ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. xxxiv.

An Act for more effectually enlarging and improving the Harbours of *Peterhead* in the County of *Aberdeen*. [28th *May* 1827.]

WHEREAS an Act was passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for deepening, enlarging, maintaining, and improving the Harbour of* Peterhead *in the County of* Aberdeen: And whereas in virtue of the Powers contained in the said Act, the Trustees therein named and appointed in pursuance thereof have deepened, enlarged, and otherwise improved the South Harbour, and have erected an extensive North Harbour and Graving Dock, Piers, Wharfs, and other Works connected therewith, which have not only been attended with the greatest Benefit to the Public, but have also contributed much to increase the Shipping belonging to the Port, and the general Improvement of Trade in the Neighbourhood: And whereas the said Harbours are still capable of further Improvements, which would be of the greatest Importance to the Shipping frequenting the East Coast of *Scotland*, as the said Harbours would possess the singular Advantage, that Vessels might sail out of or into them with the Wind at any Point of the Compass; and much Time and Expense would be saved to Vessels taking shelter, either from Storms, or owing to contrary Winds: And whereas the said Act of the Forty-seventh Year of His late Majesty is near expiring, and the present Rates and Duties of the said Harbours are inadequate to complete the Works, Extensions, and

47 G. 3. Sess. 2. c. 114.

and Improvements necessary to be made thereon, and to the Establishment of such Fund as may be expedient to ensure the Safety of the Works of the said Harbours, by immediate Repairs in case of Accidents; and it is expedient that the said Harbours should be farther improved and gradually extended, and a Passage, Canal, or Communication made between the said Harbours; and that Regulations should be made for the better Protection of the Works of the said Harbours, and of Persons employed therein and resorting thereto; but which several Objects cannot be effected and carried into Execution without the Aid and Authority of Parliament: 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 First Day of *September* One thousand eight hundred and twenty-seven, the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty shall be and the same is hereby repealed, and from thenceforth the several Rates, Duties, Powers, Penalties, Forfeitures, Exemptions, Clauses, Matters, and Things in this Act contained shall be granted, levied, and put in Execution instead thereof.

Recited Act repealed.

New Duties liable for Debts, &c. under former Acts.

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

Trustees.

III. And be it further enacted, That the Preses of the Governors of the *Maiden Hospital*, founded by the Company of Merchants of the City of *Edinburgh*, and *Mary Erskine*, Superiors of the Town, and

and Proprietors of the Lands and Estate of *Peterhead*, for the Time being, or the Proprietor of the said Estate at the Time; the Baron Bailie or Bailies of the Town of *Peterhead* for the Time being, when there shall happen to be more than One; the Factor for the Governors of the said Hospital resident in the Town of *Peterhead* for the Time being; the Treasurer of the Town of *Peterhead* for the Time being; and Messieurs *Adam Arbuthnot*, *Gilbert Alexander*, *George Mudie*, *George Skelton*, *Thomas Arbuthnot*, *James Hutchison*, *John Gilchrist*, *Robert Arbuthnot*, *James Hutchison* junior, *James Anderson*, and *John Soutter*, all Merchants in *Peterhead*, *James Arbuthnot*, residing there, *James Skelton* and *William Volum*, Ship Owners there, *William Boyd*, Plaisterer there, and *Alexander Whyte*, Coppersmith there, shall be and they are hereby appointed Trustees for carrying this Act into Execution; and the said *Adam Arbuthnot*, *Gilbert Alexander*, *George Mudie*, *George Skelton*, *Thomas Arbuthnot*, *James Hutchison*, *John Gilchrist*, *Robert Arbuthnot*, *James Hutchison* junior, *James Anderson*, *John Soutter*, *James Arbuthnot*, *James Skelton*, *William Volum*, *William Boyd*, and *Alexander Whyte*, shall remain in Office until the next Election of Trustees, appointed to take place in Manner hereinafter directed.

Quorum of Trustees.

IV. And be it enacted, That any Five of the said Trustees shall be a Quorum for carrying the Purposes of this Act into Execution; but no Alteration shall be made in any of the Rates and Duties hereby imposed, nor any Clerk, Treasurer, Servant, or other Officer appointed, nor their Salaries fixed, by virtue of this Act, except at Meetings where Seven of the said Trustees at least shall be present.

Trustees ex officio.

V. And be it enacted, That the Preses of the Governors of the said *Maiden Hospital*, or the Proprietor of the said Estate of *Peterhead* at the Time, the said Baron Bailie or Bailies of *Peterhead*, when there shall happen to be more than One, the said Treasurer of the Town of *Peterhead*, and the said Factor for the said Hospital, or the Proprietor of the said Estate of *Peterhead* at the Time, all for the Time being, shall always be *ex officio* Trustees under this Act, without being elected as after mentioned.

Trustees, how to be chosen.

VI. And be it enacted, That the Seniority among the remaining Trustees hereinbefore appointed, shall be fixed by the Order in which they are named by this Act, and these remaining Trustees shall continue in Office till the First *Tuesday* of *June* One thousand eight hundred and twenty-nine, on which Day a General Meeting of the Feuars and Burgesses of the said Town of *Peterhead* (such Feuars and Burgesses being qualified in Manner hereinafter specified) shall be held at Eleven of the Clock before Noon, in the Town Hall of *Peterhead*, and the Four Senior Trustees hereinbefore named shall then go out of Office, and Four other Trustees shall be chosen in their Place, by a Majority of the Feuars and Burgesses present at the said Meeting, from among the Feuars and Burgesses of the said Town, and the Names of the Persons so to be chosen Trustees shall be put at the Bottom of the List of Trustees; and a General Meeting of the Feuars and Burgesses of the said Town, qualified as aforesaid, shall be held annually thereafter,

thereafter, at Eleven of the Clock of the Forenoon, upon the First *Tuesday* of *June*, at which Meeting the Four Senior Trustees on the List, exclusive always of the *ex officio* Trustees hereinbefore named, shall go out of Office, and Four others shall be chosen in their Stead in Manner aforesaid: Provided always, that any Person who has been a Trustee may be re-elected, after having been One Year out of Office; and provided also, that prior to any such General Meeting being held as aforesaid for the Election of Trustees, Fourteen Days previous Notice, by Direction of the Trustees for the Time being, shall have been given of the same, and of the Hour and Place of Meeting, by One Advertisement in One of the *Aberdeen* Newspapers, and Three Days previous Notice by Tuck of Drum through the said Town of *Peterhead*; and no Person shall be qualified to be elected a Trustee under this Act who shall not be a Burgess resident within the said Town of *Peterhead*, and possessed of heritable Property therein to the Extent of at least Twenty Pounds Sterling of free annual Value.

Mode of voting for Trustees.

VII. And be it further enacted, That the said Votes for the Election of Trustees shall be given by written Notes or Tickets subscribed by the Voters or Electors, specifying their Names, Designations, and Qualifications, and containing the Names and Designations of the Persons to be chosen, and put into Boxes to be prepared for the Purpose, on the Day appointed for the Election to take place, in Manner hereinbefore specified; and which Notes or Tickets the said Trustees are hereby authorized and required to prepare in such Form as to them shall seem meet.

Qualifications necessary to constitute a Burgess.

VIII. And in order to prevent all Doubts and Disputes that might arise regarding the Qualifications necessary to constitute a Feuar or Burgess of the said Town of *Peterhead*, either for the Purpose of voting at the Election of the Trustees hereby appointed, or of being elected one of these Trustees, or of fixing the Rates and Duties payable by such Burgess on Goods and Property imported into or exported from the said Harbours of *Peterhead* under this Act; be it enacted, That no Person shall be held to be a Feuar or Burgess of the said Town except Persons who are entitled to the said Privilege in Terms of the Charter of Erection of the said Town entered into between the deceased *George*, Earl Marischall, then Proprietor of the said Town, and the original Feuars thereof, dated at *Aberdeen* the First Day of *June* One thousand five hundred and ninety-three, and registered in the Books of Council and Session the Seventh Day of *October* One thousand six hundred and eight; *videlicet*, those claiming the Privilege of Burgesses of the said Town must either be Feuars entered with and holding immediately of the Superior or Superiors, or have the said Privilege specially conferred upon them by the Superior or Superiors of the said Town; provided always, that the singular Successors of such Feuars shall be entitled to the Privilege of Burgesses so long as the Fee is full, that is to say, so long as the Vassal last infeft and seised in the Feu on a Charter or other Right flowing directly from the Superior or Superiors of the said Town for the Time being, is alive; and provided also, that such singular Successors shall be possessed of Feus to the Extent required by

by the said original Charter before being entitled to such Privilege as aforesaid.

Certificate of Qualifications to be granted.

IX. And be it further enacted, That a Certificate under the Hand of the Factor or Commissioner of the Governors of the said *Maiden Hospital* resident in *Peterhead* for the Time being, or of the Proprietor for the Time being of the said Estate of *Peterhead*, bearing that any Person claiming to vote at the Election of Trustees under this Act, or to be elected One of these Trustees, is a Feuar or Burgess falling under the Description and possessed of all the Qualifications hereinbefore mentioned, shall afford sufficient Evidence of such Person being entitled, either to vote at an Election of the said Trustees, or to be himself elected a Trustee (as the Case may be); and which Certificates the said Factor or Commissioner is hereby authorized and required to grant to those entitled to receive the same, on Payment of a Sum not exceeding Five Shillings for each such Certificate.

Trustees obliged to accept under a Penalty, only to be once exigible.

X. And be it further enacted, That all Feuars and Burgesses hereby made eligible to the Office of Trustees, shall, in the Event of their being elected to fill such Office, be obliged to accept and act in the Execution of the Duty and Trust hereby committed to them, under the Penalty of Ten Pounds Sterling to be paid by each of them declining or refusing to act for the first Time, to be disposed of and applied to the Purposes of this Act; but no Person from whom such Penalty may have been once exacted shall be again liable for the same, notwithstanding he may be again chosen Trustee and may again decline to act.

Presidents of Friendly Societies may be elected Trustees in certain Events.

XI. Provided always, and be it further enacted, That in the Event of any Friendly Society of the said Town of *Peterhead* being possessed of heritable Property within the said Town, of the Description and Value foresaid, the President of such Society for the Time being shall be deemed and considered eligible to hold the Office of a Trustee under this Act; and that whether such heritable Property belonging to the said Society shall be vested in such President, or in any other Person or Persons for Behoof of the said Society.

Trustees not to hold Offices of Emolument under this Act, nor to be concerned in Contracts.

XII. And be it further enacted, That no Trustee shall hold any Office of Emolument under this Act, either as Principal or Deputy, nor be directly or indirectly concerned in any Contract under this Act, nor be Surety for any Contractor under this Act; and if any Trustee shall be legally convicted thereof, he shall forfeit and pay the Sum of One hundred Pounds Sterling, to be paid to the Clerk under this Act, and applied for the Purpose of carrying on the Works directed by this Act; and such Trustee shall be incapable of ever afterwards holding the Office of a Trustee under this Act: Provided always, that any Trustee under this Act may become Tacksman of the Duties leviable in virtue of this Act, such Trustee ceasing thereupon to be a Trustee.

Trustee not to sit or vote in his own Case.

XIII. And be it further enacted, That if any Trustee shall by virtue of this Act be accused, before the Trustees present at any of their

Public Meetings, of any of the Offences herein mentioned, such Trustee so accused shall not sit, vote, or otherways act as a Trustee in any such Case, or in any Case when or where he shall be personally concerned.

General Meetings to be held.

XIV. And be it also further enacted, That there shall be held Four stated General Meetings annually of the said Trustees, within the Town House of the said Town of *Peterhead*, or in such other Place within the said Town as the said Trustees shall from Time to Time appoint; namely, upon the First *Tuesday* in each of the Months of *March*, *June*, *September*, and *December* annually, at Eleven of the Clock before Noon, for putting this Act and the Powers hereby committed to them in Execution; and the First of these Meetings shall be held upon the First *Tuesday* of *September* One thousand eight hundred and twenty-seven; and the said Trustees shall have Power, and they are hereby authorized and empowered to adjourn to such other Times and Places as to them or to the Majority of them at such Quarterly Meetings assembled shall seem meet and expedient; and in case a less Number than a Quorum shall attend any Meeting, either stated or special, such Number, though not entitled to act, shall have the Power of Adjournment, as before mentioned; and in all Cases and at all Meetings of the said Trustees, the said Preses of the Governors of the said *Maiden Hospital*, or the Proprietor of the said Estate of *Peterhead* for the Time being, and in his Absence the Senior Baron Bailie, if more than One, of the said Town of *Peterhead* present for the Time being, shall act and officiate as Preses of the said Meeting; and such Preses, besides his own Vote in common with the other Trustees, shall, in all Cases of Equality of Votes, have also a casting Vote in all Matters or Questions that may happen to be agitated and come before the said Trustees: Provided always, that in case of the Absence of the Preses of the said Hospital, or the Proprietor of the said Estate for the Time being, or the said Baron Bailie or Bailies if more than One, the Trustee whose Name shall stand at the Top of the List of Trustees for the Time, and who shall be present at such Meeting, shall act as Preses at the said Meetings, and shall in like Manner have both a deliberative and also a casting Vote in Cases of Equality: Provided also, that the Order in which the before-mentioned Trustees are named in this Act shall be held as the Rule for fixing the Order in which they shall stand in the said List; and that in the Case of the Trustees to be afterwards elected annually, the Preses of the Meeting to be held for their Election shall determine the Order in which the Four Junior Trustees shall take Precedence of each other, by casting Lots in the Presence of such Meeting, and the said Four Junior Trustees shall be placed at the Bottom of the said List in such Order accordingly.

Trustees may hold other Meetings.

XV. And be it further enacted, That besides the Four stated Quarterly Meetings before mentioned, the said Trustees shall have full Power to hold such other Meetings as they may appoint, relative to the Execution of this Act, and such Meetings may be called either by the Preses of the said Trustees, or by any Three of their Number:

But previous Notice to be given of all Meetings.

Provided always, that before any Meeting of the said Trustees, either stated or special, shall take place, previous Notice, written or printed, of Twenty-four Hours, shall be given to each of the said Trustees by their Clerk for the Time being, by Order of the Preses; and such Notice shall be delivered to the said Trustees personally, or left at their usual Places of Business or Abode: And providing further, that in case the Preses shall delay or refuse to give such Order, when required to do so by any Three or more of the said Trustees acting for the Time, the said Three or more Trustees shall be and they are hereby empowered to order the Clerk to call such Meeting; and the said Clerk shall be obliged thereupon to give Notice in Writing of the Time and Place of such Meeting to every One of the said Trustees, at least Four Days previous to such Meeting; and a Certificate, under the Hand of the said Clerk, that such Notice has been given, by Letters duly addressed and put into the Post Office of *Peterhead*, shall be sufficient Evidence of the Legality of the said Meeting.

Trustees to attend Meetings under a Penalty.

XVI. And be it further enacted, That if any elected Trustee or Trustees shall absent himself or themselves from any Meeting held under this Act, without a reasonable Excuse, to be judged of by the said Trustees, such Trustee or Trustees shall forfeit and pay, each, the Sum of One Shilling Sterling for each Time he is absent, to be applied to the Purposes of this Act.

Vacancies among Trustees by Death, &c. to be filled up by the others.

XVII. Provided always, and be it enacted, That in case of the Death, or Refusal to act, of any of the said elected Trustees, it shall and may be lawful to and for the other remaining Trustees, both *ex officio* and elected, to elect any One or more Trustees, qualified as aforesaid, to supply the Vacancies of their Number occasioned by Death or Refusal, and which Trustee or Trustees so to be elected shall continue in Office and supply such Vacancy, and take the Place in regard to Seniority and in all other Respects of the Person whose Vacancy he shall have been elected to supply, until the next ordinary Day appointed for the Election of Trustees; or if any such Vacancy shall not be supplied before the ordinary Day appointed for the Election of Trustees, such Vacancy shall then be supplied by the Election of a Trustee to fill up such Vacancy in the same Manner as the other Trustees shall then be elected.

Trustees incorporated.

XVIII. And be it further enacted, That the said Harbours and Docks, and the Quays, Piers, Breasts, and other Works already made, or to be made, built, or erected by virtue of this Act, shall be and the same are hereby vested in the said Trustees, and their Successors, as One Body Politic and Corporate, by the Style and Name of "The Trustees of the Harbours of *Peterhead*;" and the said Trustees shall by that Name have perpetual Succession, and shall have a Common Seal, and by that Name shall sue and be sued; and the said Trustees shall have Power and Authority at all Times from and after the passing of this Act to purchase and hold and dispose of Lands and Heritages, and all Real and Personal Property, for the Purposes of this Act.

XIX. And

Act may be carried into Execution although all the Trustees may not be appointed.

XIX. And be it further enacted, That although the said Feuars and Burgesses of the said Town of *Peterhead* shall neglect or refuse to appoint and elect the Trustees, or any of them, whom they are respectively hereby directed to appoint and elect as before mentioned, such Neglect or Refusal on the Part of the said Feuars and Burgesses shall not prevent the Execution of this Act by the other Trustees, nor shall the Death, Removal, or Refusal to act of any of the Trustees prevent the other Trustees from acting until the Place of such Trustee is filled up in Manner before directed; it being declared, that in all Cases the Trustees appointed and elected for the Time shall have full Power to execute this Act.

Appointment of Officers.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to nominate and appoint a Treasurer or Treasurers, Collector or Collectors, a Clerk or Clerks, Birthing Master or Birthing Masters, Dock Master or Dock Masters, and such other Officers and Servants as they shall judge necessary to be employed under them for carrying this Act into Execution, and from Time to Time to remove such Treasurers, Collectors, Clerks, Birthing Masters, Dock Masters, Officers and Servants, and to appoint others in their Stead, and to settle such reasonable Salaries on them as shall appear to the said Trustees to be just and proper; and the Treasurer or Treasurers, Collector or Collectors, Clerk or Clerks, or Person or Persons to be appointed to receive the Rates and Duties to be levied under this Act, shall give good and sufficient Security to the said Trustees for all and every their respective Intromissions with the Monies, Funds, and Revenues aforesaid, and for the just and faithful Execution of their respective Offices, as to the said Trustees shall appear reasonable and proper; and all and every Treasurer or Treasurers, Collector or Collectors, or other Person or Persons whomsoever, so concerned or to be concerned in the Receipt of the said Monies, Rates, Duties, or Revenues, secreting or misapplying the same, or any Part thereof, shall forfeit Double the Sum so secreted or misapplied, with full Costs of Suit; which said Forfeiture shall be recovered by the said Trustees by Action before the Court of Session against such Treasurer or Treasurers, Collector or Collectors, or other Person or Persons, and his or their Surety or Sureties as aforesaid, or his or their respective Heirs and Representatives.

Security to be found by them.

Clerk and Treasurer to be different Persons.

XXI. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and

and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit by Action in the Court of Session in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Trustees may deepen the Harbour; build a Breakwater; cut a Canal or Passage; and build Piers, Quays, Bridges, and other Works.

XXII. And be it further enacted, That it shall and may be lawful to and for the Trustees hereinbefore mentioned, and to be afterwards appointed in Manner before specified, and they are hereby authorized and empowered, from Time to Time as there may be Occasion, by themselves, their Agents, Workmen, and others employed by and under them, to deepen the said South and North Harbours of *Peterhead;* and for that Purpose to excavate and remove the Rock, Gravel, or other Stuff from the Bottom thereof; to build a Pier or Breakwater on the North Side of the said Northern Harbour; to cut a Canal, Passage, or Communication between the said South and North Harbours; and to build additional Piers, Quays, and Bridges, and other Works, for the Use and Convenience of the said Harbours, and to remove or cause to be removed such of the present Piers or other Works as may be necessary to be removed in carrying this Act into Execution; and to make and construct additional Docks, One or more, in the said Harbours, as may be required and found beneficial for the Trade and Shipping of and resorting to the said Harbours.

Trustees may make Bargains and enter into Contracts.

XXIII. And be it further enacted, That the said Trustees shall and they are hereby authorized and required from Time to Time, as Occasion may be, to make Bargains, when it shall appear to be proper, to enter into Contracts in Writing with and give their Directions to proper Artificers, and to Craftsmen and other Workmen, for the Performance and due Execution of the Works which shall from Time to Time be directed by the said Trustees to be done and performed by virtue and in pursuance of this Act; and every such Contract shall be in Writing, specifying the several Works to be done, the Prices to be paid for the same, and the Time or Times when or within which the said Works are to be completed,

and the Forfeitures or Penalties to be borne or suffered for the Non-performance thereof; and previous to every such Contract being entered into by the said Trustees, the several Works to be done, and the Manner and Time in which they are to be completed, in so far as they can be conveniently specified, shall be advertised once a Week, in one of the *Aberdeen* and one of the *Edinburgh* Newspapers, Four several Times; and in all Cases where any pecuniary Penalties shall be recovered of and from any Contractor or Contractors, the same shall be paid to the Clerk or Treasurer of the Trustees, and be applied for the Purpose of carrying on the Works directed by this Act.

Trustees may levy Rates and Duties from the Proprietors of all Goods, &c. imported into or exported from the Harbours and Precincts.

XXIV. And be it further enacted, That from and after the First Day of *September* One thousand eight hundred and twenty-seven, it shall and may be lawful to and for the said Trustees, and to and for such Person or Persons as they shall from Time to Time authorize and appoint, to demand, levy, collect, receive, and take of and from the Owners and Proprietors of all Goods, Merchandize, Wares, or Commodities whatever, which shall be imported into or exported out of the Harbours of *Peterhead*, in any Ship, Vessel, Bark, Boat, or Lighter, and from the Owner of every Ship, Vessel, Bark, Boat, or Lighter coming into or going out of the said Harbours, or from the Agents or Managers of such Owners or Proprietors, the Rates and Duties specified in the Schedule (A.) annexed to this Act; and in case the Rates and Duties mentioned in the said Schedule (A.), and the other Duties after mentioned, shall be found not sufficient to produce a free annual Revenue of Three thousand Pounds, after appropriating a Sum for a Sinking Fund in Manner hereinafter provided, and paying the Treasurers, Collectors, and Clerks, and other Officers and Servants to be employed by the Trustees under the Authority of this Act, it shall be lawful to the said Trustees, and they are hereby empowered,

Trustees may increase the several Rates and Duties;

to increase the said Rates and Duties, and the Rates and Tonnage Duties after mentioned, to an Extent sufficient to produce such free annual Revenue of Three thousand Pounds Sterling, after appropriating a Sum for a Sinking Fund and making the other Payments as aforesaid; and the said Trustees are hereby authorized and empowered to levy and collect the said increased Rates and

and lessen the same.

Duties; and in case it shall be found that the Rates and Duties hereby authorized to be levied produce more than is sufficient to pay the Sums of Money already borrowed upon the said Harbours, in virtue of the Powers contained in the said Act passed in the Forty-seventh Year of the Reign of His late Majesty hereby repealed, and to accomplish the Purposes of this present Act, and to pay the Money borrowed for such Purposes, and other Charges attending the Execution of the said Act and of this Act, it shall be in the Power of the said Trustees and they are hereby empowered to lessen the said Rates and Duties, and to vary the same as they shall find expedient, without Prejudice to the said Rates and Duties being again raised to the Amount authorized by this Act if Necessity requires it; the Diminution or Increase of the Rates being always made to operate on all Articles proportionally.

XXV. And

Goods landed without the Harbour without the Knowledge of the Shore Master to pay Double Rates.

XXV. And be it further enacted, That when any Goods, Merchandize, Wares or Commodities whatever, shall be landed without the said Harbours, but upon or within any Part of the Shore of the Barony of *Peterhead* or Lands of *Clerkhill*, belonging to the Governors of the said *Maiden Hospital*, with the Knowledge of the Shore Master or Officer appointed by the said Trustees to superintend the shipping or landing of Goods, or when any Vessel or Vessels lying without the said Harbours shall be loaded with Goods or other Merchandize from any Part of the Shores before mentioned, with the Knowledge of the foresaid Shore Master or Officer, the Owners and Proprietors of all such Goods, Merchandize, Wares, or Commodities, shall pay the same Rates and Duties as would have been exigible on such Goods, Merchandize, Wares, or Commodities, had the same been landed or loaded within the said Harbours; and if the same shall be so landed or loaded as aforesaid without the Knowledge of the Shore Master or other Officer as aforesaid, the Owners and Proprietors thereof shall pay Double the Rates and Duties which would have been exigible, if such Goods, Merchandize, Wares, or Commodities had been landed or loaded within the said Harbours.

Burgesses and others claiming Privilege of paying lesser Duties, must be bonâ fide Owners of Goods.

XXVI. And whereas it is provided by the Schedule (A.) hereunto annexed, that a lesser or modified Scale of Rates shall be payable by Burgesses and others residing in the said Town of *Peterhead*, on all Goods and other Merchandize imported into or exported out of the said Harbours of *Peterhead* by them; be it enacted, That no Burgess or other Person specified in the said Schedule shall be entitled to claim the Privilege of paying such lesser Duties, unless the Goods or other Merchandize on which these Duties are made chargeable shall have been imported or exported by such Burgesses or others by their own Order and on their own Account and Risk; and no Burgess or other Persons aforesaid shall be entitled to claim the Privilege before mentioned, except such Burgess or other Persons shall have been the Owner or become the Purchasers of such Goods or other Merchandize, when the Vessel in which the same may be imported shall have been lying in the Harbours of *Aberdeen* or *Fraserburgh*, or shall have been in any other Harbour or at Sea, at a like or greater Distance from the foresaid Harbours of *Peterhead* than the said Harbours of *Aberdeen* or *Fraserburgh*; and provided it can be established to the Satisfaction of the Trustees hereby appointed, that the said Goods or other Merchandize have remained at the Risk of the Purchaser or Purchasers from the Date of their respective Purchases as aforesaid until the Period of such Goods or other Merchandize being imported into the said Harbour of *Peterhead*.

Tonnage Duty on Ships wintering in the Harbour.

XXVII. And be it also further enacted, That it shall and may be lawful to and for the said Trustees, and such Person or Persons as they shall appoint, to demand, collect, receive, and take, to and for the Uses and Purposes of this Act, of and from the Masters and Owners of all such Ships, Vessels, Barks, Boats, or Lighters belonging to the said Port of *Peterhead* as shall be laid up or winter in the said Harbours of *Peterhead* during the Winter Months, the Sum of Fourpence Half-penny Sterling for each and every Ton which such Ships, Vessels,

Barks, or Lighters shall respectively measure, and of and from the Masters and Owners of all such Ships, Vessels, Barks, or Lighters not belonging to the said Port of *Peterhead*, Sixpence Three Farthings *per* Ton: Provided always, that such Ships, Vessels, Barks, or Lighters shall remain in the said Harbours for the Space of Six Weeks, or for any longer Period.

Tonnage Duty on Vessels coming into Harbours.

XXVIII. And be it further enacted, That the said Trustees, or such Person or Persons as they shall appoint, shall have Power, and they are hereby authorized and empowered, from Time to Time and at all Times, to ask, demand, take, receive, collect, and recover, to and for the Purposes of this Act, from all and every the Owners, Proprietors, or Masters of any Ships, Vessels, Barks, Boats, and Lighters, of whatsoever Description, which shall come into or use the said Harbours, the several Rates and Duties specified in the Schedule (B.) hereunto annexed.

Duty on Vessels passing from the one Harbour to the other by the Canal.

XXIX. And be it further enacted, That when the aforesaid Cut, Canal, or Communication shall have been made between the said South and North Harbours, the said Trustees shall have Power to levy, and they are hereby authorized to levy, a Tonnage Duty upon all Ships and Vessels passing from the one Harbour to the other through the said Cut, Canal, or Communication, not exceeding Sixpence *per* registered Ton of such Ships or Vessels, for each and every Time they and each of them shall pass through the same.

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

XXX. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times, when and so often as He or they shall deem fit so to do, in and by His or their Order in Writing, to reduce the Duties hereby made payable on all or on such or so many of the Foreign Ships or Vessels, and on all or on such or so many of the Goods and Merchandizes imported or exported in Foreign Bottoms, as He or they in their Judgment shall deem expedient, to the same and like Duties as are hereby and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandizes imported or exported in or by them.

Dock Duties.

Trustees may let the same on a Lease.

XXXI. And be it further enacted, That the said Trustees shall have Power, and they are hereby authorized and empowered, to levy the several Rates and Duties specified and contained in the Schedule (C.) hereunto annexed, for the Use of the Graving or Dry Dock already built and constructed, and for any other Dry or Graving Dock to be hereafter constructed in or adjoining to the said Harbours; and the said Trustees are hereby authorized and empowered to let the said Dock Duties on a Lease, not exceeding Three Years, in the same Manner as is provided for in regard to the other Rates and Duties made leviable under this Act.

XXXII. And

Power to fix Rates not enumerated in the Schedule.

XXXII. And be it further enacted, That it shall and may be lawful for the said Trustees to fix such reasonable Rates, upon Commodities not specified in the said Schedule (A.), as they shall think fit: Provided always, that such Rate shall not exceed One Fourth Part of the Freight of such Commodities.

Trustees to levy Rates during First Two Years after 1st July 1828; and thereafter to let the same by Roup.

XXXIII. And be it further enacted, That for and during the First Two Years from and after the First Day of *July* One thousand eight hundred and twenty-eight, the said Trustees shall, by their Collectors, Receivers, or other Persons to be appointed by them, collect the said Rates and Duties from the Persons liable for the same; and that afterwards the said Trustees shall be bound to expose the said Rates and Duties at such fair and reasonable upset Prices as they shall fix and determine, to be let to the highest Bidder at Public Roup or Auction; and such Roup shall be advertised in Hand Bills properly circulated through the Town of *Peterhead*, and in some Newspaper or Newspapers printed or circulated through the said Town, Four several Times, Twenty-eight Days at least before the Roup or Auction, and that for any Time or Space not exceeding Three Years; but providing and declaring, that in case no Offerer shall appear for the same at such upset Price, or in case the Offerer who shall be preferred to the Lease shall fail to implement the Obligations incumbent on him as Tacksman, it shall be lawful to and for the said Trustees, by their said Collectors, Receivers, or other Persons employed by them, to uplift and receive the said Rates and Duties from the Persons liable in the same, for a Space not exceeding One Year, they being then bound again to expose the said Rates and Duties to be let at Public Roup or Auction to the highest Bidder, in Manner before mentioned.

For providing Warehouses, and erecting Cranes and Weighing Machines.

XXXIV. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered, out of any of the Rates and Duties foresaid, to rent or hire, by the Year or otherwise, any convenient Warehouses and Yards or other Places, for the receiving and safe keeping or lodging of such Goods, Wares, and Merchandize and other Things as shall happen to be removed off the Quays and other Places in Manner after mentioned; or to inclose, erect, or build any such Yards, Warehouses, or other Buildings on their own Ground, or on Ground to be purchased by them, as to them shall seem most meet and fitting; and also to erect such and so many Cranes and Weighing Machines upon the said Quays, Piers, and Grounds adjacent, as may appear to be requisite for the loading, unloading, and weighing of such Goods, Wares, and Merchandize as may be imported into or exported from the said Harbours; and also to provide all such Weights and Measures as may be necessary for weighing or measuring the said Goods, Wares, and Merchandize.

Further Allowance for Goods remaining upon Wharfs above a certain Time,

XXXV. And be it further enacted, That if any Commodities shall remain upon any Wharf or Pier, or other Place belonging to the said Harbours, for a longer Period than Six lawful Days from the Time such Commodities shall have been placed upon the said Wharfs, Quays, or other Places, then and in every such Case it shall be lawful for the

over and above the foresaid Rates and Duties.

the said Trustees to levy a Sum not exceeding the Amount of the Rates and Duties by this Act imposed upon the said Commodities, and that over and above the said Rates and Duties; and it shall be lawful to exact the said additional Rates and Duties for each and every successive Period of Twenty-four Hours after the said First Six Days, during which the said Commodities shall remain on the said Wharfs, Piers, Quays, or other Places; or the said Trustees may exact, and they are hereby authorized and empowered to exact, such other Rate or Wharfage Dues, less than what is before mentioned, as they shall see fit: Provided always, that no Goods or other Commodities shall be at any Time laid down on the said Wharfs, Piers, Quays, and other Places, so as to encroach on the Streets, or within Sixteen Feet of the Face of the Quays, except at the Time of such Goods and other Commodities being loaded or unloaded.

Trustees may remove Goods from the Quays.

XXXVI. Provided always, and be it enacted, That the said Trustees shall have Power, and they are hereby authorized and empowered, if they shall see Cause, either by themselves or the Officers and Servants employed under them in virtue of this Act, to remove, or cause to be removed, all such Commodities as shall be allowed to remain upon the said Quays, Piers, Wharfs, and others, beyond the Space of Six lawful Days as aforesaid, and to be carried to any Warehouse, Yard, or other Place of Safety to be provided by the said Trustees in Manner before mentioned, and there to detain and keep the same till Payment of the Charges incurred by such Removal and Detention, and of such Consideration besides to the said Officers and Servants authorized as aforesaid, for their Trouble in and about the same, as the Baron Bailie or Bailies of *Peterhead* shall think reasonable, together with the Sum authorized to be levied by the said Trustees had such Commodities been allowed to remain on the Quays, Piers, Wharfs, and others as aforesaid, for each and every additional and successive Period of Twenty-four Hours during which the said Commodities shall remain in the said Warehouse, Yard, or other Place of Safety provided for them by the said Trustees.

If Goods remain in Warehouse above 12 Months, Trustees may sell the same to defray the Charges.

XXXVII. And be it further enacted, That if any Goods, Wares, or Merchandize, of whatever Description or Denomination, shall be allowed to remain in any of the Warehouses or other Places to be provided by the said Trustees under the Authority of this Act, for any longer Period than Twelve Months, it shall be lawful to the said Baron Bailie or Bailies of *Peterhead*, and they are hereby authorized and empowered, upon an Application made to them by the Clerk or Treasurer of the said Trustees, or the Lessee or Lessees of the said Dues, to order a Description of the said Goods, Wares, and Merchandize to be inserted once in some of the Newspapers circulated in *Peterhead*, requiring the Owner or Owners thereof to remove the same, and to pay the several Duties and Charges incurred thereon by virtue of this Act, within a reasonable Period, to be fixed by the said Bailie or Bailies; and if such Goods, Wares, and Merchandize are not claimed and removed from the said Warehouses and other Places, and the whole Dues and Charges thereon satisfied and paid, within the Period to be fixed as aforesaid, it shall be lawful to the said

Bailie or Bailies, and they and any one of them are and is hereby empowered, authorized, and required to grant Warrants to levy the said Dues and Charges by Distress and Sale of the said Goods, Wares, and Merchandize, and to render the Overplus (if any be) after Deduction of the said Dues, Charges of taking, detaining, and making the Sale, to the Owner or Owners of such Goods, Wares, and Merchandize, whenever the same shall be demanded.

Penalty on Persons evading the Payment of Rates.

XXXVIII. And be it further enacted, That if any Person, or any Owner, Factor, Consigner or Consignee of any Goods, Wares, or Merchandize liable in the Payment of any of the Rates and Duties by this Act imposed, shall at any Time wilfully elude or evade Payment of the said Rates and Duties by any Means whatsoever, every such Person shall for every such Offence forfeit to the said Trustees a Sum not exceeding Five Pounds Sterling, over and above the Payment of the said Rates and Duties.

In case of Difference concerning the Weight, Collector may weigh Goods.

XXXIX. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates and Duties, and the Master or other Person having the Care or Charge of any Ship, Vessel, Bark, Boat, or Lighter entering or leaving the said Harbours, or the Owner, Factor, Consigner or Consignee of any Goods, Wares, Merchandize, or other Things therein embarked or contained, concerning the Weight or Quantities of the Goods, Wares, Merchandize, or other Things loaded or embarked therein, it shall be lawful for any such Collector to stop and detain any such Ship, Vessel, Bark, Boat, or Lighter, and to weigh or gauge or cause to be weighed or gauged the same, and all such Goods, Wares, and Merchandize, or other Matters or Things as shall be therein embarked or contained; and in case the same shall upon any such weighing or gauging appear to be of greater Weight or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Ship, Vessel, Bark, Boat, or Lighter, then it shall and may be lawful to and for the said Trustees, or their said Collector or Collectors, and he and they is and are hereby authorized and empowered to charge for such Goods and Things according to the Weight thereof found upon such weighing, or declared by the Gauge of such Ship, Vessel, Bark, Boat, or Lighter; and the Master, Owner, or other Person giving in such Account shall pay the Costs and Charges of such weighing and gauging; all which Costs and Charges, upon Refusal of Payment on Demand, shall and may be recovered and levied in the same Manner as the said Rates and Duties are hereby appointed to be recovered and levied; but if such Goods, Wares, Merchandize, or other Matters or Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Trustees or their Collector, as the Case may be, shall pay the Costs and Charges of such weighing or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall have arisen from such Detention; and in Default of Payment thereof, the same shall be recovered by Distress and Sale of the Goods and Effects of such Collector or Collectors for the Time being, or of the Goods and Effects of the

said

said Trustees, under a Warrant to be issued for that Purpose under the Hands of any Two or more Justices of the Peace for the County of *Aberdeen*, which Warrant any such Justices are hereby authorized and required to grant under their Hands on Application made to them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned to the said Trustees, or to their Collector or Collectors for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Collector or Collectors to retain out of any Monies which he or they shall have received or shall receive on Account of or for Behoof of the said Trustees all such Damages, Costs, and Expences as he shall have sustained or been put unto by virtue of any Warrant as aforesaid.

Application of Rates.

XL. And be it further enacted, That the whole of the Rates and Duties levied and received under the Authority of this Act, shall be applied by the said Trustees in Manner following; *videlicet*, in the first Place towards Payment of the Expence of the Plans, and the other Expences connected with the preparing, procuring, and passing of this Act; in the second Place, to the keeping and maintaining in good Order and sufficient Repair the Piers, Quays, Jetties, and other Works of the said Harbours, so far as the same shall have been already made and shall be retained, and towards Payment of the Expence of Management incident to the Execution of this Act, including the Salaries to the Clerk, Treasurer, and other Officers and Servants to be appointed as aforesaid; in the third Place, towards Payment of the annual Interest of the Monies already borrowed under the said Act of the Forty-seventh Year of the Reign of His late Majesty hereby repealed, and to be afterwards borrowed under the Authority of this Act, for the Purposes thereof, on the Credit of the foresaid Rates and Duties, in Manner hereinafter mentioned; in the fourth Place, towards the Formation of a Sinking Fund to be established by laying aside annually, out of the said Rates and Duties, such a Sum as shall be equivalent to Five Pounds *per Centum* of the annual Interest accruing at the Time on the Monies already borrowed or to be hereafter borrowed in virtue of this Act for the Purposes thereof, and which Sinking Fund shall be applied to the gradual Extinction of the foresaid Sums of Money borrowed or to be borrowed; and lastly towards the Expence of enlarging, improving, and deepening the foresaid Harbours, and other Works connected therewith, and of carrying through and finishing the other Improvements to be executed by the Trustees under this Act, in virtue of the Powers hereinbefore committed to them, and of keeping and maintaining in good Order and sufficient Repair, and paving, watching, and lighting the Piers, Quays, and Jetties already built, in so far as they shall be retained, and such other Piers, Quays, Jetties, Docks, and other Works in and about the foresaid Harbours of *Peterhead* as shall be hereafter executed by the Trustees under this Act, and to no other Purpose whatsoever.

XLI. Pro-

Exemption of Ships in the Service of His Majesty, &c.

XLI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship or Vessel belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Customs, Excise, Ordnance, or Post Office, coming into or using the said Harbours, all which Ships or Vessels shall be exempted from the Payment of all and every the Rates and Duties hereby granted and made payable.

Tonnage Duty to be but once paid during the Voyage.

XLII. Provided also, and be it enacted, That no Ship or Vessel, Bark, Boat, or Lighter, to whomsoever belonging, for which the Tonnage Duty exigible by this Act shall have been once paid, shall be liable or obliged to pay the same in case of such Vessel being put back or returning into the Harbours during the Voyage for which the Tonnage Duty was paid.

Registers of British Ships to be produced, or Vessels allowed to be measured.

XLIII. And be it further enacted, That the Masters and Owners of all *British* Ships, Vessels, Barks, Boats, and Lighters, trading to and from the said Harbours, and liable to the Payment of the Rates and Duties by this Act imposed, shall be and they are hereby required to produce to the said Trustees, or to the Collector or Collectors appointed as aforesaid, the Registers of their respective Ships, Vessels, Barks, Boats, or Lighters, in order to ascertain the Tonnage thereof; or otherwise they shall permit and suffer the said Ships, Vessels, Barks, Boats, and Lighters to be measured by the said Trustees, or by such Person or Persons as they shall from Time to Time appoint for that Purpose; and shall pay the Rates and Duties according to such registered Tonnage and Measurement, besides the Expence of the Measurement, in Manner hereinafter mentioned; and every Owner or Master aforesaid who shall refuse to produce the Register of his or their Ship, Vessel, Bark, Boat, or Lighter, or to allow the same to be measured as aforesaid, shall for every such Offence forfeit and pay to the said Trustees a Sum, at their Discretion, not exceeding Five Pounds Sterling, over and above the Tonnage or other Duties with which such Vessel, Bark, Boat, or Lighter may be chargeable in Terms of this Act.

For ascertaining Tonnage of Foreign Ships, &c.

XLIV. And be it further enacted, That the said Trustees shall and they are hereby authorized to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Ships, Vessels, Barks, Boats, or Lighters, and of all other Ships, Vessels, Barks, Boats, or Lighters having no Registers, which shall enter the said Harbours, in order to a due Collection of the Duties payable by such Ships, Vessels, Barks, Lighters, and Boats; and such Persons is and are hereby empowered and required to admeasure the same, according to the Directions of an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the registering of* British *Vessels;* and the Owners or Masters of all such Ships, Vessels, Barks, Boats, and Lighters shall pay the Expence of such Measurement, besides the Rates and Duties to which they are liable in Terms of this Act. 6 G. 4. c. 110.

Power to demand Register, and

XLV. And be it further enacted, That it shall and may be lawful to and for such Person or Persons as shall be authorized and appointed

recover Rates.

pointed by the said Trustees for that Purpose, to go on board any Ship, Vessel, Bark, Boat, or Lighter, coming into the Harbours of *Peterhead* or either of them, or sailing from the same, and to demand to see the Register thereof, and to take the Dimensions of such Ship, Vessel, Bark, Boat, or Lighter, and to demand, collect, and receive from the Owner, Master, or other Person having the Charge of such Vessel, Bark, Boat, or Lighter, the Rates and Duties by this Act imposed and made payable; and in case of Delay or Refusal of Payment, to seize, take, and detain any of the Goods, Merchandize, Tackle, Furniture, or Apparel of or belonging to any such Ship, Vessel, Bark, Boat, or Lighter, and to keep and detain the same until the said Duty and Rates are paid; and in case of Neglect or Delay in such Payment for the Space of Three Days after such seizing, taking, and detaining as aforesaid, it shall and may be lawful for the said Trustees, and to and for such Person or Persons authorized by them as aforesaid, to cause the same to be appraised by Two or more sufficient Persons, and afterwards to sell and dispose of the Goods or other Effects taken and appraised, and therewith to satisfy the Rates and Duties so neglected or delayed to be paid, together with the Charge of such seizing, taking, detaining, and selling (as the same shall be ascertained by the Sellers upon Oath); the said Trustees, or their Collector, or others authorized as aforesaid, rendering to the Master or Owner of such Ship, Vessel, Bark, Boat, or Lighter, or to the Owners of such Goods, the Overplus, if any be, on Demand.

In case of Refusal to pay, the Goods, Merchandize, or Tackle of Ships, may be seized and sold.

Vessels not to be cleared till Duties are paid;

XLVI. And for the more effectually preventing any Delay or Evasion in the Payment of the Rates and Duties aforesaid, be it enacted, That it shall be lawful for the Collector, Surveyor, or other principal Officer of His Majesty's Customs at the Port of *Peterhead*, to refuse to clear any Ship or Vessel, outward or inward, or indorse any Clearance or Warrant, until there shall have been produced and shown to him, by the Person or Persons liable in the Payment of the Rates and Duties by this Act imposed and made payable on account of such Ship or Vessel, either a sufficient Voucher of the Payment of the Rates and Duties, or a Certificate, under the Hand of the Clerk to the Trustees, that the Sum demanded on that Account has been consigned and lodged in his Hands, with sufficient Security for the Payment of all Damages, Costs, and Expences which the Tacksman or Collector of the said Rates and Duties may sustain or incur by reason of the Delay or Refusal of Payment, according as the same shall be ascertained and determined by any One or more of the Baron Bailies of *Peterhead*, or of His Majesty's Justices of the Peace for the County of *Aberdeen*; and that such Collector, Surveyor, or other Principal Officer of His Majesty's Customs shall and he is hereby required to obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs in relation thereto; but provided always, that in case it shall be found by the said Bailie or Bailies, Justice or Justices of the Peace, after hearing both Parties, that the Tacksman or Collector of the said Rates and Duties has made a higher Demand than what is authorized by this Act, such Tacksman or Collector shall be liable and decreed to pay the Party complaining such a Sum, in Name of Damages, not exceeding Five Pounds Sterling, as shall be judged adequate by the

unless the Sum demanded has been consigned, and a Certificate produced.

If a higher Duty is demanded than is hereby authorized, Party suffering may recover Damages.

said Bailie or Bailies, Justice or Justices, who are hereby authorized and empowered to hear and decide upon all such Questions and Disputes as shall be brought before them relative to these Matters in a summary Way.

No Combustibles to remain on the Quays.

XLVII. And be it further enacted, That no Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other Combustibles, shall be suffered to remain on the Quays and Piers aforesaid, already constructed or to be constructed within the said Harbours of *Peterhead*, or any Part thereof, or upon the Deck of any Ship, Vessel, Bark, Boat, or Lighter lying therein, after being passed by the Officers of the Customs; and in case such Goods and Articles of Trade cannot be removed from such Place or Places by Daylight, then and in every such Case the Owners of such Goods and Articles aforesaid shall be obliged, and they are hereby required, to set and maintain, at their own Expence, a sufficient Number of sober and careful Persons to guard and watch the same for so many Hours, according to the Season of the Year, as the Trustees, or the Person or Persons authorized by them as aforesaid, shall direct; and in case the Owner or Owners of such Goods or other Articles above mentioned, or the Master or Masters of such Ships, Vessels, Barks, Boats, or Lighters, shall not obey the Directions so given, it shall be in the Power of the said Trustees, or the said Person or Persons authorized by them as aforesaid, to cause the same to be removed or watched at the Owner's Expence; and every such Owner or Owners, Master or Masters of such Ships, Vessels, Barks, Boats, or Lighters, shall for every such Default forfeit and pay a Sum not exceeding Five Pounds Sterling, besides the said Expence, and any Damage occasioned by their not removing or watching the said Goods and Combustibles as aforesaid.

Gunpowder not to remain on board Vessels in the Harbour above 12 Hours after Arrival.

XLVIII. And be it further enacted, That no Gunpowder shall be suffered to be or remain on board any Ship, Vessel, Bark, Boat, or Lighter, except Ships in the Service of His Majesty's Government, for any longer Period than Twelve Hours after the Arrival of such Ship or Vessel in the Harbour of *Peterhead*, upon Pain that every Master or Owner of such Ship or Vessel shall forfeit for every such Offence the Sum of Five Pounds Sterling, besides the Damage occasioned by his Default; and in case any Ship, Vessel, Bark, Boat, or Lighter, in which any Gunpowder shall happen to be, shall arrive in the said Harbours on a *Sunday* or any Custom House Holiday, it shall be lawful for the Master or Commander of any such Ship, Vessel, Bark, Boat, or Lighter, to land the same without a Sufferance or Leave from the Officers of His Majesty's Customs at the Port of *Peterhead* for so doing, provided the same be done in the Presence of a Tide Surveyor or Coast Waiter.

Pitch not to be heated or boiled on board Vessels.

XLIX. And be it further enacted, That in case any Person or Persons having the Rule or Command of any Ship, Vessel, Bark, Boat, or Lighter lying or being in the said Harbours, shall heat or boil, or permit or suffer to be heated or boiled, any Pitch, Tar, or Rosin, or any Composition of that Nature, on board of his or their respective Ships, Vessels, Barks, Boats, or Lighters, otherways than with an Iron Instrument, commonly called a Loggerhead, he and they shall for every such

such Offence forfeit and pay a Sum not exceeding Five Pounds Sterling.

Power to remove Vessels from one Place in the Harbour to another.

L. And be it further enacted, That the said Trustees, or such Person or Persons as they shall authorize and appoint, shall and may, and they are hereby authorized and empowered from Time to Time to order and require all Persons having the Command or Direction of any Ship, Vessel, Bark, Boat, or Lighter entering into the said Harbours, to station, place, anchor, and moor such Ship, Vessel, Bark, Boat, or Lighter in such Place and at such Quay, previously approved of by the proper Officer or Officers of the Customs, as the said Trustees, or those empowered by them, shall direct; and with consent of the said Officers of the Customs, when and as often as they judge necessary, to remove, or cause to be removed, any Ship, Vessel, Bark, Boat, or Lighter lying in any of the Entries or Passages of the said Harbours of *Peterhead*, or at any Quay, Pier, or Breast already built, or hereafter to be built in pursuance of this Act, or in any other Part of the said Harbours or Docks, from the Birth or Lying Place at which such Vessels respectively may happen to be moored or lying at the Time, to any other Birth or Lying Place in the said Harbours; and in case the Master or other Person having the Command or Direction of such Ship, Vessel, Bark, Boat, or Lighter, shall neglect or refuse to remove or cause to be removed, upon being required to do so by the said Trustees, or such Person or Persons as they shall authorize as aforesaid, as soon after such Requisition as the State of the Tide will permit, such Ship, Vessel, Bark, Boat, or Lighter from her said Birth or Mooring Place as shall have been appointed as aforesaid, then and in that Case the said Trustees, or any Person authorized by them as aforesaid, shall be and they are hereby empowered, immediately on such Refusal or Neglect, to remove, or cause to be removed, such Ship, Vessel, Bark, Boat, or Lighter, from its then Birth or Mooring Place, as the said Trustees, or the Person or Persons authorized by them as aforesaid, shall judge proper; and the Master, Owner, or Consignee of such Ship, Vessel, Bark, Boat, or Lighter so removed, shall be obliged to pay to the said Trustees all the Costs and Charges that shall have been reasonably incurred and expended in accomplishing such Removal; and every Master or other Person having or being in the Command or Direction of any such Vessel, or any other Person or Persons who shall obstruct or hinder the Removal as aforesaid, shall for every such Offence forfeit and pay to the said Trustees, or any other Person appointed by them, a Sum not exceeding Ten Pounds Sterling.

Power to regulate the unloading of Lime Vessels.

LI. And be it further enacted, That when and so often as any Ship or Vessel shall arrive in any of the Bays of *Peterhead* with a Cargo of Lime, for the Purpose of entering the foresaid Harbours and unloading the Cargo, the said Trustees, and any Officer or Officers to be appointed by them by virtue of this Act, shall have full Power and they are hereby authorized to order every such Ship or Vessel to proceed into such of the said Harbours, and to lie at such of the Quays, Piers, or Wharfs, and at such Parts thereof as they shall think proper, for the Purpose of unloading; and in case no Order shall have been given by the said Trustees or their Officers within Two Hours

Hours after the Arrival of any such Ship or Vessel in any of the said Bays, then the Master or other Person in Charge of any such Ship or Vessel shall be entitled to enter either the South or North Harbour, as he may think proper; but with Power to the said Trustees or their Officers to cause such Ship or Vessel to be removed from the one Harbour to the other by the Cut or Canal to be made for the Purpose of connecting the said Two Harbours, when the same shall be executed: Provided always, that in case any such Ship or Vessel shall have entered either of the said Harbours without having received any Directions from the said Trustees, and shall be afterwards ordered by the said Trustees to remove to the other Harbour by the foresaid Cut or Canal, no Duties shall be exigible for or on account of any such Ship or Vessel passing through the said Cut or Canal; and provided also, that in the Event of any such Ship or Vessel entering either of the said Harbours contrary to the Directions of the said Trustees or their Officers, the said Trustees or their Officers may and they are hereby authorized to order every such Ship or Vessel to be removed from the one Harbour to the other, and that either by the said Cut or Canal, or in case such Cut or Canal shall not then have been made, by going round from the one Harbour to the other by the Bays of *Peterhead*.

Preference to Ships in Distress.

LII. And be it further enacted, That in case any Ship or Vessel shall arrive and come into the said Harbours of *Peterhead* in Distress, or meet with any Misfortune in the Bays of *Peterhead*, or in the Harbours aforesaid, it shall and may be lawful to and for the Birth Master, and in case of his Orders being disobeyed, to and for the said Bailies of the said Town of *Peterhead*, or either of them, upon Request made to them or him in Writing by the Master, Commander, or Owner of any such Ship or Vessel, or Owner of any Goods on board such Ship or Vessel, and upon Proof being laid before them or him of such Distress, to give a Preference to such Ship or Vessel being in Distress as aforesaid, both as to the Births at the Docks, Piers, and Quays, and as to the Course of discharging or repairing, to any other Ship or Vessel that shall have arrived before in the Harbours aforesaid, or engaged a Turn in the said Dock; and that every Master or Commander of any Ship or Vessel lying within the Harbours of *Peterhead*, who shall refuse or delay to comply with the Order of the said Baron Bailie or Bailies in favour of the Ship or Vessel in Distress as aforesaid, shall forfeit any Sum not exceeding Twenty Pounds Sterling, to be levied and applied towards the Purposes of this Act.

Old Ships, &c. not to remain in the Harbour.

LIII. And be it enacted, That no Ship, Vessel, Bark, Boat, or Lighter, which shall be laid by as unfit for Sea-service, or neglected by the Owner or Owners thereof, shall be permitted to lie and remain in or at any Piers, Quays, or other Works erected or to be erected within the said Harbours of *Peterhead*, so as to encumber the same; but in every such Case it shall and may be lawful to and for the said Trustees immediately to cause such Ship, Vessel, Bark, Boat, or Lighter, and every of them, to be, at the Charges and Expences of the Owner or Owners of the same, removed from the said Piers, Quays, and other Works, or any of them, and to lay the said Ships, Vessels, Barks, Boats, or

Lighters on any Part of the Strand or Sea Shore within the High Water Mark, or any other Place of Safety without the said Harbours, and there to moor such Ships, Vessels, Barks, Boats, or Lighters; and in case of Refusal or Neglect of Payment of such Charges and Expences allowed as aforesaid for the Space of Three Days after Demand thereof made, then and in every such Case to levy such Charges and Expences by Distress and Sale of such Ship, Vessel, Bark, Boat, or Lighter, or the Tackle, Apparel, or Furniture of the same, or any Part thereof; or in case the Owners or Owner of any such Ship, Vessel, Boat, Bark, or Lighter cannot be found, then, upon a Warrant from the Sheriff Depute or Substitute of the County of *Aberdeen*, which such Sheriff Depute or Substitute is hereby in such Case authorized to grant, rendering the Overplus (if any be, after deducting the Charge of taking, keeping, and Sale of such Distress) to the Owner or Owners, Master or Agent of such Ship, Vessel, Bark, Boat, or Lighter, whenever the same shall be demanded.

Birth Master to keep a Book to enter a List of Ships coming into and going out of the Harbours.

LIV. And in order to enable the said Trustees to ascertain as nearly as possible the true annual Amount and Produce of the said Shore and Harbour Dues, be it further enacted, That the Birth Master or other Person to be appointed for that Purpose by the said Trustees shall be and he is hereby obliged and required, under the Penalty of Twenty Pounds Sterling, to be forfeited and paid by him, to keep a Book, subject to the Inspection and Examination of the said Trustees, wherein within Two Hours after every Ebb he shall enter or cause to be regularly entered and inserted a List of all the Ships, Vessels, Barks, Boats, and Lighters that have come into and sailed out of the said Harbours the Tide preceding, with a distinct and accurate Description of the several Vessels and Masters Names, the Places from whence they came, and whither they are bound, and their Tonnage and Cargoes; and every such Master immediately after his Arrival in the said Harbours, or at least before he begins to unload any Part of his Cargo, shall give the said Birth Master or other Person to be appointed by the said Trustees an exact and full Account of his Cargo, by producing either his Bills of Lading or a Copy of his Manifest or Intake Account; and the said Books so to be kept by the said Birth Master shall also be subject to the Examination and Inspection of all Burgesses, Ship Owners, and others interested therein, upon Payment of One Shilling Sterling for each Examination thereof.

Ship Masters to give Birth Masters an Account of their Cargoes.

LV. And be it further enacted, That every Ship Master loading and taking in Goods in the said Harbours, after being loaded and cleared at the Custom House, shall in like manner give in to the said Birth Master, or other Person appointed to receive the same, a full and exact Account of his Cargo so loaded, if required; and that every Person failing to do so, or not delivering a just and true Account of his Cargo, both outwards and inwards, as aforesaid, shall for every such Offence forfeit and pay a Penalty not exceeding Three Pounds Sterling.

Ballast, &c. not to be thrown into

LVI. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever, upon

any Pretence whatsoever, to throw or empty any Ballast, Dirt, Ashes, Rubbish, Shingle, Stones, or any other Thing out of or from any Ship, Boat, Lighter, or other Vessel, or out of or from any Carriage whatsoever, or off or from any Quay, Pier, Yard, Place, or Ground into the said Harbours, Docks, or Entrances thereto, or within Two hundred Yards of the said Entrances; or to dig or take away any Ballast, Shingle, Stones, or other Thing from within the same, without Leave of the Trustees, or of some Officer acting by or under their Authority, in Writing, under a Penalty not exceeding Thirty Pounds Sterling for every such Offence, over and above the Expence of repairing the Damages; and if any Person shall cast out or deposit any Ballast of and from any Ship or Vessel upon any of the Quays, Piers, or Breasts, or in any other Place in or about the said Harbours, other than at such Place or Places as shall be appointed by the said Trustees for casting out or depositing such Ballast, such Person shall immediately cause the same to be carried off and deposited at such Place as shall be appointed by the said Trustees, on Pain of forfeiting for every such Offence a Sum not exceeding Five Pounds Sterling over and above the Expence of removing the same.

the Harbours, &c.; nor taken therefrom without Leave of the Trustees. Ballast, &c. to be removed from the Quays.

LVII. And be it further enacted, That the said Trustees and their Officers and Servants may and they are hereby authorized and empowered to dig or cause to be dug, at any Place within the said Harbours, Rocks, Gravel, or other Stuff for Ballast, and to deposit the same at such convenient Place or Places belonging to them, and near to the said Harbours, as they shall see proper, and to fix such reasonable Rate *per* Ton for the said Ballast, as they shall from Time to Time find necessary; and all Ships requiring Ballast in the said Harbours shall be obliged to take the same from the said Trustees, or those empowered by them, and from none else, under the Penalty of Five Pounds Sterling for each Transgression.

Trustees to furnish Ballast.

LVIII. And be it further enacted, That the Master or Owner of every Ship, Vessel, Bark, Boat, or Lighter, lying or trading in the Harbours of *Peterhead*, shall be and is hereby made answerable to the said Trustees for the Amount or Value of any Damage or Mischief that shall be done by any of the Seamen, Servants, Boatmen, or Watermen, or others on board thes ame, to any of the Docks, Quays, Piers, Breasts, or other Works already constructed, or that shall be constructed by virtue of this Act, either by the loading or unloading of any Ship, Bark, Boat, or Lighter, or by any other Means whatsoever; and the Master or Owner of every such Ship, Vessel, Bark, Boat, or Lighter shall, for every such Trespass, Damage, or Mischief, upon Conviction before any Justice of the Peace for the said County of *Aberdeen*, on the Oath of any credible Witness or Witnesses, which Oath such Justice is hereby authorized and required to administer, or on the Confession of the Party or Parties offending, forfeit and pay to the Parties or Party injured, such Damages, Satisfaction, or Compensation as shall be ascertained, fixed, and determined by such Justice, provided that no such Damages, Satisfaction, or Compensation shall exceed the Sum of Twenty Pounds; but in case such Damages, Satisfaction, or Compensation shall

Masters and Owners to be answerable for Damages done by their Crews.

shall exceed the Sum of Twenty Pounds, then and in such Case the said Master or Owner of such Ship, Vessel, Bark, Boat, or Lighter may be sued and prosecuted for such Damages, Satisfaction, and Compensation in the Court of Session, if the Defender shall reside in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster* if the Defendant shall reside in *England*, or in the Court of the King's Bench or Common Pleas at *Dublin* if the Defendant shall reside in *Ireland*; and if a Verdict or Judgment shall be given against him or her, either on Proof made or by Default, or upon Demand, the Plaintiff in every such Case shall recover the Damages thereby sustained with full Costs.

Masters to recover Damages from their Servants.

LIX. And be it further enacted, That in case the Master or Masters, Owner or Owners of any Ship, Vessel, Bark, Boat, or Lighter as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass by reason of any such Damage or Mischief done or committed by his, her, or their Mariners, Boatmen, Servants, or other Persons employed by him, her, or them, such Mariners, Boatmen, Servants, or other Persons, and each and every of them, shall be liable to pay such Penalty or Damage, with the Costs thereof, to such Master or Masters, Owner or Owners; and in case of Nonpayment thereof upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof have or hath not been repaid to him, her, or them by such Mariners, Boatmen, Servants, or other Persons, or any of them, although demanded, (such Oath to be made before any of the said Baron Bailies of *Peterhead*, or any Justice of the Peace for the County or Place where such Penalty or Satisfaction shall have been incurred as aforesaid, or where such Mariner, Servant, or other Person can be found,) the Amount thereof shall be recovered as any other Penalty is hereby directed by this Act to be recovered.

Penalty on Persons destroying the Ropes of Vessels.

LX. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship, Vessel, Bark, Boat, or Lighter lying in the said Harbours shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds Sterling, besides the Damages thereby occasioned.

Vagrants to be detained; and Ropes, &c. found in their Custody confiscated.

LXI. And be it further enacted, That it shall and may be lawful to and for the Officers to be appointed by the said Trustees, and to and for any Messenger at Arms, Sheriff Officer, Peace Officer, Town Officer, or other Person, and they are hereby severally authorized and empowered to apprehend, seize, secure, and detain, till they can be regularly convened before a Magistrate, all and every Vagrant, Idler, or disorderly Person, who may haunt about the Harbours, Quays, Piers, Breasts, and Docks, without lawful Business; and they are hereby also authorized and empowered to seize, secure, and detain, till such Seizure can be regularly reported to a Magistrate, all Ropes, Copper, Iron, Lead, and other Articles of Marine Stores used in the Repair of Ships, and all Goods, Wares, and Merchandize

dize which may be found in the Custody of such Vagrant, Idler, or disorderly Person; and if it shall appear that any of the said Articles have not been fairly come by, it shall be lawful for the said Bailie or Bailies, Justice or Justices of the Peace, to order the said Goods to be restored to the proper Owner or Owners thereof, or in case such Owner or Owners cannot be found, to confiscate the same for the Use of the Bridewell of the County of *Aberdeen*, and punish the Person in whose Custody the same may have been found, by Imprisonment and hard Labour in the said Bridewell for any Time not exceeding One Calendar Month.

Vagrants may be committed.

LXII. And be it further enacted, That it may and shall be lawful to and for the said Bailie or Bailies, Justice or Justices, and they are hereby authorized and empowered to commit the said Vagrants, Idlers, and disorderly Persons, to the Common Gaol or to the Watch-house of the Barony of *Peterhead*, therein to be detained for Examination for any Space not exceeding Twenty-four Hours; or, as a Punishment, to commit the said Offenders to the said Gaol or Watch-house for any Space not exceeding Three Days.

Power to apprehend transient Offenders.

LXIII. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Harbour Masters, Collectors of Duties, and other Officers or Persons acting under the Authority of this Act; be it further enacted, That it shall and may be lawful to and for the said Harbour Masters, Collectors of Duties, and other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before the Baron Bailies of *Peterhead*, or any of them, or before any One or more of the Justices of the Peace for the said County of *Aberdeen*, without any other Warrant than this Act for so doing; and such Bailie or Bailies, or Justice or Justices of the Peace respectively, is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders in a summary Way.

Punishment of Persons injuring the Works.

LXIV. And be it further enacted, That if any Person or Persons shall, after the passing of this Act, maliciously or wantonly demolish, destroy, break down, or set on fire any of the Jetties, Piers, Quays, or other Works constructed or to be constructed in or belonging to the said Harbour of *Peterhead*, every such Person or Persons so offending shall be adjudged to be guilty of Felony; and the Court or Courts by or before whom such Person or Persons shall be indicted, tried, and convicted, shall be and are hereby empowered to punish such Person or Persons by Fine or Imprisonment, or to cause such Felon or Felons to be transported beyond the Sea for such a Term of Years and in such Manner as other Felons are directed to be transported by the Statutes of the Realm.

Penalty on obstructing the Works.

LXV. And be it enacted, That if any Person or Persons whomsoever shall at any Time or Times obstruct, hinder, or molest the Engineers, Birthing Masters, Superintendants, Labourers, or other Person or Persons whomsoever who is and shall be employed or acting in Per-

formance or Execution of their Duty under this Act, or in the Works to be done or carried on in pursuance thereof, or in any other Matter relating thereto, every such Person so offending shall forfeit any Sum not exceeding Twenty Pounds, and for the Second Offence any Sum not exceeding Thirty Pounds Sterling, and for the Third and every other Offence any Sum not exceeding Fifty Pounds Sterling.

Trustees empowered to license Pilots, Masters, and Weighers, and to regulate their Fares, Conduct, &c.

LXVI. And be it further enacted, That the said Trustees shall be and they are hereby authorized and empowered, from and after the passing of this Act, and from Time to Time as Occasion may require, to appoint and license a sufficient Number of Persons as Pilots and Conductors of Ships and Vessels into and out of the Harbours of *Peterhead*, after due Inquiry into the Experience, Skill, and general Qualifications of the said Persons; and also to appoint Meters and Weighers, and to make Rules and Bye Laws for ascertaining and regulating the Fares and Wages, Conduct and Behaviour of the said Pilots, Meters, and Weighers, and to enforce the Observance of the said Rules and Bye Laws by such pecuniary Penalties as may be necessary for that Purpose, besides Deprivation, temporary or permanent, as the Case may require, of the said Persons respectively of their Licences; and the said Bailies, or any One of them, are hereby authorized and empowered to inflict, with Consent of the said Trustees, such Deprivations of Office, by recalling the said Licences, and publishing the Names of the Persons so deprived; and to award, without the Consent of the said Trustees, the said pecuniary Penalties, with an alternative Judgment, in case the said Penalties or any of them shall not be sooner paid, of Imprisonment within the Bridewell for the City and County of *Aberdeen* for any Space not exceeding Sixty Days, the said Penalties to be applied as the said Bailies or Bailie shall direct: Provided always, that the said Rules and Bye Laws shall not be repugnant to nor inconsistent with the Laws of *Scotland* and the Provisions of this Act; and that printed Copies of the said Rules and Bye Laws shall be furnished to the said Pilots, Meters and Weighers, along with their Licences; and that none of the said pecuniary Penalties shall exceed the Sum of Five Pounds Sterling; and before being put in force, the said Rules and Bye Laws shall be published once at least in some One Newspaper printed in the County of *Aberdeen*, and shall be painted on a Board or Boards in legible Characters, and placed and kept up in some conspicuous Place or Places within the said Harbours; and such Boards and Painting shall be renewed from Time to Time by the said Trustees when destroyed, obliterated, or defaced.

Pilots Licences to be renewed annually.

LXVII. And be it enacted, That every Person who shall upon his first Admission receive such Licence or Warrant, shall for his first Licence or Warrant pay to the Clerk of the said Trustees the Sum of Three Shillings Sterling, and for every subsequent Licence the Sum of One Shilling and Sixpence Sterling; and the said Warrant or Licence shall continue in force for One Year and no longer after granting the same.

Penalty on Persons acting as Pilots or Meters without Licence.

LXVIII. And be it further enacted, That it shall not be lawful for any Person or Persons to act in piloting any Ship or Vessel whatever into or out of the said Harbours, or to act in the Capacity of Public Meters and Weighers within the said Town, without being licensed in Terms of this Act, under the Penalty of Five Pounds Sterling for each Transgression, to be recovered and applied as aforesaid; and the Measurements of an unlicensed Meter or Weigher shall be deemed illegal.

Masters of Vessels entering or leaving Harbours to take Pilots.

LXIX. And be it enacted, That every Person acting as Master, or having the Charge of any Ship or Vessel, either going out of or coming into the said Harbours, or either of them, shall be bound and obliged, before leaving or entering the said Harbours, to take on board a Pilot belonging to the said Harbours licensed as aforesaid; and in the Event of such Master or other Person refusing or neglecting so to do, he shall be liable in a Penalty of Ten Pounds, to be recovered by the said Trustees in Manner hereinafter mentioned, and to be applied to the Purposes of this Act; and that over and above the Dues which would have been exigible from such Master or other Person had he taken a Pilot on board, and which Dues shall be payable to the Pilot who shall offer his Services to such Master or other Person, notwithstanding such Services shall be refused.

Bailies and Town Council may pay Sums from the Funds of the Community towards the Purposes of this Act.

LXX. And be it further enacted, That it shall and may be lawful to and for the Baron Bailies, Town Council, and Community of Feuars of the said Town of *Peterhead* for the Time being, and they are hereby authorized and empowered, to pay unto the said Trustees, out of the Funds and Revenue belonging to the Community of Feuars of the said Town, such Sum or Sums of Money, to be applied towards executing the Purposes of this present Act, as the said Bailies and Town Council from Time to Time shall deem expedient, after defraying and discharging the ordinary and necessary annual Expenditure of the said Town therefrom.

Power to borrow Money on the Credit of the Rates.

LXXI. And whereas it may be necessary for the said Trustees to raise Money on the Credit of the Rates and Duties by this Act directed and authorized to be raised and levied for the Purposes of this Act, and for paying off and discharging the Debts contracted upon the said Harbours, in virtue of the said Act of the Forty-seventh Year of the Reign of His late Majesty hereby repealed; be it further enacted, That it shall be lawful for the said Trustees of the said Harbours for the Time being, or a Quorum of them, and they are hereby empowered, when they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money, not exceeding at any one Time Sixty thousand Pounds in the whole, on the Credit of the said Rates and Duties, and to grant, assign, and set over the several Rates and Tonnage, and other Duties granted by this Act, to any Person or Persons whomsoever who shall be willing to advance and lend Money thereon, for securing the same with Interest respectively; all which said Assignments shall be made and granted under the Hands of the said Trustees, or any Seven or more of them, in Form or to the Effect following; that is to say,

Form of Assignment.

'BY virtue of an Act of Parliament, made in the Eighth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], We

'
'
'
' of the Trustees of the said Harbours, in Consideration
' of the Sum of
' advanced and paid by do
' hereby sell, assign, and make over to the said
' , his (*or* her) Heirs, Executors, Administrators,
' and Assigns, the aforesaid Harbours, Docks, and other Works
' erected pursuant thereto, and all and sundry the Rates and Duties
' payable to us in virtue of the said Act of Parliament, and all our
' Right, Title, and Interest of, in, and to the same, to be held by the
' said , and his (*or* her) aforesaid, until
' the said Sum of , with the legal
' Interest thereof, shall be fully satisfied and paid. In Witness
' whereof we have subscribed these Presents, written by
' at the
' Day of
' before these Witnesses :
'.'

No Preference allowed from Priority of the Date of Assignments.

And all Persons to whom such Assignments shall be made shall be equally entitled, one with the other, to the Proportion of the said Rates and Duties, according to their respective Sums in such Assignments mentioned to be advanced, without any Preference by reason of Priority of any such Assignments, or on any other Account; and a Copy of every such Assignment shall, within Twenty-one Days from the Date thereof, be entered in a Book to be kept by the Clerk to the said Trustees, which Book shall and may be perused at all seasonable Times by any of the said Trustees or Creditors of the said Harbours, Docks, and others, and any other Persons interested therein, without Fee or Reward; and the Person or Persons to whom any such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right or Interest therein to any Person or Persons, by a Writing under his or their Hands, in the Form or to the Effect following:

Form of Transfer.

'I of in Consideration
' of the Sum of paid by *C. D.* of
' do hereby transfer the Assignment
' made by the Trustees of the Harbours of *Peterhead* to me, bearing
' Date the Day of
' and all Interest now due and to
' become due thereon, and all my Right and Property therein, to
' the said *C. D.*, his Heirs, Executors, Administrators, and Assigns:
' In Witness whereof I subscribe these Presents, written by
' at the Day of
' before these Witnesses:'

Transfer may be indorsed on

And such Transfer may be indorsed upon the principal Assignment, or on a Paper apart, and the Person to whom such Transfer shall

shall be made may make another such Transfer thereof, and so often as such Assignment is meant to be transferred; and every such Transfer shall, within Thirty Days after the Date thereof, be produced to the Clerk to the said Trustees, who shall enter the same in like Manner as the original Assignment in the Book to be kept by him for that Purpose; and every such Entry made of such Transfer shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit of the original Assignment; and it shall not from thenceforth be in the Power of any Person or Persons who shall have made any such Transfer to make void, release, or discharge the same, or any Money thereby due, or any Part thereof.

the Assignment.

Transfer to be produced to the Clerk within 30 Days.

LXXII. And be it further enacted, That it shall be lawful for the said Trustees to raise such Part or Parts of the aforesaid Sum of Sixty thousand Pounds hereinbefore authorized to be borrowed by them on the aforesaid Rates by way of Life-rent Annuities, in Security of which Annuities the said Trustees shall be entitled to assign the said Harbour and other Works, and the aforesaid Rates and Duties, to the Person or Persons willing to advance the Money on such Annuities: Provided always, that the Sum or Sums so to be borrowed on Life-rent Annuity shall not at any One Time exceed in whole the Sum of Ten thousand Pounds; and it shall be lawful for the Grantee of such Annuity to transfer the same in like Manner by Indorsation, which, with Notice to the Clerk and Entry in the said Books of the said Trustees, shall be equivalent to an intimated Assignment, as affording a Preference; and that such Indorsee shall have also Power to transfer in like Manner such Annuity, and so *toties quoties* during the Life of the Grantee thereof; and that the Person claiming the Payment of the same shall be at all Times bound, if so required, to produce satisfactory Proof of the said Grantee having been alive up to the Date of such Claim.

Power to borrow Money on Annuities.

LXXIII. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities;* and the other passed in the Fifty-second Year of His late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities.*

For preventing improvident Grants of Annuity.

LXXIV. And be it further enacted, That out of the Monies to arise by virtue of this Act, the said Trustees or their Treasurer for the Time being shall pay, and they are hereby required regularly once in the Year at least, if demanded, to pay the Interest and Annuities which shall become due upon each of such Bonds and Assignments, to the Person or Persons having Right to the same for the Time being, and

Interest to be paid yearly.

to mark the Payment of such Interest on the Back of such Assignments and in the Book or Books to be kept as after mentioned.

Repayment of Money borrowed.

LXXV. And be it enacted, That if the said Trustees shall, by virtue of this Act, borrow any Sum or Sums of Money at a Rate of Interest less than Five Pounds *per Centum per Annum*, it shall be lawful for them to express in the Assignment or Assignments hereby directed to be granted for the same, the Rate agreed on, and also that the Lender or Lenders shall at any Time, upon giving Three Months previous Notice, be entitled to the Repayment of the Sum or Sums so lent, or, failing such Repayment, to Interest for the same at the Rate of Five Pounds *per Centum per Annum* from the Expiry of the said Three Months after the Notice so given.

Trustees not personally liable.

LXXVI. And be it further enacted, That the said Trustees shall not be held or adjudged to have rendered themselves personally liable for the Repayment of any Money, or Interest thereof, by reason of having signed the said Securities, but which Securities are to be held as granted on the sole Credit and Security of the said Harbours and other Works, Rates and Duties; nor shall any Trustee be held personally liable, upon any Pretext, for the Payment of any Sum which he shall not have bound himself to pay personally as an Individual, independently of his Office as a Trustee under this Act.

Accounts to be kept, which shall be open to the Inspection of the Trustees and Creditors.

LXXVII. And be it further enacted, That the said Trustees shall, and they are hereby required to order and direct a Book or Books to be provided by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Harbours, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Rates and Duties hereby granted, without Fee or Reward; and the said Trustees or Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees or Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in Manner hereinafter mentioned.

Clerk to make up Statement of Harbour Funds annually.

LXXVIII. And be it further enacted, That the Clerk of the said Trustees shall make up annually from the Book or Books to be kept by him as aforesaid, a Statement of his Accounts and Intromissions with the Rates and Duties and other Funds belonging to or vested in the said Trustees, and which Statement shall be laid before the said Trustees at their stated Meeting in the Month of *March* annually, for the Purpose of being audited and settled by the said Trustees, and which Statement, when so revised and approved of by the said Trustees, shall be lodged in the Town Hall of *Peterhead*, under the Charge of the Baron Bailie or Bailies thereof for the Time being, for the Inspection

spection of such Feuars and Burgesses of the said Town as may be at any Time entitled to vote at the Election of Trustees, to whom such Statement shall be open and patent, without any Fee to be charged on that Account, for the Space of Three Weeks immediately preceding the Annual General Meeting of Feuars and Burgesses to be held on the First *Tuesday* of *June:* Provided always, that Three Days Notice shall be given by the said Clerk, by Tuck of Drum through the said Town of *Peterhead*, of the Day on which the Statement of his Accounts is to be lodged by him as aforesaid.

Trustees may take Materials, &c., paying Damages.

LXXIX. And be it further enacted, That the said Trustees, or such Person or Persons as they shall appoint, may dig, gather, quarry, take, and carry away any Gravel, Stones, or such like Materials, for the Purposes of this Act, out of any Grounds where the same may be found, within Five Miles from the said Town (such Materials or Stones not having been dug, quarried, or raised for the Use of the Proprietors of such Grounds), and to open Accesses for carrying off the said Materials and Stones; such Accesses, and the Places from whence the said Materials and Stones shall be proposed to be taken, being first marked out by any Three or more of the said Trustees, after Notice in Writing given by them, or Intimation before Two Witnesses, or by some Person by their Order, to the Proprietor of such Grounds, or his, her, or their Factor, and to the Occupier thereof, Three Weeks previous to marking out the same; the Trustees making reasonable Satisfaction, if demanded, to the Owners and Occupiers of such Grounds respectively from which the Materials or Stones shall be taken, or over which the same may be carried, for the Damages to be done thereby, and for the Value of such Materials or Stones; but if such Proprietor, Factor, or Occupier shall not be satisfied with the Compensation offered by the said Trustees, the same shall be ascertained by a Jury, in Manner hereinafter mentioned.

Notice to be given before Materials are taken away.

LXXX. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons under the Authority of this Act, to dig, gather, quarry, take, and carry away Materials for the Purposes of this Act from any inclosed Lands or Grounds, until either the Consent of the Proprietors is obtained, or Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before Two Justices of the Peace acting for the County within which the Materials are, to show Cause why such Materials should not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, such Justices shall, if they think proper, authorize such Surveyor or other Persons to dig, gather, quarry, take, and carry away such Materials, at such Time or Times as to such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or Agent, such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended.

LXXXI. And

Map, &c. to remain with Clerk of the Peace, and to be open to Inspection.

LXXXI. And whereas a Map or Plan of the several Houses, Buildings, Lands, and Tenements, which will be affected by the Improvement of the said Harbours, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Houses, Buildings, Lands, and Tenements, have been deposited with the Clerk of the Peace of the County of *Aberdeen*, within which the said Harbours are situated; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all seasonable Times have Liberty to inspect the same and to take Copies or Extracts thereof, paying to the said Clerk the Sum of One Shilling for each Inspection of the same; and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts.

Misnomers not to prevent taking Lands, &c.

LXXXII. Provided always, and be it enacted, That it shall and may be lawful for the said Trustees to acquire and take the several Houses, Buildings, Lands, and Tenements delineated and described in the said Map or Plan and Book of Reference, although the Name or Names of the Person or Persons to whom the same or any of them belong may happen to be mistaken or omitted in such Map or Plan, or in such Book of Reference, or in the Schedule (D.) hereunto annexed as aforesaid, in case it shall be made to appear to Two or more Justices of the Peace for the said County of *Aberdeen*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

No House, &c., except those described in the Map or Plan, to be taken without Consent.

LXXXIII. Provided also, and be it enacted, That nothing herein contained shall authorize and empower the said Trustees, or any Person or Persons acting by or under their Authority, to take, use, injure or damage, for the Purposes of the said Harbours or other Works, or for any other the Purposes aforesaid, any House or other Building which was erected or built at or before the passing of this Act, or any Lands, Grounds or Tenements, without the Consent in Writing of the Owners and Occupiers thereof, and Persons interested therein respectively, other than and except those delineated on the Map or Plan before mentioned, and belonging to the Persons specified in Schedule (D.) hereunto annexed.

Limitation of Power to purchase.

LXXXIV. Provided always, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Houses, Tenements, or other Heritages delineated and described in the said Map or Plan within the Space of Five Years from and after the passing of this Act, it shall not be afterwards lawful for the said Trustees to purchase any of the said Lands, Houses, Tenements, or other Heritages so remaining unpurchased, without the Consent in Writing of the Owner or Owners thereof first had and obtained.

Trustees to purchase Lands, &c.

LXXXV. And be it further enacted, That the said Trustees shall have Power and Authority to contract and agree, or to employ any Person or Persons to contract and agree with the Owner or Owners, Occupier or Occupiers of all such Houses, Buildings, Lands, or Tenements, in or near the Harbours of *Peterhead*, as they shall conceive it necessary to employ, pull down, remove, alter,

alter, or make use of, in and about the Works or Concerns of the said Harbours, or for the Purpose of enlarging and improving the same.

Bodies Politic empowered to sell and convey.

LXXXVI. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, furious or fatuous Persons, married Women, and to and for any other Person or Persons whomsoever under any legal Disability or Incapacity whatsoever, who are or shall be seized, possessed of, or interested in any of the said Lands, Houses, Buildings, Tenements, and other Heritages, whether by Title held by Fee Simple, or under Entail, or otherwise, to contract and agree for, sell and convey to the said Trustees all or any such Lands, Houses, Buildings, Tenements, or other Heritages, or any Part thereof, for the Purposes aforesaid; and all such Contracts, Agreements, Sales, and Conveyances shall be valid and effectual in Law to all Intents and Purposes, any Law, Statute, Usage, or any Matter or Thing to the contrary notwithstanding; and all Trustees, Heirs of Entail, Tutors or Curators, Corporations, Proprietors, Incumbrancers, and all other Persons aforesaid, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Sheriff to summon a Jury to fix the Value of Lands, Houses, &c.

LXXXVII. And be it further enacted, That if the said Trustees shall not come to an Agreement with the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, Trustee or Trustees, Heirs of Entail, or Tutors and Curators, Bodies Politic, Corporate, or Collegiate, or any other Person or Persons interested as aforesaid, for the Value of the Grounds from which the said Stones, Gravel, or other Materials shall be taken, or over which the same shall be carried, for the Damages to be done thereby, or for the Houses, Buildings, Lands, or Tenements described in the before-mentioned Map or Plan and Book of Reference, and the Names of the Owners and Occupiers of which are contained in the said Schedule (D.) hereunto annexed, which the said Trustees shall conceive necessary to employ, pull down, remove, alter, or make use of, in and about the Works and Concerns of the said Harbours, Application shall be made to the Sheriff Depute of the County of *Aberdeen*, or his Substitute, to summon a Jury, in order to value the Stones, Gravel, or other Materials, the Damage or Loss arising from the Carriage or Removal thereof, or to fix the Value of the said Houses, Buildings, Tenements, and others, which may be required for the Purposes aforesaid; and the said Sheriff Depute or his Substitute is hereby empowered and required, upon Application, to order Notice thereof to be given to the Owner or Owners, Occupier or Occupiers of such Grounds, and afterwards to issue a Summons, in the usual Manner, for calling together and impannelling a Jury, consisting of Fifteen Persons in Number, to examine into, and after such Examination to return a Verdict upon Oath as to the Value of such Stones, Gravel, or other Materials, and the Damages sustained by the Proprietors of such Grounds, and to fix the Value of the said Houses, Buildings, Tenements, and others, as aforesaid; and after a Verdict is pro-

nounced as aforesaid, the said Sheriff Depute or his Substitute is hereby required to adjudge Payment of the Value of such Stones, Gravel, or Materials, of the Amount of the Loss or Damage thereby incurred, and of the Value of such Houses, Buildings, Tenements, and others awarded to the Persons having a Right thereto; and upon Payment being made by the said Trustees, out of the Money raised by virtue of this Act, of the Sum awarded to the Party or Parties interested, or Consignation of the Sum in any of the Public Banks of *Scotland*, the said Trustees shall from thenceforth have Right to take and use such Stones, Gravel, or Materials, and convey the same over such Grounds, and the said Houses, Buildings, Tenements, and others shall respectively belong to the said Trustees as fully and effectually as if the respective Proprietors had disposed and conveyed, or had resigned the same to and in favour of the said Trustees; and it shall then, and not before or otherwise, be lawful to and for the said Trustees to enter upon the Premises, and to convert and dispose of the same for the Purposes of this Act; and the said Proceedings and Orders of the Sheriff Depute or his Substitute shall be final and conclusive, without being subject to Review, Advocation, Suspension, or otherwise howsoever.

Penalty in case of Default of Sheriff, Jury, Witnesses, &c.

LXXXVIII. Provided also, and be it enacted, That if such Sheriff Depute or Substitute shall make Default in the Premises, he shall for every Offence forfeit a Sum not exceeding Twenty Pounds Sterling; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing refuse to be sworn or examined, or to give Evidence, every Person so offending respectively, having no reasonable Excuse to be allowed by the said Sheriff, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds Sterling, to be levied in virtue of any Warrant or Warrants under the Hands of the said Sheriff, by Distress and Sale of the Goods and Effects of the Person or Persons so offending, rendering the Overplus to the Owners thereof, after such Penalty and the Charges of such Distress and Sale shall be deducted; and if any Person or Persons who shall have incurred such Forfeiture for not appearing or for refusing to give Evidence as aforesaid shall again be summoned, and not appearing, or appearing refuse to give Evidence, the said Sheriff may and he is hereby empowered to grant Warrant or Warrants for imprisoning such Person or Persons until he, she, or they shall severally give sufficient Security, under the Penalty of Twenty Pounds Sterling, to appear and give Evidence as aforesaid; and in case the Person or Persons so summoned to give Evidence do not reside within the County within which such Lands, Tenements, or Heritages in question are situated, Letters in Supplement shall be issued from the Court of Session for summoning and compelling the said Person or Persons to appear and give Evidence, by every Method known and practised in the Courts of that Part of *Great Britain* called *Scotland*.

LXXXIX. And

Penalty on giving false Evidence.

LXXXIX. And be it further enacted, That all and every Person or Persons, who in any Examination to be taken in virtue of this Act shall give false Evidence before the said Sheriff, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such Punishment and Disqualification as any Person or Persons can or may be subject to for wilful and corrupt Perjury by the Laws and Practice of *Scotland*.

Verdicts to be recorded.

XC. And be it further enacted, That every Verdict shall be kept by the Sheriff Clerk, or other Person having the Custody of the Records of the County in which such Verdict shall be given, and shall be deemed to be Records of such County, to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatever; and all Persons shall have Liberty to inspect the same, paying the Sum of Sixpence for every Seventy-two Words of such Copies, and so on in Proportion for any greater or less Number of Words.

Expences of Jury.

XCI. And be it further enacted, That all the Expences of causing and procuring such Satisfaction, Recompence, or Compensation to be assessed and awarded as aforesaid, and of assessing and awarding the same, shall be settled by the Sheriff Depute or Substitute for the County or Place in which such Assessment or Award shall be made, not interested in the Matter in question, who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose; and such Expences shall be paid as hereinafter mentioned; that is to say, if a Verdict shall be given for a greater Sum, as a Satisfaction for the absolute Sale of any Houses, Buildings, Lands, Tenements, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or as a Compensation or Recompence for any Damage done or to be done to any Houses, Buildings, Lands, or Tenements as aforesaid respectively, than shall have been previously offered by or on behalf of the said Trustees, or if a Verdict shall be given for any Sum or Sums of Money as a Compensation for any Damages when the Dispute is about Damages only, and where no Compensation shall have been previously offered by or on the behalf of the said Trustees, or in case, by reason of Absence or other Impediment or Disability, there shall not be found any Person or Persons legally capacitated to contract with and make Conveyance to or receive Compensation from the said Trustees, then such Expences shall be paid by the said Trustees; and in case such Costs and Expences shall not be paid to the Party entitled to the same within Ten Days after the same shall be demanded, then the same shall and may be levied by Distress and Sale of any Goods and Effects vested in the said Trustees, or of their Collector or Collectors, under a Warrant to be issued for that Purpose by any Justice of the Peace for the County or Place for which the same shall lie, which Warrant any such Justice is hereby authorized and required to issue under his Hand, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; and if any Verdict shall be given for the same or for a less Sum of

Money

Money than shall have been previously offered by or on behalf of the said Trustees for Damages only, One Moiety of the said Expences shall be paid by the said Trustees, and may be recovered in Manner aforesaid, and the other Moiety thereof shall be paid by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, entitled to claim such Satisfaction, Recompence, or Compensation, and the said Trustees are hereby authorized and empowered to deduct and retain the said Moiety of the said Expences out of the Sum or Sums of Money so to be assessed or awarded as aforesaid, or out of any Part thereof, and the Payment or Tender of the Remainder of all such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed or awarded as aforesaid; and in case no Damages shall be given by any Verdict where the Dispute is for Damages only, such Expences shall be paid by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, claiming Damages, and shall be recovered by the said Trustees in the same Manner as is hereinafter provided for the Recovery of any Penalty or Forfeiture incurred by or under this Act.

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

XCII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Grounds taken or used by virtue of the Powers of this Act for the Purposes thereof, which are held under Entail, or are subject to Life-rents, Annuities, or other Incumbrances, or shall belong to any Corporation having no Power voluntarily to dispose of the same, married Woman, Infant, Lunatic, or Person or Persons under Disability or Incapacity, such Money shall, in case the same amount to the Sum of Two hundred Pounds, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Manner by the Person or Persons who would have been entitled to the Rents and Profits of the said Grounds, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Parts thereof as the Court shall authorize to be paid, affecting the said Grounds, or affecting other Grounds standing settled therewith to the same or like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Grounds which shall be so taken or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and till such Purchase shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the

the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Grounds from which such Stones, Gravel, or other Materials shall be taken, or to which such Damage shall be done, in case such Purchase or Settlement were made.

If less than 200*l.* and above 20*l.*

XCIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Grounds taken or used for the Purposes aforesaid, and belonging to any Corporation having no Power voluntarily to dispose of the same, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Grounds so taken or used, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, under the like Direction and Authority, to be paid into either of the Banks, and to be placed to his or their Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Two or more of the said Trustees, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such principal Money and the Interest arising thereon may be applied in the Manner before directed, as far as the Case may be applicable.

If under 20*l.*

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

In case of not making out Title, &c.

XCV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded as aforesaid, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Grounds be not known or discovered; then and in every such Case it shall and may be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be put into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, to the Credit of the Parties interested in the said Grounds (describing them), subject to the Order, Controul, and Disposition of the Court of Session,

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

Where Questions arise touching the Title.

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

Expences in case of Disability.

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

Notice of Injury to be given before Complaint is made to the Sheriff.

XCVIII. And be it further enacted, That no Sheriff shall be obliged or allowed by this Act to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained or supposed to be sustained by virtue or in consequence of this Act, unless Application in Writing shall have been made in relation thereto by or on behalf of such Person or Persons to the said Trustees, or the

Overseer of the Works residing nearest to the Place where the Cause of such Complaint shall arise, Ten Days at least before such Complaint shall be made to the said Sheriff, within the Space of Three Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Power to enter and take Possession of Lands on paying or tendering the Purchase Money.

XCIX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in Manner aforesaid, for the Purchase of any such Property, or as a Compensation for Damages as herein mentioned to the Proprietor or Proprietors of such Property, or to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within One Calendar Month after the same shall have been so agreed for or assessed; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, then upon Payment of the said Sum or Sums of Money within the said Calendar Month into the Bank of *Scotland*, the Royal Bank of *Scotland*, or Bank of the *British* Linen Company, in Manner as before directed, to the Credit of the Parties interested in the said Property, but not before, it shall and may be lawful to and for the said Trustees, or their Agents, Workmen, and Servants, immediately thereafter to enter upon such Property, and then and thereupon such Lands, Grounds, Tenements, and other Heritages, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Trustees, their Successors and Assignees, to and for the Purposes of this Act, for ever; and such Tender or Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Terce of the Widow of any such Person, and all entailed Estates and other Estates, and every other Person whomsoever therein: Provided nevertheless, that before such Payment or Tender as aforesaid, it shall not be lawful for the said Trustees, or any Person or Persons acting under their Authority, to dig or cut the Lands or Grounds, or take down, remove, or otherwise affect any Tenement or other Heritage of the Person or Persons entitled to such Payment, for the Purposes of the said Harbours and other Works, without the Leave and Consent of such Person or Persons respectively.

Act may be pleaded in Justification.

C. And be it further enacted, That no Suit shall be commenced against the said Trustees, or any Person or Persons employed by them in the Execution of this Act, for any thing done in pursuance thereof, after Six Calendar Months after the Fact committed, or Cause of Action occurred, for which such Suit or Action shall be brought; and the Defender or Defenders in such Suit or Action may produce and plead this Act in Justification; and if it shall appear that he, she, or they have acted agreeably thereto, they shall be

be absolved or acquitted, and Treble Costs shall be awarded to be paid to them by the Prosecutor or Prosecutors of such Suit or Action.

In case of Nonpayment of Compensation for Damages done by Trustees.

CI. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Trustees or their Collector or Collectors, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Effects vested in such Trustees by virtue of this Act, or of the Goods and Effects of their Collector or Collectors for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his or their Hands, on Application made to him or them for that Purpose by the Person or Persons entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Collector or Collectors for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Collector or Collectors to retain, out of any Monies which he or they shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he or they shall have sustained or be put unto or by virtue of any such Warrant as aforesaid.

Notice how to be served on Trustees.

CII. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon the said Trustees, or any Citation or Summons or other legal Proceedings, the Service upon any One of the said Trustees, or left at his last or usual Place of Abode, or upon the Collector or Collectors of the said Trustees, or any One of them, or at the Office of the said Collector or Collectors, or left at his last or usual Place of Abode, or at the Office of the said Trustees; or in case the same respectively shall not be found or known, then Service upon any Agent or other Officer employed by the said Trustees, or left at his last or usual Place of Abode, shall be deemed

deemed good and sufficient Service of the same respectively on the said Trustees.

Proceedings not to be quashed for Want of Form only.

CIII. And be it enacted, That no Order, Verdict, Judgment, or other Proceeding, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Advocation, Suspension, or by any other Process whatsoever, to the Court of Session; any Law or Statute to the contrary notwithstanding.

Testimony of Officers competent.

CIV. And be it further enacted, That no Person or Persons shall be deemed incompetent to give Evidence in any Causes and Matters which shall be heard and determined relative to this Act, by reason only or on account of such Person or Persons acting officially under the Appointment of the said Trustees.

Limitation of Actions.

CV. And be it enacted, That all Actions and Complaints for all and every the Penalties and Forfeitures imposed by this Act, or for any Wrong done or Injury suffered in any Matter relative thereto, or in consequence of the Powers by this Act given and granted, shall be commenced within the Space of Six Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury suffered, and not afterwards.

Recovery and Application of Penalties.

CVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Collector, Treasurer, or Clerk appointed by them, to prosecute for and recover the several Fines, Penalties, Damages, and Costs of Suit by this Act imposed, by Action or Complaint, within Six Months after the Offence is committed, before the Baron Bailies of *Peterhead*, or any of them, or any One or more of the Justices of the Peace for the County of *Aberdeen*, although the said Bailies or Justices should be Trustees under this Act; and such Bailies or Justices shall proceed to the Trial of such Offences in a summary Way; and upon Conviction of the Offenders, either by their own Confession, or by the Oath of any One or more credible Witnesses, shall award and give Orders, Judgments, and Decrees, as to them shall seem most agreeable to the true Intent and Meaning of this Act; and in Default of Payment of the several Fines, Penalties, Forfeitures, Damages, and Costs of Suit awarded, the Person or Persons shall and may be committed to the Gaol or House of Correction nearest to the Place where the Offender or Offenders shall be tried, there to be detained for such Time as the said Baron Bailies or Bailie, Justice or Justices, shall direct, not exceeding Three Months; and the whole Fines, Penalties, and Forfeitures aforesaid, after Deduction of the necessary Charges of recovering them, shall be applied towards the building, erecting, and maintaining of the Works of the said Harbours, and to no other Use or Purpose whatever: Provided always, that it shall and may be lawful to and for the said Baron Bailie or Baron Bailies, Justice or Justices as aforesaid, by whom such Judgment, Sentence, or Determination shall be given, to mitigate or lessen any of the Penalties aforesaid

Power to mitigate Penalties.

aforesaid as he or they shall think fit, and every such Mitigation shall be a sufficient Discharge to the Person or Persons offending for so much of the said Penalties and Forfeitures as may be mitigated or remitted.

Appeal to Quarter Sessions allowed.

CVII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Decision, Warrant, or Order of the said Bailies, or any Justice or Justices of the Peace for the said County, in the Execution of this Act, or by any Bye Law or Regulation made in pursuance of the Powers by this Act granted, it shall be competent to such Person or Persons to apply for Redress by way of Appeal either to the Sheriff of the County of *Aberdeen*, or to the Justices at the Quarter Sessions of the Peace for the said County; providing that such Appeals or Applications for Redress shall be entered within Eight Days after the Decision of the said Bailie or Bailies, Justice or Justices, shall have been given, and that Security for the Payment of the Costs and Issue of Suit shall have been given by the Party appealing or applying for Redress; and the said Sheriff, or the said Justices in their Quarter Sessions, shall in all Cases proceed and determine summarily; and their Decision shall be final and conclusive, without being subject to the Review of any Superior Court by Suspension, Advocation, or Reduction, or to any Stay or Challenge by any other Process of Law whatsoever, any Law or Practice to the contrary notwithstanding.

Committee may be appointed for the Purposes of this Act.

CVIII. And be it enacted, That the said Trustees shall have Power and they are hereby authorized from Time to Time to appoint a Committee of their Number, consisting of not less than Three, with Power to execute any of the Purposes of this Act which it may be deemed expedient to commit to their Charge.

Power to make Bye Laws.

CIX. And be it further enacted, That the said Trustees shall have Power and Authority to make such Bye Laws, New Rules, Orders, and Regulations for the better regulating and managing of the Affairs of the said Harbours, and of the Treasurers, Clerks, Collectors, Harbour Masters, Birthing Masters, Dock Masters, Officers, Assistants, Servants, Workmen, and others appointed or employed by them under or by virtue of this Act; and for the better regulating of the said Harbours, and the removing or stationing of the Vessels therein; and for well governing and discharging and managing of the Officers and Crews of such Vessels as may resort to, or seek Shelter in, or use the said Harbours, Piers, Quays, Wharfs, Docks, or Landing Places; and for the better regulating and managing the several Works, Matters, and Things by this Act authorized or directed to be made, done, and constructed, as well while the same are in Progress as after they shall be completed; and for the whole complete and total Management and Superintendance of the said Works, and the Rates and Wages to be paid to the Officers and Servants employed under Authority of this Act, as to the said Trustees shall seem meet; and to impose and inflict such reasonable pecuniary Fines or Forfeitures upon all Persons who shall offend against

against any such Bye Laws, Rules, Orders, and Regulations, as to the said Trustees shall seem meet, not exceeding the Sum of Five Pounds Sterling for One Offence, to be recovered in Manner hereinbefore directed; which said Bye Laws, Rules, Orders, and Regulations, and all Alterations thereof, being reduced into Writing, shall be binding upon and observed by all Parties using or in any way concerned in the said Harbours, and the Piers, Quays, Docks, Wharfs, and other Works thereof, and shall be sufficient in any Court of Law to justify all Persons who shall act under the same; provided that they be not inconsistent with or repugnant to the Laws of this Realm, or to the Provisions and Directions in this Act contained, or to any of them; and provided that Copies of such Rules, Orders, and Bye Laws, or such of them as shall concern or relate to the using of the said Harbours and Works, or to the Conduct and Behaviour of Sailors, Boatmen, Watermen, Fishermen, Porters, Carters, Carmen, and others carrying Goods within, or upon, or otherways using the same, or to the Conduct and Behaviour of any Officers, Servants, or other Persons employed in or about the said Harbours and Works, or of the Persons resorting to or making use thereof, shall be published once at least in some one Newspaper printed in the County of *Aberdeen*, and shall be painted on a Board or Boards in legible Characters, and placed and kept up in some conspicuous Place or Places within the said Harbour; and such Boards and Painting shall be renewed from Time to Time by the said Trustees, when destroyed, obliterated, or defaced.

Penalty on Persons defacing Boards.

CX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon any Rule, Order, Regulation, or Bye Law of the said Trustees shall be painted, such Person or Persons shall, upon Conviction, for each Offence forfeit and pay to the said Trustees any Sum not exceeding Five Pounds, to be levied and applied as other Penalties are by this Act directed to be levied and applied.

Expences of Act.

CXI. And be it further enacted, That the Charges and Expences of procuring and passing this Act shall be paid and defrayed out of the first and readiest of the Funds of the said Harbours.

Act not to abridge Rights.

CXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, alter, abridge, lessen, change, or intrude upon the Rights, Jurisdiction, Power, or Authority of the Governors of the said *Maiden Hospital*, founded by the Company of Merchants of the City of *Edinburgh*, and *Mary Erskine*, Superiors of the Town, and Proprietors of the Estate of *Peterhead*, or the Bailies and Public Managers of *Peterhead*, and Community of Feuars thereof, in and about or concerning the said Harbours of *Peterhead*, or the Piers, Quays, Docks, and other Works built or to be built as aforesaid; nor to take away, abridge, lessen, or intrude upon the private Rights, Privileges, and Property of any Person or Persons whomsoever, but that the same shall remain as entire and effectual, to all Intents and Purposes, as

as if this present Act had not been made; and also saving and reserving to the said Bailies and Public Managers, and other Person or Persons, all their legal Rights and Interest in the Premises foresaid.

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

SCHE-

SCHEDULE (A.) to which this Act refers.

DUTIES ON GOODS.

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
A				
Alabaster - - - -	per Ton - -	0	2	0
Ale, Strong - - - -	per 50 Gallons -	0	0	9
Almonds. See *Grocery.*				
Alum, Rock - - - -	per Cwt. - -	0	0	1¾
Anchors - - - - -	per Ton - -	0	3	0
Animals. See *Cattle.*				
Anvils - - - - -	per Cwt. - -	0	0	1½
Apples. See *Fruit.*				
Argol - - - - -	per Cwt. - -	0	0	1¾
Arquebusade Water - - -	per Gallon -	0	0	0½
Ashes, all Kinds - - -	per Cwt. - -	0	0	1¾
B				
Bacon or Hams - - - -	per Cwt. - -	0	0	2¼
Barilla - - - - -	per Ton -	0	3	0
Bar Iron. See *Iron.*				
Bark, Oak - - - -	Ditto - -	0	2	0
Quercitron - - -	Ditto - -	0	2	8
Barley or Bear. See *Corn.*				
Barley and all other Grotts - -	per Cwt. - -	0	0	1¾
Barley or Bear Meal. See *Corn.*				
Barrels, empty Herring - - -	per Barrel - -	0	0	1½
with Fish, Beef, Pork, &c. -	Ditto - -	0	0	4½
Baskets under 12 Inches Diameter -	per Dozen - -	0	0	6
above 12 Inches Diameter -	Ditto - -	0	1	0
Basket Rods - - - -	per Barrel Bulk -	0	0	4½
Beans. See *Corn.*				
Bedstead or Sofa - - -	Ditto - -	0	0	4½
Beef or Pork - - - -	per Cwt. - -	0	0	2¼
Beer, all Kinds, except Black - -	per 50 Gallons -	0	0	9
Black - - - -	per Keg of 4 Gallons -	0	0	1
Berries. See *Fruit.*				
Billiard Table - - - -	per Barrel Bulk -	0	0	4½
Birds, Singing - - - -	Each - -	0	0	3
Pigeons - - -	per Dozen - -	0	0	6
Quails - - - -	Ditto - -	0	1	0
Partridges - - -	Each - -	0	0	2
Pheasant - - - -	Ditto - -	0	0	4
all not mentioned - -	- - -	0	0	1
Biscuit - - - - -	per Cwt. - -	0	0	4½
Blacking - - - -	Ditto - -	0	0	6
Black Lead. See *Lead.*				
Bleaching Salts - - - -	Ditto - -	0	0	2¼

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Blubber	per Ton of 252 Imperial Galls.	0	3	7
Bones of Cattle, &c.	per Ton	0	1	6
Books, bound	per Barrel Bulk	0	0	8
unbound	Ditto	0	0	4½
old	Ditto	0	0	4½
Bottles, Green or Common	per 6 Dozen Quarts and proportionally	0	0	4½
Earthen or Stone	Ditto	0	0	4½
not enumerated	per 10*l.* Value	0	1	0
broken	per Ton	0	0	6
full, in Hampers	per 6 Dozen Quarts and proportionally	0	0	9
Boxwood	per Cwt.	0	0	1¾
Bran	per Quarter	0	0	2
Brandy. See *Spirits.*				
Brass	per Cwt.	0	0	2
Bricks	per 1000	0	1	0
Brimstone	per Cwt.	0	0	1¾
Bristles	Ditto	0	0	9
Brooms, common	per Dozen	0	0	1½
Bullrushes	per Cwt.	0	0	8
Bulls. See *Cattle.*				
Butter	Ditto	0	0	2¼
C				
Calves. See *Cattle.*				
Calves Velves	per Cwt.	0	0	2¾
Candles	Ditto	0	0	4
Canvass. See *Cloth.*				
Cane Reeds	per 200	0	1	0
Carboys	Each	0	0	4
Cards, Tow, Wool, or Blackbacks	per 6 Dozen	0	0	4
Small Factory	per 8 Dozen	0	0	4
in Package	per Barrel Bulk	0	0	4½
Card Tables	Ditto	0	0	4½
Carriages, 4 Wheels	Ditto	0	0	4½
2 Wheels	Ditto	0	0	4½
Carpets. See *Cloth.*				
Carrots	per Ton	0	0	8
Carraway Seeds. See *Seeds.*				
Casks, 32 Gallons or above, empty	per 10 Gallons	0	0	0¾
under Ditto, empty	Ditto	0	0	0¾
Cattle, viz. Bulls	Each	0	1	0
Cows	Ditto	0	1	0
Calves	Ditto	0	0	6
Horses	Ditto	0	2	0
Ponies under 12 Hands	Ditto	0	1	0
Ass or Mule	Ditto	0	1	0
Oxen	Ditto	0	1	0
Pigs	Ditto	0	0	3
Sheep	Ditto	0	0	3
Lambs	Ditto	0	0	2
all not enumerated	Ditto	0	0	2

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
Caviare - - - -	per Cwt. - -	0	0	3
Cement - - - -	Ditto - -	0	0	1¾
Chairs, Mahogany - - -	per Chair - -	0	0	2
Sedan - - -	Ditto -- -	0	2	0
others - - - -	Ditto - -	0	0	2
Chalk - - - -	per Ton - -	0	1	6
Cheese - - - -	Ditto - -	0	3	0
Chesnuts - - - -	per Cwt. - -	0	0	4½
Chimney Tops - - -	per 1*l.* Value - -	0	0	6
Chocolate - - - -	per Cwt. - -	0	1	0
Cider - - - -	per 50 Gallons - -	0	0	9
Cinders and Charcoal - -	per 3 Bushels - -	0	0	1
Cinnamon. See *Grocery.*				
Clay, viz. China or Stone - -	per Ton - -	0	0	6
Pipe - - - -	Ditto - -	0	0	6
Clocks - - - -	Each - -	0	1	0
Cloth, brown or bleached Linens -	per Piece - -	0	0	1½
Osnaburgs - - -	Ditto - -	0	0	1½
Sheeting - - -	Ditto - -	0	0	1½
Dowlas - - -	Ditto - -	0	0	1½
Ducks - - - -	Ditto - -	0	0	1½
Raven Ducks - -	Ditto - -	0	0	1½
Ticklenburgs - - -	Ditto - -	0	0	1½
Drillings - - -	Ditto - -	0	0	1½
Shirtings - - -	Ditto - -	0	0	1½
Silesia - - - -	Ditto - -	0	0	1½
Sailcloth or Canvass - -	per Bolt - -	0	0	1
Bagging of all Kinds, 34 Inches or under - - -	per Piece - -	0	0	1
Bagging of all Kinds, above 34 Inches - - -	Ditto - -	0	0	1½
Pimento Bagging - -	Ditto - -	0	0	1½
Tarpaulings - - -	Ditto - -	0	0	1½
Browns - - -	Ditto - -	0	0	1½
N. B. Linens cut shorter to pay in proportion.				
Sacks made - - -	per 20 - -	0	0	1
Clothiery, superfine - -	per Barrel Bulk -	0	0	9
Ditto, other Qualities - -	Ditto - -	0	0	4½
Haberdashery, comprehending Cotton Goods, &c. - -	Ditto - -	0	0	4¼
Silks - - - -	Ditto - -	0	0	9
Hosiery - - -	Ditto - -	0	0	4½
Clover Seeds. See *Seeds.*				
Coaches, Chaises, and Gigs. See *Carriages.*				
Coals, Scotch - - -	per Ton - -	0	1	0
English - - -	per 2 Bushels - }	0	0	1
Smithy - - - -	Ditto - - }			
Cochineal - - - -	per Cwt. - -	0	1	4
Cocoa - - - - -	per Ton - -	0	4	0
Cocoa Nuts - - - -	per 100 - -	0	0	4
Codilla - - - -	per Ton - -	0	2	6
Coffee - - - -	per Cwt. - -	0	0	3
Confections, all kinds - -	per Barrel Bulk -	0	0	4

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Copper - - - -	per Ton - -	0	3	0
old - - - -	Ditto - -	0	2	0
Ore - - - -	Ditto - -	0	0	8
Copperas - - -	per Cwt. - -	0	0	1¾
Colours - - - -	Ditto - -	0	0	1¾
Coral - - - -	Ditto - -	0	0	8
Cordage - - - -	per Ton - -	0	3	0
old, not in use - -	Ditto - -	0	2	0
Cordial Waters - - -	per Gallon - -	0	0	1
Cork - - - -	per 70lbs. - -	0	0	4½
Corks - - - -	per Barrel Bulk -	0	0	4½
Corn and Meal, viz.				
Barley and Bigg - -	per Quarter - -	0	0	3½
Ditto Shelled and Pearl - -	Ditto - -	0	0	3½
Beans - - - -	Ditto - -	0	0	3½
Ditto French - -	Ditto - -	0	0	3½
Indian Corn - - -	Ditto - -	0	0	3½
Ditto Meal - - -	per 10 Stones -	0	0	1½
Malt - - - -	per Quarter - -	0	0	3½
Oats - - - -	Ditto - -	0	0	3½
Oatmeal - - -	per 10 Stones -	0	0	1½
Pease - - -	per Quarter - -	0	0	3½
Ditto split - - -	per Quarter - -	0	0	3½
Rye - - - -	Ditto - -	0	0	3½
Wheat - - - -	Ditto - -	0	0	3½
Flour - - - -	per Sack - -	0	0	4½
Cotton Cloth. See *Cloth*. See *Haberdashery*.				
Cotton Wool, &c. - - -	per 80 Imperial Pounds	0	0	4½
Cow, Ox, or Bull's Hair. See *Hair*.				
Cows. See *Cattle*.				
Cranberries. See *Berries*.				
Crystal - - - -	per Barrel Bulk -	0	0	4½
Culm. See *Coals*.				
Currants. See *Grocery*. - -				
D				
Dogs - - - -	Each - -	0	1	0
Drawers, Chest of - - -	per Barrel Bulk -	0	0	4½
Drugs - - - -	Ditto - -	0	0	9
Dung and other Manure - -	per Ton - -	0	0	6
E				
Earthenware - - -	per Barrel Bulk -	0	0	3½
Ebony. See *Wood*.				
Eggs - - - -	Ditto - -	0	0	4½
Elephants' Teeth - - -	per Cwt. - -	0	0	8
Emery Stones - - -	Ditto - - -	0	0	1½
F				
Feathers - - - -	per 80 Imperial Pounds	0	0	4½
Figs. See *Grocery*.				
Fish Oil. See *Oil*.				
Fish, salted and dry - -	per Barrel salted -	0	0	4½
	per Cwt. dry -	0	0	2¼
in Bulk, salted - - -	per 100*l*. Value -	1	5	0

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Flax - - - -	per Cwt. - - -	0	0	2½
Flower Roots - - -	per Barrel Bulk -	0	0	4½
Flint Stones - - - -	per Ton - -	0	0	6
for Potters. See *Stones.*				
Flour. See *Corn.*				
Fruit, viz. Apples - - -	per Bushel - -	0	0	3
Pears - - - -	Ditto - -	0	0	3
Plums - - -	per Barrel Bulk -	0	0	8
Cherries - - -	per Bushel - -	0	0	3
Grapes - - -	per Cwt. - -	0	0	3
Nuts (except Cocoa) - -	per Barrel Bulk -	0	0	4½
Melons - - -	Each - -	0	0	0½
Peaches - - -	per 100 - -	0	0	2
Berries - - -	per Barrel Bulk -	0	0	8
all not enumerated - -	per 10*l.* Value -	0	0	10
Furniture, Household - - -	per Barrel Bulk -	0	0	4½
Furriers' Waste - - -	per Ton	0	0	4
G				
Game, viz. Hares - - -	per Score - -	0	3	4
Rabbits - - -	Ditto - -	0	3	4
all others - - -	Ditto - -	0	3	4
Garden Seeds. See *Seeds.*				
Geneva. See *Spirits.*				
Ginger - - -	per Cwt. - -	0	0	6
preserved - - -	Ditto - -	0	1	0
Gingerbread - - -	per Cwt. - -	0	0	4½
Glass, of all descriptions - -	per Barrel Bulk -	0	0	4½
Glue - - - -	per Cwt. - -	0	0	4
Goats' Hair. See *Hair.*				
Grates, Iron, &c. - - -	per Cwt. - -	0	0	3
Grease - - - -	per Ton - -	0	2	6
Grocery, viz. Almonds - -	per Cwt. - -	0	0	3¾
Almonds in Shell - -	Ditto - -	0	0	4¾
Cinnamon - -	per Barrel Bulk -	0	0	4
Currants - -	per Cwt. - -	0	0	1¾
Figs - - -	Ditto - -	0	0	1¾
Pepper - - -	Ditto - -	0	0	3
Pimento - -	Ditto - -	0	0	2
Plums - - -	Ditto - -	0	0	2
Prunes - - -	Ditto - -	0	0	3
Raisins - - -	Ditto - -	0	0	2¼
Gum, Senegal - - -	Ditto - -	0	0	1½
Gunpowder - - -	Ditto - -	0	0	6
H				
Hair, all Kinds - -	per Cwt. baken -	0	0	4½
	Plasterers', per Ton -	0	3	9
Hair Powder - - -	per Cwt. - -	0	0	8
Hardware - - - -	per Barrel Bulk -	0	0	4½
Harpsichord - - -	Ditto - -	0	0	4½
Hats - - - -	Ditto - -	0	0	4½
Hay - - - -	per Load - -	0	2	9
Hemp - - - -	per Ton - -	0	3	6

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
Herrings - - - -	per Barrel - -	0	0	4½
Hides, raw - - - -	per Barrel Bulk -	0	0	4½
tanned. See *Leather*				
Honey - - - -	per Cwt. - -	0	0	3
Hooks - - - -	per 20 Dozen -	0	0	4½
Hoops of Wood - - -	per 1*l.* Value -	0	0	6
of Iron - - -	per Ton - -	0	3	9
Hops - - - -	per Cwt. - -	0	0	6
Horns, Slugs and Tips - - -	per 1000 - -	0	1	8
Horses. See *Cattle.*				
Household Furniture. See *Furniture.*				
I				
Indian Corn, &c. See *Corn.*				
Indigo - - - -	per 100 lbs. -	0	0	4½
Ink - - - -	per Gallon -	0	0	0¼
Iron, viz. Bar, Plate, Bolt, and Rod -	per Ton - -	0	3	0
Forged - - -	Ditto - -	0	3	4
Made Work - - -	Ditto - -	0	5	0
Hoops. See *Hoops.*				
Old - - -	Ditto - -	0	1	3
Cast Iron Goods - -	Ditto - -	0	2	6
Old and Broken Goods -	Ditto - -	0	0	6
Pig - - -	Ditto - -	0	1	6
Wire - - -	per Cwt. - -	0	0	2
Ivory - - - -	Ditto - -	0	0	3
Juniper Berries. See *Berries.*				
Junk, old. See *Cordage.*				
K				
Kelp - - - -	per Ton - -	0	1	6
Kilne Pavement - - -	per 30 Feet -	0	0	4½
L				
Lard - - - -	per Ton - -	0	3	0
Laths. See *Wood.*				
Lead - - - -	Ditto - -	0	3	0
Black - -	Ditto - -	0	3	0
Ore - - -	Ditto - -	0	3	0
Red and White -	Ditto - -	0	3	0
Shot - - - -	Ditto - -	0	3	6
Sugar of - - -	per Cwt. - -	0	0	2
Leather, tanned and dressed - -	Ditto - -	0	0	3
Lemons and Oranges - -	per Chest - -	0	0	4½
Lignum Vitæ - - -	per Ton - -	0	3	0
Lime - - - -	per 2 Bushels Imperial	0	0	0¾
Limes - - - -	per Barrel Bulk -	0	0	4½
Liquorice Root - - -	per Cwt. - -	0	0	2½
Linseed. See *Seed.*				
Oil. See *Oil.*				
Loam - - - -	per Ton -	0	0	4

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
M				
Machinery	per Barrel Bulk	0	0	4½
Mace	per 100 lbs.	0	0	4½
Madder	per Cwt.	0	0	2
Roots	Ditto	0	0	2
Mahogany	per 1*l.* Value	0	0	3
Malt. See *Corn.*				
Manganese	per Ton	0	3	0
Marble	per 100*l.* Value	3	0	0
Matts or Basses, new	per Dozen	0	0	1
old	Ditto	0	0	0½
Medals	per 10*l.* Value	0	0	10
Medicines	per Barrel Bulk	0	0	9
Meal, all Kinds. See *Corn.*				
Mill Waste	per Ton	0	5	0
Mohair Yarn. See *Yarn.*				
Molasses	Ditto	0	3	0
Morels	per Cwt.	0	0	6
Moss, Rock	per Ton	0	2	0
Mum	per Cwt.	0	0	1½
Mustard	per 100 lb.	0	0	4½
N				
Nuts. See *Fruit.*				
Nutmegs	per Cwt.	0	1	4
Nutgalls	Ditto	0	0	4½
O				
Oakum	per Ton	0	6	0
Oats and Oatmeal. See *Corn.*				
Ochre	per Cwt.	0	0	1½
Oil, viz. perfumed	per lb.	0	0	0¼
Linseed	per Ton of 252 Imperial Gallons	0	4	3
Palm	Ditto of Ditto	0	4	3
Rape	Ditto of Ditto	0	4	3
Turpentine	Ditto of Ditto	0	4	3
Vitriol	per Bottle	0	0	4½
Whale or Train	per Ton of 252 Imperial Gallons	0	3	7
Cakes	per Ton	0	3	0
Onions	per Bushel	0	0	3
Oranges. See *Lemons.*				
Orchella Weed	per Cwt.	0	0	1½
Ore of Iron and Lead. See *Iron*, &c.				
Orrice Root	per Cwt.	0	0	1
Oysters	per Bushel	0	0	1½
P				
Paper, viz. Writing	per Barrel Bulk	0	0	4½
Lombardy	Ditto	0	0	4½
Cartridge	Ditto	0	0	4½
Middle	Ditto	0	0	4½
Small	Ditto	0	0	4½

Articles of Export and Import.	Weight or Measure.	Rates.
		£ s. d.
Passenger entering or leaving Harbour, Baggage of - - - -	per Barrel Bulk -	0 0 4½
Pearl Barley. See *Corn.*		
Pease. See *Corn.*		
Pelts - - - - -	per Ton - -	0 2 8
Pepper. See *Grocery.*		
Perry - - - - -	per 50 Gallons -	0 0 9
Pewter - - - -	per Ton - -	0 3 0
old - - - - -	Ditto - -	0 1 8
Perfumery - - - -	per Barrel Bulk -	0 0 4½
Piano Forte or Spinnett - -	Ditto - -	0 0 4½
Pictures, under 2 Feet square - -	per Picture - -	0 0 6
2 and under 4 Feet - -	Ditto - -	0 1 0
4 Feet and upwards - -	Ditto - -	0 2 0
Pig Iron. See *Iron.*		
Pigs. See *Cattle.*		
Pigs' Heads - - - -	per Cwt. - -	0 0 0¾
Pimento. See *Grocery.*		
Pitch - - - -	per Barrel - -	0 0 4½
Plaster of Paris - - -	per Ton - -	0 2 8
Plated Goods - - -	per Barrel Bulk -	0 0 4½
Plate, Silver - - - -	Ditto - -	0 1 0
Plums. See *Grocery.*		
Pork. See *Beef.*		
Porter - - - -	per 50 Gallons -	0 0 9
Potatoes - - - -	per Ton - -	0 1 4
Pomatum - - - -	per lb. - -	0 0 0¼
Poultry, viz. Geese - - -	Each - -	0 0 1½
Turkeys - - - -	Ditto - -	0 0 2
Fowls - - -	per Dozen - -	0 0 6
Ducks - - - -	per Ditto - -	0 0 9
Powder of Lead. See *Lead.*		
Prunelloes - - - -	per Barrel Bulk -	0 0 8
Prunes. See *Grocery.*		
Pumice Stones - - - -	per Cwt. - -	0 0 3
Q		
Quills, manufactured - - -	per Barrel Bulk -	0 0 4½
unmanufactured - - -	Ditto - -	0 0 4½
R		
Rags - - - - -	per Ton - -	0 3 9
Raisins. See *Grocery.*		
Rape Seeds and Cakes. See *Seeds* and *Cakes.*		
Red Lead. See *Lead.*		
Rice - - - - -	per Cwt. - -	0 0 2
Rock Moss. See *Moss.*		
Ropes - - - - -	in Packages, per Barrel Bulk - -	0 0 4½
	in Coil per Ton -	0 3 0
old - - - -	per Ton - -	0 3 0
Rosin - - - - -	Ditto - -	0 3 9
Rum. See *Spirits.*		
Rye. See *Corn.*		

Articles of Export and Import.	Weight or Measure.	Rates.
		£ s. d.
S		
Salt	per Bushel	0 0 0¾
Rock	Ditto	0 0 0¾
Saltpetre	per Ton	0 3 4
Salmon	per Ton	0 3 4
Seed, viz. Rape and Flax	per Barrel of 32 Gallons	0 0 4½
Clover	per Cwt.	0 0 2
Rye Grass	per 8 Bushels	0 0 4½
Carvy or Carroway	per Cwt.	0 0 3½
Sheep. See *Cattle*.		
Shoes, all kinds	per Dozen	0 0 6
Shumach	per Cwt.	0 0 2¼
Skins, small, including Seal Skins	per Barrel Bulk	0 0 4½
Slates	per 1000	0 3 0
Slate Pencils and Slates	per Barrel Bulk	0 0 4½
Smalts	per Cwt.	0 0 2¼
Smelts	Ditto	0 0 3
Snuff	Ditto	0 0 6
Soap	per Ton	0 3 9
Soapers Waste	Ditto	0 2 0
Soda	Ditto	0 3 9
Spades or Shovels	per 2 Dozen	0 0 4½
Spanish Juice	per Ton	0 3 9
Spermaceti	Ditto	0 3 0
Spirits, Foreign	per 50 Gallons	0 1 4
Home	Ditto	0 0 10½
Starch	per Cwt.	0 0 3
Steel	per Ton	0 3 9
Straw	per Load	0 0 2
Stones, viz. Rubble, Freestone	per 100*l.* Value	3 0 0
Hewn Ashlar, Ditto	Ditto	3 0 0
Rough Ashlar, Ditto	Ditto	3 0 0
Rubble Causeway	per Ton	0 0 2
Causeway, dressed	Ditto	0 0 4
Pavement, ditto	Ditto	0 0 6
Building	Ditto	0 0 8
Curb	Ditto	0 0 6
Flag or Turin Stones	per 20 Square Feet	0 0 6
Grave Stones, Foreign	Each	0 9 0
Ditto, Home	Ditto	0 6 0
Scythe Stones	per 250	0 0 4½
Grindstones	per Ton	0 3 0
Mill Stones	Each	0 5 0
all not mentioned	per 100*l.* Value	3 0 0
Stucco	per Ton	0 2 8
Sugar, raw	Ditto	0 2 8
refined	Ditto	0 5 4
Candy	per Cwt.	0 0 2¼
T		
Tallow	per Ton	0 3 0
Tanners Waste	Ditto	0 5 0
Tamarinds	per Cwt.	0 0 6
Tar	per Barrel	0 0 4½

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Tea	per 80 Imperial lbs.	0	0	9
Thread	per Barrel Bulk	0	0	6
Tiles	per 1000	0	2	0
Tin of all kinds	per Ton	0	3	0
Plates	Ditto	0	3	0
Tobacco	In Leaf, per Cwt.	0	0	2¼
	Manufactured, per 100 lbs.	0	0	4½
	Stalks, per 1 Cwt.	0	0	3
Tongues, smoked	per Dozen	0	0	1½
pickled	Ditto	0	0	4
Tortoise Shell	per Cwt.	0	0	8
Tow	per Ton	0	3	4
Toys	per Barrel Bulk	0	0	4½
Treenails. *See* Wood.				
Turmeric	per Cwt.	0	0	1½
Turnery	per 10*l.* Value	0	0	10
Turnips	per Ton	0	0	6
Turpentine. See *Oil*.				
Twine	per Cwt.	0	0	3
V				
Valonia	per Ton	0	2	8
Vases or Sculptured Marble	per Barrel Bulk	0	0	8
Verdigrease	per Cwt.	0	0	1¾
Vermillion	Ditto	0	0	8
Vinegar	per 50 Gallons	0	0	9
Vitriol. See *Oil*.				
W				
Whalebone or Whalefins	per Ton	0	3	6
Wheels, Coach or Cart	per Pair	0	0	9
White Fish. See *Fish*.				
Whitening	per Ton	0	1	8
Willow Reeds	per Barrel Bulk	0	0	4½
Wine	per 50 Gallons	0	1	6
Wood of all kinds, whether in Logs, Deals, Planks, Staves, or any other way whatever, and whether Foreign or Home	per 1*l.* Value	0	0	6
Wool, raw, all Kinds	per 80 lbs.	0	0	4½
combed	per 100 lbs.	0	0	4½
Woad or Wald	per Ton	0	4	6
Worsted Yarn. See *Yarn*.				
Y				
Yarn, viz. Lint	per Ton	0	4	6
Cotton	Ditto	0	4	6
Tow	Ditto	0	3	0
Hemp	Ditto	0	3	6
Worsted	Ditto	0	4	6

1. The Duties specified in the foregoing Schedule are the Duties payable by Burgesses of the Town of Peterhead, whether residing therein or not.
2. Persons not being Burgesses of Peterhead, but who shall reside and carry on Trade therein, are and shall be liable in the Payment of the same Duties with those payable by Burgesses.
3. Persons not residing in Peterhead, and not being Burgesses thereof, are and shall be liable in the Payment of One Half more than the Duties payable by Burgesses.
4. All Persons not British Subjects are and shall be liable in the Payment of Double the Duties payable by Persons not residing in Peterhead, and not being Burgesses thereof.
5. In the Case of Cargoes or Parts of Cargoes ordered or exported on account of the Owners of Vessels in which the same shall be imported or exported, and where a major Part of the Owners are Burgesses of Peterhead, or Residenters therein, such Cargoes or Parts of Cargoes shall be only chargeable with the same Rate of Duties as are payable by Burgesses.
6. In the Case of Companies, where the One Half or more of the Company's Concerns are held by Burgesses of Peterhead, or Residenters therein, the Goods imported or exported on account of such Company shall only be chargeable with the Duties payable by Burgesses.
7. Persons carrying on Business in the Town of Peterhead, not being Burgesses, and not having their principal Place of Residence there, shall be liable in the Payment of the Duties payable by Persons not residing in Peterhead, and not being Burgesses thereof.

EXEMPTIONS FROM DUTIES IN SCHEDULE (A.)

1. All returned empty Boxes, Barrels, Sacks, and Packages, are exempted from Duties.
2. All Goods landed from any Vessel, and re-shipped in the same Vessel, in the original Packages, and without being transferred from the Lander; or if the said Goods have been put into other Packages from the original Packages having been destroyed or damaged; shall only pay Duties on landing, and may be reshipped in the same Vessel upon her Departure outwards, without paying Duties again.
3. All Goods landed from one Vessel, and re-shipped in the original Packages by another Vessel, shall, upon Re-shipment, pay One Half of the Rate of Duties paid upon landing.
4. All Goods having paid Duties and Half Duties, and belonging still to the same Person, and under the same Voyage, shall not be again liable to Duties, though such Goods should require again to be landed or to be re-shipped by the original Proprietor.
5. All empty Casks, or other Stores, shipped for, or upon being returned from, the Fishery, or from conveying Oil to Market, shall be exempted from Duties; as also Ships' Provisions, when taken on board for a Voyage outwards, or landed from the same Ship in consequence of not having been expended during the Voyage, provided the said Provisions do not exceed what is considered sufficient for the Voyage.
6. The Barrel Bulk is understood in the foregoing Schedule to contain Five Cube Feet, except when the said Measure shall exceed Two Hundred Weight and Two Quarters in Weight; in which Case such Packages or Articles are to be bulked at the Rate of Two Hundred Weight and Two Quarters for the Barrel.

SCHEDULE (B.) to which this Act refers.

TONNAGE DUTIES.

1. *For all Vessels except Herring Boats.*

	£	s.	d.
For all Vessels belonging to any Port of Great Britain or Ireland, when on a Voyage to or from any Port in Great Britain or Ireland, entering the Harbours of Peterhead for Safety or Convenience, per registered Ton - - -	0	0	3
For all Vessels belonging to any Port of Great Britain or Ireland, entering the Harbours of Peterhead from any Port in Great Britain or Ireland, with Cargoes, or Parts of Cargoes, to unload, or loading Cargoes, or Parts of Cargoes, for any Port in Great Britain or Ireland, per Ton - - -	0	0	3¾
For all Vessels belonging to any Port of Great Britain or Ireland, entering the Harbours of Peterhead for Safety or Convenience, when on a Voyage to or from any Foreign Port, per Ton - - - - - - -	0	0	4
For all Vessels belonging to any Port of Great Britain or Ireland, entering the Harbours of Peterhead, and loading Cargoes or Parts of Cargoes for, or unloading Cargoes or Parts of Cargoes from any Foreign Port, per Ton - - -	0	0	6
For all Foreign Vessels entering the said Harbours for Safety or Convenience, per Ton - - - - -	0	1	0
For all Foreign Vessels entering the said Harbours, to load or unload Cargoes therein, per Ton - - - -	0	1	6

But it shall be in the Option of the Trustees to charge the Tonnage Duties on the Voyage Inwards, or on the Voyage Outwards, at the Rates specified in the above Schedule, according as the Voyage may be Coasting or Foreign; and if the Charge be made on the Outward Voyage, there shall be deducted from it the Amount of the Duties that may have been previously paid on the Voyage Inwards; but if such Vessels sail in Ballast, they shall be charged with Duties on the Inward Voyage only. Declaring hereby, that Tonnage Duty shall only be once exigible upon a Vessel entering the Harbours, notwithstanding that such Vessel may unload one Cargo and load another.

2. *For Herring Boats.*

	£	s.	d.
For all Herring Boats for the Period of their Fishing Season, to be paid at the Commencement of the Fishery, and that in lieu of all other Tonnage Duties payable for such Herring Boats, each - - - - -	0	7	6
For all Herring Boats and other Boats coming into the said Harbours, whether on account of Stress of Weather, or from any other Cause whatever, the following Tonnage Duties, viz.			
If under 20 Tons, each - - - -	0	1	0
If above 20 and under 30 Tons, each - - -	0	1	6
And all above 30 Tons, the same as Coasting Vessels.			

EXEMPTIONS FROM TONNAGE DUTY.

1. All Vessels arriving in Ballast for the Purpose of being repaired in the Dry or Graving Docks, and departing in Ballast, shall be exempted from Tonnage Duty.
2. All Vessels and their Cargoes, of whatever Description, brought into the said Harbours for the Use of the Harbour Works, or any of the Public Works of the Town of Peterhead, shall be exempted from Payment of any Duties.

SCHEDULE (C.) to which this Act refers.

GRAVING or DRY DOCKS DUES.

	For Two Tides, to grave; Tide in, and next Tide out.	Three Tides, including going in and coming out.	Four Tides, including going in and coming out.	Five Tides, including going in and coming out.	Six Tides, including going in and coming out.	Seven Tides, including going in and coming out.	Eight Tides, including going in and coming out.	Nine Tides, including going in and coming out.	Ten Tides, including going in and coming out.	One Neap, Two Weeks, and every subsequent Neap.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
A Ship not exceeding 50 Tons	1 12 6	2 2 6	2 11 6	2 19 6	3 7 0	3 14 6	4 2 0	4 9 6	4 17 0	5 10 0
51 and not exceeding 75 -	1 15 0	2 5 0	2 14 0	3 2 0	3 9 6	3 17 0	4 4 6	4 12 0	4 19 6	5 15 0
76 - - 100 -	1 17 6	2 7 6	2 16 6	3 4 6	3 12 0	3 19 6	4 7 0	4 14 6	5 2 0	6 0 0
101 - - 125 -	2 0 0	2 10 0	2 19 0	3 7 0	3 14 6	4 2 0	4 9 6	4 17 0	5 4 6	6 5 0
126 - - 150 -	2 2 6	2 12 6	3 1 6	3 9 6	3 17 0	4 4 6	4 12 0	4 19 6	5 7 0	6 10 0
151 - - 175 -	2 5 0	2 15 0	3 4 0	3 12 0	3 19 6	4 7 0	4 14 6	5 2 0	5 9 6	6 15 0
176 - - 200 -	2 7 6	2 17 6	3 6 6	3 14 6	4 2 0	4 9 6	4 17 0	5 4 6	5 12 0	7 0 0
201 - - 225 -	2 10 0	3 0 0	3 9 0	3 17 0	4 4 6	4 12 0	4 19 6	5 7 0	5 14 6	7 7 6
226 - - 250 -	2 12 6	3 2 6	3 11 6	3 19 6	4 7 0	4 14 6	5 2 0	5 9 6	5 17 0	7 15 0
251 - - 275 -	2 15 0	3 5 0	3 14 0	4 2 0	4 9 6	4 17 0	5 4 6	5 12 0	5 19 6	8 2 6
276 - - 300 -	2 17 6	3 7 6	3 16 6	4 4 6	4 12 0	4 19 6	5 7 0	5 14 6	6 2 0	8 10 0
301 - - 325 -	3 0 0	3 10 0	3 19 0	4 7 0	4 14 6	5 2 0	5 9 6	5 17 0	6 4 6	8 17 6
326 - - 350 -	3 2 6	3 12 6	4 1 6	4 9 6	4 17 0	5 4 6	5 12 0	5 19 6	6 7 0	9 5 0
351 - - 375 -	3 5 0	3 15 0	4 4 0	4 12 0	4 19 6	5 7 0	5 14 6	6 2 0	6 9 6	9 12 6
376 - - 400 -	3 7 6	3 17 6	4 6 6	4 14 6	5 2 0	5 9 6	5 17 0	6 4 6	6 12 0	10 0 0
401 - - 425 -	3 10 0	4 0 0	4 9 0	4 17 0	5 4 6	5 12 0	5 19 6	6 7 0	6 14 6	10 7 6
426 - - 450 -	3 12 6	4 2 6	4 11 6	4 19 6	5 7 0	5 14 6	6 2 0	6 9 6	6 17 0	10 15 0
451 - - 475 -	3 15 0	4 5 0	4 14 0	5 2 0	5 9 6	5 17 0	6 4 6	6 12 0	6 19 6	11 2 6
476 - - 500 -	3 17 6	4 7 6	4 16 6	5 4 6	5 12 0	5 19 6	6 7 0	6 14 6	7 2 0	11 10 0

SCHEDULE (D.) to which this Act refers.

No.	Names of Owners.	Names of Occupiers.
1	The Trustees for Peterhead Harbour	The Trustees for Peterhead Harbour.
2	The Governors of the Merchant Maiden Hospital of Edinburgh.	John Souttar.
3	Trustees for Peterhead Harbour -	James Hutchison, junior.
4	Ditto - - -	William Volum.
5	Ditto - - -	George Skelton.
6	James Skelton - -	James Skelton.
7	Ditto - - -	Ditto.
8	The Community of Feuars of Peterhead and Roderick Gray -	Andrew Young, Andrew Mathieson, John Davidson, Alexander Moir, William Innes, Gilbert Alexander, junior, James Argo, junior, and Roderick Gray.
9	The Buchan Farmers' Friendly Society.	Messrs. Yule and M'Leod.
10	Ditto - - -	James Argo, junior.
11	Ditto - - -	John Baxter, William Matthew, and James Geddes.
12	The Trades Friendly Society of Peterhead.	Elizabeth Tough.
13	Ditto - - -	James Davidson, William Smith, James Law, Mary Cowie, James Argo, junior, and Joseph Robertson.
14	The Trustees of Peterhead Harbour	James Argo, junior, and Messrs. Hutton and Mackie.
15	Robert Robertson, Esquire, of Boddam - - -	Mary Skinner, Peter Forrest, William Innes, and Mary Sutter.

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