



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. cxxxiv.

An Act for establishing and maintaining the
Harbour of *Port Crommelin* in the Bay of
Cushendun in the County of *Antrim*.

[16th July 1830.]

WHEREAS a safe and commodious Harbour on that Part of the Coast of *Ireland* which lies on the South Side of the Bay of *Cushendun* would be highly useful to the District of Country adjoining thereto: And whereas *Nicholas de la Cherois Crommelin* of *Carrowdore Castle*, Esquire, claims to be Proprietor of the Lands and Estate of *Sleans*, including the Village of *Cushendun*, situated on the South Side of the said Bay of *Cushendun*, and is willing and desirous at his own Expence to make, build, and construct, at or near the said Village, a Harbour and the other necessary Works connected therewith: And whereas the said Lands and Estate of *Sleans* are situate within the Barony of *Glenarm*, of which *Edmund M'Donnell* of *Glenarm Castle*, Esquire, and the Right Honourable *Anne Catherine* Countess of *Antrim* his Wife, claim to be seised in right of the said Countess; and the Limits herein-after fixed for the said Harbour extend into that Barony, and also into the Barony of *Carey*, of which the Honourable *Mark Robert Kerr* commonly called Lord *Mark Kerr*, and Lady *Charlotte* his Wife, claim to be seised in right of the said Lady *Charlotte*: And

[Local.]

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whereas

Proprietor of
the Estate
may establish
a Harbour.

whereas it is expedient that Powers should be given and proper Regulations made and established for the Government of such Harbour and Works, and of all Persons, and Ships, Vessels, and Boats, frequenting or using the same : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Proprietor or Proprietors of the said Land and Village, or his or her Heirs and Assigns, or the Guardians or Trustees of such of them as shall be Minors or under any Incapacity, shall be, and he, she, and they is and are hereby authorized and empowered, with the Consent of the said *Edmund M'Donnell* and *Anne Catherine* Countess of *Antrim* his Wife, or the Survivor of them, and of the said Lord *Mark Kerr* and Lady *Charlotte* his Wife, or the Survivor of them, to be first signified by some Writing under their, his, or her Hands and Seals or Hand and Seal, to put this Act into execution ; and it shall be lawful for such Proprietor or Proprietors, with such Consent as aforesaid, to make, build, or construct a Harbour at or near the said Village of *Cushendun* in the Parishes of *Layd* and *Carey* in the County of *Antrim*, with Piers and Quays, Buoys, Beacons, and Lighthouses and other Works connected therewith, and also from Time to Time to alter and improve the same in such Manner as he or they shall judge fit ; and the said Harbour shall be called and known by the Name of "*Port Crommelin* Harbour."

Boundaries of
the Harbour.

II. And be it enacted, That the Extent and Boundary of the said Harbour of *Port Crommelin* shall be deemed and is hereby declared to be from the Point called *Tornamony*, on the North-east Side of the Bay of *Cushendun*, to that Part of the River of *Glendun* on the North Side directly opposite the Bridge between the Townlands of *Agola* and *Sleans* on the South Side of the River of *Glendun*, (the Lands on the Shore between those Two Points being or claiming to be the Property of *John White* and *Edmond M'Neille* Esquires,) and from the aforesaid Bridge between *Agola* and *Sleans*, running along the Shore until it comes to the South-east Extremity of the Townland of *Sleans*, all of which last-mentioned Boundary belongs to *Nicholas de la Cherois Crommelin* Esquire, and shall extend from the Point of *Tornamony* on the North-east to the East Point of *Sleans*; One Mile into the Sea along the same.

Works to be
completed in
Ten Years.

III. Provided always, and be it further enacted, Than in case the said Harbour and Works shall not be completed, so as to answer the Objects thereof, within Ten Years from and after the passing of this Act, all the Powers and Authorities hereby given relative thereto shall thenceforth cease and determine, save only as to so much of such Works as shall have been completed within the Time aforesaid.

Power to
appoint
Officers.

IV. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, or the Guardians or Trustees of such of them as shall be Minors or

under any legal Incapacity, to appoint, during his or their Pleasure, such Harbour and Ballast Masters, Collectors, Clerks, Boat Assistants, Pilots, and other Officers as may be requisite for carrying into effect the Powers and Provisions of this Act.

V. And be it further enacted, That when and so soon as the Proprietor or Proprietors of the said Harbour shall have laid out and expended the Sum of Four thousand Pounds in constructing the said Harbour and Works therewith connected, and the Amount of such Expenditure shall have been verified before the Vice Treasurer of *Ireland* for the Time being, or such other Person as shall be appointed for that Purpose by him or by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, it shall and may be lawful for the Proprietor or Proprietors of the said Harbour, or the Guardians or Trustees of such of them as shall be Minors or under any legal Incapacity, or his, her, or their Lessee or Lessees, or such Person or Persons as he, she, or they shall appoint, and he, she, and they is and are hereby authorized and empowered, from Time to Time and at all Times, to ask, demand, take, receive, collect, recover, and levy, for the Use of such Proprietor or Proprietors, or of his, her, or their Lessee or Lessees, upon all and every of the Ships, Vessels, and Boats of whatsoever Description which shall come into or use the said Harbour, or shall be at anchor within the Limits of the same, and for all Goods, Wares, Merchandize, and other Things landed or shipped within the said Harbour as aforesaid, and for the Passengers carried for Hire in every such Ship, Vessel, or Boat as aforesaid, any Sums not exceeding the several Rates and Duties herein-after specified ; *videlicet*,

Power to take Tonnage Duty when a certain Sum has been expended on the Works.

For every Ship, Vessel, or Boat, if under the Burden of Twenty Tons, the Sum of Two-pence *per* Ton ; if of the Burden of Twenty Tons and under Fifty Tons, the Sum of Three-pence *per* Ton ; or if of the Burden of Fifty Tons and under One hundred Tons, the Sum of Four-pence *per* Ton ; and if of the Burden of One hundred Tons or upwards, the Sum of Sixpence *per* Ton :

And for every Ship, Vessel, or Boat that shall be laid up unemployed within the said Harbour, an additional Sum of Three-pence *per* Ton for every and each Month she shall be so laid up.

VI. And be it further enacted, That every *British* Ship or Vessel chargeable with the Tonnage Duty by this Act imposed shall pay the said Duty according to the Custom House Register of the Burden or Tonnage of such Ship or Vessel ; and on failure or delay in producing the Register, or in case the same when produced shall be deemed unsatisfactory, or in case the Tonnage Duty on any Foreign Ship or Vessel cannot otherwise be satisfactorily computed, it shall be lawful for the Person or Persons appointed to collect the Duties aforesaid to admeasure such Ship or other Vessel according to the Directions of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for registering of British Vessels*.

For ascertaining Tonnage Duty.

6 G. 4. c. 10.

VII. And

Penalty on Persons obstructing the measuring of Ships.

VII. And be it further enacted, That in case the Master or other Person having the Command or Charge of any Ship, Vessel, or Boat liable in Payment of any of the Rates and Duties imposed by this Act, or any other Person whosoever, shall obstruct or hinder the Person or Persons appointed to collect the Rates or Duties hereby made payable, or the Person or Persons to be employed or appointed to admeasure Ships, Vessels, or Boats, in pursuance of this Act, from entering on board such Ship, Vessel, or Boat, or taking the Admeasurement thereof, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above the Payment of the said Rates and Duties.

Power to levy Rates on Goods and Passengers.

VIII. And be it enacted, That over and above the Tonnage Duty herein-before authorized to be taken on Ships, Vessels, or Boats entering and using the said Harbour, there shall be paid to the Proprietor or Proprietors of the said Harbour, on all Commodities which shall be there exported in the said Ships, Vessels, or Boats, and for all Passengers carried for Hire in every such Ship, Vessel, or Boat, the several Rates specified in the Schedule annexed to this Act.

Power to reduce Duties on Foreign Ships and Goods.

IX. Provided always, and be it enacted, That it shall and may be lawful to and for His Majesty, in and by an Order of Council, or to and for the Commissioners of His Majesty's Treasury, or any Three or more of them, in and by any Order in Writing, from Time to Time and at all Times to reduce the Duties hereby made payable on all or on such or on so many of the Foreign Ships or Vessels, and on all or on such or on so many of the Goods, Wares, and Merchandize imported or exported in Foreign Bottoms, as he or they in their Judgment shall deem expedient, to the same and the like Duties as are hereby and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods, Wares, and Merchandize imported or exported in and by them.

Rates to be paid in proportion.

X. And be it further enacted, That for or in respect of every Part or Portion of any Goods, Wares, Merchandize, or Commodities hereby charged with the Payment of any Rates or Duties, which shall be of a greater or less Weight, Measure, Quantity, or Number, as the Case may be, than the several and respective Weights, Measures, Quantities, or Numbers specified and set forth in the Schedule hereunto annexed, a Rate or Duty shall be payable and paid in a due and equal Ratio or Proportion with the Rate or Duty by this Act imposed on any specified Weight, Measure, Quantity, or Number of Goods, Wares, Merchandize, or Commodities of a Description corresponding with every such Part or Portion as aforesaid.

Power to fix Rates on Goods not mentioned in the Schedule.

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

XII. And

XII. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour to reduce and lessen the Rates and Duties to be levied under this Act, and again to raise and extend the same, from Time to Time, provided the same do not at any Time exceed the Maximum of Rates and Duties by this Act authorized to be levied.

Rates may be altered.

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

Rates and Duties may be let.

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

Masters, &c. to produce an Account of Cargoes, &c. on board.

XV. And be it further enacted, That it shall and may be lawful for the Collector or other proper Officer of His Majesty's Customs within the said Harbour, and he or they is and are hereby authorized, with the Permission of the principal Officer of His Majesty's Customs, to refuse to receive any Entry, or give or make any Cocquet or other Discharge or Clearance, or take any Report inwards or outwards, for any Ship or other Vessel whatever subject and liable to the Payment of the Duties imposed by this Act, until the said Duties shall be paid to the Collector or Collectors appointed to receive the same, and until a Receipt under the Hand of the said Collector or Collectors of the said Duties shall be produced to the said Collector or other proper Officer of His Majesty's Customs.

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

XVI. And be it enacted, That in case of Refusal or Neglect to pay the Rates and Duties by this Act imposed, it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, or the Collector or Collectors, or other Person or Persons appointed in pursuance of this Act to receive the same, to detain any Ship, Vessel, or Boat coming into or making use of the said Harbour, and in respect of which, or of the Cargo whereof, or of the Passengers therein, the Rates and Duties payable under this Act shall not have been paid, and all Commodities in respect of which such Rates and Duties shall be payable, whether on board such

Manner of recovering Rates.

Ship, Vessel, or Boat, or on Land, until such Rates and Duties shall be fully paid; and if such Payment shall not be made within Three Days from the Detention of such Ship, Vessel, or Boat, or Commodities, it shall be lawful for the Proprietor or Proprietors of the said Harbour, or such his Collector or Collectors, or other Person or Persons appointed as aforesaid, to cause any such Ship, Vessel, or Boat, or such Commodities, or any Part or Parts thereof, to be appraised by Two or more sworn Appraisers, or other sufficient Persons, not interested therein, and forthwith to sell so much of the same as shall be deemed sufficient to discharge all such Rates and Duties, and all Expences incurred on account of or attending such Sale, or otherwise occasioned by the Nonpayment of such Rates and Duties; and in the Event of there being any Overplus of the Money so raised, the same shall be paid to the Person or Persons owning or having Charge of the said Ship, Vessel, or Boat, and Commodities, on Demand; and in case any Ship, Vessel, or Boat shall unwarrantably depart from the said Harbour before Payment has been made of the several Rates and Duties above mentioned, the Owner or Owners and Master or Masters of every such Ship, Vessel, or Boat, shall be liable to a Penalty equal to Treble the said Rates and Duties, to be recovered in like Manner as any Penalty is hereby directed to be levied and recovered.

Exemption
for Vessels
in His Ma-
jesty's Ser-
vice, &c.

XVII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to Ships, Vessels, or Boats belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Customs or Excise or Post Office, using the said Harbour, or to any of the Officers or Persons employed therein respectively, or in the Service or Employ of the Admiralty, Ordnance, or Navy Board, or to any Naval or Ordnance Stores, or other Matters imported into or exported from the said Harbour for the Use of the Navy or Army, or to any Yachts or Pleasure Boats or other Vessels belonging to any Member of the Royal Family, or to any Boat, being under the Burden of One Ton, when engaged solely in the Fishery.

Limiting the
Rate of In-
terest.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the Proprietor or Proprietors of the said Harbour of *Port Crommelin* for the Time being to receive, for his or their Use or Benefit, a higher Rate of Interest than at and after the Rate of Ten Pounds *per Centum per Annum* on the whole Sum expended by him or them, and then due and owing, in obtaining and passing this Act, and in forming, making, and maintaining the said Harbour and the several Works thereunto belonging.

Accounts of
Receipt and
Expenditure
to be trans-
mitted to the
Vice Treas-
urer of Ire-
land yearly.

XIX. And be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall Once in each and every Year transmit to the Vice Treasurer of *Ireland* for the Time being, or to such other Person as the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall appoint, a full, true, and particular Account of the Monies received and expended at the said Harbour, together with all such Vouchers and Accounts as the said Vice Treasurer or other Person shall deem necessary,

necessary, (such Vouchers and Accounts to be verified in such Manner as he shall require,) and such Vice Treasurer or Person is hereby required to investigate and inquire into the same, and to direct the Appropriation of any Sum which may remain after the Payment of Interest after the aforesaid Rate of Ten Pounds *per Centum per Annum* on the Sum which shall have been expended by the Proprietor or Proprietors of the said Harbour in obtaining and passing this Act, and incident thereto, and in making, forming, and maintaining the same, in the Payment from Time to Time of the Money which shall have been so expended; and when and so soon as the said Sum shall have been fully paid off and satisfied, then and from thenceforth the said Harbour, and the several Works hereby authorized to be erected and maintained, and the Rates and Duties hereby authorized to be raised, levied, collected, and paid, shall be and become vested in the said Vice Treasurer for the Time being, or in such other Body or Bodies Politic or Corporate, or Person or Persons, as the said Commissioners of the Treasury for the Time being shall direct; and the said Vice Treasurer or other Body or Person shall and he and they is and are hereby required to reduce the said Rates and Duties to such an Amount as to him or them shall appear necessary and sufficient for preserving and maintaining the said Harbour and Works, and the other Expences and Disbursements attendant thereon, and again from Time to Time to raise and increase the said Rates and Duties in such Manner as shall appear requisite and expedient for the Purpose of maintaining and preserving the said Harbour and Works: Provided always, that when and so soon as the said Harbour and Works, and the Rates and Duties aforesaid, shall have become so vested as aforesaid, all the Powers and Authorities hereby granted to the Proprietor or Proprietors of the said Harbour for the Time being shall be and become vested in and be exercised by the said Vice Treasurer, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid.

Appropriation of Surplus.

When Sum borrowed shall have been paid off, the Harbour to be vested in the Vice-Treasurer, and the Rates to be reduced.

XX. And be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being shall and may, and he, she, and they is and are hereby authorized and empowered, out of any of the Rates and Duties aforesaid, otherwise to provide any convenient Warehouses and Yards or other Places for the receiving and safe keeping and lodging of such Goods, Wares, and Merchandize, and other Things, as shall happen to be detained or removed off the Quays and other Places in manner mentioned, and also to erect such and so may Cranes and Weighing Machines upon the said Harbour and the Grounds adjacent as may appear requisite for the loading, unloading, and weighing of such Goods, Wares, and Merchandize as may be transported into or exported from the said Harbour, and also to provide all such Weights and Measures as may be necessary for weighing and measuring the said Goods, Wares, and Merchandize.

Warehouses, Weighing Engines, &c. to be provided.

XXI. And be it further enacted, That if any Commodities shall remain upon any Wharf or other Place belonging to the said Harbour for a longer Period than Twenty-four Hours from the Time such Commodities shall have been placed upon the said Wharf or other Place, then and in every such Case it shall be lawful for the

Payment for Goods remaining upon Wharfs above a certain Time.

Pro-

Proprietor or Proprietors, Officer or Officers of the said Harbour for the Time being, to levy a Sum not exceeding the Amount of the Rates and Duties by this Act imposed upon the said Commodities, over and above the said Rates and Duties; and it shall be lawful to exact the said additional Rates and Duties for each and every additional and successive Period of Twenty-four Hours during which the said Commodities shall remain on the said Wharf or other Place.

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

XXII. And be it enacted, That the said Proprietor or Proprietors of the said Harbour, or their Lessee or Lessees, shall have Power and they are hereby authorized and empowered, if they shall see Cause, either by themselves or the Officers and Servants employed under them in virtue of this Act, to remove or cause to be removed all such Commodities as shall be allowed to remain upon the said Quays, Wharfs, Piers, and other Places, beyond the Space of Six lawful Days as aforesaid, and to be carried to any Warehouse, Yard, or other Place of Safety to be provided by the said Proprietor or Proprietors of the said Harbour for the Time being in manner before mentioned, and there to detain and keep the same till Payment of the Charges incurred by such Removal and Detention, and of such Consideration besides to the said Officers and Servants authorized as aforesaid, for their Trouble in and about the same, as any Justice of the Peace for the County of *Antrim* shall think reasonable, together with the Sum authorized to be levied had such Commodities been allowed to remain on the Quays, Piers, Wharfs, and other Places as aforesaid, for each and every additional and successive Period of Twenty-four Hours during which the said Commodities shall remain in the said Warehouse, Yard, or other Place of Safety provided for them as aforesaid.

If Goods remain Twelve Months in Warehouse, and after public Notice given are not claimed, they may be sold.

XXIII. And be it further enacted, That if any Goods, Wares, or Merchandize, of whatever Description or Denomination, shall be allowed to remain in any of the Warehouses or other Places to be provided by the Proprietor or Proprietors of the said Harbour for the Time being under the Authority of this Act for any longer Period than Twelve Months, it shall be lawful to the Justices of the Peace for the County of *Antrim*, or any One of them, and he and they is and are hereby authorized and empowered, upon an Application made to him or them by the said Proprietor or Proprietors, or his, her, or their Factor, or the Lessee or Lessees of the said Duties, to order a Description of the said Goods, Wares, and Merchandize to be inserted Once in some One of the Newspapers circulated in the County of *Antrim*, requiring the Owner or Owners thereof to remove the same, and to pay the several Duties and Charges incurred thereon by virtue of this Act, within a reasonable Period to be fixed by the said Justice or Justices; and if such Goods, Wares, and Merchandize are not claimed and removed from the said Warehouses and other Places, and the whole Duties and Charges thereon satisfied and paid, within the Period to be fixed as aforesaid, it shall be lawful for the said Justice or Justices, and he and they is and are hereby empowered, authorized, and required, to grant Warrants to levy the said Duties and Charges by Distress and Sale of the said Goods, Wares, and Merchandize, and to render the Overplus, (if any be), after Deduction
of

of the said Duties, and Charges of taking, detaining, and making the Sale, to the Owner or Owners of such Goods, Wares, and Merchandize, whenever the same shall be demanded.

XXIV. And be it enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, at any Time or Times, under his or their Life or Lives, by any Deed or Deeds under his Hand or their Hands, to charge the said Harbour and Works, and the Rates and Duties to be collected by virtue of this Act, with the Payment to any Person or Persons of any Sum or Sums of Money borrowed for the Purpose of enabling the said Proprietor or Proprietors to execute the said Works, or to any Person or Persons as a Trustee or Trustees for him and them, and to entitle him or them, or his or their Assignees or Representatives, to the Benefit of such Sum or Sums of Money as shall be expended by him for the Purposes aforesaid, with legal Interest for the Sum or Sums so charged, and to assign the Property of the said Harbour, and the Lands and Buildings belonging thereto and connected therewith, and such Rates and Duties, as a Security for any such Sum or Sums of Money; and every Charge and Assignment shall be good, valid, and effectual for securing the Payment of the Money therein mentioned, and shall be deemed to be of the Nature of Personal Estate; provided that the Sum or Sums so to be charged by such Proprietor or Proprietors do not exceed the Amount of the Sums actually expended by him or them in constructing the said Harbour and Works, nor in any Case the Sum of Twenty thousand Pounds; and the Person or Persons advancing any Sum or Sums of Money for the Purposes aforesaid shall not be bound to see to the Expenditure thereof, or be answerable for the Misapplication of the same, nor to ascertain that no greater Sum has been actually raised and charged than is by this Act authorized; and the said Harbour, Lands, Buildings, Rates, and Duties shall not be liable under any such Security to any greater Arrear of Interest than for Twelve Calendar Months preceding the Death of such Proprietor or Proprietors; all which said Assignments shall be made and granted, under the Hands of the Proprietor or Proprietors, in the Form and to the Effect following; (that is to say,)

Power to charge Works with Money borrowed.

‘ **BY** virtue of an Act passed in the First Year of the Reign of King
 ‘ *William* the Fourth, intituled [*here insert the Title of this Act*],
 ‘ I [*or we*] the Proprietor [*or Proprietors*] of the Harbour of *Port*
 ‘ *Crommelin*, in consideration of the Sum of
 ‘ advanced and paid to us by *A. B.* of _____ do hereby
 ‘ sell, assign, and make over to the said *A. B.*, his Heirs, Executors,
 ‘ Administrators, and Assigns, all and sundry the Harbours, Piers,
 ‘ Jetties, and Landing Places, and other Works erected pursuant
 ‘ thereto, and all and sundry the Rates and Duties payable to me
 ‘ [*or us*] by virtue of the said Act, and all my [*or our*] Right, Title,
 ‘ and Interest of, in, and to the same, to be held by the said *A. B.*
 ‘ and his aforesaid until the said Sum of _____
 ‘ with the legal Interest thereof, shall be fully satisfied and paid. In
 ‘ witness whereof I [*or we*] the Proprietor [*or Proprietors*] aforesaid
 ‘ have subscribed these Presents, at _____ the _____
 ‘ Day
 ‘ [Local.] 38 Y

Form of Assignment.

' Day of _____ before these Witnesses [here name and
' design them].'

Copy of
Assignment
to be entered
with the
Clerk to the
Proprietors.

And all Persons to whom such Assignments shall be made shall be equally entitled, one with the other, to the Proportion of the said Rates and Duties, according to their respective Sums in such Assignments mentioned to be advanced, without Preference by reason of Priority of any such Assignment, or on any other Account; and a Copy of every such Assignment shall, within Twenty Days from the Date thereof, be entered in a Book to be kept by the Clerk of the said Proprietor or Proprietors, which Book shall and may be perused at all reasonable Times by any of the said Proprietors or Creditors of the said Harbour, and any other Person interested therein, without Fee or Reward; and the Person or Persons to whom such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereupon, shall and may from Time to Time transfer his, her, or their Right and Interest therein to any Person or Persons, by Indorsation on the Back thereof, as on a Bill of Exchange.

Combustible
Articles to
be removed.

XXV. And be it further enacted, That in case any of the Articles landed on any Wharf or other Place belonging to the said Harbour, or lying on the Deck of any Vessel within the same, shall be Gunpowder, Pitch, Tar, Hemp, Flax, Spirituous Liquors, Turpentine, Hay, Straw, Tallow, or any other combustible Goods or Things, then such combustible Goods or Things shall be removed or taken away within the Space of Three Hours after Notice in Writing shall have been given by the Proprietor or Proprietors of the said Harbour; for the Time being, or by his, her, or their Lessee or Lessees, or by the Harbour Master or Quay Master, or the Master or Owner of any such Ship, Vessel, or Boat which shall come within the said Harbour, and in default thereof, every such Ship, Vessel, or Boat shall pay unto the Quay Master or other Officer of such Wharf or other Place, for the Use of the Proprietor or Proprietors of the said Harbour for the Time being, or of his, her, or their Lessee or Lessees, One Shilling *per* Ton over and above the several Rates and Duties by this Act granted, or specified in the Schedule hereunto annexed, and also the further Sum of One Shilling *per* Ton for every succeeding Six Hours that the same shall so remain, and so in proportion for less than a Ton, the same to be paid by the respective Owners or Persons having Charge of such combustible Goods or Things, and to be recovered in the same Manner, as the Rates and Duties hereby made payable are to be recovered; and if such combustible Goods or Things cannot be removed as aforesaid by Day-light, then and in every such Case the Owner or Owners, or Person or Persons having Charge of such Goods and Things shall be obliged to set and maintain, at his or their own Expence, a sufficient Number of careful sober Persons to guard and watch over the same such, and so many Hours, according to the Season of the Year, as such Quay Master or other Officer shall order and direct; and in case the Owner or Owners or Person or Persons having Charge of such Goods and Things, or the Master or Masters of any Ship, Vessel, or Boat, shall make Default herein, every such Owner or Owners, Master or Masters,

Masters, or other Person or Persons shall forfeit and pay for every such Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds, and in addition thereto shall pay all Damages occasioned by such his or their Default: Provided always, that nothing herein contained shall extend or be construed to extend to any Gunpowder, Tar, Pitch, Hemp, Flax, Spirituous Liquor, Turpentine, Hay, Straw, Tallow, or other combustible Goods or Things belonging to His Majesty, His Heirs or Successors.

XXVI. And for preventing any Injury being done to the Piers, Quays, or other Works of the said Harbour, or to the Shipping within the same, be it further enacted, That the Proprietor or Proprietors of the said Harbour for the Time being, or any Officer or Officers to be appointed by him or them by virtue of this Act, shall and may and he and they is and are hereby authorized and empowered from Time to Time to order and require all Persons having the Command, Rule, or Direction of, or any Concern with, any Ship, Vessel, or Boat entering into or being within the said Harbour, to station, place, anchor, or moor such Ship, Vessel, or Boat in such Place or Places within the said Harbour, and in such Manner, as the Proprietor of the said Harbour for the Time being, or such Officer or Officers, shall from Time to Time order and direct; and in case of Refusal or Disobedience on the Part of such Person or Persons having the Command, Rule, or Direction of such Ship, Vessel, or Boat, or the Care thereof, it shall be lawful for the Proprietor or Proprietors of the said Harbour, or such Officer or Officers, and any Person or Persons whom he or they may take to his or their Assistance, and he and they is and are hereby required, to moor and unmoor, move or remove, such Ship, Vessel, or Boat, or cause the same to be moored in such Berth as he or they may think proper; and the Charges and Expences of so doing, together with a Penalty not exceeding Five Pounds; shall be paid by the Person having the Command, Rule, or Direction of such Ship, Vessel, or Boat, to be recovered as herein-after is mentioned; but so as that no undue Preference be given to any Person in the mooring or removing of any Ship, Vessel, or Boat which shall be moored or removed contrary to the Orders and Directions of the Proprietor or Proprietors of the said Harbour for the Time being, or such Officer or Officers as aforesaid.

For regulat-
ing Mooring
Places.

XXVII. And be it further enacted, That if any Ship, Vessel, or Boat shall come into the said Harbour in Distress, or receive any Damage in the said Harbour, then and in every such Case it shall be lawful for the Proprietor or Proprietors of the said Harbour, or any Officer or Officers to be appointed by him or them, upon Application by the Master, Commander, or Owner of such Ship, Vessel, or Boat, to give a Preference to such Ship, Vessel, or Boat being in such Distress or receiving any such Damage as aforesaid, both as to the Berth at the Piers or Quays, and as to the Course of discharging, before any other Ship, Vessel, or Boat; and if any Master or Commander of any Ship, Vessel, or Boat lying in the said Harbour, shall refuse or neglect forthwith to remove his Ship, Vessel, or Boat from its Berth, on being thereunto required by the Proprietor or Proprietors of the said Harbour, or such Officer or Officer as aforesaid, in favour

Ships in Dis-
tress may
have a Pre-
ference.

of

of such Ship, Vessel, or Boat being in Distress as aforesaid, then and in every such Case any such Master or Commander so refusing or neglecting shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, to be recovered and applied in manner herein-after mentioned.

Masters of Vessels to be answerable for Damages.

XXVIII. And be it enacted, That the Master or Owner or the Person or Persons having the Charge or Command of every Ship, Vessel, or Boat lying or being within the said Harbour, shall be and he and they is and are hereby made answerable for any Trespass, Damage, or Mischief that may be done by such Ship, Vessel, or Boat, or any of the Boatmen, Bargemen, Watermen, or Seamen, or other Person or Persons belonging to or employed in or about the same respectively, to any of the Wharfs, Piers, or other Works constructed by virtue of this Act, either by the loading or unloading of any Ship, Vessel, or Boat, or by any other Means whatsoever; and the Master or Owner of every such Ship, Vessel, or Boat shall for every such Trespass, Damage, or Mischief, upon Conviction before any Justice of the Peace for the said County of *Antrim*, 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, and Compensation as shall be ascertained, fixed, and determined by such Justice, provided that no such Damages, Satisfaction, or Compensation shall exceed the Sum of Ten Pounds; but in case such Damages, Satisfaction, or Compensation shall exceed the Sum of Ten Pounds, then and in such Case the Master or Owner of such Ship, Vessel, or Boat may be sued and prosecuted for such Damages, Satisfaction, and Compensation in the Court of Session, if the Defendant 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 may recover from their Crews for any Expenses incurred by their Default.

XXIX. Provided always, and be it enacted, That such Boatmen, Bargemen, Watermen, Seamen, or other Person or Persons, in consequence of whose Acts of Default such Conviction shall have taken place as aforesaid, and each and every of them, shall be liable to repay such Damages, Satisfaction, and Compensation, and Penalty, so ascertained, fixed, and determined by such Justice, with the Costs of levying and recovering 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 or them of such Damages, Satisfaction, and Compensation, or Penalty, and that the same and the Costs thereof have or hath not been repaid to him or them by such Boatmen, Bargemen, Watermen, or Seamen, or any of them, although demanded, (such Oath to be made before any One of His Majesty's Justices of the Peace,) the Amount thereof shall be recovered in like Manner

as

as any Penalty is hereby directed to be levied and recovered by Warrant under the Hand of any Justice or Justices.

XXX. And be it further enacted, That the Proprietor or Proprietors of the said Harbour, and their Officers and Servants, may and they are hereby authorized and empowered to dig, or cause to be dug, at any Place belonging to him or them within the said Harbour, Rocks, Gravel, or other Stuff, for Ballast, and to deposit the same at such convenient Place or Places belonging to him or them near to the said Harbour as they shall see proper, and to fix such reasonable Rate *per* Ton, not exceeding Sixpence *per* Ton, for the said Ballast, as he or they shall from Time to Time find necessary; and all Ships requiring Ballast in the said Harbour shall be obliged to take the same at such Rates and from such Places of Deposit, under the Penalty of Five Pounds for each Transgression.

Ballast may be provided and sold.

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

Ballast to be taken from the Bottom of the Harbour.

XXXII. And be it further enacted, That if any Person shall throw into the said Harbour, or any Place connected therewith, Ballast, Stones, Shingle, Rubbish, or other Matters injurious to the said Harbour, such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above all Costs of Suit, and Costs of removing all such Ballast, Stones, Shingle, and Rubbish; and the same shall in all Cases be deposited in a convenient Place to be appointed for that Purpose by the Proprietor or Proprietors of the said Harbour for the Time being, or the Person or Persons for the Time being acting under his or their Authority; and if any Person shall take any Stones or other Materials from any Part of the said Harbour, except for the Purpose of Ballast, without Permission of such Proprietor or Proprietors for the Time being, or other Person or Persons appointed or authorized by him or them, every Person so taking away Stones or other Materials shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

To prevent Ballast, &c. being thrown into the Harbour, &c.

XXXIII. And be it enacted, That no Ship, Vessel, or Boat which shall be laid by as unfit for Sea Service, or neglected by the Owner or Owners thereof, shall be permitted to lie and remain in or on or at any of the Piers, Quays, or other Works erected or to be erected within the said Harbour of *Port Crommelin*, so as to encumber the

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

[*Local.*]

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same;

same; but in every such Case it shall and may be lawful to and for the said Proprietor or Proprietors of the said Harbour for the Time being, or any Person or Persons whom he, she, or they shall authorize for that Purpose, immediately to cause every Ship, Vessel, or Boat, and every of them, to be, at the Charges and Expences of the Owner or Owners of the same, removed from the said Piers, Quays, or other Works, or any of them, and to lay the said Ship, Vessel, or Boat on any Part of the Strand or Sea Shore, within the High-water Mark, or any other Place of Safety without the said Harbour, and there to moor such Ship, Vessel, or Boat; and in case of Refusal or Neglect of Payment of such Charges and Expences for the Space of Six Days after Demand thereof made, then and in every such Case to levy such Charges and Expences by Distress and Sale of such Ship, Vessel, or Boat, or any of the Tackle, Apparel, or Furniture of the same, or any Part thereof; or in case the Owner or Owners of any such Ship, Vessel, or Boat cannot be found, then upon a Warrant from the Sheriff of the County of *Antrim*, which such Sheriff is hereby in such Case authorized to grant, rendering the Overplus, if any be, after deducting the Charge of taking, keeping, and Sale of such Distress, to the Owner or Owners, Master, or Agent of such Ship, Vessel, or Boat, whenever the same shall be demanded.

Penalty for
destroying
Ropes of
Vessels.

XXXIV. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship, Vessel, or Boat lying in the said Harbour shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, besides paying the Damages thereby occasioned.

Power to
make Bye
Laws.

XXXV. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being from Time to Time, to make and frame, ordain and establish, such Bye Laws, Rules, Orders, and Regulations as he, she, or they shall think fit for the good Government of the said Harbour and Persons frequenting the same or employed therein, and for the Government of the Clerks, Collectors, Officers, Assistants, Servants, and others appointed or employed under or by virtue of this Act, and for the better Regulation of the said Harbour and other Works, or any of them, and the mooring and stationing of the Shipping therein, and for the well-governing, ordering, and managing of the Pilots to be employed for the said Harbour, and the Seamen and others employed in or belonging to the said Shipping resorting to or seeking Shelter at or in the said Harbour, and also for the better regulating, governing, and managing the several Works by this Act authorized and directed to be constructed, as well whilst the same are constructing as after they shall be finished, and for the more safe and convenient shipping, loading, landing, discharging, carrying, conveying, laying, depositing, and moving of Goods, Wares, and Merchandize upon any of the Quays, Wharfs, or Landing Places belonging to the said Harbour, and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses,
Waggons,

Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, and Merchandize to and from the said Quays, Wharfs, or Landing Places, and generally for the good Government of the said Harbour; and to make such other Bye Laws, Rules, Orders, and Regulations as by the Proprietor or Proprietors of the said Harbour for the Time being shall be thought necessary or expedient for effecting the Purposes of this Act, and the due Execution thereof; and to repeal, add to, amend, or alter such Bye Laws, Rules, Orders, and Regulations, or any of them, and to amerce, impose, and appoint pecuniary Penalties or Forfeitures, not exceeding Five Pounds for each Offence, (to be recovered in manner herein-after mentioned,) for the Nonobservance, Nonperformance, or other Breach of or Offence against any such Bye Laws, Rules, Orders, or Regulations; and all such Bye Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and be subscribed by the Proprietor or Proprietors of the said Harbour for the Time being, and Copies thereof shall be painted in legible Characters upon Boards, and put up and affixed in One or more accessible and conspicuous Place or Places in or adjoining to the said Harbour, for the Inspection and Information of all Persons interested therein; and such Boards and Painting shall be renewed from Time to Time when destroyed, obliterated, or defaced; and all such Bye Laws, Rules, Orders, and Regulations shall thenceforth be equally binding and authoritative with any of the Provisions of this Act, provided that such Bye Laws, Rules, Orders, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *Ireland*, or to any of the Clauses, Provisions, and Directions in this Act contained.

Bye Laws to be painted on Boards, and affixed on conspicuous Places.

XXXVI. And be it further enacted, That every Person who shall wilfully or designedly break down, destroy, obliterate, deface, or injure any Copy of such Bye Laws painted on a Board and affixed up as aforesaid, or any Table of the said Rates and Duties, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, together with the Costs and Damages of restoring the same.

Punishing Persons defacing such Boards.

XXXVII. And be it further enacted, That every Person who shall at any Time wilfully or designedly demolish, break down, or destroy any of the Works which shall be constructed in or which shall belong to the said Harbour, or shall wilfully do any Damage to any of the Shipping or Goods within the same, or shall wilfully or designedly extinguish or put out any of the Lights used in or belonging to the said Harbour for the Safety or Protection of the Shipping resorting to the same, shall be deemed guilty of Felony, and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be imprisoned for the Term of Three Years, or, in mitigation of Punishment, may award Sentence of Imprisonment at the Discretion of the Court.

Punishing Persons destroying the Works.

XXXVIII. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Harbour Masters, Collectors of Duties, and other Officers and Persons acting under the Authority

For apprehending transient Offenders.

Authority of this Act; be it further enacted, That it shall and may be lawful to and for the said Harbour Masters, Collectors of Duties, and other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more of the Justices of the Peace for the said County of *Antrim*, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

For compelling Witnesses to attend and give Evidence.

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

Testimony of Officers.

XL. And be it further enacted, That no Person or Persons shall be deemed incompetent to give Evidence in any Causes and Matters which shall be heard and determined relative to this Act, by reason only or on account that such Person or Persons shall act officially under the Appointment of the Proprietor or Proprietors of the said Harbour for the Time being, or of his, her, or their Lessee or Lessees.

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

XLI. 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 the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner directed by this Act for the levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

XLII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed, or by any Bye Law, Order, or Regulation made in pursuance hereof, (the Manner of levying, recovering, and applying whereof is not otherwise particularly directed,) shall, upon Proof of the Offence respectively before any One or more Justices of the Peace for the County of *Antrim*,

Antrim, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justices; and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising from such Penalties, Forfeitures, and Fines respectively, when paid and levied, (if not otherwise directed to be applied by this Act,) shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Proprietor or Proprietors of the said Harbour; and in case such Penalties, Forfeitures, and Fines respectively shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices for his, her, or their Appearance before them on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Six Days from the Time of taking any such Security, and such Security such Justice is hereby empowered to take by way of Recognizance or otherwise, as to him shall seem right and proper; but if upon Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath not nor have Goods and Chattels within the Jurisdiction of such Justice sufficient whereon to levy such Penalties and Forfeitures, Costs and Charges, such Justice may, at his Discretion, without issuing any Warrant of Distress, commit the Offender or Offenders to the Common Gaol of the said County of *Antrim*, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

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

Justice may proceed by Summons in the Recovery of Penalties.

[*Local.*]

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XLIV. And

Form of
Conviction.

XLIV. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect; (that is to say,)

‘ to wit. } **BE** it remembered, That on the _____ Day
‘ of _____ in the Year of our Lord
‘ *A. B.* is convicted before me *C. D.* [*or before us C. D. and E. F.*],
‘ One [*or Two, as the Case may be,*] of His Majesty’s Justices of the
‘ Peace for the said County [*here specify the Offence, and when and*
‘ *where committed*], contrary to an Act passed in the First Year of
‘ the Reign of King *William* the Fourth, intituled [*here insert the*
‘ *Title of this Act*], for which Offence I [*or we*] adjudge the said
‘ *A. B.* to have forfeited the Sum of _____ [*or to be com-*
‘ mitted to _____ for the Space of _____]. Given
‘ under my Hand and Seal [*or Hands and Seals*] the Day and Year
‘ first above written.’

Allowing an
Appeal to
Quarter
Sessions.

XLV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, or of any Bye Law, Order, or Regulation made in pursuance hereof, such Person or Persons may appeal to the Justice or Justices of the Peace at the first General or Quarter Sessions of the Peace to be holden for the County or Place within which the Matter of Appeal shall arise, within Three Calendar Months from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice at the least of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Proprietor or Proprietors of the said Harbour, or to his Treasurer or Collector, within Three Days after such Notice to enter into a Recognizance before such Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Order and Determination therein, and to award such Costs to either of the Parties, or otherwise, as they shall think proper; and all such Determinations shall be final, binding, and conclusive on all Parties, to all Intents and Purposes whatsoever.

Distress not
unlawful for
Want of
Form.

XLVI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall

shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such last-mentioned Irregularity shall and may recover full Satisfaction for the special Damage in any such Action on the Case.

XLVII. And be it further enacted, That no Order, Judgment, or other Proceedings made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record in *Dublin*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed for Want of Form, or removed.

XLVIII. And be it further enacted, That if any Person or Persons, upon any Examination upon Oath or Affirmation before any Justice of the Peace acting in execution of this Act, shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or shall wilfully and corruptly swear or affirm any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are liable to.

Persons giving false Evidence to be punished.

XLIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant or Defendants, Ten Days before such Action be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover without Notice or after Tender of Amends.

L. And be it enacted, That all Actions and Complaints for all and every the Penalties and Forfeitures imposed by this Act, or for any Wrong done or Injury suffered in any Matter relative thereto, or in consequence of any of the Powers by this Act given, shall be commenced within the Space of Six Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury suffered, and not afterwards.

Limitation of Actions.

LI. And be it further enacted, That all Judges, Sheriffs, Justices of the Peace, and other Magistrates, with their Officers, Messengers

Officers of Justice to assist in the at

3500

1° GULIELMI IV. *Cap. cxxxiv.*

execution of
the Act.

at Arms, and all other Officers of the Law whatsoever, and every of them, shall be and they are hereby required to be aiding and assisting in putting this Act into due and effectual Execution.

Public Act.

LII. 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.

SCHE-

SCHEDULE to which this Act refers.

A Schedule or Table of Rates.

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

[Local.]

[39 B]

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.