



ANNO NONO

GEORGII IV. REGIS.

Cap. lix.

An Act to repair and maintain the Harbour of
Helmsdale, and Works connected therewith, in
the Parish of *Loth* and County of *Sutherland*.

[23d May 1828.]

WHEREAS *Elizabeth* Marchioness of *Stafford* and Countess
of *Sutherland* is or claims to be Heritable Proprietrix
of the Earldom of *Sutherland*, in which the Harbour
of *Helmsdale*, on the North Side of the *Moray Frith*, is situated;
And whereas *George Granville* Marquess of the County of *Stafford*,
the Husband of the said *Elizabeth* Marchioness of *Stafford*, is or
claims to be entitled to the Rents and Profits of the said Earldom
of *Sutherland*, during the Lives of himself and the said Marchioness:
And whereas the said Marquess hath, at his sole Expence, con-
structed the said Harbour of *Helmsdale*, and the several Works con-
nected therewith, and has expended thereon a Sum exceeding Two
thousand Pounds, whereby the said Harbour has been made conve-
nient and useful to the Public: And whereas the said Harbour and
Works have been lately much injured by Storms, and require to be
repaired, to render them fit for the Protection of Shipping: And
whereas it is expedient that proper Powers should be granted, and
that proper Regulations should be made and established, for the
Repair, Maintenance, and Government of the said Harbour and
Works, and of all Persons and Ships or Vessels and Boats employed
in or using the same; but such Purposes cannot be completely
[Local.] effected

Authorizing
the Act to
be put in
execution.

effected 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 the Proprietor or Proprietors of the Earldom of *Sutherland* for the Time being shall be, and he, she, and they is and are hereby authorized and empowered to put this Act into Execution, and that it shall be lawful for such Proprietor or Proprietors to repair and maintain the said Harbour of *Helmsdale*, in the Parish of *Loth* and County of *Sutherland*, with the Piers and Quays and other Works therewith connected, and also from Time to Time to alter and improve the same in such Manner as he, she, or they shall judge fit.

Not to de-
viate from
the Plan
deposited
with the
Clerk of the
Parliament,
without Con-
sent of Own-
ers.

II. And whereas a Map or Plan describing the said Harbour, and the Land or Ground upon which the same is situated, together with a Paper containing the Name of the Owner and Occupier of such Land or Ground, has been lodged in the Office of the Clerk of the Parliaments; be it therefore enacted, That the Proprietor or Proprietors for the Time being of the said Harbour shall not deviate from the Line described in the said Map or Plan; and the said Map or Plan shall remain in the Custody of the Clerk of the Parliaments, and the same, or any Copy or Copies thereof, certified by the Clerk of the Parliaments to be a true Copy or true Copies thereof, shall be and is and are hereby declared to be good Evidence in all Courts of Law, and shall be admitted as such by and before all Judges, Justices, and others.

Sum to be
expended
upon the
Harbour and
Works.

III. And be it enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall, and he, she, and they is and are hereby obliged and required, within Four Years after the passing of this Act, to lay out and expend the Sum of One thousand six hundred Pounds upon the Repair and Improvement of the said Harbour and other Works therewith connected; and he, she, or they shall, within Five Years after the passing of this Act, cause an Account of the Expenditure of such Sum of Money, in manner as aforesaid, to be verified before some Justice of the Peace for the said County of *Sutherland*; which Account, together with a Certificate of Verification thereon, shall be recorded by the Sheriff's Clerk in the Registry of Probative Writs for the said County: Provided always, that if the said Sum of One thousand six hundred Pounds shall not have been laid out and expended in manner above mentioned within the Space of Four Years from and after the passing of this Act, all the Powers and Authorities given and granted by this Act shall from thenceforth cease and determine.

Boundaries
and Name
of the Har-
bour.

IV. And be it enacted, That the Extent and Boundary of the said Harbour of *Helmsdale* shall be deemed and is hereby declared to be from the Creek of *Port Gower* inclusive on the West to the Bay of *Navidale* inclusive on the East, (the Whole of the Property of the Shore between these Two Points being Part of the Earldom of *Sutherland*;) and shall extend from the West Point of *Port Gower* to the East Point of *Navidale* Bay, One Mile into the Sea in the said

said *Moray Frith*, and the said Harbour so bounded shall be called *Helmsdale Harbour*.

V. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, or the Tutors, Curators, or other Guardians or Trustees of such of them as may at any Time be Minors or under any legal Incapacity, to appoint, during his, her, or their Pleasure, such Harbour Masters, Collectors of Duties, Boat Assistants, and other Officers whatsoever, as may be requisite for carrying into Effect the Purposes and Provisions of this Act.

Power to
appoint
Officers.

VI. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, or the Tutors, Curators, or other Guardians or Trustees of such of them as shall be Minors or under any legal Incapacity, or his, her, or their Lessee or Lessees, or such Person or Persons as he, she, or they shall appoint, and he, she, and they is and are hereby authorized and empowered, from Time to Time and at all Times, to ask, demand, take, receive, collect, recover, and levy, for the Use of such Proprietor or Proprietors, or of his, her, or their Lessee or Lessees, upon all and every of the Ships, Vessels, and Boats of whatsoever Description which shall come into or use the said Harbour, or shall be at anchor within the Limits of the same, and for all Goods, Wares, Merchandize, or other Things landed or shipped within the said Harbour as aforesaid, any Sums not exceeding the several Rates and Duties specified in the Schedule (A.) hereunto annexed.

Power to
take Ton-
nage Duty.

VII. Provided always and be it further enacted, That no Ship, Vessel, or Boat, 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 Harbour during the Voyage for which the Tonnage Duty was paid.

Tonnage
Duty to be
paid but
once for the
Voyage.

VIII. And be it enacted, That over and above the Tonnage Duty hereinbefore authorized to be taken on Ships, Vessels, or Boats entering and using the said Harbour, there shall be paid to the Proprietor or Proprietors of the said Harbour for the Time being, on all Commodities which shall be there exported or imported in the said Ships, Vessels, or Boats, and for all Passengers carried for Hire in every such Ship, Vessel, or Boat, the several Rates specified in the Schedule (B.) hereunto annexed.

Rates on
Goods.

IX. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being to fix such reasonable Rates upon Commodities not specified in the said Schedule (B.), as he, she, or they shall think fit, provided no such Rate exceed One Fourth Part of the Freight of such Commodities.

Rates may
be fixed for
Articles not
enumerated
in the Sche-
dule.

X. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being to reduce

Rates may
be reduced
and again
raised.

reduce and lessen the Rates and Duties to be levied under this Act, and again to raise and extend the same from Time to Time, provided that the same do not at any Time exceed the Maximum of Rates and Duties by this Act authorized.

Rates and
Duties may
be let.

XI. And be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall be, and he, she, and they is and are hereby authorized and empowered, by Public Auction, to let the Rates and Duties hereby granted, in Whole or in Parts or Shares, from Time to Time, by Lease or otherwise, for any Term not exceeding Three Years, for the highest Rent or Rents they can get for the same.

Power re-
served to
His Majesty
and Lords of
the Trea-
sury to re-
duce Duties
on Foreign
Ships and
Goods.

XII. 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 it 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 the same.

Masters or
Owners of
British Ships
to produce
Registers of
Vessels.

XIII. And be it further enacted, That the Masters and Owners of all *British* Ships, Vessels, and Boats trading to and from the said Harbour, 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 Collector or Collectors appointed as aforesaid the Registers of their respective Ships, Vessels, or Boats, in order to ascertain the Tonnage thereof, or otherwise they shall permit and suffer the said Ships, Vessels, or Boats to be measured by the Proprietor or Proprietors of the said Harbour for the Time being, or by such Person or Persons as he, she, or they, or his, her, or their Lessee or Lessees, 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 the Manner hereinafter mentioned; and every Owner or Master aforesaid who shall refuse to produce the Register of his or their Ship, Vessel, or Boat, or to allow the same to be measured as aforesaid, shall for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, over and above the Tonnage or other Duties with which such Ship, Vessel, or Boat may be chargeable in Terms of this Act, to be recovered and applied in manner after mentioned.

Foreign Ves-
sels may be
measured.

XIV. And be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall, and he, she, and they is and are hereby authorized to appoint a proper Person or Persons for the Purposes of ascertaining the Tonnage of any Foreign Ships, Vessels,

Vessels, or Boats, and of all other Ships, Vessels, or Boats having no Registers which shall enter the said Harbour, in order to a due Collection of the Duties payable by such Ships, Vessels, or Boats, and such Person or 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, or Boats 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.

XV. And be it further enacted, That the Master or other Person having the Command or Charge of every Ship, Vessel, or Boat which may enter the said Harbour, and be liable to the Payment of any of the Rates and Duties by this Act granted, shall give a just and true Account of the Lading of such Ships, Vessels, or Boats to such Person or Persons as the Proprietor or Proprietors of the said Harbour for the Time being, or his, her, or their Lessee or Lessees, shall from Time to Time appoint to require and receive such Rates and Duties; and every Master or other Person as aforesaid who shall refuse to give an Account, or shall give a false Account, of Lading of the Ship, Vessel, or Boat under his Command or Charge, when thereto required, shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds. Master to produce Account of Cargo on board.

XVI. And be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall and may, and he, she, and they is and are hereby authorized and empowered, out of any of the Rates and Duties aforesaid, or otherwise, to provide 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; and also to erect such and so many Cranes and Weighing Machines upon the said Harbour 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 Harbour; and also to provide all such Weights and Measures as may be necessary for weighing and measuring the said Goods, Wares, and Merchandize. For erecting Warehouses, Cranes, and Weighing Machines.

XVII. And be it further enacted, That if any Commodities shall remain upon any Wharf or Pier or other Place belonging to the said Harbour for a longer Period than Six lawful Days from the Time such Commodities shall have been placed upon the said Quays, Wharfs, Piers, or other Places, then and in every such Case it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, or his, her, or their Collector or Collectors, or Lessee or Lessees, 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 Quays, Wharfs, Piers, [Local.] 15 B or

If Goods remain upon Wharfs or Quays above Six Days, additional Rates and Duties to be paid.

or other Places; or the said Proprietor or Proprietors of the said Harbour for the Time being, or his, her, or their Collector or Collectors, or Lessee or Lessees, may exact, and they are hereby authorized and empowered to exact, such other Rent 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, and other Places, so as to encroach on the Streets, or within Sixteen Feet of the Face of the Quays, Wharfs, or Piers, except at the Time of such Goods and other Commodities being loaded or unloaded.

Goods remaining upon the Quays more than Six Days may be removed into Warehouses, &c.

XVIII. Provided always, and be it enacted, That the said Proprietor or Proprietors of the said Harbour, or their Lessee or Lessees, 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, Wharfs, Piers, and other Places 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 Proprietor or Proprietors of the said Harbour for the Time being, 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 any Justice of the Peace for the County of *Sutherland* shall think reasonable, together with the Sum authorized to be levied had such Commodities been allowed to remain on the Quays, Piers, Wharfs, and other Places 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 as aforesaid.

If Goods remain Twelve Months in Warehouse, they may be sold.

XIX. 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 Proprietor or Proprietors of the said Harbour for the Time being, under the Authority of this Act, for any longer Period than Twelve Months, it shall be lawful to the Justices of the Peace for the County of *Sutherland*, or any One of them, and he and they is and are hereby authorized and empowered, upon an Application made to him or them by the said Proprietor or Proprietors, or his, her, or their Factor, or the Lessee or Lessees of the said Duties, to order a Description of the said Goods, Wares, and Merchandize to be inserted Once in some One of the Newspapers circulated in the County of *Sutherland*, 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 Justice or Justices; and if such Goods, Wares, and Merchandize are not claimed and removed from the said Warehouses and other Places, and the whole Duties and Charges thereon satisfied and paid, within the Period to be fixed as aforesaid, it shall be

be lawful for the said Justice or Justices, and he and they is and are hereby empowered, authorized, and required, to grant Warrants to levy the said Duties 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 Duties, and 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.

XX. 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 and pay a Sum not exceeding Five Pounds, over and above the Payment of the said Rates and Duties.

Penalty on
evading
Rates.

XXI. 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, or Boat entering or leaving the said Harbour, 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, or Boat, and to weigh or gauge, or cause to be weighed or gauged, the same, and all such Goods, Wares, and Merchandizes, 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, or Boat, then it shall and may be lawful to and for the Proprietor or Proprietors of the said Harbour, or his, her, or their Lessee or Lessees, or their Collector or Collectors, and he, she, 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, or Boat, 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 Proprietor or Proprietors, Lessee or Lessees, 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

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

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 Proprietor or Proprietors, Lessee or Lessees, 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 *Sutherland*, 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 Proprietor or Proprietors, Lessee or Lessees, 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 Proprietor or Proprietors, Lessee or Lessees, of all such Damages, Costs, and Expences as he shall have sustained or be put unto by virtue of any Warrant as aforesaid.

Exemption
of Ships in
His Ma-
jesty's Ser-
vice.

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

Power to
demand
Register and
recover
Rates.

XXIII. 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 by the Proprietor or Proprietors of the said Harbour, or their Lessee or Lessees, for that Purpose, to go on board any Ship, Vessel, or Boat coming into the said Harbour, or sailing from the same, and to demand to see the Register thereof, and to take the Dimensions of such Ship, Vessel, or Boat, and to demand, collect, and receive from the Owner, Master, or other Person having the Charge of such Ship, Vessel, or Boat, 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, or Boat, and to keep and detain the same until the said Rates and Duties 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 Proprietor or Proprietors of the said Harbour, or their Lessee or Lessees, 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, de-

detaining, and selling, (as the same shall be ascertained by the Sellers upon Oath,) the said Proprietor or Proprietors, Lessee or Lessees, or their Collector or others authorized as aforesaid, rendering to the Master or Owners of such Ship, Vessel, or Boat, or to the Owners of such Goods, the Overplus, if any be, on Demand.

XXIV. 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 said Harbour, to refuse to clear any Ship, Vessel, or Boat, outward or inward, or indorse any Clearance or Warrant, until there shall have been produced and shewn 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, Vessel, or Boat, either a sufficient Voucher of the Payment of the Rates and Duties, or a Certificate under the Hand of the Collector of the Rates and Duties hereby granted, 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 may be sustained or incurred by any Person or Persons by reason of the Delay or Refusal of Payment, according as the same shall be ascertained and determined by any One or more of His Majesty's Justices of the Peace for the County of *Sutherland*; 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; provided always, that in case it shall be found by the said Justice or Justices of the Peace, after hearing both Parties, that the Lessee or Collector of the said Rates and Duties has made a higher Demand than what is authorized by this Act, such Lessee or Collector shall be liable and decreed to pay the Party complaining such a Sum in Name of Damages, not exceeding Five Pounds, as shall be judged adequate by the 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.

Vessels not
to be cleared
till Duty
paid.

XXV. And be it further enacted, That the Proprietor or Proprietors of the said Harbour, 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, or Boat entering into the said Harbour, to station, place, anchor, and moor such Ship, Vessel, or Boat in such Place and at such Quay, previously approved of by the proper Officer or Officers of the Customs, as the said Proprietor or Proprietors, or Persons so authorized and 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, or Boat lying in the Entrance of the said Harbour, or at any Quay, Pier, or Breast already built or hereafter to be built, or in any other Part of the said Harbour, from the Birth or Lying Place at

For regulat-
ing mooring
of Vessels.

[*Local.*]

15 C

which

which such Ships, Vessels, or Boats respectively may happen to be moored or lying at the Time, to any other Birth or Lying Place in the said Harbour; and in case the Master or other Person having the Command or Direction of such Ship, Vessel, or Boat, shall neglect or refuse to remove, or cause to be removed, upon being required to do so by the said Proprietor or Proprietors, 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, or Boat from her said Birth or Mooring Place as shall have been appointed as aforesaid, then and in that Case the said Proprietor or Proprietors, 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, or Boat from its then Birth or Mooring Place, as the said Proprietor or Proprietors, or the Person or Persons authorized by them as aforesaid, shall judge proper; and the Master, Owner, or Consignee of such Ship, Vessel, or Boat so removed shall be obliged to pay to the said Proprietor or Proprietors, or any Person or Persons appointed by them to receive the same, 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 Ship, Vessel, or Boat, 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 Proprietor or Proprietors, or any Person appointed by them to receive the same, a Sum not exceeding Ten Pounds.

Preference
to be given
to Ships in
Distress.

XXVI. And be it further enacted, That in case any Ship, Vessel, or Boat shall arrive and come into the said Harbour in Distress, or meet with any Misfortune in the said Harbour, it shall and may be lawful to and for the Birth Master, and in case of his Orders being disobeyed, to and for any Justice of the Peace for the County of *Sutherland*, upon Request made to him in Writing by the Master, Commander, or Owner of any such Ship, Vessel, or Boat, or Owner of any Goods on board such Ship, Vessel, or Boat, and upon Proof being laid before them or him of such Distress, to give a Preference to such Ship, Vessel, or Boat being in Distress as aforesaid, both as to the Births at the Piers and Quays, and as to the Course of discharging or unloading, to any other Ship or Vessel that shall have arrived before in the said Harbour; and that every Master, or Commander of any Ship or Vessel lying within the said Harbour, who shall refuse or delay to comply with the Order of any such Birth Master, or Justice as aforesaid, in favor of the Ship or Vessel in Distress as aforesaid, shall forfeit any Sum not exceeding Twenty Pounds.

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

XXVII. And be it enacted, That no Ship, Vessel, or Boat 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 Harbour, so as to encumber the same; but in every such Case it shall and may be lawful to and for the Proprietor or Proprietors of

of the said Harbour, or any Person authorized by them, immediately to cause such Ship, Vessel, or Boat, 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, or Boats on any Part of the Strand or Sea Shore within the High Water Mark, or any other Place of Safety without the said Harbour, and there to moor such Ships, Vessels, or Boats, 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, or Boat, 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, or Boat cannot be found, then upon a Warrant from the Sheriff Depute or Substitute of the County of *Sutherland*, 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, or Boat, whenever the same shall be demanded.

XXVIII. And be it enacted, That it shall not be lawful for any Person or Persons to anchor or leave Nets of any Species in the Water within the Limits of the said Harbour, except for the express Purpose of catching Fish; and if any Person or Persons shall at any Time anchor or leave any Net in the Water within the said Limits, without any Person to attend the same, it shall be lawful for the Proprietor or Proprietors of the said Harbour, or their Lessee or Lessees, or any Person authorized by any of them, to seize all such Nets and place them in some public Warehouse or other Place of Safety, and the Person or Persons to whom such Nets so placed in the said Harbour shall belong shall for every such Offence forfeit and pay a Penalty not exceeding Two Pounds, to be levied and applied in manner hereinafter mentioned, and shall not be entitled to claim Restitution of such Net until such Penalty be paid.

Nets not to be left in the Harbour.

XXIX. And be it enacted, That the Master or other Person having the Command or Charge of any Ship, Vessel, or Boat taking in Ballast at the said Harbour, shall be obliged (unless prohibited by the Proprietor or Proprietors of the said Harbour, or by any Person authorized by them in manner hereinafter mentioned,) to take such Ballast out of the Bottom of the said Harbour, when the same can be got free from Water, in any Part of the Bottom thereof, when the Tide is out; and if such Ballast shall be taken from any other Place than the Bottom of the said Harbour, when the same can be got free from Water, in any Part of the Bottom thereof, when the Tide is out, (unless the same shall be prohibited by the said Proprietor or Proprietors in manner hereinafter mentioned,) the Master or other Person having the Command or Charge of such Ship, Vessel, or Boat shall pay to the said Proprietor or Proprietors of the said Harbour for the Time being the Sum of Sixpence *per* Ton for every Ton of Ballast taken otherwise than from the Bottom of the said Harbour.

Ballast to be taken from the Bottom of the Harbour.

XXX. And

Ballast not
to be thrown
into the
Harbour or
upon the
Quays.

XXX. 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, Vessel, or Boat, or out of or from any Carriage whatsoever, or off or from any Quay, Wharf, Pier, Yard, Place, or Ground, into any Part of the said Harbour, or to dig or to take away Ballast, Shingle, Stones, or other Thing from the same or any other Place than such as shall be pointed out by the said Proprietor or Proprietors of the said Harbour, or by some Person authorized by them, under a Penalty not exceeding Ten Pounds for every such Offence, over and above the Expence of repairing the Damage done thereby; and if any Person shall cast out or deposit any Ballast of and from any Ship, Vessel, or Boat, upon any of the Quays, Wharfs, or Piers, or in any other Place in or about the said Harbour other than at such Place or Places as shall be appointed by the said Proprietor or Proprietors, or some Person authorized by them, 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, on pain of forfeiting for such Offence a Sum not exceeding Five Pounds, over and above the Expence of removing the same.

Proprietors
may furnish
Ballast.

XXXI. And be it further enacted, That the Proprietor or Proprietors of the said Harbour, 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 Harbour, Rocks, Gravel, or other Stuff for Ballast, and to deposit the same at such convenient Place or Places near to the said Harbour 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 Harbour shall be obliged to take the same at such Rates, and from such Places of Deposit, under the Penalty of Five Pounds for each Transgression.

No Com-
bustibles to
remain on
the Quays.

XXXII. 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, Wharfs, and Piers within the said Harbour, or any Part thereof, or upon the Deck of any Ship, Vessel, or Boat 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 Day-light, 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 Proprietor or Proprietors of the said Harbour, 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, or Boats, shall not obey the Directions so given, it shall be in the Power of the said Proprietor or Proprietors, or the said Person or Persons authorized by them as aforesaid, to cause the same to be removed,

removed, or watched, at the Owner's Expence; and every such Owner or Owners, Master or Masters of such Ships, Vessels, or Boats, shall for every such Default forfeit and pay a Sum not exceeding Five Pounds, besides the said Expence, and any Damage occasioned by their not removing and watching the said Goods and Combustibles as aforesaid.

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

Gunpowder not to remain on board Vessels in the Harbour.

May be landed on a Sunday.

XXXIV. And be it further enacted, That in case any Person or Persons having the Rule or Command of any Ship, Vessel, or Boat lying or being in the said Harbour, shall heat or boil, or suffer or permit 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, or Boats, otherwise than with an Iron Instrument commonly called a Loggerhead, he and they shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Pitch not to be heated or boiled on board Vessels.

XXXV. 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 Quays, Wharfs, Piers, or other Works constructed or to be constructed in or belonging to the said Harbour, 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 they 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.

Punishment of Persons injuring the Works.

XXXVI. 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, or Boat lying in the said Harbour shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, besides the Damages thereby occasioned.

Penalty on Persons destroying the Ropes of Vessels, &c.

[*Local.*]

15 D

XXXVII. And

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

XXXVII. And be it further enacted, That the Master or Owner of every Ship, Vessel, or Boat lying or trading in the said Harbour shall be and he is hereby made answerable to the Proprietor or Proprietors of the said Harbour, 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 the same, to any of the Quays, Wharfs, Piers, or other Works in or about the said Harbour, either by the loading or unloading of any Ship, Vessel, or Boat, or by any other Means whatsoever; and the Master or Owner of every such Ship, Vessel, or Boat shall for every such Trespass, Damage, or Mischief, upon Conviction before any Justice of the Peace for the County of *Sutherland*, 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 Party or Parties 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 exceed the Sum of Twenty Pounds, then and in such Case the said Master or Owner of such Ship, Vessel, or Boat 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 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.

XXXVIII. And be it further enacted, That in case the Master or Masters, Owner or Owners of any Ship, Vessel, or Boat 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 Damages, 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 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 by such Master or Masters, Owner or Owners, as any other Penalty is hereby directed by this Act to be recovered.

Idlers to be detained, and all

XXXIX. And be it further enacted, That it shall and may be lawful to and for the Officers to be appointed by the Proprietor or Proprietors of

of the said Harbour, 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 conveyed before a Magistrate, all and every Vagrant, Idler, or disorderly Persons who may haunt about the Harbour, Quays, Wharfs, Piers, and other Places connected therewith, 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, 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 any Justice of the Peace for the County of *Sutherland* 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 in aid of the Rogue Money of the County of *Sutherland*, and punish the Person in whose Custody the same may have been found, by Imprisonment and Hard Labour in the Castle of *Dornoch*, or in some other legal Place of Confinement within the County of *Sutherland*, for any Time not exceeding One Calendar Month.

Ropes, &c.
found in
their Custody
confiscated.

XL. And be it further enacted, That it may and shall be lawful to and for any such Justice or Justices, and they are hereby authorized and empowered, to detain such Vagrants, Idlers, and disorderly Persons in any Watch-house or other Place of Security, therein to be detained for Examination for any Space not exceeding Twenty-four Hours, or, as a Punishment, to commit the said Offenders to any such Watch-house or other Place of Security for any Space not exceeding Three Days.

Justices may
commit such
Persons.

XLI. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Harbour Master, Collector 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 any One or more of the Justices of the Peace for the said County of *Sutherland*, without any other Warrant than this Act for so doing; and such Justice or Justices of the Peace is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders in a summary Way.

Power to apprehend
transient Offenders.

XLII. 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 performance or execution of their Duty under this Act, or in the Works to be done or carried on in the Repair, Maintenance, or Improvement of the said Harbour, or in any other Matter

Penalty on
obstructing
the Works.

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, and for the Third and every other Offence any Sum not exceeding Fifty Pounds.

Bye Laws
may be made
for the Go-
vernment of
the Harbour,
and painted
on Boards
for the In-
formation of
all Persons.

XLIII. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, from Time to Time to make and frame, ordain and establish, such Bye Laws, Rules, Orders, and Regulations as he, she, or they shall think fit, for the good Government of the said Harbour and Persons frequenting the same or employed therein, and for the Government of the Clerks, Collectors, Officers, Assistants, Servants, and others appointed or employed under or by virtue of this Act, and for the better Regulation of the said Harbour and other Works, or any of them, and the mooring and stationing of the Shipping therein, and for the well-governing, ordering, and managing of the Pilots to be employed for the said Harbour, and the Seamen and others employed in or belonging to the said Shipping resorting to or seeking Shelter at or in the said Harbour, and also for the better regulating, governing, and managing the several Works thereof, as well whilst the same are constructing as after they shall be finished, and for the more safe and more convenient shipping, loading, landing, discharging, carrying, conveying, laying, depositing, and moving of Goods, Wares, and Merchandize upon any of the Quays, Wharfs, Piers, or Landing Places belonging to the said Harbour, and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, and Merchandize to and from the said Quays, Wharfs, Piers, or Landing Places, and generally for the good Government of the said Harbour, and to make such other Bye Laws, Rules, Orders, and Regulations, as by the Proprietor or Proprietors of the said Harbour for the Time being shall be thought necessary or expedient for effecting the Purposes of this Act, and the due Execution thereof, and to repeal and to amend or alter such Bye Laws, Rules, Orders, and Regulations, or any of them, and to annex, impose, and appoint pecuniary Penalties or Forfeitures, not exceeding Five Pounds for each Offence, (to be recovered in manner hereinafter mentioned,) for the Non-observance, Non-performance, or other Breach of or Offence against any such Bye Laws, Rules, Orders, or Regulations; and all such Bye Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and be subscribed by the Proprietor or Proprietors of the said Harbour for the Time being, and Copies thereof shall be painted in legible Characters upon Boards, and put up and affixed in such One or more accessible and conspicuous Place or Places in or adjoining to the said Harbour, for the Inspection and Information of all Persons interested therein, and such Boards and Paintings shall be renewed from Time to Time by such Proprietor or Proprietors of the said Harbour, when destroyed, obliterated, or defaced; and all such Bye Laws, Rules, Orders, and Regulations shall thenceforth be equally binding and authoritative with any of the Provisions of this Act: Provided that such Bye Laws,

Laws, Rules, Orders, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or to any of the Clauses, Provisions, and Directions in this Act contained.

XLIV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon any such Bye Law, Rule, Order, or Regulation shall be painted, such Person or Persons shall upon Conviction for each Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on
Persons de-
facing the
Boards.

XLV. And be it further enacted, That it shall and may be lawful for the Proprietor or Proprietors of the said Harbour, or for his, her, or their Lessee or Lessees, or for the Collector or Collectors or other Officers to be appointed by him or them, to prosecute for and recover, for the Use and Behoof of the said Proprietor or Proprietors, the several Fines, Penalties, Forfeitures, and Damages by this Act imposed, (the Manner of levying and recovering whereof is not hereby otherwise particularly directed,) by Action, Bill, Complaint, or Information raised or exhibited within Six Months after such Offence is committed, before any One or more of His Majesty's Justices of the Peace or any other Judges competent, within whose Jurisdiction the Offender or Offenders shall reside or be apprehended; and that the Justices or other Judges aforesaid shall, and he and they is and are hereby empowered and required to proceed to the Trial of such Offenders in a summary Way, and upon Conviction of the Offender or Offenders by their own Confession, or by the Oath of One or more credible Witness or Witnesses, to award and give such Orders, Judgments, and Decrees as to them shall seem most agreeable to the true Intent and Meaning of this Act; and that in default of Payment of the several Fines, Penalties, and Forfeitures which shall be so awarded, the Person or Persons who shall be convicted of any of the Offences before described shall and may, by Warrant under the Hand of any such Justice or Judge, be committed to the Castle of *Dornoch*, or other legal Place of Confinement in the County of *Sutherland*, or to the Common Gaol or House of Correction of any other County or Place where the Matter of Complaint may arise, or the Offender or Offenders may have been convicted, and there be kept in Confinement for such Time as such Justices or Judges shall direct, not exceeding Three Months, unless the Sum so awarded against him, her, or them shall be sooner paid and discharged.

Mode of re-
covering
Penalties.

XLVI. 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.

Proceedings
not to be
quashed for
Want of
Form.

XLVII. And be it enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice or Justices of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence

For compel-
ling Wit-
nesses to
attend.

[*Local.*]

15 E

against

against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in case of a Quaker or Quakers on solemn Affirmation), and to give Evidence before such Justice or Justices of the Peace, then and in any of the said Cases every Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Witnesses
giving false
Evidence to
be indicted
for Perjury.

XLVIII. And be it further enacted, That if any Person or Persons shall, on his, her, or their Examination on Oath before any Justice or Justices, or before any other Judge, in any Cause or Matter arising out of this Act, wilfully and corruptly give false Evidence, such Person or Persons, so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Penalty and Punishment as by any Law in force or effect Persons guilty of wilful and corrupt Perjury are subject and liable to.

Testimony
of Officers.

XLIX. 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 that such Person or Persons shall act officially under the Appointment of the Proprietor or Proprietors of the said Harbour for the Time being, or of his, her, or their Lessee or Lessees.

Limitations
of Actions.

L. 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 Injuries suffered in any Matter relative thereto, or in consequence of any 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.

Appeal.

LI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, Order, or Regulation made in pursuance of this Act, or by any other Matter or Thing done in pursuance of this Act, then and in every such Case it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Complaint shall have arisen within Two Calendar Months next after such Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, unto the Person or Persons appealed against, and within Six Days after such Notice entering into a Recognizance or Bond of Caution before some Justice of the Peace for the said County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide by the
Order

Order of and to pay such Costs as shall be awarded by the Justices at such Sessions; and upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance or Bond, the Justices at such Sessions shall hear and determine the Cause and Matter of such Appeal, and may order any Money to be returned which may have been levied in pursuance of any such Bye Law, Rule, Order, or Regulation, and award such Costs to the Party appealing or appealed against, and may also award such further Satisfaction to the Party injured as they shall think proper; and the Determination of the Justices shall be final, binding, and conclusive to all Parties, and shall not be removable by Advocation, Suspension, or by any Process whatsoever, to the Court of Session or any other Court; any Law or Statute to the contrary notwithstanding.

LII. And be it further enacted, That all Judges, Sheriffs, Justices of the Peace, and other Magistrates, with their Officers, Messengers at Arms, and all other Officers of the Law whatsoever, and every of them, shall be and they are hereby required to be aiding and assisting in putting this Act into due and effectual Execution. Magistrates to assist in putting this Act into Execution.

LIIL. 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 by all Judges, Justices, and others, without being specially pleaded. Public Act.

SCHEDULE (A.) to which this Act refers.

TONNAGE DUTIES.

	Per registered Ton.
£ s. d.	
1. For all Vessels except Herring Boats.	
For every British Ship, Vessel, or Boat, if under the Burden of 20 Tons	0 0 2
If of the Burden of 20 Tons and under 50 Tons	0 0 3
If of the Burden of 50 Tons and under 100 Tons	0 0 4
If of the Burden of 100 Tons and upwards	0 0 6
And for every British Ship, Vessel, or Boat that shall be laid up unemployed within the said Harbour, an additional Sum for every and each Month she shall be laid up, of	0 0 3
For every Foreign Ship, Vessel, or Boat, double the preceding Duties.	
2. For Herring Boats.	
For each Herring Boat for the Period of each Herring Fishing Season, to be paid at the Commencement of the Fishery, and that in lieu of all other Tonnage Duties payable for such Herring Boat	0 7 6
For every Herring Boat not having paid such Duty, and every other Boat coming into the said Harbour, 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 Tonnage Duties as other Vessels.	

SCHEDULE (B.) to which this Act refers.

TABLE OF DUTIES ON GOODS.

<i>Articles exported or imported in British Vessels.</i>	£	s.	d.
For every Load of Fir Timber, Balks, or other Description, reckoning Fifty Cubic Feet to the Load - - - -	0	1	6
For every Load of Hardwood - - - - -	0	2	0
For every Hundred running Feet of Deals, Planks, or other Description of Boards, Three Inches thick, and in proportion for a less or greater Thickness - - - - -	0	3	0
For every Fathom of Lathwood - - - - -	0	1	0
For all Staves, Spokes of Wheels, Oars, Hoops, or other Wood not measurable, to pay according to the Ton Bulk of Forty Cubic Feet - - - - -	0	1	6
For every Quarter of Wheat, Barley, Oats, or other Grain, Rye Grass Seed, or Pulse, of Eight Imperial Bushels - - -	0	0	2
For every Boll of Potatoes, of Four Imperial Bushels - - -	0	0	1
For every Hundred Weight of Wheat Flour, Oat or Barley Meal, or any other Meal, Pot or Pearl Barley - - - - -	0	0	1
For every Hundred Weight of Rice, Biscuit, or Split Pease - -	0	0	3
For every Barrel of Salted Beef, Cod, Herrings, or other Provisions	0	0	6
For every such Quantity when fresh - - - - -	0	0	3
For every Pipe, Puncheon, or Piece of Wine or Spirits, and so in proportion for every larger or smaller Quantity - - -	0	2	0
For every Hogshead of Ale, Beer, or Porter, and so in proportion for a larger or smaller Quantity - - - - -	0	1	0
For every Hogshead of Sugar or Molasses, and so in proportion for a larger or smaller Quantity - - - - -	0	2	0
For every Parcel of Wool, Cotton, or Flax, per Hundred Weight	0	1	0
For every Coach or Four-wheeled Carriage - - - - -	0	2	0
For every Two-wheeled Carriage - - - - -	0	1	0
For every Pair of Coach or Cart Wheels - - - - -	0	0	6
For every Passenger coming to or going from the said Harbour	0	1	0
For every Horse, Mule, Bull, Cow, or Ox - - - - -	0	0	4
For every Score of Calves, Sheep, Pigs, or other small Animals, and so in proportion for any greater or less Number - - -	0	3	4
For every Score of Colts, Fillies, or Ponies, unshod, and so in proportion for any greater or less Number - - - - -	0	3	4
For every Hundred Weight of Copper, Lead, Tin, or other Metal, except Iron - - - - -	0	0	6
For every Hundred Weight of Iron - - - - -	0	0	2
For every Barrel of Coals - - - - -	0	0	1
For every Ton of Salt - - - - -	0	1	6
For every Boll of Lime containing Four Imperial Bushels -	0	0	1

[Local.]

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	£	s.	d.
For every Thousand Bricks or Tiles	0	1	0
For every Thousand Slates	0	1	0
For every Hundred Feet, Superficial Measure, of dressed Freestone or Paving Stone, or other dressed Stone	0	1	0
For every Ton of rough Freestone, Limestone, or other Stone	0	0	3
For every Trunk, Chest, Box, or Bag, per Barrel Bulk, and so in proportion	0	0	6
For every Hundred Weight of Butter or Cheese	0	0	6
For every Barrel of Oil, Tar, Pitch, Pot or other Ashes	0	0	4
For every Ton of Kelp	0	1	6
For every Hundred Weight of Hemp, Cordage, or Plaster Hair	0	0	6
For every empty Hogshead	0	0	2
For every empty Barrel	0	0	1
All Packages, not herein-before regulated as to Size or Weight, to pay according to the Barrel Bulk	0	0	6
For all Articles exported or imported in Foreign Vessels, double the above Duties, as also of all other Duties levied on Goods exported or imported in British Vessels in virtue of this Act.			

EXEMPTIONS FROM DUTIES IN SCHEDULE (B.)

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 re-shipped 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 Ship's 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 a Half in Weight, in which Case such Packages or Articles are to be bulked at the Rate of Two Hundred Weight and a Half for the Barrel.