



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. cxxi.

An Act for enlarging, improving, and maintaining the Port and Harbour of *Perth*; for improving the Navigation of the River *Tay* to the said City; and for other Purposes therewith connected. [17th June 1830.]

WHEREAS the Navigation of the River *Tay* from the City of *Perth* to its Influx with the Sea is much impeded and obstructed by Fords or Shallows in many Parts thereof, and in particular by a Ford or Shallow betwixt the Quays or Shores of *Perth* and the *Friartown*, known by the Name of the *Weel Ford*, whereby Vessels cannot pass to and from the City of *Perth* unless in the Time of Flood, or High Water at Spring Tides: And whereas it would be of great Advantage to the Merchants, Traders, and Inhabitants of the said City and surrounding Country, to Owners and Masters of Vessels navigating the said River, and to the Public, that the Quays, Piers, or Shores of the Harbour of *Perth* were rebuilt or substantially repaired, extended, and enlarged, for the Reception, Accommodation, and speedy loading and unloading of the Vessels resorting thereto; and that the Bed or Channel of the said River should be deepened, and the Navigation thereof improved, so as to admit Vessels of greater Burden to navigate the same, and to reach the Harbour of the said City; but as these Purposes cannot be effected without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in

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this

this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Persons to be nominated and elected in manner hereinafter mentioned shall be Commissioners for improving the Navigation of the River *Tay* and Port and Harbour of *Perth*, in manner and to the Extent hereinafter mentioned, for levying the Rates and Duties hereinafter mentioned, and for carrying this Act into execution.

Commis-
sioners.

II. And be it further enacted, That the Number of Commissioners to carry this Act into execution shall be Twenty-nine, of whom Fourteen shall be Members of the Town Council of *Perth*, Six shall be Freeholders of and in the Commission of the Peace for the County of *Perth*, Three shall be Ship Owners each holding in his own Right Twenty Tons or upwards of Shipping belonging to the Port of *Perth*, and residing within the *East Church*, *Middle Church*, *West Church*, or *Saint Paul's Church* Parishes of *Perth*, and the remaining Six shall be Burgesses of *Perth*, and residing within the said *East Church*, *Middle Church*, *West Church*, or *Saint Paul's Church* Parishes of *Perth*; and such Commissioners shall be respectively nominated and elected in manner hereinafter mentioned; (that is to say,) the Fourteen Commissioners who are to be Members of the Town Council shall consist of the Lord Provost, Dean of Guild, Four Baillies, and Town Treasurer of the said City of *Perth* for the Time being, who shall be and are hereby appointed Commissioners in virtue of their respective Offices, and Seven other Members of the Town Council, to be elected and chosen by the said Town Council yearly upon the *Monday* immediately subsequent to the Day of the Annual Election of the Magistrates and Town Council of the said City of *Perth*, of which Seven Members of the Town Council Two shall be elected and chosen from among the Trades Members of Council in every Year in which the Town Treasurer is taken from the Body of Merchants, and One shall be elected and chosen from among the Trades Members of the Town Council in every other Year; the Six Commissioners who are to be Freeholders of and in the Commission of the Peace for the County of *Perth* shall consist of the Two Conveners of the said County for the Time being, who shall be and are hereby appointed Commissioners in virtue of the said Offices, and of Four Freeholders of the said County being in the Commission of the Peace for the same, and each possessing the *Dominium utile* of Lands valued in the Cess Books of the said County at One hundred Pounds *Scots* at least, to be chosen yearly by the said Freeholders at the *Michaelmas* Head Court of the said County; the Three Commissioners who are to be Ship Owners as aforesaid shall be elected and chosen annually by Ballot at a General Meeting of the Ship Owners of *Perth* owning Tonnage to the Amount and being resident as aforesaid, to be held within Fourteen Days after the Annual Election of the Magistrates and Town Council of the City of *Perth*; which Meeting shall be called for that special Purpose by the Lord Provost and Magistrates of *Perth*, and they are hereby required to call the same by a Notice specifying the Time, Place, and Purpose of such Meeting, to be subscribed by the said Lord Provost or by the City Clerk or Clerks for the Time being, to be inserted in some one Newspaper published in *Perth*, and affixed upon the Church Doors of the said Four Parishes of *Perth* (such Notice to be so inserted and affixed Eight free Days at least before such Meeting); and the Six Commissioners who are to be Burgesses resident

as aforesaid shall be elected and chosen annually by Ballot at a General Meeting of the said Burgesses to be held within Fourteen Days after the Annual Election of the Magistrates and Town Council of the City of *Perth*; which Meeting shall be called for that special Purpose by the Lord Provost and Magistrates of *Perth*, and they are hereby required to call the same by a Notice specifying the Time, Place, and Purpose of such Meeting, to be subscribed by the said Lord Provost or by the City Clerk or Clerks for the Time being, to be inserted in some one Newspaper published in *Perth*, and affixed upon the Church Doors of the said Four Parishes of *Perth*, such Notice to be so inserted and affixed Eight free Days at least previous to the Day of such Meeting: Provided always, that if the said Lord Provost and Magistrates shall at any Time fail to call a Meeting of the Ship Owners as aforesaid, it shall be lawful for any Five Ship Owners, qualified as aforesaid, at any Time within One Month after the said Annual Election of Magistrates, to call a Meeting of the Ship Owners of *Perth*, upon giving Notice thereof specifying the Time, Place, and Purpose of such Meeting, to be signed by the Persons calling such Meeting, and inserted and affixed as aforesaid; and if the said Lord Provost and Magistrates shall at any Time fail to call a Meeting of the Burgesses as aforesaid, it shall be lawful for any Five Burgesses, at any Time within One Month after the Annual Election of Magistrates, to call a Meeting of the said Burgesses, upon giving Notice thereof specifying the Time, Place, and Purpose of such Meeting, to be signed by the Persons calling such Meeting, and inserted and affixed as aforesaid; and such Meetings shall be held within the City of *Perth*, and shall have the same Powers respectively to elect Commissioners as if they had been called by the said Lord Provost and Magistrates.

III. And be it further enacted, That in the event of any Commissioner or Commissioners so elected declining to accept of or exercise the Duties of the said Office of Commissioner, or in the event of any such Office or Offices becoming vacant by the Death or permanent Absence from the Country of any Person or Persons chosen a Commissioner or Commissioners, or by his or their being at the Time of his or their Election or afterwards becoming disqualified to hold or exercise their said Office, it shall be lawful to and in the Power of the said Town Council of the City of *Perth*, the Freeholders of the said County of *Perth*, the said Ship Owners and the Burgesses of *Perth* resident as aforesaid, by whom the said Commissioner or Commissioners so declining, dying, being or becoming disqualified as aforesaid, was or were elected respectively, to supply the Vacancy or Vacancies so arising or occurring by proceeding to the Election of another Commissioner or other Commissioners, qualified as hereinbefore mentioned, at a Meeting of the said respective Electors, to be called in manner following; (that is to say,) the Meeting of the said Town Council shall be called by the Lord Provost, or in his Absence by the Dean of Guild; the Meeting of the Freeholders of the County shall be called by the Convener or Conveners of the County; and the Meetings of the said Ship Owners and of the said resident Burgesses of *Perth* shall be called in such Manner as the Meetings of the said Ship Owners and resident Burgesses are hereinbefore directed to be called; and these respective Meetings shall be called upon Intimation by the Clerk of the Commissioners under this Act, on a Requisition by any Two of such Commissioners; which Intimation he is hereby authorized and required forthwith to give to the Person or Persons

For supply-
ing Vacan-
cies.

sons respectively authorized to call such Meeting or Meetings for the Election of Commissioners under this Act, as hereinbefore mentioned ; and such Meetings for supplying Vacancies shall be held and shall take place not sooner than Ten free Days from and after the Date of such Intimation being made by the Clerk to the said Commissioners as aforesaid.

Meetings of
Commis-
sioners.

IV. And be it further enacted, That the said Commissioners shall hold their First General Meeting upon the Fourth *Thursday* of *October* in the present Year One thousand eight hundred and thirty, and shall afterwards hold Two General Meetings yearly, the one upon the Fourth *Thursday* of *August*, and the other upon the Fourth *Thursday* of *October* ; of which Meetings Notice shall be given by their Clerk, by written or printed Intimations given or delivered to each Commissioner resident in the Burgh of *Perth* personally or left at his Dwelling Place or usual Place of Business in *Perth*, by written or printed Intimations put into the Post Office for those residing without the Burgh of *Perth*, Ten Days at least previous to each such Meeting ; such Notices specifying therein the Time and Place of such Meeting ; with Power to the said Commissioners at such Meetings so assembled to adjourn the same from Time to Time as they shall judge expedient ; and it shall be in the Power of the said Commissioners or any Three or more of them, from Time to Time and at any Time, to require a special Meeting of the Commissioners, as they shall see Cause, by Requisition in Writing to the Clerk, who within Two Days after receiving the same shall be and he is hereby required to call a Meeting in manner before mentioned, and with similar Notice as is hereinbefore directed with regard to the Annual General Meetings ; and at all such annual general, adjourned, or special Meetings Five Commissioners shall be a Quorum ; and the Lord Provost of *Perth*, or in his Absence the Dean of Guild, or in his Absence the acting Chief Magistrate of the City of *Perth*, for the Time being, shall be Preses ; and in all Cases of Equality of Votes the Preses, besides his own Vote as a Commissioner, shall also have a casting or decisive Vote : Provided always, that the said Commissioners shall not have Power at any Meeting of Commissioners under this Act to displace or elect any Clerk, Treasurer, Engineer, or Superintendent of Works, or to borrow Money, or pledge the Security of the Rates and Duties by this Act authorized to be levied, unless the Requisition for such Meeting, and the Notices of such Meeting, shall, in addition to the Time and Place of meeting, specify also the specific Objects or Purposes of such Meeting.

Purposes of
this Act.

V. And be it further enacted, That the said Commissioners shall be and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Servants, and others, to cleanse, scour, cut, and deepen the said River *Tay* from the Ford or Shallow called the *Town's Ford* to the *Friartown* aforesaid, commencing at or about Four hundred and seventy Yards Southward from the Line of the South End of the County Buildings, and that till the Channel or Bed of the said River shall at the Place where the said Operation commences be at least Nine and a Half Feet in Depth at ordinary Neap Tides, and at the Termination thereof at the *Friartown* Deeps at least Fourteen and a Half Feet in Depth at such Neap Tides, the same forming a regular and gradually inclined Plane, and to widen the same to such Breadth as may be found expedient for enabling Vessels resorting to the City and Harbour of *Perth* to pass and repass

with

with Safety and Facility ; and also to repair, rebuild, extend, and enlarge the present Quays, Shores, Piers, and Landing Places of the said Harbour, and the Roads and Accesses thereto, and Retaining Walls and Embankments necessary for the same, and to erect, make, and build such new Quays, Shores, Piers, Landing Places, Retaining Walls, and Embankments, and Roads and Accesses thereto, as they shall see fit ; such Quays, Shores, Piers, Landing Places, Retaining Walls, and Embankments, and Roads and Accesses thereto, being made, built, and formed upon Property belonging to the Community of the City of *Perth* ; reserving always to the Proprietors of Lands adjacent to the said River all Rights competent to them by Law, and Satisfaction being always made to the Owners and Occupiers of the Lands, Tenements, Fishings, and other Heritages adjacent to or in the said River *Tay*, which may be injured or damaged by or in consequence of the said Operations, or be used or taken for the Purposes of this Act, in manner hereinafter mentioned ; and the said Commissioners shall be and they are hereby authorized and empowered to make, form, erect, and build such Embankments on any Part of the Property of Sir *David Moncrieff* Baronet, which may be affected by their Operations, as may be necessary for the Protection thereof, and which Embankments they shall be bound to erect in a Manner sufficient for the Protection of the said Property in the event of the present Embankments being in any respect injured in consequence of the Operations hereby authorized to be performed, and that to the Satisfaction of such Person as shall be named by the Sheriff Depute or Sheriff Substitute of the Eastern District of *Perthshire* for the Time being, upon the Application of any Party interested.

VI. And in order the more effectually to secure the Proprietors of Fishings in and upon the *Willowgate* Branch of the River *Tay*, and Lands or other Heritages situated upon the Banks thereof, against any Injury which may arise or be occasioned by the Operations hereby authorized to be made upon the Channel of the Main Branch of the said River ; be it further enacted, That the said Commissioners shall be bound and obliged, before beginning the said Operations, to cause an Engineer or other Person or Persons of Skill, such Engineer or other Person or Persons to be nominated for that Purpose by the Sheriff Depute of *Perthshire* or his Substitute for the Eastern District of *Perthshire* for the Time being, or by any Two Justices of the Peace of the said County, to ascertain the relative Quantity and Proportion of the Water which shall run down the said *Willowgate* Branch, of the whole Water, at a medium State of the River, flowing in both Branches thereof ; which Proportion being so ascertained, the said Commissioners and the Persons employed by them as aforesaid shall be and they are hereby authorized and empowered, from Time to Time as may be necessary, to scour and deepen the North End or Entrance of the said *Willowgate* Branch of the River, and to erect such Jetties, Bulwarks, or Embankments thereat as shall preserve a medium Influx or Current in the said *Willowgate* Branch, bearing the same Proportion to the whole Water of the River as it did at the first ascertaining thereof in manner above mentioned, and that in such Manner, and to the Satisfaction of such Engineer or other Person or Persons of Skill so to be named by the said Sheriff Depute or Sheriff Substitute, or Justices as aforesaid, upon the Application of any Person interested.

Relative Proportion of Water to be maintained in the *Willowgate* Branch of the River.

Plan and Book of Reference to remain with the Clerk of the Peace, and be open to Inspection.

VII. And whereas a Survey has been made and taken of that Part of the River which is intended to be deepened, cleansed, and scoured as aforesaid; and a Map or Plan and Section have been laid down or constructed, shewing the Nature and Extent of the said Improvements, and the Lands through or adjoining to which the same are intended to be made, and the Fishings in the said River which such Improvements may in any degree affect; and such Map or Plan and Section, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of the Lands, Tenements, Fishings, or other Heritages thereby affected, have been deposited in the Office of the Clerk of the Peace for the County of *Perth*; be it therefore enacted, That such Map or Plan and Section, and Book of Reference, shall remain in the Custody of the Clerk of the Peace of the said County, and all Persons shall at all reasonable Times have Liberty to inspect and peruse the same, or obtain Copies thereof or Extracts therefrom, as Occasion shall require, paying to the Clerk of the Peace the Sum of One Shilling for every such Examination, or Sixpence for every Seventy-two Words of such Copies or Extracts; and the said Commissioners in making the said intended Improvements shall not deviate more than One hundred Yards from the Course and Direction delineated on the said Map or Plan, and set forth in the said Book of Reference.

Omission of Names of Owners, &c. not to delay the Works.

VIII. Provided always, and be it further enacted, That the said Commissioners may make the said intended Improvements in, through, or upon the Lands, Tenements, Fishings, or Heritages set out or described on the said Map or Plan as aforesaid, although the Name or Names of the Owner or Owners or Occupier or Occupiers of the Premises may happen to be omitted or erroneously stated in the said Book of Reference, in case it shall appear to any Two or more of the Justices of the Peace for the said County of *Perth*, to be certified by Writing under their Hands, that such Omission or Error proceeded from Mistake.

Power to levy Rates and Duties on Vessels and Goods.

IX. And be it further enacted, That for and in consideration of the great Charges and Expences which the said Commissioners may and will be at, not only in making the said River *Tay* more navigable, but in repairing, rebuilding, extending, and enlarging the Quays, Shores, Piers, and Landing Places of the said Harbour, forming Roads and Accesses thereto, erecting new Piers, Embankments, Jetties, Retaining Walls, Fences, and other Works necessary to be made, formed, and erected as aforesaid, it shall and may be lawful to and for the said Commissioners, and their Servants, and all such Persons who are, shall, or may be commissioned, employed, or empowered by them, and they are hereby authorized and empowered, to demand and take, upon every Ship, Vessel, Boat, Bark, or Lighter coming to the said Port or Harbour of *Perth*, and within that Portion or Part of the Precincts of the said Port and Harbour situated and lying above and farther up the River *Tay* than where the foresaid *Willowgate* Branch or Division of the said River flows into or joins at its South End or Extremity with the Westmost or Main Branch of the said River, to receive or discharge a Cargo or Part of a Cargo, the several Rates and Duties contained in the Schedule (A.) hereunto annexed; and also to demand and take, from all and every the Owners and Proprietors of all Goods, Wares, Merchandize, and Commodities whatsoever which shall be imported or exported in any Ship, Vessel, Boat, Bark, or Lighter coming

coming to or leaving the said Port or Harbour of *Perth*, and within that Portion or Part of the Precincts of the said Port and Harbour hereinbefore specified and defined, or from the Agents, Factors, or Managers of such Owners and Proprietors, the several Rates and Duties which are specified and contained in the Schedule (B.) hereunto annexed; such respective Rates and Duties being over, besides, and in addition to all other Customs, Tolls, Rates, and Duties which the said Lord Provost, Magistrates, and Town Council of *Perth* are at present entitled to demand, collect, levy, recover, receive, and take, from and upon Vessels frequenting the said Port or Harbour of *Perth*, and upon Goods and other Commodities imported into or exported therefrom, under the Name of Custom, Anchorage, Cess Boll, Shore Dues, and Coal Deacons Dues, or under whatever other Denomination the same may be levied or received.

X. And be it further enacted, That in order to ascertain the Amount and Extent of the Sums payable for such Rates and Duties leviab^{Ships, &c.}le according to the Tonnage, the Masters or Owners of all Ships, Vessels, Boats, Barks, or Lighters trading to or from the said Port or Harbour of *Perth*, and liable to the Payment of the Rates and Duties by this Act imposed, shall be and they are hereby required to produce to the said Commissioners, their Deputies, Servants, Lessees, or others appointed and empowered or authorized by them for the Time to collect and receive the said Rates and Duties, the Registers of their respective Ships, Vessels, Boats, Barks, or Lighters, in order to ascertain the Tonnage thereof, or otherwise that they shall allow, permit, and suffer their Ships, Vessels, Boats, Barks, and Lighters to be measured by the said Commissioners, or by such Person or Persons as they shall from Time to Time nominate and appoint for that Purpose, and shall pay the Rates and Duties hereby granted according to such Register or Measurement, besides the Expence of the Measurement; and every Owner and Master aforesaid who shall refuse to produce the Register of his or their Ship, Vessel, Boat, Bark, or Lighter, if in their Possession, or subject to their Power or Controul, or to allow such Ship, Vessel, Boat, Bark, or Lighter to be measured as aforesaid, shall for every such Offence forfeit and pay to the said Commissioners a Sum, at their Discretion, not exceeding Five Pounds Sterling. ^{may be measured.}

XI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and to and for such Person or Persons as shall be authorized by them for that Purpose for the Time, to go on board of any Ship, Vessel, Boat, Bark, or Lighter, and to demand to see the Register thereof, and to measure and take the Dimensions of such Ship, Vessel, Boat, Bark, or Lighter, and to demand, collect, or receive from the Owner, Master, or other Person having the Charge of such Ship, Vessel, Boat, Bark, or Lighter, the Rates and Duties by this Act imposed and made payable, and in case of Delay or Refusal of Payment, to seize, take, and detain any of the Goods, Merchandize, Tackle, Furniture, or Apparel of or belonging to any such Ship, Vessel, Boat, Bark, or Lighter, and to keep and detain the same until the said Rates and Duties shall be paid, and in like Manner to seize, take, and detain any Goods, Wares, Merchandize, or other Commodities upon which the Rates and Duties imposed by this Act are leviab^{Powers to enter Vessels and levy Duties.}le and made payable, and of which Rates and Duties Payment is refused or delayed, and to keep and detain the same until the said Rates and Duties shall be paid; and in case of Neglect or Delay in Payment thereof

thereof for the Space of Ten Days after such seizing, taking, and detaining as aforesaid, it shall and may be lawful for the said Commissioners, and to and for such Person or Persons authorized by them as aforesaid, by Warrant under the Hand of any Two or more Justices of the Peace, on Application of any Two of the said Commissioners, or any One of their Collectors or Lessees, to cause the same to be appraised by Two or more Persons, and afterwards to sell and dispose of the Goods or other Effects so seized, taken, detained, and appraised, and from the Proceeds thereof to satisfy and pay the aforesaid Rates and Duties so neglected, delayed, or refused to be paid, together with the Charge for such seizing, taking, detaining, appraising, and selling, as the same shall be ascertained by the Sellers upon Oath, which Oath any of the Justices of the Peace for the Shire of *Perth* is hereby empowered to administer, rendering to the Master or Owner of such Ship, Vessel, Boat, Bark, or Lighter, or to the Proprietor or Owner of such Goods and Effects, his or their Agents, Factors, or Managers, the Overplus (if any be), after satisfying the said Demands.

Vessels not to be cleared at the Custom House until the Duties are paid.

XII. And be it further enacted, That for the more effectual Prevention of any Delay or Evasion in the Payment of the said Rates and Duties hereby granted, it shall be lawful for the Collector or other Officer of His Majesty's Customs at the Port or Harbour of *Perth*, with the Permission of the principal Officers of His Majesty's Customs, to refuse to clear any Ship, Vessel, Boat, Bark, or Lighter, outward or inward, or indorse any Clearance or Warrant for such Ship, Vessel, Boat, Bark, or Lighter, until there shall be produced and shown to him, by the Person or Persons liable to the Payment of the said Rates and Duties by this Act granted or imposed on account of such Ship, Vessel, Boat, Bark, or Lighter, either a sufficient Voucher of the Payment of the Rates and Duties aforesaid, or a Certificate under the Hand of the Clerk of the Peace for the Shire of *Perth*, that the Sum demanded has been consigned and lodged in his Hands, with sufficient Security for the Payment of all Costs, Damages, and Expences which the Collector or Tacksman of the said Rates and Duties may sustain or incur by reason of the Delay or Refusal of Payment, as the same shall be ascertained by any Two or more of His Majesty's Justices of the Peace for the said Shire: Provided always, that in case it shall be found by the said Justices, after hearing both Parties, that the Collector or Tacksman of the said Rates and Duties hereby granted or imposed has made a higher Demand than what is authorized by this Act, such Collector or Tacksman shall be decreed to pay to the Party upon whom such Demand was made such a Sum in Name of Damages, not exceeding Five Pounds Sterling, as shall be awarded by the said Justices.

Damages and Charges in case of Disputes to be settled by Justices.

XIII. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by any Two or more Justices of the Peace for the said County, who are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Effects, in the Manner directed by this Act for levying of any Penalties or Forfeitures.

XIV. And be it further enacted, That if any Owner, Master, Factor, or Consignee of any Ship, Vessel, Boat, Bark, or Lighter, or the Proprietor, Owner, Factor, or Consignee of any Goods, Wares, Merchandize, or other Commodities liable in Payment of any of the Rates and Duties by this Act imposed, shall at any Time wilfully elude or evade the Payment of the said Rates and Duties by any Means whatever, every such Owner, Master, or other Person shall for every such Offence forfeit to the said Commissioners a Sum not exceeding Ten Pounds Sterling, over and above the Payment of the said Rates and Duties.

Penalty for attempting to evade Payment of Duties.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any of the Ships or Vessels belonging to or employed in the Service of His Majesty, His Heirs or Successors, or employed in the Ordnance or Transport Service, nor any Ships or Vessels employed in the Service of the Customs, Excise, or Post Office, nor any Military or Government Stores coming to or from the Depôt or Barracks, or to or from the Harbour or Port of *Perth*, with any of the Rates or Duties by this Act imposed.

King's Ships and Stores exempted from Payment.

XVI. And be it further enacted, That the Rates and Duties hereby granted shall, after paying the Expence of obtaining this Act and the Charge of collecting and managing the Funds arising from the said Rates and Duties, be applied for improving the Navigation of the said River *Tay* in manner and to the Extent aforesaid, and for repairing, rebuilding, extending, and enlarging the Quays, Piers, Shores, and Landing Places pertaining to the Port and Harbour of *Perth*, and Roads and Accesses thereto, and Retaining Walls, Jetties, and Embankments requisite for the same, and for erecting such new Quays, Piers, Shores, or Landing Places as shall be judged necessary and expedient, and for executing the other Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

Application of Duties.

XVII. And be it further enacted, That it shall and may be lawful to the said Commissioners, and they are hereby authorized and empowered, to borrow and take up at Interest from Time to Time any Sum or Sums of Money, not exceeding Sixteen thousand Pounds Sterling, which shall be found necessary for the Purposes of this Act, from any Person or Persons willing to lend the same, and that upon the Credit of the Rates and Duties hereby granted, and to grant, assign, and set over the said Rates and Duties for the Security of the Person or Persons lending the Money, or any Part thereof; and when any Part of the said Sum or Sums of Money so borrowed shall be repaid, the said Commissioners shall be and they are hereby authorized and empowered upon the like Credit again to borrow and grant Assignments or other Securities for such Sum or Sums as may be necessary, but so that there may never be more owing at any One Time than the aforesaid Sum of Sixteen thousand Pounds Sterling; and which Sum or Sums so to be borrowed or advanced shall be applied to the Uses and Purposes of this Act, and to no other Use or Purpose whatsoever; and in order to afford further Security to the Person or Persons lending the said Money, or any Part thereof, the said Lord Provost, Magistrates, and Town Council of the City of *Perth* are hereby authorized and empowered to interpose the Security of the City and Common Funds thereof in guarantee of the

Power to borrow Money on the Credit of the Rates and Duties.

Repayment of the Sum or Sums of Money so from Time to Time to be borrowed.

Clerks, Collectors, and other Officers to be appointed.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to appoint a Clerk or Clerks, Collector or Collectors, Treasurer or Treasurers, or other Officer or Officers, for managing their Business and Affairs under the Authority of this Act, and from Time to Time to remove such Clerks, Collectors, Treasurers, or other Officers, or any of them, and to appoint others in their Stead, and to settle such reasonable Fees or Salaries for them as to the said Commissioners shall appear to be just and proper; and the said Clerks, Collectors, Treasurers, or other Officers shall keep fair and regular Books of the Proceedings of the said Commissioners in relation to the said Rates and Duties hereby granted, and the Application thereof, which Books and Accounts shall be open and patent at all reasonable Times to every Person having Interest who shall demand Inspection of the same, and in general shall observe and follow such Rules, Orders, and Directions as the said Commissioners may from Time to Time and at any Time issue and appoint; and the said Clerk or Clerks, Collector or Collectors, Treasurer or Treasurers, or other Officers to be appointed as aforesaid, shall give such good and sufficient Security to the said Commissioners for all and every their respective Intromissions with the Monies, Funds, and Revenues aforesaid, and for the just and faithful Execution of their respective Offices, as to the said Commissioners shall appear reasonable and proper.

Clerk and Treasurer to be different Persons.

XIX. Provided also, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been, or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, the Clerk or Clerks for the Purposes of this Act; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of the Treasurer or Treasurers, or in any Manner officiate for the Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Clerk or Treasurer shall hold or accept any other Place or Office of Profit or Trust under the said Commissioners other than that of Clerk

or

or Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds Sterling to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action in the Court of Session in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XX. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk or other Officer for the Time being, in which Book or Books such Clerk or other Officer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things, together with the Quantities and Prices thereof respectively, for which any Sum or Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Commissioners under this Act, or any Creditor or Creditors of the Rates and Duties granted by this Act, without Fee or Reward, and also to any Person or Persons in anywise interested therein, upon Payment of One Shilling for such Inspection to the Clerk or other Officer as aforesaid, so ordered and directed to keep such Book or Books; and the said Commissioners and such Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and that such Clerk or other Officer so ordered and directed as aforesaid to keep such Book or Books shall, upon Demand, forthwith give a Copy or Copies of the same, or any Part or Parts thereof, to any Person or Persons in anywise interested therein, the Person or Persons requiring such Copy or Copies paying at the Rate of Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words; and in case the said Clerk or other Officer so ordered and directed as aforesaid shall refuse to permit or shall not permit such Commissioners or Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, or shall refuse to grant or shall not grant to any such Person or Persons in anywise interested therein, upon Demand, such Inspection or Inspections as aforesaid, or shall refuse to give or shall not give, upon Demand, such Copy or Copies as aforesaid, such Clerk or other Officer so ordered and directed as aforesaid shall for every such Refusal forfeit and pay any Sum not exceeding Five Pounds.

Accounts to be kept.

XXI. And be it further enacted, That so soon as the Sum of Five thousand Pounds Sterling has been advanced or contracted to be paid for the Purposes of this Act, and upon the said Commissioners, or the Preses of the Meeting authorized by them, subscribing a Certificate or docketed Account to that Effect, the said Commissioners shall be entitled, and are hereby authorized, by themselves or their Lessees, Deputies, Collectors, or others employed by them as aforesaid, to commence forthwith and continue to demand, receive, recover, take, and levy, upon Ships, Vessels, Boats, Barks, and Lighters, and upon Goods, Wares, Merchandize, and other Commodities imported into and exported from the said Port and Harbour of *Perth*, the several Rates and Duties specified and contained in

Extent of Rates and Duties to be in proportion to the Debt.

in the said Schedules (A.) and (B.) hereunto annexed, to the Extent of One just and equal Half of the said Rates and Duties by this Act imposed; and that so soon as it shall be shewn and certified in manner above directed that the Sum of Ten thousand Pounds Sterling or upwards has been so expended or contracted to be paid, the said Commissioners shall be and are hereby authorized, by themselves, or their Lessees, Deputies, Collectors, or others employed by them, to demand, receive, recover, take, and levy, upon Ships, Vessels, Boats, Barks, and Lighters, and upon Goods, Wares, Merchandize, and other Commodities imported into and exported from the Port and Harbour of *Perth*, the several Rates and Duties specified and contained in the said Schedules (A.) and (B.) hereunto annexed, to the full Extent of the Rates and Duties in the said respective Schedules specified and inserted.

Rates and Duties to be raised or diminished in certain Cases.

XXII. Provided always, and be it further enacted, That when and so soon as the Sums levied and recovered under the Authority of this Act, and applied to the Purposes by this Act directed, shall have reduced the Amount of the Debt incurred and due on account thereof to a less Sum than Five thousand Pounds Sterling, and that the same shall be certified by the Preses of the Commissioners in manner before mentioned, and that it shall be also certified in the same Manner that less than the full Amount of the Rates and Duties then exigible in virtue of this Act will be sufficient to defray the Expence of Management, to pay the Interest of the existing Debt, and to leave a Surplus as a Sinking Fund for Extinction of the said Debt, not less than shall be fully sufficient to liquidate and extinguish the said Debt within the Period of not less than Fifteen, nor more than Twenty-one Years, then and in that Case it shall not be lawful to the said Commissioners, their Lessees, Deputies, Collectors, or others employed by them as aforesaid, to demand, receive, recover, take, or levy, of Rates and Duties, in virtue of this Act, beyond or to a greater Extent than the One Half of the Rates and Duties hereinbefore mentioned; and so soon as the whole Debt incurred, Sum or Sums borrowed, advanced, and expended in the Management, and otherwise in carrying the Purposes of this Act into effect, are paid and extinguished, the Powers hereby granted to demand, take, and levy the said Rates and Duties imposed on Ships, Vessels, Boats, Barks, and Lighters, and on Goods, Wares, Merchandize, and other Commodities, shall forthwith cease and determine; and so often as the Amount of the Sum or Sums advanced, or Debt incurred or due, shall exceed or fall below the Sum of Five thousand Pounds Sterling, to be ascertained and certified as aforesaid, so often shall the said Rates and Duties be raised to the full Amount hereby granted, or lowered to the One Half of the Rates and Duties as aforesaid: Provided always, that if it shall appear and be certified as aforesaid that the Sum annually produced by the said Rates and Duties, when so lowered to One Half of the Rates and Duties hereby authorized to be levied, shall not be sufficient to defray the Expence of Management, to pay the Interest on the then existing Debt connected with and affecting the said Rates and Duties, and to provide a Sinking Fund fully sufficient to extinguish the said Debt within the Period of not less than Fifteen nor more than Twenty-one Years, then and in that Case, whatever the Amount of the Debt may then be, the full Rates and Duties exigible in virtue of this Act shall be leviabie, and be levied and applied, until the Annual Income from the

same shall prove fully equivalent to the Purposes before mentioned, but without Prejudice to the said Commissioners to make such interim Reductions of the said Rates and Duties as the Funds realized shall enable them to effect, and as they shall, with Consent of Two Thirds in Value of the Creditors who may have advanced Money on the Security thereof, judge proper and expedient.

XXIII. Provided always, and it is hereby further enacted and declared, That nothing herein contained shall prevent or be construed to prevent the said Commissioners from regulating at all Times the Rates and Duties payable for all Ships, Vessels, Boats, Barks, and Lighters frequenting the Port and Harbour of *Perth*, and for all Goods, Wares, Merchandize, or other Commodities imported or exported as aforesaid, raising or lowering the same from Time to Time as shall to them appear fair and reasonable: Provided always, that the said Rates and Duties shall not exceed the Rates and Duties set forth in the said Schedules, nor, on an Average of Three or Five Years, materially exceed or fall below the Income necessary for meeting the Expence of Management, the Interest of the then existing Debt, and for providing the Sinking Fund before mentioned; and provided also, that in case it shall by the said Commissioners be thought advisable and advantageous to let or lease out the said Rates and Duties hereby imposed for a Period not exceeding Three Years at one Time, and which they are hereby empowered to do, no Alteration whatever upon the said Rates and Duties exigible at the Time of entering into the said Lease shall take place during the Continuance of such Lease, however the annual or other Statement of the Funds and Debts leviab, borrowed, realized, or due in virtue of this Act, may stand or be for the Time.

Further Regulations as to Alteration of Rates.

XXIV. And be it further enacted, That as soon as the present existing Quays, Shores, Piers, or Landing Places, or any of them, and the Roads or Accesses thereto, are, in so far as the same shall be found necessary, rebuilt and put in a complete and proper State of Repair, and as such new Quays, Shores, Piers, or Landing Places, Jetties, and Embankments, and Retaining Walls, and Roads or Accesses thereto, and other Works to be executed under the Authority of this Act, as shall be judged necessary, shall be completed, which shall be certified by the said Commissioners, the said Lord Provost, Magistrates, and Town Council and Community of the said City of *Perth*, shall be bound and obliged to defray, from the Common Funds of the City, the Expence of supporting and keeping in repair the said Quays, Shores, Piers, and Landing Places, Jetties, Embankments, and Roads and Accesses thereto, but without Prejudice to the said Commissioners continuing, by themselves and others employed by them as aforesaid, to levy the said Rates and Duties hereby imposed until the whole Purposes to which the same are by this Act declared applicable shall be carried into full Effect, and the whole Debt and Expences incurred in relation thereto are satisfied and paid.

Quays, &c. built, rebuilt, or repaired, to be upheld by the Community of Perth.

XXV. And be it further enacted, That if any Person or Persons shall at any Time or Times sustain any Damage in his, her, or their Lands, Tenements, Fishings, or other Heritages, by the Execution of any of the Powers of this Act to which the Proceeds of the said Rates and Duties are hereby declared to be applicable and to be applied, or by any Neglect or Default of the said Commissioners, or of the Workmen employed by

Satisfaction to be made to Persons sustaining Damage.

them in the specific Operations by this Act authorized, then and in such Case Satisfaction shall be made and given by the said Commissioners to the Proprietors, Liferenters, Tacksmen, Occupiers, or other Persons interested in such Lands, Tenements, Fishings, or other Heritages, for what Damage shall be done and occasioned in manner foresaid; such Damages to be satisfied and paid from the Funds leviable, borrowed, or realized in virtue of the Powers contained in this present Act: Provided always, that in estimating the said Damages the Amount thereof shall be strictly confined to the Operations taking place in virtue of the Powers conferred by this present Act.

Property of
the City of
Perth liable
for Damages.

XXVI. And be it further enacted, That in order to afford greater Security to the said Proprietors or Occupiers of Salmon Fishings, or other Properties which may be injured, of their receiving Indemnification as before mentioned, the whole Lands, Fishings, and other Heritable Property belonging to the Community of the City of *Perth*, and the whole Common Good thereof, shall be and is hereby declared liable for such Indemnification; and in the event of there not being at the Time of incurring such Damages a Sufficiency of Funds arising from the said Rates and Duties to meet the same, the Lord Provost, Magistrates, and Town Council of the said City shall be bound to pay the same out of the said Property and Common Good under their Management, they and the Community of *Perth* being always entitled to Relief and Repayment of such Advances out of and from the Produce of the said Rates and Duties, so soon as the same can be thereby afforded; and for that Purpose the said Commissioners under this Act shall be bound, if necessary, to augment the said Rates and Duties to the Maximum or other suitable Rate.

Jury to as-
certain Da-
mages.

XXVII. And be it further enacted, That in order to the ascertaining of such Damage done or occasioned to any Lands, Tenements, Fishings, or other Heritages as aforesaid, it shall and may be lawful for the Sheriff Depute or Sheriff Substitute of the County wherein such Lands, Tenements, Fishings, or Heritages shall be situated, and they or either of them is and are hereby authorized and required, upon Application from the said Commissioners, or from any other Person or Persons interested as Proprietors or Occupiers of any Lands, Tenements, Fishings, or other Heritages alleged to be affected by any of the Operations performed in virtue of the Powers conferred by this Act, and after a legal Intimation of not less than Six free Days to be made to the Party or Parties interested other than those making the Application, to issue his or their Precept or Precepts for summoning a competent Number of not less than Twenty nor more than Twenty-five disinterested Heritors, each possessing the *Dominium utile* of Lands valued in the Cess Books of such County at One hundred Pounds *Scots*, and residing within such County; which Persons so to be summoned shall and are hereby required to come and appear before the said Sheriff Depute or Sheriff Substitute at such Times and Places as shall by his or their Precept or Precepts be appointed, and out of which Persons so to be summoned the said Sheriff Depute or Sheriff Substitute shall appoint a Jury of Fifteen Persons, for the Purposes before and after mentioned; and the said Sheriff Depute or Sheriff Substitute is hereby also authorized and required, at the Desire of any of the Parties interested, to issue Warrants for citing before him, at the said Time and Place, such Person or
Persons

Persons as shall by either of the said Parties be thought necessary or proper to be examined upon Oath as Witnesses, which Oath the said Sheriff Depute or Sheriff Substitute is hereby authorized to administer, touching or concerning any Damages that may happen to be claimed under this Act, or for the Recovery and Production of any Books, Papers, Deeds, or other Writings relative thereto, and also shall and may authorize the said Jury to view the Place or Places connected with the Matter in question, as the said Sheriff Depute or Sheriff Substitute may think fit; and the said Jury upon their Oaths (which Oaths the said Sheriff Depute or Sheriff Substitute is hereby authorized to administer) shall enquire how far any of the Operations, Acts, Matters, or Things done, executed, or performed in pursuance of the Powers conferred by this Act, and to which the said Rates and Duties are applicable as aforesaid, may anywise have occasioned the alleged Damage, or been prejudicial to the Lands, Tenements, Fishings, or other Heritages in question; and if any Damage shall appear to have arisen or to have been occasioned in consequence of Operations performed in virtue of the Powers conferred by this Act, the said Jury shall assess the Amount and Value thereof; and the said Sheriff Depute or Sheriff Substitute shall and may pronounce and give Judgment or Decree thereon; and the said Commissioners shall be obliged to pay, out of and from the Proceeds of the said Rates and Duties leviable by them, and Sums borrowed or realized on account thereof, and failing their having sufficient Funds at the Time, the said Lord Provost, Magistrates, and Town Council to be liable and bound to pay as aforesaid, and with Recourse against the said Commissioners as hereinbefore mentioned, the Amount of any Sum or Sums of Money which shall be so assessed to the Party or Parties interested in and found entitled to the same; and the Verdict or Verdicts to be returned by any Jury or Juries to be named as aforesaid, authenticated by their Subscriptions, or the Subscription of the Chancellor or Foreman to be appointed by the Majority of them, and the Judgment or Judgments, Decree or Decrees to be pronounced thereon by the said Sheriff Depute or Sheriff Substitute, shall be final, binding, and conclusive, to all Intents and Purposes, against and upon the said Commissioners, and the said Lord Provost, Magistrates, and Town Council, and upon all and every Person or Persons having or claiming any Right, Title, or Interest in or out of the Lands, Tenements, Fishings, or other Heritages which may be anywise connected with or affected by any of the Operations, Acts, Matters, or Things done or performed in pursuance of the Powers granted by this Act, and to which the said Rates and Duties are applicable, and upon their Heirs, Executors, Administrators, or Successors whatsoever; and the said Verdict or Verdicts, and the Judgment or Judgments, Decree or Decrees, of the said Sheriff Depute or Sheriff Substitute, to follow on the same, shall be entered and kept among the Records of the Sheriff Court of the said County, and the same, or true Copies or Extracts thereof, shall be deemed and taken as good and sufficient Evidence in any Court of Law or Equity whatsoever.

XXVIII. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by the said Commissioners for the Purchase of any Lands, Tenements, or Heritages to be used or taken by them for the Purposes of this Act, or as a Compensation or Recompence for any Damage, Loss, or Injury which may happen to arise in the Execution of any

Expences of
Juries how
to be de-
frayed.

any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expence of Witnesses, shall be settled by the said Sheriff Depute or Sheriff Substitute, and shall be defrayed by the said Commissioners; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Commissioners, then and in every such Case one Moiety of the Costs and Expences shall be defrayed by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute, and the other Moiety thereof shall be defrayed by the said Commissioners: Provided always, that in case where by reason of Absence in foreign Parts, or from any other Cause or Disability not hereinbefore provided for, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expences shall be borne and paid by the said Commissioners; provided also, that in case no Compensation shall be given by such Verdict as aforesaid, where the Dispute is for Compensation only, the whole of the aforesaid Costs and Expences shall be paid by the Party claiming Compensation, and the same, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred under this Act.

Penalties on Jurymen failing to attend and act.

XXIX. And be it further enacted, That the said Sheriff Depute or Sheriff Substitute shall have Power and is hereby authorized to impose a Fine or Fines, not exceeding Five Pounds Sterling each, on any Person or Persons who shall be summoned and returned on any such Jury or Juries, and shall not appear, or appearing shall refuse to be sworn on such Jury or Juries, or being so sworn shall not give his or their Verdict, or who being summoned as a Witness or Witnesses shall not appear, or appearing shall refuse to be sworn or to give Evidence, or who shall in any other Manner wilfully neglect his or their Duty in the Premises, contrary to the Intent and Meaning of this Act; which Fine or Fines to be imposed as aforesaid shall be levied in a summary Manner by Diligence issued by the said Sheriff Depute or Sheriff Substitute, or by Diligence from the Court of Session, in the same Way as is competent upon ordinary Decrees of the Sheriff Court, and when levied shall, after Deduction of the Expences of the Diligence and Recovery, be paid to the said Commissioners, and be applied by them to the Purposes of this Act, and to no other Use or Purpose whatsoever.

Application of Compensation if amounting to 200%.

XXX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, Fishings, or other Heritages purchased, taken, or used by virtue of this Act for the Purposes thereof aforesaid, or on account of any Loss or Damage as aforesaid arising to any Lands, Tenements, Fishings, or other Heritages, from carrying these Purposes into effect, which Lands, Tenements, Fishings, or other Heritages were held under Entail, or were subject to Liferents, Annuities, or other Incumbrances, or shall belong to any Corporation, Married Woman, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, such Sum shall, in case the same shall amount to the Sum of Two hundred Pounds Sterling, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company*, as the said Court shall direct; to the Intent that such

such Money shall be applied under the Direction, and with the Approbation, of the said Court, to be signified by an Order to be made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Fishings, or other Heritages, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, Fishings, or other Heritages, or affecting other Lands, Tenements, Fishings, or Heritages standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Fishings, or other Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, Fishings, and other Heritages which shall be so purchased, taken, used, or damaged as aforesaid stand settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the Interest or Annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, Fishings, and other Heritages hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, Fishings, or other Heritages purchased, taken, or used for the Purposes of and in virtue of the Powers conferred by this Act, or on account of any Loss or Damage arising to any Lands, Tenements, Fishings, or other Heritages, and belonging to any Incorporation, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, Fishings, or other Heritages so purchased, taken, used, or damaged, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into one or other of the said Banks, and placed to his, her, or their Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to a Trustee or Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Interest arising thereon, may be applied in any Manner hereinbefore directed, as far as the Case may be applicable.

XXXII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have

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been

When under
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been entitled to the Rents and Profits of the Lands, Tenements, Fishings, and other Heritages purchased, taken, or used for the Purposes of this Act, as aforesaid, or damaged in carrying the same into effect, in such Manner as the said Commissioners shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Use and Benefit of such Person or Persons so entitled thereto respectively.

In case of
not making
out Title,
or where
Persons can-
not be found.

XXXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of or Loss or Damage sustained by any Lands, Tenements, Fishings, or other Heritages, in consequence of carrying into effect the Purposes of this Act, 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, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, Fishings, or other Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the said Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, as the said Court of Session shall direct, to the Credit of the Parties interested in the said Lands, Tenements, Fishings, or other Heritages (describing them), subject to the Order of the said Court; and which Court, upon the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and is hereby empowered, in a summary Way of Procedure or otherwise, as to the said Court shall seem meet, to order 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 respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, as the said Court shall direct, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay such Sum or Sums of Money into the said Bank as aforesaid.

In case of
questionable
Title.

XXXIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the said Bank in pursuance of the Purposes of this Act, the Person or Persons who shall have been in Possession of such Lands, Tenements, Fishings, or other Heritages at the Time of the said Purchase, or of the said Damage being incurred, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, Fishings, and other Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Rents and Profits of the Lands, Tenements, Fishings, or other Heritages so purchased, used, taken, or damaged, shall

shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Fishings, or other Heritages, or to such Estate or Interest therein.

XXXV. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons to throw, empty, or lay down any Ballast, Dirt, Ashes, Rubbish, Shingle, Stones, or any other Thing into or in the Bed or Channel of the said River *Tay*, and within High-water Mark, in any respect to fill up or interrupt the Course of the Stream or Run of the Tide Water therein, so as in any way to prejudice or interrupt the free Navigation of the River to and from the City, Port, and Harbour of *Perth*, within the Limits within which this Act authorizes the said River to be deepened and the Navigation thereof improved as aforesaid, *videlicet*, from the *Town's Ford* to the *Friartown*, as hereinbefore mentioned, or to dig or take away any Ballast, Shingle, Stones, or other such Thing from the said River or Banks thereof within the Limits aforesaid, without Leave in Writing first had and obtained from the said Commissioners or any Three of them, under a Penalty not exceeding Ten Pounds Sterling for every such Offence, over and above the Expence of repairing the Damage that may have been thereby occasioned; and if any Person or Persons shall cast out or deposit any Ballast out of any Ship or Vessel upon any of the aforesaid Quays, Piers, Shores, Landing Places, or Roads, or Accesses thereto, such Person or Persons shall be obliged immediately to cause the same to be carried off, on pain of forfeiting for every such Offence a Sum not exceeding Ten Pounds Sterling, over and above the Expence of removing the same.

Ballast, &c. prohibited to be thrown into or taken from the River.

XXXVI. And be it further enacted, That if any Person or Persons shall after the passing of this Act maliciously or wantonly demolish, break down, or destroy any of the Quays, Piers, Jetties, Embankments, or other Work or Works erected or constructed or to be erected or constructed in virtue of the Powers contained in this Act, every such Person or Persons so offending shall be judged guilty of Felony, and the Court or Courts by or before whom such Person or Persons shall be indicted and tried shall be and are hereby empowered to cause such Felon or Felons to be transported beyond the Seas for such a Term of Years and in such Manner as other Felons are directed to be transported by the Statutes of this Realm.

Punishment of Persons destroying the Works.

XXXVII. And be it further enacted, That the Master or Owner of every Ship or other Vessel lying or trading in the Harbour of *Perth* shall be and is hereby made answerable to the said Commissioners for the Amount or Value of any Damage or Mischief that shall be done by any of the Seamen, Servants, Boatmen, or Watermen, or others on board the same, to any of the Quays, Piers, Landing Places, or other Works already constructed at the Port of *Perth*, or that shall be constructed by virtue of this Act, either by the loading or unloading of any Ship or other Vessel, or by any other Means whatsoever; and the Master or Owner of every such Ship or other Vessel shall, by every such Trespass, Damage, or Mischief, upon Conviction before any Justice of the Peace for the said County

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

County of *Perth*, on the Oath of any credible Witness or Witnesses, which Oath such Justice is hereby authorized and required to administer, or on the Confession of the Party or Parties offending, forfeit and pay to the Party or Parties injured such Damages, Satisfaction, or Compensation as shall be ascertained, fixed, and determined by such Justice; provided that no such Damages, Satisfaction, or Compensation shall exceed the Sum of Twenty Pounds, but in case such Damages, Satisfaction, or Compensation shall exceed the Sum of Twenty Pounds, then and in such Case the said Master or Owner of such Ship or other Vessel may be sued and prosecuted for such Damages, Satisfaction, and Compensation, in the Court of Session if the Defender shall reside in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster* if the Defendant shall reside in *England*, or in the Court of the King's Bench or Common Pleas at *Dublin* if the Defendant shall reside in *Ireland*; and if a Verdict or Judgment shall be given against him or her, either on Proof made, or by Default, or upon Demand, the Plaintiff in every such Case shall recover the Damages thereby sustained, with full Costs.

Masters to recover from their Servants the Amount paid for Damages.

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

Power to make Bye Laws.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, with the Consent and Concurrence of the Town Council of the said City for the Time, or at any Time or Times, to make, ordain, and establish such Orders, Rules, and Bye Laws, for the deepening, scouring, cleaning, and keeping clear from Interruption the Channel of the said River *Tay* and Navigation thereof, in so far as hereby specially authorized, and to which the said Rates and Duties are applicable as aforesaid, for collecting, levying, and recovering the aforesaid Rates and Duties hereby imposed, and for accomplishing the other Purposes of this Act, and from Time to Time, as Occasion shall require, to repeal, add to, amend, or alter such Rules, Orders, or Bye Laws, in such Way as shall appear most proper, and according to the Spirit of this Act, and to fix and declare reasonable pecuniary Penalties not exceeding Five Pounds Sterling for each Default in Observance or Breach of the said Orders, Rules, and Bye Laws, or any of them, to be recovered and applied in the same Way as Penalties imposed by this Act are ordered

to be recovered and applied: Provided always, that such Orders, Rules, and Bye Laws shall not be repugnant to the Laws in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*, or to any thing in this Act contained; and the said Orders, Rules, and Bye Laws shall be printed and distributed, and Copies thereof, painted on a Board or Boards in legible Characters, shall be placed and kept up in some conspicuous Place or Places at or near to the said Harbour, and such Boards and Painting shall be renewed from Time to Time by the said Commissioners when destroyed, obliterated, or defaced; but such Orders, Rules, and Bye Laws shall be subject to be appealed from by any Person thereby affected, in manner hereinafter mentioned.

Bye Laws to be painted on Boards, and placed near the Harbour.

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

Penalty on Persons defacing Boards.

XLI. And be it further enacted, That in case the several Works hereinbefore specially described and intended to be carried into effect under the Authority of this Act, and to which the said Rates and Duties leviable are applicable, as hereinbefore set forth, shall not have been completed within the Space of Five Years from the passing of this Act, then and from thenceforth the special Powers and Authorities given, granted, and conferred by this Act shall cease and determine as to all and such and so much of such Works as shall not have been completed within such Time, but without Prejudice to all or any of the Rights, Powers, and Privileges as to such and so much of the said Works as shall have been completed within such Time as can or may be made beneficial or available to the said Commissioners, and also saving all such Matters and Things as shall have been transacted and such Contracts and Agreements as shall have been made in pursuance of the Powers herein contained, and so that the said Commissioners be not discharged from any Liability or Obligation to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, arising out of the Provisions herein contained.

Powers of the Act to cease, if Works not executed within Five Years.

XLII. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners, whom failing owing to the Want of Funds, by the said Lord Provost, Magistrates, and Town Council as hereinbefore mentioned, to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made upon the said Commissioners or their Treasurer, whom failing as aforesaid, the said Lord Provost, Magistrates, and Town Council, or City Chamberlain of *Pertb* for the Time being, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of

In case of Nonpayment of Compensation for Damages, the same to be levied by Distress and Sale.

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such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Effects vested in the said Commissioners by virtue of this Act, or of the Goods and Effects of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices; which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his or their Hands, on Application made to him or them for that Purpose by the Person or Persons entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he or they shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he or they shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Notices how
to be served.

XLIII. And be it further enacted, That in all and every Case where it may be requisite for any Person or Persons, Party or Parties, to serve any Notice or Notices under this Act, upon the said Commissioners, or upon the said Lord Provost, Magistrates, and Town Council, or any Citation, Summons, or other legal Proceedings, the Service upon the Clerk or Clerks of the said Commissioners, or upon any Two of the said Commissioners, in so far as the said Commissioners are interested, and upon the City Clerks or City Clerk of *Perth* in so far as the said Lord Provost, Magistrates, and Town Council are interested, or at the Dwelling House or Dwelling Houses, or usual Place or Places of Business of such Clerks or Commissioners respectively, as the Case may be, shall be deemed good and sufficient Service of the same.

Penalties
how to be
recovered.

XLIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, the Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors appointed by them, to prosecute in their, any or either of their Names, and to recover the said several Fines, Penalties, Forfeitures, Damages, or Costs of Suit by this Act imposed, by Action or Complaint, within Six Months after the Offence is committed, before any Two or more Justices of the Peace for the said County of *Perth*; and such Justices shall proceed to the Trial of such Offences in a summary Way, and upon Conviction of the Offender or Offenders, by their own Confession, or by the Oath of One or more credible Witnesses (which Oath such Justices are hereby authorized to administer), shall award and give such Orders, Judgments, and Decrees, as to them shall seem most agreeable to the true Intent and Meaning of this Act; and in default of Payment of the several Penalties, Fines, Forfeitures, Damages, and Costs of Suit awarded, the Person or Persons shall and may be committed to the Gaol or House of Correction nearest to the Place where the Offender or Offenders shall be tried, there to be detained for such Time as the said Justices shall direct, not exceeding Six Calendar Months; and the whole Fines, Penalties, and Forfeitures aforesaid received, after Deduction of the necessary Charges of recovering the same, shall be paid

to the said Commissioners, or Person appointed by them to receive the same, to be by them or him applied towards the several and respective Purposes of this Act, and to no other Uses or Purposes whatsoever.

XLV. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Decision, Warrant, or Order of any Justice or Justices of the Peace, in the Execution of this Act, or of any Bye Law, Rule, or Regulation made in pursuance thereof, it shall be competent to such Person or Persons to apply for Redress by way of Appeal to the Justices at the next Quarter Sessions of the Peace for the said County of *Perth*; provided that such Appeal or Application for Redress shall be entered within Twenty-one Days after the Decision of the said Justices shall have been given, and Security for the Payment of Costs and Issue of Suit being given by the Party appealing or applying for Redress; and the Justices in their Quarter Sessions shall in all Cases proceed and determine summarily, and their Decision shall be final, and not subject to Review of any superior Court, by Suspension, Advocation, Reduction, or otherwise howsoever.

Appeal allowed to Justices at Quarter Sessions.

XLVI. And be it further enacted, That no Suit or Action shall be commenced against the said Commissioners, or any Person or Persons employed by or under them in the Execution of this Act, for any thing done in pursuance thereof, after the Lapse of Six Calendar Months after the Fact committed or Cause of Action accrued for which the said Suit or Action shall be brought; and the Defender or Defenders in such Suit or Action may produce and plead this Act in Justification; and if it shall appear that he, she, or they have acted agreeably thereto, they shall be assolized or acquitted, and Treble Costs shall be awarded to be paid to them by the Prosecutor or Prosecutors of such Suit or Action.

Limitation of Actions.

Act may be pleaded in Justification.

XLVII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, impeach, diminish, limit, circumscribe, prejudice, change, or affect the Rights, Dues, Duties, or Payments, Powers, Privileges, Jurisdictions, or Authorities, of the Lord Provost, Magistrates, and Town Council of *Perth*, in any way belonging to them or vested in them on behalf of the Community; but without Prejudice always to the Right of Free Port and Harbour claimed by the Right Honourable the Earl of *Kinnoul* at *Bridgend* of *Perth*, as a Part and Pertinent of the Barony of *Balhousie*, in so far as his Rights and Title Deeds shall legally support or establish the same; and also without Prejudice to the legal Rights and Privileges of every other Person or Persons having or hereafter acquiring such Right of Free Port and Harbour within the River *Tay*, or any other Right of Importation or Exportation, or of Exemption from Payment of the Rates and Duties by this Act imposed, and any other Right whatever competent to such Person or Persons: Provided always, that nothing herein contained shall be deemed, construed, or taken to exempt Ships or Vessels coming to or going from the said Port of *Bridgend*, or Goods imported or exported thereat, from Payment of the Rates and Duties granted by this Act.

Saving of Rights, &c.

XLVIII. And be it further enacted, That no Justice of the Peace or other Magistrate, although a Commissioner under this Act, shall be disqualified

Justices may act, although Commissioners.

from acting as a Justice of the Peace or Magistrate in any thing arising out of this Act by reason of his being such Commissioner.

Public Act. XLIX. 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.

Commence-
ment. L. And be it further enacted, That this Act, and all the Powers and Authorities of the same, shall commence and take place and effect from and after the passing hereof, excepting as to the Rates and Duties hereby granted, which shall not begin to be leviabie until the Sum of Five thousand Pounds shall have been expended or contracted for, as hereinbefore set forth.

SCHEDULE (A.) to which this Act refers.

RATES and DUTIES, according to the Tonnage.

	Rates and Duties.	
	£ s. d.	
For every Vessel, Ship, Boat, Bark, or Lighter, for every Time it comes to the Port or Harbour of Perth, and within the Limits set forth in the Act, to receive or discharge a Cargo or Part of a Cargo :		
If not registered at any Port of the United Kingdom	0 0 4½	Per Register Ton.
If registered at any Port of the United Kingdom -	0 0 3	Per ditto.
If only employed in carrying Goods or other Commodities to or from Dundee, or other Ports in the River Tay - - -	0 0 2	Per ditto.
— every Steam Vessel employed in the River Tay in carrying Passengers and their Luggage exclusively, which shall enter or leave the said Port or Harbour within the Limits set forth in the Act - - -	0 0 0½	Per ditto.
— every Vessel remaining at the Harbour or Quays of Perth more than Six Months, One Third more of the above Dues; so remaining One Year, double the above Dues; and the above Rates for every Six Months it shall so remain beyond One Year.		

SCHEDULE (B.) to which this Act refers.

RATES and DUTIES leviable upon GOODS imported and exported.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Alabaster	0	2	8	Per Ton.
Ale, strong	0	0	3	Per Barrel Bulk.
Almonds. See Grocery.				
Alum, Rock	0	1	4	Per Ton.
Apples	0	0	4	Per Barrel Bulk.
Argol	0	2	8	Per Ton.
Ashes, Pot or Pearl	0	2	0	Per Ton.
Weed or Wood	0	2	0	Per Ton.
Bacon or Hams	0	0	4	Per Barrel Bulk.
Barilla	0	2	0	Per Ton.
Bar Iron. See Iron.				
Bark, Oak	0	2	0	Per Ton.
Quercitron	0	2	8	Per Ton.
Barley. See Corn.				
Shelled or Pearled. See Corn.				
Basket Rods	0	0	1½	Per Bundle.
Baskets; vizt				
under 12 Inches Diameter	0	0	1½	Per Dozen.
12 Inches Diameter	0	0	3	Per Dozen.
Bay Berries. See Berries.				
Beans. See Corn.				
Beef or Pork	0	0	4	Per Barrel Bulk.
Beer, Spruce	0	0	2	Per Barrel Bulk.
Berries, Bay, Juniper, Yellow, and Cran	0	0	8	Per Barrel Bulk.
Biscuit	0	1	4	Per Ton.
Blacking	0	0	4	Per Cwt.
Black Lead. See Lead.				
Bones	0	0	3	Per Ton.
Books	0	0	8	Per Barrel Bulk.
Bottles of green or common Glass not less than Pints	0	0	3	Per Gross.
Bottles, broken	0	0	4	Per Ton.
Bran	0	0	1½	Per Ton.
Brandy. See Spirits.				
Brass	0	0	3	Per Cwt.
Bricks	0	1	4	Per 1200.
Brimstone	0	0	3	Per Barrel Bulk.
Bristles	0	0	8	Per Cwt.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Bulrushes - - - - -	0	1	4	Per Load.
Bulls. See Cattle.				
Butter - - - - -	0	0	5½	Per Barrel Bulk.
Blubber - - - - -	0	1	1½	Per Tun.
Barrels, empty Herring - - - - -	0	0	4	Per Dozen.
Calves, Velves - - - - -	0	0	3	Per Cwt.
Candles - - - - -	0	0	5	Per Barrel Bulk.
Cane Reeds - - - - -	0	0	8	Per 1200.
Carpets. See Cloth.				
Cattle; viz ^t				
Bulls - - - - -	0	0	8	Each.
Cows - - - - -	0	0	8	Each.
Calves - - - - -	0	0	4	Each.
Horses - - - - -	0	1	4	Each.
Oxen - - - - -	0	0	8	Each.
Pigs - - - - -	0	0	3	Each.
Sheep - - - - -	0	0	3	Each.
Lambs - - - - -	0	0	1½	Each.
Caviare - - - - -	0	0	8	Per Barrel Bulk.
Chalk - - - - -	0	0	4	Per Ton.
Cheese - - - - -	0	2	8	Per Ton.
Chesnuts - - - - -	0	0	8	Per Barrel Bulk.
Cider - - - - -	0	0	3	Per Barrel Bulk.
Cinnamon. See Groceries.				
Clay, China or Pipe Clay - - - - -	0	0	8	Per Ton.
Cochineal - - - - -	0	1	4	Per Cwt.
Cocoa - - - - -	0	4	0	Per Ton.
Coffee - - - - -	0	4	0	Per Ton.
Cocoa Nuts - - - - -	0	0	4	Per 100.
Copper - - - - -	0	4	0	Per Ton.
old - - - - -	0	2	0	Per Ton.
Ore - - - - -	0	0	8	Per Ton.
Copperas - - - - -	0	0	8	Per Ton.
Coral - - - - -	0	0	8	Per Cwt.
Cordage - - - - -	0	2	0	Per Ton.
Cork - - - - -	0	2	8	Per Ton.
Corn and Meal; viz ^t				
Barley - - - - -	0	0	3	Per Quarter.
Shelled and Pearl - - - - -	0	0	3	Per Quarter.
Beans - - - - -	0	0	3	Per Quarter.
Indian Corn - - - - -	0	0	4	Per Quarter.
Meal - - - - -	0	0	4	Per Quarter.
Malt - - - - -	0	0	3	Per Quarter.
Oats - - - - -	0	0	3	Per Quarter.
Oatmeal - - - - -	0	0	3	Per Quarter.
Pease - - - - -	0	0	3	Per Quarter.
Rye - - - - -	0	0	3	Per Quarter.
Wheat - - - - -	0	0	4	Per Quarter.
Flour - - - - -	0	0	3½	Per Sack.
Carrots - - - - -	0	0	5½	Per Ton.
Cow, Ox, or Bull Hair. See Hair.				
Cows. See Cattle.				
Cranberries. See Berries.				

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Crystal	0	0	6	Per Barrel Bulk.
Culm	0	0	5½	Per Ton.
Currants. See Groceries.				
Coals, Scotch	0	0	6	Per Ton.
English	0	0	6	Per Ton.
Smithy	0	0	6	Per Ton.
Cinders	0	0	3	Per Ton.
Codilla	0	1	8	Per Ton.
Cloth, Brown or Bleached Linens; viz ^t				
Osnaburghs	0	0	8	Per Barrel Bulk.
Sheeting	0	0	8	Per Barrel Bulk.
Dowlas	0	0	8	Per Barrel Bulk.
Ducks	0	0	8	Per Barrel Bulk.
Raven Ducks	0	0	8	Per Barrel Bulk.
Ticklenburghs	0	0	8	Per Barrel Bulk.
Drillings and Shirtings	0	0	8	Per Barrel Bulk.
Siliesias	0	0	8	Per Barrel Bulk.
Sail Cloth	0	0	8	Per Barrel Bulk.
Bagging of all Kinds, 34 Inches and under	0	0	8	Per Barrel Bulk.
Bagging of all Kinds, above 34 Inches	0	0	8	Per Barrel Bulk.
Pimento Bagging	0	0	8	Per Barrel Bulk.
Tarpaulings	0	0	8	Per Barrel Bulk.
Browns	0	0	8	Per Barrel Bulk.
Sacks, made	0	0	1	Per Twenty.
Clothiery	0	0	8	Per Barrel Bulk.
Haberdashery, comprehending Cotton and Silk Goods	0	0	8	Per Barrel Bulk.
Hosiery	0	0	8	Per Barrel Bulk.
Cement	0	1	4	Per Ton.
Coaches, Chaises, Gigs, and other similar Carriages	0	0	5½	Per Barrel Bulk.
Cotton Wool	0	2	6	Per Ton.
Drugs	0	1	0	Per Barrel Bulk.
Earthenware	0	0	8	Per Crate.
in Bulk	0	3	4	Per One hundred Dozen.
Eggs	0	0	4	Per Barrel Bulk.
Elephants Teeth	0	0	8	Per Cwt.
Emery Stones	0	0	1½	Per Cwt.
Feathers	0	0	8	Per Cwt.
Figs. See Groceries.				
Fish Oil. See Oil.				
Flint Stones	0	0	5½	Per Ton.
Flower Roots	0	0	4	Per Barrel Bulk.
Furriers Waste	0	0	4	Per Ton.
Flax	0	2	0	Per Ton.
Fish, salted, dry	0	1	4	Per Ton.
Garden Seeds. See Seeds.				
Geneva. See Spirits.				
Ginger	0	0	8	Per Barrel Bulk.
preserved	0	0	8	Per Barrel Bulk.

	Rates and Duties.			Per Weight or Measure.
	£.	s.	d.	
Glass - - - - -	0	0	8	Per Crate.
broken - - - - -	0	0	5½	Per Ton.
Glue - - - - -	0	0	5	Per Barrel Bulk.
Goats Hair. See Hair.				
Grapes - - - - -	0	0	1½	Per Jar.
Grease - - - - -	0	1	4	Per Ton.
Groceries; vizt.				
Almonds - - - - -	0	0	8	Per Ton.
Cinnamon - - - - -	0	0	8	Per Ton.
Currants - - - - -	0	0	8	Per Ton.
Figs - - - - -	0	0	8	Per Ton.
Pepper - - - - -	0	0	8	Per Ton.
Pimento - - - - -	0	0	8	Per Ton.
Plums - - - - -	0	0	8	Per Ton.
Prunes - - - - -	0	0	8	Per Ton.
Raisins - - - - -	0	0	8	Per Ton.
Gunpowder - - - - -	0	0	8	Per Ton.
Ginseng - - - - -	0	0	8	Per Ton.
Hair; viz.				
Cow, Ox, or Bull - - - - -	0	0	3	Per Cwt.
Goats Hair or Wool - - - - -	0	0	3	Per Cwt.
Horse - - - - -	0	0	3	Per Cwt.
Hair Powder - - - - -	0	0	8	Per Cwt.
Hardware - - - - -	0	0	5½	Per Barrel Bulk.
Hats - - - - -	0	0	5½	Per Barrel Bulk.
Hay - - - - -	0	1	4	Per Ton.
Hemp, rough - - - - -	0	2	0	Per Ton.
Herrings - - - - -	0	0	2	Per Barrel.
Hides - - - - -	0	2	8	Per Hundred.
Honey - - - - -	0	0	3	Per Cwt.
Hoops, Wooden - - - - -	0	2	0	Per Thousand.
Iron - - - - -	0	2	0	Per Ton.
Hops - - - - -	0	0	5½	Per Cwt.
Horns, Slugs, and Tips - - - - -	0	0	1½	Per 1200.
Horse. See Cattle.				
Household Furniture - - - - -	0	0	3	Per Barrel Bulk.
Husbandry Utensils - - - - -	0	0	3	Per Barrel Bulk.
Indian Corn or Meal. See Corn.				
Indigo - - - - -	0	1	0	Per Barrel Bulk.
Iron; viz.				
Bar, Plate, Bolt, and Rod - - - - -	0	1	0	Per Ton.
forged - - - - -	0	1	4	Per Ton.
made Work - - - - -	0	2	0	Per Ton.
Hoops. See Hoops.				
old - - - - -	0	0	8	Per Ton.
cast, Goods - - - - -	0	1	0	Per Ton.
old broken or cast - - - - -	0	0	5½	Per Ton.
Pig - - - - -	0	0	6	Per Ton.
Junk, old - - - - -	0	0	8	Per Ton.
Juniper Berries. See Berries.				
Ivory - - - - -	0	0	8	Per Cwt.
Ink - - - - -	0	0	5	Per Barrel Bulk.

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	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Kelp	0	0	8	Per Ton.
Lard	0	2	8	Per Ton.
Latten, Black	0	2	8	Per Ton.
Lead	0	1	0	Per Ton.
Black	0	1	4	Per Ton.
Ore	0	1	4	Per Ton.
Red and White	0	1	4	Per Ton.
Shot	0	1	4	Per Ton.
Leather, tanned and dressed	0	3	4	Per Ton.
Lemons	0	0	4	Per Chest.
Limes	0	0	4	Per Cask.
Lintseed. See Seed.				
Oil. See Oil.				
Lime	0	0	4	Per Ton.
Madder	0	2	8	Per Ton.
Roots	0	2	0	Per Ton.
Malt. See Corn.				
Manganese	0	1	4	Per Ton.
Marble	0	1	4	Per Ton.
Matts, Bass	0	0	4	Per 120.
Meal, Indian. See Corn.				
Medicines	0	1	0	Per Barrel Bulk.
Mill Waste	0	0	4	Per Ton.
Mohair Yarn	0	0	3	Per Cwt.
Molasses	0	0	6	Per Puncheon.
Morels	0	0	5	Per Cwt.
Moss, Rock	0	2	0	Per Ton.
Mum	0	2	8	Per Ton.
Manure	0	0	1½	Per Ton.
Meal. See Corn.				
Machinery	0	0	3	Per Barrel Bulk.
Musical Instruments	0	0	8	Per Barrel Bulk.
Nuts	0	0	3	Per Barrel Bulk.
Nutmegs	0	0	8	Per Barrel Bulk.
Oakum	0	1	4	Per Ton.
Oats. See Corn.				
Oatmeal. See Corn.				
Oil, Lintseed	0	2	8	Per Tun.
Palm	0	2	8	Per Tun.
Rape	0	2	8	Per Tun.
Turpentine	0	2	8	Per Tun.
Vitriol	0	0	3	Per Bottle.
Whale or Train	0	1	0	Per Tun.
Cake	0	2	0	Per Ton.
Ochre	0	2	8	Per Ton.
Onions	0	0	1½	Per Bushel.
Oranges	0	0	4	Per Chest.
Orchilla Weed	0	2	8	Per Ton.
Ore of Iron. See Iron.				
Ore of Lead. See Lead.				

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Paper; viz.				
Writing and Printing	0	0	8	Per Barrel Bulk.
Packing	0	0	3	Per Barrel Bulk.
Pearl Barley. See Corn.				
Pease. See Corn.				
Pelts	0	2	8	Per Ton.
Pepper. See Groceries.				
Perry	0	0	3	Per Barrel Bulk.
Pig Iron. See Iron.				
Pigs. See Cattle.				
Pigheads	0	0	4	Per Barrel Bulk.
Pimento. See Groceries.				
Pitch	0	0	3	Per Barrel Bulk.
Plaster of Paris	0	1	4	Per Ton.
Plums. See Groceries.				
Pumice Stones	0	1	4	Per Ton.
Pork. See Beef.				
Porter	0	0	3	Per Barrel Bulk.
Potatoes	0	0	4	Per Ton of 4 Bolls.
Powder of Lead. See Lead.				
Prunelloes	0	0	8	Per Barrel Bulk.
Prunes. See Groceries.				
Peats	0	0	1½	Per Ton.
Quercitron Bark. See Bark.				
Quills	0	0	3	Per Thousand.
Rags, Linen	0	0	8	Per Ton.
other Rags, old Ropes, and old Leather	0	0	4	Per Ton.
Raisins. See Groceries.				
Rape Cake	0	2	0	Per Ton.
Rape Seed. See Seeds.				
Red Lead. See Lead.				
Rice	0	0	6	Per Barrel Bulk.
Rock Moss. See Moss.				
Rosin	0	0	3	Per Barrel.
Rum. See Spirits.				
Rye. See Corn.				
Salt	0	1	0	Per Ton.
Rock	0	0	8	Per Ton.
Petre	0	0	5	Per Barrel Bulk.
Seed; viz.				
Flax, and Rapeseed	0	0	6	Per Hogshead.
Ditto ditto	0	0	3	Per Barrel.
Ditto ditto in Bulk	0	0	4	Per Quarter.
Ditto ditto in Bags	0	0	8	Per Quarter.
Clover	0	0	5½	Per Bag.
Rye Grass	0	0	0½	Per Bushel.
Sheep. See Cattle.				
Shumach	0	2	0	Per Ton.
Skins; viz.				
Calf	0	0	4	Per Score.
Sheep	0	0	4	Per Score.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Skins, Deer	0	0	4	Per Score.
Kid	0	0	4	Per Score.
Lamb	0	0	4	Per Score.
Seal	0	0	4	Per Score.
Slates	0	1	0	Per 1200.
Slate Pencil and Slates	0	0	5½	Per Barrel Bulk.
Smelts	0	0	3	Per Cwt.
Snuff	0	0	8	Per Barrel Bulk.
Soap	0	2	0	Per Ton.
Soapers Waste	0	0	4	Per Ton.
Spermaceti	0	2	8	Per Ton.
Stones; viz ^t .				
Ruble Freestone	0	0	0½	Per Ton.
Hewn Ashlar Freestone	0	0	1½	Per Ton.
Rough Ashlar Freestone	0	0	1	Per Ton.
Ruble Causeway	0	0	0½	Per Ton.
Causeway, dressed	0	0	1	Per Ton.
Pavement	0	0	1	Per Ton.
Curb	0	0	1	Per Ton.
Foreign Grave Stones	0	6	8	Each.
Home Grave Stones	0	3	4	Each.
Scythe Stones	0	0	1	Per Score.
Grind Stones	0	0	1½	Each.
Mill Stones	0	1	4	Each.
Spirits, Foreign	0	0	8	Per Barrel Bulk.
British	0	0	5½	Per Barrel Bulk.
Starch	0	0	4	Per Barrel Bulk.
Steel	0	2	0	Per Ton.
Sugar, raw	0	1	6	Per Hogshead.
refined	0	2	8	Per Ton.
Soda	0	0	3	Per Barrel Bulk.
Stucco	0	0	8	Per Ton.
Smalts	0	0	5	Per Barrel Bulk.
Salmon	0	0	3	Per Box.
Tallow	0	2	0	Per Ton.
Tamarinds	0	0	4	Per Cwt.
Tanners Waste	0	0	4	Per Ton.
Tar	0	0	2½	Per Barrel.
Tea	0	0	8	Per Chest.
Thread	0	0	5½	Per Barrel Bulk.
Tin of all Kinds	0	2	8	Per Ton.
Tobacco	0	0	8	Per Cwt.
Tongues, smoaked	0	0	1½	Per Dozen.
pickled	0	0	4	Per Barrel.
Tortoiseshell	0	0	8	Per Cwt.
Tow	0	1	4	Per Ton.
Toys	0	0	4	Per Barrel Bulk.
Treenails	0	0	6	Per 1200.
Turmeric	0	0	1½	Per Cwt.
Twine	0	0	3	Per Cwt.
Tiles	0	1	4	Per 1200.
Turnips	0	0	5½	Per Ton.
Valonia	0	2	8	Per Ton.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Vases or Sculptured Marble	0	0	8	Per Barrel Bulk.
Verdigrease	0	2	8	Per Ton.
Vermilion	0	0	8	Per Cwt.
Vinegar	0	0	3	Per Barrel Bulk.
Vitriol. See Oil.				
Willow Reeds	0	0	1	Per Bundle.
Wine	0	0	8	Per Barrel Bulk.
Whalebone, dressed and undressed	0	2	0	Per Ton.
Wood, Foreign; viz.				
Batons	0	1	0	Per Load of 50 Cubic Feet.
Boards, Oak, or Wainscot	0	1	4	Per Load of 50 Cubic Feet.
Boards, Paling	0	0	5½	Per 120.
Deals	0	1	0	Per Load of 50 Cubic Feet.
Deal Ends	0	1	0	Per Load of 50 Cubic Feet.
Fire Wood	0	0	5½	Per Fathom.
Handspikes	0	0	4	Per 120.
Laths	0	0	8	Per Fathom.
Masts, Yards, or Bowsprits; viz.				
6 Inches Diameter, and under 8 Inches	0	0	8	Per Load of 50 Cubic Feet.
8 Inches Diameter, and under 12 Inches	0	1	0	Per Load of 50 Cubic Feet.
12 Inches Diameter, and upwards	0	1	4	Per Load of 50 Cubic Feet.
Oak Planks	0	1	4	Per Load of 50 Cubic Feet.
Oars and Oar Rafters	0	1	0	Per 120.
Rickers, Boathooks, and Hooks	0	1	0	Per 120.
Spars	0	1	0	Per Load of 50 Cubic Feet.
Cart-wheel Spokes	0	0	3	Per 60 Pieces.
Staves, Pipe, from any Port in Europe,				
above 50 Inches long	0	1	1	Per 120.
50 Inches long and under	0	0	8	Per 120.
Ditto from United States of America,				
above 50 Inches long	0	0	4	Per 120.
Ditto Hogshead, 50 Inches long and under	0	0	4	Per 120.
Ditto Barrel, and all under 50 Inches long	0	0	1½	Per 120.
Ditto Pipe, from any of the British Plantations, above 50 Inches long	0	0	11	Per 120.
50 Inches long and under	0	0	7	Per 120.
Fir	0	1	0	Per Load of 50 Cubic Feet.
Oak	0	1	4	Per Load of 50 Cubic Feet.
Pine	0	1	0	Per Load of 50 Cubic Feet.
Hardwood	0	1	4	Per Load of 50 Cubic Feet.
Ufers	0	1	0	Per Load of 50 Cubic Feet.
Wainscot Logs	0	1	4	Per Load of 50 Cubic Feet.
Delivered by Weight; viz.				
Barwood	0	2	0	Per Ton.
Boxwood	0	2	0	Per Ton.
Brazil Wood	0	2	8	Per Ton.
Cam Wood	0	2	8	Per Ton.
Ebony	0	2	0	Per Ton.
Fustic	0	2	0	Per Ton.
Lignum Vitæ	0	2	0	Per Ton.

[Local.]

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	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Wood, Foreign, delivered by Weight, <i>continued</i> :				
Logwood - - - - -	0	2	0	Per Ton.
Mahogany - - - - -	0	2	0	Per Ton.
Nicaragua Wood - - - - -	0	2	8	Per Ton.
Red Wood - - - - -	0	2	0	Per Ton.
Sassafras - - - - -	0	2	0	Per Ton.
Wood, Home; viz.				
Fir - - - - -	0	0	6	Per Load of 50 Cubic Feet.
Hardwood - - - - -	0	0	9	Per Load of 50 Cubic Feet.
Fir, Planks and Deals - - - - -	0	0	6	Per Load of 50 Cubic Feet.
Hardwood, Planks and Deals - - - - -	0	0	9	Per Load of 50 Cubic Feet.
Cart-wheel Spokes - - - - -	0	0	1½	Per 60 Pieces.
Hogshead Staves - - - - -	0	0	3	Per 120.
Barrel Staves - - - - -	0	0	1½	Per 120.
Wool (other than Cotton Wool) - - - - -	0	1	4	Per Ton.
Worsted Yarn. See Yarn.				
Whitening - - - - -	0	0	8	Per Ton.
Yarn; viz.				
Lint - - - - -	0	1	4	Per Ton.
Cotton - - - - -	0	1	6	Per Ton.
Tow - - - - -	0	1	0	Per Ton.
Hemp - - - - -	0	1	0	Per Ton.
Worsted - - - - -	0	2	6	Per Cwt.
Yeast - - - - -	0	0	9	Per Puncheon.

All Goods not specified in the above Schedule to be chargeable in proportion to other Goods of similar Bulk and Value above enumerated.

All Wood discharged from Vessels at Newburgh, and floated up the River, to be charged only One Half of the respective Dues on Wood stated in the foregoing Schedule.

All Passengers Luggage accompanying the Owners in Steam Vessels employed in the River Tay are exempted from Dues.

All Linen and Cotton Cloth imported solely for the Purpose of being bleached and exported, to be chargeable only with Three-pence per Barrel Bulk at Import, and the like Rate at Export.

All Goods having paid Dues Outward are exempted from Dues when brought Inwards, if they be returned Goods to the original Shipper, and in the original State.

All returned empty Boxes, Barrels, Bags, Sacks, Packages, and Pack Sheets are exempted from Dues.

Five Cubic Feet not exceeding Two and One Half Hundred Weight to be rated a Barrel Bulk, but when the Weight of Five Cubic Feet is greater than Two and One Half Hundred Weight, then Two and One Half Hundred Weight to be rated a Barrel Bulk.

In weighing or measuring Goods the Weight or Measurement of the Packages is to be included.