



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.



Cap. 185.

An Act for enlarging the Term and Powers of an Act of King George the Second, and an Act of His present Majesty, for the more effectual repairing and maintaining of the Piers and Harbour of *Whitby* in the County of *York*. [1st July 1812.]

WHEREAS an Act was passed in the First Year of the Reign of Queen *Anne*, intituled *An Act for the rebuilding and repairing the Piers of the Town and Port of Whitby in the County of York*: And whereas another Act was passed in the Seventh Year of the Reign of Queen *Anne*, intituled *An Act for continuing an Act, made in the First Year of Her Majesty's Reign, intituled 'An Act for the rebuilding and repairing of the Piers of the Town and Port of Whitby in the County of York*': And whereas an Act was passed in the Seventh Year of the Reign of King *George* the First, intituled *An Act for the better preserving and keeping in Repair the Piers of the Town and Port of Whitby in the County of York; and for explaining and making more effectual the several Acts passed for lengthening and repairing the Piers of Bridlington, alias Burlington, in the said County*: And whereas an Act was passed in the Eighth Year of the Reign of King *George* the Second, intituled *An Act for lengthening the West Pier of the Harbour of Whitby in the County of York*: And whereas another Act was passed in the Twenty-third Year of the Reign of King *George* the Second, intituled *An Act for the more effectual repairing and preserving the Piers and Harbour of Whitby in the County of York*: And whereas an Act was passed in the Twenty-first Year of the Reign of His present Majesty, intituled *An Act to continue the Duty of One Farthing per Chalders on Coals, granted by an Act of the Twenty-third Year of the Reign of King George the Second, for the more effectual repairing and maintaining the Piers and Harbour of Whitby in the County of York*: And whereas the

1 Anne, c. 19.

7 Anne, c. 1.

7 G. 1. c. 16.

8 G. 2. c. 10.

23 G. 2. c. 39.

21 G. 3. c. 12.

[Loc. & Per.]

said

said Harbour of *Whitby* has from long Experience been found to be very beneficial to the Trade and Navigation of these Kingdoms, and the said several Acts of Parliament have been passed for the Purpose of enlarging and improving the said Harbour, and the Piers and other Works belonging thereto, and for raising Money for such Purpose; and by the said recited Act, made in the Twenty-third Year of King *George* the Second, in Addition to the several Duties which had been granted by the former Acts of Parliament for the Use of the said Harbour, and particularly a Duty of One Farthing *per* Chalder on all Coals laden at *Newcastle* and other Places in the said Acts mentioned, for the Terms thereby limited, there was given and granted an additional Duty of One Farthing *per* Chalder on all Coals laden at *Newcastle-upon-Tyne*, or at *Sunderland*, *Blyth*, *Seaton*, *Sluice*, *Cullercoats*, or any other Harbour, Colliery, or Place, being or reputed to be a Member of the said Port of *Newcastle-upon-Tyne*, to be payable from and after the First Day of *June* One thousand seven hundred and fifty, for and during and unto the full End and Term of Thirty-one Years, with such Provisions for the due collecting, accounting for, and applying of the said Duties and other Powers, Matters, and Things relating thereto, and for keeping clear the said Harbour, as in the said Act is particularly mentioned and contained: And whereas, by an Act passed in the Twenty-first Year of the Reign of His present Majesty, the said recited Act of the Twenty-third Year of King *George* the Second, and the said additional Duty of One Farthing *per* Chalder on Coals thereby given and granted, was continued from the Expiration thereof, upon the First Day of *June* One thousand seven hundred and eighty-one, for and during the further Term of Thirty-one Years, and which Term will expire on the First Day of *June* One thousand eight hundred and twelve: And whereas, in pursuance of the said Acts, many expensive Works have been erected for the Improvement of the said Piers and Harbour, and the Approaches thereto, and a considerable Sum of Money hath been borrowed on the Credit of the Duties thereby granted and continued, a great Part of which still remains due and owing: And whereas the Piers of the said Harbour have been for some Time past repairing, and considerable further Repairs and Improvements are wanting, (particularly in the East Pier, which is in a very ruinous State,) to render the same more extensively useful, and the Entrance thereto more safe and easy; but the same cannot be done unless the Term and Powers of the said recited Acts are continued and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Twenty-third Year of the Reign of King *George* the Second, and of the Twenty-first Year of the Reign of His present Majesty, and the said additional Duty, and all the Clauses, Powers, Authorities, Provisions, Penalties, Matters, and Things in the said Acts contained; except such Parts thereof as relate to Exemptions from Stamp Duties, shall be and the same are hereby declared to be continued for and during the Term herein-after mentioned, in as full and ample Manner as if the same were repeated and re-enacted in the Body of this Act; and that the additional Term hereby granted, shall be and is hereby declared to be subject and liable to the Payment of all Monies due, or that shall hereafter become due on the Credit of the said recited Acts and this Act, and of all Interest due and to grow due thereon.

Duty further continued.

II. And be it further enacted, That the said additional Duty hereby continued shall be, and the same is hereby vested in the Trustees and other Persons, and their Successors, mentioned and described in the said Acts of the Twenty-third Year of the Reign of King *George* the Second, and the Twenty-first Year of the Reign of His present Majesty; who are hereby declared to have and be invested with all the several Powers and Authorities, and be subject to the like Regulations, Provisoos, and Restrictions, for collecting, renewing, recovering, and being possessed of the said additional Duty, and for mortgaging, assigning, laying out, and expending the same, and the Money to arise therefrom, in repairing the present Works of the said Harbour and Piers, and in doing and constructing such other Works as shall from Time to Time be found necessary for the Benefit of the said Harbour, as are given, granted, prescribed, recited, and enacted by the said Acts, with respect to the said additional Duty thereby granted and continued, as fully and effectually to all Intents and Purposes, as if the said Acts, and the Powers and Provisions therein contained, recited, and enforced, had been repeated and re-enacted in this Act.

Duties vested
in the Trust-
tees.

III. And, to the End the said Duties hereby continued may be truly answered and paid, be it further enacted, That no Customer, Comptroller, Receiver of Entries of Ships, Surveyor, Searcher, Waiter, or other Officer whatsoever of or concerning the said Customs, during the Continuance of the said recited Acts or any of them, and of this Act, shall take any Entries, or give or make any Cocket or other Discharge for any such Ship, Hoy, Bark, or other Vessel, until the respective Duties and Payments by this Act or any former Act or Acts granted and continued, and due or payable by the Owner or Owners, or Master or other Person taking Charge of such Ship, Hoy, Bark, or other Vessel, according to the Tenor and true Meaning of this Act, shall be paid to the respective Deputies, Officer or Officers appointed to receive the same as aforesaid; and that such Owner or Owners, Master, or other Person taking Charge of such Ship, Hoy, Bark, or Vessel, do produce and shew forth such Receipt or Acquittance under the Hand of such Deputy or Officer, testifying the Receipt thereof; and that every Customer, Collector, Comptroller, Receiver of Entries of Ships, Surveyor, Waiter, or other Officer of or concerning the said Customs, making Default in any of the Premises enjoined them by this Act, shall forfeit and pay any Sum not exceeding the Sum of Ten Pounds, to be recovered with full Costs of Suit, by any of the said Trustees who shall sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, where no Essoign, Wager of Law, or Protection shall be allowed.

Entries not
to be made
till Duties
paid.

IV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously demolish, destroy, or break down the said Piers, or any Part or Parts thereof respectively, or any of the Works made or to be made by virtue of the said recited Acts, or either of them, made for the repairing and preserving the said Piers, then and in every such Case every such Person shall be deemed guilty of Felony, and the Court before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for the Term

Penalty for
damaging
Works.

of

of Seven Years, or, in Mitigation of such Punishment, may award such Sentence as the Law directs in Cases of Petty Larceny.

Expences of
the Act.

V. And be it further enacted, That the Charges and Expences in, and about obtaining and passing this Act, shall in the First Place be paid out of the Monies already raised by virtue of the said Acts of the Twenty-third Year of the Reign of King *George* the Second, and the Twenty-first Year of the Reign of His present Majesty, or out of the first Monies to arise by virtue of this Act.

Public Act.

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

Term of the
Act.

VII. And be it further enacted, That this Act shall commence and take Effect upon the First Day of *June* One thousand eight hundred and twelve, save as to the Offences created by this Act; and that the said recited Acts, (subject to the Alterations and Amendments herein contained,) and this Act, shall from thenceforth continue and be in force, and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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