



ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. xxxvi.

An Act for the Maintenance and Regulation of the Harbour of *Teignmouth* and the Navigation of the River *Teign*, and for other Purposes.

[14th June 1853.]

WHEREAS by the (Local) Act, 6 *William* the Fourth, Chapter 42, Commissioners were appointed for improving, maintaining, and regulating the Harbour of *Teignmouth* and the Navigation of the River *Teign* in the County of *Devon*, and were empowered to define the Limits of the said Harbour, and to levy certain Rates, Tolls, and Duties in respect of Vessels coming into the said Harbour of *Teignmouth* from the Sea, or navigating the said Harbour, and in respect of Goods, Wares, Merchandise, and Commodities imported or exported to or from the said Harbour, and to apply the same for the Conservancy of the said Harbour; and the Commissioners thereby appointed proceeded to execute the said Act, and have borrowed under that Act Sums of Money, of which Five thousand six hundred Pounds remain unpaid: And whereas the Trade of the District to the Westward of the Entrance of the River *Exe* from the Sea has increased, since the passing of the said Act, and a supernumerary Port, with Bonding Privileges for Custom House Purposes, has been established for the Convenience thereof: And whereas the Harbour of *Teignmouth* as defined by the

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Commissioners under the Powers of the said Act is wholly within such supernumerary Port, and is to the Westward of and without the River *Exe*: And whereas the Mayor, Aldermen, and Citizens of *Exeter* claim to be entitled to receive certain Petty Customs Duties or Sums of Money commonly called Town Dues in respect of Goods, Wares, and Merchandise the Property of Persons not free of the City of *Exeter* imported into the said Harbour of *Teignmouth*: And whereas such Town Dues are inconvenient, and ill adapted to the Trade of the said Harbour and District: And whereas it is expedient that the Rates, Tolls, and Duties authorized to be levied by the said recited Act, and the said Petty Customs or Town Dues, should be altered, modified, and regulated as herein-after mentioned, and that other Rates, Tolls, and Duties should be substituted in lieu thereof, and that further Provision should be made for the Maintenance, Regulation, and Conservancy of the said Harbour, and that the said Act should be repealed: And whereas such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Short Title.

I. That this Act may be cited for any Purpose as “*The Teignmouth Harbour Act, 1853.*”

Commencement of Act.

II. That this Act shall commence and have effect on and from the *Wednesday* in the Week next after the passing thereof.

Limits of Act.

III. That this Act shall be put in force within the present Limits of the Harbour of *Teignmouth*, which Limits extend from the Boundary Stone marked T. H. B. on the Beach in the Parish of *East Teignmouth*, about One hundred Yards East of the Lighthouse, to the Boundary Stone at the Foot of the *Ness* in the Parish of *Saint Nicholas*, also marked T. H. B., and comprise all Places between those Points so far as the Tide flows and the River *Teign*, and all Places within the Navigation of the River *Teign* as high as the First Lock of the *Stover Canal*.

Interpretation of Terms.

IV. That the following Words and Expressions in this Act have the following Meanings, unless there be something in the Subject or Context repugnant to such Construction; (to wit,)

The Expression “the Admiralty” means the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, and also the Commissioners for executing the Office of Lord High Admiral of the said United Kingdom:

The

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The Expression "the old Commissioners" means the Commissioners for carrying the recited Act into execution :

The Expression "the Commissioners" means the Commissioners for carrying this Act into execution :

The Expression "the Town Dues" means the Petty Customs Dues or Sums of Money claimed by the Corporation of *Exeter*, as in this Act recited :

The Expression "Ballast Lighter" means any Lighter, Barge, Boat, or other Vessel used for receiving or conveying Ballast :

The word "Ballast" includes Stone, Gravel, Sand, Clay, Earth, Soil, and other Materials and Substances used as Ballast :

The Word "Rubbish" includes Ballast Wreck, Ashes, Filth, and other waste Materials and Substances.

V. That the several Words and Expressions to which Meanings are assigned by the Acts wholly or partly incorporated with this Act, and to which Meanings are not otherwise assigned by this Act, have in this Act the same Meanings as are so assigned to them respectively ; and the Expression "Quarter Sessions" in those Acts means, for the Purposes of this Act, the General or Quarter Sessions of the Peace held at *Exeter* for the County of *Devon*.

Same Meanings of Words in this Act as in Acts incorporated herewith.

"Quarter Sessions."

VI. That from and after the Commencement of this Act, but subject to the Powers and Provisions of this Act, the recited Act shall be and is hereby repealed.

Recited Act repealed.

VII. That "The Commissioners Clauses Act, 1847," except the Clauses thereof with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers or other like Class of Electors, shall be incorporated with this Act.

10 & 11 Vict. c. 16. incorporated with this Act.

VIII. That the Commissioners for executing this Act shall be called "The *Teignmouth* Harbour Commissioners," and shall have Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects into execution.

"*Teignmouth* Harbour Commissioners" to execute this Act.

IX. That the Persons who at the Time of the passing of this Act are the old Commissioners, and the Survivors of them, and Two Persons to be from Time to Time appointed as by this Act provided by the Admiralty, together with *Thomas William Bishop Hutchings*, *Samuel Wills Hutchings*, *Arthur Owen*, and *John Bartlett Mansfield*, and such Persons (if any) as the said Commissioners from Time to Time appoint under this Act to supply Vacancies in their Number, shall be the

First Commissioners who are to remain in Office until 1856.

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the First Commissioners, and shall remain in Office until the Third *Thursday* in *September* One thousand eight hundred and fifty-six, and shall then retire from Office, but shall, if qualified, be eligible to be elected as new Commissioners: Provided always, that the Two Commissioners appointed by the Admiralty shall not so retire from Office.

When Number of first Commissioners are reduced below Eighteen Vacancies to be supplied.

X. That if at any Time before the Third *Thursday* in *September* One thousand eight hundred and fifty-six the Number of the first Commissioners shall be reduced below Eighteen, the first Commissioners shall from Time to Time appoint so many qualified Persons to supply the Vacancies as shall be requisite to keep the Number of the first Commissioners up to Eighteen: Provided always, that the Validity of the Proceedings of the first Commissioners shall not be dependent on their Number being below Eighteen.

Appointment of Commissioners after 1856.

XI. That on and after the Third *Thursday* in *September* One thousand eight hundred and fifty-six Two Persons from Time to Time appointed as by this Act provided by the Admiralty, and the Lord for the Time being of the Manor of *East Teignmouth* or his Nominee, and the Lord for the Time being of the Manor of *West Teignmouth* or his Nominee, and the Owner for the Time being of the *Stover* Canal or his Nominee, and the Owner for the Time being of the *Hackney* Canal or his Nominee, and Four Persons from Time to Time elected as by this Act provided by the registered Shipowners, and Eight Persons from Time to Time elected as by this Act provided by the Harbour Ratepayers, shall be the Commissioners: Provided always, that whenever there are several Persons who together are the Lord or Owner of any One of those Manors and Canals, then their Nominee, instead of themselves, shall be a Commissioner in respect of such Manor or Canal.

Appointment of Admiralty Commissioners.

XII. That the Admiralty from Time to Time may appoint Two qualified Persons to be Commissioners, and at Pleasure remove any Person so appointed; and all such Appointments and Removals shall be made in Writing under the Hand of the Secretary of the Admiralty; and an Entry of every such Appointment and Removal shall be made in the Minutes of the Proceedings of the Commissioners.

Nomination of Commissioners by Lords of Manors and Owners of Canals;

XIII. That the respective Lords for the Time being of the respective Manors of *East* and *West Teignmouth*, and the respective Owners for the Time being of the *Stover* Canal and the *Hackney* Canal, may from Time to Time nominate One qualified Person to be a Commissioner in the Place of such Lord or Owner, and at Pleasure revoke any such Nomination; and every such Nominee shall accordingly be a Commissioner in the Place of the Lord or Owner whose Nominee he is; and all such Nominations and Revocations respectively shall be made

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made in Writing according to the Form in the Schedule (D.) to this Act annexed, and be signed by the Person or Persons making the same, and be delivered to the Commissioners; and an Entry of every such Nomination and Revocation shall be made in the Minutes of the Proceedings of the Commissioners.

XIV. That whenever any such Person is an Infant, or an Idiot, Lunatic, or Non compos mentis, his Guardian or the Committee of his Estate may act in his Stead in making the Nomination and Revocation respectively; and whenever any such Person is beyond Seas, he may by his Steward or Agent (if any in *England*) make the Nomination or Revocation accordingly. or by their Guardians or Committees.

XV. That for the Purposes of this Act the Collector of Rates and Dues under this Act shall, on or before the Seventh Day of *August* in the Year One thousand eight hundred and fifty-six, and in every subsequent Year, make and deliver to the Commissioners a List, wherein shall be entered the Names of all Persons residing within the Parishes of *East Teignmouth, West Teignmouth, Saint Nicholas, Stokeinteignhead, Coombeinteignhead, Wolborough, Highweek, Kingsteignton, Bishopsteignton, Dawlish, and Teigngrace* respectively, and being respectively registered in the Books of the Custom House at *Teignmouth* as the Owners or part Owners, on the Thirtieth Day of *June* then next preceding, of any Ships or Vessels, with the Names and registered Tonnage of such Ships and Vessels respectively, and shall at the Foot of such List sign a Certificate of its Accuracy. Collector of Rates to make a yearly List of registered Shipowners, and certify its Accuracy.

XVI. That the Commissioners shall print every such certified List, and on every Day during the Week ending with the Twenty-first Day of *August* in the Year One thousand eight hundred and fifty-six, and in every subsequent Year, a printed Copy of the certified List then last made for the Purposes of this Act shall be posted by them on the outer Door of their Office in *Teignmouth*, and printed Copies thereof shall be kept at that Office for public Inspection; and on Payment of a reasonable Sum for the same, not exceeding One Shilling, the Commissioners shall deliver a Copy of such printed List to any Person requiring the same. Certified List to be printed.

XVII. That every such certified List shall be in force until the Revision of the then next certified List as herein-after provided; and the Persons whose Names appear on the certified List for the Time being in force shall be the registered Shipowners for the Purposes of the Election of Commissioners by the registered Shipowners, and shall at every such Election be entitled to such a Number of Votes as by this Act provided. Certified List of registered Shipowners.

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XVIII. That

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Scale of
Votes for
registered
Shipowners.

XVIII. That the registered Shipowners shall be entitled to Votes according to the following Scale ; (to wit,) every Person appearing by the certified List to be a registered Shipowner, whether as part Owner or sole Owner, or both, to the Amount or aggregate Amount of Fifty Tons or upwards, but less than Three hundred Tons, One Vote ; to the Amount or aggregate Amount of Three hundred Tons or upwards, but less than Five hundred Tons, Two Votes ; and to the Amount or aggregate Amount of Five hundred Tons or upwards, Three Votes ; but no Person shall have more than Three Votes.

As to Votes
of Partners.

XIX. That in every Case of several Persons being registered as Shipowners in Partnership, and whether as part Owners or sole Owners, or both, they shall with respect to the Scale of Votes be deemed One Person ; and if all the Members of the Firm be resident in those Parishes then the Member of the Firm whose Name stands first in the Firm, or if all the Members thereof be not so resident then the Member so resident whose Name stands first in the Firm, shall alone be entitled to exercise on behalf of the Firm their Right of voting at the Elections of Commissioners by the registered Shipowners.

Commis-
sioners to
make a
yearly Regis-
ter of Har-
bour Rate-
payers.

XX. That for the Purposes of this Act the Commissioners shall make a yearly Register, to be called "The Register of the Harbour Ratepayers," and shall keep it at their Office, and therein shall enter the Names of all Persons residing within those Parishes respectively, and who respectively within Twelve Months, beginning with the First Day of *July* in One Year and ending with the Thirtieth Day of *June* in the next Year, pay to the Amount in the whole of Five Pounds or upwards any of the Rates and Dues specified in the Schedule (B.) to this Act annexed, and in such Register shall enter the several Sums paid by every such Person, with the Dates of the Payments by him ; provided that the Party appearing on the Bills of Lading in the Case of Exports as Consignor, and in the Case of Imports as Consignee, shall be for this Purpose deemed the Party paying such Rates and Dues.

Period of
Register.

XXI. That every such yearly Register shall include the Twelve Months beginning with the First Day of *July* in one Year and ending with the Thirtieth Day of *June* in the next Year, both Days inclusive ; and the first yearly Register shall commence on the First Day of *July* One thousand eight hundred and fifty five.

Commis-
sioners to
make a
yearly alpha-
betical List
of Persons
paying Har-
bour Rates.

XXII. That on or before the Seventh Day of *August* in the Year One thousand eight hundred and fifty-six and in the Year One thousand eight hundred and fifty-nine, and in every subsequent Third Year, the Commissioners shall make and print an alphabetical List of the Names of all Persons who respectively appear by the Register to have paid on the Average of the Three preceding Years any of those Rates

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Rates and Dues to the Amount in the whole of Five Pounds *per Annum* or upwards, and the alphabetical List shall specify the Number of Votes to which every such Person is entitled; and on every Day during the Week ending with the Twenty-first Day of *August* in such respective Third Year a printed Copy of the alphabetical List shall be posted by the Commissioners on the outer Door of their Office in *Teignmouth*, and printed Copies thereof shall be kept at that Office for the Inspection of all Persons who, during the Period of the Register for the then last Year, paid any such Rates or Dues, and such Inspection may be made at that Office by any such Person; and on Payment of a reasonable Sum for the same, not exceeding One Shilling, the Commissioners shall deliver a Copy of such printed alphabetical List to any such Person requiring the same.

XXIII. That the Harbour Ratepayers shall be entitled to vote according to the following Scale; (to wit,) every Person who in the preceding Three Years ending with the Thirtieth Day of *June* next before the making of the alphabetical List paid any such Rates and Dues to the average Amount of Five Pounds *per Annum* or upwards, but less than Twenty Pounds, One Vote; to the Amount of Twenty Pounds or upwards, but less than Fifty Pounds, Two Votes; and to the Amount of Fifty Pounds or upwards, Three Votes; but any Person shall not have more than Three Votes.

Votes of
Harbour
Ratepayers.

XXIV. That in every Case of any such Persons being Partners the Firm shall be placed on the alphabetical List accordingly; and if all the Members thereof be resident in those Parishes, then the Member of the Firm whose Name stands first in the Firm, or if all the Members thereof be not so resident, then the Member so resident whose Name stands first in the Firm, shall be specified in the alphabetical List as being alone entitled to exercise on behalf of the Firm their Right of voting at the Elections of Commissioners by the Harbour Ratepayers.

As to Votes
by Partners.

XXV. That on or within One Month before the Thirtieth Day of *June* in the Year One thousand eight hundred and fifty-six and in the Year One thousand eight hundred and fifty-nine, and in every subsequent Third Year, the Commissioners shall appoint Two of their Number to be Two of the Revisors of the Lists of the registered Shipowners and of the Harbour Ratepayers respectively, and the Two Persons so appointed shall, on or before the Fourteenth Day of *August* next after their Appointment, appoint a Third Person, being a Person whose Name is on the Register of Harbour Ratepayers for the Year ending with the Thirtieth Day of *June* in that Year, to be the Third of those Revisors, and to be the Chairman of the Revisors, and the Three Persons so appointed shall be the Revisors of the Lists.

Revisors of
Lists to be
appointed.

XXVI. That

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Triennial
Revision of
Lists.

XXVI. That the Three Persons from Time to Time appointed as by this Act directed to be the Revisors shall, during the Seven Days next before the First Day of *September* in the Year One thousand eight hundred and fifty-six and in the Year One thousand eight hundred and fifty-nine, and in every subsequent Third Year, revise at the Commissioners Office the Lists for that respective Year, giving not less than Three nor more than Seven Days public Notice of every such Revision: Provided always, that in case of the Decease or Failure to act of any of the Revisors the others or other of them may make or complete the Revision.

Revisors to
insert and
expunge
Names.

XXVII. That on every such Revision any Person whose Name is not inserted in the Lists may, in Person or by his Agent, claim to have his Name inserted therein; and any Person whose Name is inserted in the Lists may, in Person or by his Agent, claim to have the Number of Votes attributed to him therein corrected, and may object to any other Person as not being entitled to have his Name retained therein, or as not being entitled to the Number of Votes attributed to him therein; and the Revisors shall retain the Name of any Person or the Number of Votes so objected to, if the Objection be not established to their Satisfaction, and shall insert in the Lists the Name of any Person shown to their Satisfaction to be entitled to have his Name inserted therein, and shall retain in the Lists the Name of every Person to whom and every Number of Votes to which an Objection is not made, and shall strike out the Name of every Person shown to their Satisfaction to be dead, or not to be entitled to have his Name inserted therein, and shall correct the Number of Votes attributed to any Person shown to their Satisfaction to be entitled to any other Number of Votes than those attributed to him, and the Decision of the Revisors or the Majority of them with respect to the Lists shall be final and conclusive, and the Revisors shall forthwith after every Revision sign their Names at the Foot of the Lists revised; and in default of either of them signing such Lists he shall be liable to a Penalty not exceeding Fifty Pounds.

Penalty on
Revisors not
signing Lists.

Inspection
by Revisors
of Books, &c.

XXVIII. That for the Revision of the Lists the Commissioners shall produce at their Office to the Revisors of the Lists and their Assistants such of the Books and Accounts of the Commissioners as may be proper and sufficient to enable those Persons respectively, according to the Provisions of this Act, to revise the Lists, and shall afford to them respectively all reasonable and proper Facilities in that Behalf.

Evidence of
revised Lists.

XXIX. That every List purporting to be a revised List according to this Act, and to be signed as by this Act directed, shall, without any Proof other than that of the Signatures thereto, be sufficient and conclusive

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conclusive Evidence to all Intents and Purposes of the same being a revised List according to this Act and of all the Provisions of this Act in any way relating to such revised List having been duly complied with.

XXX. That every such revised List shall be in force until the Revision of the then next revised List, and the Persons whose Names appear on the revised List for the Time being in force shall be the Persons entitled to vote for the Purposes of the Election of Commissioners, and shall at every such Election be respectively entitled to such a Number of Votes as shall appear by such revised List.

Continuance
of revised
List.

XXXI. That every such revised List shall forthwith after such Revision be printed and published by the Commissioners, and all Persons whose Names appear therein shall be entitled to a Copy thereof, paying for the same the Sum of One Shilling for every such Copy.

Revised
Lists to be
printed and
published.

XXXII. That the first Election of Commissioners by the registered Shipowners and the Harbour Ratepayers respectively shall be held on the Third *Thursday* in *September* One thousand eight hundred and fifty-six, and the subsequent Elections shall be held on the Third *Thursday* in *September* in the Year One thousand eight hundred and fifty-nine, and in every subsequent Third Year.

Period for
Election of
Commis-
sioners by
registered
Shipowners,
&c.

XXXIII. That on the Third *Thursday* in *September* One thousand eight hundred and fifty-nine, and on the Third *Thursday* in *September* One thousand eight hundred and sixty-two, and on the Third *Thursday* in *September* in every subsequent Third Year, the Commissioners elected by the registered Shipowners and the Commissioners elected by the Harbour Ratepayers respectively shall go out of Office, and in every Instance the Places of such retiring Commissioners shall be supplied by the Election by the registered Shipowners and the Harbour Ratepayers respectively, as by this Act provided, of a like Number of Commissioners.

Retirement
from Office
of Commis-
sioners
elected by
registered
Shipowner
and Harbour
Ratepayers.

XXXIV. That for the Election from Time to Time of Commissioners by the registered Shipowners and the Harbour Ratepayers respectively, Meetings of the registered Shipowners and the Harbour Ratepayers respectively shall be held at such convenient Places in *Teignmouth* as the Commissioners from Time to Time appoint, and between the Hours of Eleven in the Forenoon and Four in the Afternoon; and such Meetings respectively shall be convened by the Commissioners by not less than Four nor more than Ten Days public Notice specifying the Time and Place of Meeting.

Place of
Meetings for
Elections by
registered
Shipowners
and Harbour
Ratepayers.

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XXXV. That

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Procedure at Meetings of registered Shipowners and Harbour Ratepayers.

XXXV. That at every Meeting of the registered Shipowners and the Harbour Ratepayers respectively a Person appointed by the Meeting shall preside as Chairman, and the Person so presiding shall receive the Votes of the Electors, which shall be given in Writing under their respective Hands, and shall act in all other respects as Chairman of the Meeting, and the only Business to be transacted or discussed at any such Meeting shall be the Election by the Meeting of the Persons to be elected Commissioners thereat.

Elections to be by Majority of Votes.

XXXVI. That the Commissioners to be from Time to Time elected by the registered Shipowners and the Harbour Ratepayers respectively shall be elected by a Majority of the Votes of the Persons present and entitled to vote at the respective Meeting for the Election, such Votes to be given in Writing under the Hands of the respective Voters, but a Proxy not to be in any Case admitted: Provided always, that in every Case of an Equality of Votes the Chairman of the Meeting shall, when requisite to decide the Election, have an additional or Casting Vote.

As to supplying Vacancies in Commission.

XXXVII. That whenever a Commissioner dies, resigns, becomes disqualified, or from any other Cause except his retiring from Office in Rotation ceases to be a Commissioner, the Body by whom he was appointed or elected shall with all convenient Speed appoint or elect, according to the Provisions in that Behalf of this Act, another qualified Person to be a Commissioner in his Place; and every Person so appointed or elected may, if he so long live and continue qualified, continue in Office as long as his Predecessor in Office might, if he had not ceased to be a Commissioner, have continued in Office.

Meetings for Supply of casual Vacancies in Commissioners elected by registered Shipowners and Harbour Ratepayers.

XXXVIII. That in every Case of a Vacancy in the Commissioners elected by the registered Shipowners or the Harbour Ratepayers, occasioned by any Cause other than that of going out of Office by Rotation, the Commissioners shall within One Month after such Vacancy, or after they have Notice thereof, convene a Meeting of the Body by whom the Vacancy is to be supplied.

As to Residence of Persons to be elected Commissioners by Harbour Ratepayers.

XXXIX. That as to the Persons so to be elected Commissioners by the Harbour Ratepayers as heretofore provided, Four thereof shall be Residents in the Parishes of *East Teignmouth*, *West Teignmouth*, and *Saint Nicholas*, or in One or some of such Parishes, and the other Four thereof shall be Residents in the Parishes of *Wolborough*, *Highweek*, *Teigngrace*, and *Kingsteignton*, or in One or some of such Parishes, and be possessed in their own Rights respectively or in the Rights of their respective Wives, or partly in both Rights, of Real or Personal Property, or both, of the clear Value of One thousand five hundred

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hundred Pounds, or be rated to the Relief of the Poor in One or more of such Parishes to the yearly rateable Value or (as the Case may be) to the aggregate rateable Value of Thirty Pounds or upwards.

XL. That every Person, other than the Commissioners to be elected by the Harbour Ratepayers, from Time to Time appointed or elected a Commissioner as by this Act provided, or to supply a Vacancy in the Number of the Commissioners so appointed or elected, shall be a Resident in the County of *Devon*, and be possessed in his own Right or in right of his Wife, or partly in both Rights, of Real or Personal Property, or both, of the clear Value of One thousand five hundred Pounds, or be rated to the Relief of the Poor to the yearly rateable Value or (as the Case may be) to the aggregate yearly rateable Value of Thirty Pounds or upwards.

Qualification
of Commis-
sioners.

XLI. That a Person shall not, on account only of his being a Commissioner, be incapable of acting as a Justice of the Peace for any of the Purposes of this Act.

Justices not
incapable of
being Com-
missioners.

XLII. That the Commissioners shall hold their first Meeting at some Place in *Teignmouth* at the Hour of Twelve at Noon on the Fifth *Thursday* next after the Commencement of this Act, and shall hold their subsequent Meetings at such Place and at such Times as they from Time to Time think fit; but, except for any Cause deemed by the Commissioners urgent, the Time appointed for the Commencement of any such Meeting shall not be later than the Hour of Twelve at Noon.

First and
other Meet-
ings of Com-
missioners.

XLIII. That, notwithstanding the Repeal of the recited Act, all the Estates, Lands, Buoys, Beacons, Lights, Lighthouses, Moorings, Works, Property, Choses in Action, Possibilities, Expectancies, Effects, Claims, and Demands whatsoever of or to which the old Commissioners are by virtue of the recited Act, or by any other Means whatsoever, at the Time of the Commencement of this Act, seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, are by this Act, and on and from the Commencement thereof, transferred to and vested in the Commissioners absolutely, according to the Tenure, Nature, and Quality thereof respectively, but subject and without Prejudice to any Mortgages, Charges, Incumbrances, Claims, and Demands which at the Time of the Commencement of this Act affect the old Commissioners or their Property; and the Name of the Commissioners may be used when necessary in reference thereto, in like Manner in every respect as if the Undertaking of the old Commissioners had originally been the

Property of
present Com-
missioners
vested in
Commis-
sioners.

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the Undertaking of the Commissioners, and they, instead of the old Commissioners, had been originally authorized to carry it into effect.

Commis-
sioners to be
entitled to
Powers, &c.,
under other
Acts.

XLIV. That, notwithstanding the Repeal of the recited Act, the several Clauses and Provisions whatsoever in favour of, relating to, or affecting the old Commissioners, or their Officers or Servants, contained in any other Act or Acts besides the repealed Act, and which immediately before the Commencement of this Act are in force, apply, on and from the Commencement of this Act, to the Commissioners and their Officers and Servants, and shall continue and be in full Force accordingly; and the Commissioners acting under this Act, and their Officers and Servants, may and shall accordingly, and for the Purposes of this Act, be entitled to, and have, exercise, and enjoy, under or by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, and Privileges whatsoever as in case this Act were not passed the old Commissioners and their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, or enjoy.

Convey-
ances, &c.,
to remain in
force.

XLV. That, notwithstanding the Repeal of the recited Act, all Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the Commencement of this Act done, entered into, executed, or instituted under or by virtue or with reference to the Purposes thereof, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Commissioners, as if this Act were not passed, and may be proceeded on and enforced accordingly.

Actions, &c.
not to abate

XLVI. That, notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the old Commissioners before the Commencement of this Act shall not abate or be discontinued or be prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect, both in favour of and against the Commissioners, in like Manner in all respects as in case this Act were not passed the same would continue and take effect in favour of and against the old Commissioners; and all Offences against the Provisions of the recited Act committed before the Commencement of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if this Act were not passed.

Rates due at
Commence-
ment of Act
to be re-
covered by
Commis-
sioners.

XLVII. That, notwithstanding the Repeal of the recited Act, all Tolls, Rates, and Duties which immediately before the Commencement of this Act are due and payable, or accruing or becoming due and payable, to the old Commissioners, shall be payable to and may be collected

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lected and recovered by the Commissioners, in like Manner as the Rates and Dues by this Act granted.

XLVIII. That, notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owe any Sum of Money to the old Commissioners, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due or to accrue due for the same, to the Commissioners; and all Debts and Money which immediately before the Commencement of this Act are due or owing by or recoverable from the old Commissioners, or for the Payment of which the old Commissioners are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Commissioners.

Debts due to and by Commissioners to be paid to and by them.

XLIX. That all Byelaws, Rules, Regulations, Orders, and Notices made and given under the Authority and according to the Provisions of the recited Act, and which are in force at the Commencement of this Act, shall continue in full Force and Effect during the Space of Six Months after the passing of this Act, or until the same be re-enacted, repealed, altered, or varied under the Authority of this Act; and such Byelaws, Rules, Regulations, and Orders, and all Penalties and Forfeitures thereby respectively imposed, may and shall be enforced, recovered, and applied in the same Manner in all respects as the same respectively might be enforced, recovered, and applied in case the same respectively were made and imposed under the Authority of this Act.

Byelaws of Commissioners to remain in force until altered under this Act.

L. That, notwithstanding the Repeal of the recited Act, all Maps, Plans, Books, Accounts, Documents, and Writings thereby directed or authorized to be kept or made, and which, if that Act were not repealed, would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Books, &c. to be evidence.

LI. That, notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under that Act shall hold and enjoy his Office and Employment, with the Salary and Emoluments thereunto annexed, and be deemed an Officer and Servant of the Commissioners, until he be removed from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he had been appointed under this Act.

Officers to continue until removed.

LII. That "The Lands Clauses Consolidation Act, 1845," is incorporated with this Act: Provided always, that the Commissioners shall not take any Land otherwise than by Agreement.

8 & 9 Vict. c. 18. incorporated with this Act.

[Local.]

7 N

LIII. That

The Teignmouth Harbour Act, 1853.

Incapacitated Persons may sell to the Commissioners.

LIII. That all Persons by "The Lands Clauses Consolidation Act, 1845," empowered to sell and convey Lands, may for the Purposes of this Act make Sales, Conveyances, and other Dispositions of all such Lands, Dues, and other Property as the Commissioners are by this Act empowered to purchase.

Power to purchase Lands by Agreement.

LIV. That the Commissioners may from Time to Time, by Agreement, purchase, for any of the Purposes of this Act, any Quays, Landing Places, Wharves, and Lands, and any Easements, Rights, and Interests in, over, and affecting any Lands.

10 & 11 Vict. c. 27. incorporated with this Act.

LV. That "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with this Act; and the Expression "the Harbour, Dock, or Pier," in that Act, means for the Purposes of this Act the Harbour; and the Expression "the Undertakers" in that Act means for the Purposes of this Act the Commissioners.

Map of Area within the Limits of Act to be made.

LVI. That the Commissioners shall, within Twelve Months after the Commencement of this Act, cause to be made a Map of the Area within the Limits of this Act, and of any adjoining Parts which they think it expedient for any of the Purposes of this Act to include in such Map, on a Scale of not less than Six Inches to a Mile, and with such Indications of Shoals, Banks, Levels of High and Low Water, Quays, Wharfs, Works, and other Particulars, as they think expedient for any of those Purposes, or for the general Advantage of Persons resorting to the Harbour or contributing to the Income of the Commissioners.

Map to be published.

LVII. That the Commissioners shall cause such Map to be from Time to Time copied, engraved, and published as they think proper, and shall from Time to Time cause such Map to be revised, and such Additions and Alterations to be made in and to the same as may be requisite, and the Date of every such Revision shall be expressed thereon.

Custody and Inspection of Map.

LVIII. That every Map so made shall be kept in the chief Office for the Time being in *Teignmouth* of the Commissioners, and the same or a Copy thereof shall at all reasonable Times be open to the Inspection of all Persons interested in the Navigation of the Harbour, and the Owners and Occupiers of all Lands fronting the tidal or navigable Waters thereof.

Boundary Marks to be maintained.

LIX. That the Commissioners shall maintain, and from Time to Time, when necessary, renew the Marks or Tokens by which the Boundaries of the Harbour and the respective Boundaries of the Parishes of *West Teignmouth* and *East Teignmouth*, and the Manors of

The Teignmouth Harbour Act, 1853.

of *West Teignmouth* and *Kenton*, and *East Teignmouth* and *Ringmore*, and the Parish of *Saint Nicholas*, as respectively connected with the Harbour, can be recognized and known.

LX. That, as the Conservators of the Harbour, the Commissioners from Time to Time may maintain and improve the several Improvements, Works, and Conveniences made or maintained under the Authority of the recited Act and this Act respectively; and may cut, deepen, scour, cleanse, extend, widen, and keep navigable the Harbour from the *Stover* Canal to the Sea; and may remove, scour, cleanse, and deepen the Bar at the Mouth of the Harbour; and may cleanse, dredge, and scour the Harbour, so that the Bed or Channel thereof shall be at least as deep in every Part thereof as the Sill of the Lock of the *Stover* Canal; and may make the Harbour of such Width and Depth in every Part thereof as is expedient for enabling Vessels resorting thereto to pass and repass to and from the Sea, and Barges, Boats, Lighters, and other such Vessels to pass and repass to and from the *Stover* Canal with Safety and Facility; and may maintain and improve any Piers, Walls, and Embankments necessary for preserving the Works or the Navigation of the Harbour or the Entrance to the Harbour from the Sea, and any Lighthouses, Beacons, Ballast Wharfs, and Quays and Places for the Deposit of Ballast and Rubbish, and any other Conveniences which the Commissioners from Time to Time think requisite for any of the Purposes of this Act: Provided always, that this Act or anything therein contained shall not extend any Period by the recited Act limited for the Execution of any Work.

Powers of Commissioners as Conservators.

LXI. That for the Maintenance of the Harbour or any Part thereof the Commissioners from Time to Time may cleanse, scour, cut, dig, open, deepen, straighten, and otherwise maintain any Part of the Harbour, and the Banks, Shores, Cuts, Channels, Streams, Havens, Creeks, Bays, Inlets, and other Parts thereof, so far as the Tide flows and reflows within the Harbour, and may remove and destroy any Rocks, Shoals, Shallows, Mud, and Sand Banks, and other Obstructions therein, and may make, alter, and maintain all such Conveniences as are requisite for the Maintenance of the Harbour and the Safety and Convenience of Vessels resorting thereto; but such Powers shall only be exercised subject to the previous Approval of the Admiralty, signified in Writing under the Hand of the Secretary of the Admiralty, and in such Manner only as the Admiralty may direct.

Removal of Obstructions, &c.

LXII. That the Commissioners from Time to Time, for any of the Purposes of this Act, may enter upon and use any of the Lands upon which they are by this Act authorized to enter, and may therein bore, dig, and cut, and may remove, and lay upon any such Lands, Earth, Stone,

Entry on Lands, &c.

The Teignmouth Harbour Act, 1853.

Stone, and other Matters which might obstruct the Execution of any of the Conveniences by this Act authorized, or which are dug or gotten in executing any such Conveniences, and may do all such other Things in and with respect to such Lands as the Commissioners from Time to Time think expedient for any of the Purposes of this Act.

Restriction as to Walls, &c. on Banks of River Teign, &c.

LXIII. Provided always, That the Commissioners shall not make any Pier, Wall, or Embankment in, along, or by the Sides or Banks of the River *Teign*, from the Point of its Influx into the Sea to *Risdon's Point* on the one Side and *Ringmore Point* on the other Side of the River, without the previous Consent in Writing of the Owner of the Land adjoining or lying by the Side of the River within those Limits, or place any Mud, Soil, Sand, Stones, Gravel, or Rock in any Part of the Harbour between High-water Mark on the one Side and High-water Mark on the other Side within those Limits, or on the Banks or Sides of the Harbour within those Limits, without the like Consent.

Restriction as to altering Course of River Teign, &c.

LXIV. Provided always, That the Commissioners shall not alter or divert the present Course or Channel of the River *Teign* beyond the High-water Mark thereof at Spring Tides, or place any Mud, Soil, Sand, Rubbish, Gravel, or Rock upon any of the Banks or Sides of the River *Teign* beyond such High-water Mark, or take or cut through any Land, nor exceed Twenty Feet from the Banks of the River, without the previous Consent in Writing of the Owner of the Lands adjoining.

Commissioners, when required, to cleanse Hackney Channel.

LXV. That the Commissioners shall at all Times hereafter, when thereunto requested by Notice in Writing from the Lord of the Manor of *Kingsteignton*, or his Steward or Agent, (such Notice to be served on the Clerk to the Commissioners, or left at his usual Place of Abode or Business,) dredge, cleanse, and scour *Hackney Channel* adjoining the Banks of the River *Teign*, and at all Times keep open and maintain navigable the Course of *Hackney Channel* to or near the Point marked with the Letter I. on the Red Line of the Map or Plan deposited with the Clerk of the Peace for the County of *Devon*, as expressed in the recited Act, so that that Channel and the Bed of its Course to that Point may be always kept and maintained to at least the same Depth and Width, and to the same Level in that respect, as the Channel marked with the Red Line on that Map or Plan, and which Channel and its Course to the Point so marked is delineated by a Blue Line on that Map or Plan.

Admiralty may cause

LXVI. That if at any Time or Times it shall be deemed expedient by the Admiralty to order a local Survey and Examination of any Works

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Works of the Commissioners in or affecting any tidal Water or navigable River, or of the intended Site thereof, the Commissioners shall defray the Costs of every such local Survey and Examination; and the Amount thereof shall be a Debt due to Her Majesty from the Commissioners, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Commissioners.

local Survey to be made, at Expense of Commissioners.

LXVII. That if any Work to be constructed by the Commissioners in or across any tidal Water or navigable River, or if any Portion of any such Work which affects any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Admiralty to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners; and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

If Works affecting tidal Waters are abandoned, Admiralty may remove same, at Expense of Commissioners.

LXVIII. That, notwithstanding anything herein-before contained, the Commissioners shall not execute any of the Works herein-before mentioned upon or otherwise interfere with any Part of the Bed or Shores of the said Harbour, or of the Sea beyond the Mouth of the said Harbour, belonging to Her Majesty in right of Her Crown, or upon any other Land, Soil, Tenements, or Hereditaments belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which Consent such Commissioners or Commissioner are and is hereby empowered to give, upon Payment of such Compensation in Money or upon such other Terms and Conditions as they or he shall think fit.

Works on Bed and Shores of Harbour not to be executed without Consent of the Commissioners of Woods, &c.

LXIX. That if in the Course or by means of the Execution of any of the said Works any Part of the Shores or Bed of the said Harbour, or of the Sea beyond the Mouth thereof, belonging to Her Majesty, shall be inned, gained, or reclaimed from the Water, the said Commissioners shall not have or exercise any Right upon the same or in respect thereof, but such inning, gaining, or Reclamation shall enure absolutely for the Benefit of Her Majesty the Queen, Her Heirs and Successors; and it shall not at any Time afterwards be lawful for the said Commissioners to take, enter upon, or interfere with the Lands so inned, gained, or reclaimed for any Purpose whatsoever, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c.

*The Teignmouth Harbour Act, 1853.*Lighthouses,
&c.

LXX. That the Commissioners from Time to Time, with the Sanction of the Corporation of the *Trinity House of Deptford Strond*, may erect, provide, maintain, and from Time to Time discontinue such Lighthouses, Light Vessels, and Beacons as they think best for the Navigation of the Harbour.

Commis-
sioners to
provide
Dredging
Vessels.

LXXI. That the Commissioners from Time to Time may build, purchase, hire, provide, and use such Vessels, to be worked by Steam or otherwise, at their Discretion, for dredging, scouring, cleansing, and deepening the Entrance to the Harbour and the Bed of the Harbour, and the Navigation of the River *Teign*, and such other Vessels, Machinery, and Apparatus for those Purposes as they think fit.

and Steam
Engines, &c.

LXXII. That the Commissioners from Time to Time may build, purchase, hire, provide, and use all such Steam Engines, Piling Engines, Diving Bells, Steam Tugs, Ballast Lighters, and other Machinery, Implements, Apparatus, and Vessels, as they think necessary, for any of the Purposes of this Act, and may make such Charges for the Use of the same respectively as they from Time to Time think fit.

Power to
make Bye-
laws as to
Fisheries.

LXXIII. That the Commissioners may from Time to Time make, alter, and repeal such Byelaws, Orders, and Regulations as they think fit, for the better Regulation of the Fisheries in the Harbour, and the Preservation of the Oyster Beds, Salmon, and other Fish, and the Fisheries thereof.

Power to
make Bye-
laws as to
Ballast.

LXXIV. That the Commissioners from Time to Time may make such Byelaws as they think fit for regulating the Removal and Disposal within the Harbour of all Ballast brought by Vessels entering the Harbour, and for regulating the Supply of Ballast to Vessels in the Harbour, so as to prevent Ballast being thrown or allowed to fall into the Harbour, or to obstruct the Navigation within the Limits of this Act.

Ballast to be
brought to
Sides of
Vessels, and
thrown in
immediately.

LXXV. That all Ballast supplied to any Vessel in the Harbour, unless such Vessel be lying at any Wharf or Quay, shall be brought in a proper and sufficient Ballast Lighter to the Side of such Vessel, and thence immediately thrown into such Vessel by the Crew or other Persons; and every Person offending against this Enactment shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Penalty on
Masters of
Lighters im-
properly dis-

LXXVI. That if any Master of any Ballast Lighter employed to receive or take Ballast from any Vessel, or to remove or discharge any Ballast, or to take up or dredge for Ballast in the Harbour, discharge

or

The Teignmouth Harbour Act, 1853.

or deposit the Ballast at or take up any Ballast in or from any other Part of the Harbour than such Part thereof as the Commissioners from Time to Time lawfully direct, every such Master shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

charging or taking up Ballast.

LXXVII. That if any Person cast or unload into or out of any Vessel in the Harbour, or if any Person having the Command of any Vessel in the Harbour knowingly permit to be cast or unloaded into or out of the same, any Ballast or Rubbish, and such respective Person have not a Wooden Stage or Portsail sufficiently large and properly fastened (during the whole Time of such casting or unloading) from the Vessel into or out of which such Ballast or Rubbish is to be cast or unloaded to the upper Edge or highest Part of the Wharf or Quay, or to the other Vessel into, from, or upon which such Ballast or Rubbish is to be cast or unloaded, and so as to prevent any such Ballast or Rubbish from falling into the Harbour, every such Person so offending shall for every such Offence forfeit any Sum not exceeding Forty Shillings for the first Offence, and any Sum not exceeding Five Pounds for every subsequent like Offence.

Penalty for casting Ballast or Rubbish without a Portsail.

LXXVIII. That if any Owner, Tenant, or Occupier of any Wharf or Quay adjoining the Harbour permit any Ballast or Rubbish cast or placed thereon, after the same is cast or placed thereon, and the Apparatus used in casting or placing the same is removed, to be or remain on and within Three Yards of the Edge of such Wharf or Quay, or permit any Ballast or Rubbish to be cast or placed in or so near to any Watercourse upon or adjoining such Wharf or Quay as that such Ballast or Rubbish, or any Part thereof, is or may be washed into the Harbour, to the Prejudice thereof, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty on Occupiers of Wharfs allowing Ballast to remain near Edge of Wharf.

LXXIX. That if any Owner, Tenant, or Occupier of any Beach or other Land adjoining the Harbour, as by this Act defined, without the Consent of the Commissioners, lay or place any Heap of building, paving, or other Stones, or of Ballast or Rubbish, upon such Beach or Land, within Three Yards of the Edge or Front thereof, or below or within Three Yards of the High-water Mark, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on placing Ballast too near the Harbour.

LXXX. That if any Owner, Tenant, or Occupier of any Wharf, Quay, Beach, or other Land adjoining the Harbour whereon any Ballast or Rubbish is cast or placed contrary to the Provisions of this Act, neglect to remove the same from such Wharf, Quay, or Land within Twenty-four Hours after Notice in Writing from the Commissioners

Power to Commissioners to remove Ballast, &c., at Expense of Owners, &c.

The Teignmouth Harbour Act, 1853.

missioners to remove the same, the Commissioners may remove all or any Part of such Ballast or Rubbish to such Places as the Commissioners think fit, and may dispose of the same as the Commissioners think fit, and the Charges of removing and disposing of the same shall, and in addition to any Penalty by this Act imposed on such respective Owner, Tenant, or Occupier, be paid by him, and if not paid on Demand shall be recoverable as a Penalty.

Ballast not to be cast into the Harbour or the Sea within specified Limits.

LXXXI. That if any Officer of the Commissioners or any other Person whatsoever, under any Pretence whatever, save in the Execution of Works properly authorized, and save also so far as is proper for the Execution of such Works, or the Owner of any Land adjoining the Harbour or Sea, cast or unload any Ballast or Rubbish into the Harbour, or into the Sea outside the Harbour, in any Part where the Depth of the Sea is less than Ten Fathoms at Low Water, every Person so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty.

Penalty on interrupting the free Navigation, &c. of the Harbour.

LXXXII. That if any Person, without the previous Consent of the Commissioners, in any way fill up or interrupt the Course of the Stream or Run of the tidal Water in any Place within the Harbour, or in any way prejudice or interrupt the free Navigation or Use for any Purpose of any Part of the Harbour, every Person shall for every such Offence forfeit a Sum not exceeding Ten Pounds, and the Expense of repairing the Damage occasioned thereby; and the Commissioners may abate as a Nuisance and remove any Work or Thing occasioning any such filling up, Prejudice, or Interruption.

Power to Commissioners to dispose of Ballast.

LXXXIII. That the Commissioners may use or sell and dispose of, in such Manner as they think proper, the Stones, Gravel, Sand, Soil, and other Materials dug or dredged by them within the Limits of this Act, and all Stones, Ballast, Rubbish, and other Things removed by them under the Authority of this Act.

Penalty for delaying Ballast Lighters, Carts, &c.

LXXXIV. That if the Master or Crew of any Vessel, so as to occasion any unnecessary or unreasonable Delay therein, neglect to take in or cast out the Ballast or Rubbish of or for such Vessel from or to any Cart, Waggon, Truck, or other Apparatus, or Ballast Lighter, employed to receive or supply Ballast or Rubbish from or to such Vessel, the Master of such Vessel shall for every such Offence forfeit any Sum not exceeding Five Shillings for every Hour during which such Cart, Waggon, Truck, or other Apparatus, or Ballast Lighter, is by or in consequence of such Neglect so delayed.

Power to Constables to

LXXXV. That every Constable appointed by the Commissioners, having just Cause to suspect that any Felony has been or is about to be

The Teignmouth Harbour Act, 1853.

be committed on board any Vessel in the Harbour, may enter at all Times, as well by Night as by Day, in and upon every such Vessel, and search the same, and take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect have been or are about to be committed, and apprehend and detain all Persons suspected to be concerned in such Felonies, and also all Property suspected to be feloniously stolen, and produce the same before some Justice.

go on board
Vessels by
Night and by
Day.

LXXXVI. That the Commissioners from Time to Time may appoint and remove such Harbour and Dock Masters, Weighers, Meters, Agents, Constables, Officers, Workmen, and Servants as the Commissioners deem requisite for the Execution of the several Purposes of this Act, and may determine their respective Remuneration, Duties, and Regulations.

Appointment
of Harbour
Masters and
other
Officers.

LXXXVII. That the several Rates and Dues respectively specified in the Schedules (A.) and (B.) to this Act annexed are by this Act respectively vested in the Commissioners for the several Purposes of this Act, and those Rates and Dues are by this Act substituted for and are in lieu of the Rates, Tolls, and Duties above mentioned, and from and after the Payment of the Sum of Three thousand Pounds herein-after mentioned to be made to the Corporation of *Exeter* no Rates, Tolls, Duties, or Dues in the Nature of Petty Customs shall be payable in respect of Goods, Wares, or Merchandise imported into the said Harbour.

Rates and
Dues as in
Schedules
(A.) and
(B.) vested
in Commis-
sioners.

LXXXVIII. That, in consideration that the Rates, Tolls, Duties, or Dues claimed by the Corporation of *Exeter* are to be no longer claimed or payable within the said Harbour, the Commissioners shall pay to such Corporation the Sum of Three thousand Pounds, and such Sum of Three thousand Pounds shall be considered in all respects as Part of the Sum of Money authorized to be borrowed under this Act, and the Corporation shall be entitled to the same Rights and Remedies for recovering or enforcing Payment of the same as any Creditor of the Commissioners would be entitled to under this Act: Provided always, that the said Corporation shall and they are hereby required to determine any existing Lease which they may have granted of or concerning the said Tolls, Duties, or Dues, within Ten Days after the said Sum of Three thousand Pounds shall have been paid.

Considera-
tion to be
paid to the
Corporation
of Exeter for
Rates, &c.,
claimed by
them.

LXXXIX. That from and after the Commencement of this Act the Corporation of *Exeter* shall be wholly free from all Duties, Charges, Responsibilities, and Liabilities in respect of the said Harbour of *Teignmouth*.

Corporation
freed from
Liability.

[Local:]

7 P

XC. That

The Teignmouth Harbour Act, 1853.

Rates on
Shipping as
in Schedule
(A.)

XC. That the Commissioners from Time to Time may demand and take, in respect of all Vessels entering or leaving the Harbour, the several Rates on Shipping respectively specified in the Schedule (A.) to this Act annexed, and those Rates shall be payable from the Commencement of this Act.

Dues on
Goods as in
Schedule
(B.)

XCI. That the Commissioners may from Time to Time demand and take, in respect of all Goods and Merchandise in all Vessels entering or leaving the Harbour, the several Dues on Goods respectively specified in the Schedule (B.) to this Act annexed, and those Dues shall be payable from the Commencement of this Act.

Yachts,
Pleasure and
Passage
Boats, &c.,
exempt from
Rates and
Dues.

XCII. Provided always, That the Commissioners shall not demand or take any Rate or Due on any Boat or other Vessel driven into the Harbour by Stress of Weather, and not loading or unloading within the Harbour any Part of the Cargo thereof, or unloading the same only for the Purpose of necessary Repairs to such Boat or other Vessel, or on any Boat or Yacht used for the Purposes of Pleasure, or on any Passage Boat for Passengers only with their ordinary Luggage, or on any Boat in the Fish-Trade which carries fresh Fish only into the Harbour, or up and down the Navigation of the River *Teign*, or upon any open Boat carrying Stone into the Harbour for any Purpose, or upon any Boat or Barge conveying Lime or Manure for the Use of any Farm on the Banks of the River *Teign*.

Power to
borrow on
Mortgage of
the Teign-
mouth Har-
bour Fund.

XCIII. That the Commissioners from Time to Time may borrow and take up at Interest on Mortgage of the *Teignmouth* Harbour Fund provided for by this Act such Sums as they from Time to Time think necessary for such Purposes, not exceeding in the whole, inclusive of Monies borrowed under the recited Act and remaining due at the Commencement of this Act, Fifteen thousand Pounds; and for the Purpose of securing the Repayment of the Money so borrowed, with Interest thereon, may mortgage that Fund to the Persons who advance such Money, or their respective Nominees.

Restrictions
on borrow-
ing.

XCIV. Provided always, That the Commissioners shall not borrow any such Money on Bond: Provided also, that in the event of any Part of the Monies borrowed by the Commissioners under this Act being repaid by any Means except the Sinking Fund by this Act provided, they may reborrow the same, and so *toties quoties*: Provided also, that to the Extent of any Portion of that Sum which from Time to Time is paid off by means of the Sinking Fund by this Act provided for the Powers of the Commissioners for borrowing and reborrowing shall cease.

XCVI. That

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XCV. That when any Money is so borrowed by the Commissioners they shall give to the Lender or his Nominee a Mortgage, duly stamped for the Amount so borrowed; and every such Mortgage, and every other Mortgage issued under this Act, shall be signed by any Three or more of the said Commissioners, and by the Treasurer or the Clerk, and may be according to the Form in the Schedule (C.) to this Act annexed, so far as that Form is applicable, or to the like Effect: Provided always, that the Commissioners shall not demand any Sum for any such Mortgage: Provided also, that any such Mortgage shall not be for a Sum less than Fifty Pounds.

Form of
Mortgages
as in Schedule (C.)

XCVI. That in any Case in which a Sum is according to this Act to be paid to a Person by the Commissioners out of any Monies to be borrowed by them under this Act, the Commissioners, with the Consent of such Person, may, instead of borrowing such Sum, and issuing a Mortgage for it, and paying such Sum to such Person, issue to such Person or his Nominee a Mortgage for the Amount of such Sum in satisfaction thereof; and in every such Case the Amount for which the Mortgage is issued shall be entered in the Accounts of the Commissioners as a Sum duly borrowed from such Person or his Nominee, and secured by such Mortgage, and paid to such Person; and every Mortgage so issued shall be as valid and confer the like Rights and Privileges as other Mortgages on the *Teignmouth* Harbour Fund issued under this Act; and the Sum secured by every such Mortgage shall be deemed Money borrowed by the Commissioners under the Authority and for the Purposes of this Act accordingly.

Payments
may be
made by
Commissioners by
Mortgage.

XCVII. Provided always, That the Commissioners shall not issue to any Person or his Nominee Mortgages in lieu of Payment to any Amount greater than the Amount of Money for the Time being lawfully payable according to this Act to such Person.

Limit of
Mortgages
to be issued
in Payment.

XCVIII. That the due Observance by the Commissioners of any of the Provisions of this Act with reference to any Mortgage or the issuing thereof, or any Contract or Arrangement between the Commissioners and any Person in any way relating to any Mortgage or the issuing thereof, shall not form any Part of the Title at Law or in Equity to the Benefit of any Instrument purporting to be a Mortgage issued under this Act, and every such Instrument appearing on the Face thereof to be a Mortgage issued by the Commissioners under this Act shall, in favour of every Person claiming in good Faith the Benefit thereof, be as against the Commissioners absolutely valid at Law and in Equity to all Intents and Purposes whatsoever.

For Security
of Mortgages
as to
their Title.

XCIX. That the Commissioners shall not be bound to see to the Execution of any Trust whatsoever, expressed, implied, or constructive,

Commissioners not
bound by

The Teignmouth Harbour Act, 1853.

Trusts
affecting
Mortgages.

tive, to which a Mortgage issued under this Act may be subject, and the Receipt of the Party in whose Name a Mortgage stands in the Registry of Mortgages, or if it stands in the Names of more Persons than One, the Receipt of any One of the Persons named in that Register, shall from Time to Time be a sufficient Discharge to the Commissioners for any Interest or other Sum payable in respect of such Mortgage, notwithstanding any Trusts to which such Mortgage is then subject, and whether or not the Commissioners have had Notice of such Trusts, and the Commissioners shall not be bound to see to the Application of any Money paid upon any such Receipt.

Monies to
be carried to
the Credit of
Teignmouth
Harbour
Fund.

C. That all the Monies of the old Commissioners at the Commencement of this Act, and all Rates, Dues, Monies borrowed, Damages, Penalties, and other Sums of Money and Income whatsoever, received by or for the Use or Benefit of the Commissioners, shall be paid to the Credit of "The *Teignmouth* Harbour Fund."

Charges on
Teignmouth
Harbour
Fund.

CI. That the Interest of all Monies borrowed under the recited Act, and remaining due at the Commencement of this Act, and all Monies paid or expended by the Commissioners for or with reference to the Execution of this Act or any of the Provisions or Purposes thereof, and all Debts, Liabilities, and Engagements whatsoever incurred and entered into respectively by the old Commissioners and the Commissioners respectively, for or with reference to the Execution of the recited Act and this Act respectively, and all other Costs, Charges, Losses, Damages, and Expenses whatsoever paid or incurred by the Commissioners with reference to the Execution of this Act or any of the Provisions or Purposes thereof, shall be borne and paid by and out of the *Teignmouth* Harbour Fund.

Application
of Teign-
mouth Har-
bour Fund.

CII. That the Monies from Time to Time carried to the Credit of the *Teignmouth* Harbour Fund shall be applied, in the first place, in discharging all Costs, Charges, and Expenses whatsoever of and incident to the obtaining and passing of this Act, and in the next place in paying the Interest on Monies borrowed under the recited Act and remaining due at the Commencement of this Act, and in the next place in Payment of the said Sum of Three thousand Pounds by this Act made payable to the said Corporation of *Exeter*, and on the Monies from Time to Time secured by Mortgage on that Fund, and in the next place in maintaining and regulating the Harbour and the Navigation thereof, and in otherwise carrying this Act into execution, and in the next place in paying off the Monies borrowed under the recited Act, and the Monies secured by Mortgages on that Fund.

CIII. That

The Teignmouth Harbour Act, 1853.

CIII. That it shall be lawful for the Commissioners to pay to the Lords Commissioners of the Treasury, or to the Commissioners of Her Majesty's Customs, such Sum or Sums of Money, out of the Rates and Duties hereby made payable, as the Commissioners in the Execution of this Act shall deem advisable and think right, towards repaying the Salary and Expenses of any additional Officer or Officers which may be appointed by the said Commissioners of the Treasury or Customs in consequence of the said Harbour having been established as a Supernumerary Port with bonding Privileges, as aforesaid.

Power to remunerate Officers appointed to superintend the Arrangements consequent on Teignmouth being declared a Bonding Port.

CIV. That all the Accounts to be kept under this Act shall be open to the Inspection of the Commissioners and the Persons paying Rates under this Act and every of them, and a full Abstract of such Accounts shall, within Two Months after the Thirtieth Day of *June* in the Year One thousand eight hundred and fifty-four, and in every subsequent Year, be published by the Commissioners by Placard posted in not less than Twenty conspicuous Places within the Limits of this Act.

Accounts to be open to Inspection, and an Abstract to be published.

CV. That if upon Complaint made to the Board of Trade by any Person interested, in Writing under his Hand, it shall appear to the Board of Trade that there is reasonable Ground for believing that the Accounts of the Commissioners have not been duly kept, or that any Tolls, Rates, or Duties have been improperly or unfairly levied by them, or have not been applied in accordance with the Directions of this Act, the Board of Trade may appoint an Auditor to examine the Accounts of the Commissioners, and examine into the Matters so complained of, and to report to them thereon; and the Commissioners shall, upon Demand, produce to such Auditor all or any of their Accounts, Books, Deeds, Papers, Writings, and other Documents, and afford to him all reasonable Facilities for examining and comparing the same; and in case any Matter complained of shall be found to be true, the reasonable Expenses of such Auditor shall be paid by the Commissioners out of the Monies coming to their Hands under this Act, and may be recovered in any of the Superior Courts as a Debt due to the Crown.

Power to Board of Trade to appoint an Auditor to examine Accounts of Commissioners in case of Complaints.

CVI. That the Harbour or any Part thereof shall not be subject to the Control, Direction, Survey, or Order of any Commissioners of Sewers, or other Body or Persons having the Care or Management of any Sewers or Drains, or to any Law or Statute relating to Sewers or Drains.

Harbour not to be subject to any Law relating to Sewers.

CVII. That nothing in this Act contained shall be deemed or taken to exempt the Harbour or the Commissioners from the Provisions of any General Act relating to Harbours or Dues on Shipping
[Local.] 7 Q which

Nothing to exempt Harbour, &c. from Provi-

The Teignmouth Harbour Act, 1853.

sions of
future Ge-
neral Acts.

which may be passed during the present or any future Session of Parliament, or from any future Revision or Alteration, under the Authority of Parliament, of the Tolls, Rates, Dues, or Duties by this Act authorized.

Saving
Rights of the
Crown.

CVIII. Provided always, That this Act or anything therein contained shall not divest, take away, lessen, alter, or prejudice any Estate, Right, Easement, Claim to Compensation, Privilege, Power, or Authority which now is or hereafter may be or but for this Act might be vested in or enjoyed by Her Majesty in right of Her Crown, Her Heirs or Successors.

Saving
Rights of
Her Majesty
and the
Duke of
Cornwall in
right of the
Duchy.

CIX. That nothing contained in this Act or in the Acts herein recited or referred to shall extend to authorize the Commissioners to purchase, take, use, or interfere with any Land, Soil, or Water, or any Rights in respect thereof, belonging to Her Majesty in right of the Duchy of *Cornwall*, without the Consent in Writing of Two or more of the principal Officers of the said Duchy, and which Consent such principal Officers or any Two of them are hereby authorized and empowered to give; or belonging to the Duke of *Cornwall* for the Time being, without the Consent of the said Duke, testified in Writing under the Privy Seal of the said Duke first had and obtained for that Purpose; or to prejudice, diminish, alter, or take away any of the Rights, Profits, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Saving
Rights of the
Admiralty.

CX. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Jurisdictions, Franchises, Rights, Powers, or Privileges of the Admiralty.

Saving
Rights of
Trinity
House of
Deptford
Strond.

CXI. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Jurisdictions, Franchises, Rights, Powers, or Privileges of the Corporation of the *Trinity House of Deptford Strond*.

Saving
Rights of
Corporation
of Exeter.

CXII. Provided always, That, except within the Harbour of *Teignmouth* as limited by this Act, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Jurisdictions, Franchises, Rights, Powers, or Privileges of the Corporation of *Exeter*.

For Protec-
tion of Lords
of Manors
and Land-
owners.

CXIII. That, except as is by this Act expressly provided, any Power under this Act shall not be exercised so as in any Manner to defeat, lessen, or interfere with any Right, Jurisdiction, Usage, or Property

The Teignmouth Harbour Act, 1853.

Property of the Lord of any Manor, or the Owner of any Land adjoining the Harbour, and lying above High-water Mark, without the previous Consent in Writing of such Lord or Owner.

CXIV. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or affect any Right, Jurisdiction, Usage, Power, or Privilege belonging to the respective Lords of the several Manors of *West Teignmouth*, and *Ringmore*, and *East Teignmouth*, and *Kenton*, and *Wolborough*, and *Kingsteignton*, and *Bishopsteignton*, and *Combe-inteignhead*, and *Netherton*, or any of them. Saving Rights of Lords of Manors.

CXV. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Estates, Rights, Interest, Powers, or Privileges of the Owners of the *Stover Canal* and the *Hackney Canal*. Saving Rights of Owners of Stover Canal, &c.

CXVI. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, alter, or prejudice any of the Estates, Rights, Interests, Powers, or Privileges of the *Teignmouth and Shaldon Bridge Company*. Saving Rights of Teignmouth and Shaldon Bridge Company.

The Teignmouth Harbour Act, 1853.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Rates and Duties according to Tonnage.

	s.	d.
For every Ship, Barge, Lighter, or other Vessel, for every Time it comes into the Harbour of Teignmouth, and within the Limits to be set forth by the Commissioners from Sea - - -	0	2
Every Vessel remaining at the Harbour more than Six Months, One Third more of the above Rate and Duty; so remaining One Year, double the above Due; and the above Rate for every Six Months it shall so remain beyond the Year.		
If a Steam Tug is established and kept up by the Commissioners for the Use of the Harbour, the following additional Rates and Duties may be charged:		
Towing Vessels in and out, per Ton Register - - -	0	3½
Towing Vessels in or out, per Ton Register - - -	0	2½
Vessels in Ballast to be charged One Third less.		
The above Rates not to apply in case of Assistance rendered to Vessels in Distress or stranded, in which Cases the Commissioners may make any special Agreement.		

SCHEDULE (B.)

Ale, Beer, or Porter, per Kilderkin - - - - -	0	1
per Barrel - - - - -	0	2
per Hogshead - - - - -	0	4
per Butt - - - - -	0	6
Alum, per Cwt. - - - - -	0	1
Anchors, per Cwt. - - - - -	0	1
Anvils, per Cwt. - - - - -	0	1
Apples and Pears, per Bushel - - - - -	0	1
Ashes of all Sorts, per Cwt. - - - - -	0	1
Aqua Fortis, per Cwt. or lesser Packages - - - - -	0	1
Arrowroot, per Cwt. - - - - -	0	2
Arsenic, per Cwt. - - - - -	0	2
Alkali, per Cwt. - - - - -	0	2
Asphaltum, per Cwt. - - - - -	0	2
Bark (Oak), per Ton - - - - -	1	0
Bacon or Hams, per Cwt. - - - - -	0	1
Beef or Pork, per Tierce - - - - -	0	3
per Barrel - - - - -	0	2
other lesser Package - - - - -	0	1

The Teignmouth Harbour Act, 1853.

	s.	d.
Barilla, per Ton	1	4
Bottles of all Sorts, per Gross, Twelve Dozen	1	0
Brass, per Cwt.	0	2
Bricks, Bearers, or Tiles, per Thousand	1	0
Brimstone, per Cwt.	0	1
Bristles, per Cwt.	0	2
Brushes, Basket or Bundle	0	2
Burr for Millstones, per Cwt.	0	0½
Bags and Bed Sackings, per Ton	1	0
Butter, per Tub, Firkin, or Half Firkin	0	1
Bales and Trusses of Silk, Linen, or Woollen, per Foot	0	1
Bells, per Cwt.	0	2
Barley, pearled, per Cwt.	0	2
Barrows, each	0	2
Baskets, per Dozen	0	2
Bast Ropes, per Cwt.	0	2
Berries of all Sorts, per Cwt.	0	2
Biscuit and Bread, per Cwt.	0	2
Blacking, per Cwt.	0	2
Bones and Hoofs, per Ton	1	0
Bone Dust, per Cwt.	0	1
Books, per Cwt.	0	2
Boots and Shoes, per Cwt.	0	2
Boxes of all Sorts, empty	0	0
Bronzes, per Cwt.	0	2
Cables and Cordage, tarred or not, per Ton	1	4
Candles, per Cwt.	0	1
Cannon, per Cwt.	0	1
Balls, per Cwt.	0	1
Casks, empty; viz.		
Pipes, each	0	2
Hogsheads, each	0	1
Barrels, each	0	0½
Other Casks, each	0	0½
Chairs, per Dozen	1	0
Cheese, per Ton	1	8
Cider, per Hogshead	0	4
per Half Hogshead	0	2
Clay, per Ton	0	3
Coals and Culm, per Ton	0	3
Copper Sheathing, per Cwt.	0	2
Bolts, per Cwt.	0	2
other, per Cwt.	0	2
Cages, per Dozen	0	6
Cement, per Barrel	0	2
Cork, per Cwt.	0	1
Corks, per Gross	0	1

[Local.]

7 R

The Teignmouth Harbour Act, 1853.

	s.	d.
Corn; viz.		
Beans		
Barley		
Malt		
Oats		
Peas		
Wheat		
per Quarter -	-	0 3
Coffee, per Cwt.	-	0 2
Cattle; viz.		
Bulls, each	-	0 4
Cows, each	-	0 4
Calves, each	-	0 2
Horses, each	-	0 8
Oxen, each	-	0 4
Pigs, each	-	0 2
Sheep, each	-	0 2
Lambs, each	-	0 1
Carriages of all Sorts, and Carts		
Four Wheels, each	-	2 0
Two Wheels, each	-	1 0
Chicory, per Cwt.	-	0 2
Chinaware, per Crate	-	0 2
Cocoa and Chocolate, per Cwt.	-	0 2
Confectionery of all Sorts, per Cwt.	-	0 2
Cotton Manufactures, in Packages, per Cubic Feet	-	0 1
Charcoal, per Ton	-	0 3
China Stone, per Ton	-	0 2
Dye Woods, per Cwt.	-	0 1
Drugs, per Cwt.	-	0 2
Divi Divis, per Ton	-	1 0
Down, per Cwt.	-	0 2
Earthenware, per Crate	-	0 4
per Half Crate	-	0 2
Eggs, per Thousand	-	0 4
Essences and Extracts of all Sorts, per Cwt.	-	0 2
Feathers, per Cwt.	-	0 4
Fish, salted, per Ton	-	1 0
Herrings or Pilchards, per Barrel	-	0 2
Anchovies, per Barrel	-	0 2
Salmon, per Kit	-	0 1
Flax, per Ton	-	1 4
Flour, per Sack	-	0 2
per Barrel	-	0 2
Furniture in Case or Packages, per Foot	-	0 1
Flints, per Bag	-	0 0½
Flocks, per Cwt.	-	0 2
Fruit, per Cwt.	-	0 2

The Teignmouth Harbour Act, 1853.

	s.	d.
Glass, per Case or Box	0	4
per Sides	0	4
per Crate	0	4
Glue, per Cwt.	0	2
Groceries:		
Almonds		
Cinnamon		
Currants		
Cloves		
Figs		
Mace		
Nutmegs		
Pepper		
Pimento		
Plums		
Prunes		
Raisins		
Ginger		
Dates		
Liquorice		
Sugar Candy		
Sugar, refined, however packed, per Loaf.		
Raw, per Cwt.		
Gunpowder, per Cwt.	0	1
Gun Stocks, per Hundred	1	0
Gum of all Sorts, per Cwt.	0	2
Guano of all Sorts, per Cwt.	0	1
Gelatine, per Cwt.	0	2
Grapes, per Cwt. in Packages	0	2
Gypsum, per Cwt.	0	1
Grease, per Cwt.	0	1
Greaves, per Cwt.	0	1
Granite, rough or dressed, per Ton	0	2
Hair of all Sorts, per Cwt.	0	1
Package containing less than One Cwt.	0	1
Hardware, per Cwt.	0	1
Hats, per Box	0	2
Hemp, per Ton	1	0
Hides, each, wet or dry	0	0½
Hoops, Wooden, per Bundle	0	1
Honey, per Barrel, Forty-two Gallons	1	0
Hops, per Bag	0	8
per Pocket	0	4
Horns, per Cwt.	0	1
Hampers, containing One Dozen	0	1
Two Dozen	0	2
Three Dozen	0	3
Four Dozen	0	4
Five Dozen	0	5
Six Dozen	0	6

For each Box, Basket, or other Package not exceeding Fifty-six Pounds - 0 2
 Ditto, from Fifty-six Pounds to One Cwt. - 0 3
 Above One Cwt., per Cwt. - 0 2

vide Sugar.

The Teignmouth Harbour Act, 1843.

	s.	d.
Hay, per Ton	1	0
Hellibore, per Cwt.	0	2
Indigo, not exceeding One Cwt.	0	2
exceeding One Cwt., per Cwt.	0	2
Iron, Pig and Cast, and Bars, per Ton	1	0
Pöts, Hoops, Ware, per Cwt.	0	1
Ballast, per Ton	0	4
Isinglass, per Cwt.	0	2
Ink, per Cwt.	0	2
Iodine, per Cwt.	0	2
Indian Rubber, per Cwt.	0	2
Junk, per Ton	0	4
Juices, per Hundredweight	0	2
Laths, per Dozen Bundles	0	2
Lead, per Ton	1	6
Shot, per Cwt.	0	1
White, and Paints	0	1
Black, per Cwt.	0	1
Leather and Leather Shreds, per Cwt.	0	1
Lemons and Oranges, per Chest	0	3
per Half Chest, Box, or other smaller Package	0	2
Lard, per Cwt.	0	2
Limes, per Ton	0	3
Litharge, per Cwt.	0	2
Marble, per Ton	1	0
Matting, per Roll	0	1
Millstones, per Cwt.	0	0½
Molasses, per Cwt.	0	0½
Mops, per Dozen	0	2
Mustard, per Firkin	0	1
per Barrel	0	2
Maccaroni and Vermicelli, per Cwt.	0	2
Manna and Manna Croup, per Cwt.	0	2
Nails, per Cwt.	0	1
Nuts, per Sack	0	2
per Bag	0	2
Naptha, per Cwt.	0	2
Nitre, per Cwt.	0	2
Oakum and Tow, per Ton	1	0
Ochre, per Cwt.	0	0½
Oil; viz.		
Linseed, per Cwt.	0	1
Rape, per Cwt.	0	1
Sperm, per Cwt.	0	1

The Teignmouth Harbour Act, 1853.

	s.	d.
Oil; viz.		
Salad, per Chest or Box	0	2
Turpentine } per Cwt.	0	2
Vitriol }		
Oil not otherwise enumerated, per Cwt.	0	1
Oil Cake, per Hundredweight	0	1
Onions, per Bushel	0	0½
Ores and Minerals, per Ton:		
Iron and other Minerals	0	2
Copper, Lead, or Tin	0	6
Paper, per Cwt.	0	1
Pelts, per Cwt.	0	1
Pewter, per Cwt.	0	1
Pipes (Tobacco), per Gross	0	1
Pitch and Tar, per Barrel	0	2
Plaster of Paris, per Cwt.	0	1
Potatoes, per Ton	0	3
Potash, per Ton	2	0
Pickles, per Cwt.	0	2
Porcelain, per Crate	0	4
Quicksilver, per Case or Package	0	6
Rags, per Ton	0	4
Rice, per Cwt.	0	1
Rosin, per Cake or Barrel	0	2
Rushes, per Twelve Bundles	0	2
Sail Cloth, per Bolt	0	0¾
Salt, per Ton	0	4
Saltpetre and other Salts, per Cwt.	0	1
Seeds; viz.		
Flax		
Hemp		
Clover		
Grass		
Vetches		
Rape		
Flax, Foreign, per Barrel	0	2
Canary, per Cwt.	0	1
all other Seeds, per Cwt.	0	1
Skins, per Cask	0	6
per Bale	0	6
Slates:		
Duchesses, large or small, per 1,200	0	6
Countesses	0	4
Ladies	0	3
Doubles	0	2
Scantle	0	2
Common or small	0	1
[Local.]	7	S

The Teignmouth Harbour Act, 1853.

	s.	d.
Slates:		
Unsize Rag		
Half Rag		
Queen or Sized Rag		
Slab		
Block		
Westmorland Rag		
Imperial or Milled		
Welch or Rag Square		
	} per Ton	0 3
Soap, in Chests or Hogsheads, per Cwt.		0 1
	per Firkin, Sixty-four Pounds	0 1
Soda, per Ton		1 4
Spirits; viz.		
Brandy		
Gin		
Rum and other Spirits		
	} per Pipe or Puncheon	1 6
Starch, per Cwt.		0 1
Steel, per Cwt.		0 1
Stones, Grinding, per Cwt.		0 0½
Stone, Red Rock		Free.
Portland		
Bath		
Beer		
York		
Whitby		
Rolling		
Trough		
Moor		
Grave		
	} at per Ton of 18 Feet	0 6
Step, at per Ton of 30 Feet		0 6
Paving		
Gutter		
Kirb		
	} per Ton of 6 Feet	0 6
Limestone, at per Ton		0 0½
Granite, <i>vide</i> Granite.		
Snuff, per Bladder		0 1
Sugar, refined, packed, per Loaf		0 0½
Raw, per Cwt.		0 1
Sago, per Cwt.		0 2
Shumach, per Cwt.		0 2
Spelter, per Cwt.		0 2
Sulphur, per Cwt.		0 2
Superphosphate of all Sorts, per Cwt.		0 1
Straw, per Ton		0 6
Tallow, per Ton		1 0
Tea, per Chest		0 4
per Half ditto		0 2
per Quarter ditto		0 1
per Box		0 1
Tin, per Box		0 1
Ware, per Cwt.		0 2

The Teignmouth Harbour Act, 1853.

	s.	d.
Tobacco per Cwt.	0	2
Tongues, dried, per Cwt.	0	1
Treenails or Hummels, per Thousand	0	4
Twine and Thread, per Ton	2	0
Tapioca, per Cwt.	0	2
Vinegar, per Hogshead	0	8
per Half ditto	0	4
Valonia, per Ton	1	0
Varnish, per Cwt.	0	2
Vermicelli, per Cwt.	0	2
Wax, per Cwt.	0	1
Whalebone, per Bundle	0	2
Whiting, per Cwt.	0	0½
Wine, per Pipe	1	6
per Hogshead	0	9
Wood, square or round, per Load	1	0
Deals, Plank, and Boards, per Load	2	0
Lathwood, per Fathom	1	6
Lignum Vitæ, per Cwt.	0	2
Mahogany Balk, per Load	2	0
Spars, each, Four Inches Diameter and under	0	0½
Ditto, each, above Four Inches and under Six Inches	0	1½
Ditto, each, above Six Inches and under Eight Inches	0	3
Ditto, each, above Eight Inches and under Twelve Inches	0	8
Ditto, each, above Twelve Inches and under Fifteen Inches	1	4
Wood Masts, each, Fifteen Inches Diameter and under Eighteen Inches	2	0
Ditto, each, above Eighteen Inches	3	0
Wood Staves, above Four Feet, for every Hundred and twenty	0	2
Ditto, under Four Feet, for every Hundred and twenty	0	1½
All other Staves, for every Hundred and twenty	0	1
Wool, per Ton	2	0
Wire, per Cwt.	0	2
Yarn of all Sorts, per Ton	2	0
Zinc, per Cwt.	0	2
All Trunks, Chests, Boxes, Bags, Bales, or other Packages, containing Goods above enumerated, not exceeding Twenty-eight Pounds	0	1
Ditto, exceeding Twenty-eight Pounds and not exceeding One Hundredweight	0	3
Above One Hundredweight, at per Cwt.	0	2
All Trunks, Chests, Boxes, Bags, Bales, or other Packages, containing weighable or other Goods not enumerated or particularly set forth in the above Schedule, not exceeding Twenty-eight Pounds	0	1
Ditto, exceeding Twenty-eight Pounds and not exceeding One Hundredweight	0	2
Ditto, exceeding One Hundredweight, per Cwt.	0	2
All unenumerated Goods in Bulk, per Cwt.	0	0½

The Teignmouth Harbour Act, 1853.

SCHEDULE (C.)

Form of Mortgage.

The Teignmouth Harbour Commissioners.

Mortgage, No. £

By virtue of the "Teignmouth Harbour Act, 1853," we, the "Teignmouth Harbour Commissioners," in consideration of _____ paid to us for the Purposes of the Teignmouth Harbour Act by *A.B.* of _____ [or otherwise, as the Case may be], do assign unto the said *A.B.* or unto *C.D.* of _____ the Nominee of the said *A.B.*, his Executors, Administrators, and Assigns, the Teignmouth Harbour Fund, and all the Rates, Dues, and other Monies from Time to Time to be paid to the Credit of that Fund, to hold unto the said *A.B.* or *C.D.* his Executors, Administrators, and Assigns, until the Sum of _____, with Interest for the same at the yearly Rate of _____ in the Hundred, be satisfied [the Principal Sum to be repaid at the End of _____ Years from the Date hereof (if any Period be agreed upon for that Purpose)], at _____ Dated this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____

SCHEDULE (D.)

FORMS OF NOMINATION AND REVOCATION OF NOMINEES OF LORDS OF MANORS AND OWNERS OF CANALS.

Form of Nomination.

I *A.B.* of, &c., being the [Lord, &c., or the Owner, &c., or the Guardian or Committee of, &c.], hereby, in pursuance of "The Teignmouth Harbour Act, 1853," nominate *C.D.* of, &c., to be a Teignmouth Harbour Commissioner in my Place [or in the Place of my Ward].

As witness my Hand, this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____

Form of Revocation.

I *A.B.*, of, &c., being [as the Case may be], hereby, in pursuance of "The Teignmouth Harbour Act, 1853," revoke the Appointment made on the _____ Day of _____ by [as the Case may be] of *C.D.* of, &c., to be a Teignmouth Harbour Commissioner in my Place [or in the Place of, &c., as the Case may be].

As witness my Hand, this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____

LONDON:

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Printers to the Queen's most Excellent Majesty. 1853.