

- 26 G. 2. c. 10. *George the Second, intituled An Act for enlarging the Time and continuing the Duties granted by several Acts of Parliament for Repairs of the Piers of Bridlington alias Burlington in the County of York, and for making the said Acts more effectual: And whereas another Act was passed in the Twenty-*
- 29 G. 3. c. 23. *ninth Year of the Reign of King George the Third, intituled An Act for enlarging the Term and Powers of several Acts passed in the Eighth and Ninth Years of the Reign of King William the Third, and in the First, Fifth, and Seventh Years of the Reign of King George the First, and in the Twenty-sixth Year of the Reign of His late Majesty King George the Second, for rebuilding, repairing, and amending the Piers of Bridlington alias Burlington in the County of York: And whereas another Act was passed in the Fifty-sixth Year of the Reign of King George the Third, intituled*
- 56 G. 3. c. 60. *An Act for continuing the Term and altering and enlarging the Powers of several Acts passed for rebuilding and repairing the Piers of Bridlington otherwise Burlington in the East Riding of the County of York, and for granting further Powers for those Purposes: And whereas under the Powers of the said Acts the Piers and Harbour of Bridlington aforesaid have been much improved, and great Expence hath been thereby incurred, but some of the Works by the said recited Acts authorized are yet incomplete, and a considerable Portion of the Money borrowed on the Credit of the said Acts still remains due and unpaid, and the future Maintenance of the said Piers and Harbour will require a continual annual Expenditure to a considerable Amount: And whereas it is expedient that more effectual Provision should be made, and that further and additional Powers should be granted, for the Improvement and Preservation of the said Piers and Harbour, so as to render the same more safe and commodious as a Harbour of Refuge, and that the Powers and Provisions of the said Acts should be amended, extended, and enlarged: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the said recited Acts of the Eighth and Ninth Years of the Reign of King William the Third, the First and Fifth Years of the Reign of King George the First, the Twenty-sixth Year of the Reign of King George the Second, and the Twenty-ninth and Fifty-sixth Years of the Reign of King George the Third, and also so much of the said recited Act of the Seventh Year of the Reign of King George the First as relates to the said Piers and Harbour of Bridlington, were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: 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 Parliament assembled, and by the Authority of the same, That from and after the Second Tuesday next after the passing of this Act the said several recited Acts of the Eighth and Ninth Years of the Reign of King William the Third, the First and Fifth Years of the Reign of King George the First, the Twenty-sixth Year of the Reign of King George the Second, and the Twenty-ninth and Fifty-sixth Years of the Reign of King George the Third, and also so much of the said recited Act of the Seventh Year of the Reign of King George the First as relates to the said Piers and Harbour of Bridlington, shall be and the same are hereby repealed.*

Repeal of
recited Acts.

Duties, &c.
due under
former Acts
may be re-

II. Provided always, and be it further enacted, That, notwithstanding the Repeal of the said recited Acts, all Duties and Rates which before the Commencement of this Act shall have become payable, and all Fines and Penalties

Penalties which shall have been incurred, and all Bonds, Contracts, and Agreements which shall have been given or entered into, under or by virtue of the said recited Acts or any of them, (so far as the same relate to the said Harbour of *Bridlington*), and all other Monies due in respect of the said Harbour to the Commissioners acting in the Execution of the said recited Acts, and which shall respectively remain uncollected or unpaid, or be in existence or unperformed, at the Time of the Commencement of this Act, shall and may be collected, recovered, and enforced by the Commissioners for executing this Act in the same Manner and by the same Ways and Means as if such Duties and Rates had been imposed or become due, and as if such Fines and Penalties had been incurred, and as if such Bonds, Contracts, and Agreements had been entered into, and as if such Monies had become due under or by virtue of this Act; and all Treasurers, Collectors, Officers, and other Persons who at the Time of the Commencement of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or other Effects relating to the said Harbour, belonging to the Commissioners acting in the Execution of the said recited Acts, shall be liable to account for and deliver up all such Monies, Books, Documents, Papers, Writings, and Effects to the Commissioners for executing this Act, in the same Manner, and subject to the same Process and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, or other Persons had been appointed by the Commissioners acting in the Execution of this Act; and all other Persons who at the Time of the Commencement of this Act shall owe any Money to the Commissioners acting in the Execution of the said recited Acts for or in respect of any Matter or Thing affecting or relating to such Acts (so far as the same respectively relate to the said Harbour of *Bridlington*) shall be liable to the Payment of such Money to the Commissioners acting in the Execution of this Act, and in case of Refusal or Neglect to pay the same shall be subject to the Provisions of this Act for the Recovery thereof, as if such Money had become due under or by virtue of this Act.

covered by the Commissioners for executing this Act.

III. Provided also, and be it further enacted, That all Bonds, Mortgages, Assignments, Grants, and other Securities, and all Conveyances and Leases entered into, made, or granted to or by any Person, by virtue or under the Authority of the said recited Acts, shall be as valid and effectual to all Intents and Purposes whatsoever as if such Acts had not been repealed.

Securities under former Acts declared valid.

IV. And be it further enacted, That the Right and Property of and in the present Harbour, and of and in the present and future Piers, Jetties, Breakwaters, Sluices, Docks, Wharfs, Lights, Buoys, Anchors, and other Works in any way appertaining to the said Harbour, and of and in all Offices, Edifices, Buildings, Materials, Implements, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Goods, Chattels, and Effects, purchased or otherwise obtained by or belonging to the Commissioners acting in the Execution of the said recited Acts under the Authority and for the Purposes of such Acts (so far as the same relate to the said Harbour of *Bridlington*), or which shall at any Time hereafter be purchased or otherwise obtained by the Commissioners acting in the Execution of this Act, shall be and the same respectively are hereby absolutely vested in the Commissioners for the Time being for executing this Act,

Property of Commissioners under former Acts vested in Commissioners under this Act.

for

for the Purposes of this Act ; and such Offices, Edifices, Buildings, Materials, Implements, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Goods, Chattels, and Effects, so hereby vested in the said Commissioners, may be sold and disposed of from Time to Time as such Commissioners shall think proper, and the Money arising by such Sale or Sales shall be applied in aid of such of the Purposes of this Act as the said Commissioners shall think proper ; and the said Commissioners are hereby authorized to bring any Action, or to prefer any Bill of Indictment, or to take any other Proceedings (as the Case may require) against any Person who shall injure, steal, take, carry away, or detain any or any Part of the Property, Works, Articles, or Effects so vested in them as aforesaid ; and in all such Actions, Suits, or Indictments it shall be sufficient to state generally that the Works, Articles, or Effects for or on account of which any such Action shall be brought, or any such Bill of Indictment shall be preferred, or any such other Proceeding shall be taken, are the Property of "The Commissioners of the Harbour of *Bridlington*," without stating the Names of all or any of the said Commissioners.

This Act made liable to Debts created under former Acts.

V. Provided always, and be it further enacted, That the Duties, Rates, and other Monies by this Act granted to the Commissioners acting in the Execution thereof, and all Duties, Rates, and other Monies to be recovered under the said recited Acts, and all Monies which at the Time of the Commencement of this Act shall be in hand under the same Acts, shall be and the same respectively are hereby made liable to the Payment of all Monies which at the Time of the Commencement of this Act are or shall be due and owing on the Credit or under the Authority of the said recited Acts, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had become due on the Credit or under the Authority of this Act.

Books under former Acts to be Evidence.

VI. Provided also, and be it further enacted, That all Books kept for registering Mortgages, Assignments, or other Securities, or for the Transfers of the same respectively, and all Entries therein, and all Books containing the Accounts and Proceedings of the Commissioners acting in the Execution of the said recited Acts, kept according to the Directions or Provisions of such Acts, and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Officers appointed under former Acts to be continued in Office, unless removed by Commissioners.

VII. Provided also, and be it further enacted, That the Clerk and Treasurer (if appointed consistently with the Provisions of this Act in reference to the Offices of Clerk and Treasurer) and all other Officers appointed under the said recited Acts, or in the Employment of the Commissioners acting in the Execution of such Acts at the Time of the Commencement of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Commissioners for executing this Act ; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and they and their respective Sureties shall be liable to the same Penalties, Obligations, Restrictions, and Regulations in every respect, as if they had respectively been appointed under or by virtue of this Act.

Commissioners appointed.

VIII. And be it further enacted, That *Richard Bethell* Esquire, M. P., the Reverend *Timothy Fish Foord Bowes*, the Reverend *John William Bower*,

Bower, Henry Boynton, Alexander William Robert Bosville, Sir Henry Boynton, Ralph Greyke the younger, the Reverend Charles Constable, Robert Dennison, Mark Fowles, the Reverend William Robinson Gilby, Charles Grimston, John Greame, Yarburgh Greame, Harrington Hudson, Sir Thomas Digby Legard Baronet, George Legard, George Lloyd, the Reverend Charles Lutwidge, Robert Prickett, William Saint Quintin, John Rickaby, the Reverend Christopher Sykes, Sir Tatton Sykes, Walter Strickland, Sir George Strickland Baronet, M.P., Walter Strickland the younger, Arthur Strickland, the Reverend Nathaniel Strickland, Paul Beilby Thompson Esquire, M.P., together with John Harding, Bryan Taylor, David Taylor, Francis Coverley, Samuel Coverley, Robert Preston, and Bryan Taylor Harland, (being Lords and Feoffees of the Manor of Bridlington,) and their Successors to be appointed under the Provisions herein-after contained, shall be and they are hereby appointed Commissioners for carrying this Act into execution under the Name and Style of "The Commissioners of the Piers and Harbour of Bridlington."

IX. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Declaration herein-after mentioned, and which Declaration may be administered by any of the said Commissioners,) unless he shall be, either in his own Right or in the Right of his Wife, in the actual Possession of or in the Receipt or Enjoyment of the Rents and Profits of Freehold or of Copyhold or Customary Lands, Tenements, or Hereditaments held for a Life or Lives, or some greater Estate, of the clear yearly Value of One hundred Pounds at least above Reprizes, or be possessed of Personal Estate of the Value of Three thousand Pounds at least, or of Real and Personal Estate together of the Value of Three thousand Pounds above Reprizes, and until he shall at some Meeting of Commissioners to be held under the Authority of this Act have made and subscribed a Declaration in the Words or to the Effect following; (that is to say,)

' I *A. B.* do solemnly and sincerely declare, That I am *bonâ fide* in my own Right [*or in the Right of my Wife*] in the actual Possession of [*or in the Receipt and Enjoyment of*] the Rents of Freehold [*or of Copyhold or Customary*] Lands held for a Life [*or Lives, or some greater Estate,*] of the clear yearly Value of One hundred Pounds above Reprizes, [*or am possessed of Personal Estate of the Value of Three thousand Pounds, or of Real and Personal Estate together of the Value of Three thousand Pounds above Reprizes,*] and that I will faithfully and impartially, according to the best of my Judgment, execute the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here set forth the Title of this Act*], and I make this solemn Declaration conscientiously believing the same to be true.'

X. And be it further enacted, That any Person who shall wilfully and corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor.

XI. And be it further enacted, That no Person, although otherwise qualified, shall be capable of acting as a Commissioner in the Execution

[*Local.*]

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of

Qualification
of Commis-
sioners.

Form of
Declaration.

Penalty on
Persons
making false
Declaration.

Certain Per-
sons disqua-
lified from

acting as
Commis-
sioners.

of this Act during the Time that he shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made or entered into under or by virtue of this Act, or in any Case where he shall be personally or beneficially interested in the Matter in question (except as a Creditor under the said recited Acts or this Act): Provided nevertheless, that no Justice of the Peace shall be disqualified from acting as such Justice within his Jurisdiction in the Execution of this Act by reason only of his being a Commissioner under this Act.

Lords of
Manor not
disqualified,
&c.

XII. Provided always, and be it further enacted, That, notwithstanding any thing in this Act contained to the contrary, no Person, being one of the Lords or Feoffees of the said Manor, who is herein named or shall hereafter be appointed a Commissioner under the Authority of this Act, shall be disqualified from acting as such Commissioner by reason only of his being seised or possessed of any of the Lands or Hereditaments within the said Manor of *Bridlington* subject or liable to contribute to the Repair of the said Harbour.

Penalty on
Commis-
sioners act-
ing not being
qualified.

XIII. And be it further enacted, That if any Person shall act as a Commissioner in the Execution of this Act without being duly qualified as aforesaid, or being disqualified by any of the Causes in this Act mentioned, he shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he was qualified or (as the Case may be) that he was not disqualified at the Time of acting, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act: Provided nevertheless, that no Act or Proceeding which shall have been done or performed by any such unqualified or disqualified Person previously to his being convicted of the Offence before mentioned shall be thereby impeached or rendered nugatory, but every such Act and Proceeding shall be as valid and effectual as if such Person had been duly qualified, or had not been disqualified as herein-before mentioned.

Election of
Commis-
sioners on
Vacancies.

XIV. And be it further enacted, That when and as often as any of the Commissioners herein named or hereafter to be appointed under or by virtue of this Act shall die, resign, or refuse to act, or, by Bankruptcy, Insolvency, or otherwise, become incapable of acting in the Execution of this Act, it shall be lawful for the surviving or continuing Commissioners from Time to Time, at any Meeting to be held in pursuance of this Act after the Decease of any such Commissioner, or on Notice of such Incapacity or Refusal, to elect and appoint some Person to be a Commissioner in the Room of every Commissioner so dying, resigning, or refusing to act, or becoming incapable of acting as aforesaid; and every Person who shall be so elected and appointed a Commissioner, being duly qualified, shall and may act with the surviving or continuing Commissioners in the Execution of this Act, in the same Manner as if he had been originally named a Commissioner in this Act.

XV. Provided always, and be it further enacted, That when and as often as the Number of the Commissioners who shall also be Lords or Feoffees of the said Manor shall by any of the Causes aforesaid have been reduced to Six, the surviving or continuing Commissioners shall and they are hereby required to supply the last Vacancy by the Election of some Person who shall be a Lord or Feoffee for the Time being of the said Manor, provided there shall then be a Lord or Feoffee of the said Manor, duly qualified, who shall not already be a Commissioner under this Act; but in case all the Lords or Feoffees for the Time being of the said Manor shall already be Commissioners, or in case there shall not be found among such of them as shall not already be Commissioners One duly qualified to be a Commissioner under this Act, then such Vacancy shall be supplied by the Election of some Person who shall for the Time being be an Assistant Lord of the said Manor.

Providing for the Election of a certain Number of future Commissioners among the Lords or Assistants.

XVI. And be it further enacted, That the Commissioners for executing this Act shall assemble and hold their First General Meeting at the *Britannia* Hotel, or at some other convenient Place in the Parish of *Bridlington* aforesaid, on the Second *Tuesday* next after the passing of this Act, or as soon thereafter as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then proceed to carry this Act into execution; and a General Meeting of the said Commissioners shall be held on the last *Tuesday* in the Month of *September* in every Year at the Place and within the Hours aforesaid, unless some other Place or some other Time shall from Time to Time be appointed by the said Commissioners; and the Commissioners present at such first or at any subsequent Meeting may from Time to Time adjourn themselves to the same or to any other Place within the said Town of *Bridlington*, and to any Day or Hour, as to them may seem expedient; and if at any such Meeting there shall not be Five or more Commissioners then and there present within One Hour after the Time appointed for such Meeting, then such Meeting shall be deemed to be adjourned to the same Day in the following Week at the same Place and at the same Hour, and so *toties quoties*, until a sufficient Number of the said Commissioners shall attend at such Meeting; and no Act of the said Commissioners shall be valid unless made or done at some Meeting to be held by virtue of this Act; and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be executed by the Majority of the said Commissioners present at any Meeting to be held as aforesaid, the Number of Commissioners present at such Meeting not being less than Five, and at every such Meeting the first Business shall be the Election of a Chairman to preside at the same; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote) the Chairman shall have a second or casting Vote, and the said Commissioners shall defray their own Expences at every such Meeting (except for the Use of the Room where such Meeting shall be held): Provided nevertheless, that it shall be lawful for the said Commissioners and they are hereby authorized from Time to Time to hold any Special Meeting, so that such Meeting be required by Three at the least of the said Commissioners, and Notice thereof in Writing, stating the Purpose for which such Meeting is required to be called, be given to or left at the House or usual Place of transacting Business of the Clerk to the said

Regulations for the Meetings and Proceedings of the Commissioners.

Commis-

Commissioners, who shall thereupon give Ten Days Notice at the least of such Special Meeting, and of the Time, Place, and general Purposes thereof, by Advertisement of the same in some Newspaper circulated in the said East Riding of the County of *York*.

Restrictions
as to revok-
ing Orders.

XVII. And be it further enacted, That no Order, Rule, Regulation, Act, or Proceeding made or done at any Meeting held in pursuance of this Act shall be revoked, altered, or suspended, unless at some subsequent Special Meeting to be required as aforesaid, (and of which Ten Days Notice shall be given in the Manner herein-before mentioned for calling Special Meetings, expressing the Occasion of such Meeting,) nor unless the same or a greater Number of Commissioners shall attend and vote at such Meeting than were present at the Meeting at which such Order, Rule, Regulation, Act, or Proceeding was made or done.

Proceedings
to be entered
in a Book.

XVIII. And be it further enacted, That the Names of the Commissioners who shall attend the respective Meetings of the said Commissioners, and the Orders and Proceedings of the said Commissioners at every such Meeting, shall be entered in some Book to be provided and kept for that Purpose, which Entries shall be signed by the Chairman of such respective Meetings, or by the Commissioners present at such Meetings; and such Orders and Proceedings, when so entered and signed, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence, as well on behalf of the Commissioners as otherwise, in all Courts, and before all Judges, Justices, and others, and that without Proof of such respective Meetings having been duly convened, or of the Persons making such Orders or Proceedings being Commissioners; and every such Book shall at all seasonable Times be open to the Inspection of the said Commissioners; and if the Clerk or other Person having the Custody of such Book shall refuse to permit or shall not permit the said Commissioners to peruse and inspect such Book, such Clerk or Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Accounts to
be kept of
Receipts and
Disburse-
ments, which
shall be open
to Inspection.

XIX. And be it further enacted, That the said Commissioners shall cause Books to be kept by the Clerk or by the Treasurer, who shall enter or cause to be entered in such Books true and regular Accounts of all Sums of Money received and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been expended; and such Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and of the Creditors on the Duties and other Monies by this Act authorized, without Fee or Reward, and the said Commissioners and Creditors respectively may take Copies of or Extracts from the said Books without paying any thing for the same; and if the said Clerk or Treasurer, or other Person having the Custody of such Books, shall refuse to permit or shall not permit the said Commissioners and Creditors, or any of them, to inspect such Books, or to take such Copies or Extracts as aforesaid, such Clerk or Treasurer or other Person shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

XX. And

XX. And be it further enacted, That once in every Year an Abstract or Summary of the said Accounts shall be made by the said Clerk or Treasurer, and such Abstract or Summary, being signed by the said Commissioners at some Meeting to be held under the Authority of this Act, shall be laid by the said Clerk or Treasurer before Her Majesty's Justices of the Peace for the said East Riding at the General or Quarter Sessions of the Peace which shall next follow the signing of the said Abstract or Summary; and such Clerk or Treasurer shall also, if required by the said Justices, produce for their Inspection the Books of Accounts herein-before directed to be kept by him, and such Accounts, being allowed by the Chairman of the said Justices under his Hand, shall be adjudged to be fully settled and discharged up to the Time of such signing and Allowance.

Accounts to be annually laid before Justices, and passed by them.

XXI. And be it further enacted, That a Copy of the Abstract or Summary herein-before directed to be made by the said Clerk or Treasurer, signed by the said Commissioners, shall be sent by the said Clerk or Treasurer to the Mayor of the Town and Borough of *Newcastle-upon-Tyne* for the Time being, and also to the Collector of Customs at each of the several Ports of *Sunderland, Blythe, Seaton Sluice, Culler Coats, Seaham, Hartlepool, Stockton, and Middlesborough*, and a like Copy shall also be sent to the Chief Lord for the Time being of the Manor of *Bridlington*.

Copy of Abstract of Accounts to be sent to Mayor of Newcastle-upon-Tyne, &c.

XXII. And be it further enacted, That a Copy of the said Abstract or Summary shall in every Year be laid before each House of Parliament within One Calendar Month after the same shall have been so signed as aforesaid, if Parliament shall be then sitting, and if not, then within One Calendar Month after the next Meeting of Parliament.

Copy of Abstract of Accounts to be laid before Parliament.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time at any of their Meetings to elect a Treasurer, Clerk, Collector, and Harbour Master, and all such other Officers as they shall think proper for carrying this Act into execution, and also from Time to Time to suspend or displace such Officers or any of them, and to appoint others in the Room of such of them as shall die, or resign, or be suspended or displaced from their respective Offices, and to pay such Salaries or Allowances to the said Officers respectively as they shall think reasonable: Provided always, that the said Commissioners shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer, and from every Collector, Receiver, or other Officer of the said Commissioners who shall have the Custody or Control of any Money by virtue of this Act, for the faithful Execution of his Office before he shall enter thereupon.

Commissioners empowered to elect Officers.

XXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the

Same Person not to act as Clerk and Treasurer.

Purposes of this Act, or if any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer in the Execution of this Act, or being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as the Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*.

Officers to
account.

XXV. And be it further enacted, That every Officer and Person who shall be appointed or employed by or under the said Commissioners by virtue of this Act shall, from Time to Time when thereto required by the said Commissioners, make out and deliver to the said Commissioners, or to such Person as they shall appoint for that Purpose, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and such Account shall state how and to whom and for what Purpose the same shall have been disposed of, together with proper Vouchers and Receipts for such Payments, and every such Officer and Person shall and he is hereby required to pay all such Money as upon the Balance of such Account shall appear due from him to the Treasurer for the Time being to the said Commissioners, or to such Person as they shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same in his Custody or Power, or to make Payment of the Balance thereof, when thereunto required in manner aforesaid, or to deliver up to the said Commissioners or to such Person as they shall appoint for that Purpose, within Three Days after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Commissioners or to such Person as aforesaid respecting the same, then and in every such Case, Complaint being made thereof by the said Commissioners, or by any other Person on their Behalf to any Justice of the Peace of the County, Riding, City, Borough, Town, or Place where such Offender shall be or reside, such Justice is hereby authorized and required by Warrant under his Hand and Seal to cause such Officer or Person to appear before him, and upon his appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in the same Manner as the said Commissioners might have done; and if upon the Confession of the Party against whom such Complaint shall be made, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any Money remains due from such Officer or Person, such Justice may and he is hereby authorized and required, on Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money and the Charges of such

Distress and Sale, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall not make out and deliver to such Justice such Account in Writing as aforesaid, or produce and deliver to such Justice the several Vouchers and Receipts aforesaid relating to such Accounts, or deliver up such Books, Papers, or Writings as aforesaid, then and in every such Case such Justice may and he is hereby required by Warrant under his Hand and Seal to commit such Officer or Person to some Common Gaol or House of Correction in or for the County, Riding, City, Borough, Town, or Place where such Officer or Person shall be or reside, there to remain without Bail or Mainprize until he shall have made out and delivered such Account, and have delivered up the said Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any), and have paid all the Money which shall appear to be in the Hands of or owing by him, and the reasonable Charges of such Distress and Sale which shall in that respect have been made, or until he shall have compounded with the said Commissioners for such Money and Charges, and have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings to the said Commissioners: Provided always, that no such Officer or Person shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months for Want of Distress only: Provided also, that if any Money shall remain due from such Officer or Person, his Commitment to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties, but such Officer or Person and his Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison: Provided further, that it shall be lawful for such Justice, if he think fit, before committing such Offender, to issue his Warrant to search for such Vouchers, Books, Papers, or Writings so withheld by any such Officer or Person, under which Warrant the Officers thereby authorized shall enter into and search the Dwelling House or other Premises of such Officer or Person, or such other Place or Places as the said Justice shall authorize to be entered or searched, and take away and deliver to the said Commissioners any of the said Vouchers, Books, Papers, or Writings that may be found there.

XXVI. And be it further enacted, That in case of the Death of any such Officer or Person, or of his becoming bankrupt or insolvent, before he shall have delivered up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, the Executors or Administrators of such Officer or Person, or the Assignees of his Estate and Effects, or other Person possessing the same or in whom the same have or has been vested, shall, upon Demand, deliver up to the said Commissioners, or to any Person appointed by them, all such Books, Papers, Writings, and other Things; and in case of the Non-delivery thereof for the Space of Five Days next after the same shall have been demanded, it shall be lawful for the said Commissioners to proceed in any of Her Majesty's Courts of Record at *Westminster* against such Executors or Administrators or Assignees, or other Persons possessing the Estate and Effects which did belong to such deceased or bankrupt or insolvent Officer

For recovering Books from the Executors or Assignees of Officers.

Officer or Person, for Recovery of such Books, Papers, Writings, and Things, or for the Damage for the Non-delivery thereof, together with full Costs of Suit in each Case.

Com-
missioners may
sue and be
sued in the
Name of
their Clerk.

XXVII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of their Clerk for the Time being, or of any of the said Commissioners; and no Action or Proceeding which may be brought or instituted by or against the said Commissioners by virtue of or on account of this Act or of the said recited Acts shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by the Death of such Commissioner, or by any Act or Default of such Clerk or Commissioner done or suffered without the Direction or Consent of the said Commissioners, but such Clerk or Commissioner shall always be deemed Plaintiff or Defendant in all such Actions and Proceedings, except in Cases of Actions or Proceedings prosecuted between the said Commissioners and their Clerk for the Time being: Provided always, that in all Cases in which the Clerk for the Time being of the said Commissioners, or any Commissioner as aforesaid, shall be Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the said Commissioners shall be suing or sued in the Name of such Clerk or Commissioner as aforesaid, such Clerk or Commissioner as aforesaid may, if not otherwise interested or objectionable, be a good and competent Witness in such Action or Proceeding either for or against the said Commissioners, and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk or Commissioner (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every Clerk or Commissioner as aforesaid in whose Name any Action or Proceeding may be instituted or defended as herein-before mentioned shall always be reimbursed out of the Monies arising by virtue of this Act all such Costs and Expences as he shall incur or become chargeable with by reason of his being so made Plaintiff or Defendant, and shall not be personally answerable or liable for the same unless such Action or Proceeding shall have arisen in consequence of his own wilful Neglect or Default, or have been instituted or defended without the Direction or Consent of the said Commissioners.

Power to ap-
point Com-
mittees.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to nominate One or more Committee or Committees of their own Body as the said Commissioners shall think proper, and such Committees respectively shall have full Power and Authority to execute and perform all Matters and Things whatsoever which the said Commissioners are by this Act empowered to execute and perform, or which the said Commissioners shall think proper to entrust to the Management of such Committees; and it shall be lawful for the said Commissioners, by an Order or Resolution for that Purpose, to dissolve any such Committee, or to remove and displace any of the Members thereof, and to appoint others in their Place, when and as often as the said Commissioners shall think expedient, and such Committees respectively shall have Power to meet at such Times and Places as they shall think proper; and all Powers which shall by the said Commissioners be confided to any such Committee shall and may be exercised by a Majority of the
Members

Members at the respective Meetings of the said Committees, and such Committees respectively shall from Time to Time make Reports of their Proceedings to the Commissioners upon all Matters directed by the said Commissioners.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract for the Performance of any of the Works by this Act authorized to be done, or for the Supply of any Materials, Implements, Labour, or other necessary Matters or Things for the Purposes of this Act: Provided always, that every such Contract shall specify the several Works to be done, and the Materials to be supplied, and the Price to be paid for the same respectively, and the Periods within which such Works are to be completed and such Materials supplied, and the Penalties (if any) to be suffered in case of Nonperformance thereof; and such Contracts respectively shall be signed by the Clerk to the said Commissioners, and shall also be signed by the Person or be sealed with the Seal of the Corporation contracting with the said Commissioners, and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners; and the said Commissioners so contracting shall, if they see fit, take Security from every such Contractor for the due Performance of his Contract; and in case the same shall not be duly performed according to the true Intent and Meaning of such Contract, the said Commissioners shall and may bring an Action at Law or Suit in Equity against the Party so neglecting or refusing to perform such Contract for any Injury sustained on account of the Nonperformance thereof, and upon the proving the signing of the said Contract and the Nonperformance thereof the said Commissioners shall recover such Penalty or Damage as may be awarded, with full Costs of Suit.

Commis-
sioners may
contract.

XXX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to compound and agree with any Person who shall have entered into any Contract with the said Commissioners, and shall not have performed or shall be unable to perform the same, or with the Surety or Sureties of any such Person, for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, for such Sum of Money or other Recompence as the said Commissioners shall think proper.

Commis-
sioners may
compound
for Breaches
of Contract.

XXXI. And be it further enacted, That nothing in this Act or in any Contract or other Instrument hereby authorized to be entered into or made by the said Commissioners shall extend to charge the Person of any of the Commissioners or their Clerk executing such Contract or other Instrument, or the Heirs, Executors, or Administrators, or the Lands, Tenements, Goods, or Chattels of such Commissioners or their Clerk, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in any such Contract or other Instrument contained on the Part of such Commissioners or Clerk, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Action or Suit at Law or in Equity, or otherwise, against the said Commissioners or Clerk or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Contract or other Instrument, or the Covenants, Conditions,

Commis-
sioners ex-
empt from
personal Re-
sponsibility
in Contracts.

[*Local.*]

47 D

and

and Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners or their Clerk shall pay or be put to or which shall be occasioned by reason of any such Contract, Agreement, or other Instrument, or any Action or Suit to be brought or prosecuted thereupon, shall respectively be paid and discharged by and out of the Monies to be raised by virtue of this Act.

Commis-
sioners em-
powered to
improve the
Harbour, &c.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to support, repair, and maintain, or to remove, enlarge, and extend, all or any of the present Works belonging to or connected with the said Harbour of *Bridlington*, and to construct and maintain all such additional Works as they shall think expedient for the Improvement or Preservation of the said Harbour, so as to render the same more safe and commodious as a Harbour of Refuge, and fit for the Reception and Protection of Vessels frequenting or using the same; and the said Harbour and other Works shall be deemed and taken to be and the same are hereby declared to be within and Part and Parcel of the East Riding of the County of *York*.

No Work to
be construct-
ed below the
ordinary
High-water
Mark at
Spring Tides
without the
Consent of
the Admi-
ralty.

XXXIII. And whereas the Conservation of the several Ports, Harbours, Creeks, Estuaries, and navigable Rivers of the United Kingdom is by Law vested in the Lord High Admiral and the Commissioners for executing the Office of Lord High Admiral of the said Kingdom for the Time being; be it enacted and provided, That nothing in this Act contained shall extend or be construed to extend to authorize the making, constructing, or erecting any Work below the ordinary High-water Mark at Spring Tides without the Assent of the said Lord High Admiral or of the Commissioners for the Time being for executing the Office of Lord High Admiral aforesaid having been first obtained for that Purpose, such Assent to be signified in Writing under the Hand of the Secretary of the Admiralty.

No Jetties,
&c. to be
built but by
Commis-
sioners.

XXXIV. Provided always, and be it further enacted, That it shall not be lawful for any Person other than the said Commissioners to erect any Groins, Jetties, or other Works within the said Harbour, or to make any Encroachments whatsoever which may impede or obstruct the free Navigation or Passage of such Harbour, without the Consent of the said Commissioners in Writing under their Hands or under the Hand of their Clerk first obtained, or to do any Act whereby the said Harbour, or the free Use and Entrance or Navigation of the same respectively, may in anywise be prejudiced; and it shall be lawful for the said Commissioners from Time to Time as Occasion shall require to take away and remove any Obstruction which may in any Manner impede the Navigation of the said Harbour.

Power to
purchase
Lands.

XXXV. And be it further enacted, That for the several Purposes of this Act it shall be lawful for the said Commissioners and they are hereby empowered to contract and agree with such Persons as shall be or be deemed the Owners of or interested in any Lands within the Limits of this Act, and shall be willing to sell the same, which they the said Commissioners shall deem expedient to be used for the Purposes of this Act, for the absolute Purchase thereof or of any Part thereof, or for any Damage thereto to be sustained by the Proprietors thereof in the Execution of the Powers of this Act; and it shall be lawful for all Corporations,

Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whomsoever seised or possessed of or interested in any such Lands, to contract for, sell, and convey the same or any Part thereof unto the said Commissioners; and all such Contracts, Sales, and Conveyances shall be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (that is to say,)

‘ I *A. B.* of _____ in consideration of the Sum of _____
 ‘ to me [*or, as the Case may be, into the Bank of England, in the*
 ‘ Name and with the Privity of the Accountant General of the Court of
 ‘ Exchequer, *ex parte* “The Commissioners of the Piers and Harbour of
 ‘ *Bridlington,” or to C. D.* of _____ and *E. F.* of _____
 ‘ Two Trustees appointed to receive the same, pursuant to the Act after
 ‘ mentioned,] paid by the Commissioners acting in the Execution of an
 ‘ Act passed in the _____ Year of the Reign of Her Majesty
 ‘ Queen *Victoria*, intituled [*here set forth the Title of this Act*], do hereby
 ‘ convey to the said Commissioners all [*describing the Premises*], to hold
 ‘ to the said Commissioners and their Successors for ever, for the Pur-
 ‘ poses of the said Act. In witness whereof I have hereunto set my
 ‘ Hand and Seal the _____ Day of _____ in the Year
 ‘ of our Lord _____.

Form of
Conveyance.

And all such Conveyances and Assurances shall, without Enrolment or Registry, be valid and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party conveying, but also to convey all the Right, Estate, and Interest, Use, Trust, Property, Possession, Claim, and Demand whatsoever of his Cestuique Trust, and all Persons whomsoever claiming or having Title to claim by, from, through, under, or after him, and of all Persons entitled in Remainder or Reversion expectant on any particular Estate; and the same shall merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and shall bar and destroy the Dower of the Wife of the Party conveying, and all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the same, and the Party so conveying shall be indemnified for all he shall do by virtue or in pursuance of this Act.

XXXVI. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase of any Lands to be purchased by virtue of this Act, or for any Compensation or Satisfaction for Damage in respect of any Lands which any Corporation, or Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee,

Application
of Compensation
Money
if amounting
to 200*l.*

mittee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto, interested in, or otherwise capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Commissioners of the Piers and Harbour of *Bridlington*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the same Court, and without Fee or Reward; and shall when so paid in there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the same Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands which shall be so purchased, or in respect of which Compensation or Satisfaction shall be payable as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing and capable of taking effect; and in the meantime and until such Order shall be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in other Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands so to be purchased and settled.

Application
of Compensation
Money
when less
than 200*l.*
and exceeding
20*l.*

XXXVII. Provided always, and be it further enacted, That if any Money agreed to be paid for any Lands to be purchased for the Purposes of this Act, or for Compensation or Satisfaction as aforesaid, in respect of any Lands belonging to any Corporation, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Persons for the Time being entitled to the Rents and Profits of such Lands, or of their respective Husbands, Guardians, or Committees in case of Coverture, Infancy, Idiotcy, Lunacy,
or

or other Incapacity, with the Approbation of the said Commissioners signified in Writing under the Hands of any Five or more of them, be paid into the said Bank of *England* in the Name and with the Privy of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid (at the like Option and with the like Approbation) to Three Trustees, to be nominated by the respective Persons exercising such Option, such Nomination to be approved of by the said Commissioners, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England*, but without being required to obtain any Order of the said Court touching the Application thereof.

XXXVIII. Provided also, and be it further enacted, That where any Money so agreed to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Land so purchased, or in respect of which Compensation or Satisfaction shall be payable under the Authority of this Act, for their own Use and Benefit; or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

Application of Compensation Money when not exceeding 20*l.*

XXXIX. Provided also, and be it further enacted, That where by reason of Disability or Incapacity of any Party entitled to any Lands to be taken or used, or in respect of which any Compensation or Satisfaction shall be payable under the Authority of this Act, the Purchase Money for the same, or the Money paid for such Compensation, shall be required to be paid into the Bank of *England*, to be applied in the Purchase of other Lands to be settled to the like Uses in pursuance of this Act, it shall be lawful for the Court of Exchequer to order the Costs, Charges, and Expences of or which may be incurred in consequence of any such Purchase, taking, or using of Lands under the Provisions of this Act, and of the Reinvestment of such Money in Land, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders for such Purpose, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, and the said Commissioners shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

Expences of Purchases may be allowed by the Court.

XL. And be it further enacted, That in case any Party to whom any Money shall be agreed to be paid for the Purchase of any Lands to be taken or used by virtue of this Act, or for Compensation or Satisfaction as aforesaid, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, it shall be lawful for the said Commissioners to order such Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested (describing them), subject

In case of disputed Titles, the Money to be paid into the Bank.

to the Order, Control, and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money or any Part thereof by Petition, is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court may seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the Estate or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Commissioners, or to any Party paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in Possession presumptively entitled.

XLI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Party to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or for or in respect of Compensation or Satisfaction as herein-before mentioned, or to any Annuities or Securities to be purchased with any such Money as herein-before mentioned, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of such Purchase or Damage, and all Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some other Party was lawfully entitled to such Lands, or to some Estate or Interest therein, when the said Court shall make such Orders respecting the said Capital, and the Dividends and Interest thereof, as the Circumstances of the Case may require.

For the Sale of Lands not wanted.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and by Indenture or Indentures to grant and convey, by way of absolute Sale in Fee Simple or otherwise, according to the Nature thereof, for a Consideration in Money, all or any Part of the Lands, Tenements, or Hereditaments which may be purchased by or become vested in them, and which shall not be wanted for the Purposes of this Act; and the Person or Persons to whom any such Disposition and Conveyance shall be made, having *bonâ fide* paid his or her or their Purchase Money, and taken the Receipt of the Treasurer of the said Commissioners for the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof.

The Word "grant" in Conveyances from the

XLIII. And be it further enacted, That in all Conveyances to be made by the said Commissioners under or in pursuance of this Act the Word "grant" shall operate as and be construed and adjudged in all Courts of Judicature to be express Covenants to or with the respective Grantees therein

therein named, and the Successors, Heirs, Executors, Administrators, or Assigns of such Grantees, according to the Quality or Nature of such Grantees Interest therein, and the Estate or Interest therein expressed to be thereby conveyed by or from the said Commissioners, for themselves and their Successors, that they the said Commissioners, notwithstanding any Act or Default done by them, were at the Time of the Execution of such Conveyances seised or possessed of the Lands thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest ~~as therein expressed to be thereby~~ granted, free from Incumbrances done or occasioned by them; that the Purchaser thereof, his Heirs and Assigns, Successors and Assigns, or Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the said Commissioners and their Successors, and all claiming under them, and be indemnified and saved harmless by the said Commissioners and their Successors from all Incumbrances committed by the said Commissioners, and also for further Assurance of such Lands by the said Commissioners or their Successors, and all claiming under them, unless except and so far as the same shall be restrained and limited by express particular Words contained in such Conveyances; and all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest expressed to be conveyed, shall and may in all Actions to be brought assign Breach or Breaches thereupon as they might do in case such Covenants were expressly inserted in such Conveyances.

Commissioners to amount to certain Covenants.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners to lay any Materials which shall from Time to Time be provided for any of the Purposes of this Act on any Part of the Shore, Quays, or Landing Places of the said Harbour, making Satisfaction to the Owners and Occupiers of such Shore, Quays, or Landing Place for all Damages done thereto, in such Manner as shall be agreed upon between the said Commissioners and such Owners and Occupiers; and in case of any Difference between the said Commissioners and such Owners and Occupiers concerning such Payment and Damages aforesaid, any Justice of the Peace of the County, Riding, City, Borough, Town, or Place where any such Shore, Quay, or Landing Place shall be situated, (as the Case may be,) on Ten Days Notice in Writing being given by either Party to the other, shall hear and determine the Matter of such Payment and Damages, and the Costs attending the hearing and determining the same.

Power to Commissioners to lay Materials on the Shore.

XLV. And be it further enacted, That if any Person shall wilfully take away, remove, or overturn, or endeavour to take away, remove, or overturn, or shall damage or deface, any Material or Thing whatsoever which shall have been obtained or provided by the said Commissioners for any of the Purposes of this Act, such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, over and above the Value of the Material or Thing so taken away, damaged, or defaced.

Penalty for taking away Materials provided by the Commissioners.

XLVI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time as

Commissioners authorized to

remove any
Soil or Waste. to them shall seem expedient, to remove, carry away, and displace any Part of the Waste or Soil of or belonging to the said Manor adjoining or contiguous to the said Harbour, in order to make any Ways or Passages leading into the said Harbour more convenient or commodious for the Passage and Conveyance of Cattle and Carriages used or employed in or about the lading or unlading of Vessels coming into or using the said Harbour.

Coal Duty.

XLVII. And be it further enacted, That for the Purpose of enabling the said Commissioners to raise a sufficient Sum of Money to complete the several Works now in progress, and the Works by the said recited Acts authorized to be constructed for the Improvement of the said Harbour, or for rendering the same more safe and commodious as a Harbour of Refuge, it shall be lawful for the said Commissioners, for and during the Term of Thirty-one Years from the Time of the Commencement of this Act, and no longer, to demand, recover, and receive the Duty next herein-after mentioned ; (that is to say,)

For every Two and a Half Tons of Coals (that shall be conveyed in any Vessel past the said Port or Harbour of *Bridlington* for the Purpose of being delivered to the Southward of the respective Ports at which they shall be shipped) the Sum of One Farthing :

Which said Duty shall be paid by every Master or other Person taking Charge of any Vessel whereupon such Coals shall be laden before any such Vessel shall be suffered to proceed on any Voyage, the said Duty to be paid to such Person, and at such Place in or near the Port where such Vessel shall lade such Coals, as the said Commissioners or the major Part of them shall from Time to Time appoint ; whereupon the Party appointed to receive such Duty shall, if required, without Delay, Fee, or Reward, deliver a Receipt for the same to the Person who shall have paid such Duty, which Receipt shall be a sufficient Discharge for the Amount so paid : Provided always, that from and after the Expiration of such Term of Thirty-one Years it shall not be lawful for the said Commissioners to demand, recover, or receive the said Duty, but the same shall altogether cease and be no longer payable : Provided also, that in case it shall happen that before the Expiration of the said Term of Thirty-one Years the said several Works shall have been completed, and the Money now due on the Credit of the said recited Acts, or which may hereafter be borrowed for the Completion of such several Works, together with the Interest due thereon, shall have been paid off and discharged, or there shall remain in the Hands of the said Commissioners a Sum sufficient to pay off and discharge such Principal Money and Interest, then and from thenceforth the said Duty shall altogether cease and be no longer payable ; and the said Commissioners shall and they are hereby required forthwith to give public Notice by Advertisement to be inserted in some One or more Newspapers of each of the Counties in which the several Ports shall be situate at which Coals liable to the said Duty shall be laden of the Cessation of such Duty, and from and after the Time mentioned in such Notice it shall not be lawful for the said Commissioners to demand, recover, or receive the said Duty.

Coal Duty to
cease after
the Expiration
of
Thirty-one
Years.

Other Duties.

XLVIII. And be it further enacted, That from and after the Commencement of this Act it shall be lawful for the said Commissioners from
Time

Time to Time and at all Times to demand, recover, and receive, for or in respect of the several Goods and Articles herein-after mentioned, laden or unladen at or in the said Harbour of *Bridlington*, the several Duties herein-after mentioned ; (that is to say,)

For every Quarter of Oats, the Sum of One Penny Halfpenny :

For every Quarter of Barley, the Sum of Two-pence :

For every Quarter of Wheat, Malt, or other Grain, the Sum of Three-pence :

For every Ton of Coals, Ship's Register Tonnage, the Sum of One Shilling :

For every Ton of Coke, Cinders, or Culm, Ship's Register Tonnage, the Sum of Two Shillings :

For every Ton of Whitening, the Sum of Three-pence :

For every Ton of Manure, the Sum of One Halfpenny :

For every Ton of Bones, the Sum of One Penny :

For every Ton of animalized Carbon, the Sum of One Penny :

For every Ton of Rape Seed Cakes or Dust, the Sum of Two-pence :

For every Ton of Lime, the Sum of Two-pence :

For every Ton of Linseed Cake, the Sum of Two-pence :

For every Ton of Soot, Ship's Register Tonnage, the Sum of One Penny :

For every Thousand of Bricks, the Sum of Four-pence :

For every Thousand of Tiles, the Sum of Three-pence :

For every Ton of Slates, the Sum of Sixpence :

For every Hundred Weight of Sugar, the Sum of One Penny :

For every Hundred Weight of Currants, the Sum of Three-pence :

For every Hogshead of Treacle, the Sum of One Shilling :

For every Hundred Weight of Tea, the Sum of One Shilling and Sixpence :

For every Hundred Weight of Coffee, the Sum of Nine-pence :

For every Ton of Stone, dressed or manufactured, the Sum of Four-pence :

For every Ton of Stone not manufactured, the Sum of One Penny :

For every Standard Hundred of Deals, the Sum of One Shilling and Four-pence :

For every Score of Deal Ends, the Sum of Two-pence :

For every Fathom of Firewood, the Sum of One Penny Halfpenny :

For every Load of square Fir Timber, *per* Load of Fifty Feet, the Sum of Sixpence :

For every Load of square Oak Timber of Fifty Feet Calaper Measure, the Sum of Nine-pence :

For every Ton of Oak and other Timber, String Measure of Forty Feet, the Sum of Nine-pence :

For every Load of Oak and other Plank, the Sum of Nine-pence :

For every Load of second-hand Timber and Plank, the Sum of Sixpence :

For every running Hundred of Battens, the Sum of Two Shillings and Sixpence :

For Fir Spars for Masts, *per* Load of Fifty Feet, the Sum of Nine-pence :

For Fir Spars from Twelve Inches Girt down to Six Inches Girt, *per* Load of Fifty Feet, the Sum of Sixpence :

For Fir Poles or Rickers *per* Dozen, the Sum of Sixpence :

For every Wainscot Log or Hundred, the Sum of Sixpence :

For every Mahogany Log *per* Ton, the Sum of One Shilling :

For every Hundred of Pipe Staves, the Sum of One Shilling and Eight-pence :

For every Fathom of Lathwood, the Sum of Nine-pence :

[*Local.*]

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For

- For every Hundred Bundles of Laths, the Sum of Sixpence :
- For every Hundred Weight of Cast Iron Ware, the Sum of One Penny :
- For every Ton of any other Kind of Iron, the Sum of Sixpence :
- For every Hundred Weight of Nails in Bags, the Sum of One Penny Halfpenny :
- For every Hundred Weight of Chain Anchors, the Sum of One Penny Halfpenny :
- For every Hundred Weight of Cordage, the Sum of One Penny Halfpenny :
- For every Hundred Weight of Hemp, the Sum of One Penny Halfpenny :
- For every Hundred Weight of Flax, the Sum of Two-pence Halfpenny :
- For every Barrel of Tar, the Sum of One Penny Halfpenny :
- For every Barrel of Pitch, the Sum of One Penny Halfpenny :
- For every Barrel of Varnishes, the Sum of Three-pence Halfpenny :
- For every Hundred Weight of Paints, the Sum of Two-pence :
- For every Hogshead of Palm Oil, the Sum of One Shilling and Sixpence :
- For every Gallon of Olive Oil, the Sum of One Penny :
- For every Hogshead of Sperm Oil, the Sum of One Shilling and Sixpence :
- For every Hogshead of any other Kind of Oil, the Sum of One Shilling :
- For every Pocket of Hops, the Sum of One Shilling :
- For every Ton of Lead, the Sum of One Shilling and Eight-pence :
- For every Hundred Weight of Shot, the Sum of Two-pence :
- For every Barrel of Gunpowder, the Sum of Eight-pence :
- For every Hide of Leather, the Sum of Two-pence :
- For every Ton of Barilla, the Sum of Nine-pence :
- For every Ton of Kelp, the Sum of Four-pence :
- For every Pipe of Wine, the Sum of Six Shillings :
- For every Hogshead of Spirits, the Sum of Two Shillings and Nine-pence :
- For every Hogshead of Spirits of Wine, the Sum of Three Shillings and Sixpence :
- For every Carboy of Vitriol, the Sum of Two-pence :
- For every Butt of Ale, Beer, or Porter, the Sum of One Shilling and Sixpence :
- For every Hogshead of Vinegar, the Sum of One Shilling :
- For every Cask of Cement, the Sum of One Penny Halfpenny :
- For every Hundred Weight of Tallow Candles, the Sum of Four-pence :
- For every Hundred Weight of Wax or Sperm, the Sum of Nine-pence :
- For every Hundred Weight of Soap, the Sum of Four-pence :
- For every Hundred Weight of Nuts, the Sum of Four-pence :
- For every Chest of Oranges or Lemons, the Sum of Four-pence :
- For every Hundred Weight of dried Fruits, the Sum of Sixpence :
- For every Package of Grapes, the Sum of Two-pence :
- For every Hundred Weight of Sago, the Sum of Three-pence :
- For every Hundred Weight of Saltpetre, the Sum of Two-pence :
- For every Ton of Salt, the Sum of Three-pence :
- For every Hundred Weight of Soda, the Sum of One Penny :
- For every Cask of Tallow, the Sum of One Shilling :
- For every Hundred Weight of Copperas, the Sum of One Penny :
- For every Hundred Weight of Butter, the Sum of Sixpence :
- For every Hundred Weight of Ivory Black, the Sum of One Penny :
- For every Hundred Weight of Lamp Black, the Sum of One Penny :
- For every Hundred Weight of Cheese, the Sum of Three-pence :

For

- For every Hundred Weight of Venetian Red, the Sum of One Penny :
- For every Hundred Weight of Ochres, the Sum of One Penny :
- For every Hundred Weight of Seeds, the Sum of Three-pence :
- For every Ton of Soda Ashes, the Sum of Eight-pence :
- For every Hundred Weight of Raisins, the Sum of Three-pence :
- For every Barrel of Almonds, the Sum of Sixpence :
- For every Piece of Broad Cloth, the Sum of Two Shillings :
- For every Barrel of Meal, the Sum of One Penny :
- For every Hundred Weight of Bees Wax, the Sum of One Shilling and Sixpence :
- For every Hundred of Coney Skins, the Sum of Two-pence :
- For every Barrel or Hundred Weight of Apples, the Sum of Sixpence :
- For every Barrel or Hundred Weight of Onions, the Sum of Sixpence :
- For every Hundred Weight of dried Fish, the Sum of One Penny :
- For every Barrel of dried or cured Herrings, the Sum of Two-pence :
- For every Thousand of Turves, the Sum of Two-pence :
- For every Crate of Glass, the Sum of One Shilling :
- For every Gross of Bottles of any Kind, the Sum of Two-pence :
- For every Crate of Earthenware, the Sum of Eight-pence :
- For every Hundred Cubic Feet of Furniture, the Sum of Two Shillings and Sixpence :
- For every Bale of Canvas, the Sum of Two Shillings :
- For every Pack or Sheet of Wool, the Sum of Nine-pence :
- For every Bag of Flour (of Twenty Stones), the Sum of Two-pence :
- For every Ton of Potatoes, the Sum of Sixpence :
- For every Grindstone, the Sum of Two-pence :
- For every Millstone, the Sum of Sixpence :
- For every Horse, Mare, Gelding, or Beast, the Sum of Two Shillings and Sixpence :
- For every Head of other Cattle, the Sum of One Shilling :
- For every Implement of Husbandry, the Sum of Sixpence :
- For every Four-wheeled Carriage, the Sum of Five Shillings :
- For every Two-wheeled Carriage, the Sum of Two Shillings and Sixpence :
- For every Pole or Piece of Lancewood, the Sum of One Penny :
- For every Hundred Weight of Whalebone, the Sum of One Shilling :
- For every Ton of Hay, the Sum of Sixpence :
- For every Hundred Weight of Hams or Bacon, the Sum of Three-pence :
- For every Box of Hats, Boots, Caps, or Shoes, the Sum of One Shilling :
- For every Hundred Weight of Oakum, the Sum of Two-pence :
- For every Hundred Weight of Tobacco, the Sum of Two Shillings :
- For every Hundred Weight of Mustard, the Sum of Sixpence :
- For every Ton of Rosin, the Sum of One Shilling :
- For every Hundred Weight of Rice, the Sum of One Penny :
- For every Hundred Weight of all other Articles, Goods, Commodities, and Merchandize usually sold by Weight, and not herein-before enumerated, the Sum of One Shilling :
- For every Gallon of all other Articles, Goods, Commodities, and Merchandize usually sold by Measure, and not herein-before enumerated, the Sum of One Penny :
- For every Article, Box, Package, or Parcel not herein-before enumerated, (except Packages returned empty,) and Fourteen Pounds Weight and upwards, the Sum of Four-pence :
- For every other Article, Box, Package, or Parcel not herein-before enumerated, (except as aforesaid,) and under Fourteen Pounds Weight (on

(on which Freight is charged), the Sum of Two-pence, and so in proportion for every greater or less Quantity of Weight or Measure for every Article, Goods, Wares, and Merchandize herein-before enumerated and described :

And also to demand, recover, and receive the several other Duties herein-after mentioned ; (that is to say,)

For every Ship or Vessel entering the said Port or Harbour, any Sum not exceeding, *per* Ton, Sixpence :

For every Ship or other Vessel lying within the said Port or Harbour, and not belonging to the said Port or Harbour, any Sum *per* Ton *per* Week (and so in proportion for a less Time than a Week), not exceeding One Halfpenny :

For every Ship or other Vessel having Three Masts, and being the Property of any Person or Persons residing in the Parish of *Bridlington*, for each Time such Ship or Vessel shall enter the said Port or Harbour, the Sum of Five Shillings :

For every such Ship or Vessel having Two Masts, the Sum of Four Shillings and Four-pence :

For every Ship or Vessel having One Mast, the Sum of Three Shillings and Four-pence :

All which said several Duties shall be paid by the Masters of the Vessels to which such Duties respectively attach.

Where Duties amount to less than a certain Sum.

XLIX. Provided always, That in all Cases in which any of the Duties by this Act authorized to be taken shall not amount to the Sum of One Farthing, the same shall not be collected ; and that in all Cases in which any of the said Duties shall exceed the Sum of One Farthing, but shall not amount to a Halfpenny, the Sum of a Halfpenny shall be payable, any thing in this Act contained to the contrary thereof notwithstanding : Provided also, that the Duties by this Act imposed on Vessels entering the said Harbour shall not be demanded or paid in respect of any Vessel which shall enter the said Harbour for Protection or Refuge on the same Voyage (either Outward-bound or Homeward-bound in Ballast) on which the first-mentioned Duty of One Farthing for every Two and a Half Tons of Coals shall have been paid.

As to Vessels entering the Harbour for Refuge.

Duties not to extend to Vessels in Her Majesty's Service.

L. Provided also, and be it further enacted, That nothing in this Act contained shall extend to any of Her Majesty's Vessels of War, or to any Vessels employed in or on Her Majesty's Service for the Conveyance of Officers or Soldiers, or of Horses, Arms, Ammunition, or Baggage to them belonging, or of Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, or Excise, or of Her Majesty's Postmaster General.

Duties under Grant from Queen Elizabeth to be paid by the Masters of Vessels.

LI. And whereas under or by virtue of a Grant from Her Majesty Queen *Elizabeth*, made in the Thirty-third Year of Her Reign, certain Duties are payable by the Owners of various Goods and Articles laden or unladen at or in the said Harbour, and are applied by the said Commissioners towards the Support and Maintenance of the said Harbour, and it is expedient that such Duties should henceforth be paid by the Masters of the Vessels in which such Goods and Articles may be imported or exported, and should be collected and recovered in the same Manner as the several Duties by this Act granted ; be it therefore enacted, That the said several Duties payable under or by virtue of the said Grant shall

from henceforth be paid by the Masters of the Vessels in which such Goods and Articles may be imported or exported, and may be collected and recovered in the same Manner as the several other Duties by this Act granted.

LII. And be it further enacted, That Double the Duties which from Time to Time shall be imposed by virtue of this Act in respect of *British* Vessels shall be payable in respect of Foreign Vessels, and also in respect of all Goods or Articles imported or exported in such Foreign Vessels; and every Vessel shall be deemed a Foreign Vessel within the Meaning of this Act which shall not be entitled to the Privileges of a *British*-built Vessel by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Encouragement of British Shipping and Navigation.*

Double Duties to be paid in respect of Foreign Vessels.

5 & 4 W. 4. c. 54.

LIII. Provided always, and be it further enacted, That it shall be lawful for Her Majesty in and by an Order of Council, or for the Lords Commissioners of Her Majesty's Treasury, or any Three or more of such Lords Commissioners, by any Order in Writing, from Time to Time to reduce the Duties which shall be imposed on Foreign Vessels under the Powers of this Act on all or on such and on so many of such Vessels, and on all or on such and on so many of the Goods or Articles imported or exported in such Vessels, as Her Majesty or as the Lords Commissioners as aforesaid shall deem expedient, to the same or the like Duties as shall by virtue of the Powers of this Act be payable at the Time in respect of *British* Vessels.

Power to Her Majesty to reduce Duties on Foreign Vessels.

LIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to reduce all or any of the Duties by this Act granted, and again to raise the same to any Amount not exceeding the respective Duties by this Act granted; and such reduced and also such advanced Duties shall be paid, collected, recovered, and applied in the same Manner as the Duties in this Act specified and made payable to the said Commissioners are directed to be paid, collected, recovered, and applied.

Duties may be varied.

LV. Provided always, and be it further enacted, That the said Commissioners shall not partially raise or lower the Duties by this Act granted, but the said Duties shall be so fixed as that the same shall be taken from all Persons alike under the same or similar Circumstances.

Duties to be charged equally.

LVI. And be it further enacted, That the said Commissioners shall cause to be painted on Boards in legible Black Letters on a White Ground, and to be affixed and continued, and also to be renewed as often as the same shall be obliterated or defaced, on some conspicuous Place in or near the said Harbour, an Account or List of the several Duties which shall from Time to Time be payable under and by virtue of this Act.

Table of Duties to be put up.

LVII. And be it further enacted, That the several Duties to be from Time to Time imposed, under the Provisions of this Act, in respect of Vessels, shall be a Charge on the Owners of such Vessels, and shall be paid by the Master of the Vessel to which such Duties shall attach; and the several Duties to be from Time to Time imposed, under the Provisions

Duties to be paid by Masters of Vessels.

sions of this Act, in respect of Goods and Articles, shall be a Charge on the Owners thereof, and shall be paid by the Master of the Vessel in which such Goods or Articles shall be imported or exported, or otherwise by the Owners or other Persons into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped respectively (as the Case may be), immediately upon the Delivery or Shipping thereof respectively (as the Case may be).

Lien to be given to Masters, &c. on Goods for Duties paid.

LVIII. Provided always, and be it further enacted, That in case the Duties made payable on Goods and Articles shall be paid by the Master of the Vessel in which the same shall have been imported or exported, such Duties shall be forthwith repaid to such Master by the respective Owners of such Goods and Articles, on Demand, and before the Delivery to them of such Goods and Articles; and the Master so paying such Duties shall have a Lien upon the said Goods or Articles in respect of which such Duties shall have been paid for the Amount of such Duties, and until Repayment thereof may lawfully detain and hold Possession thereof; and in case the Amount of such Duties shall not be repaid to such Master within One Calendar Month after Demand thereof made on the Owner either personally or by Letter sent by the Post addressed to him at his last known Place of Abode, it shall be lawful for such Master to make sale of a competent Part of such Goods or Articles as shall have been so detained for the Nonpayment of the Duties charged thereon, and to apply the Proceeds of such Sale in reimbursing himself the Duties which he shall have so paid and the Charges attending such Sale, rendering the Overplus (if any) of the Proceeds of such Sale to the Owners or Consignees of the Goods or Articles whereof a Sale shall have been so made as aforesaid.

Masters of Vessels to produce Registers, Manifests, &c. to Collector when required.

LIX. And be it further enacted, That the Master of every Vessel liable to the Payment of any of the Duties by this Act granted shall, whenever required by the Collector of the said Duties, or by the Person for the Time being appointed by the said Commissioners to receive the same, produce and show to such Collector or Person the Register of such Vessel, and other Documents relating to the Appointment of such Master or to the Ownership of such Vessel, and also every Manifest, Bill of Lading, or other Paper in his Possession relating to the Lading thereof; and in case such Master shall, upon such Request, refuse or neglect to produce or show to such Collector or Person as aforesaid such Register and other Documents as aforesaid, he shall forfeit and pay any Sum not exceeding Ten Pounds for every such Refusal or Neglect.

Vessels to be reported on arriving in the Harbour, and to give an Account of the Cargoes.

LX. And be it further enacted, That the Master of every Vessel which shall arrive in the said Harbour of *Bridlington*, and shall be liable to the Payment of any of the Duties by this Act granted, shall make his Report of such Vessel and of her Cargo, and from whence she came, to the Collector of the Duties for the Time being of the said Harbour, or to such other Person as the said Commissioners shall appoint for that Purpose, within Twelve Hours next after her Arrival within the said Harbour; and every such Master shall, within Six Hours after such Vessel or Cargo shall be so reported, deliver in Writing to the said Collector of the Duties, or to such other Person as the said Commissioners shall appoint for the Receipt thereof, a true and particular Account, to the best of his Knowledge,

ledge, of the several Goods and Articles of which such Cargo shall be composed, and of all separate and small Parcels thereof, and the Names of the respective Persons to whom they are consigned, and shall also (if required) give due Notice in Writing of the Time appointed for the Delivery of such Cargo; and in case any such Master shall refuse or neglect to make such Report, or to deliver such Account, within the respective Times and in the Manner herein-before directed, or to give such Notice when required, or shall wilfully give a false Statement, or do any other Act whereby the Payment of the full Amount of the said Duties shall be avoided or be attempted to be avoided, he shall for every such Neglect or Refusal or false Statement forfeit and pay any Sum not exceeding Ten Pounds, over and above the Amount of the Duties payable in respect of such Goods or Articles.

LXI. And be it further enacted, That the Master of every Vessel in the said Harbour liable to pay any of the Duties by this Act granted shall give to the Collector of the said Duties, or to such other Person as may be appointed to receive the same, a true and particular Account in Writing of any Goods and Articles which shall be embarked in each such Vessel, and of the Quantities and Weight of such Goods and Articles respectively, and of their Nature or Kind, stating from whence brought and where the same are intended to be sent; and in case the Master of such Vessel shall neglect or refuse to give such Account, or shall wilfully give a false Account, or do any other Act whereby the Payment of the full Amount of the said Duties shall be avoided or be attempted to be avoided, or shall charge in respect of the said Duties more than shall have been actually paid for the same, or shall refuse to give such Collector or other Person as aforesaid (when required) an Account of the Charge made by him in respect of the said Duties, he shall forfeit and pay any Sum not exceeding Ten Pounds, over and above the Amount of the said Duties.

Masters of Vessels loading to deliver an Account of Cargo.

LXII. And be it further enacted, That for more easily ascertaining the Duties by this Act granted, the Collector of the said Duties or his Deputy, or the Person for the Time being appointed by the said Commissioners to receive the same, may, with the Permission of the Commissioners of Her Majesty's Customs, at proper and seasonable Times, have, at the Custom House of the said Harbour of *Bridlington*, free Access to and Inspection of the respective Registers, Cocquets, and other Papers of all Vessels resorting to the said Harbour, on or after the Entry or Clearance at the said Custom House.

Collector, &c. to have Access at Custom House to the Registers of all Vessels resorting to the Harbour.

LXIII. And be it further enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour of *Bridlington*, or within any of the other Ports at which any of the said Duties are payable, with the Permission of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry or to give or make any Cocquet or other Discharge or Clearance, or to take any Report Inwards or Outwards, for any Vessel liable to the Payment of any of the Duties by this Act granted, until the said Duties shall have been paid to the Collector or other Person appointed to receive the same, and until a Receipt under the Hand of the said Collector or other Person shall

Officers of Customs may refuse to give a Cocquet for Clearance until Duties are paid.

have

have been produced to the said Collector or other proper Officer of Her Majesty's Customs.

Penalty on
Persons
eluding Pay-
ment of
Duties.

LXIV. And be it further enacted, That if the Master of any Vessel shall depart or attempt to depart from the said Harbour of *Bridlington* without having paid the Duties payable in respect of such Vessel and of her Cargo, or shall elude or attempt to elude the Payment of the full Amount thereof by any Means whatsoever, such Master shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, over and above the Amount of the Duties which shall be payable in respect of such Vessel or Cargo, to be recovered in any of Her Majesty's Courts of Record, in addition to any other Mode of Recovery given by this Act.

Commis-
sioners may
examine Per-
sons liable
to the Duties.

LXV. And be it further enacted, That it shall be lawful for the said Commissioners or any Three of them (although not assembled at a Meeting held pursuant to this Act), whenever they shall see Occasion, to summon before them, by Writing under their Hands or under the Hand of their Clerk, at any Time or Place within the Town of *Bridlington*, any Person being the Master of any Vessel liable to the Payment of any of the Duties by this Act granted, and to examine him of and concerning any Goods or other Articles liable to the Payment of any of the said Duties, or otherwise concerning the Execution of this Act; and in case any Person so summoned before the said Commissioners shall not appear at the Time and Place in such Summons mentioned, or appearing shall refuse to make answer and discover what he knows or believes concerning the Matters to be examined or inquired into, he shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Offence.

Collector
may enter
Vessels and
take Account
of Duties.

LXVI. And be it further enacted, That it shall be lawful for the Collector of the Duties by this Act granted, or such other Person as shall be appointed by the said Commissioners to receive the same, to enter, either alone or with any other Person for his Assistance, into or on board any Vessel within the said Harbour, and to demand, take account of, and ascertain by Inspection what Duties are payable by virtue of this Act in respect of the Tonnage of any such Vessel, or in respect of any Goods or Articles of whatever Description on board thereof, and to demand, collect, and receive such Duties; and in case any of the Duties by this Act authorized to be demanded shall not be paid by the Master of such Vessel, upon Demand thereof made by the said Collector, it shall be lawful for such Collector or other Person as aforesaid to seize and distrain such Vessel, her Guns, Tackle, Apparel, and Furniture, or any Part thereof, or any Goods or Articles on board thereof, and any other Goods or Articles belonging to the Owner of the Vessel or Goods in respect of which such Duties shall be payable, which shall then or at any Time afterwards come to or be found within the said Town or Harbour of *Bridlington*, or which shall come to or be found in any Wharf belonging to or adjoining the same respectively; and in case of Neglect in the Payment of the Duties for which such Distress shall have been taken as aforesaid for the Space of Five Days next after such Distress it shall be lawful for the said Collector or such other Person as aforesaid to sell the said Vessel, Goods, and Articles, Guns, Tackle, Apparel, and Furniture so distrained, or so much thereof as he shall deem necessary, and therewith to satisfy himself as well
for

for the said Duties as for his reasonable Charges in taking, keeping, and selling such Distress, rendering the Overplus (if any), on Demand, to the Owner of the same or to his Agent; and if any Master or other Person shall prevent any Collector or other Person employed by the said Commissioners from entering on board any Vessel, or from taking an Account of or ascertaining the Amount of the Duties which may be payable under the Authority of this Act, or from performing any other Act authorized by this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, over and above the Amount of the said Duties.

LXVII. And be it further enacted, That every *British* Vessel chargeable with the Tonnage Duties by this Act granted shall pay the said Duties according to the Custom House Register of the Burthen or Tonnage of such Vessel; and on Failure or Delay in producing the Register, or in case the Tonnage of any Foreign Vessel cannot otherwise be satisfactorily computed, it shall be lawful for the Collector or other Person appointed to receive the Duties as aforesaid to admeasure such Vessel, according to the Directions of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the registering of British Vessels.*

How Tonnage Duties shall be ascertained.

3 & 4 W. 4. c. 55.

LXVIII. And be it further enacted, That the Tonnage of all Goods and Articles imported or exported into or from the said Harbour shall be ascertained and charged according to the real Weight thereof, and Twenty Hundred Weight Avoirdupois shall be deemed and taken as and for One Ton, any Usage to the contrary notwithstanding.

What Quantity of Goods shall be deemed a Ton.

LXIX. Provided nevertheless, and be it further enacted, That in ascertaining the Tonnage of Timber and light Goods to be charged with the Payment of the Duties by this Act granted, Fifty Cubic Feet of round or Forty Cubic Feet of square Oak, Ash, Elm, or Beech Timber, and Forty Cubic Feet of Fir or Deal, Poplar or Birch, not cut into Scantlings, and Forty Cubic Feet of light Goods, shall be deemed One Ton Weight.

For ascertaining the Weight of Timber and light Goods.

LXX. And be it further enacted, That if any Difference shall arise between any Collector of the said Duties or other Person appointed to receive the same, and the Master of any Vessel within the said Harbour, concerning the Weight or Quantities of the Goods or Articles on board such Vessel, it shall be lawful for such Collector or other Person as aforesaid to detain any such Vessel, and to examine, weigh, measure, and gauge such Vessel, and all such Goods and Articles as shall be therein; and in case the same shall, upon such examining, weighing, measuring, or gauging, appear to be of greater Weight or Quantity, or of different Quality, than shall be stated in the Account given thereof by the Master of such Vessel, then it shall be lawful for the said Collector or other Person as aforesaid to charge the Duties for such Goods and Articles according to the Weight, Measurement, or Quantity thereof found upon such examining, weighing, measuring, or gauging, or as declared by the Gauge of such Vessel and the graduated Index thereon; and the Master giving in such Account shall pay the Costs and Charges of such examining, weighing, measuring, or gauging; all which Charges, upon Refusal or Neglect of Payment thereof on Demand, shall be recovered and levied in

Power to Collector to weigh or measure Goods in dispute.

[Local.]

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the same Manner as the Duties are by this Act authorized to be recovered and levied; but if such Goods or Articles shall appear to be of the same Weight, Quantity, and Quality, or of less Weight or Quantity, than shall be stated in such Account, then the said Commissioners shall pay the Costs and Charges of such examining, weighing, measuring, or gauging, and shall also pay to the said Master such Damages as shall appear to any Justice of the Peace for the County, Riding, City, Borough, Town, or Place where such Difference shall arise, on the Oath of any credible Witness, to have arisen from such Detention.

Masters to pay Duties immediately and give a Note of the Particulars if required.

LXXI. And be it further enacted, That the Master of every Vessel liable to the Payment of any of the Duties by this Act granted shall, immediately after the Shipping or Delivery of any Goods or Articles on board such Vessel, pay and discharge all such Sums of Money as shall be due for such Duties, and shall also, if required by the Collector of the said Duties or other Person appointed to receive the same, give a true Note in Writing of the Names and Places of Abode of the Merchants or others who shall load or unload such Goods or Articles within the said Harbour of *Bridlington*, or who shall be the Owners of such Goods or Articles; and in case any such Master shall refuse to give such Note or shall neglect to pay such Duties within Three Days from the Shipping or Delivery of such Goods, he shall forfeit and pay any Sum not exceeding Ten Pounds, over and above the Amount of the said Duties: Provided nevertheless, that if any Vessel entering into the said Harbour shall attempt to depart therefrom without having first paid the Duties to which such Vessel shall be liable by virtue of this Act, it shall be lawful for the Collector or other Person appointed by the said Commissioners to require Payment thereof from the Master of such Vessel; and in default of Payment of the same it shall be lawful for such Collector or other Person, and all others whom they may call to their Assistance, to detain and prevent the said Vessel from proceeding out of the said Harbour, with the same Powers of Entry, Distress, and Sale by the said Collector or other Person, and the same Penalty, as herein-before mentioned in other Cases of Nonpayment of the Duties, by this Act granted; and any Pilot or Salvage Man, or other Person piloting or assisting any Vessel out of the said Harbour, after being desired to desist therefrom by the Collector or other Person employed by the said Commissioners, shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Commissioners to provide Hawsers for assisting Vessels entering into the Harbour.

LXXII. And be it further enacted, That the said Commissioners shall and they are hereby required to provide and at all Times to continue in some convenient Situation such a Number of good and sufficient Hawsers (not being less than Two) as they may think necessary for the Assistance of Vessels coming into the said Harbour, for the Use of which the said Commissioners shall and they are hereby empowered to make such Charge as to them may seem reasonable; and in default of Payment thereof on Demand by the Master of the Vessel, the same shall and may be recovered from him in the same Manner as the other Duties by this Act granted are authorized to be recovered, and shall be applied by the said Commissioners to the Purposes of this Act.

Annual Assessment to be made on

LXXIII. And whereas the Proprietors of certain Hereditaments in *Bridlington* are liable to contribute towards the Expence of the Repair and

and Maintenance of the said Harbour in respect of the Hereditaments owned or occupied by them as Tenants of the Manor of *Bridlington*, and have been annually rated towards such Expencc, and it is expedient that they should continue so liable; be it therefore enacted, That it shall be lawful for the said Commissioners and they are hereby required once in every Year by Writing under their Hands to apply to the Justices of the Peace for the said East Riding of the County of *York*, at any General Quarter Sessions of the Peace to be holden for the said Riding, for an Assessment or Rate of not less Amount than Four Pier Rates (as the same have been anciently and usually estimated), to be laid upon and raised by the Proprietors of Hereditaments in *Bridlington* aforesaid liable to contribute towards the Repair of the said Piers and Harbour.

Proprietors of Hereditaments towards Repair of Harbour.

LXXIV. Provided always, and be it further enacted, That all and every Person and Persons, Lands and Hereditaments, heretofore liable to contribute towards the Repair and Maintenance of the said Harbour, shall continue liable to the Repair and Maintenance thereof after the same shall have been altered, extended, or improved, in the same Manner as he or they was or were liable to the Repair and Maintenance of the said Harbour in its original State.

Hereditaments heretofore liable to continue so.

LXXV. And be it further enacted, That the said Justices shall and they are hereby required, on such Application being made to them as aforesaid, to make an Order under their Hands for the levying and raising of such annual Assessment or Rate, and to direct such Order to and to cause the same to be delivered to the Lords of the Manor of *Bridlington* for the Time being, or to their Steward or Clerk, requiring them to make and collect such Assessment or Rate, and to pay the same to the said Commissioners, to be applied by them to the Purposes of this Act; which Order the said Lords of the Manor are hereby directed to execute accordingly.

Justices to make an Order for the raising of such Rates.

LXXVI. And be it further enacted, That for settling all Questions which may arise as to the Hereditaments liable to the Repair and Maintenance of the said Piers and Harbour, and the Proportion of such Rates which each Proprietor of the said Hereditaments ought to contribute, it shall be lawful for the Lords of the said Manor of *Bridlington* for the Time being, or the major Part of them, and they are hereby required, to charge the said Hereditaments respectively and the several Proprietors thereof with such Sum of Money towards Payment of the Rate mentioned in any such Order as they shall think most just, agreeably to the ancient and usual Way of levying Pier Rates.

For ascertaining what Premises are liable to be rated, and for settling the Amount of the Rates.

LXXVII. And be it further enacted, That if any Person duly assessed or rated as aforesaid shall refuse or neglect to pay his Proportion of any of the said Assessments or Rates for the Space of Fourteen Days after personal Demand thereof, or Demand in Writing left at the usual or last known Place of Abode or Business of such Person, or on the Premises in respect whereof such Assessment or Rate shall be made, the same shall be levied and recovered by Distress and Sale of the Goods and Chattels of such Person by Warrant under the Hand and Seal of any Justice of the Peace for the said East Riding of the County of *York*; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall

Rates to be recoverable by Distress.

shall be returned, on Demand, to the Owner of such Goods and Chattels so distrained and sold, after deducting all Charges attending such Distress and Sale, and every such Warrant of the said Justices shall be subject to Appeal in manner herein-after mentioned.

Penalty for
damaging
the Works.

LXXVIII. And be it further enacted, That if any Person shall wilfully destroy, break down, or damage any of the Works vested in the Commissioners for executing this Act, or any Part of the Materials of such Works, or shall wilfully do any Damage to any Vessel or Goods or Articles within the Limits of this Act, or shall remove or displace any Anchor, Buoy, Beacon, or Sea Mark, or extinguish or put out any Light used in or about the said Harbour for the Protection or Assistance of Vessels resorting thereto, such Person, being lawfully convicted of such Offence, shall be subject and liable to the Pains and Penalties to which Persons are or may be liable in Cases of Simple Larceny.

Masters li-
able for Da-
mage done
by Vessels or
Crews.

LXXIX. And be it further enacted, That the Master of every Vessel using the said Harbour shall be and he is hereby made answerable for any Trespass, Damage, or Mischief done by such Vessel, or by the Crew or Boatmen, or by any Person belonging to or employed in or about the same respectively, to the said Harbour, or to any of the Piers, Jetties, Quays, Wharfs, or other Works by this Act vested in the said Commissioners, or to any other Vessels lying therein, or for any Trespass done to the Owners or Occupiers of any Lands adjoining to such Harbour; and such Master shall for every such Damage, upon Conviction thereof before some Justice of the Peace acting for the County, Riding, City, Borough, Town, or Place wherein such Offence shall be committed, either by Confession of the Party offending or upon the Oath of some credible Witness, pay the Person injured the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Twenty Pounds; and shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding One Half of such Damages by way of Penalty; and the same shall be levied by Distress and Sale of the Goods and Chattels of the Master of any such Vessel, or of the Guns, Tackle, Apparel, and Furniture of the said Vessel, in the Manner by this Act directed for the Recovery of Penalties and Forfeitures under this Act; and if the Damages shall exceed the Sum of Twenty Pounds, then the Master of such Vessel may be sued and prosecuted for the same in any of Her Majesty's Courts of Record; and if a Verdict or Judgment shall be given against him, either by Proof made or by Default or by Demurrer, the Plaintiff in such Case shall recover his Damages thereby sustained, with full Costs of Suit: Provided always, that if the Master of any Vessel shall be made to pay any Penalty or to make any Satisfaction for any Damages by reason of any wilful Act, Neglect, or Default of his Servant, then such Servant shall be liable to repay such Penalty or Satisfaction for Damages, with the Costs attending the same, to such Master; and in case of Nonpayment thereof on Demand the same shall be recovered from the Servant in like Manner as such Penalty or Satisfaction for Damages may by virtue of this Act be recovered from the Master.

Harbour
Master to re-
gulate Ships
in Harbour.

LXXX. And be it further enacted, That the Harbour Master for the Time being or his Deputy shall have full Power and Authority to direct the anchoring, mooring, unmooring, placing, or removing of Vessels coming

coming into, lying, or being in the said Harbour, and to appoint and regulate the Times and Manner of their Entrance into, lying in, or going out of the said Harbour, and to regulate and determine the Position of such Vessels, and their Manner of laying up and of loading and discharging their Cargoes, or taking in, heaving out, or delivering Ballast therein respectively; and such Harbour Master shall have full Power and Authority from Time to Time to cause to be removed all Wrecks of Vessels, Timber, or any other Article or Thing whatsoever obstructing or tending to obstruct the free Navigation and Use of the said Harbour, and shall give such other Orders and Directions for the Government and Regulation of Vessels within the said Harbour as to him shall seem expedient: Provided nevertheless, that such Harbour Master shall in all respects obey the Orders and Directions of the said Commissioners; and in case the said Harbour Master shall neglect or wilfully omit to execute the Duties by this Act imposed on him, or which shall be required of him by the said Commissioners consistently with the true Intent and Meaning of this Act, or shall show any undue Preference in the Execution of his Office, he shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

LXXXI. And be it further enacted, That in case the Master of any Vessel moored or fastened in the said Harbour, or at or near the Entrance or Mouth thereof, shall refuse or neglect on the Demand of the said Harbour Master or his Deputy, to unloose or slacken the Rope or Chain by which such Vessel shall be so moored or fastened, or shall refuse or neglect to remove his Vessel from any one Place to any other Place within the said Harbour which in the Judgment of the said Harbour Master or of his Deputy shall be considered as more proper and commodious, or in case there shall be no Person on board of any such Vessel so moored or fastened, or not answering to the Call of the said Harbour Master or his Deputy, then and in every such Case it shall be lawful for the said Harbour Master or his Deputy to cut the Rope, or to break or slacken the Chain, by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master or his Deputy shall cut any Rope, or break or slacken any Chain, by which any Vessel shall be moored or fastened, having no Person on board, or not answering to the Call for the Purpose aforesaid, of the said Harbour Master or his Deputy, the said Harbour Master or his Deputy shall and he is hereby authorized to put on board such Vessel such Person as he may think proper for the Protection and Security from Injury of such Vessel; and all reasonable Charges and Expences which shall be thereby incurred, to be ascertained by any Justice of the Peace for the said East Riding of the County of *York* (in case of Dispute), shall be forthwith paid by the Master of such Vessel; and in default of Payment of such Charges and Expences the same shall be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such Master, or by Distress and Sale of the Guns, Tackle, Apparel, and Furniture of such Vessel or of any Part thereof, either on board or on shore, in the Manner by this Act directed for levying Penalties and Forfeitures under this Act.

Harbour
Master, &c.
may cut
Mooring
Ropes, &c.

LXXXII. And be it further enacted, That in case the Master of any Vessel within the said Harbour shall refuse or neglect to remove the same after being required so to do by the said Harbour Master or his
[Local.] 47 I Deputy,

Penalty for
not obeying
the Orders of
the Harbour
Master.

Deputy, and to moor, anchor, and place the same, or to load, ship, or discharge the Goods or Articles on board the same, or to take, heave out, or deliver Ballast into or from the same, in such Manner as the said Harbour Master or his Deputy shall direct, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the said Harbour Master and his Deputy, and such other Persons as they respectively shall call to their Aid, to remove such Vessel in such Manner as they respectively shall deem necessary; and all reasonable Charges and Expences attending the removing such Vessel after such Direction and Refusal or Neglect as aforesaid, to be ascertained by any Justice of the Peace for the said East Riding of the County of York (in case of Dispute), shall be forthwith paid by the Master of such Vessel; and in default of Payment of such Charges and Expences the same shall be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such Master, or by Distress and Sale of the Guns, Tackle, Apparel, and Furniture of such Vessel or any Part thereof, either on board or on shore, in the Manner by this Act directed for Recovery of Penalties and Forfeitures under this Act; and if any Person shall prevent or impede the Removal of any such Vessel he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Pitch, &c.
not to be
heated or
boiled on
board Ves-
sels.

LXXXIII. And be it further enacted, That if any Person having the Command of any Vessel lying or being within the said Harbour shall heat or boil, or permit to be heated or boiled, any Pitch, Tar, or Rosin, or any Composition of a combustible Nature, on board of his Vessel, otherwise than with an Iron Instrument commonly called a Loggerhead, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

For weighing
and raising
Vessels sunk.

LXXXIV. And be it further enacted, That if any Vessel shall sink within the Harbour of *Bridlington* aforesaid, or at the Mouth or Entrance into the said Harbour, and the Master thereof shall not, within the Space of Twenty-four Hours next after such Vessel shall so sink, weigh or draw up and remove the same out of the Way of other Vessels navigating or using the said Harbour, or within the Period aforesaid give sufficient Security to the said Commissioners or to the Harbour Master for so doing, and shall not remove the same within Seven Days after such Security, it shall be lawful for the Harbour Master, or for any other Agent or Servant of the said Commissioners, to weigh, draw up, and remove such Vessel out of the Way of other Vessels navigating or using the said Harbour, and to free the said Harbour from such Vessel, and to detain and keep such Vessel, with her Tackle, Furniture, and Lading, until Payment of all Damages and Expences occasioned by the sinking of such Vessel, and attending the weighing, drawing up, and removing the same; and if the Amount of such Damages and Expences shall not be paid within Fourteen Days after Demand thereof made by or on behalf of the said Commissioners, it shall be lawful for the said Harbour Master, or other Agent or Servant of the said Commissioners, to sell, either by public Auction or by private Contract, such Vessel, her Guns, Tackle, Apparel, Furniture, and Lading, or so much thereof as shall be necessary for reimbursing the Amount of such Damages and Expences, and the Costs and Expences attending the keeping and selling the same, returning the Overplus (if any), on Demand, to the Master of such Vessel.

LXXXV. And

LXXXV. And be it further enacted, That if the Master of any Vessel shall at any Time after the Hour of Eight in the Evening and before the Hour of Six in the Morning, make or use or shall permit or suffer any Fire, Lamp, or lighted Candle to be in such Vessel lying in the said Harbour on any Pretence whatsoever, without the Permission of the said Harbour Master, (Vessels having on board Officers of the Customs or Excise belonging to the Port of *Bridlington*, and Vessels navigated by Steam, as far as regards the Furnace on board to generate Steam, when arriving from or about to proceed on any Voyage, only excepted,) such Master shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for the Watchmen or other Persons appointed under the Authority of this Act to keep watch at any Time to go on board any Vessel lying within the said Harbour, to view, remove, or extinguish any lighted Candle, Lamp, or Fire which shall be on board any such Vessel; and if such Watchmen or other Persons appointed to keep watch shall be obstructed in going on board any Vessel for the Purposes aforesaid, every Party so obstructing any such Watchman or other Person as aforesaid shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

To prevent
Accidents
by Fire.

LXXXVI. And be it further enacted, That if any Person not legally authorized so to do shall wilfully cut, break, or in any other Manner destroy or injure, or cast loose or slacken, any Rope or Chain or other Thing by which any Vessel within the said Harbour shall be moored or fastened, or shall deface or take away, or cast loose or cut away, any floating Buoy, such Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence: Provided always, that the enforcing such Penalty shall not in any Manner lessen or affect the Remedy which any Person may have by Action or otherwise against such Offender for any Damage or Injury done or occasioned by such Act.

Penalty on
Persons cut-
ting Mooring
Ropes or
Buoys.

LXXXVII. And be it further enacted, That if any Person shall cast, empty, or lay any Ballast, Stones, Dust, Ashes, Earth, or other Rubbish into the said Harbour, or on any of the Piers, Wharfs, or Quays belonging to the same, or in or about any Part thereof, or shall, without the Permission or contrary to the Direction of the said Harbour Master, take from any of the Piers, Wharfs, or Quays, or dig for or take away, any Sand, Beach, or Gravel for Ballast or for any other Purpose within or about the said Harbour, or moor any Vessel, or fasten or tie any Rope for any Purpose whatsoever to any Post, Pillar, or any other Part thereof, or do any other Act or Thing prejudicial to the said Harbour or the Works thereof, or shall neglect or refuse, after Notice given by the said Harbour Master, to remove any Wreck, Timber, or other Article or Thing whatsoever lying on the Piers, Wharf, or Quay, or tending to interrupt the free Navigation and Use of the said Harbour, then and in every such Case such Person shall forfeit and pay a Sum not exceeding Twenty Pounds; and the said Harbour Master or his Deputy is and are hereby respectively authorized, upon any Neglect or Refusal to remove any Obstruction as aforesaid, to cause the same to be removed, and the Expence of such Removal shall be borne and paid by the Owners thereof, in the Manner herein-before directed in Cases of removing Vessels by the said Harbour Master or his Deputy.

Penalty on
throwing
Rubbish, &c.
into the Har-
bour.

LXXXVIII. And

Penalty on
Persons cast-
ing Ballast
without a
Portsail.

LXXXVIII. And be it further enacted, That if the Master of any Vessel shall cast or unload out of such Vessel any Gravel, Sand, Stone, Rubbish, Ballast, Filth, or other Substance within the said Harbour, and shall not during the casting thereof have a Wooden Stage or Portsail sufficiently large, and fastened from such Vessel in such a Manner as to prevent any of such Gravel, Sand, Stone, Rubbish, Ballast, Filth, or other Substance from falling into the said Harbour, such Master shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Commis-
sioners to
appoint
Water Police.

LXXXIX. And be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it expedient, from Time to Time to appoint such Number of able-bodied Men as they shall judge proper as Watchmen during the Night-time, for the Protection of the Shipping and Goods on board them, and other Property within the said Harbour, or on the Quays, Wharfs, or Landing Places adjoining thereto, under such Regulations and subject to such Orders as the said Commissioners shall from Time to Time make in that Behalf, and also to provide proper Boats with the necessary Appurtenances for the Use of such Watchmen, and also Watchboxes or other Places for their Reception during the Hours of watching, and for the safe Custody of such Persons as may be apprehended by such Watchmen, and to pay such Watchmen such Wages or Allowances as the said Commissioners shall think proper, and also to impose any Fine not exceeding Twenty Shillings on any Watchman for any Neglect or Misbehaviour (such Fine to be deducted out of the Wages of such Watchman), and from Time to Time to make such Orders and Regulations as they the said Commissioners shall judge expedient for the better Government of the Watchmen to be so appointed; and it shall be lawful for the said Watchmen to apprehend and secure in some Place to be for that Purpose appointed within the said Town all Persons found committing any Theft, or doing any Damage, Injury, or Spoil to any Property within the said Harbour, or on the Quays, Wharfs, or Landing Places adjoining thereto, and all Malefactors, Rogues, Vagabonds, and Disturbers of the public Peace, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of keeping watch, and to conduct such Persons as soon as conveniently may be before some Justice of the Peace for the said Town or Riding in order to their being dealt with according to Law.

Watchmen
to be sworn
in as Con-
stables.

XC. And be it further enacted, That the said Watchmen so to be appointed by the said Commissioners shall be sworn in as Constables before some Justice of the Peace for the said Town or Riding, and shall afterwards act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers, Privileges, and Immunities as Constables are invested with by Law, and shall be subject to the like Responsibilities and Penalties as Constables are by Law subject to.

Commis-
sioners may
make Bye
Laws.

XCI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby fully authorized to make from Time to Time such Bye Laws, Rules, and Orders as to them shall seem expedient for the good Government of the Officers and Servants of the said Commissioners connected with the said Harbour, and also in respect of the

the Use and Management of such Harbour in all respects whatsoever, and from Time to Time to repeal or alter such Bye Laws, Rules, and Orders, or any of them, and to make others, and to impose and inflict such reasonable Penalties or Forfeitures upon all Persons offending against the same as to the said Commissioners shall seem meet, not exceeding the Sum of Five Pounds for any Offence; and all such Bye Laws, Rules, and Orders, being reduced to Writing and signed by any Five or more of the said Commissioners, and published, printed or painted on Boards, shall be hung up and affixed and continued on some conspicuous Part of the said Harbour and at all other Places within the said Town at which any Duties shall be collected or paid under the Authority of this Act, and shall be renewed as often as the same or any Part thereof shall become obliterated or destroyed; and all such Bye Laws, Rules, and Orders shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law or Equity to justify all Persons who shall act under the same; provided that all such Bye Laws, Rules, and Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to any Directions in this Act contained; and all such Bye Laws, Rules, and Orders shall be subject to Appeal in manner herein-after mentioned.

XCH. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners under the Authority of this Act, or which shall become otherwise payable to them under any of the Provisions of this Act or of the said recited Acts, shall from Time to Time be paid into the Hands of the Treasurer to the said Commissioners, and no Money shall be disbursed or paid by such Treasurer on behalf or on account of the said Commissioners without an Order in Writing signed at a Meeting of the said Commissioners to be held in pursuance of this Act by the Chairman of the said Meeting for the Time being.

Treasurer
not to pay
Money with-
out an Order

XCH. And be it further enacted, That whenever any Money shall be directed or ordered by any Justice of the Peace to be paid, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, or other Matter or Thing taken, committed, or done by the said Commissioners or by any Person acting under their Authority, and such Money shall not be paid by the said Commissioners to the Party entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose in pursuance of the Direction or Order made by such Justice (and in which Demand the Order made by such Justice shall be stated), the Amount of such Compensation and Satisfaction, Costs and Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Treasurer for the Time being to the said Commissioners under a Warrant to be issued for that Purpose by any Justice of the Peace for the County, Riding, City, Borough, Town, or Place where such Treasurer shall reside (which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal on Application made to him for that Purpose by the Party entitled to receive such Money as aforesaid); and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also

In case of
Nonpayment
of Compens-
ation for
Damages,
&c. the same
to be levied
by Distress
and Sale of
the Goods of
the Commis-
sioners or
their Treas-
urer.

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Security for the same, but such Persons respectively and their respective Assignees shall be respectively entitled to their respective Quotas of the said Duties, Rates, and other Monies, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference: Provided nevertheless, that all Persons who have advanced any Money under the Authority of the said recited Acts hereby repealed, and their respective Assignees, shall have a Preference over all Persons who may advance any Money under the Authority of this Act, any thing herein contained to the contrary notwithstanding.

XCVI. And be it further enacted, That a Book shall be provided by the said Commissioners and be kept by their Clerk, in which shall be entered Copies of all Mortgages and other Securities made in pursuance of this Act, which Book shall be open to the Inspection of the several Holders of all such Mortgages and Securities, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward.

Register Book to be kept of Mortgages.

XCVII. And be it further enacted, That it shall be lawful for the several Persons for the Time being entitled to any of the Securities for the Money borrowed or to be borrowed as aforesaid, and their respective Executors, Administrators, and Assigns, to transfer the same respectively to any other Person or Persons whomsoever; and every Transfer thereof shall be by Deed in Writing, in which the Consideration for such Transfer shall be truly stated and specified, and may be in the Form or to the Effect following; (that is to say,)

Mortgages may be transferred.

‘ I *A. B.* of [or I *C. D.* of
 ‘ Executor or Administrator of *A. B.* late of *or*
 ‘ otherwise, as the Case may happen to be,] in consideration of the Sum
 ‘ of to me paid by *E. F.* of do hereby
 ‘ assign and transfer to the said *E. F.*, his Executors, Administrators,
 ‘ and Assigns, a certain Security, Number, bearing Date
 ‘ the Day of in the Year of our
 ‘ Lord under the Hands and Seals of of
 ‘ the Commissioners for executing an Act passed in the
 ‘ Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set*
 ‘ forth the Title of this Act], and the Principal Sum of
 ‘ thereby secured, and all Interest now due or hereafter to grow due
 ‘ thereon, and all my Right and Interest in and to the same. Dated
 ‘ this Day of in the Year of our
 ‘ Lord ,’

Form of Transfer.

Which Transfer shall within Twenty Days after the Date thereof be produced to the Clerk of the said Commissioners, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money thereby transferred, in the Register Book to be kept for entering Copies of the original Mortgages, for which Entry the said Clerk shall be paid the Sum of One Shilling and Sixpence and no more; and after such Entry made every such Assignment shall entitle the Person to whom the same shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Memorial of Transfer to be made by the Clerk.

XCVIII. And

Money may be borrowed at lower Interest to pay off existing Mortgages.

XCVIII. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow any Sum of Money at a lower Rate of Interest than shall then happen to be payable upon any of the existing Mortgages which may have been granted under the Authority of the said recited Acts or of this Act, it shall be lawful for the said Commissioners from Time to Time to charge the said Duties, Rates, and other Monies in manner aforesaid with any Sum of Money to be borrowed at such lower Rate, and with the Interest thereof, and to pay off and discharge any of the said Mortgages bearing a higher Rate of Interest.

Provision for Payment of Creditors by Lot.

XCIX. And in order that no Preference may be given to any of the Persons who shall have advanced and lent any Money upon the Credit of the Duties, Rates, and other Monies by this Act granted, be it further enacted, That the said Commissioners (if there be more Creditors than One) shall at any of their Meetings cause the several Numbers of all the Assignments or Securities granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box, and the Clerk of the said Commissioners shall draw separately out of the said Box One of the said Numbers for every Assignment then intended to be paid off, and thereupon the Assignment corresponding with the Number which shall be so drawn shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to or left at the usual or last known Place of Abode of the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, and where there shall be only One Creditor the like Notice shall be given to such Creditor of the Intention to pay him off as aforesaid; which Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid off on a Day and at a Place to be specified in such Notice, such Day not being sooner than Six Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be paid off shall, from and after the Day to be so specified, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice, and shall not be paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand.

When old Securities lost new ones may be executed.

C. And be it further enacted, That in all Cases where it shall appear by satisfactory Evidence adduced at any Meeting of the said Commissioners that any Person is a Creditor on the Security of the Duties, Rates, or other Monies by this Act granted, and that the Mortgage or Assignment of the Duties, Rates, or other Monies for securing any such Sum of Money or the Transfer thereof has been lost, mislaid, or by Accident destroyed, it shall be lawful for the said Commissioners, or any Five or more of them, to execute, at the Expence of the Person applying for the same, an Assignment of the Duties, Rates, and other Monies by this Act granted for the Sum of Money mentioned in such original or former Assignment or Transfer, and every Assignment so to be executed shall be valid and effectual for the Purposes thereby intended.

Application of Monies.

CI. And be it further enacted, That the Monies to arise or be received by or from the Duties or Rates by this Act granted, and all Duties and Rates to be recovered under the said recited Acts, and all Sums of Money

Money which at the Time of the Commencement of this Act shall be in hand from the Receipt of Duties and Rates under the same Acts (so far as such Acts respectively relate to the said Harbour of *Bridlington*), and all Monies which may be borrowed on the Security of the Duties and Rates by this Act granted, and all other Monies which may arise or be received by virtue of this Act, shall be and the same are hereby vested in the said Commissioners, and shall be applied by them in manner following; (that is to say,) in the first place, in paying and discharging all the Costs, Charges, and Expences incurred in applying for, preparing, and obtaining this Act, or otherwise incident thereto, with Interest for any Money which may have been advanced for that Purpose; in the next place, in paying the Interest of any Money which may have been borrowed in respect of the said Harbour of *Bridlington* under the Authority of the said recited Acts, or which may be borrowed under the Authority of this Act, as and when the same respectively shall become due; in the next place, in defraying the Expences attending the Execution of the several Works, Matters, and Things by this Act authorized; and lastly, in paying and discharging any Principal or other Monies which may have been borrowed in respect of the said Harbour of *Bridlington* under the Authority of the said recited Acts, or which may be borrowed under the Authority or on the Credit of this Act.

CII. And be it further enacted, That if any Person shall obstruct or assault any of the said Commissioners, or any Harbour Master, Treasurer, Clerk, Collector, Surveyor, Workman, or Agent, or any Watchman, or any other Officer or Person appointed or employed under the Authority of this Act, or by any Bye Law or Order made in pursuance thereof, in the Execution or Performance of his Duty, or in the Execution of any of the Works or Duties to be done or performed under the Authority of the same respectively, every Person so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty for obstructing the Execution of this Act.

CIII. And be it further enacted, That it shall be lawful for the said Commissioners, whenever they shall think fit, to offer, pay, and allow, out of the Monies to be raised under or by virtue of this Act, such Sum of Money as they may consider reasonable as a Reward to any Person giving Information which may lead to the Apprehension and Conviction of any Person committing any Depredation or other Offence against the Provisions of this Act.

Commissioners empowered to give Rewards for the Apprehension of Offenders.

CIV. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by any Bye Law, Rule, or Order made in pursuance thereof, (the Manner of levying and recovering whereof is not herein otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Justice of the Peace for the County, Riding, City, Borough, Town, or Place within which the Offender or Person liable to pay the same shall be or reside, or wherein the Offence shall be committed, on Complaint to him for that Purpose made upon the Oath of any Person, or on the Confession of the Party offending; and in default of the Payment of such Penalties and Forfeitures the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant under the Hand and Seal of such Justice, rendering the

Recovery and Application of Penalties.

Overplus (if any), after discharging such Penalty or Forfeiture, and the reasonable Costs and Charges of such Distress and Sale, on Demand, to the Party whose Goods and Chattels shall be so distrained; all which Penalties and Forfeitures (not herein directed to be otherwise applied) shall be paid, One Moiety to the Informer, and the Remainder to the Treasurer of the said Commissioners, for the Use and Benefit of the said Commissioners, to be applied by such Commissioners to the Purposes of this Act: Provided always, that if such Penalties or Forfeitures shall be incurred by the said Commissioners the same shall be paid, One Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall have been committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justice and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before such Justice or before some other Justice of the Peace having Jurisdiction in the Premises at such Time as shall be appointed for the Return of such Warrant of Distress, (such Time not being more than Seven Days from the taking of such Security,) and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties or Forfeitures and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, but he is hereby required by Warrant under his Hand and Seal to commit the Offender to some Common Gaol or House of Correction for the County, Riding, City, Borough, Town, or Place within his Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, together with all Costs and Charges attending such Proceedings as aforesaid, (to be ascertained by such Justice,) shall be sooner paid and satisfied.

Justices may proceed by Summons for the Recovery of Penalties.

CV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for any Justice before whom Complaint shall be made of any Offence committed against this Act to summon before him the Party complained against, and on the Return of such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

CVI. And

CVI. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Dispute respecting the same, where the Manner of recovering the same is not herein otherwise particularly directed, shall be settled and determined by the Justice of the Peace by or before whom any Offender shall be convicted of such Offence; and such Justice is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for levying Penalties or Forfeitures.

Damages and Charges, in case of Dispute, to be settled by a Justice.

CVII. And be it further enacted, That if any Person, who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed (having been paid or tendered a reasonable Sum for his Costs and Expences), without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath, and to give Evidence before such Justice, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Compelling Witnesses to attend.

CVIII. And be it further enacted, That no Person shall be disqualified from being a competent Witness or from being admitted to give Evidence in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever authorized by or relating to the Execution of this Act, or any Rule, Regulation, Order, or Bye Law made or to be made in pursuance thereof, by reason of paying or being charged with or being liable to pay any of the Duties or Rates by this Act granted, or by reason of his being one of the Commissioners for putting this Act into execution, or of holding any Office or Employment under the said Commissioners.

Officers not to be incompetent Witnesses.

CIX. And be it further enacted, That in all Actions or Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, against or by or on behalf of the said Commissioners, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the said Commissioners (although not assembled at any Meeting) to make, sign, seal, execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall or may be produced as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Commissioners, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be as valid and effectual in all respects, and to all Intents and Purposes, as if the same were made by all the said Commissioners, or by all the Commissioners present at a Meeting held pursuant to the Provisions of this Act.

Commissioners empowered to grant Releases to Witnesses.

CX. And

For securing
Offenders
whose Names
and Resi-
dences are
unknown.

CX. And be it further enacted, That it shall be lawful for any of the said Commissioners and for any of their Officers, and all such Persons as they or any of them shall call to their Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Commissioners or Officers, who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the County, Riding, City, Borough, Town, or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the said Complaint.

Form of
Conviction.

CXI. And be it further enacted, That a Conviction in the Form or to the Effect following shall be good without alleging more than the Substance of the Offence ; (that is to say,)

‘ } **B**E it remembered, That on the Day of
‘ to wit. } in the Year of our Lord
‘ *A.B.* is convicted before me *C.D.*, one of Her Majesty’s Justices of the
‘ Peace for the County of [*or Riding, City, Borough, Town, or Place, as the*
‘ *Case may be*], of having [*specifying the Offence, and the Time and Place*
‘ *when and where committed*], contrary to an Act passed [*or contrary to*
‘ a Bye Law duly made in pursuance of an Act passed] in the
‘ Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set*
‘ *forth the Title of this Act*], for which Offence I do adjudge the said
‘ *A.B.* to have forfeited [*if the Offence is to be subjected to a Fine*] the
‘ Sum of [*insert the Penalty*], together with the Sum of
‘ for Costs [*if any given*]; or [*if to be imprisoned then*] do
‘ adjudge the said *A.B.* to be committed to the [*naming the Gaol*] for
‘ the Space of [*insert the Time ; and if the Commitment be for the Nonpayment*
‘ *of a Penalty, then add,*] unless the said Sum of be sooner
‘ paid. Given under my Hand and Seal the Day and Year first above
‘ written.’

General
Power to
Justices to
administer
Oaths.

Persons
giving false
Evidence to
be punished.

CXII. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to any Person before he shall be examined by or before such Justice ; and any Witness who, upon his Examination on Oath by or before such Justice or otherwise under this Act, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, shall be subject to the same Punishment as Persons convicted of Perjury are by Law subject to.

Persons
aggrieved
may appeal
to Quarter
Sessions.

CXIII. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Bye Law, Rule, or Order of the said Commissioners, except such as shall relate solely to the Officers or Servants of the said Commissioners, or by any Order or Judgment given or made in pursuance of any such Bye Law, Rule, or Order, whether relating solely to the Officers or Servants of the said Commissioners or not, and also the said Commissioners and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months

next after such Bye Law, Rule, or Order, Judgment or Determination, shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County, Riding, or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Commissioners, (as the Case may be,) and forthwith after such Notice, in the Case of an Individual appealing, entering into a Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or (if they think proper) may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County, Riding, or Place; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law, Rule, or Order, Judgment or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

CXIV. And be it further enacted, That in all Cases in which it may be necessary for any Corporation or Person to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners, personal Service thereof upon the Clerk or Treasurer of the said Commissioners, or leaving the same at the Office of such Clerk or Treasurer, or at the last or usual Place of Abode of such Clerk or Treasurer, or in case the same respectively shall not be found or known, then personal Service thereof upon any other Agent or Officer employed by the said Commissioners, or on any one of the said Commissioners resident within Two Miles of *Bridlington*, or delivering the same to some Inmate of the last or usual known Place of Abode of such Agent or Officer or such Commissioner, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Declaring what shall be good Service of Notice on the Commissioners.

CXV. And be it further enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity or otherwise, upon any Corporation or Person or Commissioners, under the Provisions of this Act, personal Service thereof respectively upon such Person, or upon the Clerk or Treasurer of such Corporation or Commissioners, or delivering the same to some Inmate of the last or usual Place of Abode of such Person or of such Clerk or Treasurer, or at the Office of such Clerk or Treasurer, or in case there shall be no Clerk or Treasurer, then personal Service upon any other Agent or Officer of such Corporation or Commissioners, or upon any Member of such Corporation, or upon a Commissioner, shall be deemed good and sufficient Service of the same respectively upon such Corporation or Person or Commissioner (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Commissioners, may be signed by the Clerk or Treas-

Declaring what shall be good Service of Notice by the Commissioners.

sure for the Time being of the said Commissioners on behalf of the said Commissioners, and may be in Writing or in Print, or partly in Writing and partly in Print.

Distress not to be deemed unlawful for Want of Form.

CXVI. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or in the Appointment of any Collector or Receiver or of any Agent of the said Commissioners, or in any other Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Proceedings not to be quashed for Want of Form, nor removeable by Certiorari.

CXVII. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed into any of Her Majesty's Courts of Record at *Westminster*, by Certiorari or any other Writ or Process whatsoever; any Law, Statute, or Usage to the contrary notwithstanding.

Plaintiff not to recover after Tender of Amends.

CXVIII. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding committed in the Execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Defendant before such Action brought, or if such Tender of Amends shall be made at any Time after such Action brought before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any other Case by Law; and in case no such Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Cases in which Defendants are allowed to pay Money into Court.

Limitation of Actions.

CXIX. And be it further enacted, That no Action, Suit, or Information, nor any other Proceeding, shall be commenced or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or of any of the Orders made or directed in, by, or under this Act, unless Twenty-one Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding to the intended Defendant, nor unless the same shall be brought or commenced within Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage then within Three Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action, Suit, Information, or other Proceeding shall be brought and laid in the County, Riding, or Place where the Matter in dispute or Cause of Action shall arise; and the

the Defendant in such Action, Suit, Information, or other Proceeding may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the Acts were done or omitted to be done (as the Case may be) in pursuance and by the Authority of this Act; and if they shall appear to have been so done or to have been so omitted to be done (as the Case may be), or if it shall appear that such Action, Suit, Information, or other Proceeding shall have been brought otherwise than as herein-before directed, then the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall have his Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs by Law in other Cases.

CXX. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number only, the same shall extend and be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing; and where any Word shall be used importing the Masculine Gender only, the same shall extend and be applied to a Female as well as a Male; and where the Word "Lands" shall be used, the same shall be understood to include Messuages, Tenements, and Hereditaments; and where the Word "Person" shall be used, the same shall extend and be applied to any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole, as well as an Individual; and where the Word "Vessel" shall be used, the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, Raft, or Craft, and any other Kind of Vessel whatsoever; and where the Word "Master" (in relation to any Vessel) shall be used, the same shall be understood to mean any Person, whether the Owner or Master or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time; and where the Word "Owner" (in relation to any Goods or Articles on board any Vessel) shall be used, the same shall be understood to include any Consignee or Shipper of such Goods or Articles (as well as the Owner thereof), unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Rules for the Interpretation of certain Terms of this Act.

CXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights, Privileges, Jurisdiction, or Authority of the Corporation of the *Trinity House of Deptford Strond*.

Saving the Rights of the Trinity House of Deptford Strond.

CXXII. Provided also, and be it further enacted, That nothing in this Act contained shall take away, abridge, defeat, or prejudice any Grants, Liberties, Franchises, or Privileges granted by any Charter or Act of Parliament to the Corporation of the *Trinity House of Kingston-upon-Hull*.

Saving the Rights of the Trinity House at Hull.

CXXIII. And

Public Act.

CXXIII. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.