



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. xlviii.

An Act for more effectually improving the Harbour
of *Southwold* in the County of *Suffolk*.

[29th May 1830.]

WHEREAS an Act was passed in the Twentieth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for opening, cleansing, repairing, and improving the Haven of Southwold in the County of Suffolk*: And whereas another Act was passed in the Thirtieth Year of the Reign of His said late Majesty King *George* the Second, intituled *An Act for enlarging the Term and amending and altering several Powers granted by an Act made in the Twentieth Year of His present Majesty's Reign, for opening, cleansing, repairing, and improving the Haven of Southwold in the County of Suffolk*: And whereas another Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing and making more effectual the Acts of Parliament for opening, cleansing, repairing, and improving the Harbour of Southwold in the County of Suffolk*: And whereas another Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to continue the Term and render more effectual the several Acts passed for opening, cleansing, repairing, and improving the Harbour of Southwold in the County of Suffolk*: And whereas since the passing of the said Acts considerable Improvements and Alterations have been made, and several Sums of Money have been borrowed, to

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20 G.2. c.14.
30 G.2. c.58.
29 G.2. c.77.
49 G.3. c.77.

keep the said Haven and Harbour open and in good Repair, and to answer the Purposes thereby intended; which Sums are still due and owing on the Credit of the Rates, Duties, and Sums of Money granted and raised in and by virtue of the said recited Acts, or some or one of them: And whereas the said Harbour is of great Importance for the Safety and Shelter of Ships navigating the Seas on the Eastern Coast of *Great Britain*, and it is therefore important that the Pier Heads and other Works of the said Harbour should be maintained and supported, and still further Repairs and Improvements made therein, and that the Money already borrowed under the said recited Acts should be repaid; for which several Purposes, and for more effectually carrying into Execution the Purposes of the said Acts, it is necessary that the said Acts should be repealed, the Term thereby granted further continued, and the Provisions thereof altered, amended, and consolidated into One Act, and the Duties increased: May it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 from and after the Thirtieth Day of *June* One thousand eight hundred and thirty the said recited Acts passed in the Twentieth and Thirtieth Years of the Reign of King *George* the Second, and the Twenty-ninth and Forty-ninth Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby repealed,

Recited Acts
repealed.

Duties hereby imposed
liable to
former
Debts.

Bonds, &c.
under former
Acts to remain in
force.

Officers
under former Acts
to account
under this
Act.

II. And be it further enacted, That the Duties by this Act imposed shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed, and which are due and owing on the Credit or on account of the Rates and Duties imposed by the said recited Acts or any of them, and of all Interest due and to grow due on the same respectively, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Duties hereby imposed; and all Indentures, Conveyances, Grants, Bonds, Covenants, Agreements, Engagements, Contracts, Leases, Mortgages, and Securities made or entered into under the Authority of the said recited Acts or any of them, shall, notwithstanding the Repeal of the said recited Acts, remain in full Force and Effect, and be and continue available in all Courts of Law and Equity for and be binding on the Commissioners of the said Harbour of *Southwold* and on the other Parties thereto respectively, in the same Manner as if the same had been made or entered into under the Authority of this Act.

III. And be it further enacted, That all Persons who are or have been employed, or who shall have received any Rates or Duties or other Money, or who may owe or be subject to the Payment of any Money, by virtue of the said recited Acts hereby repealed or any of them, or who shall have in their Custody or Possession any Boats, Craft, Machinery, Materials, Tools, Money, Books, Accounts, Receipts, Papers, Writings, or other Things relating to the said Harbour or connected therewith, shall be and remain liable to account for, pay, and deliver over the same and every Part thereof to the Commissioners

missioners for executing this Act, or to any Person whom they may appoint, in the same Manner as if they had been employed or had received such Money, or were subject to the Payment of such Money, or had such Things in their Custody or Possession, by virtue of this Act.

IV. And be it further enacted, That all and every the Books and Book of Proceedings which have been kept by the Commissioners acting in the Execution of the Acts hereby repealed, or any of them, or by their Treasurer, Clerk, Collector, Surveyor, or any other Officer under their Direction, according to the Provision of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Books of Proceedings to be Evidence.

V. And be it enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Suffolk*, the Bailiffs of *Southwold* for the Time being, together with *Samuel Badeley* Clerk, *William Barlee* Clerk, *Michael Barne*, *Frederick Barne*, *Henry Bence Bence*, *William Henry Rous Birch* Clerk, *Sir Charles Blois* Baronet, *Charles Blois*, *Lancelot Robert Brown* Clerk, *Anthony Collett* Clerk, *Anthony Collett*, *William Crisp*, *David Elisha Davey*, *Peregrine Edwards*, *Edward Fuller*, *Sir Thomas Sherlock Gooch* Baronet, *Edward Gooch*, *Richard Gooch* Clerk, *Naunton Thomas Orgill Leman* Clerk, *George Orgill Leman* Clerk, *Eardley Norton* Clerk, *Benjamin Philpot* Clerk, *Charles Purvis*, *Sir William Rowley* Baronet, *Francis Robinson*, *Robert Sayer*, *Thomas Sheriffe* Clerk, *Thomas Sheriffe* the younger, Clerk, *Christopher Smear* Clerk, *Henry Uthoff* Clerk, *George Wilson*, and *Thomas Whiting Wootton*, and they and the Survivors of them, and all and every such Person and Persons as shall from Time to Time be elected and appointed by virtue or in pursuance of this Act, shall be Commissioners for putting this Act in execution.

Commissioners Names.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of this Act, not exceeding Five in the whole, in addition to the Number of Commissioners herein named and appointed, to be Commissioners for the Purposes of this Act; and such Persons so elected and appointed shall be Commissioners for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to appoint additional Commissioners.

VII. And be it further enacted, That no Person shall be capable of acting as a Commissioner except such as are declared to be Commissioners by virtue of any Office or Station, unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments within the County of *Suffolk* of the clear yearly Value of One hundred Pounds, or is Heir Apparent of some Person in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements,

Qualification of Commissioners.

Tenements, or Hereditaments, in the County of *Suffolk*, of the clear yearly Value of Two hundred Pounds; and that no Person shall be capable of acting as a Commissioner in the Execution of this Act until he shall have taken and subscribed either or both of the Oaths to the following Effect (as the Case may require); which Oaths the Commissioners or any One of them is or are hereby empowered to administer:

Oaths of Qualification.

‘ I do swear, [*or, being one of the People called Quakers, do solemnly affirm,*] That I truly and *bonâ fide* am, in my own Right [*or in the Right of my Wife*], in the actual Possession and Enjoyment of [*or in the Receipt of Rents and Profits issuing out of*] Freehold or Copyhold Lands, Tenements, or Hereditaments within the County of *Suffolk* of the clear yearly Value of above Reprizes, [*or am Heir Apparent of* who to the best of my Knowledge is seised of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of above Reprizes, clear of all Debts and Incumbrances, *as the Case may be.*]
 ‘ So help me GOD.’
 ‘ [*Or being a Quaker, omit the Words ‘ So help me God.’*]

‘ I do swear, [*or do solemnly affirm,*] That according to the best of my Skill and Knowledge I will faithfully, impartially, and truly execute the several Powers and Authorities vested in me by an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], according to the Tenor and Purport of the said Act.
 ‘ So help me GOD.’

Penalty on acting if not qualified.

And if any Person, not being so qualified, or not having taken the said Oaths, shall presume to act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same; and every Person so prosecuted shall prove that he is qualified, or has taken the said Oaths as aforesaid, or otherwise shall pay the said Penalty, on Proof given of his having acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of every such Commissioner, previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person had been duly qualified, or had taken the Oaths as aforesaid.

For filling up Vacancies among Commissioners.

VIII. And be it further enacted, That if any Commissioner for executing this Act shall die, or resign, or refuse or become incapable to act, or in any way be disqualified from acting in the Trusts reposed in him, it shall and may be lawful to and for the surviving or remaining Commissioners assembled at any Meeting held in pursuance of this Act to elect, nominate, and appoint such Person or Persons to be a Commissioner or Commissioners in the Room of him or them so dying, resigning, or refusing to act, as the said Commissioners shall think fit; which said Person or Persons so to be elected, nominated, or appointed as aforesaid shall have all such and the same Powers and Authorities as the Commissioner or Commissioners

Commissioners to whose Places he or they shall succeed, or as the remaining or continuing Commissioners was or were vested with.

IX. And be it further enacted, That no Person hereby appointed or hereafter to be appointed a Commissioner as aforesaid shall be capable of acting as such during the Time he shall hold or enjoy any Office or Place of Profit under or be concerned in any Contract made by virtue of this Act, or in any Case where he shall be personally interested, except as a Creditor, upon pain of forfeiting Fifty Pounds for every Time he shall so act to any Person who shall sue for the same.

No Office to be held by a Commissioner.

X. Provided always, and be it further enacted, That it shall not be lawful for any Commissioner to act in the Execution of this Act in any Matter in which he shall be directly or indirectly personally interested.

Commissioners interested not to vote.

XI. And be it further enacted, That the said Commissioners shall meet together at the *Old Swan* or at some other convenient House in the Town of *Southwold* upon the Third *Thursday* next after the passing of this Act, or as soon thereafter as conveniently may be, between the Hours of Ten in the Forenoon and Five in the Afternoon of the same Day, and proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn the Meeting to and meet at the Place aforesaid, or at any other convenient Place, as they or the major Part of them at such Meeting shall appoint; and if it shall happen that there shall not be at any such Meeting a sufficient Number of Commissioners to act and to adjourn to another Day (Two Commissioners being always to be deemed a sufficient Number for the Purpose of Adjournment), or if the Commissioners when met shall refuse or neglect to adjourn, then and in such Case any Two or more of the said Commissioners shall and may call a Meeting at the Place where the last Meeting was appointed to be held, giving Notice thereof at least Ten Days before such Meeting, by causing Notice thereof in Writing to be affixed in some conspicuous Place in the Market Place of the said Borough of *Southwold*, and by causing such Notice to be inserted in some Public Newspaper circulated in the said County of *Suffolk*; and the said Commissioners, when met in pursuance of such Notice, shall and may and they are hereby required to proceed and carry this Act into Execution in the same and in as ample a Manner, to all Intents and Purposes, as they might or could have done if no such Neglect had happened; and the said Commissioners shall at all their Meetings bear and pay their own Charges and Expences (except the Charge and Expence for the Use of the Room, not exceeding Ten Shillings, which shall be paid and accounted for by the Treasurer); and at every Meeting of the said Commissioners to be held by virtue of this Act One of the said Commissioners to be chosen by the Commissioners present at such Meeting, or the major Part in Number of them, shall preside and be called Chairman; and such Chairman shall not only have a Vote as a Commissioner, but in case of an equal Number of Votes upon any Question shall have the decisive or casting Vote; and all such Commissioners as are or shall be Justices of the Peace.

Meetings of Commissioners.

To pay their own Expences.

either for the County of *Suffolk* or the Borough of *Southwold* may act as Justices in all Matters relating to the Execution of this Act within their respective Jurisdictions, notwithstanding their being Commissioners (except only in such Cases where they shall be immediately and personally interested); and in all Cases where any Justice or Justices of the Peace is or are authorized to examine any Person or Persons upon Oath or Affirmation, it shall be lawful for such Justice or Justices to administer such Oath or Affirmation.

Seven Commissioners to have Power to execute this Act, except only where some other Number is appointed.

XII. And be it further enacted, That all Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done or executed by or before the said Commissioners shall and may be exercised, had, and done by or before any Seven or more of them (except only where some other Number is appointed by this Act); and all such Matters and Things shall be of as full Force and Effect as if done or executed by or before all the said Commissioners, any thing herein contained to the contrary thereof in anywise notwithstanding; but no Act of the said Commissioners (except that of Adjournment, and also except in Cases where it is hereby otherwise directed,) shall be binding or valid unless done at some Public Meeting to be held by virtue of this Act.

No Order to be revoked unless concurred in by Eleven Commissioners at a subsequent Meeting.

XIII. And be it further enacted, That no Order to be made by Seven of the said Commissioners shall be revoked or altered unless a Majority of the Commissioners present at a subsequent Meeting to be held for that Purpose (of which Ten Days Notice in Writing shall be given by any Two or more of the said Commissioners, as in Manner directed by this Act as aforesaid), shall concur in such Revocation or Alteration; which Meeting shall consist of Eleven Commissioners at the least.

Annual Meeting.

XIV. Provided always, and be it further enacted, That a Meeting to be called the Annual Meeting shall be held in every Year at such Time and Place as aforesaid as the said Commissioners shall or may at any of their Meetings appoint, Public Notice of which Annual Meeting shall be given by any Two or more of the said Commissioners in manner before mentioned Ten Days at least before such Meeting; and at every such Meeting the said Commissioners shall state One Cash Account of the Receipts and Payments, and One General Revenue Account containing an Abstract of their own and of the several Accounts of all and every Person and Persons employed as an Officer or Officers under them, of their whole Transactions, to the Intent that the Accounts so stated may be open to the general Inspection and Examination of all Persons interested therein, who shall assemble themselves at such Yearly Meeting; a Copy of which Accounts so stated shall at every such Yearly Meeting be signed by the Chairman for the Time being attending such Meeting of the Commissioners, and be deposited with the Clerk to the Commissioners for the Time being, who shall permit any Person or Persons interested therein, or Persons on his, her, or their Behalf, to inspect the same between the Hours of Ten and Four of the Clock in every Day, paying One Shilling for such Inspection, and shall upon Demand forthwith give the Copies of the same or any Part thereof to any such Person

Person or Persons respectively, the Person or Persons requiring such Copies paying at the Rate of Three-pence for every One hundred Words, and so in proportion for any greater or less Number of Words.

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any of their Meetings, to nominate and appoint One or more Committee or Committees of the said Commissioners; and such Committee shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever in and about the said Harbour and otherwise which the said Commissioners shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places as they shall think proper; and all Powers hereby vested or which shall be vested in such Committees by the Commissioners as aforesaid shall be exercised by the major Part present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the Commissioners, if required, and shall at all Times be subject to the Controul of the said Commissioners.

Power to
appoint
Committees.

XVI. And be it further enacted, That the said Commissioners may and they are hereby empowered, from Time to Time as Occasion shall require, to contract with any Person or Persons, Workmen or others, for the making or doing all or any Work or Business which the said Commissioners may think necessary in and about the improving, repairing, maintaining, opening, or cleansing the said Harbour of *Southwold*, or otherwise in the Execution of this Act; which Contract or Contracts shall contain the Mode and Time in which the Business is to be done and completed, and the Penalties to be suffered in case of Non-performance, and shall be signed by the Chairman of the said Commissioners at such Meetings as aforesaid, and by the Person or Persons contracting to perform such Work or Business.

Commis-
sioners may
make Con-
tracts.

XVII. And be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon any such Commissioners as Individuals, or in their private Capacity, nor shall the Commissioners or any of their Officers personally, or his or their respective Estates, be answerable for Payment of any of the Mortgages or Transfers granted or to be granted in pursuance of the said recited Acts or this Act; and all Money which shall be expended by or recovered against the said Commissioners, or any of them, or any Person or Persons employed by them, by means of any Action or Suit, Prosecution, Information, Conviction, or Appeal, to be brought by or against them or any of them touching the Execution of this Act, and all Costs in respect thereof, shall be borne and defrayed by and out of the Money which shall come to the Hands of the Treasurer of the said Commissioners by virtue of this Act.

Commis-
sioners not
to be liable
personally;

Costs to be
reimbursed.

XVIII. And be it further enacted, That the said Commissioners shall and may elect or appoint a Treasurer, Clerk, Collector or Collectors, Surveyor or Surveyors, Harbour Master or Harbour Masters, and

Commis-
sioners may
appoint
Officers.

and such other Officers or Persons as they the said Commissioners shall think proper, and may from Time to Time, at any of their Meetings as aforesaid, remove all or any of the said Officers or Persons at their Will and Pleasure, and appoint others in the Room or Stead of such of them as shall die, or decline or become incapable to act, or be so removed; and it shall be lawful for the said Commissioners, out of the Money to arise by virtue of this Act, to appoint and pay such Salaries or other Allowance to the said Officers, or any other Person or Persons employed in or about the Execution of this Act, as they shall judge reasonable and proper.

Security to
be taken.

Officers to
account.

XIX. Provided always, and be it enacted, That the said Commissioners shall and they are hereby required to take good and sufficient Security from their Treasurer, and may and they are hereby empowered to take Security from their Clerk, Collectors, Surveyors, and other Officers, for the due Execution of their respective Offices, and of the Trusts reposed in them; and all such Officers and Persons shall under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, a true and perfect Account in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by them respectively received by virtue and for the Purpose of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the proper Vouchers for such Payments, and shall pay all such Monies, and deliver all such Goods, Matters, and Things, as shall remain in their respective Hands or Custody, to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall not make and render such Account, or produce or deliver up the Vouchers relating to the same, or make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing signed by the said Commissioners or their Clerk under their Direction, and given to or left at the last usual Place of Abode of such Officer or Person, all Books, Papers, and Writings, Goods, Matters, and Things, in his or their Custody or Power, belonging to the said Commissioners or relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, the said Commissioners are hereby authorized and empowered to cause an Action to be brought against the Officer or Person so neglecting or refusing, in order for the Recovery of the Monies which shall be in his Hands, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect, to any Justice of the Peace for the County, City, Town, Borough, or Place wherein such Officer or Person shall be or reside, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and on his appearing, or not being found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or

Witnesses

Witnessés upon Oath, it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if the Goods and Chattels of such Officer or Person cannot be found sufficient to answer and satisfy the said Money and the Charges of such Distress and Sale, or if it shall in manner aforesaid appear to such Justice that any such Officer or Person shall refuse or neglect to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, Goods, Matters, or Things, belonging to the said Commissioners, or relating to the Execution of this Act, shall be in the Custody, Controul, or Power of any such Officer or Person, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit every such Offender to the Common Gaol or House of Correction of or for the County, City, Town, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give a true and perfect Account and make Payment as aforesaid, or until he or they shall compound with the said Commissioners touching the same, and shall have paid such Composition in such Manner as they the said Commissioners shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he or they shall deliver up all such Books, Papers, and Writings, Goods, Matters, and Things as aforesaid, or give Satisfaction in respect thereto to the said Commissioners as aforesaid: Provided always, that no such Officer or Person shall be committed for Want of sufficient Distress for any longer Space of Time than Six Calendar Months.

XX. And be it further enacted, That upon the Death, Bankruptcy, or Insolvency of any Treasurer, Clerk, Collector, Surveyor, Officer, or other Person appointed or to be appointed as aforesaid for executing the Purposes of this Act, before he shall have paid and delivered up all the Monies, Books, Papers, Writings, Goods, Matters, and Things which he shall have received by virtue of this Act, the respective Executors and Administrators of such Officer in case of his Death, or the Assignee or Assignees of his Estate or Effects, or other Person or Persons possessing the same, or in whom the same shall or may be vested, in case of Bankruptcy or Insolvency, shall within Six Calendar Months next after such Decease, Bankruptcy, or Insolvency, or of the same being so vested in such Assignee or Assignees as aforesaid, deliver to the said Commissioners or to their Clerk an Account, in Writing under his, her, or their Hand or Hands, of the Monies, Books, Papers, Writings, Goods, Matters, and Things which such Person or Persons so deceased or become bankrupt or insolvent had been by virtue of this Act appointed to collect or receive, and which shall have been collected or received by such Person deceased or become bankrupt or insolvent, and shall deliver all Books, Papers, Writings, Goods, Matters, and Things concerning his Office to such Person or Persons as the said Commissioners at any of their Meetings by Writing under their Hands shall appoint to

On Death,
&c. of Offi-
cers, their
Executors
to pay the
Monies.

[*Local.*]

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receive

receive the same; and every Executor or Administrator, Assignee, or other Person or Persons possessed of Monies, Estates, or Effects as aforesaid, may plead the Payment or Delivery in any Action or Suit which may be brought against him, her, or them, for or on account of such Estate or Effects, or give the same in Evidence; and in case of Nondelivery of such Books, Papers, Writings, Goods, Matters, and Things for the Space of Ten Days after the same shall be demanded by the Commissioners as aforesaid, it shall be lawful for the said Commissioners to commence, maintain, and prosecute any Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, Assignee or Assignees, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person, or to such Bankrupt or Insolvent, for Recovery thereof, or for Recovery of Damages in lieu of such Books, Papers, Writings, Goods, Matters, and Things respectively: Provided always, that nothing herein contained shall be construed to deprive the said Commissioners or any of them of any Action or Actions, Suit or Suits, against the Surety or Sureties of any such Treasurer, Clerk, Collector, Surveyor, or other Officer or Officers, for the Nonperformance of any Covenant or Agreement entered into by such Treasurer, Clerk, Collector, Surveyor, Officer or Officers, or his or their Surety or Sureties, touching any thing to be done under or in pursuance of this Act.

Nothing herein to lessen the liability of Sureties.

Officers under former Acts (except the Treasurer) to continue.

XXI. And be it further enacted, That each and every Clerk, Collector, Surveyor, Harbour Master, or other Officer (except the Treasurer) who shall have been appointed under and employed in the Execution of the said recited Acts hereby repealed, or any of them, shall respectively continue to hold and exercise their respective Offices and Employments until they shall respectively die, resign, or be displaced or removed by the said Commissioners, or become incapable of executing their said respective Offices, and shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject to the like Rules and Regulations, Pains and Penalties, in all respects, as if they had been severally appointed by virtue of this Act.

Clerk not to act as Treasurer, and vice versâ.

XXII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint any Person who has been or may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any other Person in the Service or Employ of any such Treasurer or of the Partner of any such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, shall act as Treasurer or as Deputy of the Treasurer, or in any Manner

officiate

officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of the Clerk, or in any Manner officiate for the Clerk in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

XXIII. And be it further enacted, That if any Person who shall be employed by the said Commissioners as Treasurer, Clerk, Collector, Surveyor, or otherwise in executing this Act, shall exact, take, or accept, by any Ways or Means, any Fee or Reward whatsoever other than such Salary, Payment, or Allowance as is granted by this Act, or shall be appointed by the said Commissioners, or other Person so employed as aforesaid, every such Person or Persons so offending shall forfeit and pay the Sum of Fifty Pounds, if sued for within Six Calendar Months next after the Offence committed; and the Treasurer, Clerk, Collector, Surveyor, or other Officer or Person so employed, taking such Fee, Reward, or Recompence, shall moreover be incapable of ever again serving or being employed under this Act.

Officers taking Fees to forfeit 50*l* and to be rendered incapable of again serving.

XXIV. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of their Clerk or Treasurer for the Time being or of any One of the said Commissioners; and no Action or Suit, or other Proceedings at Law or in Equity, that may be brought or commenced by or against the said Commissioners or any of them by virtue or on account of this Act, or the said recited Acts hereby repealed or any of them, in the Name of their Clerk or Treasurer or of such Commissioners, shall abate or be discontinued by the Death, Removal, or Act of such Clerk or Treasurer, or Commissioner, without the Consent of the said Commissioners, but the Clerk or Treasurer, or such Commissioner, for the Time being, shall always be deemed Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that such Clerk or Treasurer or Commissioner shall always be reimbursed and paid out of the Monies arising by virtue of this Act all such Expences as he or either of them shall be put unto or become chargeable with by his being made Plaintiff or Defendant.

Actions to be brought in the Name of the Clerk or Treasurer, or of One Commissioner.

XXV. And be it further enacted, That the said Commissioners shall cause One or more Book or Books to be provided and kept, and shall cause fair and regular Entries to be made therein of the several Meetings, and Names of the Commissioners attending such Meetings, and of the Nomination of all Officers and Persons, and of all Acts, Orders, and Proceedings relative to the Execution of this Act; and the Chairman for the Time being and the Clerk attending such Meeting shall subscribe their Names to the Proceedings of every such Meeting; and all Entries in such Books, being signed as aforesaid, shall

Proceedings to be entered in a Book.

shall be deemed Originals, and shall be admitted to be read in Evidence in all Causes, Suits, and Actions touching any thing to be done in pursuance and by virtue of this Act; and which Books shall be kept by the Clerk to the said Commissioners, and shall at every such Meeting, and at all other Times, between the Hours of Nine and Twelve in the Forenoon, be open and liable to the Inspection of the said Commisioners or any of them.

Accounts to
be kept.

XXVI. 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 Treasurer or other Officer for the Time being; in which Book or Books such Treasurer 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, between the Hours of Nine and Twelve in the Forenoon, be open to the Inspection of the said Commissioners under this Act, or any Creditor or Creditors of the Duties and Rates 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 Treasurer 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 Treasurer 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 such Person or Persons in anywise interested therein, the Person or Persons requiring such Copy or Copies paying at the Rate of Three-pence for every One hundred Words, and so in proportion for any greater or less Number of Words; and in case the said Treasurer 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 Treasurer or other Officer so ordered and directed as aforesaid shall for every such Refusal forfeit and pay any Sum not exceeding Five Pounds.

Property
vested in
the Commis-
sioners.

XXVII. And be it further enacted, That the Right and Property of and in all Buildings and Erections, and the Materials thereof, and of and in all Piers, Jetties, Docks, Lights, Anchors, Buoys, Works, Cuts, Creeks, Canals, Quays, Wharfs, Walls, Breakwaters, Gates, Drains, Sluices, Matters, and Things, which have already been or which shall be at any Time during the Continuance of this Act built, made, provided, or established by the said Commissioners, by

virtue

virtue or in pursuance of any of the said recited Acts hereby repealed, or of this Act, and of and in all and every the Materials, Implements, Tools, Goods, Matters, and Things provided or had for the Purposes of the said recited Acts or any of them, or this Act, shall be and the same are hereby vested in the said Commissioners during the Continuance of this Act; and the said Commissioners shall and may cause to be brought any Action or Actions, Suit or Suits, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, or detain, spoil, injure, or destroy, the said Property or any of the several Articles and Things hereby vested in them the said Commissioners as aforesaid, or any Part or Parts thereof; or in any such Action, Suit, or Indictment it shall be sufficient to state generally that such Property, Articles, and Things is or are the Property of the Commissioners for improving the Harbour of *Southwold*, without particularly naming or specifying such Commissioners or any of them.

XXVIII. And be it further enacted, That the said Commissioners shall be and they are hereby fully authorized and empowered from Time to Time to open any Rivers or Creeks for letting in Streams of Water to scour or drive Obstructions out of the said Harbour, and to make, erect, establish, and maintain all such Piers, Jetties, Basins, Drains, Locks, Bridges, Beacons, Lights, Buoys, and all other Works and Conveniences as they shall think fit and necessary for the Improvement and Maintenance of the said Harbour; and it shall not be lawful for any Person or Persons to make, erect, or establish any Groynes, Jetties, or other Works, without the Consent of the said Commissioners in Writing under their Hand first had and obtained, or to do any Act, Matter, or Thing whereby the said Harbour or the free Use and Entrance thereof may in anywise be prejudiced; and it shall and may be lawful for the said Commissioners, from Time to Time and at all Times, as Occasion shall require, to take away and remove, or cause to be taken away and removed, any Encroachment or Obstruction which may be necessary to be taken away and removed for the improving, maintaining, or regulating the said Harbour.

Pier, Jetties, &c. may be made for the Improvement of the Harbour.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, and their Agents, Engineers, and Workmen, to lay any Materials which shall from Time to Time be provided for the Purpose of improving the said Harbour, or Works relating thereto, upon any Part or Parts of the Shore, Quay, or Landing Places thereof, making Satisfaction to the Owners or Occupiers thereof for all Damages done thereto, in such Manner as shall be agreed upon between the said Commissioners and the respective Owners and Occupiers; and in case of any Difference between the said Commissioners and the Owners and Occupiers of such Lands concerning such Payments and Damages as aforesaid, any Two or more Justices of the Peace for the said County, or Magistrates for the said Borough, as the Case may be, on Ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages, and the Costs attending the hearing and determining the same.

For laying Materials.

[*Local.*]

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XXX. And

If Commissioners improve the Creek, they may levy a Tonnage Duty on Vessels entering the same.

XXX. And whereas by the said recited Act of the Twentieth Year of His late Majesty King *George* the Second the said Commissioners are empowered to scour out and improve any Creeks or Streams falling into the said Harbour: And whereas it appears that the opening, cleansing, and making navigable the Creek or Inlet leading to the Salt Works at *Southwold* would tend materially to improve the said Harbour, by increasing the Quantity of Water flowing in and out, and to benefit the Trade and Commerce of the Town of *Southwold*, by facilitating the landing and shipping of Goods: And whereas a Map or Plan, shewing the Course of such Creek or Inlet, and the Mode of opening and making navigable the same, has been deposited with the Clerk of the Peace for the County of *Suffolk*; be it therefore further enacted, That if the said Commissioners shall think fit to open, cleanse, and make navigable the said Creek or Inlet, according to the said Map or Plan, it shall be lawful to and for the said Commissioners to levy a Tonnage Duty upon all Ships and Vessels entering the same, not exceeding Three-pence *per* Ton, in order to defray the Expences thereof.

Map or Plan to remain with Clerk of the Peace.

XXXI. And be it further enacted, That the said Map or Plan shall remain with the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect the same, and to take Copies thereof, at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and Two Shillings and Sixpence for every such Copy.

Penalty for taking away Materials, &c. procured, for the Use of the Works.

XXXII. And be it further enacted, That if any Person or Persons shall take away, remove, or overturn, or endeavour to take away, remove, or overturn, or shall damage, injure, or deface, any Stones, Gravel, Beach, Sand, and Clay, Rubbish, Timber, or other Materials whatsoever which shall have been dug, got, or gathered by or by the Order of or for the Use of the said Commissioners, in Waste Lands, Fields, or open Grounds, Sea Shore Lands, Rivers, Cuts, Creeks, Canals, or other Places, for the Repair or Improvement of the said Harbour, or for any of the Purposes of this Act, every Person so offending shall forfeit for every such Offence any Sum not exceeding Twenty Pounds over and above the Value of the Materials or other Things as aforesaid so taken away, damaged, injured, or defaced.

Penalty for damaging the Works, &c.

XXXIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously destroy or break down, damage or injure, the Piers, Jetties, or other Works of the said Harbour, or any Part or Parts thereof respectively, or shall wilfully or maliciously do any damage to any Ship, Vessel, or Goods within or upon the same, or shall remove or displace any Anchors, Buoys, Beacons, or Sea Marks, or extinguish or put out any Light or Lights, used in or about the said Harbour for the Protection or Assistance of Ships or Vessels resorting thereto, then and in every such Case every such Person shall be deemed guilty of Felony, and the Court before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or, in mitigation of such Punishment, may

award such Sentence as the Law directs in Cases of Simple Larceny.

XXXIV. And be it further enacted, That from and after the Thirtieth Day of *June* One thousand eight hundred and thirty, in lieu and stead of the Duties and Rates imposed by the said recited Acts hereby repealed, or any of them, and for providing a Fund for enabling the said Commissioners to carry the several Purposes of this Act into effectual Execution, there shall be paid and raised the several Duties hereafter mentioned; *videlicet*, every Master or other Person having the Charge or Command of any Ship or Vessel, who shall lade or unlade, or import or export, any Goods, Wares, Merchandize, or other Article whatsoever, within the said Harbour of *Southwold*, or on the Beach within Two Miles of the Mouth or Entrance thereof on either Side, and every light *British* Ship or Vessel, or any other *British* Ship or Vessel, which shall sail into the said Harbour, and shall neither load nor unload there, shall pay to the said Commissioners, or to their Collector or Receiver, towards the Purposes of this Act, besides all other Duties to which the same are by any other Law liable, the several Duties mentioned in the Table or Schedule annexed to this Act, over and above the ancient and accustomed Payment to the Harbour Master or Masters of Two Shillings for every Vessel entering the said Harbour, and which Payment such Harbour Master or Masters is and are hereby authorized and empowered to demand and receive of and from the Master or other Person having the Command of such Ship or Vessel.

Duties in Schedule to be taken, over and above an ancient Payment of 2s. to Harbour Master.

XXXV. Provided always, and be it further enacted, That no Duty shall be chargeable or paid for or in respect of any Pilot Boat or any Vessel not engaged in Trade or for Profit.

Exemptions.

XXXVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any of His Majesty's Ships of War, or any Ship, Transport, or Vessel employed in or upon His Majesty's Service, in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, or Excise, or of His Majesty's Postmaster General.

Act not to extend to Vessels in His Majesty's Service, &c.

XXXVII. And be it further enacted, That double the said Duties shall in like Manner be exacted from and paid by every Foreign Ship or Vessel, and upon all Goods, Wares, and Merchandize imported or exported in such Foreign Ships or Vessels; and every Ship or Vessel shall be deemed and taken to be a Foreign Ship or Vessel within the Meaning of this Act which shall not be entitled to the Privileges of a *British*-built Ship by virtue of an Act passed in the Sixth Year of His present Majesty's Reign, intituled *An Act for the Encouragement of British Shipping and Navigation*.

Double Duties to be paid by Foreign Vessels.

6G.4. c.109.

XXXVIII. 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

Power to reduce Dues on Foreign

Ships and
Goods.

or to and for the Lords 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.

Duties not
specified in
Schedule to
be rated.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to ascertain and fix such reasonable Duties to be paid upon the lading or unlading, importing or exporting, of any Commodity or Article not specified or enumerated in the Table or Schedule hereto annexed, in proportion to the several Duties therein specified, as they shall think fit, so as no such Duty shall exceed Half of the Freight payable thereon respectively on being imported or exported into or from the said Port; which Duties, when so ascertained and fixed by the said Commissioners, shall be considered to all Intents and Purposes as if the same had been specially enumerated in this Act, or in the said Table or Schedule hereto annexed.

Duties may
be varied.

XL. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to reduce all or any of the Duties imposed by this Act, and again and as often as they shall think proper to raise the same to any Sum or Sums of Money not exceeding the respective Duties by this Act imposed; and such advanced or lowered Duties shall be collected, recovered, and applied in such and the same Manner as the Duties herein mentioned are directed to be recovered, collected, and applied.

Masters of
Vessels to
produce
Registers,
Manifests,
&c. to Col-
lector when
required.

XLI. And be it further enacted, That every Master or Owner or other Person having the Charge or Command at the Time of any Ship or Vessel liable to pay any of the Duties hereby imposed shall, whenever required by the Receiver or Collector of the said Duties, produce and shew, or cause to be produced and shewn, to such Receiver or Collector, the Register of such Vessels and other Documents relating to the Appointment of such Master or other Person, or to the Ownership of such Ship or Vessel, and also every or any Manifest or other Paper in his Possession relating to the Lading thereof; and in case such Master, Owner, or other Person shall upon such Requisition refuse to produce or shew to such Receiver or Collector such Registers and other Documents as aforesaid, he or they shall for every such Refusal forfeit and pay Ten Pounds.

In case of
Refusal to
forfeit 10%.

Ships to be
reported on
arriving in
the Harbour,
and Account
of Cargo
given.

XLII. And be it further enacted, That every Master, Owner, or other Person having the Charge or Command at the Time of any Ship or Vessel which shall arrive in the said Harbour of *Southwold*, and liable to pay any of the Duties hereby imposed, shall in every Case make his Report of such Ship or Vessel and of her Cargo, and from whence she came, to the Harbour Master for the Time being of the said Harbour,

Harbour, or to such other Person as the said Commissioners shall appoint for that Purpose, within Twelve Hours next after her Arrival within the said Harbour; and in all Cases where the Cargo of any such Ship or Vessel as aforesaid, or any Part thereof, shall consist of any Goods, Wares, or Merchandize other than Coals, Culm, Cinders, or Rock Salt, every such Master, Owner, or other Person having such Charge or Command as aforesaid shall and he is hereby required, within Six Hours after such Ship, Vessel, or Cargo shall be so reported, to deliver or cause to be delivered in Writing to the Receiver or Collector, or to such other Person as the Commissioners shall appoint for the Receipt thereof, a true, full, and particular Account, to the best of his Knowledge, of the several Goods, Wares, and Merchandize of which such Cargo shall be composed or consist, and of all separate and small Parcels thereof, and the Name or Names of the respective Persons to whom they are consigned, and shall also (if required thereto) give due Notice in Writing of the Time appointed for the Delivery of such Cargo; and in case any such Master, Owner, or other Person as aforesaid shall refuse or neglect to make such Report, or to deliver such Account within the respective Times and in the Manner hereinbefore directed, or to give such Notice when required thereto, or shall wilfully or knowingly give a false Statement, or do any other Act whereby the Payment of the said Duties shall be avoided, he shall for every such Neglect or Refusal, or false Statement, forfeit and pay Ten Pounds over and above the Duties payable for such Goods, Wares, and Merchandize.

XLIII. And be it further enacted, That where the Cargo of any such Ship or Vessel as aforesaid, or any Part thereof, shall consist of Coal, Culm, Cinders, or Rock Salt, every such Master, Owner, or other Person having such Charge or Command as aforesaid shall on Payment of the Duties hereby imposed deliver to the Receiver or Collector, or such other Person as shall be appointed for the Receipt thereof, a true and particular Account of the Quantity delivered, certified by the Meter or other Person who superintended the Delivery thereof, or, if thereunto required, by the Consignee; and every such Meter or other Person as aforesaid is hereby required to certify such Account without Fee or Reward.

Meters to deliver an Account of Coals, &c.

XLIV. And be it further enacted, That every Master, Owner, or other Person having the Charge or Command of any Ship or Vessel in the said Harbour, shall give to the Receiver or Collector, or any other Person appointed to receive the said Duties, a just Account in Writing signed by the Person or Persons sending or consigning such Goods and other Things as shall be embarked in each such Ship or Vessel, or by his or their Clerk or Agent; which Account shall contain a Statement of the Quantities and Weight of such Goods and other Things, and of their Nature, Sort, or Kind, which shall be embarked in each such Ship or Vessel, from whence brought, and where the same is intended to be sent; and if the Goods or other Things contained in any such Ship or Vessel shall be liable to the Payment of different Duties, then such Account shall specify the Quantities liable to the Payment of each of the said Duties; and in case the Master, Owner, or other Person having the Charge or Command of

Masters and Agents of Vessels loading to deliver an Account of Cargo.

[*Local.*]

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such

such Ship or Vessel shall neglect or refuse to give such Account, or shall wilfully or knowingly give a false Account, or do any other Act whereby the Payment of the said Duties or any Part thereof shall be avoided, or shall charge in respect of the said Duties more than shall actually have been paid for the same, or if the Person or Persons sending or consigning such Goods or other Things, or his or their Clerk or Agent, shall sign a false Account thereof, or shall refuse to give such Receiver or Collector (when required thereto) an Account of the Charge made in respect of the said Duties by the Master or Owner of the Ship or Vessel containing the same, every Person so offending shall forfeit and pay Ten Pounds over and above the said Duties.

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

XLV. 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 Officers 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.

Persons eluding the Payment of Duties to continue chargeable with them.

XLVI. And be it further enacted, That if any Master, Commander, or Owner or Part Owner of any Ship or other Vessel, shall depart from the said Harbour of *Southwold* without having first paid the Duties hereby imposed, or shall elude or avoid the Payment thereof by any Method whatsoever, every such Master, Commander, Owner or Part Owner, of such Ship or Vessel, shall pay and forfeit for every such Offence, to the said Commissioners, the Sum of Ten Pounds over and above the Duties imposed by this Act.

Commissioners may examine Persons liable to the Duties.

XLVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any of them, from Time to Time, as often as they shall see Occasion, to summon and call before them, by Summons under their Hands, at any Time and Place within the Town of *Southwold*, any Person or Persons then within the Jurisdiction of *Southwold*, being the Owners, Part Owners, or Masters, or having the Command or Direction, of any Ship or Vessel liable to pay any of the Duties hereby imposed, to examine and inquire of and concerning all or any Goods, Wares, and Merchandize or other Matters or Things liable to the Payment of any of the Duties and Sums aforesaid, or otherwise concerning the Execution of this Act, and whether all or any and what Part or Parts of such Duties and Sums of Money hath or have been paid or not paid, and when, and by whom, and to whom; and in case such Person or Persons, or any of them, so summoned before the said Commissioners as aforesaid, shall not appear at the Time and Place in such Summons mentioned, or appearing shall refuse to, or shall not answer and discover what he, she, or they respectively know

know and believe concerning the Matters examined or enquired into, he, she, or they, and every of them, shall forfeit for every such Nonappearance, Refusal, or not answering and discovering as aforesaid, the Sum of Twenty Pounds, together with double Costs of Suit, to be recovered by Bill, Complaint, or Information, or by Action of Debt, in any Court of Record, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed, or upon Conviction in a summary Way before a Justice of the Peace.

XLVIII. And to the end that the Duties by this Act imposed may be effectually levied and collected, be it further enacted, That it shall and may be lawful to and for the Receiver or Collector of the Duties by this Act imposed, or any of them, or his or their Deputy, to enter, either alone or with any other Person or Persons for his or their Assistance, into or on board any Ship or Vessel within the said Harbour of *Southwold*, and to demand, take Account of, and inspect what Duty is payable by virtue of this Act for or in respect of the Tonnage of any such Ship or Vessel, or of any Goods, Wares, Merchandize, Coals, Culm, Stone, Cinders, or Rock Salt on board such Ship or Vessel, and to demand, collect, and receive all and every such Duty; and in case the Duty by this Act imposed shall not be paid by the Master, Owner, or Part Owner, or by the Person having the Charge or Command, of such Ship or Vessel, upon Demand thereof made by the said Receiver or Collector, then it shall and may be lawful to and for such Receiver or Collector to seize and distrain such Coal, Culm, Stone, Cinders, or Rock Salt, and every or any Part thereof, or such Ship or Vessel, or any Goods, Wares, or Merchandize on board thereof, and all and every or any other Goods, Wares, or Merchandize of or belonging to the same Owner or Owners, Merchant or Merchants, Consignee or Consignees, which shall then or any Time afterwards come to or be found at or within the said Harbour or Borough of *Southwold*, or upon any Wharf belonging or adjoining to the same respectively, and also all the Guns, Tackle, Furniture, and Apparel of or belonging to any Ship or Vessel within such Harbour or Borough of *Southwold* as aforesaid; and in case of Neglect or Delay of or in the Payment of the said Duties or any Part thereof so payable and neglected or delayed to be paid, and for which such Distress or Distresses shall be taken as aforesaid, for the Space of Five Days next after such Distress or Distresses so taken, then and in every such Case it shall and may be lawful to and for such Receiver or Collector to sell the said Coals, Culm, Stone, Cinders, or Rock Salt, Ship, Vessel, Goods, Wares, or Merchandize, Guns, Tackle, and Furniture, so distrained, or so much thereof as he or they shall deem necessary, and therewith to satisfy him or themselves as well for the said Duties as for his and their reasonable Charges in taking, keeping, and selling such Distress or Distresses, rendering the Overplus (if any) to the Owner or Owners of the same, or to his or their Agent for the Use of such Owner or Owners, when he or they shall demand the same; and if any Master, Owner, Merchant, Consignee, Agent, or other Person shall not permit, or shall obstruct or hinder any Receiver or Collector or other Person or Persons employed by the said

Receiver
may enter
Ships and
take Ac-
count of
Duties.

said Commissioners, to enter or from entering on board any Ship, Vessel, Boat, or other Craft, to take an Account of and inspect what Duty may be payable by virtue of this Act, or for any Purpose authorized by this Act, every Person so offending shall for every such Offence forfeit any Sum not exceeding Twenty Pounds, over and above the said Duties.

Tonnage
Duty how
ascertained.

XLIX. And be it further enacted, That every *British* Ship or Vessel chargeable with the Tonnage Duty by this Act imposed or empowered to be collected shall pay the said Duty according to the Custom House Register of the Burthen or Tonnage of such Ship or Vessel; and on Failure or Delay in producing the Register, 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 as 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 present Majesty King *George* the Fourth, intituled *An Act for the registering of British Vessels*.

6 G. 4. c. 110.

Master, &c.
to pay Du-
ties before
Departure of
Vessels.

L. And be it further enacted, That every Master or other Person having the Charge or Command, or any Owner of or Agent for any Ship or Vessel, or the Cargo thereof, liable to pay any of the Duties hereby imposed, shall, immediately after the shipping or delivering of the said Goods, not only pay and discharge all such Sum and Sums of Money as shall be due for such Duties, but shall also, if required by the Receiver or Collector of the said Duties, give a true Note in Writing of the Names and Place or Places of Abode of the Merchants or others who shall lade or unlade, or cause to be laden or unladen, any Goods, Wares, or Merchandize within the said Harbour of *Southwold*, or shall be the Owner or Owners of such Goods, Wares, or Merchandize; and in case any such Master, Owner, or Agent, or other Persons as aforesaid, shall refuse to give such Note, or shall neglect to pay the said Duties within Three Days from the shipping or delivering of the same, he shall forfeit and pay Ten Pounds over and above the said Duties: Provided nevertheless, that if any Ship or Vessel entering into the said Harbour shall attempt to depart therefrom without having first paid the Duties to which such Ship or Vessel shall be liable by this Act, it shall be lawful for the Collector or Collectors, or his Deputy, or the Harbour Master or other Officer, to demand and require Payment thereof from the Master or other Person in charge of such Ship or Vessel; and in default of Payment of the same, or Want of Satisfaction given to such Collector or Collectors, or his Deputy, or the Harbour Master or other Officer, it shall be lawful for the said Collector or Collectors, or his Deputy, or the Harbour Master or other Officer, and all others in their Employ or who they may call unto their Assistance, to stop and detain and prevent the said Ship or Vessel from proceeding out of the said Harbour, with the same and the like Powers of Entry, Distress, and Sale, and the like Penalty, hereinbefore mentioned; and any Pilot or Salvageman piloting or assisting any Vessel out of the said Harbour, after being required to desist therefrom by the Collector or Harbour Master, shall forfeit and pay any Sum not exceeding Ten Pounds.

LI. And be it further enacted, That the Owner or Master or other Person having the Command or Charge of any Ship, Vessel, Lighter, or Boat using the said Harbour, shall be and is hereby made answerable and accountable to the said Commissioners for the Amount of any Damage or Mischief done by any such Ship, Vessel, Lighter, or Boat, or by any of the Mariners, Boatmen, Bargemen, Watermen, or Servants or other Persons on board of and belonging to the same, to the said Harbour, or to any of the Jetties, Piers, Quays, Walls, Wharfs, Works, Machinery, or Tackle within or about any Part of the same, or to other Vessels lying therein, or to any of the Anchors, Buoys, Beacons, Moorings, Chains, or any other of the Works already made, erected, or placed, or which shall hereafter be made, erected, or placed in and about the said Harbour; and if the Amount of such Mischief or Damage be not forthwith paid, in case the same shall not exceed the Sum of Twenty Pounds the same shall and may be recovered as any of the Penalties and Forfeitures imposed by this Act may be recovered; and it shall be lawful for the Surveyor, Harbour Master, or other Officer to detain any such Vessel by which or by any of the Persons belonging to which any Damage or Mischief shall have been done, until sufficient Security be granted for Payment of the Amount of the Expence of repairing such Damage or Mischief, and of the Costs of recovering the same.

Masters or Owners liable for Damage done by their Vessels or Crews.

LII. And be it further enacted, That in case the Owner or Master of any Ship, Vessel, Lighter, or Boat as aforesaid shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Mischief, by reason of any such Damage or Mischief done or committed by his Mariners, Boatmen, Bargemen, Watermen, Servants, or other Persons on board of or belonging to the same, employed by him, such Mariners, Boatmen, Bargemen, Servants, or other Persons, and each and every of them, shall be liable to repay such Penalty or Damage, with the Costs thereof, to such Owner or Master; and in case of Nonpayment thereof, upon Demand, and Oath made by such Owner or Master of the Payment made by him of such Penalty or Satisfaction for Damages, and that the same, or the Costs thereof, have or hath not been repaid to him by such Mariners, Boatmen, Bargemen, Watermen, Servants, or other Persons, or any of them, although demanded, (such Oath to be made before One of the Bailiffs of the said Borough of *Southwold*, or any one Justice of the Peace of the County where such Penalty and Satisfaction shall have been incurred or paid, or where such Mariner, Boatman, Bargeman, Waterman, Servant, or other Person can be found,) the Amount thereof shall be recovered as any other Penalty is by this Act directed to be recovered.

Masters may recover from their Crews.

LIII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Commissioners, or any of their Officers or Servants, or other Person whomsoever, who is, are, or shall be employed by virtue of this Act, in the Performance or Execution of their Duty, every such Person so offending shall forfeit a Sum not exceeding Twenty Pounds for every such Offence.

Punishing Persons obstructing the Execution of this Act.

Commissioners may borrow Money.

LIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of the said Harbour from Time to Time to borrow and take up at Interest such Sum or Sums of Money as they shall judge necessary, not exceeding in the whole (including the Sum of One thousand six hundred and eighty-seven Pounds, Ten Shillings, which Sum they have already borrowed and is now due and owing on the Credit of the said recited Acts hereby repealed, or some of them,) the Sum of Ten thousand Pounds, upon the Credit of the Duties to be collected by virtue of this Act, and by Writing under the Hands and Seals of Seven of the said Commissioners to assign all or any Part of the said Duties to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with legal Interest for the same; and the Costs and Expences of such Assignments thereof, to be made in manner hereafter mentioned, shall be from Time to Time defrayed by the said Commissioners of the said Harbour out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

Form of Assignment.

‘ WE being Seven of the Commissioners
 ‘ of the Harbour of *Southwold* in the County of *Suffolk*, in con-
 ‘ sideration of the Sum of advanced and lent by
 ‘ *A. B.* upon the Credit and for the Purposes of an Act made
 ‘ in the Eleventh Year of the Reign of King *George* the Fourth,
 ‘ intituled [*here set forth the Title of the Act*], do hereby grant and
 ‘ assign unto the said *A. B.* [*or his Trustee or Trustees, as the Case*
 ‘ *may require,*] his Executors, Administrators, and Assigns, such
 ‘ Proportion of the Duties arising by virtue of the said Act as the
 ‘ said Sum of doth or shall bear to the whole
 ‘ Sum which shall have been or may at any Time be borrowed or
 ‘ become due and owing or be charged upon the Credit of the
 ‘ said Duties; to be had and holden from this Day of
 ‘ until the said Sum of with Interest at
 ‘ *per Centum per Annum* for the same, shall be repaid and
 ‘ satisfied. In witness whereof we have hereunto set our Hands
 ‘ and Seals, this Day of in the Year
 ‘ ,

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment of the Money thereby secured, and to all Profit and Advantage thereon, according to the true Intent and Meaning of this Act; and Copies of such Securities shall be entered in a Book or Books, to be kept for that Purpose by the Clerk to the said Commissioners, within Fourteen Days next after such Securities shall have been made; and all and every Person or Persons to whom any such Security or Securities shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, and Interest therein, and to the

the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Security, in the Presence of One credible Witness, the following Words, or Words to the like Effect; (*videlicet,*)

‘ I DO hereby transfer the within-written Assignment, with all my
 ‘ Right and Title to the Principal Money thereby secured, and to
 ‘ all the Interest now due upon the same, unto *A. B.*, his [*or her*]
 ‘ Executors, Administrators, and Assigns. In witness whereof I have
 ‘ hereunto set my Hand, this Day of in the Year

Form of
Transfer.

‘ Witness, *C. D.*’

Which Transfer shall be produced and notified to the Clerk, who shall within Ten Days next after such Production and Notification cause an Entry or Memorial to be made thereof, containing the Date, and Names of the Parties, and Sums of Money, in a Book or Books to be kept for that Purpose, for which the said Clerk shall be paid such Sum as the said Commissioners shall appoint, not exceeding Two Shillings and Sixpence; and after such Entry made, and not till then, such Assignment shall entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon, and every such Assignee may in like Manner from Time to Time assign again; and it shall not be in the Power of the Person or Persons making such Assignment to make void, release, or discharge the same, or any Money thereby secured, or any Part thereof; and all Money so to be advanced and lent, and the Interest thereof, shall be and are hereby charged upon and shall be paid and payable from Time to Time out of the Duties hereby granted; and all Persons who shall be possessed of the said Securities shall be Creditors of the said Duties in equal Degree, without Preference in respect to the Priority of his, her, or their advancing the Money thereon.

Entry to be
made of such
Transfer.

LV. And in order that no Preference may be given to any of the Persons who shall have advanced and lent any Money upon the Credit of the Duties raised or to be raised by virtue of the said recited Acts or this Act, or any of them, be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall at any of their Meetings cause the Numbers of all Assignments or Securities granted and then in force for securing the Principal Monies due and owing upon the Credit of the said Duties, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size; and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box, and the Number or Numbers of as many of the said Assignments or Securities as are intended to be paid off shall be drawn separately out of the said Box by the Clerk to the said Commissioners, or such Person as the Commissioners may choose for that Purpose; and after every such Ballot, Notice signed by the Clerk shall be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and where there is only One Creditor, the like Notice shall be given to such Creditor of the Inten-

Provision for
the Payment
of Creditors
by Lot.

tion

tion to pay him or her off as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Six Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be paid off shall from and after the Day to be so specified cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand.

When old Securities are lost, new ones may be executed.

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

Application of Money.

LVII. And be it further enacted, That all the Money to arise by or from the said Duties hereby granted, or to be received from Time to Time by virtue of this Act, and all the Money which may be borrowed on the Credit thereof, shall be paid to the Treasurer of the said Harbour, and shall be applied and disposed of, in the first place, in paying and defraying the Costs, Charges, and Expences which shall be incident to and attending the obtaining and passing of this Act, and of the Interest of the Money which shall have been advanced for defraying such Costs, Charges, and Expences, and afterwards in paying the Interest of the Monies borrowed by virtue of the said recited Acts or any of them, or to be borrowed by virtue of this Act, as the same respectively shall become due, and in defraying the Costs, Charges, and Expences of cleansing, repairing, maintaining, deepening, straightening, widening, and supporting the said Harbour and the several Works thereunto belonging, and in building, erecting, and providing additional Works for the Maintenance and Improvement thereof, and in opening any Rivers or Creeks, and in erecting Jetties, Walls, Quays, Pile Work, or any other Fences for the Protection against the Sea of any Land or Buildings belonging to the said Harbour, and in paying and defraying all Costs, Charges, and Expences which the said Commissioners or any of their Officers may sustain or be put unto in purchasing Lands or otherwise in carrying this Act into Execution, or in prosecuting or defending any Prosecutions, Actions, or Suits for or concerning any of the Monies granted or arising by virtue of this Act, or in any Manner relating to the Execution thereof,

thereof, or of any thing to be done by virtue thereof, and in paying and discharging the Principal Monies borrowed and due and owing on the Credit of the said recited Acts hereby repealed or any of them, or to be borrowed on the Credit of this Act and in carrying the several other Purposes of this Act into Execution.

LVIII. And with a view to support the Harbour Master and others employed under him in all proper and reasonable Authority in the Direction of the Ships and Vessels within the said Harbour, be it further enacted, That each and every such Harbour Master, or his Deputy, shall have full Power and Authority to direct the mooring, anchoring, unmooring, placing, moving, or removing of all Ships or Vessels, Boats or other Craft, coming into, lying, or being in the said Harbour or any Part thereof respectively, or being within the Distance of Two hundred and Fifty Yards seaward of the Entrance or Mouth of the said Harbour, and to appoint and regulate the Time or Times and Manner of their Entrance into, lying in, or going out of or from the said Harbour, and to regulate and determine the Position of such Ships or Vessels, Boats or other Craft, and their Manner of laying up and of loading or discharging their Cargoes, or taking in, heaving out, or delivering Ballast therein respectively; and each and every such Harbour Master shall from Time to Time give Orders and Directions as to the Places from which any Sand, Beach, Gravel, or Ballast shall be dug for or taken from within the said Harbour, or within the Distance of Two hundred and fifty Yards of the Mouth of the said Harbour, and shall cause to be removed all Wrecks of Vessels, Timber, or any other Article or Thing whatsoever obstructing or tending to obstruct the free Navigation and Use of the said Harbour, and the Mouth or Entrance thereof, and shall give such other Orders and Directions for the Government and Regulation of the Ships, Vessels, Boats, and other Craft within the said Harbour, as to him shall from Time to Time seem expedient and necessary, and shall in all respects obey the Orders and Directions of the said Commissioners; and in case the said Harbour Master or his Deputy shall neglect or wilfully omit to execute the Duties by this Act imposed on him or any of them, or show any undue Preference in the Execution of his Office, the same shall be referred to the next General Meeting of the Commissioners to be determined by them after such Offence shall so happen: Provided always, that every Master, Owner, Mate, or other Person in Charge or Command of any Ship or Vessel taking in Ballast within the said Harbour, shall pay for the same, to the Commissioners appointed under this Act, at such Rate *per* Ton as shall be fixed upon by a Meeting of Commissioners empowered to make Bye Laws, not exceeding Two Shillings *per* Ton; and the Money to be received for such Ballast shall be applied to and for the Purposes of this Act, and may be recovered in like Manner as the Duties imposed by this Act.

Power and Authority of Harbour Master;

Penalty for Neglect of Duty.

LIX. And be it further enacted, That the Master, Mate, Pilot, Owner, or Commander of every Ship, Vessel, Boat, or other Craft within the said Harbour, or within Two hundred and Fifty Yards seaward of the Mouth of the same, shall, after Notice or Directions given to him, either verbally or in Writing, by the said Harbour Master or

Penalty for not obeying Orders of Harbour Master.

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his Deputy, for that Purpose, moor, anchor, unmoor, place, move, or remove his Ship, Vessel, Boat, or other Craft, or load, ship, or discharge the Goods, Wares, or Merchandize on board the same, or take, heave out, or deliver Ballast into or from any Ship, Vessel, Boat, or other Craft, in such Manner as the said Harbour Master or his Deputy shall direct; and in default thereof it shall and may be lawful for the said Harbour Master or his Deputy to cause such Ship, Vessel, Boat, or Craft to be moored, anchored, unmoored, placed, moved, or removed to or at such Place in the said Harbour as may be deemed most convenient for any of the said Purposes; and every such Master, Owner, Pilot, or other Person having the Command, Care, or Charge of any such Ship, Vessel, Boat, or other Craft so refusing or neglecting to moor, anchor, unmoor, place, move, or remove such Ship, Vessel, Boat, or other Craft, when directed so to do as aforesaid, or obstructing or hindering the Harbour Master or his Deputy or Deputies in the mooring, anchoring, unmooring, placing, moving, or removing any such Ship, Vessel, Boat, or other Craft as aforesaid, shall in every such Case forfeit a Sum not exceeding Fifty Pounds, together with the Costs and Charges which may be incurred by such Harbour Master or his Deputy or Deputies in the mooring, anchoring, unmooring, placing, moving, or removing such Ship or Vessel as aforesaid.

Harbour Master empowered to cut Mooring Ropes, &c. in case of Necessity.

LX. And be it further enacted, That in case any Master, Mate, Pilot, Owner, or Commander, or other Person on board of any Ship or Vessel which shall be moored or fastened within the said Harbour, or within Two hundred and Fifty Yards seaward of the Entrance of the same as aforesaid, shall at any Time refuse or neglect upon Demand of the Harbour Master or his Deputy to unloose or slacken the Rope or Ropes, Chain or Chains by which such Ship or Vessel shall be so moored or fastened, or shall refuse or neglect to remove his Ship or Vessel from any one Part, Place, or Berth to any other Part, Place, or Berth within the said Harbour or any Part thereof which in the Judgment of the Harbour Master or his Deputy shall be considered as more proper and commodious, or in case there shall be no Person on board of any such Ship or Vessel so moored or fastened, or who shall answer to the Call of the said Harbour Master or his Deputy for the Purpose aforesaid, in every such Case it shall and may be lawful for the said Harbour Master or his Deputy to cut the Rope or Ropes, or slacken the Chain or Chains, by which such Ship or Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master or his Deputy shall cut any Rope or Ropes, or slacken any Chain or Chains, by which any Ship or Vessel shall be moored or fastened, having no Person on board, or who shall not answer to the Call for the Purpose aforesaid of the said Harbour Master or his Deputy, the said Harbour Master or his Deputy shall and he is hereby authorized to put on board such Ship or Vessel such Person or Persons as he may think proper, for the Protection and Security from Injury of such Ship or Vessel; and that all reasonable Charges and Expences which shall be thereby incurred, to be ascertained by any One or more of the Commissioners as aforesaid, shall be forthwith paid by the Master or Owner of such Ship or Vessel; and in default of Payment of such Charges and Expences,

Harbour Master to put a Person on board a Vessel before cutting the Rope or slackening the Moorings, in case no Person is on board.

Expences, shall and may be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such Master or Owner, or by Distress and Sale of the Tackle, Apparel, and Furniture of such Ship or Vessel, in manner as hereinbefore mentioned in Cases of Distress for Duties.

LXI. Provided also, and be it enacted, That in case any Person or Persons shall throw, cast, empty, or lay any Ballast, Stones, Dust, Ashes, Earth, or other Rubbish into the said Harbour or any of the Wharfs or Quays belonging to the said Harbour, or in or about any Part thereof; or if any Person or Persons shall, without the Permission or Consent or contrary to the Direction or Order of the said Harbour Master or his Deputy, take from any of the Wharfs or Quays, or dig for or take away any Sand, Beach, or Gravel, for Ballast, or for any other Purpose, within or about the said Harbour; or moor any Ship, Vessel, Boat, or Craft, or fasten or tie any Rope, for any Purpose whatever, to any Post, Pillar, or other Part thereof, or do any other Act or Thing which may be prejudicial to the Works or to the Harbour; or shall neglect or refuse, after Notice given by the said Harbour Master or his Deputy, to remove any Wreck, Timber, or other Article or Thing whatsoever lying on the Wharfs or Quays, or tending to obstruct the free Navigation and Use of the said Harbour; then and in every such Case such Person shall forfeit and pay a Sum not exceeding Twenty Pounds; and the Harbour Master or his Deputy is hereby authorized, upon any Neglect or Refusal to remove any such Obstruction as aforesaid, to cause the same to be removed at the Expence of the Owners thereof in manner as hereinbefore directed in Cases of removing Vessels.

Penalty upon throwing Rubbish, &c. into the Harbour.

LXII. And be it further enacted, That if any Person or Persons not legally authorized so to do shall wilfully cut or break, or in any Manner destroy or injure, or cast loose or cut away, any Rope or Chain or other Thing by which any Ship or Vessel lying, coming in, or going out of the said Harbour, or within Two hundred and fifty Yards seaward of the Entrance or Mouth thereof, shall be moored or fastened, or shall deface or take away, or cast loose or cut away, any floating Buoy or known Sea Mark, such Person or Persons for every such Offence shall forfeit and pay the Sum of Twenty Pounds; and the enforcing such Penalty shall not in any Manner lessen or affect the Remedy which any Person or Persons shall or may have, by Action or otherwise, against such Person or Persons for any Damage or Injury which may be done.

Punishing Persons cutting away Ropes or Buoys.

LXIII. And for the better Regulation of Pilots and Salvagemen within the said Harbour of *Southwold*, be it further enacted, That if any Person or Persons shall take upon himself or themselves to act as a Pilot or Salvageman to any Ship or Vessel entering into or going out of the said Harbour, without having Authority so to do by an Annual Warrant or Licence to be signed at the Annual Meeting of the said Commissioners by the Chairman, for which Warrant or Licence the Sum of One Shilling and no more shall be paid to the Clerk to the said Commissioners, for registering the same, and any such Warrant or Licence they are hereby empowered to grant

Regulation as to Pilots and Salvagemen.

grant and revoke at their Pleasure, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds nor less than Five Pounds; and that no Boat shall be permitted to go out of the said Harbour to assist any Vessel without having in such Boat at least One such Pilot or Salvageman authorized as aforesaid, unless in Cases of Emergency, when no such Pilot or Salvageman shall be upon the Spot: Provided always, that this Act shall not extend to prevent or hinder any Person or Persons from assisting any Ship or Vessel in Distress, nor to subject any such Person or Persons to any of the Penalties of this Act, any thing herein contained to the contrary thereof in anywise notwithstanding: Provided nevertheless, that all Licences to Pilots and Salvagemen at present in force shall cease and determine at the First General Meeting of the said Commissioners after the passing of this Act; and that no Person shall act as a Pilot or Salvageman, under a Penalty not exceeding Ten Pounds, except such as shall have had their Licences granted by the said Commissioners under this Act.

Masters of Vessels inward or outward bound refusing to take Pilots who offer, to be liable to Double Pilotage.

LXIV. And be it further enacted, That in case the Master, Owner, or other Commander of any Ship or Vessel inward or outward bound shall refuse to take on board and employ a Pilot, so to be licensed as aforesaid, who shall offer his Services, (except such Vessel shall be under the Burden of Forty Tons Register Tonnage,) such Master, Owner, or Commander shall pay or cause to be paid to the Pilot who first or who only shall offer his Services as aforesaid and shall be so refused, Double Pilotage, according to the different Rates and Prices hereinafter directed to be paid, as if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into or out of the said Harbour, over and above any other Penalty to which such Master or Commander may be liable.

What Rates are to be paid to the Pilots.

LXV. And be it further enacted, That from and after the Thirtieth Day of *June* One thousand eight hundred and thirty the following Rates only shall be paid to Pilots for conducting Ships or Vessels into or out of the said Harbour; (*videlicet,*)

For every *British* or Foreign Vessel, loaded or unloaded, drawing Eight Feet and upwards, Three Shillings *per* Foot:

For Ditto under Eight Feet, Two Shillings and Sixpence *per* Foot actual Draught of Water, either in or out:

Provided always, that if any Ship or Vessel is detained on the Bar of the said Harbour more than One Tide, no further Rate for Pilotage or Salvagemen shall be paid, nor shall any Charge be made for an intermediate Half Foot, but if the Draft of Water shall exceed the Half Foot, then Payment shall be made for an extra Foot.

Commissioners empowered to alter Rates of Pilotage.

LXVI. Provided nevertheless, and be it further enacted, That it shall be lawful for the Commissioners from Time to Time to alter, vary, or reduce all or any of the aforesaid Rates of Pilotage imposed by this Act, and again, as often as they shall think proper, to raise the same to any Sum or Sums of Money not exceeding double the Rates hereinbefore

hereinbefore mentioned; and such Rates as aforesaid so imposed, or so altered, varied, reduced, or again advanced, may be recovered as the Duties imposed by this Act may be recovered.

LXVII. And be it further enacted, That if any Pilot or Salvageman, having Charge of any Ship or Vessel coming in or going out of the said Harbour, shall wilfully or unnecessarily risk the Safety of such Ship or Vessel, or, having Charge as aforesaid, and being on, over, or near the Bar of the said Harbour, shall neglect to do his or their utmost for the safe Passage of such Ship or Vessel, or if any Pilot or Salvageman, or any other Person on his or their Behalf, shall exact or demand by any Ways or Means any Sum or Sums of Money other than such Payment or Allowance as is granted by this Act for or on account of any Pilotage, every such Pilot, Salvageman, or other Person as aforesaid so offending shall forfeit and pay the Sum of Ten Pounds, over and above such Allowance for Pilotage: Provided always, that the enforcing such Penalty shall not in any Manner lessen or affect the Remedy which any Master, Owner, or other Person or Persons shall or may have by Action or otherwise against such Pilot or Salvageman for any Damage or Injury done to their Vessels by or through such Negligence or Wilfulness as aforesaid.

Penalty for Pilot's Negligence, or for demanding more than the Rates.

LXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners and they are hereby fully empowered to make, constitute, ordain, and provide from Time to Time such Bye Laws, Rules, and Orders, for the good Government and Management of the said Harbour, and otherwise in the Execution of this Act, as they shall think fit, and from Time to Time to repeal, alter, or amend the same or any of them, and to ascertain what Penalties or Forfeitures shall be incurred by Persons breaking or evading the same or any of them; provided such Bye Laws, Rules, and Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or inconsistent with any thing in this Act contained; and provided that no such Penalty or Forfeiture exceed the Sum of Five Pounds for any One Offence; and a Copy of all such Bye Laws, Rules, and Orders, legibly written or printed, shall be painted on Boards, and remain affixed upon or hung up in some conspicuous Part of the Custom House or other Public Building adjoining the said Harbour, and shall be renewed as often as the same shall become obliterated or defaced; and all such Bye Laws, Rules, and Orders shall be subject to Appeal in manner by this Act directed.

Commissioners may make Bye Laws.

LXIX. And be it further enacted, That in all Cases where any Penalty imposed for Offences against the Provisions of this Act shall exceed Fifty Pounds, the same shall and may be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager at Law, nor more than one Imparlance, shall be allowed; and the same shall, when recovered, be paid to the Treasurer of the said Commissioners, and be applied to the Purposes of this Act, unless where otherwise hereby directed.

Recovery of Penalties when above 50%.

Justices may proceed by Summons for Recovery of Penalties.

LXX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice or Justices of the Peace for the County of *Suffolk*, or Magistrate of the Borough of *Southwold*, it shall and may be lawful for any Justice or Justices as aforesaid, to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him or them, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender or Offenders, and to adjudge him, her, or them 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 or Justices or other Magistrate; 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.

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

LXXI. 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 or other Magistrate or Magistrates by or before whom any Offender shall be convicted of any such Offence or Offences, who is and are hereby authorized and required, on Non-payment thereof, to levy such Damages or Charges, by Distress and Sale of the Offender's Goods and Chattels, in the Manner directed by this Act for levying of any Penalties or Forfeitures.

Mode of Recovery and Application of Penalties.

LXXII. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard, adjudged, and determined by or before any of the Justice or Justices of the Peace acting in and for the County of *Suffolk*, or by the Bailiff or Bailiffs, or any other Magistrate or Magistrates acting in and for the said Borough, in a summary Way, upon Information or Complaint made and exhibited before him or them; and upon any such Information or Complaint as aforesaid the said Justice, Bailiff, or other Magistrate, One or more of them, shall summon the Party accused, and examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, which Oath the said Justice, Bailiff, or other Magistrate is hereby empowered and required to administer, the Party or Parties accused shall have been convicted of having committed such Offence or Offences, then and in every such Case the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice, Bailiff, or other Magistrate, One or more of them, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the

Hand and Seal or Hands and Seals of any such Justice, Bailiff, or other Magistrate, or One or more of them, (which he and they is and are hereby authorized and empowered to grant,) be levied and recovered, together with the Costs of Conviction and Recovery, to be ascertained as aforesaid, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found; rendering the Overplus of the Money arising by such Sale, if any, after deducting the reasonable Charges of taking, keeping, and selling such Goods and Chattels, to the Party or Parties whose Goods and Chattels shall be so distrained; and one Half of such Penalty shall be paid to the Informer, and the other Half to the Commissioners for the Time being, or to such Person or Persons as shall by them be in that Behalf authorized to receive the same, and shall go and be applied for the same Purposes as the Duties imposed by this Act are directed to be applied; and it shall and may be lawful to and for such Justice, Bailiff, or other Magistrate, One or more of them, 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 Justice, Bailiff, or other Magistrate, One or more of them, for his or their Appearance before the said Justice, Bailiff, or other Magistrate, One or more of 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 Seven Days from the Time of taking any such Security, and which Security the said Justice, Bailiff, or other Magistrate, One or more of them, is and are hereby empowered to take by Way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice, Bailiff, or other Magistrate, One or more of them, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Fines, or Forfeitures, and Costs, may be levied, were a Warrant of Distress issued, such Justice, Bailiff, or other Magistrate, One or more of them, shall not be required to issue a Warrant of Distress, and thereupon it shall be lawful for such Justice, Bailiff, or other Magistrate, One or more of them, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of the County, Borough, Town, or Place respectively within the Jurisdiction of which the Place may be situated where the Offence was committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, Bailiff, or other Magistrate, One or more of them, or shall otherwise be discharged by due Course of Law.

Officers not to be incompetent Witnesses.

LXXIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in any way relating to the said Duties, or respecting any Matter or Thing relating to the said Harbour, no Person or Persons acting by or under the Authority of the said Commissioners, or in the Service of the said Commissioners, shall for that Reason alone be in any Manner disqualified or incapable from giving Evidence in, upon, and respecting such Dispute, Suit, or Litigation.

For securing transient Offenders.

LXXIV. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or Harbour Master, or other Officer of the said Commissioners, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, Harbour Master, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them before any One or more Justice or Justices of the Peace or other Magistrate, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace, or other Magistrate respectively, is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

LXXV. And be it further enacted, That the Conviction for any Offence against this Act shall be drawn up in the following Form of Words, or in any other Form of Words to the same Effect:

Form of Conviction.

‘ Borough of *Southwold*, or } BE it remembered, That on the
 ‘ County of *Suffolk*, [as the } Day of
 ‘ Case may be.] } in the
 ‘ Year of our Lord } A. B. of
 ‘ }
 ‘ C. D. } is this Day convicted before me [or us]
 ‘ Borough of *Southwold*, [or County of *Suffolk*, as the Case may be,] } of His Majesty’s Justices of the Peace of the
 ‘ of having [specifying the Offence, and Time and Place when }
 ‘ and where the same was committed, as the Case may be,] contrary }
 ‘ to the Form of the Statute passed in the Eleventh Year of the }
 ‘ Reign of His Majesty King *George* the Fourth, intituled [here }
 ‘ set forth the Title of this Act]; and I [or we] do adjudge him }
 ‘ [her or them] to pay and forfeit for the same the Sum of }
 ‘ } or be committed to [Place of Imprisonment,]
 ‘ for the Term of [Time of Imprisonment]. Given under my }
 ‘ Hand and Seal [or our Hands and Seals], the Day and Year }
 ‘ aforesaid.’

Power of Appeal.

LXXVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Act done by any Justice or Justices in pursuance of this Act, or by any Bye Law, Rule, or Order made in pursuance thereof, such Person or Persons shall and may appeal to the next General or Quarter Sessions of the Peace to be holden in and for the said County of *Suffolk*, such Appellant first giving or causing to be given Fourteen Days Notice at the least, in Writing, of his, her, or their Intention to bring such Appeal, and the Matter thereof, to the Clerk of the said Commissioners, and to the Person or Persons appealed against, and forthwith after such

such Notice entering into a Recognizance before some Justice of the Peace of the said County in the Sum of Forty Pounds, with Two sufficient Sureties in the Sum of Twenty Pounds each, conditioned to try such Appeal, and to abide the Order or Determination of the said Court thereon; and the Justices at such General or Quarter Sessions, upon due Proof of such Notice being given and Recognizance entered into as aforesaid, shall either hear and determine the Cause and Matter of such Appeal in a summary Way, or, if they think proper, adjourn the hearing thereof; and the said Justices may, if they see Cause, mitigate any Fine or Forfeiture, and may order any Money to be returned which may have been levied in pursuance of this Act, or of any such Bye Law, Rule, or Order, and may also award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of the said Justices at their General or Quarter Sessions shall be final and conclusive to all Intents and Purposes whatsoever.

LXXVII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace or other Magistrate, in pursuance of this Act, as or by Way of Compensation or Satisfaction for any Costs, Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by such 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 to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made from the Clerk to the said Commissioners or their Treasurer in pursuance of the Direction or Order made by such Justice or Justices or other Magistrate, and in which Demand the Order of such Justice or Justices or other Magistrate shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices or other Magistrate; which Warrant any such Justice or Justices or other Magistrate is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by Way of Compensation or Satisfaction for any such 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.

In case of Nonpayment for Damages, &c. by the Commissioners, the same to be levied by Distress of the Goods vested in them or their Treasurer.

LXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to compound and agree with any Person or Persons against whom any Action or

Commissioners may compound for Penalties.

[*Local.*]

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Actions

Actions, Suit or Suits, shall be brought, commenced, or prosecuted; for any Penalty or Penalties incurred or to be incurred by this Act, or in respect of any Contract or Contracts hereafter to be entered into, on account of any Breach or Nonperformance of any such Contract or Contracts, for such Sum or Sums of Money as they the said Commissioners shall think proper, and also to mitigate, compound, or lessen any of the Forfeitures incurred under this Act, so as the Sums so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of any Provision comprised in this Act, or of such Contract or Contracts, and all the Costs, Charges, and Expences which shall be occasioned thereby, and so as the Mitigation of the said Forfeitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

Commis-
sioners may
reward In-
formers.

LXXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures, or any of them, as they shall think proper, (not exceeding One Half of them or any of them), to and for the Use of the Informer or Informers, or any of them; any thing herein contained to the contrary notwithstanding.

Distress not
unlawful for
Want of
Form.

LXXX. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damages only in an Action on the Case.

Proceedings
not to be
quashed for
Want of
Form.

LXXXI. And be it further enacted, That no Proceeding touching any Order made or any other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, shall be quashed or vacated for Want of Form only, or be removed into any of His Majesty's Courts of Record at *Westminster* by Certiorari or any other Writ or Process whatsoever; any Law, Statute, or Usage to the contrary notwithstanding.

Tender of
Amends.

LXXXII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made, by or on behalf of the Party or Parties who shall have committed or cause to be committed every or any such Irregularity, Trespass, or wrongful Proceedings, 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 Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceeding or Order and Judgment shall be had,

had, made, or given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

LXXXIII. And be it further enacted, That no Action or Suit shall be commenced against any Commissioner or Commissioners, or any other Person or Persons acting under them, for any thing done in pursuance of this Act, until the Expiration of Twenty-one Days next after Notice thereof shall be given in Writing to the Person or Persons against whom such Action is intended to be brought, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be brought; and every such Suit shall be brought, laid, and tried in the County of *Suffolk*, and not elsewhere; and that the Defendant or Defendants, and every of them, in every such Action and Suit, shall and may plead the General Issue, and give the special Matter in Evidence, at any Trial or Trials to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit shall have been brought before the Expiration of Twenty-one Days after Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if such Action or Suit was not commenced within the Time before limited for that Purpose, or shall be laid in any other County or Place other than the said County of *Suffolk*, then the Jury shall find for the Defendant or Defendants therein; and upon such Verdict, or if the Plaintiff or Plaintiffs in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action or Suit, or if upon any Demurrer in any such Action or Suit Judgment shall be given for the Defendant or Defendants, then and in either of the Cases aforesaid such Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

Limitation
of Actions.

LXXXIV. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice of the Peace touching any Matter of Fact 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 of appearing,) or shall refuse to be examined upon Oath and to give Evidence before such Justice of the Peace, then and in any of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalty on
Witnesses
for Default.

LXXXV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Commissioners to exhibit or alter any Light or Lights, Beacon or Beacons, without having from Time to Time first obtained

Lights or
Beacons not
to be exhib-
ited without
the Sanction
of the Trinity

House of
Deptford
Strond.

obtained the Sanction, in Writing, of the Corporation of *Trinity House of Deptford Strond*, as to the Description and Power of any such Light or Lights, or the Character of any such Beacon or Beacons, and the Mode of exhibiting the same respectively.

Saving the
Rights of
the Trinity
House.

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

Public Act.

LXXXVII. 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.

SCHEDULE to which the Act refers.

A TABLE or SCHEDULE of the DUTIES or PIER DUTIES payable upon all British Vessels entering inwards or clearing outwards with Goods, Wares and Merchandize, at the Port of Southwold.

	s.	d.
Ale, Beer, and Porter, the Butt	1	6
----- the Barrel	0	6
Alum, the Cwt.	0	3
Anchors, Ship's, the Cwt.	0	1½
Ashes of any Sort, the Cwt.	0	2
Bacon, the Barrel or Side	0	4
Baggage and Luggage, the Cwt.	0	3
Bark, the Ton	1	8
Bed or Bedstead, for every	0	3
Blacking or Lampblack, the Cwt.	0	2
Blocks, Ship and Pump, the Dozen	0	6
Boats, not belonging to Vessels, for every Foot of Keel	0	2
Books, the Cwt.	0	2
Bottles, full, in Hampers, the Dozen	0	2
----- empty, the Gross	0	8
----- Stone, the Dozen	0	2
Bricks, the Thousand	2	6
Brimstone, the Cwt.	0	2
Bristles, the Cwt.	0	4
Brooms, Hair, the Dozen	0	2
----- Birch or Ling, the Dozen	0	1
Brushes, the Dozen	0	2
Bull, Cow, or Ox, each	2	0
Butter, the Cwt.	0	2
Cable and Cordage, the Cwt.	0	2
Candles, Tallow, the Cwt.	0	2
----- Wax, the Cwt.	0	4
Cane, the Bundle	0	2
Carpet, the Piece	0	6
Chairs, Mahogany, armed, the Pair	0	8
----- Mahogany, small, the Dozen	2	0
----- common, armed, the Pair	0	6
----- common, small, the Dozen	1	6
Chaise, with Two Wheels	3	0
----- with Four Wheels	5	0
Chalk, the Ton	0	4
Charcoal, the Bushel	0	1
Cheese, the Cwt.	0	2
Clock, in Case	1	0

[Local.]

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	s.	d.
Clock Case - - - - -	0	6
Cloth, Woollen or Hair, the Piece - - - - -	1	0
Coach Wheels, the Pair - - - - -	0	4
Coals, Culm, Coke, and Cinders, the Chaldron - - - - -	2	0
— Stone or Welsh, the Ton - - - - -	1	8
Coffee, the Cwt. - - - - -	0	4
Copper, the Cwt. - - - - -	0	2
Cork, the Cwt. - - - - -	0	3
Corks, the Gross - - - - -	0	1
Corn and Grain; viz. Barley, Beans, Indian Corn, Maize, Oats, Peas, Rye, Tares, Malt, Wheat, and all other Grain, the Quarter - - - - -	0	3
Cyder, the Hogshead - - - - -	0	9
Drugs, Simples, or Medicinal Herbs, the Cwt. - - - - -	0	8
Earthenware, the Crate - - - - -	0	9
Eggs, the 120 - - - - -	0	2
Feathers, the Cwt. - - - - -	0	4
Fire-arms, the Dozen - - - - -	1	0
Fish:		
— Anchovies, the Barrel of 16 lb. - - - - -	0	1
— Hake, Cod, Ling, Haddocks, and all other cured Fish, the Cwt. - - - - -	0	1½
— Herrings, the Last - - - - -	1	8
— — — — — cured, the Last, - - - - -	2	6
— — — — — the Barrel - - - - -	0	3
— Sprats, cured, the Last - - - - -	0	9
— — — — — the Cade - - - - -	0	2
Flannel, the Piece - - - - -	0	2
Flax, the Cwt. - - - - -	0	3
Floor Cloth, the Yard - - - - -	0	0¼
Flour, the Sack - - - - -	0	3
Fruit, the Chest - - - - -	0	4
Fustians, the Piece - - - - -	0	3
Furniture, the large Piece - - - - -	1	0
— — — — — the small Ditto - - - - -	0	6
Glass, the Crate - - - - -	0	9
Gold, wrought, the oz. - - - - -	0	6
Grease, the Cwt. - - - - -	0	1
Grocery:		
— — — — — Almonds, the Cwt. - - - - -	0	3
— — — — — Cinnamons, Cloves, Mace, and Nutmegs, the Cwt. - - - - -	0	8
— — — — — Ginger and Pepper, the Cwt. - - - - -	0	4
— — — — — Currants, Dates, Figs, Prunes, and Raisins, the Cwt. - - - - -	0	3
— — — — — Sugar Candy, and Refined Sugar, the Cwt. - - - - -	0	3
— — — — — Sugar of all other Sorts, the Cwt. - - - - -	0	2
Gunpowder, the Cwt. - - - - -	0	4
Haberdashery, the Cwt. - - - - -	0	3
Hardware, the Cwt. - - - - -	0	2
Harp, for every - - - - -	3	0
Hats, the Dozen - - - - -	0	2
Hay, the Cwt. - - - - -	0	1½
Hemp, the Cwt. - - - - -	0	2
Hides, raw, each, or the Cwt. - - - - -	0	1½

	s.	d.
Hoops, Iron, the Cwt. or Bundle	0	1½
—— Wooden, the Dozen	0	0½
Honey, the Barrel of 42 Gallons	0	6
Hops, the Pocket	0	6
Horses and Mares, each	2	0
Hosiery, the Cwt.	0	3
Hurdles, Iron, the Cwt.	0	1½
—— Wooden, the Dozen	0	2
Indigo, the Cwt.	0	4
Iron, the Cwt.	0	1½
Iron Ware, the Cwt.	0	2
Ivory, the Cwt.	1	0
Jar, for every, less than the Cwt.	0	2
Keg, for every, less than the Cwt.	0	2
Lace, of Gold or Silver, the lb.	0	6
Laths, the Bundle	0	1
Lead, the Cwt.	0	1½
—— White, the Keg	0	3
Leather, the Cwt.	0	3
Lime, the Cwt.	0	1
Linen:		
—— Calicoes, the Piece	0	1½
—— Cambrics, or Lawns, the Piece	0	3
—— Damask and Diaper Tablings, the Piece	0	3
—— Canvass, Sail Cloth, Drillings, Russia and other Linens, } the 120 Ells	0	4
Manure, the Ton	0	2
Marble, unwrought, the Cwt.	0	2
—— wrought, the Cwt.	0	4
Mats, the Hundred	0	3
Matting, the Roll	0	2
Metal, the Cwt.	0	2
Molasses, the Cwt.	0	2
Money, for every Ten Pounds of,	0	6
Mopsticks, the Bundle	0	2
Nails, the Cwt.	0	2
Nuts, the Bushel	0	1
Oakum, the Cwt.	0	2
Oil, the Hogshead	1	3
— in smaller Quantity, the Gallon, or 7½ lb.	0	0¼
Oil Cake, the Cwt.	0	1½
Oranges and Lemons, the Chest	0	4
Organ, for every	10	0
Pails, the Dozen	0	6
Pantiles, the Hundred	0	3
Paper, the Ream	0	1
—— Stuff, the Cwt.	0	2
Parcel, for every, under the Cwt.	0	2
Pears and Apples, the Bushel	0	1
Pewter, the Cwt.	0	2
Piano-forte, Square,	2	6
—— Grand,	4	0

	s.	d.
Pipes, Tobacco, the Gross	0	1
Pitch and Tar, the Barrel	0	4
Plaster, the Cwt.	0	1½
Plate of Silver, the 100 Ounces	2	6
Pork, the Barrel	0	4
Provisions (not for Ship's Use), the Cwt.	0	1½
Quicksilver, the lb.	0	1
Rags, the Cwt.	0	2
Rice, the Cwt.	0	2
Rosin, the Cwt.	0	2
Rubbish, the Ton	0	1½
Sacks, the Dozen	0	1½
Salt, Rock, the Ton	1	4
— White, the Cwt.	0	1
Saltpetre, the Cwt.	0	2
Seeds of all Sorts, the Sack	0	3
Shot, the Cwt	0	2
Shovels, the Dozen	0	2
Silks, raw, the Cwt.	1	0
— Stuffs, Stockings, and Sewing, the lb.	0	2
Slate, the Cwt.	0	1
Soap, the Cwt.	0	2
Spirits, Foreign, the Gallon	0	0¾
— British, the Gallon	0	0½
Starch, the Cwt.	0	3
Stone, the Cwt.	0	1
— Burr, and Grindstone	0	1½
— flat or flag Stone, the Dozen	0	8
Stores (not for Ship's Use), the Cwt.	0	1½
Stoves. See Metal.		
Straw, the Cwt.	0	1
Tallow, the Cwt.	0	1½
Tea, the Chest (84 lbs.)	1	6
Tiles, the Hundred	0	3
Tin, the Cwt.	0	1½
Tin-ware, the Cwt.	0	2
Tobacco, the Cwt.	0	3
Trenails, the Thousand	0	6
Turpentine. See Oil.		
Vegetables (Potatoes, Onions, &c.), the Bushel	0	0½
Vinegar, the Hogshead	0	8
Wares, Oilman's or Colourman's, the Cwt.	0	2
Wax, the Cwt.	0	3
Whiting, the Cwt.	0	1
Wine, the Pipe or Butt	3	0
Wood :		
— Balks under 5 Inches Square, and under 24 Feet in Length, the 120	2	6
— Balks under 5 Inches Square, and 24 Feet in Length, or upwards, the 120	3	4
— Battens, 6 Feet and not exceeding 21 Feet in Length, not above 7 Inches in Width, and not above 2¾ Inches in Thickness, the 120	1	6

	s.	d.
Wood, Battens exceeding 21 Feet in Length, not above 7 Inches in Width, or if exceeding $2\frac{3}{4}$ Inches in Thickness, the 120	2	6
— Batten Ends, under 6 Feet in Length, not above 7 Inches in Width, and not exceeding $2\frac{3}{4}$ Inches in Thickness, the 120	0	6
— Exceeding $2\frac{3}{4}$ Inches in Thickness, the 120	1	0
— Boards under 2 Inches in Thickness, and under 15 Feet in Length, the 120	2	6
— Boards under 2 Inches in Thickness, and if 15 Feet in Length or upwards, the 120	5	0
— Paling Boards, not exceeding 7 Feet in Length, and not above $1\frac{1}{2}$ Inches in Thickness, the 120	0	6
— Paling Boards exceeding 7 Feet, and not exceeding 12 Feet in Length, and not above $1\frac{1}{2}$ Inches in Thickness, the 120	1	0
— Wainscot Boards not exceeding 12 Feet in Length, and not above 1 Inch in Thickness, the 100	3	4
— Deals above 7 Inches in Width, being 6 Feet and not above 21 Feet in Length, and not exceeding $3\frac{1}{4}$ Inches in Thickness, the 120	3	4
— Deals above 7 Inches in Width, exceeding 21 Feet and under 45 Feet in Length, and not above $3\frac{1}{4}$ Inches in Thickness, the 120	5	0
— Deal Ends above 7 Inches in Width, being under 6 Feet in Length, and not exceeding $3\frac{1}{4}$ Inches in Thickness, the 120	0	10
— Deal Ends above 7 Inches in Width, under 6 Feet in Length, and exceeding $3\frac{1}{4}$ Inches in Thickness, the 120	1	8
— Fir Quarters. See Balks.		
— Fire-wood, the Fathom	0	6
— Handspikes, the 120	0	10
— Lathwood, the Fathom	1	0
— Logwood, and other Dyers Wood, the Cwt.	0	3
— Mahogany, the Cwt.	0	2
— Masts, Yards, and Bowsprits, 6 Inches in Diameter, and under 8 Inches, each	1	0
— Ditto, 8 Inches in Diameter, and under 12 Inches, each	2	0
— Ditto, 12 Inches in Diameter, or upwards, each	3	0
— Oars, the 120	2	0
— Planks 2 Inches in Thickness, or upwards, the Load	2	6
— Spars under 22 Feet in Length, and under 4 Inches in Diameter, the 120	1	0
— Spars 22 Feet in Length, or upwards, and under 4 Inches in Diameter, the 120	1	6
— Spars 4 Inches in Diameter, and under 6 Inches, the 120	3	0
— Staves (Pipe), the 120	1	4
— Staves (Hogshead), the 120	0	10
— Staves (Barrel), the 120	0	6
— Timber of all Sorts, the Load	1	8
— Ufers. See Balks.		
— Wood Logs, the Foot	0	$0\frac{1}{2}$
Wool, the Cwt.	0	2
— Spanish or Cotton, the Cwt.	0	4
Yarn, the Cwt.	0	3

All Goods, Wares, and Merchandize, the Qualities of which are unknown, shall be charged by the Bale, Cask, Case, Chest, Trunk, Basket, Parcel, or other Package, and not by the Piece, at the Rate of 3d. per Hundred Weight.

RATES OF TONNAGE DUTY upon all British Vessels entering the Port
of SOUTHWOLD, but neither loading nor unloading.

Under 50 Tons	-	-	2 <i>d.</i> per Ton.
Above 50 —	-	-	3 <i>d.</i> — Do.

All Vessels whose Rates on the Cargo inwards and outwards jointly shall not amount to as much as the Tonnage Duty, to be charged the Difference.

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