Vessel, Bark, Lighter, or Boat, to be recovered, levied, and applied in like Manner as the Forfeitures and Penalties imposed by this Act are hereinafter ordered to be recovered, levied, and applied; and every Master, Commander, Mate, or other Person taking upon himself the Command of any Ship, Vessel, Bark, Lighter, or Boat, or the Owner, Factor, Consignee or Agent, or other Person or Persons whatsoever, who shall obstruct or hinder the Removal of any such Ship, Vessel, Bark, Lighter, or Boat, shall for every such Offence forfeit the Sum of Ten Pounds Sterling.

Vessels unfit
for Service
not to re-
main at the
Quays.

LXXXI. And be it enacted, That no Ships, Vessels, Barks, Lighters, or Boats which shall be laid by as unfit for Sea Service, or neglected by the Owner or Owners thereof, shall be permitted to be and remain in or at any of the Piers, Quays, or other Works erected or to be erected within the said Harbour, so as to incumber the same; but in every such Case it shall and may be lawful to and for the said Trustees, or any Person or Persons whom they shall authorize for that Purpose, immediately to cause such Ships, Vessels, Barks, Lighters, or Boats, and every of them, to be, at the Charges and Expences of the Owner or Owners of the same, removed from the said Piers, Quays, or other Works, or any of them, and to lay the said Ships, Vessels, Barks, Lighters, or Boats on any Part of the Strand or Sea Shore within the High Water Mark, or any other Place of Safety within the said Harbour, and there to moor such Ships, Vessels, Barks, Lighters, or Boats; and before Demand of Payment is made by the said Trustees, or the Persons authorized by them as aforesaid, from the Owner or Owners, Master, or Agent of any such Ship, Vessel, Bark, Lighter, or Boat as aforesaid, such Charges and Expences shall be first examined and allowed by One or more of the Baillies of the said City of *Aberdeen* for the Time being; and in case of Refusal or Neglect of Payment of such Charges and Expences allowed as aforesaid, for the Space of Three Days after Demand thereof made, then and in every such Case it shall and may be lawful to and for the said Trustees, or the Person authorized by them as aforesaid, to levy such Charges and Expences by Distress and Sale of such Ship, Vessel, Bark, Lighter, or Boat, or any of the Tackle, Apparel, or Furniture of the same, or any Part thereof, rendering the Overplus (if any be, after deducting the Charge of taking and Sale of such Distress,) to the Owner or Owners, Master, or Agent of such Ship, Vessel, Bark, Lighter, or Boat, whenever the same shall be demanded.

Vessels in
Distress to
be preferred.

LXXXII. And be it further enacted, That in case any Ship or Vessel shall arrive or come into the said Harbour of *Aberdeen* in Distress, or meet with any Misfortune in the Bay of *Aberdeen*, or in the Harbour aforesaid,

aforesaid, it shall and may be lawful to and for the Provost, or any One of the Baillies of the said City of *Aberdeen*, upon Request made to him in Writing by the Master, Commander, or Owner of any such Ship or Vessel, or Owner of any Goods aboard such Ship or Vessel, and upon Proof being made before him of such Distress, to give a Preference to such Ship or Vessel being in Distress as aforesaid, both as to the Births at the Piers and Quays and as to the Course of discharging, to any other Ship or Vessel which shall have arrived before her in the Harbour aforesaid; and the Master or Commander of every Ship or Vessel lying within the Harbour of *Aberdeen*, who shall refuse or delay to comply with the Order of the said Provost or Baillie in favour of the Ship or Vessel in Distress as aforesaid, shall forfeit the Sum of Twenty Pounds Sterling.

LXXXIII. And be it further enacted, That it shall be lawful for the said Trustees to cause any Ship or Vessel having a Cargo of Lime to proceed to and lie at such Quays, Piers, or Wharfs, and at such Parts thereof as they shall think proper, for the Purpose of unloading.

Trustees to direct where Lime Ships shall unload.

LXXXIV. And be it further enacted, That the said Trustees shall have the immediate Superintendence, Direction, and Management of the ballasting of all the Ships and Vessels within the said Harbour of *Aberdeen*, and they are hereby authorized and empowered to make, establish, and execute such Rates, Rules, and Regulations respecting the same as from Time to Time they shall deem expedient.

Trustees to have the Superintendence of Ballast.

LXXXV. And be it further enacted, That it shall not be lawful for any Owner or Owners, Master or Commander, Seaman or Servant, of or belonging to any Ship, Vessel, Bark, Boat, or Lighter, or any other Person or Persons whatsoever, to dig or take away any Ballast, Shingle, Stones, or other Things from within the said Harbour, or to cast or put away any Ballast into the said Harbour, or upon any of the Works already made or hereafter to be made within the same, or to lay or place the same in any other Place than shall be appointed by the said Trustees, or by the Person or Persons authorized by them, under the Penalty of paying for each Offence any Sum not exceeding Five Pounds Sterling.

Ballast not to be taken out of or thrown into the Harbour.

LXXXVI. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to build and erect such Offices, and such and so many Sheds, upon the Quays or Wharfs within the said Harbour, and to remove the same when built, and build and erect others in their Stead, as may from Time to Time be deemed necessary for the Collection of the Revenues of the said Harbour, and for the Protection of Goods and Merchandize when loading or unloading within the said Harbour: Provided always, that such Offices and Sheds shall not be erected in any Place where the Quay or Wharf is less than Ninety Feet in Breadth, measuring from the Fronts of the Houses along the same, and that such Offices and Sheds shall not extend more than Thirty Feet from the Breast of the said Quays or Wharfs, and shall not exceed Twenty Feet in Height.

Trustees to erect Sheds within the Harbour.

LXXXVII. And

To erect
Slips and let
them by
Public Roup.

LXXXVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized, to erect Inclined Planes or Slips upon any Part of the Beach of the said Harbour for the Purpose of hauling up Vessels for Repair, and from Time to Time to let such Slips or Inclined Planes by Public Roup, for any Period not exceeding Seven Years, at such Rent or Rents as can be procured for the same.

Power to
employ
Towing
Vessels.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall deem it necessary or expedient, to build, purchase, hire, or otherwise employ One or more Vessel or Vessels, to be commanded by a licensed Pilot, and to be propelled by Steam or otherwise, for the Purpose of towing or hauling Ships, Barks, or other Vessels into and out of the said Harbour; and any Person or Persons requiring the Assistance of such Towing Vessel or Vessels shall be obliged to pay to the said Trustees, or their Collector or Collectors, such reasonable Rates or Compensations for the Use thereof as shall from Time to Time be established by the said Trustees, and which shall be due and payable, whether the said Towing Vessel or Vessels shall be actually employed or not, provided the Assistance thereof shall have been required, and shall in consequence of such Requisition have been tendered by the Master or Masters, or other Person or Persons commanding such Towing Vessel or Vessels.

Trustees not
to be liable
for Damage
in conse-
quence of
employing
Towing Ves-
sels.

LXXXIX. And be it enacted, That the said Trustees shall not be liable or responsible for any Accident, Loss, or Damage which may arise to any Ship or Vessel, or to the Cargo or Cargoes thereof, in consequence of the Employment of such Towing Vessel or Vessels, but the Master or Masters or other Person or Persons actually on board of and having the immediate Charge of such Towing Vessel or Vessels shall be answerable for any wilful or culpable Neglect and Mismanagement thereof.

Masters or
Owners of
Ships, Boats,
&c. to be
answerable
for Damage
done by their
Vessels or
Servants.

XC. And be it further enacted, That the Master or Owner of any Ship, Bark, Lighter, Boat, or other Vessel lying or trading in the Harbour of *Aberdeen*, shall be and he is hereby made answerable for all Damage, Spoil, or Mischief which shall be done by his Ship, Bark, Lighter, Boat, or other Vessel, or by any of the Seamen, Boatmen, Watermen, or others belonging to or employed in or about the same respectively, unto any of the Quays, Piers, Breasts, or other Works in, upon, or belonging to the said Harbour, either by loading or unloading any such Ship, Bark, Lighter, Boat, or other Vessel, or by any other Means whatsoever, and for any Trespass whatsoever, contrary to the several Directions and Restrictions in this Act contained, or any of them; and every such Master or Owner shall, upon Conviction before any One Justice of the Peace, either upon Confession or upon the Oath or Oaths of One or more credible Witness or Witnesses (which Oath or Oaths such Justice is hereby empowered and required to administer), pay the Damage to be ascertained by such Justice, provided such Damages do not exceed the Sum of Twenty Pounds; and upon Nonpayment on Demand the same shall be levied by Distress and Sale of the Goods and Chattels of such

Master or Owner, in like Manner as any other Penalties or Forfeitures are by this Act directed to be levied; or if the Damages shall exceed the Sum of Twenty Pounds, then the same may be sued for and recovered, with full Costs of Suit, in any Court of competent Jurisdiction in *Scotland*.

XCI. And be it further enacted, That in case the Master or Masters or the Owner or Owners of any Ship, Bark, Lighter, Boat, or other Vessel lying or trading in the said Harbour, shall be compelled to pay any Penalty or to make any Satisfaction for any Damages by reason of any Neglect or Default done or committed by his or their Sailors, Servants, Boatmen, or Watermen, or any of them, contrary to the Provisions in this Act contained, such Sailors, Seamen, Servants, Boatmen, or Watermen, and each and every of them, shall be liable to repay such Penalty or Damages, with the Costs thereof, to such Master or Masters, Owner or Owners; and in case of Non-payment upon Demand thereof, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him or them of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him or them by such Sailors, Seamen, Servants, Boatmen, or Watermen, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the said City,) the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

Master or Owners to recover from their Servants any Sums for their Default.

XCII. And be it enacted, That it shall be in the Power of the said Trustees, and they are hereby authorized and empowered, from Time to Time, to license, limit, regulate, and appoint such Number of proper Persons to act as Pilots, Captain Pilots, Meters, Weighers, and Keepers of Light Houses within and about the said Harbour, as they may think necessary, and to remove and displace all and every such Person and Persons at their Pleasure; and also to settle and establish such Rates and Fees, to be levied and paid for the Risk, Trouble, and Labour of the Pilots, Captain Pilots, Meters, Weighers, and Keepers of Light Houses employed within and about the said Port and Harbour, as the said Trustees shall from Time to Time deem just and reasonable, not exceeding for such Pilots the Rates hereinafter mentioned; and if any Person shall act in any of the said Capacities within or about the said Harbour, without being licensed and appointed as aforesaid, every Person so offending shall forfeit and pay a Penalty not exceeding Ten Pounds Sterling,

Trustees empowered to license and regulate Pilots, Meters, Weighers, &c.

XCIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and required, to examine and enquire into the Skill and Ability of any Person who shall tender or offer himself to be admitted as a Pilot for the said Harbour of *Aberdeen*, as well by Examination of Witnesses upon Oath as by such other Ways and Means as to them shall seem proper; and if, upon such Examination and Enquiry, the Person so offering himself as a Pilot shall be approved of by the said Trustees, they the said Trustees may grant a Licence or Warrant certifying that such Person is duly qualified to act as a Pilot to conduct Vessels into and out

Trustees to examine and grant Licences to Pilots.

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of the said Harbour of *Aberdeen*, which Licence or Warrant shall be subscribed with the Handwriting of the Clerk of the said Trustees, and from thenceforth such Person shall be deemed qualified to exercise the Occupation of Pilot within the Harbour of *Aberdeen* aforesaid; and every such Licence or Warrant shall continue in force for Twelve Months next after granting the same, and no longer.

Pilots to pay
for their first
Licence 5s.
and after-
wards 1s.

XCV. And be it further enacted, That every Person, upon his first Admission as a Pilot, shall for his first Licence or Warrant pay to the Clerk of the said Trustees the Sum of Five Shillings, and for every subsequent Licence or Warrant the Sum of One Shilling, and shall be subject to the several Regulations and Provisions in this Act contained, and to such Orders, Rules, and Bye Laws as shall be made in pursuance thereof.

Rates of
Pilotage.

XCV. And be it further enacted, That all Pilots, licensed by the said Trustees, shall be entitled to the Rates of Pilotage (for a Boat and Five Men employed therein besides the Pilot, and so in Proportion for a smaller Number of Men,) hereinafter mentioned, according to the Order in which such Boat shall reach any Ship or Vessel; (that is to say,)

For every Ship or Vessel under Fifty Tons, Seven Shillings for the first Boat, Six Shillings for the second Boat, and Five Shillings for the third and every other Boat:

For every Ship or Vessel of Fifty Tons and under Sixty Tons Burthen, Eight Shillings the first Boat, Seven Shillings for the second Boat, and Six Shillings for the third and every other Boat:

For every Ship or Vessel of Sixty Tons and under Eighty-five Tons Burthen, Nine Shillings for the first Boat, Seven Shillings and Sixpence for the second Boat, and Six Shillings and Sixpence for the third and every other Boat:

For every Ship or Vessel of Eighty-five Tons, and under One hundred and ten Tons Burthen, Ten Shillings for the first Boat, Eight Shillings for the second Boat, and Seven Shillings for the third and every other Boat:

For every Ship or Vessel of One hundred and ten and under One hundred and fifty Tons Burthen, Eleven Shillings for the first Boat, Eight Shillings and Sixpence for the second Boat, and Seven Shillings and Sixpence for the third and every other Boat:

For every Ship or Vessel of One hundred and fifty and under Two hundred Tons Burthen, Twelve Shillings for the first Boat, Nine Shillings for the second Boat, and Eight Shillings for the third and every other Boat:

For every Ship or Vessel of Two hundred Tons and under Two hundred and fifty Tons Burthen, Fourteen Shillings for the first Boat, Ten Shillings for the second Boat, and Nine Shillings for the third and every other Boat:

For every Ship or Vessel of Two hundred and fifty Tons and upwards, Fifteen Shillings for the first Boat, Eleven Shillings for the second Boat, and Ten Shillings for the third and every other Boat:

For each Tide's Work with a Boat and Five Men, besides the Pilot,
for

for Service within the Harbour, Six Shillings for every Description of Vessel, being One Shilling for each Man in the Boat :

For towing a loaded Lighter from the lower to the upper Part of the Harbour, Two Shillings and Sixpence :

For an empty Lighter, One Shilling and Sixpence :

Provided always, that no Master or Commander of any Ship or Vessel shall be bound to employ more than One Pilot Boat, unless he shall think proper so to do.

XCVI. And be it further enacted, That the said Trustees shall have full Power and Authority, at their Discretion, to lessen or reduce all or any of the said Rates of Pilotage, and again to advance and increase the same, and also to fix and determine the Compensation to be made for extraordinary Attendances or Labour at any Ship or Vessel ; provided always, that any Increase of the said Rates do not exceed the Amount of the Rates before mentioned.

Trustees may alter the Rates of Pilotage.

XCVII. And be it further enacted, That in case the Master or Commander of any Ship or Vessel inward-bound shall refuse to take on board and employ the first Pilot so to be licensed as aforesaid who shall offer his Service outside of the said Harbour, or as soon as such Pilot can safely come alongside of such Ship or Vessel, such Master or Commander shall pay or cause to be paid to the Pilot who first or who only shall offer his Service as aforesaid, and shall be so refused, the full Pilotage according to the different Rates and Prices so to be settled by the said Trustees, to be paid as if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into the said Harbour of *Aberdeen*.

Masters of Vessels inward-bound refusing to take Pilots, to pay full Pilotage.

XCVIII. Provided always, and be it further enacted, That in case any Ship or Vessel shall be met with in Distress by any Pilot or Pilots so licensed or to be licensed as aforesaid, and shall stand in need of and receive from him or them any extraordinary Assistance, then the Compensation to be made to the said Pilot or Pilots shall be settled and determined upon according to the Circumstances of the Case by any One or more of the Magistrates of the said City of *Aberdeen* ; and if any Agreement or Agreements for such extraordinary Assistance shall at any Time be made between the Master or Commander of such Vessel and such Pilot or Pilots, such Agreement or Agreements shall be null and void.

Compensation to Pilots for extraordinary Assistance to be settled by Magistrates.

XCIX. And be it further enacted, That no such Pilot or Pilots shall be at liberty to pilot or convey any Ship or Vessel out of the said Harbour until the Captain Pilot shall have been satisfied that the Rates and Duties hereinbefore directed to be paid in respect of such Ship or Vessel shall have been duly paid and satisfied to the Collector or Collectors appointed to receive the same.

Pilots not to take out any Ships until the Duties are paid

C. And be it further enacted, That the Commanders of all Ships, Barks, Lighters, or other Vessels entering the said Harbour with Lime, Coals, Cinders, Culm, Salt, Bark, Potatoes, Grain, or such other Commodities, or the Owners or Consignees of such Goods or Commodities,

Owners and Commanders of Ships to employ a licensed Meter.

Commodities, shall employ a licensed Meter for the Purpose of measuring or weighing such Goods or Commodities respectively; and every Commander of any such Ship, Bark, Lighter, or other Vessel, or the Owners or Consignees of such Goods or Commodities, who shall fail to employ such licensed Meter, shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Persons destroying the Works, &c. to be punished.

CI. And be it further enacted, That if any Person or Persons shall knowingly, wilfully, or maliciously demolish, break down, set on fire, cut, or destroy any of the Works already made, or which shall hereafter be made by virtue of this Act, or shall maliciously, wilfully, or wantonly extinguish or put out any of the Fires or Lights used in the Light House belonging or which may belong to the said Harbour, then every such Offender shall suffer Punishment by Fine or Imprisonment, or both, at the Discretion of the Judge or Judges before whom such Offender shall be tried and convicted.

Persons destroying Mooring Ropes, &c. to forfeit 10/.

CII. And be it further enacted, That in case any Person or Persons whatever shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship or other Vessel lying in the said Harbour shall be moored or fastened, such Person or Persons shall make good all Damages thereby occasioned, and also shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds Sterling: Provided always, that nothing herein contained shall hinder or restrain the Birth Masters or Harbour Masters already appointed or to be appointed by virtue of this Act, or any of them, or their or his Assistant, from exercising in a due and reasonable Manner any of the Powers and Authorities hereby vested in them or him respectively.

Power to make Bye Laws.

CIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any Time or Times hereafter, in General Meetings assembled, to make, order, and establish such Rules, Orders, and Bye Laws for the Government and Regulation of the Captain Pilot, Pilots, Meters, Weighers, Keepers of Light Houses, and other Officers and Persons licensed and employed in and about the said Harbour, and for the better regulating, governing, and managing the Piers, Quays, and Breasts, and every other the Works erected and to be erected in or about the said Harbour, and for the good ordering, Government, Management, and Removal of Ships and Vessels entering the same, and of the Seamen on board such Ships and Vessels, and for the better executing the other Purposes of this Act, and also from Time to Time, as Occasion may require, to repeal and to amend or alter such Rules, Orders, and Bye Laws, as to them shall seem most fitting and requisite, and fix and appoint reasonable pecuniary Penalties, not exceeding Five Pounds Sterling, for the Nonobservance or other Breach of all or any of such Rules, Orders, or Bye Laws, or any Part of them, to be recovered and applied in such Manner as the Fines and Penalties imposed by this Act are ordered to be recovered, levied, and applied: Provided always, that such Rules, Regulations, and Bye Laws, and the Fines and Penalties for the Breach or Nonperformance thereof, as the same shall from Time to

Time be made, altered, or varied, shall not be repugnant to the Law of *Scotland*, or to the Provisions of this Act contained; and the said Trustees shall cause the said Rules, Orders, and Bye Laws to be printed and distributed, and hung up at the most conspicuous Places within the said Harbour of *Aberdeen*, and from Time to Time to renew the same, when they become obliterated or defaced; and the said Trustees shall at all Times keep and continue the same so printed and hung up as to give full Publicity and Knowledge thereof to all Persons concerned.

CIV. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon the said Trustees or such Committee as aforesaid, or any Citation or Summons, or other legal or equitable Proceedings, the Service upon any Two of the said Trustees, or left at their last or usual Place of Abode, or upon the Clerk of the said Trustees, or at the Office of the said Clerk, or left at his last or usual Place of Abode, or at the Office of the said Trustees, shall be deemed good and sufficient Service of the same respectively on the said Trustees.

Notices how to be served on Trustees.

CV. And be it further enacted, That the said Trustees may sue and be sued for any Matter or Thing to be done in the Execution of this Act in the Name of their Clerk, or their Collector or Receiver for the Time being, or in the Names of any Two or more of the said Trustees; and that no Action or Suit wherein the said Trustees shall be concerned as Pursuers or Defenders, in the Name of their Clerk, Collector, or Receiver, or of any Two of them, by virtue of this Act, shall abate by the Death or Removal of any such Clerk, Collector, or Receiver, or Trustees, but the Clerk, Collector, or Receiver to the said Trustees for the Time being, or of any Two of the said Trustees to be for that Purpose nominated, shall be deemed to be the Pursuer or Defender, Pursuers or Defenders, (as the Case may be,) in every such Action; and every such Clerk, Collector, Receiver, or Trustees shall be reimbursed and paid all Monies, Charges, and Expences which he or they shall bear, pay, expend, or be put unto by his or their being so made Pursuer or Defender, Pursuers or Defenders, as aforesaid.

Trustees to sue and be sued in the Name of their Clerk or Collector, or any Two Trustees.

CVI. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, or other Magistrate, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Costs, Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such Trustees or any Person or Persons acting by or under their Authority, but not including any such Sums as shall be assessed or awarded by a Jury as hereinbefore mentioned, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made thereof from the Clerk or Treasurer to the said Trustees, in pursuance of the Direction or Order made by such Justice or Justices or other

Claims against Trustees how to be recovered.

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Magistrate,

Magistrate, and in which Demand the Order of such Justice or Justices or other Magistrate shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices or other Magistrate; which Warrant any Justice or Justices or other Magistrate is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned (on Demand) to the said Trustees or their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Recovery
and Applica-
tion of Pe-
nalties.

CVII. And be it further enacted, That all Expences, and also all Penalties, Forfeitures, and Fines by this Act imposed, or by any Bye Law made in pursuance hereof, (the Manner of levying, recovering, and applying whereof is not herein otherwise directed,) shall, upon Proof of the Offences respectively before the Sheriff Depute or Substitute, or any One Justice of the Peace for the said City or County, either by the Confession of the Party offending, or by the Oath of any credible Witness, or other competent Evidence, to be levied, together with the Expences attending the Information and Conviction, by Pounding and Sale of the Goods and Effects of the Party offending, by Warrant under the Hand of such Sheriff Depute or Substitute, or Justice, (which Warrant such Sheriff Depute or Substitute, or Justice, is hereby empowered to grant); and the Surplus (if any), after deducting such Expences, Penalties, Forfeitures, and Fines, and the Charge of such Pounding and Sale, shall be returned unto the Owner of such Goods and Effects; and in case such Expences, Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Sheriff Depute or Substitute, or Justice, to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Pounding, unless the Offender shall give sufficient Security, to the Satisfaction of such Sheriff Depute or Substitute, or Justice, for his or her Appearance before such Sheriff Depute or Substitute, or Justice, on such Day as shall be appointed for the Return of such Warrant of Pounding, which Security the said Sheriff Depute or Substitute, or Justice, is hereby empowered to take by Bond of Caution or otherwise; but if upon the Return of such Warrant it shall

shall appear that no sufficient Goods and Effects can be found; then it shall be lawful for the said Sheriff Depute or Substitute, or Justice, and he is hereby authorized and required, by Warrant under his Hand, to cause such Offender to be committed to the Common Gaol, there to remain for any Time not exceeding Three Months, unless such Expences, Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid; and the Monies recovered or levied for such Expences shall be applied to the Payment of the same respectively, and the Monies arising by such Penalties, Forfeitures, and Fines respectively, after defraying the Expences of suing for and recovering the same, shall be applied to the Purposes of this Act: Provided always, that it shall and may be lawful to and for the said Magistrates and other Judges aforesaid, or any of them, by whom such Judgment, Sentence, or Determination shall be given, pronounced, or made, from Time to Time, where they see Cause, to mitigate, compound, or lessen any of the Penalties or Forfeitures aforesaid, as he or they in his or their Discretion shall think fit, so as such Mitigation or Composition do not extend to remit above Three Fourths of the Penalty inflicted and directed to be levied by this Act; and that every such Mitigation or Composition shall be a sufficient Discharge to the Persons offending respectively, for so much of the said Penalties and Forfeitures as shall be so mitigated, lessened, or remitted.

Penalties
may be miti-
gated.

CVIII. And be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, or by any Rule, Order, or Bye Law to be made in pursuance thereof, it shall and may be lawful to and for such Person or Persons to appeal therefrom to the Circuit Court of Justiciary in *Scotland* held at *Aberdeen*, provided that such Appeal be lodged with the proper Officer of the said Court within Ten Days after the Matter thereof shall have arisen, of which legal Notice shall be given to the opposite Party or Parties; and the Judgment of the said Court upon such Appeals shall be final and conclusive, without being subject to Advocation, Suspension, or Reduction, or to any Stay or Challenge by other Process of the Law whatsoever.

Appeal.

CIX. Provided always, and be it enacted, That no Trustee under this Act shall at any Time hold any Office or Employment of Emolument under this Act, or be anyways interested or concerned, directly or indirectly, as Tacksman or Lessee of all or any of the Rates, Dues, and Duties granted by this Act, or in any Tack or Lease which shall be granted of the same, but every such Tack or Lease in which any such Trustee shall be so interested or concerned shall be wholly null and void; and if any such Trustee shall be anyways interested or concerned, directly or indirectly, as such Tacksman or Lessee, or in any such Tack or Lease as aforesaid, every such Person shall for every such Offence forfeit and pay the Sum of Five hundred Pounds Sterling.

No Trustee
to hold any
Office of
Emolument,
or be con-
cerned in
Lease of the
Duties.

CX. And be it further enacted, That in case the several Works hereby authorized to be made shall not have been fully executed

Works to be
completed
within
12 Years.

and

and completed within the Space of Twelve Years from the passing of this Act, then and from thenceforth all the Powers and Authorities hereby granted for making such Works shall cease and determine, save and except as to such Part or Parts of the said Works as shall have been so made and completed.

Jurisdiction of the City of Aberdeen saved.

CXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, alter, abridge, lessen, change, or infringe any Jurisdiction, Power, Property, or Authority of the Magistrates and Council of the said City of *Aberdeen*, and Community thereof, in and about or concerning the said Harbour, or the Piers, Quays, and other Works built or to be built as aforesaid, unless in so far as the same are hereby specially altered or abridged during the Continuance of this Act.

The Duties which existed before the first Act to continue after the Expiration of this Act.

CXII. And be it further enacted, That notwithstanding the Rates, Dues, and Duties which previous to the said recited Acts were in use to be levied and paid within the said Harbour of *Aberdeen*, in virtue of the ancient Rights and Charters granted in favour of the said Magistrates and City Council, and ratified by different Acts of the Parliament of *Scotland*, are during the Continuance of this Act to be included in and to form Part of the Rates, Dues, and Duties to be levied under this present Act, all the said Rates, Dues, and Duties which were in use to be levied in virtue of the said Rights, Charters, and Acts, previous to the said first-recited Act, shall after the Expiration of this present Act remain, continue, and be payable to and leviabie by the said Magistrates and City Council in the same Manner as if this Act or any of the said recited Acts had never been passed.

Expences of Act.

CXIII. And be it further enacted, That the Charges and Expences of passing this Act shall be paid and defrayed out of the first Monies to be raised by virtue of this Act.

Commencement and Continuance of Act.

CXIV. And be it further enacted, That this Act, so far as respects all Matters and Things to be done with reference to the First Election of Five Burgesses of Guild and One Member of the Incorporated Trades to be Trustees under this Act, shall commence and take Effect from and after the First Day of *June* One thousand eight hundred and twenty-nine; and this Act, for all other Purposes, and all the Powers and Authorities of the same, and the Rates and Duties hereby granted, shall commence and take effect from and after the Twelfth Day of *July* One thousand eight hundred and twenty-nine, and shall continue for the Space of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Public Act.

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

SCHE-

SCHEDULES referred to in this Act.

SCHEDULE (A.)

Quality of Goods.	Bulkage per Barrel.	Lib. Sutt.	c. q. lb.		
			c.	q.	lb.
Alum	Two Hundred Weight Two Quarters British		2	2	0
Almonds	One Hundred One Quarter Ditto		1	1	0
Ditto in the Shell	One Hundred Ditto		1	0	0
Anise Seeds	One Hundred Two Quarters Ditto		1	2	0
Anvils	Two Hundred Two Quarters Ditto		2	2	0
Apples and Onions in Package	Five cubical Feet		0	0	0
Argol	Two Hundred Two Quarters British -		2	2	0
Ashes (Weed)	Two Hundred Two Quarters Ditto -		2	2	0
Ditto, Pearl and all other Kinds					
Bark (Quircitron)	Five cubical Feet				
Barley (Hulled)	Two Hundred Two Quarters, British -		2	2	0
Barilla	Two Hundred Two Quarters Ditto -		2	2	0
Barrels (Salmon and Herring)	Thirty-two Old English or Twenty-six Two-sixth Imperial Gallons -		0	0	0
Beef	Two Hundred British -		2	0	0
Black Beer	Six Kegs of the Size hitherto in use to be imported -		0	0	0
Bleaching Salts					
Bottles, empty	Two Hundred British -		2	0	0
Ditto, full, in Package	Six Dozen (Chopin or Quart), and others in Proportion -		0	0	0
Boxwood	Four Dozen Ditto, Ditto -		0	0	0
Brass	Two Hundred Two Quarters British -		2	2	0
Brimstone	Two Hundred Two Quarters Ditto -		2	2	0
Butter	Two Hundred Ditto -		2	0	0
Candles	Five cubical Feet -		0	0	0
Cards, Tow and Wool, or Blackbacks	Six Dozen -		0	0	0
Ditto, small Factory	Eight Dozen -		0	0	0
Ditto, in Package	Five cubical Feet -		0	0	0
Carboys, Size hitherto imported	One Barrel each -		0	0	0
Carvy Seeds	One Hundred Two Quarters British -		1	2	0
Casks and Barrels empty, except Salmon and Herring Barrels and Casks returned	Thirty-two Old English or Twenty-six Two-sixth Imperial Gallons -		0	0	0
Casks containing Liquids	Ditto, Ditto -		0	0	0
Cheese	Two Hundred British -		2	0	0
Chocolate	Five cubical Feet -		0	0	0

[Local.]

7 L

Quality of Goods.	Bulkage per Barrel.	Lib. Sutt.	c.	q.	lb.
Cinnamon and Cassia	Five cubical Feet		0	0	0
Clover Seeds	Two Hundred Two Quarters British		2	2	0
Coffee	One Hundred Two Quarters Fourteen Pounds Ditto		1	2	14
Confections, wet and dry	Five cubical Feet		0	0	0
Copper in Sheets	Two Hundred Two Quarters British		2	2	0
Copperas	Two Quarters Fourteen Pounds Ditto		0	2	14
Cork, uncut	Sixty Gross		0	0	0
Corks, cut	Twenty Dozen to the Barrel		0	0	0
Corn Hooks in loose Bundles			0	0	0
Cotton in Candle Wicks			0	0	0
Ditto, Waste	Eighty Pounds Suttle	80	0	0	0
Ditto, Wool			0	0	0
Currants	Two Hundred Two Quarters British		2	2	0
Ebony	Two Hundred and Two Quarters British		2	2	0
Feathers	Eighty Pounds Suttle	80	0	0	0
Figs	Two Hundred British		2	0	0
Flax, from Holland	Two Hundred Suttle (Amsterdam Weight)	200	0	0	0
Ditto from all other Places	Twelve Barrels to the Ton		0	0	0
Flour in Sacks of the usual Size	Each a Barrel Bulk, if not exceeding Two and a Half Hundred Weight		0	0	0
Ditto in Casks	One Hundred and Ninety-six Pounds Suttle	196	0	0	0
Ginger Bread	Five cubical Feet		0	0	0
Ginger, White and Green	Five cubical Feet		0	0	0
Glass in a Package (except Bottles)	Five cubical Feet		0	0	0
Glue	One Hundred One Quarter Nine Pounds British		1	1	9
Gum, Senegal	Five cubical Feet		0	0	0
Gunpowder	One Hundred Pounds Suttle	100	0	0	0
Hair (Baken)	One Hundred British		1	0	0
Harden (Dantzic)	Five cubical Feet		0	0	0
Hemp	Twelve Barrels to the Ton		0	0	0
Ditto, Codilla	Eighteen Barrels to the Ton		0	0	0
Hops	Three Quarters British		0	3	0
Indigo	One Hundred and Fifty Pounds Suttle	150	0	0	0
Iron, Grates, mounted Stoves, and tinned Cast Iron Work	One Hundred Two Quarters British		1	2	0
Ditto Girdles	Two Hundred Two Quarters Ditto		2	2	0
Ditto Nails	Two Hundred Two Quarters Ditto		2	2	0
Ditto Pots, and all other Cast and hollow Metal Work	Two Hundred British		2	0	0
Ditto Wire	Two Hundred Two Quarters British		2	2	0
Ivory	Two Hundred Two Quarters Ditto		2	2	0
Kelp	Two Hundred Two Quarters Ditto		2	2	0
Kiln Pavement	Thirty Feet to the Barrel		0	0	0
Lead, all Sorts	Two Hundred Two Quarters British		2	2	0
Leather—Crop, Bend, Lucken, Offals, and Ranges	One Hundred and Fifty Pounds Suttle	150	0	0	0
Ditto Neats	Two Hundred British		2	0	0
Ditto Bend Offals	One Hundred and Twenty Pounds Suttle	120	0	0	0
Lemons and Oranges in Chests of the Size usually imported	Each Chest One Barrel		0	0	0
Lignum Vitæ	Two Hundred Two Quarters British		2	2	0
Linen Yarn in Bulk	Twelve Barrels to the Ton		0	0	0

Quality of Goods.	Bulkage per Barrel.	Lib, Sutt.	c.	q.	lb.
Lint Seed in Casks	Thirty-two old English or 26 $\frac{1}{2}$ Imperial Gallons		0	0	0
Ditto in Bags		Five Bushels	0	0	0
Liquorice Root	One Hundred Two Quarters British	100	1	2	0
Mace	One Hundred Pounds Suttle		0	0	0
Madder Ground	Two Hundred British		2	0	0
Ditto Root	One Hundred Ditto		1	0	0
Manganese	Two Hundred Two Quarters Ditto		2	2	0
Mill Waste of all Kinds	One Hundred Ditto		1	0	0
Molasses	Two Hundred Two Quarters Ditto		2	2	0
Mustard	One Hundred Pounds Suttle	100	0	0	0
Nut Galls	One Hundred British		1	0	0
Nutmegs	One Hundred Pounds Suttle	100	0	0	0
Oil Cake	Two Hundred Two Quarters British		2	2	0
Ditto in Powder	Two Hundred Ditto		2	0	0
Pack Thread and Twine	One Hundred Two Quarters Ditto		1	2	0
Paper	Twelve Reams Ordinary Writing	Paper for a Barrel	0	0	0
	Eight Reams Lombardy Writing				
	Four Reams Cartridge				
	Four Reams large Brown				
	Six Reams middle				
	Eight Reams small				
Pepper	One Hundred Two Quarters British		1	2	0
Pewter	Two Hundred Two Quarters Ditto		2	2	0
Pork	Two Hundred Ditto		2	0	0
Porter in Hogsheads	Each Two Barrels		0	0	0
Potatoes	Two Hundred Two Quarters British		2	2	0
Prunes	One Hundred Three Quarters Ditto		1	3	0
Quills, unmanufactured	Twenty Thousand		0	0	0
Rags	Two Hundred British		2	0	0
Raisins	Two Hundred Ditto, or Two Quarter Casks		2	0	0
Rice	Two Hundred Two Quarters Ditto		2	2	0
Ropes, tarred in Coil	Two Hundred Two Quarters Ditto		2	2	0
Ditto, in Package	Five cubical Feet		0	0	0
Ditto, white, in Coil	Two Hundred British		2	0	0
Rosin	Two Hundred Two Quarters Ditto		2	2	0
Rye Grass Seeds	Eight Bushels		0	0	0
Sail Cloth in Bulk	Five Bolts to the Barrel		0	0	0
Salmon in Bulk	Two Hundred Two Quarters British		2	2	0
Ditto in Package	Five cubical Feet		0	0	0
Ditto in Kitts	Six Kitts for a Barrel		0	0	0
Salts, Glauber, and all other Kinds	Two Hundred British		2	0	0
Saltpetre	Two Hundred Ditto		2	0	0
Sheep Skins or Pelts, wet	Forty for a Barrel		0	0	0
Ditto, dry	Five cubical Feet		0	0	0
Ship Biscuit	One Hundred British		1	0	0
Shumach	Two Hundred Ditto		2	0	0
Smalts, commonly called Azure	Two Hundred Ditto		2	0	0
Snuff	Two Hundred Pounds Suttle	200	0	0	0
Soap	Two Hundred British		2	0	0
Soda	Two Hundred Ditto		2	0	0
Spades or Shovels	Three Dozen to a Barrel		0	0	0
Spanish Juice	Two Hundred British		2	0	0
Starch	One Hundred Two Quarters Fourteen Pounds		1	2	14

Quality of Goods.	Bulkage per Barrel.	Lib. Sutt.	c.	q.	lb.
Steel	Two Hundred Two Quarters British		2	2	0
Stucco	Two Hundred Two Quarters Ditto		2	2	0
Sugar Candy	Two Hundred Ditto		2	0	0
Ditto, Loaf and Lump, in Bulk	One Hundred Two Quarters Ditto		1	2	0
Ditto in Packages	One Hundred One Quarter Ditto		1	1	0
Ditto, Powder and Raw	Two Hundred Two Quarters Ditto		2	2	0
Ditto of Lead	Two Hundred Two Quarters Ditto		2	2	0
Tar and Pitch	Each Barrel of the Size now imported, One Barrel Bulk		0	0	0
Tallow	Two Hundred Two Quarters British		2	2	0
Tea	One Hundred Pounds Suttle	100	0	0	0
Tin	Two Hundred Two Quarters British		2	2	0
Tobacco in Leaf	Two Hundred Ditto		2	0	0
Ditto, manufactured	Two Hundred Pounds Suttle	200	0	0	0
Ditto, Stalks	One Hundred Two Quarters British		1	2	0
Tow, all Kinds	One Hundred Ditto		1	0	0
Whale Blubber	Thirty-two Old English, or 26 $\frac{2}{3}$ Imperial Gallons		0	0	0
Ditto Bone	Two Hundred Two Quarters British		2	2	0
White Fish	Two Hundred Ditto		2	0	0
Ditto, dried	Five cubical Feet		0	0	0
Whitening	Two Hundred Two Quarters British		2	2	0
Wood—Ash, Beech, Elm, Mahogany, Oak, Wainscot, and Walnut Tree	Five cubical Feet		0	0	0
Ditto, Birch, Deals, and all Kinds not otherwise rated	Six cubical Feet		0	0	0
Ditto, Fir Balks or Logs	Seven cubical Feet		0	0	0
Ditto, unrasped, for Dyers	Two Hundred Two Quarters British		2	2	0
Ditto, rasped and chipped	One Hundred Three Quarters Ditto		1	3	0
Wool, combed	One Hundred Pounds Suttle	100	0	0	0
Ditto (Raw) Coney, Beaver, and Hare	Eighty Pounds Ditto	80	0	0	0

All Articles of whatever Kind, not otherwise rated, to be bulked at the Rate of Five Feet cubical for the Barrel, excepting when the said Measure shall exceed Two Hundred Two Quarters Weight, in which case such Package is to be bulked at the Rate of Two Hundred Two Quarters British for the Barrel. Small Packages, though under One and One Quarter cubical Foot, and though not weighing Twenty-eight Pounds, to be reckoned One Quarter Barrel Bulk.

SCHEDULE (B.)

	£	s.	d.
Lime, per Four Imperial Bushels	0	0	0 ⁸ / ₁₀
Coals, English, per Eight Imperial Bushels	0	0	1 ¹ / ₁₀
Ditto, Scotch, when weighed, per Ton	0	0	3 ⁵ / ₈
Ditto, Ditto, when measured, per Eight Imperial Bushels	0	0	1 ¹ / ₁₀
Barley, Bear, Malt, and Oats, per Quarter	0	0	2 ¹ / ₂
Wheat, Rye, Pease, and all other Kinds of Grain, per Quarter	0	0	3 ⁴ / ₁₂
Salt, in Bulk, per One Hundred Bushels of Fifty-six Pounds	0	3	8
Onions and Apples, per Four Bushels	0	0	7 ¹ / ₂
Bark, per Ton	0	1	8
Meal, per Ton	0	1	10 ⁸ / ₁₂
N. B. — The above Rates include the Dues payable in Name of Syce Bolls or St. Nicholas Metts.			
Pantiles, per Thousand	0	1	0
Bricks, per Thousand	0	0	6
Iron, malleable, in Bars, per Ton	0	1	6
Ditto, Pig, for Founders, per Ton	0	1	6
Ditto, Hoops, Sheet, Rod, and all other Kinds, per Ton	0	2	0
Salmon and Herring Barrels, empty, per Thirty-two Old Gallons	0	0	1 ¹ / ₂
Ditto, Ditto, packed with Fish, per Ditto	0	0	3
Salmon Boxes, empty, each	0	0	1 ³ / ₄
Slates, per Thousand of Twelve Hundred	0	1	4
Marble, and all Stones not otherwise rated, per One Hundred Pounds Sterling of their Value at shipping and unshipping	3	0	0
Causeway or Carriageway Stones, per Ton (except Pebble Stones)	0	0	2 ¹ / ₂
Causeway Pebble Stones and Chips, per Ton	0	0	2
Pavement, Crib, and Building Stones, per Ton	0	0	5
Foreign Grave Stones, each	0	9	0
English, Scotch, or Irish Grave Stones, measuring in Length Five Feet Ten Inches; Breadth, Two Feet Ten Inches; Thickness, Four Inches and upwards	0	6	0
Grindstones, per Ton	0	6	0
Turin or other Flag Stones, of the usual Thickness, per Twenty Feet square	0	0	4
Millstones, each	0	2	0
Wald, per Last of One Thousand Weight	0	3	0
Horns, in Bulk, per Thousand	0	1	8
Plaster Hair, per Ton	0	3	4
Ox, Cow, and Horse Hides, in the Hair, whether wet or dry, each	0	0	0 ¹ / ₂
Scrows of Ox and Cow, or other Hides, per Ton	0	4	0
Potter's Clay, Fire Clay, Dung, and Loam, per Ton	0	0	4
Cooper's Staves, Five Pounds per Centum of the Value, as hitherto in use, to be ascertained within the Harbour.			
Bran, per Boll of Eighty Pounds	0	0	1
Chalk, per Ton	0	1	6
Chimney Tops, Two and a Half per Cent. of their Value.			
Cinders and Charcoal, per Barrel, as now in use	0	0	0 ¹ / ₂
Cattle and Horses, each	0	2	0
Dogs, Sheep, and other Quadrupeds, each	0	1	0
Flint for Potters, per Ton	0	0	2
Hay, per Ton	0	1	8
Soapers Salts and Muriatic Residuum, per Ton	0	1	6

[Local.]

7 M

SCHEDULE (C.)

All Ships, and their Cargoes of Stones, Wood, and other Materials, brought into the Harbour for the Use of the Piers, Wharfs, or any other of the Town's Public Works.

Fresh Fish, imported in Bulk.

British Vessels, when employed in the catching of Cod, Ling, Turbot, Herrings, or other White Fish of a similar Description, to be exempted from the Payment of Tonnage Duties, provided they have no other Cargo on board but the Fish which they have so caught, and their Stores and fishing Implements.

Salmon, Herrings, and other Fish, having paid Shore Dues inwards, shall be exempted from the Payment of Shore Dues when exported, if in the same Packages, and belonging to the same Owners, as when imported.

When Salmon and Herring Barrels have been exported empty, and return to the Harbour packed with Salmon or Herrings, the Owners (if the Exporters of the Barrels) shall be entitled to an Allowance or Drawback of the Shore Dues paid for such empty Barrels, out of the Importation Dues of such Herrings or Salmon.

In case any Goods, having paid Shore Dues when loaded, shall, from any Accident, be unloaded; the same shall not be chargeable with a Second Payment of any further Shore Dues upon their being reloaded.

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