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CHAPTER cxxxvi.

An Act to amend and consolidate the Acts relating to the Harbour of Aberdeen and for other purposes.
[6th July 1895.]

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WHEREAS an Act was passed in the thirty-first and thirty-second years of the reign of Her present Majesty for improving and maintaining the harbour of Aberdeen intituled the Aberdeen Harbour Act 1868 (herein-after called "the firstly recited Act") by which the Acts then in force relating to that harbour were repealed and new provisions were enacted in lieu thereof:

31 & 32 Vict.
c. cxxxviii.

And whereas another Act was passed in the thirty-fourth and thirty-fifth years of the reign of Her present Majesty to confer further powers on the Aberdeen Harbour Commissioners (herein-after called "the Commissioners") intituled the Aberdeen Harbour Act 1871 (herein-after called "the secondly recited Act"):

34 & 35 Vict.
c. xeviii.

And whereas another Act was passed in the forty-second and forty-third years of the reign of Her present Majesty to confer further powers on the Commissioners intituled the Aberdeen Harbour Act 1879 (herein-after called "the thirdly recited Act"):

42 & 43 Vict.
c. lxxxviii.

And whereas by the Pier and Harbour Orders Confirmation (No. 1) Act 1887 a Provisional Order made by the Board of Trade relating to the harbour (herein-after called "the recited Order") was confirmed:

50 & 51 Vict.
c. lxxiv.

And whereas the Commissioners have under the powers of the recited Acts from time to time made great improvements in and connected with the harbour for the accommodation of the trade and shipping thereat and the traffic and revenues arising therefrom have of late years greatly increased:

And whereas the Commissioners are empowered by the firstly recited Act to borrow for the purposes of their undertaking the sum of four hundred and fifty thousand pounds (including any moneys borrowed in virtue of the Act 6 & 7 Vict. cap. lxxii. thereby repealed and then remaining due) on the security of their rates revenues lands works and property:

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And whereas under the secondly recited Act the Commissioners are empowered to borrow the additional sum of thirty thousand pounds and under the thirdly recited Act the additional sum of one hundred and fifty thousand pounds for the like purposes and on the like security :

And whereas the Commissioners have from time to time borrowed the money authorised to be borrowed by the firstly and secondly recited Acts and part of the money authorised to be borrowed by the thirdly recited Act and they have repaid by means of the sinking funds provided by the recited Acts and out of surplus revenue a large amount thereof and there is now owing by them a sum of four hundred and fifty-three thousand one hundred and thirty pounds or thereabouts including a sum of seventy-one thousand three hundred and eighty-four pounds or thereabouts owing to the Public Works Loan Commissioners :

And whereas the unexhausted borrowing powers of the Commissioners under the recited Acts amount to thirty-one thousand seven hundred and ninety-five pounds or thereabouts :

And whereas it is expedient to authorise the Commissioners to effect further improvements and to execute additional works for the benefit of the trade and shipping at the harbour and to borrow further moneys for those purposes :

And whereas it is expedient that the rates at present leviable at the harbour should be revised and that certain new rates should be imposed :

And whereas it is expedient that the provisions of the recited Acts and Order should be repealed amended and consolidated :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

I.—PRELIMINARY.—REPEAL OF ACTS—INCORPORATION OF GENERAL ACTS.

Short title.

1. This Act may be cited as the Aberdeen Harbour Act 1895.

Recited Acts and Order repealed; commencement of this Act.

2. From and after the first day of October one thousand eight hundred and ninety-five the recited Acts and Order shall be and the same are hereby repealed and this Act shall thereupon commence and take effect.

3. The Commissioners Clauses Act 1847 (except where expressly varied by this Act) is incorporated with and forms part of this Act with the exception of the clauses with respect to the qualification of Commissioners with respect to the election and rotation of Commissioners with respect to the meetings and other proceedings of Commissioners and their liabilities and with respect to the mortgages to be executed by Commissioners and also with the exception of sections fifty-seven ninety-two ninety-three and ninety-four.

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10 & 11 Vict.
c. 16. incor-
porated.

4. The Harbours Docks and Piers Clauses Act 1847 (except where expressly varied by this Act) is incorporated with and forms part of this Act with the exception of the clauses with respect to the police of the harbour dock or pier and also with the exception of sections twenty-two twenty-five twenty-six and thirty Provided that the clauses with respect to keeping a tide and weather gauge shall not be in force for the purposes of this Act except in so far as the Board of Trade by notice in writing to the Commissioners may from time to time require the expression "the harbour dock or pier" when used in that Act except in the clauses with respect to the construction of the harbour dock or pier shall in reference to this Act mean and include the port and harbour of Aberdeen as herein-after defined the expression "the undertakers" used in that Act shall in reference to this Act mean the Commissioners the word "works" used in section twelve of that Act shall include works to be constructed by the Commissioners within any part of the port and harbour or any part of the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows and the expression "any packet boat or post office packet" used in section twenty-eight of that Act and as defined in manner therein specified shall not in reference to this Act extend to or include any packet boat or post office packet conveying goods for hire.

10 & 11 Vict.
c. 27. incor-
porated.

5. In this Act the several words and expressions to which meanings are assigned by the Acts partially incorporated herewith have the same respective meanings unless as before provided and unless there be something in the subject or context repugnant to such construction and the following words and expressions have the several meanings hereby assigned to them:—

Interpreta-
tion.

"The Commissioners" mean the Commissioners hereby incorporated and empowered to carry into effect the provisions of this Act;

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- “The existing Commissioners” mean the Commissioners acting under the authority of the recited Acts and Order ;
- “The harbour” means the harbour of Aberdeen as herein-after defined ;
- “The port and harbour” means the port and harbour of Aberdeen as herein-after defined ;
- “The city” means the city and royal burgh of Aberdeen ;
- “The council” means the Lord Provost magistrates and town council of the city for the time being ;
- “The Lord Provost” means the Lord Provost of the city for the time being ;
- “The treasurer” “the collector” and “the clerk” respectively mean the treasurer the collector of rates and the clerk for the time being of the Commissioners appointed by them or acting under the provisions of this Act ;
- “Debenture stock” means “Aberdeen Harbour Redeemable Debenture Stock” issued under the provisions of this Act.

II.—TRANSFER OF HARBOUR PROPERTY TO THE COMMISSIONERS AND CONTINUANCE OF EXISTING RIGHTS.

Property of the harbour vested in the Commissioners.

6. All lands waterways water channels buildings erections docks locks bridges quays piers breakwaters wharves sewers works plant debts moneys and all property estate and effects heritable and movable real and personal which shall immediately previous to the commencement of this Act belong to or be vested in the existing Commissioners are subject to the existing debts liabilities engagements contracts obligations statutory provisions and incumbrances affecting the same hereby transferred to the Commissioners and all such lands waterways water channels buildings erections docks locks bridges quays piers breakwaters wharves sewers works plant debts moneys and property estate and effects and all other lands buildings plant debts moneys and property estate and effects heritable and movable real and personal to be acquired by the Commissioners for the purposes of this Act and all erections docks locks bridges quays piers breakwaters basins wharves sewers and works to be constructed by the authority of this Act shall belong to and be vested in the Commissioners for the purposes thereof.

Existing agreements and obligations to remain in force.

7. The Commissioners may enforce against any person and any person may enforce against the Commissioners to the same extent and effect as might have been enforced by or against the existing Commissioners if this Act had not been passed—

All Acts of Parliament and provisions of Acts other than those hereby repealed or altered conferring any right on the existing Commissioners or on any person;

All contracts or agreements entered into or adopted by the existing Commissioners and any person; and

All bonds bills promissory notes securities grants charters dispositions conveyances instruments leases discharges deeds obligations and writings granted to the existing Commissioners by any person or granted by the existing Commissioners to any person or to which any of such persons have acquired the right:

And all such contracts agreements bonds bills promissory notes securities grants charters dispositions conveyances instruments leases discharges deeds obligations and writings shall remain valid and effectual as if this Act had not been passed.

8. All rates and moneys which before the commencement of this Act shall have become due or payable to the existing Commissioners or to pilots or meters and weighers licensed or appointed by them and which shall be then unpaid and all fines penalties and costs which shall have been incurred under the recited Acts and Order previous to the commencement of this Act and which shall be then unpaid may be levied collected sued for and recovered by the Commissioners or by such pilots or meters and weighers in the same way and by the same means as any rates moneys fines penalties and costs may be levied collected sued for and recovered under the authority of this Act.

Rates moneys and fines payable under recited Acts and Order to be recovered by the Commissioners.

9. Nothing contained in this Act shall abate or affect any action suit or other legal proceedings commenced or instituted previous to the commencement of this Act by or against the existing Commissioners but such action suit or other legal proceedings shall be carried on and prosecuted by or against the Commissioners in the like manner and with the like effect as such action suit or legal proceedings might have been continued or carried on if this Act had not been passed or as if the same had been commenced after the commencement of this Act by or against the Commissioners.

Actions not to abate.

10. Notwithstanding the repeal of the recited Acts and Order and except only as is by this Act otherwise expressly provided everything before the commencement of this Act done or suffered under or confirmed by the recited Acts and Order shall be as valid as if such Acts and Order were not repealed and the repeal thereof and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered or confirmed and to all rights liabilities debts claims and demands both present and future

Proceedings under recited Acts and Order saved.

A.D. 1895. — which if the recited Acts and Order were not repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered or confirmed and with respect to all rights liabilities debts claims and demands which affect or might affect the existing Commissioners the Commissioners shall to all intents and purposes represent the existing Commissioners and may enforce and shall be liable in respect of such rights liabilities debts claims and demands in the same manner and to the same extent as the existing Commissioners could have enforced or been liable to in respect of such rights liabilities debts claims and demands.

Books &c. of existing Commissioners to belong to Commissioners and to be evidence.

11. The books documents and vouchers of the existing Commissioners and the minutes of their proceedings and of the proceedings of their committees shall be deemed the books documents vouchers and minutes of the Commissioners and shall receive effect and be admitted as evidence in all courts of law and elsewhere in the same way and to the same extent and effect as if this Act had not been passed.

Byelaws &c. under recited Acts and Order to continue in force.

12. All byelaws rules and regulations made by the existing Commissioners in virtue of the recited Acts and Order or any of them and in force immediately previous to the commencement of this Act and all rates for pilotage or for weighing or measuring goods or for towing vessels or other rates exigible under the same shall until altered by the Commissioners continue in full force and effect and such byelaws rules and regulations may be enforced and all rates or penalties incurred under the same may be sued for and recovered in the same manner and to the same effect as any rates or penalties may be sued for and recovered under any byelaws made or made and confirmed under the authority of this Act.

Officers to be continued.

13. The officers and servants appointed under the recited Acts and Order or employed in the execution thereof shall hold their offices during the terms of their appointments or until they resign or be removed and shall be subject to the provisions of this Act in the same manner as if they had been appointed under this Act and all bonds or securities granted for their conduct and intromissions shall be and remain valid and may be enforced by the Commissioners to the same extent and effect as such bonds or securities might have been enforced by the existing Commissioners if this Act had not been passed.

III.—CONSTITUTION QUALIFICATION AND ELECTION OF THE COMMISSIONERS.

Commissioners and

14. The Lord Provost the six baillies and the dean of guild of the city for the time being respectively together with eleven town

councillors of the city to be chosen by the council in accordance with the provisions of the Aberdeen Municipality Extension Act 1871 (herein-after called "the council representatives"); together with twelve persons from time to time to be elected in manner after mentioned (herein-after called "the elected Commissioners") shall be the Commissioners and shall carry this Act into execution and the provisions of section 27 of the Aberdeen Municipality Extension Act 1871 shall be read and construed as if the expression "the Aberdeen Harbour Act 1895" were therein substituted for the expression "the Aberdeen Harbour Act 1868" and as if the expression "the Harbour Act" as used in the said section were deemed to mean "the Aberdeen Harbour Act 1895" The Commissioners shall be a body corporate under the name and style of "The Aberdeen Harbour Commissioners" with perpetual succession and a common seal and shall have power to sue and be sued and to purchase take hold lease and dispose of lands and other property for the purposes of this Act and shall have all the other powers and privileges of a body corporate All deeds and instruments to be made and granted by the Commissioners shall be valid and effectual if subscribed by any two of their number and sealed with their common seal.

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their incorporation.

15. The power and duty of carrying into effect the provisions of this Act shall during the respective periods herein-after provided be vested in and performed by the existing Commissioners in office immediately previous to the commencement of this Act who during such periods shall be the Commissioners with all the duties powers rights and privileges conferred on the Commissioners by this Act that is to say the existing Commissioners from the council shall be Commissioners under this Act until they respectively vacate the office of Commissioner in terms of the provisions of the Aberdeen Municipality Extension Act 1871 and the existing elected Commissioners shall be Commissioners under this Act until the election in 1895 of elected Commissioners.

Existing Commissioners to act in the first instance.

16. The elected Commissioners shall be elected by the persons qualified and registered as electors in the manner herein-after mentioned and who are herein-after called "the electors."

Elected Commissioners how to be chosen.

17. The elected Commissioners shall be elected and retire from office at the times following:—

First and succeeding annual elections of the elected Commissioners.

(1) The first election of elected Commissioners under this Act shall take place upon the third Tuesday of November one thousand eight hundred and ninety-five when four persons shall be elected to supply the places of the four existing elected Commissioners who would have gone out of office in

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December one thousand eight hundred and ninety-five under the provisions of the recited Acts and the remaining eight existing elected Commissioners shall continue in office as elected Commissioners under this Act until they go out of office in accordance with the provisions of this Act ;

(2) Of the eight existing elected Commissioners so continuing in office the four who shall have been longest in office under the recited Acts and this Act shall go out of office on the third Tuesday of November one thousand eight hundred and ninety-six and the remaining four shall go out of office on the third Tuesday of November one thousand eight hundred and ninety-seven ;

(3) On the third Tuesday of November one thousand eight hundred and ninety-eight and on the third Tuesday of November in each succeeding year the four elected Commissioners who shall have been longest in office shall go out of office ;

(4) On the third Tuesday of November one thousand eight hundred and ninety-six and on the third Tuesday of November in each succeeding year the electors shall elect four persons to supply the places of the elected Commissioners under the recited Acts or this Act then going out of office as aforesaid :

Provided that any elected Commissioner going out of office shall unless disqualified be capable of re-election.

Qualifica-
tions of
electors.

18. The persons qualified to be the electors shall be as follows :—

(1) Every person who is at the thirtieth day of September immediately preceding the election a burgess of guild of the city and who is not at that date in receipt of aid from any of the charitable funds available for behoof of the burgesses of guild ;

(2) Every person who is at the thirtieth day of September immediately preceding the election a member of the incorporated trades of the city and who is not at that date in receipt of aid from any of the charitable funds available for behoof of the members of the incorporated trades ;

(3) Every person residing or having his place of business within the Parliamentary boundaries of the city for the time being whose name shall on the thirtieth day of September immediately preceding the election appear in the books of the Custom House at Aberdeen as owner or part owner to the extent of at least twenty-five tons of or in any vessel or vessels registered at the port of Aberdeen ;

(4) Every person being in majority and residing or having a place of business within the said Parliamentary boundaries for the time being who shall have paid as principal (either directly or indirectly) or as agent for any person residing beyond such boundaries or partly as principal (either directly or indirectly) and partly as such agent during the year ending the thirtieth day of September immediately preceding the election five pounds or upwards of rates leviable in the case of the election to take place on the third Tuesday of November one thousand eight hundred and ninety-five under the Schedules A B C and D to the thirdly recited Act and the Schedules A and B to the recited Order or any one or more of such schedules and leviable in the case of all subsequent elections under the Schedules A B and C to this Act or any one or more of them and under any byelaws or regulations made or continuing in force in virtue of this Act for the use of shear poles cranes warehouses sheds timber ponds graving docks gridirons and slips belonging to the Commissioners Provided that the word "person" as used in this and the preceding sub-section shall not include any corporation company or firm Provided further that the word "person" as used in this Act shall be held for all purposes connected with and having reference to the right to vote in the election of the elected Commissioners to include any female not married or any female married but not living in family with her husband but such females shall not be eligible for election as Commissioners.

19. On or before the twenty-fourth day of October one thousand eight hundred and ninety-five and on or before the twenty-fourth day of October in each succeeding year the Commissioners shall cause a list specifying the names and designations of the electors to be made up and affixed in some place accessible to the public within the office of the Commissioners or in some conspicuous place on the outside thereof which list shall distinguish by an asterisk set opposite to their names such of the electors therein contained (including burgesses of guild and members of the said trades if any) as shall be qualified as herein-before and herein-after prescribed to be electors in respect either of the ownership of shipping or of the payment of rates and thereby qualified as herein-after prescribed to be elected Commissioners and any person claiming to be an elector whose name shall have been omitted from such list or who shall not be distinguished therein as qualified to be an elected Commissioner in respect either of the ownership of shipping or of the payment of rates may at any time before the first day of November following apply to the Commissioners who shall thereupon if they find such person entitled to be an elector or entitled

Commis-
sioners to
make up a
register of
the electors.

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to be distinguished in such list as qualified to be an elected Commissioner in either of such respects cause the name of such person to be added to the list or to be distinguished therein in manner before prescribed and such list (with the additions if any so made shall have the names therein respectively numbered and shall be certified by the clerk and shall be deemed to be the register of the electors under this Act.

Right to vote determined by the register.

20. No person shall be entitled to vote at any harbour election unless his name is on the register of the electors and subject to the provisions of this Act every person whose name is on such register shall be entitled to vote.

Lists of burgesses of guild members of incorporated trades and owners of shipping to be made up preparatory to register.

21. For the purpose of making up the annual register of electors as regards persons qualified to be electors as herein-before and herein-after prescribed otherwise than in respect of the payment of rates the Commissioners shall yearly cause to be made up from the books of the said burgesses of guild and of the said incorporated trades and of the Custom House at Aberdeen (access to and inspection of which books shall for that purpose be at all reasonable times afforded to any person appointed by the Commissioners) lists of the persons appearing to be burgesses of guild and members of the said trades at the thirtieth day of September immediately preceding the election and not being then in receipt of aid as aforesaid and also a list of the registered owners of vessels appearing to be qualified at such date as electors according to the qualifications in respect of the ownership of shipping herein-before and herein-after prescribed.

Commissioners to keep books showing names of ratepayers and rates paid.

22. For the purpose of making up the register of the electors as regards the persons qualified to be electors as herein-before and herein-after prescribed in respect of the payment of rates the Commissioners shall cause to be entered in some book or books kept by them the name and designation of every person paying rates and the total amounts of rates paid by such persons respectively for the year ending the thirtieth day of September immediately preceding the election which book or books shall be open to inspection at all times during the hours of business Provided always that no single item of rates paid by or on behalf of any person at any one time (although paid along with and at the same time as other rates) of a less amount than one shilling shall be computed or taken into account on entering the payment of rates in the said book or books.

Copies of ships manifest and other documents to be furnished to the Commissioners.

23. To enable the Commissioners to prepare and keep such book or books the owner agent or person in charge of every vessel arriving at or departing from the harbour shall within fourteen days after the arrival or departure of such vessel furnish to the treasurer a copy of the ship's manifest and such other documents as will

show the names descriptions residences and places of business of all persons who have paid or who are liable in the payment of rates in respect of such vessel or of the goods therein under the Schedules A B and C to this Act and the amount of rates payable by such persons respectively and every owner agent or person in charge of any such vessel who shall refuse or neglect to furnish such ship's manifest or other documents shall for every such offence be liable to a penalty not exceeding ten pounds Provided that nothing contained in this section shall in reference to this Act affect qualify or restrict sections thirty-seven thirty-eight and thirty-nine of the Harbours Docks and Piers Clauses Act 1847.

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24. The Commissioners may for the purpose of making up the register of the electors as regards persons qualified to be electors in respect of the payment of rates require that any person whose name and designation appear in the book or books kept by them for that purpose as having paid rates to the amount of five pounds or upwards during the year ending the thirtieth day of September immediately preceding the election shall furnish evidence to the satisfaction of the Commissioners that such person at the time when the said rates were paid was the true owner of the goods in respect of which such rates were paid or was the agent of such owner (if the latter shall have been resident beyond the Parliamentary boundaries of the city when the said rates were paid) or was the person truly liable in payment of the rates in respect of which his name and designation appear in the said book or books and for that purpose may require such person to produce all accounts invoices and other documents instructing such ownership agency or liability and the Commissioners may also in writing require such person to subscribe and deliver to the treasurer within one week from the date of delivery of such requisition at the residence or place of business of such person a statutory declaration proving such ownership agency or liability which may be in the form of Schedule N to this Act or to the like effect and if such person shall fail after being required to furnish evidence to the satisfaction of the Commissioners of such ownership agency or liability or shall fail after being required in writing to subscribe and deliver within the time aforesaid to the treasurer the said statutory declaration the Commissioners shall not be bound in respect of the said payment of rates to enter the name and designation of such person in the list of electors to be made up in manner above prescribed or in the register of electors and the person so failing shall not be qualified to vote as an elector at the next ensuing election or to be elected a Commissioner in respect of the said payment of rates or any part thereof.

True ownership &c. when rates paid to be proved.

25. Every person who shall at the time of any election be entered on the register of electors and who shall be distinguished

Qualification of the elected

A.D. 1895. **Commissioners.** therein by an asterisk set opposite to his name in manner before prescribed as qualified to be an elector in respect either of ownership of shipping or the payment of rates shall be qualified to be elected one of the elected Commissioners at the election for which the register in which he is so distinguished is made up or at the filling up thereafter of any vacancy previous to the annual election next following.

Qualification of members of companies and joint owners. **26.** Where rates shall be paid by any company firm or corporation consisting of two or more partners or members and having a place of business within the Parliamentary boundaries for the time being of the city or when two or more persons jointly or any corporation having a place of business within such Parliamentary boundaries appear in the books of the Custom House aforesaid as owners to the extent of at least twenty-five tons of or in any vessel or vessels registered at the port of Aberdeen such company firm corporation or persons may within the first week of October immediately preceding the election intimate in writing to the Commissioners the name or names of any one or more not exceeding five in number of the partners or members or joint owners being in majority and resident within such Parliamentary boundaries or having a place of business within such Parliamentary boundaries whom they desire to qualify as electors in respect of such payment of rates or ownership of shipping as the case may be and each such partner member or joint owner so named shall be qualified to be an elector and to be elected one of the elected Commissioners Provided the amount of rates paid by such company firm or corporation or the amount of tonnage held by such joint owners or corporation be sufficient to afford the qualification of five pounds of rates or twenty-five tons of shipping as the case may be to each of the partners members or joint owners so named.

Mode of conducting election of elected Commissioners. **27.** The following provisions shall apply to the election of the elected Commissioners under this Act:—

- (1) Eight days at least previous to each election the Commissioners shall cause to be prepared and delivered to every elector applying for it a printed copy of the register of electors made up in manner herein-before prescribed;
- (2) The Lord Provost or in his absence the acting chief magistrate of the city shall be the returning officer and shall fix the place of the election which shall be within the city;
- (3) The Commissioners shall cause the day and place of the election to be advertised in at least one newspaper published within the city not less than six days previous to the election;

(4) A candidate for the office of an elected Commissioner A.D. 1895.

under this Act shall be nominated in a nomination paper which shall be subscribed by two registered electors as proposer and seconder and also by the candidate and the nomination paper shall be in the form of Schedule D to this Act or as near thereto as circumstances admit and shall be delivered to the clerk not later than four o'clock afternoon of the Tuesday immediately preceding the day of election. The clerk shall on or before the Friday immediately preceding the day of election cause public notice to be given as hereinafter provided of the names of all candidates duly nominated whose nomination papers have been so delivered to him and the notice by the clerk shall be in the form of the Schedule E to this Act or as near thereto as circumstances admit and such notice shall be affixed to the doors of the principal office of the Commissioners and advertised in at least one newspaper published within the city and in the event of there being an insufficient number of duly nominated candidates to supply the vacancies or in the event of such vacancies not being supplied by reason of the requisite number of Commissioners not being elected from any cause whatsoever then and in either of these events the same procedure shall be adopted as is appointed by this Act to be followed in the case of the failure of the electors to make a valid election. Provided that in such cases the nomination paper or papers of the candidate or candidates shall be delivered to the clerk not later than four o'clock afternoon of the Tuesday immediately preceding the day of election and the clerk shall then give notice as is herein-before directed ;

(5) The returning officer shall decide whether any nomination is valid and his decision shall be final ;

(6) When at any election of elected Commissioners under the provisions of this Act the number of candidates duly nominated does not exceed the number of the vacancies to be supplied at the election the clerk shall in the public notice to be given by him as herein-before provided of the names of the candidates nominated notify that in respect the number of candidates nominated does not exceed the number of vacancies to be supplied at the election there will be no poll and shall further declare that the candidates so nominated will on the day of election be deemed to be elected as elected Commissioners and such notification may be made by an addition to the notice herein-before required in the terms set forth in the Schedule G to this Act or in similar terms and on

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- the day of election the candidates so nominated shall be deemed to be duly elected as elected Commissioners and every such election of elected Commissioners shall be in all respects valid and notice thereof shall forthwith be given by the clerk to the persons so elected ;
- (7) Any nomination of a candidate may be competently withdrawn by giving notice of withdrawal to the clerk before four o'clock afternoon on the Thursday preceding the election and such notice of withdrawal shall be signed by the person nominated and by the electors who nominated him and the said notice shall be in the form of Schedule F to this Act or as near thereto as circumstances admit. Provided that no such withdrawal shall be competent where its effect would be to reduce the total number of persons nominated for the then ensuing election below the number necessary to supply the vacancies to be filled up at that election and provided also that such notices shall take effect in the order in which they are delivered ;
- (8) In the case of a poll at an election the poll shall be taken as nearly as circumstances will admit in the same manner as a poll at a contested municipal election is directed by the Ballot Act 1872 to be taken and subject to the provisions of this Act the enactments of the Ballot Act 1872 shall apply to the election of the elected Commissioners with the substitution of the term "harbour election" for the term "municipal election" ;
- (9) Every presiding officer at the election shall be an agent or procurator in the Court of Session or the Sheriff Court of Aberdeenshire of not less than three years standing ;
- (10) The poll shall be open at ten o'clock in the forenoon of the day of election and close at four o'clock in the afternoon of the same day ;
- (11) No returning officer presiding officer or poll clerk shall vote at any election at which he officiates ;
- (12) The only persons entitled to be present within the polling place at the taking of the poll in addition to the voters and at the counting of the votes at the close of the poll shall be the returning officer the clerk the presiding officers the clerks appointed by the returning officer and the candidates or the persons (one each) whom they shall authorise in writing under their hand to represent them ;
- (13) At the close of the poll the returning officer shall count the votes and the candidates who being not more than the number of elected Commissioners to be elected at any election

shall be found to have the greatest number of valid votes shall if duly qualified according to the provisions of this Act be deemed to be elected Commissioners. The returning officer shall thereafter cause the names of the persons elected to be Commissioners to be published by notice inserted in at least one of the newspapers published in the city and a copy of such notice certified by the returning officer shall be conclusive evidence of the election;

(14) No election held in pursuance of this Act shall be deemed to be vitiated in consequence of any technical defect in the proceedings which has not been prejudicial to the interests of any party concerned in the election;

(15) Subject to the other provisions of this Act the sheriff shall determine in a summary manner all questions that may arise in reference to harbour elections and his decision on all questions of fact shall be final;

(16) The returning officer shall deliver the ballot papers and other election documents in sealed covers to the clerk who shall retain them for one year and shall then cause them to be destroyed;

(17) In case of an equality in the number of votes the Commissioners at their first meeting to be held after such election shall if necessary to prevent an excess in the number of elected Commissioners determine by lot which of the persons having such equality of votes shall be the Commissioner or Commissioners.

28. At each election of elected Commissioners each elector whether possessing one or more of the qualifications of an elector herein-before prescribed and whether qualified as an elector in his individual right and also as a partner or member of a company firm or corporation or as a joint owner of shipping shall be entitled to vote once only and if any person shall vote more than once or shall vote without being duly qualified according to the provisions of this Act or falsely assume to act in the name or on behalf of any person entitled to vote he shall for every such offence be liable to a penalty not exceeding twenty pounds.

Persons to vote once only and not to vote without being qualified under a penalty.

29. No person who shall be a member of the council at the time of any election of elected Commissioners shall be qualified to be elected as one of such elected Commissioners and any person who shall at any time after his election as one of the elected Commissioners become a member of the council shall thereby ipso facto be disqualified from acting as one of the elected Commissioners.

Councillors not to be elected Commissioners and elected Commissioners to vacate office on becoming councillors.

A.D. 1895.

Procedure
in case of
failure to
elect elected
Commis-
sioners.

30. In case of the failure at any time of the electors to make a valid election in terms of this Act of persons duly qualified to be elected Commissioners the Commissioners shall within six weeks after such failure shall have been ascertained cause an election of such persons to be made according to the rules herein-before appointed to be observed with respect to the annual elections of elected Commissioners and the persons to be so elected shall in respect of continuance of office be on the same footing as if their election had taken place on the third Tuesday of November immediately preceding the date thereof.

Elected
Commis-
sioners may
resign office.

31. Any elected Commissioner may resign office at any time upon giving to the Commissioners not less than three weeks written notice of such intention.

Disqualifica-
tions of
Commis-
sioners.

32. The following provisions shall apply with respect to disqualifications for the office of elected Commissioners :—

- (1) If any person shall have been adjudged bankrupt within the meaning of section 5 of the Bankruptcy Frauds and Disabilities (Scotland) Act 1884 (including the case of a person whose estate has been sequestrated or with respect to whom a decree of cessio bonorum has been pronounced by a competent court in Scotland) such person shall be disqualified from being elected to or holding or exercising the office of an elected Commissioner under this Act. The said disqualification shall be removed and cease in the events mentioned in section 5 sub-section 3 of that Act ;
- (2) If any elected Commissioner is adjudged bankrupt within the meaning of section 5 of the Bankruptcy Frauds and Disabilities (Scotland) Act 1884 (including the case of a person whose estate has been sequestrated or with respect to whom a decree of cessio bonorum has been pronounced by a competent court in Scotland) such Commissioner shall thereby be ipso facto disqualified to act and his office shall thereupon become vacant and the Commissioners shall elect a person duly qualified in his stead in terms of and subject to the provisions of the immediately following section ;
- (3) Every person who after his becoming or being elected one of the Commissioners shall accept or hold any office or place of profit under the Commissioners or participate in the profits of any work done by order of the Commissioners or be concerned or participate in the profits of any contracts entered into with the Commissioners shall thenceforth cease to be a Commissioner and his office shall thereupon become vacant

Provided always that no Commissioner shall vacate his office by reason of being a shareholder partner or member of any firm company or corporation consisting of not fewer than seven shareholders partners or members with which the Commissioners may enter into any contract or by reason of his being interested in any loan of money to the Commissioners or being a holder of debenture stock and no such contract or loan shall be void or voidable by any of such reasons. Provided also that no Commissioner shall be entitled to vote on any question relating to the execution of this Act or the affairs of the Commissioners wherein such firm company or corporation of which he is a shareholder partner or member is interested or on any question connected therewith or on any question relating to any such loan or on any question other than debenture stock in which he is personally concerned and if he shall so vote his vote shall not be counted and he shall be liable to a penalty not exceeding twenty pounds.

33. If any elected Commissioner refuse to accept office or die or resign or become disqualified or incompetent to act or cease to be a Commissioner from any other cause than that of going out of office by rotation or in regular course as aforesaid every such vacancy shall be filled up in manner following (that is to say) The Commissioners shall elect a person duly qualified in his stead and in every case the Commissioner so substituted shall continue in office for the same period as the person in whose place he is elected would in ordinary course have continued and thereafter he shall go out of office but shall be eligible for re-election.

Occasional vacancies how to be filled up.

34. No Commissioner shall by reason of his holding such office be disqualified from acting as a magistrate sheriff justice of the peace or a magistrate or judge of any police court with reference to the levying of any penalty under this Act or in any matter relating to the execution of this Act.

Commissioners not incapable of acting as magistrates.

35. Any person being incapacitated or not duly qualified to act or after having become disqualified who shall act as one of the Commissioners shall for every such offence be liable to a penalty not exceeding fifty pounds and such penalty may be recovered at the instance of any person qualified to vote at the previous election of elected Commissioners who shall sue for the same and that as a civil debt with full costs of suit in any competent court nevertheless all acts done by any person being incapacitated or not duly qualified as one of the Commissioners previously to the recovery of the penalty shall be as valid as if such person had been duly qualified.

Penalty on Commissioners not being qualified acting.

A.D. 1895.

Expenses of elections to be defrayed.

36. The expense of making up the several lists and the registers of the electors herein-before directed to be made up for the purposes of elections and the expense of advertising elections and printing lists and registers and all other expenses attending elections shall be defrayed out of the rates to be raised under this Act.

IV.—MEETINGS AND OTHER PROCEEDINGS AND ACCOUNTS OF THE COMMISSIONERS.

First meeting of the Commissioners.

37. The Commissioners shall hold their first general meeting on the first day of October one thousand eight hundred and ninety-five and proceed to put this Act into execution.

Monthly and annual meetings.

38. Meetings of the Commissioners shall after such first general meeting be held monthly or oftener as the Commissioners shall see fit on such day and at such hour as they shall from time to time appoint and they shall hold an annual general meeting upon the second Monday of January one thousand eight hundred and ninety-six and upon the second Monday of January in each year thereafter.

Special meetings.

39. The Commissioners may hold special meetings and the Lord Provost or in his absence the acting chief magistrate of the city or any five or more of the Commissioners may require a special meeting to be held and may call or direct the clerk to call such meeting and the notice of meeting shall specify the objects for which such meeting is called.

How notices of meetings are to be given.

40. All notices of any meeting of the Commissioners shall be in writing or in print or partly in writing and partly in print and shall be delivered at or transmitted through the post office addressed to the usual place of abode or place of business of each of the Commissioners and every notice shall specify the place of the meeting and the time of meeting not being less than one clear day after the delivery or posting of the notice.

Quorum of Commissioners.

41. At all meetings of the Commissioners ten shall be a quorum and all powers vested in the Commissioners save as herein-after provided in respect to their powers to vary rates may be exercised by such quorum.

No business to be transacted without a quorum.

42. No business shall be transacted at any meeting of the Commissioners unless the quorum herein-before specified be present.

Places of meetings.

43. The meetings of the Commissioners shall be held within the town house of the city or other convenient place within the city to be fixed by the Lord Provost or the acting chief magistrate of the city.

44. At all meetings of the Commissioners the Lord Provost or in his absence the senior magistrate of the city present shall ex officio be chairman and preside and in the absence of both these persons one of the Commissioners shall be chosen by the meeting as chairman and preside and if there be an equality of votes in the election of the chairman the meeting shall decide by lot which of the Commissioners having an equal number of votes shall be chairman and preside and all questions considered at any meeting shall be decided by the votes of the majority present and in case of an equality of votes the chairman shall in addition to his own vote have a second or casting vote.

A.D. 1895.
Chairman of meetings.

45. The Commissioners (whether more or less than a quorum) present at any meeting of the Commissioners or the clerk if no Commissioner be present may adjourn such meeting to another day at the same or any other convenient place within the city.

Adjournment of meetings.

46. No order or resolution of the Commissioners at any meeting shall be altered or revoked unless at a meeting called for that special purpose and notice of the intention to propose such alteration or revocation shall be given on the card or circular calling such meeting.

Orders or resolutions not to be altered without notice.

47. The Commissioners may at any meeting from time to time appoint committees for carrying into effect any of the purposes or provisions of this Act and the Commissioners may appoint the chairman of any such committee and may fix the quorum thereof and may continue alter or discontinue such committee and the Commissioners may delegate to any such committee and such committee may exercise and perform such of the powers and duties (excepting always the powers of the Commissioners as herein-after provided to vary rates and to borrow money or issue debenture stock) competent to or incumbent on the Commissioners in virtue of this Act as the Commissioners think fit.

Power to appoint committees.

48. Every committee so appointed may meet and adjourn from time to time and from place to place as they think proper for carrying into effect the purposes of their appointment and at all meetings of the committee the chairman appointed by the Commissioners and in his absence or if no chairman has been appointed one of the members present to be appointed by the meeting shall preside and if there be an equality of votes in the election of chairman the meeting shall decide by lot which of the Commissioners having an equal number of votes shall be chairman and preside and all questions shall be determined by a majority of the votes of the members present and in case of an equality of votes the chairman shall in addition to his own vote have a second or casting vote.

Meetings of committees.

A.D. 1895.

Quorum of committees.

49. No business shall be transacted at any meeting of any committee appointed by the Commissioners unless the quorum of members (if any) fixed by the Commissioners or if no quorum be fixed three members be present.

Proceedings of the Commissioners not to be invalidated by vacancies.

50. No proceeding of the Commissioners or of any committee shall be invalidated or be illegal by reason of any deficiency at the time of such proceeding in the number of the Commissioners occasioned by any failure to elect the elected Commissioners or any of their number or by reason of a vacancy from any other cause in the number of Commissioners or members of committees at the time of such proceeding.

Informalities in appointment of Commissioners not to invalidate proceedings.

51. All proceedings of the Commissioners or of any committee of the Commissioners or of any person acting as one of the Commissioners shall notwithstanding it be afterwards discovered that there was some defect in the appointment of any such Commissioners or persons acting as aforesaid or that they or any of them were disqualified be as valid as if every such person had been duly appointed and was qualified to be one of the Commissioners.

Proceedings to be recorded and when signed to be received as evidence.

52. The Commissioners shall cause records to be kept by the clerk under their superintendence of all the proceedings of the Commissioners and of every committee appointed by them with the names of the Commissioners who shall attend each meeting and the record of every such proceeding shall be signed by the chairman of the meeting at which the proceeding took place and the record or minute of such meeting so signed or an extract thereof certified by the clerk shall be received as evidence in all courts and before all judges justices and others without proof of such meeting having been duly convened or held or of the persons attending such meeting having been or being Commissioners or members of committees respectively or of the signature of the chairman or of the fact of his having been chairman all of which last-mentioned matters shall be presumed until the contrary is proved and such records shall at all reasonable times be open to the inspection of any of the Commissioners and of any creditor or the security of the rates or property of the Commissioners or any holder of debenture stock.

Officers may be suspended and temporary appointments made.

53. The Commissioners may at any time suspend any officer in their employment and may appoint another person temporarily to fill his office or temporarily to fill any office under them which may be vacant from any cause.

Auditor to be appointed.

54. The Commissioners shall annually appoint an auditor (being a professional accountant and not being one of the Commissioners or holding other office under them) to audit and docquet the

accounts of the Commissioners and they may suitably remunerate such auditor. A.D. 1895.

55. The Commissioners shall within six weeks after the first day of October in each year produce and lay before such auditor their accounts with the statement and account appointed by section ninety of the Commissioners Clauses Act 1847 to be produced at the annual general meeting of the Commissioners accompanied with proper vouchers in support of the same and all books papers and writings in their custody or power relating thereto and such auditor shall within four weeks after receiving the same examine such accounts statement and account and vouchers and may either make a special report on such accounts or simply confirm the same and such report or confirmation shall be printed along with such statement and account and be produced therewith at the annual general meeting of the Commissioners and such accounts if confirmed by the auditor and allowed by the Commissioners and certified accordingly by a certificate annexed to such statement and account or a printed copy thereof under the hand of the chairman of the meeting at which such accounts are so allowed shall be final in regard to all persons whomsoever.

Accounts to be audited.

V.—LIMITS OF HARBOUR—MAINTENANCE AND IMPROVEMENT OF HARBOUR—PLANT—PROTECTION OF WORKS.

56. The harbour of Aberdeen shall include the whole waterways water channels docks locks bridges quays piers basins breakwaters and other works lands buildings wharves and erections by this Act vested in the Commissioners and shall extend as far seawards as the extreme easterly and northerly points of the works for the time being of the Commissioners and shall include the portion of the sea and tidal waters and the whole tidal lands waterway and channel within such works.

Limits of the harbour.

57. The port and harbour of Aberdeen shall extend to and include the harbour and so far as not within the limits thereof as herein-before defined the Rivers Dee and Don upon both sides thereof the coast between those rivers and the coast southward from the mouth of the River Dee to the point or headland called Girdleness in the county of Kincardine The port and harbour shall extend seawards for a distance of one nautical mile measured from any point taken in the high-water line of ordinary spring tides between the River Dee and the River Don Provided always that such port and harbour shall not by virtue of this Act be deemed to be a port for customs purposes nor shall anything in this Act contained abridge or affect in any way the powers of the

Limits of the port and harbour.

A.D. 1895. Treasury in respect of ports under the Customs Consolidation Act 1876.

Harbour
master's
authority.

58. The powers of the harbour master may be exercised within the port and harbour.

Power to
construct
maintain and
improve
harbour and
works and
lease and
dispose of
lands.

59. Subject to the provisions of this Act the Commissioners may from time to time execute the works and effect the purposes following or any of them (that is to say):—

- (1) They may construct alter enlarge improve remove and maintain all such basins graving docks floating docks timber ponds locks gates bridges quays piers breakwaters jetties lighthouses landing-places sluices slips inclined planes sewers drains channels wharves warehouses mills sheds yards shear poles steam hydraulic or other cranes and lifts weighing machines roads streets approaches lines of rails sidings turntables and all such other buildings and works machinery and conveniences as are hereby vested in them or as they may think necessary or convenient for the use and accommodation of the port and harbour and the shipping and trade thereat Provided always that the powers conferred on the Commissioners by this sub-section shall not be exercised by them except on the lands vested in them by this Act or acquired purchased feued or leased by them in terms of this Act;
- (2) They may alter dredge scour deepen widen enlarge straighten improve and maintain the docks and entrance and navigation channels and whole waterways and water channels of the harbour;
- (3) They may appropriate and adapt such parts as they think fit of the lands vested in them by this Act for the purpose of shipbuilding mills manufactories yards and generally for manufacturing trading or commercial purposes and they may lease such lands for such periods and upon such terms and for such rent or other consideration as they think fit or may absolutely sell feu or dispose of the same Provided that nothing in this sub-section shall exempt the Commissioners from any action or other procedure for nuisance in the event of any nuisance being caused or permitted by them upon any such lands;
- (4) They may lease or grant the use or occupation of any graving dock gridiron slip lines of rails sidings turntables or machinery provided by or belonging to them for the purposes of this Act at such rent and upon such terms and conditions as shall be agreed between them and the persons taking the same

Provided that no such lease be granted for a longer period than five years : A.D. 1895.

Provided that none of the works authorised by this section shall be constructed below high-water mark without the consent in writing of the Board of Trade having been first obtained.

60. The Commissioners may set apart quays piers or wharves or portions thereof for the discharge of white fish herrings lime bones manure or goods of any other kind and the harbour master may give directions that all vessels having cargoes of white fish herrings lime bones manure or other goods to discharge shall proceed to and lie at such quays piers or wharves or at any portion thereof for the purpose of unloading Any person disregarding the provisions of this section or disobeying the orders of the harbour master in reference thereto shall be liable to a penalty not exceeding ten pounds for each offence. Commis-
sioners may
set apart
quays for
discharge of
fish lime
bones
manure &c.

61. The Commissioners may by agreement purchase or feu or lease any lands not exceeding in all twenty acres or any right therein which shall be deemed proper or expedient for the purposes of the port and harbour. Lands may
be taken by
agreement.

62. The Commissioners shall not under the powers by this Act granted purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or without the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December last but have been or shall be subsequently so occupied. Restriction
on taking
houses of
labouring
class.

For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

63. Where portions of territory disjoined from the county of Kincardine and parish of Nigg by the firstly-recited Act or taken and used as by that Act authorised for the course or channel of the diversion of the River Dee authorised by the firstly recited Act were part of any lands standing immediately before the completion of the diversion rated in the cess and valuation books of the county of Kincardine at a cumulo sum of valued rent the remainder of those Provision for
maintenance
of existing
valued rent
in Kincar-
dineshire.

A.D. 1895. lands shall continue to stand rated in the said cess and valuation books at such cumulo sum of valued rent which shall continue to be the amount of the valued rent of such remainder and the owners of the remainder and their successors shall respectively continue to be liable as the owners of land standing rated in such cess and valuation books at such cumulo valued rent to pay all public or parochial taxes rates and burdens which may be by law imposed on them according to the valued rent. Provided always that the Commissioners shall make compensation to such owners in respect of the additional burden which will be thereby imposed on them and the amount of such compensation shall be determined by arbitration in manner provided by the Lands Clauses (Scotland) Acts for the settlement of cases of disputed compensation by arbitration.

Registration of deeds relating to certain lands of the Commissioners.

64. Whereas the ancient boundary of the royal burgh and city of Aberdeen intersects the lands belonging to the Commissioners on the north side of the River Dee and those lands are all situated within the present Parliamentary boundary of the city but the precise course of such ancient boundary cannot now be traced and deeds instruments and writings relative to or affecting the said lands have hitherto been in use to be recorded both in the Register of Sasines Reversions et cetera kept for the burgh of Aberdeen and also in the division of the General Register of Sasines applicable to the county of Aberdeen and inconvenience and needless expense have been caused by such double recording which it is desirable to remedy. Be it enacted that the Register of Sasines Reversions et cetera kept for the burgh of Aberdeen shall from the commencement of this Act be the appropriate Register of Sasines for recording all such deeds instruments and writings executed after such commencement and it shall not be necessary to record deeds instruments or writings so executed in the division of the General Register of Sasines applicable to the county of Aberdeen any previous law or practice to the contrary notwithstanding.

Power to provide dredgers and other plant.

65. The Commissioners may for the purposes of this Act from time to time purchase lease provide or hire such steam or other dredgers steam or other engines steam or other vessels ballast lighters rubbish lighters fire engines tools plant or other materials as they think fit and may from time to time sell and dispose of or let such dredgers engines vessels lighters tools plant and materials aforesaid.

Penalty for damaging works.

66. Every person who shall do or cause to be done any damage to the works of the Commissioners or to any article or thing belonging to them therewith connected shall be liable to repair and make good such damage and to pay to the Commissioners the sum

expended by them in repairing and making good the same and shall also be liable to a penalty not exceeding ten pounds for each offence.

A.D. 1895.

67. No person without the permission of the harbour master first had and obtained shall bring to or lay down at or on the docks quays or piers of the harbour any goods intended for shipment or land lay down or leave upon the quays piers grounds or roads of the harbour any timber logs floats or rafts of timber and any person bringing to or laying down at or on such docks quays or piers any goods intended for shipment or landing laying down or leaving timber logs floats or rafts of timber upon such quays piers grounds or roads without such permission shall for each offence be liable to a penalty not exceeding forty shillings and the Commissioners or any of their officers may cause to be removed all such goods timber logs floats or rafts of timber from such docks quays piers grounds or roads and detain the same till payment of such penalty and the costs of removal and if such penalty and costs shall not be paid within four days after such removal and detention the Commissioners or any of their officers may by virtue of this Act and without any further warrant or authority cause to be sold by public roup such goods timber logs or floats or rafts of timber for payment of such penalty and costs besides the expenses of sale they returning the surplus if any be to the owner Provided always that the said penalties costs and expenses shall be recoverable either by the sale of the goods timber logs or floats or rafts of timber in manner aforesaid or in the same manner as penalties for offences against other provisions of this Act may be recovered.

Goods timber &c. not to be laid down on quays &c. of harbour without permission.

68. If any person opens or shuts or attempts to open or shut any swing bridge dock gate caisson sluice or flow without the consent of the harbour master he shall be liable for each offence to a penalty not exceeding fifty pounds.

Penalty for opening dock gates &c. without permission.

69. The harbour master may remove or cause to be removed from any dock or quay any nuisance which may happen to be in or upon the same.

Harbour master may remove nuisances.

70. If the owner consignee or person in charge of any tar pitch resin hemp flax jute wool cotton faggots or spirituous liquors turpentine oil hay straw tallow grease shavings of wood petroleum or any other combustible matter or thing whatsoever permit or suffer the same or any part thereof to be and remain on the quays or wharves of the Commissioners or any of them or any part thereof or upon the deck of any ship lighter barge boat or any other vessel in the docks basins locks channels or entrances of the harbour or any of them

As to removing combustibles.

A.D. 1895. — beyond the space of six hours after he is required by the harbour master by notice in writing to take away the same therefrom every person so offending shall for each offence be liable to a penalty not exceeding forty shillings for every hour the combustible matter or thing or any part thereof remains in that place or situation after the expiration of the six hours computed from the time of delivery of the notice For the purposes of this section such delivery may be made to such owner consignee or person either personally or at his place of business or at his residence.

As to watching combustibles.

71. The owner consignee or person in charge of any combustible matter or thing on the quays or wharves or any of them or the master of the ship lighter barge boat or other vessel on the deck of which any combustible matter or thing is shall when required by the harbour master at their own expense maintain a sufficient number of capable persons to be in that behalf appointed by the harbour master to guard and watch over the combustible matter or thing until the same be removed and in case any such owner consignee master or other person fail to pay the expense on demand the amount may be determined by the magistrate and may be recovered in like manner as and along with any penalty recoverable under this Act.

Penalty on giving a false draught of water.

72. If the master pilot or other person in charge of any vessel entering or leaving or intending to enter or leave any part of the harbour shall give false information of her draught of water to the harbour master he shall for each offence be liable to a penalty not exceeding fifty pounds besides being liable for any damages and expenses that may arise in consequence of such false information.

Vessels engines not to be tested without permission.

73. No master engineer or other person in charge of any vessel or the engines of any vessel shall proceed to test such engines of such vessel by setting them in motion within the limits of the harbour without the consent in writing of the harbour master first obtained and such testing shall be carried out only at such place and time and in such manner as the harbour master shall prescribe Any master engineer or other person offending against the provisions of this section shall for each offence be liable to a penalty not exceeding fifty pounds Notwithstanding the provisions of this section and whether such testing shall or shall not be carried out in accordance therewith the owner of such vessel or engines and every such master engineer or other person shall jointly and severally be liable to make good all damage and loss caused by such testing to the property of the Commissioners or other persons.

74. Every person who shall at any time obstruct the Commissioners or any person employed by them in the performance of any work or thing which they are respectively empowered or required to do by this Act or by any byelaw in force or to be made in virtue of this Act shall for every such offence be liable to a penalty not exceeding five pounds.

A.D. 1895.
Penalty on
obstructing
Commis-
sioners &c.

VI.—RATES.

75. From and after the commencement of this Act the Commissioners may levy demand and take for every vessel coming into or going out of the port and harbour or any part thereof the rates specified in the Schedule A to this Act or as varied in manner herein-after provided and such rates shall be payable on such vessel entering or before its leaving the port and harbour as the case may be.

Rates for
vessels.

76. From and after the commencement of this Act the Commissioners may levy demand and take for all goods shipped or unshipped in any part of the port and harbour the rates specified in the Schedule B to this Act or as varied in manner herein-after provided and such rates if such goods are to be shipped shall be payable before the shipment or if such goods are to be unshipped shall be payable before the same are unshipped.

Rates for
goods.

77. The rates specified in the Schedules A and B to this Act or as varied under the authority of this Act shall at all times be charged equally to all persons in respect of the same class or description of vessel and the same description of goods.

Rates to be
charged
equally.

78. The Commissioners may from time to time vary the rates specified in Schedules A and B to this Act or all or any of them by increasing or reducing the same in such manner and to such extent as they deem expedient Provided always that no rates shall be increased by more than one fifth and that no rates shall be reduced by more than one third above or below (as the case may be) the rates authorised by those schedules Provided further that such increase or reduction shall be resolved on by at least three fourths of the whole body of the Commissioners at a special meeting of the Commissioners duly called for the purpose and shall be confirmed at another special meeting held not sooner than one month thereafter by at least three fourths of the Commissioners present at such subsequent meeting and that public notice of every resolution of the Commissioners passed at their first special meeting to increase or reduce the rates or all or any of them shall be given in at least one newspaper published in the city not less than

Power to
vary rates.

A.D. 1895. fourteen clear days before the second special meeting of the Commissioners and that no such increase or reduction shall take effect until the expiration of twenty-one days after the first publication of such notice.

As to the fractional part of a farthing in varying.

79. If any rate specified in the Schedules A and B to this Act shall when raised or reduced as herein-before authorised be such as would contain a fractional part of a farthing such fractional part shall be reckoned one farthing.

Rates for lighthouses lights and signals.

80. From and after the commencement of this Act the Commissioners may levy demand and take for every vessel coming into the port and harbour or any part thereof any sums not exceeding the rates specified in the Schedule C to this Act for maintaining the establishment of the lighthouses leading lights and other lights beacons flags and signals maintained by the Commissioners and such rates shall be payable on such vessel entering the port and harbour.

Rates by whom to be paid.

81. The several rates herein-before authorised to be levied for vessels coming into or going out of the port and harbour or any part thereof shall be paid by the owners agents masters managers or other persons having charge of such vessels respectively and the rates herein-before authorised to be levied for goods shipped or unshipped in any part of the port and harbour shall subject as herein-after provided be paid by the owners of such goods respectively.

Masters &c. to give account of cargo and grant security for rates before discharging or loading.

82. Every master or other person duly authorised (except in the case of steam or other vessels being regular traders as herein-after provided) shall attend at the office of the collector of rates within twenty-four hours after the arrival of the vessel in the harbour and give an account of the cargo inwards by producing the manifest bills of lading manifest book freight account book Custom House papers or such other documents as will show the true contents of the cargo and grant security either by consignation or otherwise to the satisfaction of the collector for the rates payable in respect of such cargo before a permit or warrant is issued for discharging the same and every master taking on board goods shall give intimation at the office of the collector before he begins to load and procure a permit or warrant to ship the same before allowing such goods to be put on board and shall immediately on the vessel being laden or before sailing give an account of his cargo outwards by producing the manifest bills of lading mate's or ship's book or other documents and pay the rates on such goods so far as not already paid all under a penalty not exceeding ten pounds for each offence.

83. Every master owner manager or consignee of a steam or other vessel being a regular trader to the port or other person duly authorised shall attend at the office of the collector immediately on the arrival of the vessel or so soon thereafter as said office is open or before the departure of the vessel and give an account of the cargo by production of the documents above mentioned and grant security or make consignment as herein-before provided under a penalty not exceeding ten pounds for each offence.

A.D. 1895.
Masters &c.
of regular
traders to
give account
of cargo
and grant
security for
rates.

84. Every owner agent manager or person in charge of goods imported into or landed in the port and harbour or intended for shipment shall when required by the collector and in any case before removing such goods from the quays docks or premises of the Commissioners or shipping such goods as the case may be give to the collector a true account under his hand of the kinds quantities and weights thereof and when required by the collector verify the same by the production of his books and all other documents necessary to vouch such account and shall pay the rates for such goods and every such owner agent manager or person who shall remove or ship goods as aforesaid without having given and verified such account or who shall give or sign a false account of such goods or who shall remove or ship goods as aforesaid without having paid the rates for such goods shall be liable to a penalty not exceeding ten pounds for each offence Provided always that the provisions of this section shall be in addition to and not in derogation of the provisions of sections forty-two and forty-three of the Harbours Docks and Piers Clauses Act 1847.

Owners &c.
to give ac-
counts of
goods and
pay rates
before
removal.

85. The master or owner of every fishing vessel or fishing boat shall on arrival in the port and harbour forthwith report such arrival to the collector and shall furnish to the collector a true and accurate statement of his cargo of fish and the names and addresses of the persons owning such cargo or taking delivery thereof and shall if required grant security either by consignment or otherwise to the satisfaction of the collector for the rates payable in respect thereof and any such master or owner contravening this provision shall be liable to a penalty not exceeding ten pounds for each offence.

Master and
owners of
fishing
vessels to
give account
of cargo &c.
and pay
rates.

86. From and after the commencement of this Act the Commissioners may levy demand and take such rates as they shall from time to time fix for the use of shear poles or large cranes for lifting and putting in or taking out of vessels old or new machinery boilers stones or other articles and for masting and dymasting vessels and such rates shall be paid by the owner or person in charge of such machinery boilers stones or other articles or by the owner

Rates for
shear poles
or large
cranes.

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agent master manager or other person having charge of such vessels and may be recovered by the Commissioners in the same way as rates in respect of vessels are by this Act recoverable.

Rates for sheds ponds cranes and weighing machines.

87. The Commissioners may levy demand and take such rates as they shall from time to time fix for the use of their warehouses sheds timber ponds cranes weighing machines conveniences weights and measures from the owner or person having the charge of any goods articles or things deposited or placed in such warehouses sheds or timber ponds or shipped or unshipped loaded or unloaded weighed or measured by means of such cranes weighing machines conveniences weights or measures or from the owner agent master manager or other person in charge of the vessel using such cranes weighing machines conveniences weights or measures and such rates may be recovered by the Commissioners in the same way as rates in respect of vessels or of goods are by this Act recoverable.

Rates for graving dock slips &c. and rails.

88. The Commissioners may levy demand and take from the owner agent master manager or other person in charge of any vessel taken into or upon or using any graving dock gridiron or inclined plane or slip provided by or belonging to the Commissioners for the purposes of this Act and also subject to the provisions of this Act from every person using any lines of rails sidings or turntables provided by or belonging to them for such purposes such rates as the Commissioners shall from time to time fix subject to the approval of the Board of Trade and which rates may be recovered by the Commissioners in the same way as rates in respect of vessels or of goods are by this Act recoverable.

Fractional part of a penny reckoned one penny.

89. In levying and collecting the amount of any rate payable under the authority of this Act any fractional part of a penny shall be reckoned one penny.

Rates to be paid at the harbour office property of persons liable may be retained and sold in payment.

90. All rates leviable or payable in virtue of this Act shall be payable to the Commissioners at the harbour office or at such other place as they may from time to time appoint and for all such rates the Commissioners may without prejudice to their other powers of recovery at common law or by statute retain in security any goods or property within the limits of the port and harbour of the person or persons liable to the payment of the same and may in default of payment sell such goods or property or any part thereof and apply the proceeds in payment of such rates and the expenses of sale.

Harbour master may prevent sailing of vessels when

91. The harbour master may prevent the removal or sailing out of the harbour of any vessel in respect of which or of the goods exported by such vessel any rate shall have been payable until evidence shall have been produced to him of the payment of such

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rates to the collector and any person disobeying the orders of the harbour master in reference to the provisions of this section shall be liable to a penalty not exceeding ten pounds for each offence.

rates have not been paid.

92. The rates to be levied and received under the authority of this Act shall be applied by the Commissioners in manner following (that is to say) :—

Application of rates.

In the first place in payment of the interest of the moneys borrowed under the authority of the recited Acts and remaining due at the commencement of this Act and to be borrowed under the authority of this Act according to the respective priorities of such moneys ;

In the second place in maintaining the port and harbour and defraying the ordinary expenditure of the Commissioners ;

In the third place in the formation of the sinking fund by this Act provided ;

In the fourth place in improving the port and harbour ;

In the fifth place in repayment of the principal sums of the moneys borrowed and to be borrowed under the authority of the recited Acts and this Act.

V II.—BALLAST.

93. The Commissioners may use sell or dispose of in such manner as they think proper the rock stones gravel sand clay soil and other materials dug or dredged by them within the harbour.

Commissioners may dispose of materials dredged &c.

94. The Commissioners may from time to time by agreement purchase feu or take on lease for the deposit or obtaining of ballast any lands and any servitudes rights and interests in over or affecting the same.

Power to acquire lands for deposit of ballast.

95. The Commissioners shall have the sole supplying and immediate superintendence direction and management of the ballasting of all the vessels within the harbour and they may levy demand and take such rates therefor as from time to time they shall deem expedient.

Commissioners to supply and to have the superintendence of the ballasting.

96. In case the Commissioners cannot by the lighters or vessels employed by them supply any demand for ballast in sufficient time for the accommodation of the shipping the harbour master may permit the master or owner of any vessel to lift and convey ballast from such place as the harbour master shall from time to time direct on payment to the Commissioners of such rates as shall from time to time be fixed by them.

Provision when vessels of Commissioners cannot supply demand for ballast.

97. Every master of any vessel within the harbour who shall receive into such vessel any ballast which shall not be supplied by

Penalty for receiving ballast not supplied by

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Commissioners or not brought from place directed.

No ballast or rubbish to be thrown on quays without permission.

Owners or masters may require Commissioners to remove ballast by their lighters.

Ballast rates by whom payable.

Penalty on others than Commissioners selling ballast removal of ballast from vessel to vessel.

the Commissioners or which shall have been brought from any place without the permission and direction of the harbour master shall for every such offence be liable to a penalty not exceeding five pounds.

98. No ballast or rubbish shall be thrown out of any vessel upon the quays of the harbour except by permission of the harbour master and every master or other person who shall throw out any ballast or rubbish from any vessel on such quays without such permission and every master owner agent or manager of any vessel who shall fail immediately to remove from such quays any ballast or rubbish thrown out of such vessel to such place as the harbour master may direct shall be liable to a penalty not exceeding five pounds for each offence.

99. The owner or master of any vessel instead of throwing out any ballast from such vessel on the quays of the harbour and removing such ballast from such quays may require the Commissioners by means of the lighters or vessels employed by the Commissioners and on payment to them of such rates in name of lighterage as shall from time to time be fixed by them to remove such ballast and to dispose thereof and in such case the owner or master shall be at the expense of heaving such ballast.

100. The rates for the supply and removal of ballast payable to the Commissioners as herein-before provided shall be paid by the owner master agent manager or other person in charge of every vessel which is supplied with or discharges any ballast within the harbour in respect of the vessel to or out of which such ballast is supplied or discharged and shall be recoverable by the Commissioners as other rates in respect of vessels are by this Act recoverable.

101. Every person not being the Commissioners or employed by them for the purpose who shall sell or dispose of any ballast from any vessel within the harbour shall be liable to a penalty not exceeding five pounds for each offence. Provided that the master of any vessel may with the permission of the Commissioners receive ballast into such vessel out of any other vessel and in such case the owner master agent manager or other person in charge of the vessel discharging the ballast shall be at the expense of heaving the same and the owner master agent manager or other person in charge of the vessel receiving such ballast shall pay to the Commissioners in respect thereof such rates as they shall from time to time fix.

102. If the master or crew of any vessel neglect (so as to occasion unnecessary or unreasonable delay) to take in or cast out the ballast or rubbish of or for such vessel from or to any cart waggon truck or other apparatus or ballast lighter employed to receive or supply ballast or rubbish from or to such vessel the master of such vessel shall for each offence be liable to a penalty not exceeding five shillings for every hour during which such cart waggon truck or other apparatus or ballast lighter is by or in consequence of such neglect so delayed.

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Penalty for delaying ballast lighters carts &c.

103. If any person shall dig or take away any ballast shingle stone or the like from within the harbour without leave of the Commissioners in writing for that purpose first obtained he shall for each offence be liable to a penalty not exceeding five pounds.

Penalty for taking ballast out of harbour.

104. If any master of any ballast lighter employed to receive or take ballast from any vessel or to remove or discharge any ballast or to take up or dredge for ballast in the harbour discharge or deposit the ballast at or take up any ballast in or from any other part of the harbour than such part thereof as the Commissioners from time to time shall lawfully direct every such master shall for each offence be liable to a penalty not exceeding ten pounds.

Penalty on masters of lighters improperly discharging or taking up ballast.

105. If any person cast or unload into or out of any vessel in the harbour or if any master of any vessel in the harbour knowingly permit to be cast or unloaded into or out of the same any ballast or rubbish and such person or master have not a wooden stage or portsail sufficiently large and properly fastened (during the whole time of such casting or unloading) from the vessel into or out of which such ballast or rubbish is to be cast or unloaded to the upper edge or highest part of the wharf or quay or to the other vessel into from or upon which such ballast or rubbish is to be cast or unloaded and so as to prevent any such ballast or rubbish from falling into the harbour every person or master so offending shall for each offence be liable to a penalty not exceeding forty shillings for the first offence and not exceeding ten pounds for every subsequent offence.

Penalty for casting ballast &c. without a portsail.

106. If any officer of the Commissioners or any other person under any pretence whatsoever and without the authority or direction of the Commissioners save in the execution of works properly authorised and save also so far as is proper for the execution of such works shall cast or unload any ballast or rubbish within the harbour every person so offending shall for each offence be liable to a penalty not exceeding five pounds.

Penalty for casting ballast &c. without authority.

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VIII.—STEAM TUGS.

Commissioners may provide and license steam tugs.

107. For the better navigation of the port and harbour and for the use and accommodation of vessels frequenting the same the Commissioners may from time to time build purchase contract for or hire and may maintain use and let steam tugs or other power and may also from time to time license such number of steam tugs or other power belonging to any person and for such period and on such terms and conditions as they may think fit.

Commissioners to fix rates for steam tugs.

108. The Commissioners may from time to time fix such rates or charges as appear to them reasonable for or in respect of the use of such steam tugs or other power maintained used and let or licensed by them as they think fit and such rates or charges shall be paid by the owner master agent manager or other person having charge of the vessel obtaining the assistance of such steam tugs or other power to the Commissioners or to their lessee or to the person with whom they may contract or to the owner of such steam tugs or other power if licensed by them as the case may be and such rates and charges shall be due and payable whether such steam tugs or other power shall be actually employed or not provided the assistance thereof shall have been required and shall in consequence of such requisition have been tendered by the master or other person having the command of such steam tugs or other power.

Penalty for using or employing steam tugs without the licence of the Commissioners.

109. Every person who without the licence of the Commissioners first applied for and obtained shall use or employ any steam tug or other power for towing vessels within the port and harbour except such as shall be provided or employed by the Commissioners or by their lessee contractor or other person having their authority and except also any steam tug or other power which is being employed in towing a vessel from any other port or harbour to the port and harbour or from the port and harbour to any other port or harbour shall for each offence be liable to a penalty not exceeding five pounds.

Penalty for steam tugs plying without a licenced pilot on board.

110. If the master or other person having the command of any steam tug or other power and not being himself a licenced pilot shall ply with such steam tug or other power within the port and harbour without having a licenced pilot on board he shall for each offence be liable to a penalty not exceeding five pounds.

IX.—PILOTAGE LIGHTS BUOYS AND BEACONS.

Lighthouses buoys and beacons to be maintained.

111. Subject to the provisions of the Harbours Docks and Piers Clauses Act 1847 and the Merchant Shipping Act 1894 the Commissioners shall keep up and maintain in proper order and repair

the lighthouses leading lights and other lights buoys beacons flags and signals established or maintained in virtue of the firstly-recited Act or establish and maintain others in lieu and place thereof or in addition thereto and may appoint keepers of such lighthouses leading lights and other lights buoys beacons flags and signals as they think fit.

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112. The Commissioners may from time to time license and appoint such persons as they think necessary as captain pilots and pilots of and for the port and harbour and withdraw or suspend any such licence or appointment at their pleasure and they may from time to time fix the rates and prices or other remuneration to be demanded and received for the time being by all pilots licensed by them and may from time to time alter the mode of remunerating such pilots and the Commissioners shall be a pilotage authority and local lighthouse authority within the meaning of the Merchant Shipping Act 1894 and shall have all powers conferred by that Act on pilotage authorities and on local lighthouse authorities.

Commissioners to be the pilotage and lighthouse &c. authority.

113. Subject to the provisions of the Merchant Shipping Act 1894 all licences to captain pilots and pilots granted by the existing Commissioners in virtue of the firstly-recited Act shall continue in force until the annual expiration thereof or until the same are recalled or until the suspension or dismissal of such captain pilots or pilots.

Existing licences of pilots to continue in force.

114. Every pilot licence shall be given under the hand of the clerk and shall continue in force for such period as the Commissioners shall fix but not exceeding twelve months after granting the same.

Licences how to be issued.

115. Every person upon his admission as a pilot shall be subject to the provisions in this Act contained and to such byelaws rules and regulations as shall be in force for the time for the government and direction of the pilots of the port and harbour.

Pilots to be under direction of Commissioners.

116. The employment of a pilot shall not be compulsory within the port and harbour except as herein provided with regard to steam tugs or other power plying within the port and harbour.

Pilotage not to be compulsory.

117. No pilot licensed or acting under the authority of this Act shall pilot or convey any ship or vessel out of the harbour until the captain pilot shall have been satisfied that the rates required by this Act to be paid in respect of such vessel and her outward cargo have been duly paid to the collector.

Pilots not to take out ships until rates are paid.

118. In case any vessel shall be met with in distress by any such pilot and shall stand in need of and receive from him any extraordinary services compensation for such extraordinary services

Pilots to be compensated for extraordinary assistance.

A.D. 1895. shall be paid to such pilot by the person liable to pay pilotage dues for such vessel and such compensation shall be fixed according to the circumstances of the case by one or more of the magistrates of the city or by the sheriff or justices before whom any proceeding for the recovery thereof may be taken and shall be deemed to be pilotage dues and may be recovered in the same manner as any pilotage dues may be recovered.

Harbour master may stop vessels until pilotage dues are paid.

119. The harbour master may prevent the removal or sailing out of the harbour of any vessel in respect of which any pilotage dues shall be payable until evidence shall have been produced to him of the payment of such dues.

Commissioners not to be liable for damage by pilots.

120. The Commissioners shall not be liable or answerable to any person whatsoever for any accident loss or damage occasioned by the fault or incapacity of any pilot licensed or appointed by them or happening in any way in consequence of the employment of any such pilot.

X.—METERS AND WEIGHERS.

Power to appoint meters and weighers.

121. The Commissioners may appoint and license a sufficient number of persons to be meters and weighers within the port and harbour.

Rates for weighing and measuring goods to be paid either to the meters and weighers or to the treasurer.

122. The rates or other remuneration to be paid for the weighing and measuring of goods at the port and harbour shall in the option of the Commissioners be paid either directly to the meters and weighers themselves or to the treasurer for the purpose of forming a fund out of which the Commissioners shall pay to the meters and weighers weekly or other wages for their services of such amount as the Commissioners shall from time to time fix and determine as also retiring or superannuation allowances in the case of old age or other infirmity and the other necessary and proper charges and expenses connected with the meting and weighing department.

Meters to give account of goods to collector.

123. All meters or others who measure and weigh goods delivered out of or put on board any vessel shall immediately or within twenty-four hours after such vessel is discharged or loaded give an account of the same at the office of the collector and any person not complying with the provisions of this section shall be liable in a penalty not exceeding twenty shillings for each offence.

XI.—SUPPLY OF WATER GAS AND ELECTRICITY.

Commissioners may contract for

124. The Commissioners may contract with the council for a supply of water to vessels within the harbour and for the extinction

of fires in such vessels and for the working of gates locks bridges cranes or other machinery or conveniences at the harbour and also for a supply of gas and electric power for the lighting and use of the harbour and the streets buildings works and property within the limits thereof. A.D. 1895.
supply of
water gas
and electric
power.

125. The Commissioners may levy demand and take from the owner master agent manager or other person in charge of any vessel receiving such supply of water such rates not exceeding one shilling and sixpence for each quantity of one thousand gallons supplied or for any quantity less than one thousand gallons as they may find necessary for defraying the expense of the supply of water to vessels and affording them protection against fire but such rates shall not be leviable in respect of any vessel unless water shall be actually supplied to such vessel. Rates for
water
supplied to
vessels.

XII.—HARBOUR POLICE.

126. The Commissioners shall appoint during their pleasure a superintendent of police for the port and harbour and such number of officers and constables under him as they may from time to time think necessary and may pay to the persons so appointed such salaries wages or allowances as the Commissioners think fit Provided that instead of making such appointments the Commissioners may agree with the council with respect to the protection of the port and harbour and the goods and vessels thereat or the lighting or cleansing of the harbour by the police force or other officers under the charge of the council as herein-after authorised. Harbour
police to be
established.

127. Such superintendent officers and constables to be appointed by the Commissioners shall discharge the following duties (that is to say):— Duties of the
police.

They shall guard patrol and watch the docks piers quays and other works of the port and harbour and the roads and accesses thereof and the goods thereon or therein and the vessels within the port and harbour and the goods with which such vessels may be loaded;

They shall enforce and obey the byelaws of police of the Commissioners;

They shall apprehend and bring before any of the magistrates or judges of police of the city all persons committing or charged with committing a breach of this Act or of any of such byelaws or other byelaws made in pursuance of this Act or committing or charged with committing any criminal riotous or disorderly act within the port and harbour to be dealt with tried and punished agreeably to the forms established

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and in use for the time in the police court of the city and under the powers and authorities vested for the time in the magistrates or judges of such police court or otherwise in terms of law;

They shall at all times afford to the Commissioners their best aid and assistance in the preservation of peace and good order and the suppression of nuisances within the port and harbour and the removal of obstructions from the docks piers quays jetties and other works and the beaches roads and accesses of the port and harbour;

They shall see to the proper lighting and cleansing of the harbour and the works thereof by the officers or servants appointed for that purpose by the Commissioners.

Powers and privileges of police.

128. Such superintendent officers and constables shall have all the powers and privileges appertaining for the time being to any constable by the law of Scotland.

Commissioners may agree with council for watching the harbour.

129. The Commissioners and the council may from time to time agree that all or any of the duties herein-before appointed to be performed by such superintendent officers and constables shall be performed by the superintendent of police and officers and constables appointed by the council and during the existence of any such agreement such last-mentioned superintendent of police and officers and constables shall for the purposes of this Act have and exercise the same powers rights and privileges within the port and harbour as they may have or exercise within any part of the territory situate within the limits of police of the city or as if they had been appointed by the Commissioners.

Commissioners and council to fix number &c. of officers to be employed &c.

130. The Commissioners and the council may from time to time in any such agreement fix the number and description of the officers and constables to be employed in the execution of this Act and the sum of money or charges to be paid in consideration of their services by the Commissioners to the council.

XIII.—BYELAWS.

Additional byelaws.

131. In addition to the powers of making byelaws contained in the Harbours Docks and Piers Clauses Act 1847 the Commissioners may subject to the provisions of this Act from time to time make vary or repeal such byelaws as they shall think fit for all or any of the following purposes (that is to say):—

- (1) For preventing and removing obstructions or impediments within the port and harbour and at or in or on the docks basins

- piers quays and other works and roads and accesses of the harbour ;
- (2) For berthing or removing vessels lying in any part of the port and harbour regulating the conduct and behaviour of boatmen labourers jobbers stevedores and others resorting to the port and harbour docks basins piers quays or other works and for prohibiting persons from acting as such within the port and harbour without previously obtaining a licence to that effect from the Commissioners ;
 - (3) For regulating the management superintendence and police of the harbour and of the works constructed and to be constructed for the improvement thereof and of the harbour lighthouses leading lights and other lights and the buoys pawls and landfasts of the harbour ;
 - (4) For regulating the use of the rails sidings and turntables on and along the docks quays and piers and other works of the Commissioners and the moving of engines carriages waggons and trucks along the same ;
 - (5) For regulating the conduct of the owners masters and crews of vessels propelled by steam or other power with regard to the rate of speed at which they may proceed within the port and harbour the mode of navigating such vessels the keeping the advertised times of sailing and the taking on board and landing or discharging passengers ;
 - (6) For regulating the towing of vessels at the port and harbour the size and number of vessels towed at one time in one train the order and manner in which the towage shall be given and the duties and conduct of all persons employed on the tugs used at the port and harbour for towing vessels with regard to the rate of speed at which they may proceed within the port and harbour or with regard to any other matter ;
 - (7) For regulating the terms and conditions of granting licences for such tugs ;
 - (8) For regulating the conduct of boatmen and others in landing passengers from and putting them on board of vessels and the sufficiency of the vessels employed for that purpose ;
 - (9) For regulating the conveyance landing laying down and shipment discharge and removal of goods within the port and harbour ;
 - (10) For regulating the ballasting of vessels within the harbour and the order and manner in which they shall be supplied with ballast and the discharging removal or disposal of ballast ;
 - (11) For regulating the duties and conduct of the crew and the persons employed about the lifeboats or the lifeboat establishment of the port and harbour ;

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(12) For prohibiting all persons working or employed in the Commissioners sheds at the harbour or on board any vessel in the harbour from smoking or from carrying on their persons or in any part of their clothing or otherwise any matches or other articles or apparatus capable of being used for producing combustion or which might cause fire :

And the byelaws to be so made by the Commissioners shall unless relating solely to the Commissioners or their officers or servants be confirmed and shall be published in the manner prescribed by the Harbours Docks and Piers Clauses Act 1847 and shall be observed under penalties not exceeding the sum of ten pounds for each offence besides such damages as the case may infer.

XIV.—RECOVERY AND APPLICATION OF PENALTIES AND PUNISHMENT OF CRIMES WITHIN THE PORT AND HARBOUR.

Punishment of crimes and offences within the port and harbour beyond police limits.

132. All persons committing or accused of having committed any crime or offence under statute or at common law within any part of the port and harbour although such part may not be within the police limits of the city and all persons committing or accused of having committed any offence in contravention of this Act or any byelaws made in pursuance thereof wheresoever such offence or contravention shall be committed may be dealt with tried and punished in the same manner as if such crimes or offences or contraventions had been committed or been charged to be committed within such police limits.

Prosecution of offences and recovery of penalties.

133. The magistrates and all constables of the city shall have all and the same jurisdiction powers and authorities as regards contraventions of and offences declared by this Act or any byelaws now in force or to be made in pursuance of this Act as they have and are entitled to exercise as magistrates and constables of the city as regards any crimes or offences committed within the police limits of the city and all such contraventions or offences and breaches of byelaws shall be dealt with prosecuted and followed forth to a conviction and conclusion at the instance of the Commissioners or the clerk or the treasurer or the procurator fiscal of the city in the police court of the city agreeably to the forms in use for the time being in such court or any other forms competent by the law of Scotland.

Transient offenders.

134. Any officer acting under the authority of this Act and all persons called by him to his assistance may seize and detain any person who shall be found committing any offence against the provisions of this Act or any byelaw in force or to be made in pursuance thereof and whose name and residence shall be unknown

to such officer and convey him with all convenient despatch before a magistrate of the city without any warrant or other authority than this Act and such magistrate shall proceed with all convenient despatch in the matter of the complaint against such offender.

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135. All penalties fines forfeitures and damages imposed by this Act or by any byelaw in force or to be made in pursuance thereof shall when levied (notwithstanding anything to the contrary contained in any Act for regulating the said police court) be paid to the treasurer for the purposes of this Act.

Application of penalties.

136. Where under this Act a sum is awarded which is declared by the Act to be recoverable as a civil debt the forms to be followed in the recovery thereof shall be those provided for enforcing decrees pronounced in the small debt courts of the sheriff and there shall be added to the finding of the magistrate in such case a warrant for execution in the following form :—“ And the magistrate decerns and “ ordains instant execution by arrestment and also execution to “ pass hereon by poinding and sale after a charge of ten free days ” Any officer authorised by law to execute the warrant of a magistrate may carry out the procedure authorised by this section.

Forms when sum recoverable as civil debt.

XV.—WAREHOUSES &C.

137. The Commissioners may let on lease any warehouses buildings sheds cranes and weighing or other machines or conveniences provided by them at such rents and upon such terms and conditions as shall be agreed upon between the Commissioners and the person taking using or occupying the same.

Power to lease warehouses cranes &c.

138. The Commissioners may within the harbour act as warehousemen wharfingers and storekeepers and render such services as are usually rendered by dock companies on payment by the owners of the goods warehoused or deposited or the person in charge of such goods of such rents or charges as shall from time to time be fixed by the Commissioners.

Commissioners may act as warehousemen &c.

139. The Commissioners from time to time at the request of any person warehousing or depositing any goods in any warehouse or on or in any of the quays wharves or yards of the Commissioners or entitled to any goods so warehoused or deposited may if the Commissioners think fit issue and deliver to him a certificate of such goods having been so warehoused or deposited.

Commissioners may issue certificates of deposited goods.

140. On delivery to the Commissioners of any such certificate to be cancelled the Commissioners may issue to the person delivering up the certificate a warrant for the delivery of all or any goods specified in the certificate Provided that if the warrant be for the

Commissioners may issue warrants for delivery of goods.

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Effect of certificate or warrant.

141. Every such certificate and warrant shall be deemed to be a document of title to the goods specified therein and shall be transferable by endorsement and any holder of such certificate or warrant whether the person named therein or the indorsee thereof shall have the same right to the possession and property of such goods as if they were deposited in his own warehouse. Every such certificate or warrant shall state on the face thereof the effect of this section and that it is issued under the powers of this Act.

Certificate or warrant not to be given till rates &c. paid.

142. No such certificate or warrant shall be given unless and until all liens and claims for freight and all other liens or claims whatsoever to which the goods were liable while on board any vessel and before the warehousing or depositing of the same and of which the Commissioners have had notice in writing and all rates rents charges and expenses payable to the Commissioners with respect to the warehousing or depositing of the goods or for services performed by the Commissioners in respect thereof are paid or discharged.

Warrants &c. signed by duly authorised officers effectual.

143. All certificates delivery warrants transfer certificates and other documents relating to goods in the custody of the Commissioners or to the management of the business of the port and harbour if signed and issued by any officer duly authorised in that behalf shall be effectual in law and binding on the Commissioners and all other parties interested without any other signature and without any seal.

Rates on warehoused goods to be paid within time fixed or otherwise the goods to be sold for payment of rates &c.

144. The owner or person having the charge of any goods warehoused stored or yarded within the harbour shall before the removal of such goods from the warehouses stores or yards of the Commissioners and at such date or dates as shall from time to time be fixed by the Commissioners pay such rates and charges as shall be then due and payable on such goods and in case such owner or person shall fail or neglect to pay such rates and charges the Commissioners or such person as shall be appointed by them may at their own hand cause all such goods to be publicly sold and the produce of such sale shall be applied first in discharge of all such duties of customs and excise as may be due in respect of such goods next in payment of the rates and charges imposed by or payable under this Act or of any other sums which may be owing to the Commissioners or for which they may be liable or have undertaken liability and the overplus arising from such sale shall be paid to such owner or person. Provided that the said goods shall not be sold until the Commis-

sioners shall have given one month's previous notice in writing to such owner or person and shall have inserted such notice twice at least in a newspaper published in the city and have affixed the same in a conspicuous place in the office of the Commissioners.

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145. The Commissioners may at their discretion use as a bonding warehouse any of their warehouses or any part thereof which may be duly approved by the Commissioners of Customs or of Inland Revenue when such are intended for the deposit of goods liable to the duties of customs or excise.

Warehouses to be used as bonding warehouses.

146. The Commissioners may if required give to the Commissioners of Customs or of Inland Revenue general security by bond under their common seal for payment of duties on or for the due exportation of goods deposited in their warehouses and yards.

Commissioners may give bond for duties on goods warehoused.

147. The Commissioners may give such bonds or securities under their common seal as may be required by the laws for the time being in force relating to bonding warehouses and bonding yards.

Commissioners may give security for bonding warehouses &c.

148. All warehouses belonging to the Commissioners in which goods prohibited to be used for home consumption or liable to the duties of customs or excise may be deposited shall if required by the Commissioners of Customs or of Inland Revenue be secured in such manner as shall be approved by such Commissioners.

Warehouses to be secured.

XVI.—BORROWING POWERS.

149. The Commissioners may from time to time borrow at interest on the credit of the rates by this Act authorised and the other revenues of the Commissioners any sums of money which with the sums previously borrowed in virtue of the recited Acts and remaining due at the commencement of this Act shall not exceed the sum of five hundred and thirty-five thousand pounds sterling and in the event of any part of such sum of five hundred and thirty-five thousand pounds being repaid by the Commissioners except by means of the sinking fund herein-after provided they may again borrow the same and so from time to time and the Commissioners may grant to the persons advancing or lending the money so to be borrowed bonds therefor containing an assignation of the said rates and other revenues or any part thereof to such persons as a security for the payment of the money so to be borrowed with the interest thereof.

Borrowing powers of the Commissioners.

150. Every bond and assignation in security to be granted by the Commissioners shall be by deed duly stamped in which the consideration shall be truly stated and all such bonds and assignations

Form of bonds.

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in security may be partly written and partly printed or engraved and shall be subscribed by any two of the Commissioners and by the treasurer and be sealed with the seal of the Commissioners and such bonds and assignments in security may be according to the form in the Schedule H to this Act or to the like effect.

Commissioners and treasurer not to be personally liable.

151. The Commissioners and the treasurer shall not be personally liable by reason of having signed such bonds and assignments in security for the repayment of the money borrowed or interest thereon.

Register of bonds to be kept and to be open to inspection.

152. A register of such bonds and assignments in security shall be kept by the treasurer and within twenty-one days after the date of any such bond and assignment in security an entry of the number date and amount thereof and of the names of the parties thereto with their proper designations shall be made in such register and such register may be perused at all reasonable times by any person interested in any such bond and assignment in security without fee or reward.

Transfer of bonds.

153. Any person entitled to any such bond and assignment in security may transfer his right and interest therein to any other person by deed duly stamped wherein the consideration shall be truly stated and such transfer may be according to the form in the Schedule I to this Act or to the like effect.

Register of transfers to be kept.

154. Within twenty-one days after the date of every such transfer it shall be produced to the treasurer who shall thereupon cause an entry thereof to be made in the same manner as in the case of the original bond and assignment in security and for such entry the treasurer may demand any sum not exceeding two shillings and sixpence and after such entry every such transfer shall entitle the transferee his executors administrators or assignees to the full benefit of the original bond and assignment in security in all respects and such transferee may in like manner transfer the same toties quoties.

Transmission of bonds &c. otherwise than by transfer.

155. If the sum contained in any bond and assignment in security to be granted as aforesaid for money borrowed by the Commissioners or contained in any bond assignment instrument or other voucher granted for money borrowed under the authority of the recited Acts (and which bonds and assignments in security and bonds assignments instruments or vouchers are herein-after respectively called a "voucher of debt") become transmitted in consequence of the death or bankruptcy of any creditor or by any other means than by a transfer according to the provisions of this Act such transmission shall be authenticated by a statutory

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declaration of one or more competent persons or in such other manner as the Commissioners or the treasurer may require. The declaration shall state the manner in which and the party to whom such voucher of debt and sum therein contained have been transmitted. The statutory declaration shall be left with the treasurer who if such voucher of debt shall be a bond and assignation in security shall thereupon enter the name of the person entitled to such voucher of debt under such transmission in the register of transfers and for every such entry he treasurer may demand any sum not exceeding two shillings and sixpence and until such transmission has been so authenticated the Commissioners or the treasurer shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any interest on such voucher of debt or the principal sum therein contained or any part thereof. In this section the term transmission includes any case of apparent transmission in consequence of the change of name of the creditor although the actual ownership may remain unaltered.

156. If such transmission have taken place by virtue of any testamentary instrument or by intestacy the probate of the will or the letters of administration or an official copy thereof obtained if granted in England or a testament testamantar or testament dative if expedite in Scotland or an official extract thereof shall together with a statutory declaration if such be required by the Commissioners or the treasurer be produced to the treasurer and upon such production in either of the cases aforesaid the treasurer shall make an entry of such transmission in the said register of transfers and for every such entry the treasurer may demand any sum not exceeding two shillings and sixpence. Provided always that any transmission in discharge or partial discharge of a pecuniary legacy under the will shall be evidenced by a deed of transfer duly stamped with ad valorem duty upon the amount of the legacy or of so much thereof as is discharged by the transfer.

Trans-
mission by
testamentary
instruments.

157. The interest of the money borrowed or to be borrowed under the authority of the recited Acts or this Act shall be paid at the terms or periods appointed in the voucher of debt and if no term or period be appointed shall be paid half-yearly to the several persons entitled thereto.

Interest to
be paid half-
yearly.

158. The Commissioners may issue interest warrants in the form of the Schedule J to this Act or to the like effect signed by the treasurer for the periodical payment of the interest to become due on the principal sum contained in any voucher of debt during the period for which such voucher of debt is intended to subsist

Interest
warrants
may be
issued.

A.D. 1895. and the delivery to the Commissioners or the treasurer or to any other person on their behalf of any such interest warrant duly stamped shall be a valid and sufficient discharge to the Commissioners for the interest in respect of which the same was issued.

Evidence of title to interest.

159. The Commissioners or the treasurer before allowing the receipt of any interest on the principal sum contained in any voucher of debt may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the interest and that evidence shall be a statutory declaration of competent persons or of such other nature as the Commissioners or the treasurer may require.

Receipts for interest by joint holders of bonds.

160. When more persons than one are registered as joint holders of any bond and assignation in security the first person named in the register may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Commissioners or the treasurer by any other of them. Provided always that the Commissioners or the treasurer may at all times require that the receipts of all such joint holders be given for any interest.

Repayment of money borrowed and renewal of bonds.

161. The Commissioners shall fix a period for the repayment of all principal moneys to be borrowed by them but not exceeding in any case the period for which the moneys are authorised to be borrowed and in such case the Commissioners shall cause such period to be inserted in the bond and assignation in security to be granted by them as aforesaid and upon the expiration of such period the principal sum together with all interest thereon shall on demand be paid to the person entitled to receive the same and if no other place of payment be inserted in such bond and assignation in security such principal sum and interest shall be payable at the office of the treasurer. The repayment of the principal sum or any part thereof contained in any such bond and assignation in security may by agreement with the holder thereof to be endorsed thereon and signed by the treasurer be deferred or postponed to any term to be expressed in such endorsement but not exceeding in any case the period for which the moneys are authorised to be borrowed and the principal sum or part thereof as the case may be shall bear interest during such postponement at the rate to be also expressed in such endorsement.

As to repayment of money borrowed when no time has been agreed on.

162. If no time be fixed in any bond and assignation in security already granted by the Commissioners for repayment of money so borrowed the person entitled to receive such money may at the expiration or at any time being the fifteenth day of May or the eleventh day of November after the expiration of twelve months from the date of such bond and assignation in security

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and upon giving three months previous notice to the treasurer demand payment of the principal sum thereby secured with all interest due thereon and in the like case the Commissioners may at any time pay off the money borrowed on giving the like notice and every such notice shall be in writing or in print or partly in both and if given by a creditor shall be delivered to the treasurer or left at his office and if given by the Commissioners shall be either delivered personally to such creditor or left at or sent through the post office addressed to his residence or place of business or if such creditor be unknown to the Commissioners or cannot be found after diligent inquiry such notice shall be given by advertisement inserted once in the "Edinburgh Gazette" and once in a newspaper published in the city When more persons than one are registered as joint holders of any bond and assignation in security such notice if given by the Commissioners to the first holder named in the register shall be deemed to be effectual notice within the meaning of this section to all the joint holders.

163. If the Commissioners shall have given notice as aforesaid of their intention to pay off any bond and assignation in security at a time when the same may lawfully be paid off by them then at the expiration of such notice all further interest shall cease to be payable thereon unless on demand of payment made pursuant to such notice or at any time thereafter the Commissioners shall fail to pay the principal sum and interest due at the expiration of such notice on such bond and assignation in security.

Interest to
cease at
expiration of
notice to pay
off bond.

164. Any person entitled to any bond and assignation in security granted under the authority of the recited Acts or to be granted under the authority of this Act may discharge the same and the sum of money and interest therein contained and his right and interest therein in favour of the Commissioners by a receipt which may be written thereon and which may be according to the form contained in the Schedule K to this Act or to the like effect and every such receipt when signed by the granter thereof shall be a valid and effectual discharge to all intents and purposes.

Discharge of
bonds.

165. The Commissioners shall not be bound to see to the execution of any trust whether express implied or constructive to which any voucher of debt or certificate of debenture stock or the money principal or interest thereby secured may be subject and the receipt of the person in whose name any such voucher of debt or certificate of debenture stock stands in the books of the Commissioners shall be a sufficient discharge to the Commissioners for any money payable in respect thereof notwithstanding any trust to which the same or the money thereby secured may then be

Commis-
sioners not
bound to see
to the execu-
tion of trusts.

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subject and the Commissioners shall not be bound to see to the application of the money paid upon such receipt.

Money may be borrowed on cash account.

166. The Commissioners may from time to time accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the Commissioners according to the usage of bankers in Scotland to the extent of the sum which the Commissioners are by this Act authorised to borrow or any part thereof and they may from time to time by any bond and assignation in security signed and sealed in manner before provided assign the said rates and other revenues in security for the money to be advanced on such cash account with interest for the same. Provided that the whole sum due and owing by the Commissioners on such cash account and for any other moneys borrowed under the authority of the recited Acts and this Act shall not when taken together exceed the said sum of five hundred and thirty-five thousand pounds.

Priorities of bonds.

167. All bonds and assignations in security granted by the Commissioners in virtue of the recited Acts shall during the subsistence of any debt under such bonds and assignations in security have to the extent of such debt their existing priorities over each other and priority over any bonds and assignations in security to be granted under the powers of this Act and on the expiration of the periods for which the bonds and assignations in security issued in virtue of the recited Acts were granted or have been renewed the Commissioners may renew the same with the like priorities for such periods and at such rate of interest as they may think fit or they may pay off the moneys therein and re-borrow them under new bonds and assignations in security but subject to the condition that in the event of such moneys being so re-borrowed the priority of such moneys or any part of the same shall be deemed to have ceased and such new bonds and assignations in security shall thereafter rank *pari passu* with the other bonds and assignations in security and the debenture stock to be issued under and in virtue of this Act. Nothing in this Act shall alter prejudice or affect the priority of the debt owing by the Commissioners to the Public Works Loan Commissioners and the bonds and assignations in security for the same so far as now subsisting.

Provision as to loans by Public Works Loan Commissioners.

168. If the Public Works Loan Commissioners advance any farther loan to the Commissioners under the Harbours and Passing Tolls &c. Act 1861 and the Acts amending the same—

(A) That loan and the security therefor shall not have priority over any loan previously borrowed by the Commissioners or the security therefor except so far as the creditors consent to

such priority under the Public Works Loans Act 1875 - or otherwise but shall have priority over any loan subsequently borrowed by the Commissioners and the security therefor; and

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(B) The amount which the Commissioners are authorised by this Act to borrow shall be diminished by the amount of any loan to be borrowed under the Harbours and Passing Tolls &c. Act 1861 and the Acts amending the same.

169. The respective creditors in or holders of bonds and assignments in security granted or to be granted for money borrowed or to be borrowed or re-borrowed under the authority of the recited Acts and this Act shall be entitled one with another to their respective proportions of the rates and other revenues of the Commissioners according to the respective principal sums contained in and due under such bonds and assignments in security and to be repaid such principal sums and the interest thereon according to their respective rights and priorities as provided by this Act.

Creditors to be entitled to payment from rates and revenues.

170. All bonds and assignments in security to be granted by the Commissioners and all money to be advanced and lent on the security of the rates and other revenues of the Commissioners shall be movable or personal estate and transmissible as such and shall not be of the nature of heritable or real estate.

Bonds to be personal estate.

171. All moneys which shall be borrowed by the Commissioners in virtue of this Act other than the moneys which may be re-borrowed by them in virtue thereof to repay sums borrowed in virtue of the recited Acts and this Act shall be applied for the execution of the works by this Act authorised and for any other purposes to which such moneys are applicable under this Act being in every case purposes to which capital is properly applicable.

Application of money borrowed.

XVII.—DEBENTURE STOCK.

172. The Commissioners may from time to time resolve that any portion of their debt then subsisting whether borrowed under this Act or the recited Acts may be converted into debenture stock of the Commissioners to be called "Aberdeen Harbour Redeemable Debenture Stock" of like amount either by agreement with the respective holders or by paying off the same when due and issuing stock of a corresponding amount instead of re-borrowing the sums so paid off and may also from time to time resolve that the whole or any part to be defined in and by such resolution of the moneys which the Commissioners shall have authority to raise by borrowing and which shall not then have been raised shall or may be raised by the creation and issue of debenture stock and such

Power to create and issue debenture stock with pari passu ranking.

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debenture stock with the interest thereon shall be a charge upon the undertaking of the Commissioners. Provided that in the event of the Commissioners converting borrowed money as aforesaid into debenture stock or paying off money borrowed under the recited Acts and this Act or any part thereof and raising such money by means of the issue of debenture stock or raising by such means any money by the recited Acts or this Act authorised to be borrowed the holders of such debenture stock shall rank *pari passu* and without any preference or priority the one over the other.

Holders of existing bonds may by agreement take stock therefor.

173. The holder of any bond and assignation in security in force at the commencement of this Act may agree with the Commissioners to surrender and discharge the same and to take in exchange debenture stock of equivalent value issued under this Act.

Powers of conversion to trustees and others.

174. Any person who holds any such bond and assignation in security and who is one of the persons enabled by the Lands Clauses Consolidation (Scotland) Act 1845 section seven to sell land under that Act may consent to the conversion of such bond and assignation in security into debenture stock or to the payment of the moneys secured thereby before the time appointed for the payment thereof as if such person were the absolute owner in his own right of such bond and assignation in security.

Converted stock subject to same trusts &c.

175. All debenture stock issued under this Act in substitution for or on account of any such bond and assignation in security shall be subject and liable to the same trusts powers provisions and declarations agreements charges liens and incumbrances as immediately before the conversion or payment of such bond and assignation in security affected the same and so as to give effect to and not to annul any testamentary or other disposition of or affecting the same and every such disposition shall take effect with reference to a proportionate amount of the substituted stock.

Regulations applicable to stock.

176. The following provisions shall apply to debenture stock created and issued under the powers of this Act (that is to say):—

(1) The stock shall be issued by the Commissioners in such amounts in such manner at such prices and such times and subject to such conditions (not being inconsistent with the provisions of this Act and being equally applicable to all issues of stock at all times) as the Commissioners at or before the creation thereof may from time to time determine and all stock issued shall bear such fixed interest being the same for all issues of stock as the Commissioners by resolution shall fix;

(2) The resolution for the first creation of stock shall provide that all such stock shall be redeemable by the Commissioners

at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the Commissioners by that resolution shall declare Provided that such time shall not exceed sixty years from the first creation of stock ;

- (3) Each resolution for creation of stock shall specify that the stock thereby created is redeemable ;
- (4) The several holders of the stock shall be creditors of the Commissioners for the payment of the interest due thereon and shall be deemed to hold by virtue of this Act a mortgage of the undertaking of the Commissioners in security of such payment ;
- (5) The interest shall be payable at the office of the treasurer or of the bankers of the Commissioners as they may determine half-yearly on the fifteenth day of May and the eleventh day of November unless either of such days shall fall on a Sunday or a Bank Holiday and in any such case on the following day unless such following day be a Sunday and then on the following Monday ;
- (6) The Commissioners shall keep a book to be called the "Register of Holders of Aberdeen Harbour Redeemable Debenture Stock" and in such book shall be entered from time to time the names and addresses of the persons entitled to stock together with the amount of the stock to which such persons shall be entitled and the names of such persons shall be placed in alphabetical order and every holder (and if such holder be a corporation the clerk or agent of such corporation) may at all convenient times peruse such book gratis and may require a copy thereof or of any part thereof and for every one hundred words so required to be copied the Commissioners may demand a sum not exceeding one shilling ;
- (7) The Commissioners shall on demand deliver to each holder of stock a certificate under the hand of their treasurer and two of the Commissioners and sealed with the common seal of the Commissioners stating the amount of stock held by him and the certificate may be in the form in Schedule L to this Act or to the like effect and for such certificate the Commissioners may demand any sum not exceeding two shillings and sixpence ;
- (8) The certificate of any stock shall be admitted in all courts as *primâ facie* evidence of title of the holder thereof to the stock therein specified ;
- (9) If the certificate of any stock be worn out or damaged then on its being produced to the Commissioners they may order

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it to be cancelled and thereupon they shall issue a similar certificate to the person then entitled to the certificate so worn out or damaged or if such certificate be lost or destroyed then on proof thereof to the satisfaction of the Commissioners they shall issue a similar certificate to the person then entitled to the certificate so lost or destroyed and in either case an entry of the substituted certificate shall be made by the Commissioners in the register of stock and for every such substituted certificate the Commissioners may demand any sum not exceeding two shillings and sixpence;

(10) The stock shall be transmissible and transferable as and shall in all other respects have the incidents of personal estate;

(11) The Commissioners shall not be bound to pay the interest of any stock until the person entitled thereto shall have obtained a certificate thereof and no such interest in arrear and not wrongfully withheld by the Commissioners shall bear interest;

(12) Subject as herein-before provided all moneys received by the Commissioners on the sale of any land or property shall be applied in redemption of stock;

(13) When any land or other property is sold or feued or otherwise disposed of by the Commissioners the same shall in the hands of any person to whom the same shall have been sold or disposed and his heirs successors and assignees be absolutely freed from all claims charges or obligations in respect of any stock granted or issued under this Act and such person shall not be bound to see to or inquire into the application by the Commissioners of the money arising from such sale feu or disposition or be in any way responsible for the non-application or misapplication thereof;

(14) The Commissioners may from time to time and subject to the provisions herein contained as to the application of the sinking fund in the first instance to paying off the moneys borrowed under the authority of the recited Acts if required to do so by the persons entitled thereto apply all or any moneys standing at the credit of the sinking fund in the purchase and redemption of stock and may by agreement with any stockholder redeem or purchase any portion of the stock. When any portion is so redeemed or purchased an entry of the redemption or purchase thereof shall be made in the register of stockholders. Whenever such portion is redeemed or purchased by the application of the sinking fund such redeemed or purchased portion shall be wholly extinguished;

(15) After the conversion of any bonds and assignations in security into stock or after any money shall have been raised by the Commissioners by the issue of stock the Commissioners shall not issue bonds and assignations in security or any other securities for the amount so converted or raised or again borrow the same but the powers of borrowing by the Commissioners shall to that extent be extinguished. A.D. 1895.

177. With respect to the transfer of debenture stock the following provisions shall have effect (that is to say) :-- Rules applicable to transfer of stock.

- (1) Stock may be transferred in any amount divisible by ten pounds and every such transfer shall be by deed which shall be duly stamped unless the Commissioners have compounded for the stamp duty and the consideration in the transfer shall be truly stated and such deed may be in the form in the Schedule M to this Act annexed or to the like effect ;
- (2) The Commissioners shall keep a book to be called the "Register of Transfers of Aberdeen Harbour Redeemable Debenture Stock" and every such deed of transfer when duly executed shall be delivered to and be kept by the Commissioners and they shall enter a memorandum of every such deed of transfer in such book and shall endorse such entry on the deed of transfer (such endorsement to be signed by the treasurer) and shall on demand deliver a new certificate to the transferee and for every such entry of a deed of transfer with such endorsement and with or without such certificate may demand any sum not exceeding two shillings and sixpence and on the request of any transferee an endorsement of the transfer to him shall be made on the certificate of the stock transferred instead of a new certificate being granted and such endorsement being signed by the treasurer shall be considered in every respect the same as a new certificate and until such deed of transfer be so delivered to the Commissioners the transferee shall not be entitled to receive any part of the interest on the stock transferred ;
- (3) The Commissioners may close the register of transfers once every six months for any period not exceeding fourteen days before the fifteenth day of May and eleventh day of November respectively and also on those days and any transfer made during the time when the register is closed shall as between the Commissioners and the transferee but not otherwise be deemed made after that time ;
- (4) If any stock become transmitted in consequence of the death or bankruptcy of the holder thereof or by any other means than by a transfer according to the provisions of this Act such

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transmission shall be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Commissioners or the treasurer may require in the same way and to the like effect as is herein-before provided with regard to such transmissions in the case of bonds and assignations in security and subject to such authentication the treasurer shall enter the name of the new holder in the register of transfers and for every such entry the treasurer may demand any sum not exceeding two shillings and sixpence and until such transmission has been so authenticated the Commissioners or the treasurer shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any interest on the stock transmitted or the principal amount of such stock or any part thereof. In this sub-section the term transmission includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership may remain unaltered ;

- (5) If such transmission has taken place by virtue of any testamentary instrument or by intestacy the probate of the will or the letters of administration duly produced in the Commissary or Sheriff Court and indorsed as required by the law of Scotland or the testament testamentar or the testament dative or an official copy thereof shall with a statutory declaration if such be required by the Commissioners or the treasurer be produced to the treasurer who shall upon such production make an entry of such transmission in the register of transfers and for every such entry the treasurer may demand any sum not exceeding two shillings and sixpence. Provided always that any transmission in discharge or partial discharge of a pecuniary legacy under the will shall be evidenced by a deed of transfer duly stamped with ad valorem duty upon the amount of the legacy or of so much thereof as is discharged by the transfer ;
- (6) Upon any sub-division of stock by transfer or transmission thereof or of any part thereof the Commissioners may upon the delivery up to them of the original certificate grant to the transferees or persons entitled thereto new certificates for the portions of stock to which they are respectively entitled and for every such certificate the Commissioners may demand any sum not exceeding two shillings and sixpence ;
- (7) The Commissioners shall not register any transfer except upon the production of the certificate relating to the stock to be transferred or evidence satisfactory to the Commissioners that the same has been lost or destroyed.

178. The expenses from time to time incurred by the Commissioners in payment of composition for stamp duty in respect of stock shall be deemed to be expenses incurred by the Commissioners for the several purposes for which the stock is or shall have been issued and such expenses may be charged as capital expenses.

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Provision
for compo-
sition for
stamp duty
on stock.

179. When any stock is issued at a premium such premium shall be carried to a separate account and be applied to the purposes to which the sinking fund is applicable and shall be in addition to and not in substitution for other moneys required to be carried to the sinking fund.

Stock issued
at premium.

180. (1) If at any time the Commissioners for two months after demand in writing fail to pay any principal sum due and payable in respect of debenture stock or any dividend due on any debenture stock the person entitled thereto may apply to the Court of Session in a summary way for the appointment of a judicial factor and the court may appoint a judicial factor on such terms as they think fit.

If interest or
principal in
arrear a
judicial
factor may
be appointed.

(2) The judicial factor shall have the like power of realising collecting recovering and applying all principal sums and all revenue rates and charges that may respectively be liable to the payment of the principal of the stock and the interest thereof as the Commissioners themselves or any officer of theirs might have and such other powers and such duties as the court think fit and shall apply all money so realised and collected after payment of expenses and costs as the court directs for the purposes of and in conformity with the provisions of this Act.

(3) The court may at any time discharge the judicial factor and shall have full jurisdiction over him and all persons interested in his acts.

181. If the certificate of any stock bear the signature of the treasurer and two of the Commissioners and the common seal of the Commissioners it shall not be necessary for any person or body to inquire whether the moneys mentioned in the certificate are within the borrowing or other powers of the Commissioners.

Authentica-
tion of certi-
ficates of
stock.

182. Nothing in this Act contained shall in any way prejudice or affect the rights and remedies of the holders of bonds and assignations in security issued before the first creation of stock under this Act nor be deemed to give to the Commissioners the right to convert any such bonds and assignations in security into stock or otherwise to disturb or interfere with the same without the consent in writing of the respective holders nor shall anything in this Act contained be deemed to authorise the Commissioners to pass any resolution for the conversion of any such bonds and assignations in security into stock unless the consent in writing of the respective holders has previously been obtained or unless it

Prior holders
of debt not
to be pre-
judiced.

A.D. 1895. be declared in such resolution that such consent shall be obtained prior to conversion.

Re-issuing of stock.

183. If the Commissioners purchase or redeem any stock otherwise than by the operation of the sinking fund or by the application of premiums on stock they may of new raise the amount so paid off by the re-issue of stock and so from time to time.

Receipts for interest by joint holders of stock.

184. Where more persons than one are registered as joint holders of debenture stock the first person named in the register of stock may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Commissioners or the treasurer by any of them. Provided always that the Commissioners or the treasurer may at all times require that the receipts of all such joint holders be given for any interest.

Interest warrants on stock by post.

185. The Commissioners may from time to time make arrangements for payment of interest on debenture stock by sending warrants through the post and every warrant so sent shall be deemed a cheque within the meaning assigned to that term in the Bills of Exchange Act 1882. Such warrants may be in the form of Schedule J to this Act or to the like effect.

Mode of obtaining interest warrants by post.

186. Where the holder of any debenture stock desires to have his interest warrants sent to him by post he shall make a request for that purpose to the Commissioners in writing signed by him in a form approved by the Commissioners and shall give to the Commissioners an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent.

Protection of Commissioners.

187. The posting by the Commissioners or their treasurer of a letter containing an interest warrant addressed to the holder of debenture stock at his request under the immediately preceding section at the address given by him to the Commissioners shall as respects the liability of the Commissioners and their officers be equivalent to the delivery of the warrant to the said holder himself.

Registers evidence of title &c.

188. The registers of debenture stock and of the transfers of debenture stock kept under the provisions of this Act shall be *primâ facie* evidence of all matters therein entered under the provisions of this Act and of the title of persons entered therein as owners of debenture stock.

Power of Commissioners to make regulations as to debenture stock matters.

189. The Commissioners may from time to time make alter and rescind with reference to the transfer of debenture stock or otherwise in relation to such stock reasonable regulations not inconsistent with the provisions of this Act. A printed copy of all such regulations shall be entered in the registers and any such regulations for the time being in force shall be duly observed.

XVIII.—SINKING FUND.

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190. The Commissioners shall in every year from and after the first day of October one thousand eight hundred and ninety-five set apart as a sinking fund herein-after called "the sinking fund" out of the rates and revenues to be received by them a sum being not less than one pound ten shillings per centum per annum on the moneys borrowed under the authority of the recited Acts and this Act or raised by the issue of debenture stock under this Act to be applied by the Commissioners in paying off such borrowed moneys and the redemption of debenture stock and the sinking fund shall be applied by the Commissioners in paying off such borrowed moneys and the redemption of debenture stock until the same be wholly paid off and to no other purpose whatsoever Provided always that the sinking fund shall in the first instance be applied by the Commissioners in paying off the moneys borrowed under the authority of the recited Acts and remaining unpaid if the Commissioners shall be required to do so by the persons entitled thereto.

Sinking fund for repayment of moneys borrowed and redemption of debenture stock.

191. The Commissioners may deposit any moneys in their names for the time including such portion of the sinking fund as may not at the time have been applied in manner herein-before provided in any bank or banks in Scotland incorporated under Act of Parliament or by Royal Charter or invest the same in any securities or investments competent to trustees under the Trusts (Scotland) Amendment Act 1884 or any Acts amending the same and shall annually add to the sinking fund the interest on the portion thereof which may be so invested.

Mode of investing sinking fund &c.

192. The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for the sinking fund transmit to the Board of Trade a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys required to be set aside for the sinking fund and any interest thereof has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds If it appear to the Board of Trade by such return or otherwise that the Commissioners have

Annual return to Board of Trade with respect to sinking fund.

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failed to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Board of Trade may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by decree of either division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

XIX.—MISCELLANEOUS.

Certain fishing vessels under stress of weather exempt from rates.

193. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the harbour be exempt from rates leviable under this Act.

Board of Trade and Inland Revenue officers exempt from rates.

194. Officers of the Board of Trade and Inland Revenue in the execution of their duty shall at all times have free ingress passage and egress to on along through and from the port and harbour by land and with their vessels and otherwise without payment.

Lifeboat crew exempt from rates.

195. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and from the harbour without payment.

Life-saving apparatus may be attached to harbour and works.

196. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the harbour spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the harbour.

Super-annuation allowances.

197. The Commissioners may reward any officer or other person employed by them for meritorious services and may also make provision for any officer or other person employed by them who may at any time be disabled in or after long service be unfitted for the execution of his duty.

198. The Commissioners may make reasonable charges for all work done services rendered or facilities afforded for the despatch of business not otherwise expressly provided for by this Act.

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Charges for services not otherwise provided for.

XX.—SAVING OF RIGHTS.

199. Whereas by the firstly-recited Act which commenced and took effect from and after the first day of October one thousand eight hundred and sixty-eight it was provided that the Act should continue in force for the space of fifty-five years and from thence to the end of the then next session of Parliament And whereas a period of twenty-eight years of the said space of fifty-five years will remain unexpired at the commencement of this Act And whereas it is expedient that provision should be made for regulating the administration of the harbour undertaking after the expiration of the said period Be it enacted as follows viz. :—

Saving rights &c. of the council. Property of harbour and rates to pass to the council at expiry of 28 years and provision to be made for subsequent administration of the harbour undertaking.

- (1) Nothing in this Act contained shall extend or be construed to extend to take away alter abridge lessen change or infringe any rights privileges jurisdiction power property or authority of the council and community of the city in and about or concerning the harbour or the lands waterways and water channels thereof or the docks locks bridges quays piers breakwaters wharves sewers or other works thereof constructed previous to the commencement of this Act or to be constructed in virtue thereof unless in so far as the same are altered or abridged or restrained by this Act;
- (2) On the expiration of the said period of twenty-eight years from the commencement of this Act the whole property of the harbour with the lands waterways water channels buildings erections docks locks bridges quays piers breakwaters wharves sewers and works vested in the Commissioners for the purposes of this Act shall revert to or become the property of the council for behoof of the community of the city subject to all the debts liabilities engagements contracts obligations statutory provisions and incumbrances that may then affect the same;
- (3) From and after the expiration of the said period of twenty-eight years from the commencement of this Act the council may levy demand and take the rates by this Act authorised;
- (4) The council shall not less than three years before the expiration of the said period of twenty-eight years apply to Parliament for an Act to determine and regulate the administration of the harbour undertaking after the expiration of the said period of twenty-eight years.

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Nothing to exempt works from provisions of Merchant Shipping Act.

200. Nothing contained in this Act shall be deemed to exempt the harbour or the Commissioners from the provisions of the Merchant Shipping Act 1894 or of any general Act relating to merchant shipping harbours or docks or dues on shipping or on goods carried in vessels now in force or which shall be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the rates authorised by this Act.

Saving rights of the Crown.

201. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 or shall divest alter or affect any other estate right or interest belonging to the Queen's most Excellent Majesty Her heirs or successors.

Saving rights of the Crown in the foreshore.

202. Nothing contained in this Act shall authorise the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown the management of which is vested in the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Expenses of Act.

203. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners from and out of the moneys raised and received by them under the authority of this Act.

SCHEDULES referred to in the foregoing Act.

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SCHEDULE A.

RATES FOR VESSELS.

I.—Places in the United Kingdom.

	<i>s.</i>	<i>d.</i>
CLASS FIRST.—(1) For all vessels to or from any port or place between Flamborough Head on the south and Cape Wrath on the north excepting vessels passing through the Caledonian Canal or Forth and Clyde Canal and also for all vessels to or from the Orkney or Shetland Islands—if loaded with coals or lime only per register ton	0	1½
(2) For all other vessels to or from any port or place between Flamborough Head on the south and Cape Wrath on the north excepting vessels passing through the Caledonian Canal or Forth and Clyde Canal and also for all other vessels to or from the Orkney or Shetland Islands - - - per register ton	0	2
CLASS SECOND.—For all vessels to or from all other ports or places in Great Britain or Ireland - - - per register ton	0	3

For all vessels in Class First Division (2) and in Class Second discharging or loading part cargo only at the port and harbour and during the same voyage discharging or loading the other portion of the cargo at another port in Great Britain or Ireland the rates above specified shall be charged in full for the first 10 voyages if in Class First Division (2) or for the first 35 voyages if in Class Second and half of these rates for each voyage thereafter within each year.

II.—Other Places.

CLASS THIRD.—For all vessels to or from any port or place between Brest and the Elbe inclusive including Guernsey Jersey Alderney and Sark:—

For each of the first eight voyages in any year - per register ton	0	6
For each subsequent voyage in such year - per register ton	0	3
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s. d.

CLASS FOURTH.—For all vessels to or from any port or place in Europe to the northward of Gibraltar (other than the ports and places embraced in the foregoing classes) including the Canary Islands Azores or Western Islands Madeira the Faroe Isles and Iceland and including also the whole of the Baltic Sea and White Sea :—

For each of the first six voyages in any year	per register ton	0	9
For each subsequent voyage in such year	- per register ton	0	6

CLASS FIFTH.—For all vessels to or from any port or place on the eastern coast of North America including Greenland and Davis Straits Fisheries or within the Straits of Gibraltar or on the west coast of Africa as far south as the Tropic of Cancer :

For each of the first three voyages in any year	- per register ton	1	0
For each subsequent voyage in such year	- per register ton	0	9

CLASS SIXTH.—For all vessels going out of or coming into the port and harbour to or from any port or place other than any port or place falling under Classes First Second Third Fourth or Fifth above specified - - - - per register ton 1 3

If any vessel sail outwards to any port or place without Great Britain or Ireland loaded with coals for export the rate for such vessel sailing outwards shall be - - - - per register ton 0 6

Provided that in the case of any such vessel where it shall be shown to the satisfaction of the collector of rates that the vessel has been loaded with coals for export not less in the number of tons thereof than two-third parts of the vessel's registered tonnage no higher rate of tonnage shall be payable for such vessel by reason of any other goods being shipped in such vessel.

For all vessels to or from any port or place other than in Great Britain or Ireland discharging or loading part cargo only at the port and harbour and during the same voyage either having called or intending to call at another port or place with or for the other portion of the cargo there shall be paid only three fourths of the tonnage rates otherwise exigible according to the most distant port at which the goods so discharged have been taken on board or at which the goods so loaded are to be discharged.

The rates before specified shall not be charged both on the arrival of a vessel inwards and on her next following sailing outwards but shall be charged only on one of these occasions and it shall be in the option of the Commissioners to charge the rates according to the class either on the sailing inwards or on the sailing outwards. If the rates shall be charged on the sailing outwards there shall be deducted therefrom the amount of rates that may have been previously paid on the sailing inwards but if any vessel having sailed inwards sail outwards in ballast the rates shall be charged only on the sailing inwards.

Pleasure yachts although not carrying goods or passengers for hire are included in the foregoing classes.

A.D. 1895. For vessels breaking bulk (except for repairs) or taking in goods (except stores for their own use) full rates shall be paid and vessels breaking bulk to permit repairs to be effected shall re-load all the goods so landed otherwise they shall be liable in full rates.

For all vessels launched at the port half rates shall be paid on the first sailing thereafter outwards if in ballast only but if loading goods or carrying passengers full rates shall be paid if on such first sailing any such vessel shall be loaded with chip stones only the vessel shall for the purposes of rates for vessels be held to be in ballast.

For all steam fishing vessels remaining in the harbour the sum of fourpence per register ton if in either of the tidal basins and eightpence per register ton if in the Victoria Dock for each month or for any period less than a month in which such vessels shall remain in the harbour after the expiration of one month from the date of their arrival—the minimum charge in every case to be five shillings if remaining during the whole of the time in either of the tidal basins or ten shillings if remaining during the whole or part of the time in the Victoria Dock.

For all decked or open boats remaining in the harbour the sum of one shilling if in the Victoria Dock and sixpence if in the Albert Basin for each week or for any period less than a week in which such boats shall so remain in the harbour after the expiration of one week from the date of their arrival.

For all other vessels remaining in the harbour the sum of one penny per register ton if in either of the tidal basins and one penny halfpenny per register ton if in the Victoria Dock for each month or for any period less than a month in which such vessels shall remain in the harbour after the expiration of one month from the date of their arrival.

The above rates for vessels and boats remaining in the harbour shall be payable in advance but shall not be chargeable for such vessels or boats while under repair on slips or gridiron or in graving dock.

In reckoning the number of voyages made within any year the year shall be deemed to run from the first day of October to the thirtieth day of September if any vessel being a regular trader to the harbour shall be lost or sold during any such year any vessel substituted in the trade for the vessel so lost or sold shall in computing the number of voyages in that year be deemed to be the vessel for which it is so substituted One sailing inwards and the next following sailing outwards shall constitute a voyage.

For vessels sailing from the harbour and put back by stress of weather or other cause without having accomplished the voyage no additional rates shall be charged on such return.

For the purpose of rating the net register tonnage of steam fishing vessels and steam tugs shall not in any case be deemed to be less than eighteen per cent. of the gross register tonnage.

For all vessels not specially mentioned in this schedule or not having any net register tonnage—there shall be charged on each occasion of entering the port and harbour the appropriate tonnage rate charged on the gross tonnage.

Exemption.

A.D. 1895.

No rates leviable under this schedule shall be charged on tug steamers plying by the authority or licence of the Commissioners while such tug steamers are employed only in towing vessels into or out of the harbour.

SCHEDULE B.

RATES FOR GOODS.

Description of Goods.	Quantity.	Rate.
		s. d.
Aerated or mineral waters	ton	1 6
Ale beer and porter	hogshead of 54 gallons	0 6
Do. in bottles	ton	1 6
Alkali	ton	1 6
Alkali black	ton	1 6
Alum	ton	1 3
Ammonia	ton	2 6
Ammonia water	ton	1 0
Animalised carbon	ton	1 0
Arrowroot	ton	2 6
Ashes viz. :—		
Pot and pearl	ton	1 6
Weed	ton	1 6
Asphalte or bitumen	ton	1 0
Bacon	ton	2 0
Barilla	ton	1 6
Bark	ton	1 6
Barrels empty herring	each	0 0½
Barytes	ton	1 6
Basket rods (willows) and cane	ton	2 6
Basket ware	ton	2 6
Beef (fresh and salted)	ton	2 0
Beer spruce or black	keg of 3 gallons	0 0½
Bees wax	ton	2 6
Bicycles and tricycles	each	1 0
Biscuits and bread	ton	2 0
Bleaching salts and powder	ton	1 0
Blood of cattle	ton	1 0
Blubber	ton	2 0

A.D. 1895.

Description of Goods.	Quantity.	Rate.
		s. d.
Boats viz. :—12 feet and under 14 feet keel	each	2 6
14 " 16 "	each	3 0
16 " 18 "	each	3 6
18 " 20 "	each	4 0
20 and above "	each	5 0
Cobles viz. :—12 feet and under 14 feet long	each	2 0
14 " 16 "	each	2 6
16 " 18 "	each	3 0
18 " 20 "	each	3 6
Other cobles in proportion.		
Bobbins of wood	ton	2 0
Bog ore	ton	0 2
Bones of cattle bone ash and bone meal	ton	1 0
Do.	ton	0 6
Books and stationery	ton	2 0
Boots and shoes	ton	2 6
Bottles	ton	2 0
Do. broken and cullet	ton	0 6
Boxes empty salmon	each	0 0½
Brass	ton	2 0
Do. old	ton	2 0
Bricks common fireclay and bath	ton	0 4
Brimstone	ton	1 6
Brooms and brushes and parts thereof	ton	2 6
Butter	ton	2 0
Calamine or zinc ore	ton	1 0
Calcium chloride of	ton	1 6
Candles	ton	1 6
Carbolic acid crude	ton	1 6
Carpets rugs and upholstery articles	ton	2 0
Carts carriages &c. :—		
Carriages with springs viz. :—		
under 5 cwt.	each	2 0
5 cwt. and under 7½ cwt.	each	3 0
7½ cwt. and under 10 cwt.	each	4 0
10 cwt. and above	each	5 0
Carts and waggons with or without springs	ton	2 0
Hurleys	each	0 8
Wheelbarrows	each	0 4
Perambulators mail carts	each	0 3
Vans hawkers' or furniture packed or empty	ton	2 6
Casks boxes and kits empty	ton	2 0
Cattle and live animals viz. :—		
Asses and mules	each	1 0
Bulls cows and oxen	each	0 6
Calves	each	0 4
Sheep lambs swine pigs and goats	each	0 1

A.D. 1896.

Description of Goods.	Quantity.	Rate.
		<i>s. d.</i>
<i>Cattle and live animals—continued.</i>		
Horses and ponies 12 hands high and upwards	each	1 6
Horses and ponies under 12 hands high	each	1 0
Dogs and foxes	each	0 6
Ferrets and rabbits	each	0 1
Ducks hens and other fowls	each	0 1
Wild animals	each	1 6
All other animals	each	1 0
Cattle food not otherwise enumerated	ton	2 0
Cedar dust	ton	1 0
Cement	ton	1 0
Chalk	ton	0 6
Charcoal and charcoal blacking	ton	2 0
Cheese	ton	2 0
Chicory	ton	2 0
Chimney tops or cans (clay)	each	0 0½
China	ton	2 0
Chrome ore	ton	1 0
Cigars	ton	2 6
Cinders and coke	ton	0 9
Clay viz. :—		
China or stone clay	ton	0 9
Fire-clay and loam clay	ton	0 6
Pipe-clay	ton	0 9
Clocks	ton	2 0
Clothiery haberdashery and silk mercery	ton	2 0
Clover seeds	ton	2 0
Cocoa	ton	2 0
Coal dust	ton	0 4
Coals and patent fuel	ton	0 4
Coffee and coffee essence	ton	2 0
Combs	ton	2 0
Confections	ton	2 0
Copper viz. :—		
Bars rods sheets and nails	ton	2 0
Utensils for distilleries and other purposes	ton	2 0
Old	ton	2 0
Ore	ton	1 0
Copperas	ton	1 6
Cordage and wire rope	ton	2 0
Corks and corkwood	ton	2 0
Corn viz. :—		
Barley or bere malt oats wheat rye beans pease (whole and split) and maise	ton	0 9
Barley pot hulled and pearl	ton	1 0
Lentils	ton	1 6
Cotton seed	ton	1 0

A.D. 1895.

Description of Goods.	Quantity.	Rate.	
		s.	d.
Cotton wool	ton	2	0
Cotton wool manufactured	ton	2	0
Cracklings	ton	1	6
Crystal	ton	2	0
Cutch and gambia	ton	1	6
Diamond grit or chilled iron sand	ton	1	6
Druff or dreg	ton	0	9
Drain pipes under three inches diameter	1000	0	6
Do. of other sizes	ton	1	0
Do. pipe collars	1000	0	3
Drugs medicines and medicinal oils	ton	2	0
Dung	ton	0	4
Earthenware	ton	2	0
Earthenware pipes glazed	ton	1	0
Eggs	ton	2	0
Emery	ton	2	6
Envelopes straw (for bottles)	ton	2	6
Esparto grass	ton	1	0
Farina	ton	1	6
Fat	ton	1	6
Feathers	ton	2	0
Felt roofing	ton	2	0
Fire-clay retorts flue covers quarls vent linings and other manufactures of fire-clay except bricks	ton	1	0
Fish viz. :—			
Salmon iced or pickled and haddocks dried or smoked	ton	2	0
Cod pickled and white fish salted	ton	2	0
White direct from sea except herrings	ton	1	8
Flax	ton	2	0
Do. codilla	ton	1	6
Do. manufactured	ton	2	0
Flint for potters	ton	0	6
Flour	ton	1	0
Flowers and flower roots	ton	2	0
Fruit green viz. :—			
Apples and pears	ton	1	0
Grapes plums greengages and cherries	ton	2	0
Lemons and oranges	ton	1	6
Melons	ton	2	0
Strawberries raspberries gooseberries and currants	ton	2	0
All other kinds	ton	2	0
Fruits dried or preserved in tins glass or otherwise	ton	2	0
Fuller's earth	ton	1	0
Furniture	ton	2	6
Game poultry and rabbits	ton	2	6
Gelatine of screws	ton	2	0

A.D. 1895.

Description of Goods.	Quantity.	Rate.	
		s.	d.
Ginger - - - - -	ton	2	0
Glass window and plate - - - - -	ton	2	0
Do. hollow and flint - - - - -	ton	2	0
Glucose - - - - -	ton	2	0
Glue - - - - -	ton	2	0
Graphite or plumbago - - - - -	ton	2	6
Grease - - - - -	ton	1	6
Guano - - - - -	ton	1	0
Do. - - - - -	ton	0	6
Gum - - - - -	ton	2	6
Gunpowder dynamite and other explosives - - - - -	ton	6	0
Guts or intestinal skins - - - - -	ton	2	0
Gutta-percha and rubber - - - - -	ton	2	6
Do. do. goods - - - - -	ton	2	6
Gypsum ground - - - - -	ton	0	9
Do. unground - - - - -	ton	0	6
Hair dry wet and plaster - - - - -	ton	2	0
Hams - - - - -	ton	2	0
Hardware - - - - -	ton	2	0
Hats - - - - -	ton	2	0
Hay and straw - - - - -	ton	1	0
Hemp - - - - -	ton	2	0
Do. dressed - - - - -	ton	2	0
Do. codilla - - - - -	ton	1	6
Herrings viz. :—			
Fresh direct from sea - - - - -	cran.	0	1
Red or smoked - - - - -	ton	2	0
Salted - - - - -	barrel of 26 $\frac{2}{3}$ gallons	0	2
Hides and skins raw and undressed - - - - -	ton	2	0
Hominy - - - - -	ton	1	6
Honey - - - - -	ton	2	6
Hoofs - - - - -	ton	1	0
Hoof waste - - - - -	ton	1	0
Hoops of wood - - - - -	ton	1	6
Hops - - - - -	ton	2	0
Horns of cattle - - - - -	ton	2	0
Do. do. - - - - -	ton	1	0
Do. of sheep and rams - - - - -	ton	1	0
Horn tips sloughs piths shavings and waste - - - - -	ton	1	0
Husbandry implements viz. :—			
Ploughs - - - - -	each	0	9
Harrows - - - - -	pair	0	9
Other implements - - - - -	ton	2	0
Ice - - - - -	ton	0	9
Iron viz. :—			
Bar bolt angle rod plate sheet hoop nails and wire - - - - -	ton	0	9

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Description of Goods.	Quantity.	Rate.	
		s.	d.
<i>Iron—continued.</i>			
Railway bars	ton	0	9
Forged	ton	0	9
Railway chairs	ton	0	9
Machinery	ton	1	9
Made work including steam boilers whole or in pieces	ton	1	9
Grates stoves and tinned work pots and other hollow cast-iron work commonly called iron-mongery when in bulk	ton	1	9
All other castings	ton	1	0
Galvanised	ton	1	9
Wire netting	ton	1	6
Rust	ton	1	0
Pig	ton	0	6
Old and scrap	ton	0	6
Ore	ton	0	2
Junk or old ropes	ton	1	0
Jute	ton	0	9
Do. manufactured	ton	1	0
Kelp	ton	1	0
Lamp black	ton	2	6
Lamps and lampware	ton	2	6
Lard	ton	2	0
Lead viz. :			
Sheet pig pipes and shot	ton	1	9
Foil and capsules	ton	2	6
Red white and black	ton	1	9
Ore	ton	1	0
Old	ton	1	6
Leather	ton	2	0
Lime	ton	0	4
Lime orange and lemon juice	ton	2	6
Linseed	ton	1	0
Loam sand	ton	0	4
Locust beans whole or ground	ton	1	0
Lucifer matches	ton	2	0
Madder ground	ton	2	0
Do. root	ton	2	0
Manganese	ton	1	6
Manures manufactured	ton	1	6
Do.	ton	1	0
Margarine	ton	2	0
Marine cement or ship composition	ton	1	0
Mats cargo and dunnage	ton	2	6
Meal viz. :—			
Oat bere or barley maize and pease	ton	1	0

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Description of Goods.	Quantity.	Rate.	
		s.	d.
Meal— <i>continued.</i>			
Barley dust	ton	0	9
Bran pollard and sharps	ton	0	9
Cocoa-nut husk	ton	1	6
Oat husk	ton	0	6
Dairy feeding	ton	1	0
Groats	ton	1	0
Rice husk	ton	1	0
Scree dust	ton	0	6
Seeds or sids	ton	0	9
Meal-linseed cotton seed rape seed and flax seed	ton	1	0
Meat meals and meat guano	ton	1	6
Metal patent yellow	ton	2	0
Mill dust not otherwise enumerated	ton	0	4
Mill waste not otherwise enumerated	ton	1	0
Molasses	ton	1	0
Moss litter	ton	1	0
Moss rock or peat	ton	1	0
Mouldings	ton	2	6
Musical instruments	ton	2	6
Mussels	ton	1	0
Myrobolans	ton	1	6
Naphtha	ton	1	6
Naphthaline crude	ton	0	9
Nutmegs	ton	2	3
Nuts	ton	2	0
Oak bark extract	ton	2	6
Oakum	ton	1	6
Ochre	ton	1	0
Offal fish	ton	0	6
Oil not otherwise enumerated	ton	2	0
Do. do.	ton	1	6
Oilcake	ton	1	6
Do.	ton	1	0
Oilskins and waterproofs	ton	2	6
Oysters and shell fish not otherwise enumerated	ton	1	6
Pack thread and twine	ton	2	0
Paints and colours	ton	2	6
Paper and paper boxes	ton	2	0
Paper shavings	ton	1	0
Paraffin oil	ton	1	6
Paste mill straw or wood boards	ton	1	6
Pearl—harding	ton	1	0
Peats	ton	0	6
Pepper and pimento	ton	2	0
Pétroleum	ton	2	0
Pewter	ton	2	0

A.D. 1895.

Description of Goods.	Quantity.	Rate.
		<i>s. d.</i>
Phosphates mineral	ton	0 9
Piassava or fibre	ton	2 6
Pipes tobacco	ton	2 0
Pitch	ton	1 0
Pitch oil	ton	1 0
Plants of trees and shrubs	ton	2 0
Plaster of Paris	ton	0 9
Pork (fresh and salted)	ton	2 0
Preserved provisions	ton	2 0
Pumice stone	ton	1 0
Putty	ton	1 6
Pyrites	ton	0 6
Do. burnt or spent	ton	0 3
Rags	ton	1 3
Rapeseed and rube seed	ton	1 0
Rice ground and unground	ton	1 3
Rosin	ton	1 6
Rye-grass seeds	ton	1 6
Saccharine	ton	2 0
Do. meal	ton	2 0
Saddlery articles	ton	2 6
Sago	ton	1 6
Sailcloth	ton	2 0
Saltpetre refined	ton	2 0
Salt rock and white	ton	0 9
Do. kainit	ton	0 9
Salts glauber and Epsom	ton	2 0
Salts muriates nitrates sulphates saltpetre and other salts for manures not otherwise enumerated	ton	1 6
Sand	ton	0 4
Sawdust	ton	1 0
Scrows of hides viz:—		
Dry	ton	2 0
Wet	ton	1 0
Scythes	ton	2 0
Seeds not otherwise enumerated	ton	2 0
Semolina	ton	2 6
Sewing machines	each	0 6
Shakes of casks pipe or puncheon	each	0 2
Others in proportion.		
Sheep dip	ton	2 6
Sheffield and Birmingham wares	ton	2 6
Shoddy	ton	1 0
Shumac	ton	2 6
Slag ground	ton	0 9
Do. unground	ton	0 6
Slates	ton	0 10

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Description of Goods.	Quantity.	Rate.	
		s.	d.
Slate slabs - - - - -	ton	1	6
Do. enamelled - - - - -	ton	2	6
Smalts and ultramarine - - - - -	ton	2	6
Snuff - - - - -	ton	2	6
Soap - - - - -	ton	1	6
Soap extract of - - - - -	ton	2	0
Soap lyes - - - - -	ton	1	6
Soda and soda ash - - - - -	ton	1	6
Soot - - - - -	ton	0	6
Spades and shovels - - - - -	ton	2	6
Spanish and Italian juice - - - - -	ton	2	0
Spirits - - - - -	ton	2	6
Starch - - - - -	ton	2	0
Do. refuse - - - - -	ton	1	0
Steel cast - - - - -	ton	2	6
Do. old cast - - - - -	ton	1	3
Do. plates angles and bulbs for ship-building purposes - - - - -	ton	0	9
Stones viz :—			
Carriageway granite - - - - -	ton	0	2
Kerb pavement and building - - - - -	ton	0	5
Rubble and chips - - - - -	ton	0	2
Road metal - - - - -	ton	0	2
Freestone building - - - - -	ton	0	5
Rigging stones - - - - -	100 running ft.	1	6
Lithographic - - - - -	ton	2	0
Millstones grindstones and scythe stones - - - - -	ton	1	6
Flagstones Turin or Caithness - - - - -	ton	1	0
Granite waste slabs - - - - -	ton	0	5
Do. polished - - - - -	ton	1	0
Marble stones - - - - -	ton	2	6
Polished granite stones - - - - -	ton	1	6
All other descriptions of stones - - - - -	ton	1	0
Stoneware - - - - -	ton	2	0
Stucco - - - - -	ton	0	9
Sugar - - - - -	ton	1	6
Superphosphates - - - - -	ton	1	0
Talc - - - - -	ton	1	0
Tallow and paraffin wax - - - - -	ton	1	6
Tanners' waste - - - - -	ton	0	6
Tapioca - - - - -	ton	2	6
Tar vegetable - - - - -	ton	1	6
Do. coal - - - - -	ton	1	0
Tares - - - - -	ton	1	0
Teas - - - - -	ton	2	0
Terra alba or sulphate of lime - - - - -	ton	1	0

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Description of Goods.	Quantity.	Rate.	
		s.	d.
Tiles roofing - - - - -	1000	1	0
Do. mosaic or encaustic - - - - -	ton	2	6
Tin - - - - -	ton	2	0
Tinplates - - - - -	ton	1	6
Do. cuttings and waste - - - - -	ton	0	6
Tobacco - - - - -	ton	2	6
Tow - - - - -	ton	1	6
Toys - - - - -	ton	2	6
Turpentine - - - - -	ton	2	6
Types metal and stereo plates - - - - -	ton	2	6
Umber - - - - -	ton	1	0
Valonia - - - - -	ton	1	6
Varnish - - - - -	ton	2	6
Vegetables viz. :—			
Carrots - - - - -	ton	1	0
Onions - - - - -	ton	1	6
Potatoes - - - - -	ton	0	9
Turnips - - - - -	ton	0	6
All other kinds - - - - -	ton	1	6
Vinegar - - - - -	ton	1	6
Vitriol and acids - - - - -	ton	1	6
Washing powder - - - - -	ton	2	0
Whalebone - - - - -	ton	2	6
Whiting - - - - -	ton	0	6
Wine in casks or in bottles - - - - -	ton	2	6
Woad - - - - -	ton	2	0
Wood viz. :—			
Home and foreign fir pine larch beech oak wainscot ash elm and all other hard woods rough or round or cut to sizes - - - - -	50 cub. ft.	0	10
Masts spars and log timber (calliper measure) - - - - -	50 cub. ft.	0	10
Fir deals planks and boards or battens - - - - -	50 cub. ft.	0	10
Railway sleepers - - - - -	50 cub. ft.	1	0
Lathwood in billets - - - - -	fathom of 216 cub. ft.	3	0
Cartwheel spokes and felloes - - - - -	40 pieces	0	3
Do. do. in cases - - - - -	ton	2	6
Wedges - - - - -	1000 pieces	1	0
Pit props not exceeding 6 inches in average diameter - - - - -	50 cub. ft.	0	9
Deal ends 3 inches thick and under 4 feet in length and firewood - - - - -	50 cub. ft.	0	6
Spars under 30 feet length - - - - -	dozen	0	3
Oars made - - - - -	dozen	0	3
Handspokes - - - - -	dozen	0	4
Treenails - - - - -	1000 lnl. ft.	0	6

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Description of Goods.	Quantity.	Rate.
		<i>s. d.</i>
Woods by weight viz. :—		
Barwood boxwood lancewood rosewood brazilwood camwood ebony fustic lignumvitæ logwood Nicaraguawood sassafras and all other fancy woods not enumerated - - - -	ton	2 0
Mahogany - - - - -	ton	1 6
Walnut and teak - - - - -	ton	1 6
Wood staves British and foreign viz. :—		
Pipe hogshead and barrel - - - -	ton	1 6
Wood splints (for match manufacture) - - - -	ton	1 0
Wood manufactured viz. :—		
Doors windows and other framed goods for building purposes - - - -	ton	2 0
Furniture frames - - - - -	ton	2 6
Carriage frame work bent shafts &c. - - - -	ton	2 6
Wood for paper pulp - - - - -	50 cub. ft.	0 6
Wood pulp - - - - -	ton	1 3
Wool sheep's - - - - -	ton	2 6
Do. manufactured - - - - -	ton	2 6
Yarn coir cotton and linen - - - - -	ton	2 0
Yeast - - - - -	ton	2 0
Zinc - - - - -	ton	2 0
Do. oxide - - - - -	ton	2 0
All goods not otherwise enumerated in the foregoing schedule - - - - -	ton	2 6

Regulations and Exemptions.

The ton mentioned in this schedule is the ton of twenty hundred weight.

Goods of all descriptions rated by the ton shall be charged according to gross weight fractional parts of a ton shall be charged proportionally and the minimum charge for a single packet shall be one penny.

Where rates shall have been paid for goods on importation and such goods shall be re-shipped in the original packages and shall not have changed ownership but shall continue to belong to the same owner as when imported it shall be optional to the Commissioners to exempt such goods from the payment of rates on exportation provided they are re-shipped within six months from the date of their importation and in quantities of not less than one ton at a time.

Where rates shall have been paid for timber on importation and such timber shall afterwards be re-shipped under conditions to which the foregoing provision with respect to exemption from payment of outward rates does not apply there shall be charged as outward rates one half only of the rates paid on importation.

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No rates shall be charged on exportation for salmon herrings and other fish for which rates shall have been paid on importation if before exportation they shall not have been offered for sale and if when exported they shall be in the same packages and belong to the same owners as when imported.

If any goods for which rates shall have been paid on shipment shall from any accident or otherwise be unloaded no rates shall be charged a second time for such goods on being re-shipped.

Where any goods shall have been shipped and the rates therefor paid and such goods shall thereafter be relanded within the harbour by reason of the detention therein of the vessel by stress of weather and shall not be re-shipped such rates shall be repaid by the Commissioners.

Exemptions.

No rates shall be charged for—

Empty boxes casks bags and pack sheets returned to the original shipper after importation or exportation with goods or goods returned to the original shipper and in the original state.

The personal luggage of each passenger not exceeding two and one-half cwt. but for all above the rate of two shillings per ton shall be paid by each passenger.

SCHEDULE C.

RATES FOR LIGHTS FLAGS AND SIGNALS:

	s.	d.
For all vessels per register ton	0	0 $\frac{1}{4}$

SCHEDULE D.

ABERDEEN HARBOUR.

We A. B. [*here insert name and designation as in the register of electors*] and B. C. [*here insert name and designation as aforesaid*] hereby nominate C. D. [*here insert name and designation as in the register*] for election as an elected Commissioner at the next ensuing election of Aberdeen Harbour Commissioners.

Given under our hands this [*insert date*].

A. B. _____ Proposer.
 B. C. _____ Seconder.

I the candidate for election consent.

C. D. _____
 To _____
 Clerk to the Aberdeen Harbour Commissioners.

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SCHEDULE G.

And I further give notice in terms of the said Act that in respect the number of candidates nominated for election as elected Commissioners does not exceed the number of vacancies to be supplied at the said election there will be no poll and I farther declare that the candidates so nominated will on the day of election be deemed to be elected as elected Commissioners.

SCHEDULE H.

FORM OF BOND AND ASSIGNATION IN SECURITY.

No. . By virtue of the Aberdeen Harbour Act 1895 we the Aberdeen Harbour Commissioners in consideration of the sum of [*state the sum in words*] instantly advanced and paid to us for the purposes of the said Act by A. B. do hereby bind us to pay to the said A. B. his executors or assignees the said sum of [*state the principal sum and the term of payment*] and also the interest thereof at the rate of [*state the rate of interest*] per centum per annum from the date hereof till payment payable half-yearly on the [*state the terms of payment*] and we do hereby assign to the said A. B. and his foresaids the rates authorised or arising under the said Act and the other revenues of us the said Commissioners in security to the said A. B. and his foresaids of the said principal sum and interest thereof and until payment thereof And we consent to the registration hereof for preservation and execution In witness whereof we C. D. and E. F. two of the said Commissioners and G. H. treasurer of the said Commissioners have by their authority subscribed these presents. [*Insert testing clause in the form required by the law of Scotland.*]

SCHEDULE I.

FORM OF TRANSFER.

I A. B. [*name and designation of grantor*] in consideration of the sum of _____ paid to me by C. D. [*name and designation of transferee*] do hereby transfer to the said C. D. his executors or assignees a bond and assignation in security number _____ dated the _____ granted by the Aberdeen Harbour Commissioners to A. B. for the sum of _____ and the interest due thereon since _____ and all my right and interest therein In witness whereof [*insert testing clause in usual form*].

SCHEDULE J.

A.D. 1895.

FORM OF INTEREST WARRANT.

Aberdeen Harbour.

INTEREST WARRANT No.

Aberdeen _____ 18

For _____ pounds _____ shillings and pence being half year's interest on the said bond and assignation in security [or certificate of debenture stock No. _____ or other voucher of debt] payable to _____ on the _____ day of _____ 18

£ " " }
Entered _____

Treasurer to the Aberdeen Harbour Commissioners

This warrant must be endorsed by the person to whom it is payable and will be paid on presentation at the _____ Bank Aberdeen subject to deduction in respect of income tax.

If this warrant is not so presented at the bank within thirty days after date of payment it will be paid only at the office of the Harbour Treasurer.

Bond and assignation in security No. [or certificate of debenture stock No. or other voucher of debt] per £.

SCHEDULE K.

FORM OF RECEIPT.

Received from the Aberdeen Harbour Commissioners the within sum of [state the principal sum].

Dated at _____ the _____ day of _____ 18

[Signature of grantor.]

SCHEDULE L.

FORM OF CERTIFICATE OF DEBENTURE STOCK.

ABERDEEN HARBOUR REDEEMABLE DEBENTURE STOCK.

Certificate No.

Amount £

Registered No.

This is to certify that _____ of _____ is registered in the books of the Aberdeen Harbour Commissioners as the proprietor of _____ pounds Aberdeen Harbour Redeemable Debenture Stock created by virtue of the Aberdeen Harbour Act 1895 bearing interest at the rate of _____ per centum per annum.

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Given under the hands of the treasurer and two of the Commissioners on behalf of the Commissioners and sealed with the common seal of the Commissioners this _____ day of _____

NOTE.—This stock certificate must be deposited with the deed of transfer whether for the whole or any portion thereof before a new certificate can be issued in exchange.

SCHEDULE M.

FORM OF TRANSFER OF DEBENTURE STOCK.

I _____ of _____ in consideration of the sum of _____ paid to me by _____ of _____ do hereby transfer to _____ (*herein-after called the transferee*) the sum of _____ pounds Aberdeen Harbour Redeemable Debenture Stock with all interest due and to become due thereon to hold unto the transferee his executors administrators and assigns subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee do hereby agree to take the said debenture stock subject to the same conditions.

As witness our hands this _____ day of _____

SCHEDULE N.

FORM OF STATUTORY DECLARATION AS TO OWNERSHIP &C.

I [*insert name and designation*] do solemnly and sincerely declare that the rates paid by me to the Aberdeen Harbour Commissioners as under noted vizt. :—[*here specify the rates paid and the amounts and dates of such payments*] were so paid by me (in my capacity as the true owner of the goods in respect of which such rates were paid *or* as agent for such owner not being resident within the Parliamentary boundaries of the city of Aberdeen when the said rates were paid *or* as the person truly liable in payment of the said rates *or* as the case may be) And I make this solemn declaration conscientiously believing the same to be true and in virtue of the Statutory Declarations Act 1835.

(Signed)

Declared at Aberdeen the _____ day of _____ one thousand eight hundred and _____ before me _____ one of Her Majesty's justices of the peace for _____

(Signed)

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FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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