



ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. xxi.

An Act for altering and amending an Act passed in the Forty-seventh Year of His present Majesty, for constructing a Pier and Harbour at or near the Town of *Folkestone*, in the County of *Kent*; for varying the Limits, and improving and rendering more commodious the said Pier and Harbour; for raising a further Sum of Money for completing the same; and for extending the Powers and Provisions of the said Act. [19th March 1818.]

WHEREAS an Act was passed in the Forty-seventh Year of the Reign of His present Majesty, intituled *An Act for constructing a Pier and Harbour at or near the Town of Folkestone, in the County of Kent*: And whereas the *Folkestone* Harbour Company, incorporated under the Powers of such Act, have, since the passing the same Act, begun to make and construct the said Harbour, by building a Pier and other Works, and considerable Progress has been made in the Works of the said Harbour, and the Sum of Thirty-four thousand five hundred Pounds has already been expended upon the same: And whereas it is essential to the Safety of that Part of the Harbour which is already completed and in progress, and for the Completion and Improvement of the said Harbour, that the Remainder of the Works should be completed, and also that a Scowring Basin or Inner Harbour should be formed and constructed thereto; for which Purposes it will be necessary that a very considerable further Sum should be provided; and as the same cannot be procured or raised under the Powers of the said recited Act, or in any other

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Clauses in recited Act for regulating General Meetings, and for calling Extraordinary Meetings, repealed.

General Meetings of the Company.

other Manner than by way of Loan or Mortgage, and it has therefore been deemed expedient and necessary that the said Company should be empowered to raise a competent Sum of Money for finishing the said Pier, and erecting, constructing, forming and completing the said Basin and other Works necessary for the Improvement and Security of the said Harbour, by Loan to be secured on Mortgage of the Tolls and Dues of the said Harbour: And whereas the Powers, Provisions, and Regulations contained in the said Act require to be amended in other respects: 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 from and after the passing of this Act, so much and such Parts of the said recited Act as regulate the General Meetings of the said Company, and the calling Extraordinary Meetings, if necessary, of the said Company, shall be and the same are hereby repealed.

II. And be it further enacted, That from and after the passing of this Act, all General Meetings of the said Company shall consist of Twenty-five Shareholders of the said Company at least, or Persons and Proxies representing not less than One hundred and fifty Shares of Fifty Pounds each, and shall be held at such Time and Place, or Times and Places, within the said Town of *Folkestone*, as shall from Time to Time be ordered at some preceding General Meeting, so that no such Meeting shall be held at less than Fifteen Days from the Appointment thereof; and that Notice of such respective General Meetings shall be in Writing, signed by the Clerk or Treasurer of the said Company, and a Copy or Copies thereof shall be affixed on the Guildhall of the said Town of *Folkestone*, and inserted in One or more *Kentish* Newspaper or Newspapers, Ten Days at least (including both Days) before such intended General Meetings respectively; and that all such Orders and Determinations of the said General Meetings of the said Company as shall be in conformity to and authorized by the said recited Act or this Act, and which shall be made by a Majority of Votes and Proxies at any such Meetings respectively, shall be binding and conclusive on all the Members of the said Company.

A General Meeting to be held annually.

III. And be it further enacted, That one General Meeting of the said Company shall be held on the Third *Wednesday* in *April* in every Year, at the House commonly called the *Cistern House*, situate in the Town of *Folkestone* aforesaid, or at such other Place as may be appointed at the General Meeting holden next preceding such Day; and that Notices of such Meeting shall be given and fixed up in the same manner as is hereinbefore directed in respect of the other General Meetings of the said Company.

For calling Extraordinary Meetings, if necessary.

IV. And be it further enacted, That if any Members of the said Company of Proprietors, who shall together be Possessors of Eighty Shares at least of the Stock of the said Company, or any Five of the Board of Directors of the said Company, shall judge it necessary or expedient for carrying into execution any of the Purposes of the said recited Act or this Act, or for calling in question any Matter or Thing ordered by the Directors, to have an Extraordinary General Meeting of the said Company called, and shall request the same to be called by Notice in Writing under their respective Hands, delivered to the Clerk or Treasurer of the said Company for the

Time being, specifying in every such Notice the Business intended to be proceeded on at such Meeting, and the Time and Place of holding the same; then and in every such Case the said Clerk or Treasurer for the Time being is, and he is hereby authorized and required, within Three Days after the Delivery of such Notice, to call such Extraordinary Meeting (by Notice under his Hand, to be inserted in One or more of the *Kentish* Newspaper or Newspapers, and a Copy thereof affixed on the Guildhall aforesaid), to assemble at such Time and Place, and for such Purpose as aforesaid, within Fifteen Days from and after such Notice; and such Meeting shall be deemed a General Meeting of the said Company; and all Proceedings of such Meeting shall be deemed as valid and effectual to all Intents and Purposes whatsoever, as if the same had been done at ordinary General Meetings, called and holden in the Manner herein-before appointed for that Purpose.

V. And whereas by the said recited Act it is enacted amongst other Things, that within Two Calendar Months from the passing of the said Act, a Board of Directors, consisting of Thirteen Persons, should be nominated and appointed for conducting and managing the Affairs and Business of the said Company, which Board of Directors should consist of the Mayor of the said Town of *Folkestone*, or his Deputy for the Time being; and the Steward of the said Hundred of *Folkestone*, or his Deputy for the Time being, and Eleven Proprietors in the said Undertaking, of which Eight should be Residents of the said Town, but not interested in the Works carrying on, and the remaining Three might be non-residents, to be chosen by Ballot by and out of the several Persons subscribing towards the Undertaking assembled at such Meeting, such Persons last mentioned to be respectively possessed of at least Two Shares of Fifty Pounds each of the said Capital Stock; and that they the said Directors should and might meet at such Place or Places within the said Town of *Folkestone*, and at such Time or Times, as the major Part of such Directors present, not being less than Five, should deem convenient for executing the Powers vested in them by this Act; and such Directors so to be appointed as aforesaid should continue in Office until others should be chosen in their Stead as therein-after mentioned, or until such Person or Persons should respectively die or decline to act, or until any of the Persons who should have been so chosen as Directors from amongst the Members of the said Company subscribing towards the said Stock, should have disposed of his, her, or their Shares and Interest in the said Stock, so as to reduce the same to less than Two Shares in the said Stock; and in the Room and Place of every such Director or Directors, so as aforesaid appointed by the Subscribers to the said Undertaking, who should die, decline to act, or dispose of his or their Stock as aforesaid, there should be appointed out of the Subscribers to the said Undertaking, by the Majority of the said Subscribers attending at a Special Meeting of the said Company (to be called for that Purpose, of which the Directors for the Time being were thereby required to give Ten Days Notice in the Manner therein-before directed with respect to the First Meeting of the said Company of Proprietors) one other Person or Persons to fill up the Vacancy of such Director or Directors; and that each succeeding Mayor should take the Situation and fill the Office of Director of his Predecessor; and the several new Director or Directors so as aforesaid to be elected and appointed should continue in Office for such Time or respective Times, and no longer, as the Director or Directors in whose stead

stead he or they should be so respectively elected or appointed ought to have continued in Office if such Death or Deaths, Removal or Disqualification had not happened; and that the Directors to be appointed as therein mentioned, together with those who should be chosen in the Room of any such Director who should die, decline to act, or become disqualified as aforesaid, should continue to be Directors or Managers for conducting and managing the Affairs and Business of the said Company, until the Works therein directed to be carried into execution should be formed and made fit for the Reception of Shipping; and that within One Year after the Works should be made and formed, Four at least of the said Directors (not being the Mayor and Steward aforesaid) should go out of Office, and Four others (not being the Mayor and Steward aforesaid) should in Rotation, on the First *Wednesday* in *October* in every succeeding Year, go out of Office; and in order to ascertain the Rotation or regular Turn of going out of Office, the Directors who were to go out of Office should be ascertained and known by drawing Lots for that Purpose, at any Meeting of the said Directors, in such fair and proper Manner as the said Directors should in their Discretion agree to and approve of; and the Vacancies occasioned by their going out of Office should be filled up at the General Annual Meeting of the said Company, in the same Manner as the Directors first therein mentioned were directed to be chosen: And whereas a Board of Directors has been appointed in Manner directed by the said recited Act, but it may hereafter happen that there may not be Eight Proprietors resident in the said Town of *Folkestone* qualified and willing to act as such Directors; be it therefore further enacted, That in all future Elections of Persons to supply the Vacancies of such Directors as shall die, or become unwilling, incompetent, or disqualified to act, or shall go out of Office in regular Rotation as aforesaid, where it shall happen that there are not a sufficient Number of Proprietors resident in the Town (who are qualified and willing to act as Directors) to make up the Proportion of Eight of such Board of Directors as directed by the said recited Act, that then the Deficiency of such Proportion shall be made up out of the non-resident Proprietors, in the same Manner as in the said recited Act is directed in respect of the remaining Three of such Board of Directors, as aforesaid.

Amending
the Clause in
recited Act
for appoint-
ing Directors
to supply
Vacancies.

Any Number
of Directors,
not less than
Five, com-
petent to act.

VI. And be it further enacted, That at all Meetings of any Board of Directors for the Purposes of the said recited Act or this Act, it shall be competent for any Number of Directors (not less than Five) present at any such Meeting, to act in the Management of the Affairs and Business of the said Company, and to execute the Powers vested in the said Board of Directors by the said recited Act and this Act; any Thing in the said recited Act to the contrary notwithstanding.

Power to
raise a further
Sum on
Mortgage of
the Harbour
and Duties.

VII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, from Time to Time to borrow and take up at Interest, on the Credit of the Rates and Duties of the said Harbour, any Sum or Sums of Money which they shall deem necessary for effectuating the Purposes of the said recited Act and this Act, not exceeding Twenty thousand Pounds over and above the Sum which they are empowered to raise by Mortgage by the said recited Act, and to demise, grant, bargain, and sell the Property of the said Harbour, and the Capital Stock therein,
and

and the Tolls, Rents, and Duties arising or to arise to the said Company of Proprietors by virtue of this Act (the Costs and Charges of preparing and perfecting such Demise or Demises to be paid out of such Tolls, Rates, and Duties), as a Security for any Sum or Sums of Money which shall be so borrowed, with Interest to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance and lend the same, in the same Manner and under the same Regulations as are in the said recited Act contained, in respect of the Sum of Money therein authorized to be raised by Mortgage.

VIII. And whereas it is by the said recited Act enacted, that the Pier to be built by the said Company shall contain beneath High Water Mark Nineteen Acres, a little more or less; and such Dimensions have since been ascertained to be larger than necessary for Public Benefit, and therefore attended with unnecessary Expence; be it therefore enacted, That the said Pier shall contain, beneath High Water Mark, not less than Fourteen Acres, including the Basin herein-after authorized to be constructed, instead of Nineteen Acres, as by the said recited Act directed, any Thing in the said recited Act contained to the contrary notwithstanding.

Contents of
Pier to be
Fourteen
Acres,
instead of
Nineteen
Acres.

IX. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, to make, construct, build, maintain, and support a Scowring Basin or Inner Harbour, and such other Works as shall appertain thereto, in addition to the Works which they are empowered to construct by the said recited Act, which said Basin shall contain Four Acres or thereabouts, and shall be Part of the said Fourteen Acres above mentioned.

Power to
construct a
Basin.

X. And whereas it is in and by the said recited Act amongst other Things enacted, that it should and might be lawful to and for the said Company of Proprietors, or such Person or Persons as they should appoint, and they are thereby authorized and empowered, from Time to Time and at all Times from and after the Time that the Sum of Thirteen thousand four hundred Pounds (being Two-third Parts and upwards of the Estimate of the Expence of the making the said Pier or Harbour) should appear by a Return made to any General or Quarter Sessions of the said Town of *Folkestone*, or Adjournment thereof, to have been laid out by the said Company, to ask, demand, take, collect, receive and recover, to and for the Use and Benefit of the said Company, of and from all and every the Masters, Commanders, or Owners or Owner of any Ship or Vessel, Bark or Boat, or Owner of any Part or Parts thereof, or other Person or Persons belonging to or coming within the said Harbour, or within the Limits thereof, or from either of them, the several Rates or Duties following; (that is to say), For all Ships or Vessels belonging to Foreign Subjects, and unloading or loading their Cargoes, or any Part thereof, within the said Harbour or Limits thereof, any Sum not exceeding Sixpence *per* Ton; for all Ships or Vessels belonging to Foreign Subjects arriving in the said Harbour or Limits thereof, by Stress of Weather or otherwise, without unloading all or any Part of their Cargoes, any Sum not exceeding Fourpence *per* Ton; for all Ships or Vessels belonging to His Majesty's Subjects (except such thereof as belonged to the said Town of *Folkestone*, for which particular Duties were by the said Act imposed) coming from Foreign Parts and loading or unloading their Cargoes, or any Part thereof, within

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the Limits of the said Harbour, any Sum not exceeding Two-pence *per* Ton ; for any such Vessel coming from Foreign Parts (except as aforesaid) and arriving in the said Port by Strefs of Weather, and loading or unloading all or any Part of her Cargo, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) without unloading any Part of their Cargo, any Sum not exceeding Two-pence *per* Ton ; for all Coasting Vessels (except as aforesaid) unloading Part of their Cargoes, not exceeding One-half thereof, within the said Port, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) not unloading any Part of their Cargo, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) unloading within the said Limits, having above One-half of their Cargoes consisting of Coal, Culm, Slack, Coke, or Charcoal, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) laden with Coal only, any Sum not exceeding Two-pence *per* Ton ; for all Ships or Vessels (except as aforesaid) loading within the said Limits with Bark, Timber, Slates, Ore, Corn, or other Merchandize, bound to Foreign Parts, or to *Ireland*, or Coastways, any Sum not exceeding Two-pence *per* Ton ; for all Vessels coasting (except as aforesaid) laden or part laden with Limestone, Lime, Sand, Manure, or in Ballast, arriving in or proceeding from the said Port, any Sum not exceeding Two-pence *per* Ton ; for all Coasting Vessels (except as aforesaid) arriving within the Limits of the said Harbour by Strefs of Weather, and unloading all or above One-half of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) without unloading more than One-half of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; for all other Ships and Vessels (except as aforesaid) belonging to His Majesty's Subjects, coming from any Port in the United Kingdom of *Great Britain* and *Ireland*, and arriving within the said Limits, without unloading all or any Part of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) unloading all or any Part of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; for all Ships or Vessels (except as aforesaid) belonging to His Majesty's Subjects coming from any Port in the United Kingdom of *Great Britain* and *Ireland*, and arriving within the Limits of the said Harbour by Strefs of Weather, without unloading all or any Part of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; for all such Vessels (except as aforesaid) unloading all or any Part of their Cargoes, any Sum not exceeding Two-pence *per* Ton ; be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time and at all Times, from and after and so soon as the said Basin or Inner Harbour hereby authorized to be constructed shall be completed or rendered fit and proper for the Reception of Shipping, to ask, demand, take, collect, receive, and recover, to and for the Use and Benefit of the said Company, of and from all and every the Masters, Commanders, or Owners of any Ship or Vessel, Bark or Boat, or Owner of any Part or Parts thereof, or other Person or Persons having the Rule or Command of any Ship or Vessel, Bark or Boat, which shall come within the said Basin or Inner Harbour, over and above the said Tonnage Duties above mentioned, or any other Rates or Duties granted or imposed by the said recited Act or this Act, the several Rates or Duties following ; (that is to say),

Upon Basin
being rendered fit for
Shipping,
Duties to
commence.

For

For all Ships, Vessels, Barks, or Boats, belonging to Foreign Subjects, entering the said Basin, and unloading or loading their Cargoes, or any Part thereof therein, any Sum not exceeding Sixpence *per* Ton :

For all Ships, Vessels, Barks, or Boats, belonging to Foreign Subjects, entering the said Basin, and not unloading or loading any Part of their Cargoes therein, any Sum not exceeding Four-pence *per* Ton :

For all Ships, Vessels, Barks, or Boats, belonging to *British* Subjects, or belonging or in Part belonging to an Inhabitant of the said Town of *Folkestone*, entering the said Basin for any Purpose whatsoever, any Sum not exceeding Three-pence *per* Ton :

And for all Ships, Vessels, Barks, or Boats which shall remain in the said Basin for a longer Time than One Calendar Month from the Time of their entering the same, an additional Duty of not exceeding Two-pence *per* Ton for every Month, and so in Proportion for any greater or less Time than a Month during which such Ship, Vessel, Bark, or Boat shall remain in the said Basin after the First Month.

XI. Provided always, and be it further enacted, That no Master or Owner or other Person having the Rule or Command of any Ship or Vessel, shall be allowed to burn or bream the Bottom of such Ship or Vessel within the said Basin ; or to bring any Ship or Vessel into the said Basin for the Purpose of breaking up the same, under Pain of forfeiting and paying to the said Company any Sum not exceeding Fifty Pounds for every such Offence.

Ships not allowed to burn, &c. their Bottoms in the Basin ; and no Vessel to be brought in for breaking up.

XII. And as well for the better preserving the said Basin and the Works to be erected thereon from Prejudice or Damage, as for the Accommodation of Ships or Vessels coming into or going out of the same, and for cleansing or otherwise improving the said Harbour or the Works thereof ; be it further enacted, That the Harbour Master shall and may from Time to Time order and require all and every Person and Persons having the Rule or Command of any Ship or Vessel entering into, lying, being or abiding within the said Basin, to lie, anchor, moor, and ballast, such Ship or Vessel in such proper Place or Places within the same as such Harbour Master shall assign or direct for those Purposes, (having due Regard that to the best of his Skill and Judgment such Ship or Vessel shall be ordered to lie, anchor, moor, or ballast in a Place of Safety) ; and also shall and may from Time to Time, when and as often as the said Basin shall be required for the Purpose of cleansing the said Harbour or otherwise improving the same or the Works thereof, order and require every Person having the Rule or Command of any Ship or Vessel entering into, lying, being, or abiding within the said Basin, to quit and leave the said Basin entirely ; and in case the Person or Persons having the Rule or Command of any such Ship or Vessel shall refuse or neglect to obey the Orders so given by the Space of Twenty-four Hours after the same shall be so given as aforesaid, or shall cast or throw out, or permit or suffer to be cast or thrown out, any Ballast or Rubbish, Sand, or other Materials used for Ballast, from any such Ship or Vessel within the said Basin, or any other Person or Persons whomsoever shall, on any Pretence whatsoever, cast or throw into the said Basin, or any other Part of the said Harbour, any Beach, Gravel, Sand, Muck, Marl, or other Filth or Rubbish, every Person so offending, for every such Refusal, Neglect, or other Offence, shall forfeit and pay to the said Company any Sum not exceeding Twenty Pounds.

Power to regulate Vessels lying in the Basin, and to compel them to leave it entirely, when wanted for the Purposes of the Harbour.

XIII. And

Old Duties
on Fishing
Boats and
Vessels
belonging to
the Town, on
Herrings and
Mackarel, on
Imports and
Exports, on
Profits of
Salvage,
Wharfage
Duty, and the
Clauses for
securing and
recovering
the same,
repealed.

XIII. And whereas it is in and by the said recited Act amongst other Things enacted and provided, that the several Rates on Fishing Boats and Vessels of the Burthen of Three Tons, and not exceeding Eight Tons, should pay the Sum of One Shilling for every Time such Boat should go out of the said Harbour, or from the Limits thereof; and every Boat or Vessel belonging to the said Harbour or Town of *Folkestone*, and using the said Harbour or Limits thereof, and being the Whole or any Part thereof the Property of any Inhabitant of the said Town, should pay the several Rates and Duties following, (that is to say); If of the Burthen of Eight Tons, and not exceeding Twenty Tons, the Sum of One Pound One Shilling *per Annum*; if above Twenty Tons, and not exceeding Forty Tons, the Sum of Two Pounds Ten Shillings *per Annum*; if above Forty Tons, and not exceeding Sixty Tons, the Sum of Five Pounds Ten Shillings *per Annum*; if above Sixty Tons, and not exceeding One hundred Tons, the Sum of Six Pounds Ten Shillings *per Annum*; if above One hundred Tons, and not exceeding One hundred and fifty Tons, the Sum of Seven Pounds Ten Shillings *per Annum*; and for every Fifty Tons over and above the said One hundred and fifty Tons, the Sum of Ten Shillings *per Annum*; which said last-mentioned Duties upon all such Ships or Vessels as were charged at a Sum certain *per Annum*, should be paid for respectively at equal Quarterly Payments, (that is to say) the Eleventh Day of *October*, the Sixth Day of *January*, the Sixth Day of *April*, and the Sixth Day of *July*, in each and every Year, the First Payment thereof to be made on the Quarter Day next after such Ship or Vessel should put to Sea, or become the Property of any Inhabitant of the said Town; for all Ships or Vessels (except as aforesaid) not before specified, arriving at or proceeding from the said Harbour or Limits thereof, any Sum not exceeding Two pence *per Ton*; and that a Duty of Three Shillings should be paid for every Ten Thousand or Last of Herrings that should be landed, shipped, imported, exported, or otherwise brought into the said Town or Liberty thereof, and so in proportion for any greater or lesser Quantity than Ten Thousand or Last of Herrings; and for every One Thousand of Mackarel that should be landed, shipped, imported, exported, or otherwise brought into the said Town or Liberty thereof, the Sum of Two Shillings and Sixpence, and so in proportion for every greater or lesser Quantity than a Thousand; and also that there should be paid to the said Company, or to such Person or Persons as they should appoint to collect and receive the same, over and above the Rates therein-before authorized to be taken, for all Goods, Wares, Merchandizes, and Commodities whatsoever, imported or exported to or from the said Port, such Rates or Duties as the said Company should order or direct to be paid, not exceeding the Rates or Duties contained in a certain Table or Schedule thereto annexed, as far as such Goods, Wares, Merchandizes, and Commodities as should or might be imported or exported as aforesaid, were particularized in the said Schedule of Rates, which said Rates should be paid by the Merchant or Merchants, or other Person or Persons exporting or importing such Goods, Wares, and Merchandizes, or into whose Custody or Possession the same should be delivered, or by whom the same should be shipped respectively, upon the delivery or shipping of the same respectively; and also that it should and might be lawful to and for the said Directors, and they were thereby authorized and empowered, to fix, appoint, settle, establish, and impose such Rates to be paid upon the loading or unloading, exporting or importing, and in respect of any Goods, Wares, and Merchandizes

chandizes or Commodities, not specified or enumerated in the said Table or Schedule to the said Act annexed, as they should think fit, so as such Rate or Duty should not exceed the Sum of One Shilling in every Twenty Shillings of the Amount of the Freight of such Goods, Wares, Merchandizes, or Commodities; and the Master or Owner of every Boat or Vessel belonging to the said Harbour of *Folkestone* aforesaid, which should be employed for the Purpose of assisting any Ship or Vessel cast away, or out of its Course, or otherwise in Distress at Sea, or in taking up any Goods wrecked at Sea, or upon the Main, or any Anchor or Cable found at Sea, should pay a Half Part of One equal Share of the Profits arising thereby to the Collector at the said Harbour, whether such Ships, Vessels, Goods, Anchor or Cable should be brought into the said Harbour, or the Bay thereunto adjoining, or not, the same to be paid before any Division should be made of the Earnings upon any such Occasion; and the said Master or Owner, who should pay any such Half Part of such Share, should at the same Time deliver to the said Collector receiving the same, an Account in Writing, signed by him, of the whole Amount of such Earnings as aforesaid, and the Number of Shares into which the same was divisible or to be divided, and of such necessary Charges and Expences as the Parties concerned in such Service should have been at on account thereof; and if any such Master or Owner should wilfully deliver a fraudulent or erroneous Account to such Collector as aforesaid, he should, over and above Payment of such Half Part of the Share so made payable as aforesaid, forfeit and pay a Sum equal to such Half Part thereof; and also that the said Rate of One Half Part of One Share of the Profits arising from any Boat or Vessel being employed for the Purpose of assisting any Ship or Vessel cast away or out of its Course, or otherwise in Distress, or in taking up any Wreck, Goods, or any Anchor or Cable as aforesaid, should and might, if the said Directors should think proper, be recovered from the Person or Persons liable to the Payment thereof by Action at Law in any of His Majesty's Courts of Record at *Westminster*; and also that there should be paid to the said Company, or to the Collector or other Person or Persons whom they should appoint to demand, receive, and recover the same, over and above the Rates and Duties therein-before granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are thereby directed and appointed to be paid and recovered, such Sum *per* Ton as the said Company should from Time to Time fix and appoint, not exceeding Two Shillings *per* Ton, for the Wharfage of all Goods, Wares, Merchandizes, and Commodities which should be landed or discharged upon any Quay or Wharf belonging to the said Port or Harbour; and that nothing in the said Act contained should extend to charge His Majesty, or any other Person on his Behalf, with the Payment of any of the Rates or Duties on any of His Majesty's Ships of War, or any Ship, Transport, or Packet of His Majesty, His Heirs and Successors, nor any Ship, Transport, or Packet of His Majesty in carrying any Stores or Troops to or from the said Harbour, or carrying the Mail of Letters and Expresses under the Authority of His Majesty's Postmaster General, or any Vessel employed in or upon His Majesty's Service in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them; but if any Person or Persons should claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person should, for every such Offence, forfeit and pay the Sum of Ten Pounds;

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and also, that nothing in the said Act contained should extend, or be construed to extend, to charge any Vessel arriving within the Limits of the said Harbour by Stress of Weather, and unloading or reloading her Cargo therein, with the Payment of any of the aforesaid Duties upon Imports and Exports (Tonnage Duty only excepted); and that for the more effectually securing the Payment of the said Rates and Duties, no Collector or Comptroller of His Majesty's Customs, Receiver of Entries, or Ship's Surveyor or Searcher, Waiter or other Officer of the Customs whatsoever, should, at any Time after the said Harbour or Pier should be made, give or make out any Cocket or other Discharge, or take any Report outwards for any Ship or other Vessel within the said Harbour of *Folkestone*, or permit any Ship or other Vessel to go out of the said Harbour, or from any Landing Place within the Limits thereof, until the Master or Owner, or other Person having the Rule or Command of such Ship or other Vessel, should produce a Certificate from the Collector or Collectors who should be appointed in pursuance of the said Act, that the Rates or Duties by the said Act granted and imposed were paid or secured to be paid, which said Certificate the said Collector or Collectors was and were thereby required to give without Fee or Reward; and that any Collector or Comptroller of His Majesty's Customs, Receiver of Entries, or Ship's Surveyor or Searcher, Waiter or other Officer of the Customs whatsoever, making Default in any of the Premises enjoined by the said Act, should forfeit and pay to the said Company the Sum of Ten Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law should be allowed, nor more than One Imparlance; and also that it should and might be lawful to and for the said Company of Proprietors, at their said General Meetings, or at any Special Meeting to be appointed for that Purpose, to lower or reduce all or any of the said Rates and Duties, and again to raise the same to such Sum or Sums of Money as they should think proper, not exceeding the Sums therein-before mentioned, as often as it should be deemed necessary for the Benefit of the Undertaking; and (to the Intent that the Rates or Duties imposed by the said Act might be more effectually collected and levied) that in case any Owner or Master, or any other Person or Persons having the Rule or Command of any Ship or other Vessel within the said Harbour, or any Factor or Consignee thereof chargeable with the Rates or Duties granted by the said Act, should refuse or neglect to pay the same, then and in such Case it should and might be lawful to and for the said Company, or the Collector or Collectors, or other Person or Persons appointed in pursuance of the said Act to receive the same, to go on board such Ship or other Vessel to demand, collect, and receive the said Rates or Duties, and on Non-payment thereof to take and distrain every such Ship or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods, Wares, or Merchandizes in respect whereof such Rates or Duties should be payable, either on board such Ship or other Vessel or on Land, and the same to detain until the respective Rates or Duties should be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates or Duties for the Space of Five Days after any Distress or Distresses so made or taken, that then it should and might be lawful to and for the said Company, or such Collector or Collectors, or other Person or Persons appointed as aforesaid, to cause the same to be appraised by Two

or more sworn Appraisers or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and out of the Produce of the Sale thereof to satisfy themselves or himself, as well for and in respect of their or his reasonable Charges in taking, keeping, appraising, and selling the same, rendering the Overplus (if any such there should be) to the Owner upon Demand; and it should and might be lawful for the said Company, in case of Non-payment of the Rates and Duties as aforesaid, instead of recovering the same in Manner aforesaid, or in case the Whole thereof should not be so recovered, to proceed for the Recovery of the same, or so much thereof as should not be so recovered, by Action of Debt or Trespass on the Case in any Court of Record at *Westminster*; and that if any Master, Owner, or other Person having the Rule or Command of any Ship or other Vessel, or the Owner, Factor, or Consignee of any Goods, Wares, or Merchandizes, should by any Means whatsoever, at any Time or Times, elude, evade, or avoid the Payment of the Rates or Duties thereby made payable in respect thereof, or any Part of the same, each and every Person eluding, evading, or avoiding Payment as aforesaid, should forfeit and pay to the said Company a Sum equal to the Amount of such Rates and Duties, and should also stand charged with and be liable to the Payment of the said Rates and Duties which should and might be recovered from such Master or Owner, Factor or Consignee, or such other Person having such Rule or Command respectively, at any Time or Times, either by the Means therein-before prescribed for the levying the said Duties, or by the same Method and in such Manner as is therein-before directed for the levying of the said Duties, or by the same Method and in such Manner as is therein-after directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by the said Act, and with the like Costs; be it therefore further enacted, That from and after the passing of this Act, so much and all such Parts of the said recited Act as are lastly herein-before particularly set forth and recited, shall be and the same are hereby repealed, save and except such of the said Rates and Duties, or such Parts thereof respectively, as shall have, before the passing of this Act, become due and payable, and shall then remain in Arrear and unpaid, all which Rates and Duties so in Arrear and unpaid shall be recoverable by the Means prescribed by the said recited Act.

XIV. And be it further enacted, That from and after the passing of this Act, all Fishing Boats and Vessels of the Burthen of Three Tons, and under the Burthen of Eight Tons, belonging to the said Harbour or Town of *Folkestone*, and being the Whole or any Part thereof the Property of any Inhabitant of the said Town, shall pay the Sum of One Shilling for every Time such Boat or Vessel shall go out of the said Harbour, or from the Limits thereof; and every Boat or Vessel of the Burthen of Eight Tons and upwards, belonging to the said Harbour or Town of *Folkestone*, and using the said Harbour or Limits thereof, and being the Whole or any Part thereof the Property of any Inhabitant of the said Town, shall pay the several Rates and Duties following; (that is to say),

Rates on Fishing Boats, and Vessels under Eight Tons Burthen, belonging to the Town.
Annual Duties on Vessels of greater Burthen belonging to the Town.

If of the Burthen of Eight Tons, and not exceeding Fifteen Tons, the Sum of One Pound One Shilling *per Annum*:

If above Fifteen Tons and not exceeding Twenty Tons, the Sum of One Pound Ten Shillings *per Annum*:

If

If above Twenty Tons, and not exceeding Twenty-five Tons, the Sum of Two Pounds Ten Shillings *per Annum* :

If above Twenty-five Tons and not exceeding Thirty Tons, the Sum of Three Pounds *per Annum* :

If above Thirty Tons and not exceeding Thirty-five Tons, the Sum of Three Pounds Ten Shillings *per Annum* :

If above Thirty-five Tons and not exceeding Forty Tons, the Sum of Four Pounds Fifteen Shillings *per Annum* :

If above Forty Tons and not exceeding Forty-five Tons, the Sum of Five Pounds Ten Shillings *per Annum* :

If above Forty-five Tons and not exceeding Fifty Tons, the Sum of Six Pounds *per Annum* :

If above Fifty Tons and not exceeding Fifty-five Tons, the Sum of Six Pounds Ten Shillings *per Annum* :

If above Fifty-five Tons, and not exceeding Sixty Tons, the Sum of Seven Pounds *per Annum* ; and for every Twenty Tons over and above Sixty Tons, the Sum of Ten Shillings *per Annum* :

Which said last-mentioned Duties upon all such Boats or Vessels as are charged at a Sum certain *per Annum*, shall be paid respectively by Quarterly Payments ; (that is to say), on the Eleventh Day of *October*, the Sixth Day of *January*, the Sixth Day of *April*, and the Sixth Day of *July* in each and every Year ; the First Payment thereof to begin and be made on the Quarter-day next after such Boat or Vessel shall have put to Sea, or become the Property in Whole or in Part of any Inhabitant of the said Town.

For all Ships, Vessels, Barks or Boats not particularly specified in the said recited Act, nor before specified in this Act, arriving at or proceeding from the said Harbour or the Limits thereof, a Sum not exceeding Two-pence *per Ton*.

Duties on
Herrings and
Mackarel.

XV. And be it further enacted, That there shall be paid to the said Company, or to the Collector, or other Person or Persons whom they shall appoint to demand, receive, and recover the same, such Rate or Duty as the said Company shall order or direct to be paid, not exceeding Three Shillings for every Ten thousand or Last of Herrings, and not exceeding Two Shillings and Sixpence for every One thousand of Mackarel, that shall be landed, shipped, imported, exported, or otherwise brought into or carried out of the said Town, or the Liberties thereof, and so in proportion for any greater or less Quantity or Quantities respectively ; and such Duties shall be paid by the Master or Masters, Owner or Owners, or other Person or Persons having the Rule or Command of any Ship or Vessel in which such Herrings or Mackarel respectively shall be so imported or exported, or the Driver of any Waggon, Cart, or other Carriage in which the same shall be conveyed, or by the Merchant or Merchants, or other Person or Persons exporting or importing, or bringing into or sending out of the said Town, or the Liberties thereof, such Herrings or Mackarel respectively, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped or sent off respectively, upon the Delivery or shipping of the same, or upon the same being brought into or carried out of the said Town or the Liberties thereof respectively, as the Case may be.

Duties on
Imports and
Exports.

XVI. And be it further enacted, That from and after the passing of this Act, there shall be paid to the said Company, or to such Person or Persons as

as they shall appoint to collect and receive the same, over and above the said Tonnage Rate or Duty by the said recited Act or herein-before authorized to be taken, for all Goods, Wares, Merchandizes, and Commodities whatsoever, which shall be imported or exported to or from the said Harbour or the Limits thereof, such Rates or Duties as the said Company shall order or direct to be paid, not exceeding the Rates or Duties contained in the Table or Schedule hereunto annexed, so far as such Goods, Wares, Merchandizes, and Commodities as shall or may be imported or exported, are particularized in the said Schedule of Rates; which said Rates shall be paid by the Master or Masters, Owner or Owners, or other Person or Persons having the Rule or Command of any Ship or Vessel in which such Goods, Wares, Merchandizes, or Commodities shall be so imported or exported as aforesaid; or the Driver of any Waggon, Cart, or other Carriage, in which the same shall be conveyed; or by the Merchant or Merchants, or other Person or Persons exporting or importing such Goods, Wares, Merchandizes, and Commodities, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped or sent off respectively, upon the Delivery or shipping of the same respectively, as the Case may be.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Directors, and they are hereby authorized and empowered, to fix, appoint, settle, establish, and impose such Rates to be paid upon the loading or unloading, exporting or importing of any Goods, Wares, Merchandizes, or Commodities not specified or enumerated in the said Table or Schedule to this Act annexed, as they shall think fit; so as such Rate or Duty shall not in any Case exceed the Rate or Duty imposed upon Articles of the like Nature in the Schedule, and shall not in any Case exceed the Sum of Three Shillings in every Twenty Shillings of the Amount of the Freight of such Goods, Wares, Merchandizes, and Commodities.

Power for Directors to fix Duties on Articles not enumerated in the Schedule.

XVIII. And, for the Prevention of Fraud, be it enacted, That in case any Goods, Wares, Merchandizes, or Commodities, subject to the Payment of any Duty under this Act, which shall be directly or indirectly consigned or intended to be sent or conveyed to any Person or Persons residing in the said Town of *Folkestone*, and landed within the Distance of One Mile (to be computed overland) of the said Harbour, or the Limits thereof, and shall after the Landing thereof be brought into the said Town, or any Goods, Wares, Merchandizes, or Commodities, subject to such Duty as aforesaid, and belonging to any Person or Persons residing in the said Town, shall be exported from any Place within the Distance above mentioned, all such Goods, Wares, Merchandizes, and Commodities shall be subject to such and the same Rates and Duties as if such Goods, Wares, Merchandizes, or Commodities had been directly imported to or exported from the said Harbour, or the Limits thereof.

Goods landed within One Mile of Folkestone to pay the Duties.

XIX. And be it further enacted, That the Master or Owner of every Boat or Vessel belonging or in Part belonging to an Inhabitant of the Town of *Folkestone* aforesaid, which shall be employed for the Purpose of assisting any Ship or Vessel cast away or out of its Course, or otherwise in Distress at Sea, or in taking up any Goods wrecked at Sea, or upon the Main, or any Anchor or Cable found at Sea, whether such Ships, Vessels, Goods, Anchor or Cable be brought into the said Harbour or the Limits thereof,

Duties on Profits of Salvage.

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or not, and also the Master or Owner of every Boat or Vessel not belonging in Whole or in Part to an Inhabitant of the said Town of *Folkestone*, which shall be so employed, provided the Ships, Vessels, Goods, Anchor or Cable, so assisted in Distress or otherwise, or taken up at Sea, shall be brought into the said Harbour or the Limits thereof, shall pay the Half-part of One equal Share of the Profits arising thereby to the Collector of the said Harbour, the same to be paid before any Division shall be made of the Earnings upon any such Occasion; and the said Master or Owner who shall pay any such Half-part of such Share, shall at the same Time deliver to the said Collector receiving the same an Account in Writing, signed by him, of the whole Amount of such Earnings as aforesaid, and of the Number of Shares into which the same is to be divided, and of such necessary Charges and Expences as the Parties concerned in such Service shall have been at on Account thereof; and if any such Master or Owner shall wilfully deliver a fraudulent or erroneous Account to such Collector as aforesaid, he shall, over and above Payment of such Half-part of a Share so made payable as aforesaid, forfeit and pay a Sum equal in Amount to such Half-part of a Share aforesaid.

How to be recovered.

XX. And be it further enacted, That the said Rate or Duty of One Half-part of One Share of the Profits arising from any Boat or Vessel being employed for the Purpose of assisting any Ship or Vessel cast away, or out of its Course, or otherwise in Distress, or taking up any Wreck, Goods, or any Anchor or Cable as aforesaid, shall and may be recovered, if in Arrear and unpaid, in the same Manner as is herein-after directed in respect of the several other Rates and Duties imposed by the said recited Act or this Act.

Wharfage Duties to be paid.

XXI. And be it further enacted, That there shall be paid to the said Company, or to the Collector, or other Person or Persons whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties herein-before granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered, such Sum *per* Ton as the said Company shall from Time to Time fix and appoint, not exceeding Two Shillings *per* Ton, for the Wharfage of all Goods, Wares, Merchandizes, and Commodities which shall be landed or discharged in the said Harbour, or upon any Quay or Wharf belonging thereto; and such Wharfage Dues and Rates shall be paid by the Person or Persons for whom or on whose Behalf, either as Consignee or otherwise, such Goods, Wares, Merchandizes, or Commodities are so landed.

Duties on Passengers in Vessels carrying Passengers for Hire.

XXII. And be it further enacted, That from and after the passing of this Act, every Passenger, whether Male or Female, who shall land from or embark in any Ship, Hoy, Packet, or other Vessel carrying Passengers for Hire within the said Harbour or the Limits thereof, shall pay to the said Company in respect of every Passage to or from the said Harbour or the Limits thereof, any Sum not exceeding Two Shillings; which Duty may and shall be and is hereby required to be collected and received by the Master of the Ship, Hoy, Packet, or other Vessel carrying such Passenger or Passengers, before the Departure of such Passenger or Passengers from on board such Ship, Hoy, Packet, or other Vessel, and shall be by such Master, within the Space of Seven Days, paid over to the Collector of the said Company for the Time being; and every such Sum so due in respect

respect of every such Passenger, shall be recovered from every such Master (whether the same shall have been previously collected by him or not) by the same Ways and Means as any other Duty or Duties imposed by the said recited Act or this Act are recoverable.

XXIII. Provided always, and be it further enacted, That no Rate or Duty shall be charged or chargeable for or in respect of any Soldier or Sailor, or Officers, or others employed in His Majesty's Service, who shall land from or embark in any Ship or other Vessel within the said Harbour or the Limits thereof. Exempting Soldiers and Sailors.

XXIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person on his Behalf, with the Payment of any of the Rates or Duties imposed by the said recited Act or this Act, in respect of any of His Majesty's Ships of War, or any Ship, Transport, or Packet of His Majesty, His Heirs and Successors, carrying any Stores or Troops to or from the said Harbour, or carrying the Mails or Expresses under the Authority of His Majesty's Postmaster General, or any Vessel employed in or upon His Majesty's Service in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or any Vessels in the Service of the Board of Ordnance, Customs, or Excise; but nevertheless, if any Person or Persons whomsoever shall claim and take the Benefit of such Exemption as aforesaid, without being legally entitled thereto, every such Person shall, for every such Offence, forfeit and pay to the said Company or their Collector any Sum not exceeding Twenty Pounds. Exemption from Duties of Vessels in His Majesty's Service.

XXV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge any Vessel arriving within the Limits of the said Harbour by Stress of Weather, and unloading or reloading her Cargo therein, with the Payment of any of the aforesaid Duties upon Imports and Exports (Tonnage Duty only excepted). Exempting Vessels arriving by Stress of Weather.

XXVI. And be it further enacted, That every Owner, Master, or other Person having the Charge or Command of any Ship or Vessel, Lighter, Barge, Boat, or other Craft, taking in or discharging her Cargo, or any Part thereof, within the said Harbour or the Limits thereof, shall, when thereto required in that Behalf by the Harbour Master, or other Person or Persons authorized in that Behalf by the said Company for the Time being, produce and shew to him or them the Manifest, or Cocket or Cockets of or relating to the Cargo of such Ship or Vessel, Lighter, Barge, Boat, or other Craft; and every Owner, Master, or other Person as aforesaid, who shall neglect or refuse, when thereunto required, to produce such Manifest, Cocket or Cockets, shall, for every such Neglect or Refusal, forfeit and pay to the said Company any Sum not exceeding Twenty Pounds. Masters of Vessels to produce Manifest when required.

XXVII. And be it further enacted, That for the more effectually securing the Payment of all the said Rates and Duties, no Collector or Comptroller of His Majesty's Customs, Receiver of Entries, or Ship's Surveyor or Searcher, Wailer, or other Officer of the Customs whatsoever, shall at any Time, from and after the passing of this Act, give or make out any Cocket or other Discharge, or take any Report outwards, for any Ship or other Vessels not to be cleared until Duties paid.

other Vessel within the said Harbour of *Folkestone*, or the Limits thereof, or permit any Ship or Vessel to go out of the said Harbour, or from any Landing Place within the Limits thereof, until the Master or Owner, or other Person having the Rule or Command of such Ship or Vessel, shall produce a Certificate from the Collector or Collectors of the said Company, that the Rates or Duties by the said recited Act or this Act granted and imposed, are paid or secured to be paid to the Satisfaction of such Collector or Collectors, which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward; and that any Collector or Comptroller of His Majesty's Customs, Receiver of Entries, Ship's Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, making Default in any of the Premises enjoined by the said recited Act or this Act, shall forfeit and pay to the said Company the Penalty or Sum of Ten Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Effoign, Protection, or Wager of Law shall be allowed, nor more than One Imparance; or upon Conviction in a summary Way in the same Manner as other Fines, Penalties, and Forfeitures are, by the said recited Act or this Act, directed to be recovered.

Power to
reduce the
Rates.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, at any of their General Meetings, or at any Special Meeting to be appointed for that Purpose, to lower or reduce all or any of the Rates or Duties by the said recited Act or this Act granted and imposed, and again to raise the same to such Sum or Sums of Money as they shall think proper, not exceeding in Amount the Sums granted by the said recited Act or this Act, as often as it shall be deemed necessary for the Benefit of the said Undertaking.

Manner of
recovering
Rates.

XXIX. And, to the Intent that the Rates and Duties imposed by the said recited Act and this Act may be more effectually collected and levied, be it further enacted, That in case any Owner or Master, or any other Person or Persons having the Rule or Command of any Ship, Boat, or Vessel within the said Harbour or the Limits thereof, or any Owner, Factor, or Consignee of any Goods, Wares, Merchandizes, or Commodities, or the Driver of any Waggon, Cart, or other Carriage conveying any Goods, Wares, Merchandizes, or Commodities chargeable with any of the Rates or Duties granted or imposed by the said recited Act or this Act, shall refuse or neglect to pay the same, then and in such Case it shall and may be lawful to and for the said Company, or the Collector or Collectors, or other Person or Persons by them appointed to receive the same, to go on board such Ship, Boat, or Vessel, and demand, collect, and receive the said Rates or Duties; and on Nonpayment thereof, or of any Part thereof, to take and distrain every such Ship, Boat, or Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and every Waggon, Cart, or other Carriage conveying Goods as aforesaid, and all or any Part of the Goods, Wares, Merchandizes, and Commodities, in respect whereof such Rates or Duties shall be payable, either on board such Ship, Boat, or Vessel, or in such Waggon, Cart, or other Carriage, or on Land, and the same to retain until the respective Rates or Duties so due and unpaid shall be satisfied and paid; and in case of Neglect or Default of Payment of the said Rates or Duties, or any Part thereof, by the

the Space of Five Days next after any Distress or Distresses so made or taken, that then it shall and may be lawful to and for the said Company, or such Collector or Collectors, or other Person or Persons appointed as aforesaid, to cause the same to be appraised by Two or more Sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and out of the Produce of the Sale thereof, first, to satisfy and reimburse themselves or himself all their or his reasonable Charges in taking, keeping, appraising, and selling the said Distress; and secondly, to retain and pay or satisfy to or for the said Company, all and every the Rates and Duties which shall be so due and unpaid; and after full Payment and Satisfaction thereof, then to render the Overplus (if any such there be) to the Owner or other Person entitled to receive the same upon Demand; and it shall and may be lawful for the said Company, in case of Nonpayment of the Rates and Duties as aforesaid, instead of recovering the same in the Manner before mentioned, or in case the Whole thereof shall not be so recovered, to proceed for the Recovery of the same, or so much thereof as shall not be so recovered, by Action of Debt or Trespass on the Case in any Court of Record at *Westminster*, if the same shall amount to Forty Shillings or upwards; and in case the same shall not amount to Forty Shillings, then in the Court of Requests established in the said Town of *Folkestone* for the Recovery of small Debts.

XXX. And be it further enacted, That if any Master, Owner, or other Person having the Rule or Command of any Ship, Boat, or Vessel, or any Driver of any Waggon, Cart, or other Carriage, or the Owner, Factor, or Consignee of any Goods, Wares, Merchandizes, or Commodities, shall by any Means whatsoever, at any Time or Times, elude, evade, or avoid the Payment of the Rates or Duties by the said recited Act or this Act made payable in respect thereof, or any Part of the same, each and every Person eluding, evading, or avoiding Payment as aforesaid, shall forfeit and pay to the said Company a Sum equal to the Amount of such Rates or Duties so eluded or evaded, and shall also stand charged with and be liable to the Payment of the said Rates and Duties; and the same shall and may be recovered from such Master or Owner, Driver, Factor, or Consignee, or such other Person having such Rule or Command respectively, at any Time or Times, by the Means herein-before prescribed for levying and recovering the said Rates and Duties.

XXXI. And be it further enacted, That it shall be lawful for the said Company from Time to Time, by Writing under the Seal of the said Company, to let or demise all and every or any of the Rates and Duties by the said recited Act or this Act imposed, to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Term not exceeding Three Years at any one Time, for the highest Rent which can be had or gotten for the same by public Auction; provided that One Calendar Month's previous Notice of every Meeting of the said Company for demising such Rates and Duties, or any Part thereof, shall be given by the Treasurer or Clerk of the said Company for the Time being, in some or one of the public Newspapers circulated in the said County of *Kent*, and that the Person or Persons agreeing to rent the same shall give satisfactory Security to the said Company, by Articles in Writing, for the due Payment of such Rents to the Treasurer of the said Company for the Time being; and the Person or Persons renting the same Rates

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Persons eluding Payment of Rates to continue chargeable.

Power to farm the Rates and Duties.

and Duties shall have full Power and Authority to ask, demand, collect, and receive the same, and shall in every respect be deemed and taken to be the Collector or Collectors appointed by the said Company for the Time being; and every Certificate signed by such Person or Persons for Payment of such Rates and Duties by any Master or other Person having the Rule or Command of any Ship or Vessel, shall be deemed and taken to be a good and sufficient Discharge for the same; and in case of Non-payment of any such Rates and Duties, the same shall be recoverable by the Person or Persons renting the same for the Time being, in his or their own Name or Names, by the same Ways and Means, and with such and the same Penalties, as the same would otherwise be recoverable by the said Company, under the Powers contained for that Purpose in the said recited Act or this Act.

No Beach to be taken from within the Harbour, but where the Harbour-master shall direct.

XXXII. And be it further enacted, That from and after the passing of this Act, no Person or Persons shall or may take or carry away any Beach, Gravel, Sand, or Shingle, for Ballast or for any other Purpose, from within the said Harbour or the Limits thereof, but at such Places as the Harbour-master shall from Time to Time order and direct (unless authorized so to do by the Lord or Lords for the Time being of the Hundred or Manor within which the same shall be), under Pain of forfeiting and paying to the said Company the Sum of Ten Shillings for every Ton of Beach, Gravel, Sand, or Shingle so taken or carried away as aforesaid.

Penalties to be recovered as directed in the former Act.

XXXIII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act inflicted, or authorized to be imposed or levied (the Manner of levying and recovering whereof is not otherwise hereby particularly directed), shall be levied and recovered in the same Manner and by the same Ways and Means as are by the said recited Act prescribed for the levying and recovering of the Fines, Penalties, and Forfeitures thereby inflicted, or authorized to be imposed or levied.

Powers of former Act to extend to this Act.

XXXIV. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things in the said recited Act contained, in relation to the said Harbour, Pier, and Works in the said Act mentioned, and the Care, Controul, Management, and Protection thereof, and all other Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things in the said Act contained, shall extend and be construed to extend to the Harbour, Pier, and Basin, and other Works authorized to be made under the Authority of this Act, and to all Persons, Matters, and Things in relation to this Act (except so far as any such Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things are by this Act altered, varied, or repealed), and may be used, exercised, enforced, and applied, for and in the Care, Controul, Management, Regulation, and Protection of the Harbour, Pier, and Basin, and other Works authorized to be completed, improved, made, or erected under the Authority of this Act, and as to all other Matters, Things, and Persons in relation to this Act, as fully and effectually to all Intents and Purposes as if the said Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things were severally and respectively repeated and re-enacted in this Act and made Part thereof; and the said recited Act and this Act shall be construed together as one Act to all Intents and Purposes whatever, any Thing in the said recited Act to the contrary thereof notwithstanding.

XXXV. Provided always, and be it further enacted, That if the said Harbour, Pier, Bafin, and other Works intended to be hereby carried into Effect, shall not have been completed (unless prevented by inevitable Accidents) within the Space of Three Years from and after the passing of this Act, all the Powers and Provisions given and granted by the said recited Act or this Act shall from thenceforth cease and become void, save only and except as to so much of the said Harbour, Pier, Bafin, and Works as shall have been completed within the said Space of Three Years.

Limiting the Time for completing the Works.

XXXVI. And be it further enacted, That all Notices or Legal Proceedings by the said recited Act or this Act required to be given to or served upon the said Company, shall be deemed and taken to be well and sufficiently given, if the same shall have been left at the usual Place of Abode of the Clerk to the said Company, or if such Notice shall have been inserted Twice in some one Newspaper or Newspapers usually circulated in the County of *Kent*.

Notices and Legal Proceedings to be served on the Clerk to the Company.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to lessen or abate the Right and Title of the Right Honourable the Earl of *Radnor*, his Heirs or Assigns, as Lord or Lords of the Barony, Hundred, or Royalty of *Folkestone* aforesaid, to Customs, Tolls, Rights, Profits of Fairs and Markets, Harbour Duties, and all other Things which shall happen or come within the Jurisdiction of the said Barony, Hundred, or Royalty, or other Benefits or Advantages belonging or in any way appertaining to the said Earl of *Radnor*, his Heirs or Assigns, as Lord or Lords of the said Barony, Hundred, or Royalty, (other than such Tolls, Rates, and Duties as are, with the Consent of the said Earl of *Radnor*, by the said recited Act or this Act authorized and directed to be collected, received, and paid for the Use of the *Folkestone* Harbour Company) or otherwise controuled or intended so to be by this Act, but that he and they may receive and enjoy the same, as fully and beneficially to all Intents and Purposes whatsoever, as if the said recited Act or this Act had not been made.

Saving Rights of the Earl of *Radnor*.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privilege, or Authority of the King's most Excellent Majesty, His Heirs and Successors, or the Lord Warden of the Cinque Ports for the Time being, or any Bodies Politic and Corporate, or other Person or Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, other than and except those meant and intended to be barred and regulated by this Act.

General Saving.

XXXIX. And be it further enacted, That all Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act, shall be borne, paid, and defrayed by the said Company out of the first Monies to be raised, levied, or collected by them, under and by virtue of the said recited Act or this Act.

Expences of Act how to be paid.

XL. 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.

Public Act.

SCHEDULE

SCHEDULE of RATES referred to in and by this Act.

	s.	d.
FOR every Quarter of Wheat, Wheat Meal, Malt, Pease, Tares, Mustard Seed, Canary Seed, and Seeds of every other Denomination, the Property of an Inhabitant of the Town of <i>Folkestone</i>	—	2
For every Quarter of Beans, Barley, Rye, and Oats, the Property of an Inhabitant of the Town of <i>Folkestone</i>	—	1 $\frac{1}{2}$
For every Quarter of Wheat, Wheat Meal, Malt, Pease, Tares, Mustard Seed, Canary Seed, and Seeds of every other Denomination, the Property of a Stranger	—	3
For every Quarter of Beans, Barley, Rye, and Oats, the Property of a Stranger	—	2
For every Quarter of Wheat, Wheat Meal, Malt, Pease, Tares, Mustard Seed, Canary Seed, and Seeds of every other Denomination, the Property of an Alien or Merchant Stranger	—	6
For every Quarter of Beans, Barley, Rye, and Oats, the Property of an Alien or Merchant Stranger	—	4
For every Butt, Pipe, Puncheon, or Piece of Wine, Sweet Oil, or Spirits	3	—
And for every larger Cask thereof in the same Proportion.		
For every Butt of Ale or Porter	1	6
For every Hogshead of Wine, Sweet Oil, or Spirits	2	—
For every Hogshead of Ale or Porter	—	9
For every Puncheon of Ale or Porter	—	10
For every solid Hogshead of New Sugar	1	6
For every Hogshead or other Package of Loaf or Lump Sugar per Hundred Weight	—	2
For every Quarter Cask of Wine, Sweet Oil, or Spirits	1	—
For every Barrel, wet or dry	—	6
For every Half Barrel, wet or dry	—	4
For every smaller Cask, of whatsoever Denomination, wet or dry	—	2
For every Butt empty (not on return)	—	3
For every Vat packed with Goods	2	6
For every Sugar Hogshead so packed	1	6
For every smaller Cask so packed	1	—
For every Vat or Cask of Tallow, not exceeding Six Hundred Weight	—	6
For every larger Vat or Cask of Ditto, per Hundred Weight	—	1
For every Bale or Truss Large	—	8
For every Ditto Ditto Small	—	4
For every Pack of Wool, Yarn, or Cotton, containing Two hundred and forty Pounds Weight	1	—
And for every larger or smaller Packet of ditto in the same Proportion.		

	s.	d.
For every small Frail, Mound, or Basket	—	2
For every large Mound or Basket	—	4
For every Anchor — per Hundred Weight	—	2
For every Hundred Weight of Iron — wrought	—	2
Ditto — ditto — unwrought	—	1
For every Hundred Weight of Copper and Brass, wrought	—	6
For — ditto — ditto — unwrought	—	4
For every Hundred Weight of Lead —	—	1½
For every Hundred Weight (as usually sold) of Culm, Splint, Coke, or Cinders, the Property of an Inhabitant of the Town of <i>Folkestone</i>	—	1
For — ditto — ditto — ditto — the Property of a Stranger	—	1½
For every Ton of Salt	1	6
For every Hundred of Cod, called Sized Fish	1	—
For ditto — ditto — ditto — small Sort	—	6
And so in Proportion for any greater or less Number than One Hundred.		
For every Load of Lime of Twenty-eight Bushels	1	8
For every Hundred of One-Inch and a Quarter Deal Boards, from Ten to Fourteen Feet in Length	2	6
For every Hundred of Two Inches and a Half ditto — ditto	3	6
For every Hundred of Three Inches — ditto — ditto	4	6
And so in Proportion for greater or less Lengths.		
For every Thousand of Barrel Boards or Staves	2	6
For every Hundred of Petersburg Battens	3	—
For every Hundred of Clove Boards or Battens	1	6
For every Mast of Ten Inches Diameter	1	8
For every Mast of Seven Inches and under Ten Inches	1	—
And for every larger or smaller Mast in Proportion.		
For every Spar of Ten Inches Diameter	—	10
For every Spar of Seven, Eight, or Nine Inches	—	6
For every Spar of Four, Five, or Six Inches	—	3
For every Score of smaller Spars	—	10
For every Pair of Ash Oars or Forms	—	3
For every Pair of Fir ditto ditto	—	2
For every Load of Oak or Elm Boards	2	6
For every Thousand of Cleft Pale	2	—
For every Ton of Oak, Elm, or other Timber	2	6
For every Load of Posts and Rails	2	3
For every Load of Beech Quarterings (and so in proportion for a greater or less Quantity)	2	6
For every Bundle of Wooden Hoops	—	1½
For every Twenty Bundles of Laths	—	10
For every Fathom of Six-Foot Lathwood	1	6
For every Fathom of Five-Foot Lathwood	1	—
For every Cord of Firewood	—	6
For every Hundred of Faggots	—	10
For every Mill-Stone — Large	2	—
For every ditto — Small	1	6
For every Tomb Stone	3	—
[Local.]		

	s.	d.
For every Tomb Stone - Marble	6	—
For every Corpse	10	6
For every small Trunk, Chest, or Box	—	3
For every large Trunk, Chest, or Box	—	6
For every small Bundle or Parcel	—	1
For every Bag of Hops	1	6
For every Pocket of Hops	—	9
For every Thousand of Bricks (and in Proportion)	2	6
For every Thousand of Plain Tiles (ditto)	1	—
For every Thousand of Top, Ridge, Gutter, or Pan Tiles (ditto)	1	6
For every Thousand of Mathematical Tiles (ditto)	2	—
For every Thousand of Paving Tiles (ditto)	2	6
For every Hundred of Flat Paving Stones, large (ditto)	2	—
For - ditto - ditto - small (ditto)	1	6
For every Ton of Marble	3	—
For every Ton of Portland, Purbeck, or other Stone	1	6
For every Grindstone	—	3
For every common Cart-load of Flint Stones	—	4
For every common Cart-load of Chalk Stones, rough or hewn	—	2
For every Hundred Weight of Cheese	—	2
For every Barrel of Train or Fish Oil	—	6
And so in Proportion for every greater or smaller Quantity.		
For every Barrel of Pitch or Tar	—	6
For every Barrel of Red Herrings	—	3
For every Sack of Three Bushels of Potatoes, Apples, or Pears	—	3
For every Hundred of Cabbages	—	6
For every Hundred Weight of Hemp	—	2
For every Hundred Weight of Cordage	—	3
For every Bolt of Canvas of Numbers One, Two, and Three	—	4
For every Bolt of other Canvas	—	2
For every Sail containing Fifty Square Yards	—	6
And for every larger or smaller Sail in Proportion.		
For every Horse	2	6
For every Four-wheeled Carriage	3	—
For every Two-wheeled Carriage	2	—
For every Hundred of Waggon or Coach Fellies	2	6
For every Sedan Chair	1	—
For every Sack of Five Bushels of Flour	—	2
For every Bag of Eight Bushels of Bran	—	2
For every Ton of Kelp	1	6
For every Ton of Brill	2	—
For every Load of Hay of Thirty-six Trusses	2	6
For every Load of Straw	2	6
For every Thousand of Oil Cakes (and in Proportion)	2	6
For every Bushel of Onions	—	2
For every Bushel of Oysters not imported by a Portfman	—	2
For every Firkin or smaller Barrel of Oysters - ditto	—	2
For every Hide - raw	—	1½

	s.	d.
For every Hide - tanned	—	2
For every Dozen of Goat, Sheep, or Lamb Skins	—	2
For every Dozen of Calf or Dog Skins	—	4
For every Hundred Weight of Wrought Pewter	—	8
For every Hundred Weight of old Pewter	—	4
For every Bull, Cow, or Ox	2	—
For every Calf	1	—
For every Sheep	—	6
For every Hawk	—	2
For every Dog	—	3
For every Fox	5	—
For Hares, Pheasants, and all other Game <i>per</i> Head	—	2
For every Bag of Feathers - large	1	6
For - ditto - small	—	9
For every Crate of Glafs	1	—
For every Crate of Earthen Ware - large	—	6
For - ditto - small	—	4
For every Stove	—	3
For every large Range or Grate	—	6
For every small ditto	—	3
For every Chest of Drawers - double	—	8
For - ditto - single	—	4
For every Mahogany or Rosewood Chair	—	2
For every common Chair	—	1
For every Hundred Weight of Bacon	—	2
For every Billiard Table	5	—
For every Dining Table	—	4
For every Card or Pembroke Table	—	3
For every other Table	—	2
For every Mahogany or Rosewood Bedstead	—	3
For every other Bedstead	—	2
For every Sopha	—	6
For every Harpsichord or Grand Piano Forte	4	—
For every Spinnet or other Piano Forte	3	—
For every Dozen of Wine in Bottles	—	4
For every Quarter Chest of Tea	—	6
For Mahogany Logs or Planks <i>per</i> Cubic Foot	—	2
For every Hundred of Hurdles or Wattles	2	—
For every Violin or Bass Viol	—	6
For every Harp	4	—
For every Chimney Pot	—	2
For every Ton of Slate containing Twenty-four Cubic Feet	2	—
For every Hoghead of Vinegar	—	9
For every Half-ditto - ditto	—	4 $\frac{1}{2}$
For every Puncheon of Molasses	1	—
For every Half-ditto - ditto	—	6
For every Plough	—	6
For every Oven	—	6
For every Kit of Salmon	—	3
For every Turtle	10	6
For every Canary or other live Fancy Bird	—	6

	<i>s.</i>	<i>d.</i>
For Turkies, Geese, and all other Poultry - per Head	—	2
For every Dozen of empty Bottles -	—	1
For every Fruit Tree -	—	1
For every small Bundle of other Trees or Shrubs -	—	2
And for every larger Bundle, according to Size or Value.		
For every Ton of Pipe Clay -	1	6
For every Ream of Paper -	—	1
For every Firkin of Butter -	—	2
For every Hundred Weight of Soap -	—	2
For every Hundred of Eggs -	—	2
For every Feather Bed, Bolster, and Pillows -	1	—
For every Mattrafs -	—	3
For every Wheelbarrow -	—	1
For every Bale, Truss, Box, Trunk, Case, Chest, Bundle, or Parcel, not exceeding Twelve Cubic Feet, containing Goods not enumerated in this Schedule, <i>per</i> Cubic Foot	—	2
And for every additional Cubic Foot -	—	1

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