



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. lxxviii.

An Act for reducing the Dues of the Harbour of the Borough and Town of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, and consolidating the Trusts created by the Acts relating to such Harbour and the Bridge of the said Borough; and for other Purposes. [25th June 1847.]

WHEREAS by an Act of Parliament passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repairing or taking down and rebuilding the Bridge within the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset*, the Mayor, Aldermen, Bailiffs, and Capital or Principal Burgesses of the said Borough and Town, were authorized to repair the Bridge then standing, or to cause a new Bridge to be erected across the Harbour of *Weymouth* and *Melcombe Regis*, and from Time to Time to maintain such Bridge and the Harbour and Quays; and by the Act now in recital the Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty of the said Borough and Town were authorized to collect and receive the Tolls therein mentioned from Vessels passing through the said Bridge (with certain Exceptions therein specified), in Cases where it should be necessary to open or remove the Swing or Draw Arch thereof, and to levy a Bridge Rate or Assessment upon the Owners of Tenements within the said

¹ G. 4. c. 40.

[*Local.*]

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Borough

Borough and Town ; and by the Act now in recital the said Mayor, Aldermen, Bailiffs, and Capital or Principal Burgesses were empowered to borrow Money at Interest upon Mortgage of such Tolls, and of certain Tolls thereby granted in respect of the Passage over the said Bridge of Cattle and Carriages, and of certain Duties thereby granted in respect of Coals, Culm, Cinders, and Coke landed within the Port of the said Borough and Town ; and it was enacted that the Monies borrowed by virtue of the said Act, and arising from any Tolls, Rates, and Duties to be collected by virtue thereof, and all Penalties and Forfeitures levied and recovered under the Authority of the same, should be applied in effectually repairing the then existing Bridge, or in erecting such new Bridge, and for the other Purposes of the said Act ; and in the Act now in recital is contained a Provision for determining the said Tolls and Duties when the whole of the Monies disbursed should have been raised by virtue thereof, together with the Sum of Two hundred Pounds, to remain as a Fund to answer unforeseen Necessities : And whereas by an Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King George the

6 G 4. c. 116. Fourth, intituled *An Act to amend and enlarge the Powers and Provisions of several Acts relating to the Harbour and Bridge of the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset*, the Petty Customs and Wharfage Duties mentioned in the First Schedule to the Act now in recital, in respect of Goods, Wares, Merchandizes, and Commodities imported into and exported from the said Harbour, and the Harbour Dues and Ballast Duties mentioned in the Second Schedule to the same Act, were made chargeable upon every Ship, Trow, or other Vessel brought into the said Harbour, and were vested in the said Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty of the said Borough and Town, for the Purpose of repairing, improving, and maintaining the Harbour, Wharfs, Quays, and Piers within the said Borough and Town ; and by the Act now in recital the Tolls granted by the herein-before recited Act for Passage over the said Bridge were repealed, and certain other Tolls, in the Act now in recital particularly mentioned, were granted in lieu thereof (subject to certain Exemptions therein specified), and the Rate or Assessment thereby authorized to be levied was repealed, and the Mayor and any Two of the Aldermen of the Corporation of the said Borough and Town were empowered to levy a like annual Rate or Assessment of Sixpence in the Pound ; and by the Act now in recital a certain Tonnage was imposed upon any Ship or Vessel laid up in the said Harbour for Safety, and the Duty granted by the herein-before recited Act on Coals, Culm, Cinders, and Coke landed within the said Port was increased ; and by the Act now in recital the said Mayor, Aldermen, Bailiffs, and Capital or Principal Burgesses were empowered to borrow Money at Interest, for the Purpose of repairing, improving, and maintaining the said Harbour, Wharfs, Quays, and Piers, upon Mortgage of the said Petty Customs, Wharfage Duties, Harbour Dues, and Ballast Duties mentioned in the said Schedules, and also to borrow Money at Interest, for the Purpose of repairing and maintaining the said Bridge, upon Mortgage of the Dues, Duties, Rates, or Assessments and Tolls granted by the herein-before recited Act, and to borrow a further Sum of Money, on Mortgage of the said Petty Customs, Wharfage Duties, Harbour Dues, and Ballast Duties, for the repairing, improving, or rebuilding of the outer Pier or Breakwater ;
and

and by the Act now in recital it was provided, that out of the Rates, Dues, and Duties raised or received for the Purpose of repairing the said Harbour, Wharfs, Quays, and Piers the said Mayor, Aldermen, Bailiffs, and Capital or Principal Burgesses should pay One Moiety of the Costs of the same Act, and apply the Remainder of such Monies in repaying the Monies borrowed under the said former Act and the Act now in recital for such Repairs, and the Interest thereof, and that out of the Rates, Dues, and Duties raised or received for repairing the said Bridge the said Mayor, Aldermen, Bailiffs, and Capital or Principal Burgesses should pay One Moiety of the Costs of the Act now in recital, and apply the Remainder in repaying the Money borrowed under the same Act and the said former Act for such Repairs, and the Interest thereof: And whereas the Corporation of the Borough of *Weymouth* and *Melcombe Regis* (which was formerly styled the Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty of the Borough and Town of *Weymouth* and *Melcombe Regis*, and which is now styled the Mayor, Aldermen, and Burgesses of the said Borough of *Weymouth* and *Melcombe Regis*), acting in execution of the said recited Acts of Parliament, have borrowed considerable Sums of Money for the Purposes therein respectively mentioned, and there is now owing upon the Security of the said Petty Customs, Wharfage Duties, Harbour Dues, and Ballast Duties, and other the Monies applicable to the Maintenance of the said Harbour, Wharfs, Quays, and Piers, the Principal Sum of Eighteen thousand three hundred Pounds, or thereabouts, and there is owing upon the Security of the said Bridge Tolls and other the Monies applicable to the Repair of the said Bridge the Principal Sum of Nine thousand eight hundred Pounds, or thereabouts, and such Principal Sums respectively bear Interest after the Rate of Five Pounds *per Centum per Annum*: And whereas the said Petty Customs, Wharfage Duties, Harbour Dues, and Ballast Duties are very heavy, and detrimental to the Trade of the Port; but the same cannot be reduced, by reason of the existing Mortgage thereon; and it would tend greatly to improve the Trade of the said Borough and Town of *Weymouth* and *Melcombe Regis*, and to benefit the Inhabitants of the said Borough and Town, if the said Petty Customs, Wharfage Duties, Harbour Dues, and Ballast Duties were reduced, and the Duty by the said recited Act of the Sixth Year of the Reign of King *George* the Fourth granted on Coals, Culm, Cinders, and Coke landed within the said Port were repealed, and the Trusts of the said Harbour and the said Bridge were consolidated into One Trust, and if the Sum of Forty thousand Pounds were authorized to be raised on the Security of such consolidated Trust, and applied in paying off the said existing Charges, and in completing the Piers and other Erections in and about the said Harbour, and otherwise improving such Harbour and the Works connected therewith: And whereas the Harbour of *Weymouth* and *Melcombe Regis* was formerly much resorted to as one of the principal Ports for Communication by Steam with the Channel Islands, but by reason of the greater Facilities afforded by Railway Communication with other Ports, and the Want of Railway Communication with the Town of *Weymouth*, the Steam Communication to and from the Channel Islands hath wholly ceased, and the Trade of the Port hath in consequence been considerably diminished: And whereas a Railway is in the course of
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of Construction to the Town of *Weymouth* and *Melcombe Regis*, by a Company called the *Wilts, Somerset, and Weymouth Railway Company*, and the said *Wilts, Somerset, and Weymouth Railway Company*, and also the *Great Western Railway Company* (who are Lessees of and intend to carry on the Business of Carriers upon the *Wilts, Somerset, and Weymouth Railway*), being interested in promoting the Trade of the said Borough and Town of *Weymouth* and *Melcombe Regis*, have agreed, that upon the said Mayor, Aldermen, and Burgesses obtaining an Act of Parliament for repealing the Petty Customs, Harbour Dues, Wharfage Dues, and Ballast Duties now payable to them, or raisable for the Maintenance and Repair of the said Harbour, and the Wharfs, Quays, Piers, and Works adjoining or belonging thereto, and for substituting in lieu thereof the Ship Dues, Goods Rates, and Ballast Rates herein after mentioned, and for vesting the same in Commissioners, to be constituted and appointed in manner herein-after mentioned, and empowering such Commissioners to demand and take, in respect of Passage over the said Bridge of Cattle and Carriages, and from Vessels passing through the said Bridge, and from Vessels laid up in the said Harbour for Safety, such Tolls as by the said recited Acts are in such Cases authorized, and for consolidating the Trusts of the said Harbour and of the said Bridge into one general Trust, and enabling such Commissioners to borrow and take up at Interest the Sum of Forty thousand Pounds, for the Purposes of such general Trust, upon Mortgage of the said Ship Dues, Goods Rates, Ballast Rates, and Tolls, they the said *Great Western Railway Company* and the said *Wilts, Somerset, and Weymouth Railway Company* shall and will, in case and so soon as a Company shall have been established, to the reasonable Satisfaction of the said Railway Companies, for restoring the Steam Communication between *Weymouth* and the Channel Islands, (a Company for such Purpose being now in contemplation,) give to any Person or Persons who may be willing to advance Monies upon the Credit of the said Dues, Rates, and Tolls the Guarantee of the said Railway Companies for collaterally securing the Repayment of the Monies so to be borrowed as aforesaid, with Interest for the same; and the said *Great Western Railway Company* have agreed that upon the Establishment of such Steam Communication they will from Time to Time advance or procure to be advanced to the Commissioners acting in the Execution of the Act so to be obtained as aforesaid any Sum or Sums of Money which may for the Time being be necessary for discharging the yearly Deficiency (if any) of the Monies raisable by virtue thereof to meet the Interest payable upon the Monies so to be borrowed as aforesaid: And whereas the Objects and Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when and so soon as a Company shall have been constituted for establishing between the Harbour of *Weymouth* and *Melcombe Regis* and the Islands of *Guernsey* and *Jersey* or either of them a Communication by Steam for the Conveyance of Passengers and Goods or either, and a Sum sufficient to pay off all

When Company constituted, and a sufficient Sum has been raised,

Principal

Principal and Interest Monies recoverable under the Provisions of the said recited Acts or either of them shall have been raised, upon the Guarantee of the said Railway Companies or either of them, and upon the Security of this Act, and have been deposited with the Treasurer for the Time being of the Mayor, Aldermen, and Burgesses of the said Borough and Town, then and immediately thereupon the Commissioners for executing this Act shall be appointed, under the Provisions in that Behalf herein-after contained, and upon such Appointment being made, and Notice of such Appointment signed by the Town Clerk of the said Borough being given by Advertisement inserted once at least in the *London Gazette* and Two Newspapers usually printed or circulated in the County of *Dorset*, the said recited Acts of the First and Sixth Years of the Reign of His late Majesty King *George* the Fourth shall, as from a Day to be in that Behalf mentioned in such Notice, be and the same are hereby thenceforth declared to be repealed; and that from and after the passing of this Act no Duty shall be taken in respect of any Coals, Culm, Cinders, or Coke not landed within the Limits of the said Harbour: Provided always, that the Repeal of the said recited Acts or either of them shall not have the Effect of reviving or in anywise restoring to Force a certain Act of Parliament passed in the Twenty-second Year of the Reign of King *George* the Second, intituled *An Act for the better ascertaining, recovering, and collecting of certain Duties commonly called Petty Customs or Wharfage, payable upon the Importation and Exportation of Goods and Merchandize into or out of the Harbour of the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset, and also the Ballast and Harbour Dues payable in respect of Ships and Vessels coming into and going out of the said Harbour, and for the better repairing and keeping in repair the said Harbour, and the Wharfs and other public Buildings and Works within the said Borough and Town, or of reviving or in anywise restoring to Force any Clause, Matter, or Thing in the same Act contained.* 22 G. 2. c. 22.

II. And be it enacted, That upon the said recited Acts becoming repealed all Arrears of Tolls, Dues, Rates, and Duties granted by the said recited Acts or either of them, and of all Penalties thereby recoverable, and all other Monies due to the said Mayor, Aldermen, and Burgesses under or by virtue of the same, and all Toll Houses, Toll Gates, and other Property belonging to the said Mayor, Aldermen, and Burgesses, and all Contracts, Bonds, and Engagements entered into with them under or by virtue of the said recited Acts or either of them, shall be vested in the Commissioners appointed under the Provisions of this Act, and thereupon all and singular the Powers and Authorities by this Act vested in such Commissioners for recovering and enforcing Payment of the Dues, Rates, Tolls, and Penalties thenceforth payable and recoverable shall, in relation to such Arrears and Monies, be exercisable by such Commissioners, as fully and effectually, to all Intents and Purposes, as the same Powers and Authorities are by this Act made exercisable by them in relation to such future Dues, Rates, Tolls, and Penalties; and the said Commissioners shall be liable to all Contracts, Bonds, Debts, and Engagements to which the said Mayor, Aldermen, and Burgesses

then Commissioners shall be appointed for executing this Act.

22 G. 2. c. 22.

When recited Acts are repealed, Monies and Property under the same vested in Commissioners, who shall be subject to existing Liabilities.

[Local.]

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were

were liable under the said recited Acts or either of them at the Time of the Repeal thereof.

Liability of
Commis-
sioners.

III. And be it enacted, That the said Commissioners shall be liable to all Contracts, Bonds, Debts, Claims, Engagements, and Liabilities whatsoever to which the said Mayor, Aldermen, and Burgesses were liable under the said recited Acts or either of them at the Time of the Repeal thereof; and that, notwithstanding such Repeal, all Claims, Remedies, Actions, or Suits which any Person or Persons might have had or enforced before the passing of this Act, against the said Mayor, Aldermen, and Burgesses, for or in respect of any Matter, Cause, or Thing in the said recited Acts or either of them contained, shall and may hereafter be had, maintained, and enforced against the said Commissioners to be appointed under this Act; and all Claims, Liens, and Remedies which any Person or Persons might have had or been entitled to upon or against any Tolls, Rates, Dues, or Duties to be levied or collected or any Monies to be raised under the Powers of the said recited Acts or any of them shall remain and continue in full Force and Effect, and may in like Manner be had, maintained, and enforced against any Tolls, Rates, Dues, or Duties by this Act authorized to be levied and collected, or any Monies to be raised under the Powers of the same, any thing in this Act contained to the contrary notwithstanding.

Officers un-
der recited
Acts to con-
tinue.

IV. And be it enacted, That every Person appointed to an Office or Employment under the said recited Acts or either of them (except the Treasurer) shall hold and enjoy such Office and Employment, together with the Salaries and Allowances thereunto annexed, until removed therefrom by the Commissioners for executing this Act; and every such Officer and Person shall during the Continuance of such Office be subject to the like Penalties, and Powers of Removal, and to the like Rules, Regulations, and Proceedings, as if he had been appointed by virtue of this Act.

Officers un-
der recited
Acts to ac-
count.

V. And be it enacted, That every such Officer and Person, and also the Treasurer of the Mayor, Aldermen, and Burgesses, under the said recited Acts or either of them, who shall have the Custody or Power of any Money collected or received by virtue of the said recited Acts or either of them, or any Books, Deeds, Papers, Writings, or Effects belonging to the said Mayor, Aldermen, and Burgesses, relating to the Execution of the same Acts respectively, shall be liable to account for such Monies, and to deliver up all such Books, Deeds, Papers, Writings, and Effects to the Commissioners for executing this Act, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officer, Person, and Treasurer had been appointed by virtue of this Act, and shall be liable to the Payment of and shall pay all such Monies to such Commissioners, or to the Treasurer to be appointed in pursuance of this Act, and shall be subject to the Provisions of this Act for the Recovery thereof in case of Refusal or Neglect.

Books kept
under re-

VI. And be it enacted, That all Registers and Books of Proceedings, and other Books whatsoever, of the said Mayor, Aldermen, and Burgesses,

Burgesses, under the said recited Acts or either of them, kept according to the Directions of and made Evidence by the same respectively, or which might have been received as Evidence at the Time of the Commencement of this Act, shall be admitted in Evidence in all Courts, and by all Judges, Justices and others.

cited Acts to be Evidence.

VII. Provided always, and be it enacted, That so much of the Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and sixteen, as recites that no Collector, Customer, Collector of Her Majesty's Customs, Comptroller, Receiver of Entries, or Ship's Surveyor or Searcher, or other Officer of the Customs whatever, belonging to the said Port of *Weymouth* and *Melcombe Regis*, shall permit any Ship, Boat, Barge, or other Vessel chargeable with Rates, Wharfage Dues or Duties, under this Act, to be entered inwards, outwards, or coastwise, or any Commodities to be landed from or put on board of such Ship, Boat, Barge, or other Vessel, until he shall have received from the Collector or Collectors of the Rates, Wharfage Dues and Duties aforesaid, a Certificate of all such Rates, Wharfage Dues and Duties, having been paid in full, which Certificate such Collector or Collectors is and are hereby required to give, without Fee or Reward, upon Payment of such Rates, Wharfage Dues, and Duties; and that in case any Collector of Her Majesty's Customs, or other Officer of the Revenue at the said Port, shall contravene or infringe this Provision, he shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, shall be and is hereby repealed upon the passing of this Act.

6 G. 4. c. 116. as to Duties, &c. repealed.

VIII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Port of *Weymouth*, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Docquet, Discharge, or Clearance, or to take any Report, inwards or outwards, of any Vessel liable to the Rates, Dues, or Duties imposed by this or any other Act, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate under the Hands of the Person appointed by the Commissioners under this Act to collect such Rates, Dues, or Duties, that such Rates, Dues, or Duties have been paid.

Certificate that Rates are paid to be produced, if required.

IX. And be it enacted, That the Commissioners for executing this Act shall consist of Thirteen Persons, of whom the Mayor for the Time being of the Borough of *Weymouth* and *Melcombe Regis* shall be One, and the Town Council of the said Borough of *Weymouth* and *Melcombe Regis* shall nominate and appoint Six Persons (being either Members of such Council or not), and the said *Great Western*, and *Wilts, Somerset, and Weymouth* Railway Companies shall by Writing under their Common Seals nominate and appoint Six Persons (being either Directors of the said Companies or not), to constitute, in conjunction with the said Mayor for the Time being of the said Borough, the Commissioners for executing this Act.

Appointment of Commissioners

X. And

10 & 11 Vict.
c. 16. incor-
porated with
this Act.

X. And be it enacted, That the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Matters following, (that is to say,) the Qualification of Commissioners; to the Election and Rotation of the Commissioners; and to the Meetings and Proceedings of the Commissioners, and their Liabilities; and to the Mortgages to be executed by the Commissioners; and to the Contracts to be entered into and the Deeds to be executed by the Commissioners; and to the Liabilities of the Commissioners; and to legal Proceedings by or against the Commissioners; and to the Appointment and Accountability of the Officers of the Commissioners; and to the making of Bye Laws; and to the Accounts of the Commissioners; and to giving Notices and Orders; to Proof of Debts in Bankruptcy or Insolvency; to Tender of Amends; and to the Recovery of Damages not specially provided for, and of Penalties, and the Determination of any other Matter referred to Justices or the Sheriff, shall be incorporated with this Act.

Qualification
of Commis-
sioners.

XI. And be it enacted, That the Qualification of a Commissioner shall be the Possession of Property to the Value of Two thousand Pounds beyond what will satisfy his just Debts; and the Declaration required to be made by the Commissioners shall be administered by the Mayor for the Time being of the said Borough of *Weymouth* and *Melcombe Regis*: Provided always, that it shall not be necessary for the Mayor of the said Borough, nor for any Person, being at the Time of his Appointment as Commissioner a Member of the said Town Council, or a Director of either of the said Railway Companies, to make the required Declaration of Qualification.

If Commis-
sioner be
elected
Mayor, his
Office to be
vacant.

XII. And be it enacted, That if any Commissioner appointed by the said Town Council or by either of the said Railway Companies be elected Mayor of the said Borough of *Weymouth* and *Melcombe Regis*, his Office as a Commissioner so appointed shall thereupon become vacant.

As to Com-
missioners
going out of
Office.

XIII. And be it enacted, That the Commissioners to go out of Office in the First and Second Years respectively shall be Two of the Commissioners appointed by the said Town Council and Two of the Commissioners appointed by the said Railway Companies.

Town Coun-
cil and Rail-
way Com-
panies to
supply their
own Vacan-
cies.

XIV. And be it enacted, That the Places of the Commissioners appointed by the said Town Council shall be supplied by the said Town Council, and the Places of Commissioners appointed by the said Railway Companies shall be supplied by the said Railway Companies.

Rotation of
First Com-
missioners.

XV. And be it enacted, That there shall be Two Lists for determining the Rotation by which the first Body of Commissioners shall go out of Office; One for the Commissioners appointed by the said Town Council, and One for the Commissioners appointed by the said Railway Companies.

XVI. And

XVI. And be it enacted, That the Meeting to be held for the Purpose of putting this Act into execution shall be convened by the Mayor of the said Borough by Three clear Days Notice under his Hand, sent by the Post to or delivered at the Residence of each of the Commissioners, and specifying the Time and Place of such Meeting; and the First and every other Meeting of the said Commissioners shall be held within the Borough of *Weymouth* and *Melcombe Regis*, and at such Place within the same as the Mayor for the Time being of the said Borough shall from Time to Time appoint.

Meetings for putting the Act into execution, &c. to be convened by the Mayor.

XVII. And be it enacted, That the Meetings for the Transaction of general Business shall be held half-yearly on the Twenty-first Day of *June* and the Twenty-first Day of *December* in every Year, or as soon after such Days respectively as conveniently may, be and the first of such Meetings shall be held at such of those Periods as shall happen next after the Meeting held for the Purpose of putting this Act into execution.

As to Meetings for Transaction of general Business.

XVIII. And be it enacted, That at the Meeting held for the Purpose of putting this Act into execution, and at every subsequent Meeting of the Commissioners, whether ordinary or special, the Mayor for the Time being of the said Borough of *Weymouth* and *Melcombe Regis* shall be the Chairman; and if at any Meeting of the Commissioners the Mayor shall not be present, the Commissioners present shall by a Majority of Votes elect some One of the Commissioners present appointed by the said Town Council of *Weymouth* and *Melcombe Regis* to be Chairman of such Meeting; and if there shall be no Commissioner appointed by the said Town Council present such Meeting shall stand adjourned *sine die*.

Chairman of Meetings.

XIX. And be it enacted, That each of the said Commissioners may, if he think fit, appoint by Writing under his Hand any other Commissioner to act and vote for him as his Proxy at any Meeting of the Commissioners.

Power to vote by Proxy.

XX. And be it enacted, That from and immediately after the said recited Acts shall have become repealed there shall be demanded and taken on every Vessel (which Word in the Construction of this Act shall include Ship, Boat, Lighter, and Craft of every Kind, and whether navigated by Steam or not,) entering within or departing out of the Limits of the Harbour of *Weymouth* and *Melcombe Regis* the Dues herein-after mentioned; (that is to say,)

Dues.

For every decked Vessel of the Burden of Ten Tons, the Sum of Sixpence:

For every decked Vessel above Ten and under Twenty Tons, the Sum of One Shilling:

For every decked Vessel above Twenty and under Thirty Tons, the Sum of Two Shillings:

For every decked Vessel above Thirty and under Forty Tons, the Sum of Three Shillings:

For every decked Vessel above Forty and under Fifty Tons, the Sum of Four Shillings:

[Local.]

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For

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For every decked Vessel above Fifty and under Sixty Tons, the Sum of Five Shillings :

For every decked Vessel above Sixty and under One hundred Tons, the Sum of Six Shillings :

And for every decked Vessel of a Burden above One hundred Tons, the Sum of Seven Shillings :

Provided always, that no Due shall be taken or demanded on any Boat or Pleasure Yacht, or Fishing or Dredging Vessel, entering within or departing out of the Limits of the said Harbour ; nor upon any Pilot Boat or Vessel during the Time that such Boat or Vessel shall be actually employed in the Duty or Service of a Pilot Boat or Vessel ; nor upon any Packet Boat or Post Office Packet, being a Packet Boat or Post Office Packet as defined under the Provisions of any Act relating to the Post Office ; and that no Vessel entering within or departing out of the Limits of the said Harbour from or to the Island of *Portland* in the County of *Dorset* more than once in the same Day shall be liable to the said Dues, except upon the first Entrance and the first Departure of such Vessel.

Rates.

XXI. And be it enacted, That from and immediately after the said recited Acts shall have become repealed there shall be demanded and taken the Goods, Rates, and Ballast Rates herein-after mentioned ; (that is to say,)

For every Ton of Goods (which Word in the Construction of this Act shall include Wares and Merchandize of every Description) imported or exported, shipped or unshipped, laden or unladen, in or out of any Ship or Vessel within the Limits of the Harbour of *Weymouth* and *Melcombe Regis* (Twenty Hundred Weight of Scale Goods, or Two hundred and fifty-two Gallons of Liquids, or Forty Square Feet of measurable Goods, being respectively deemed a Ton), the Sum of Three-pence :

And for every Ton of Ballast shipped and unshipped into or out of any Ship or Vessel or taken from any Quay or Wharf within the Limits of the Harbour of *Weymouth* and *Melcombe Regis*, the Sum of One Shilling.

Power to Commissioners to let to farm Ship Dues, &c.

XXII. And be it enacted, That it shall be lawful for the Commissioners for executing this Act to let to farm the said Ship Dues, Goods Rates, and Ballast Rates hereby made payable, unto any Person or Persons, for any Time or Term such Commissioners shall think proper, not exceeding Three Years from the Commencement of any Lease ; and every such Lease shall be valid and effectual, and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect the Dues and Rates so let, shall during the Continuance of every such Lease be deemed Collectors of the Dues and Rates so let, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by such Commissioners : Provided always, that public Notice of the Intention to let the said Ship Dues, Goods Rates, and Ballast Rates shall be given by the Commissioners for executing this Act, by Notice affixed to the Places where such Dues and Rates are collected, at least Ten Days prior to the

Public Notice to be given.

Time

Time at which the said Dues or Rates are proposed to be let as aforesaid.

XXIII. And be it enacted, That from and immediately after the said recited Acts shall have become repealed there shall be demanded and taken at the said Bridge, and before passing through the same shall be permitted, for every Vessel passing through and beyond the said Bridge into the Western Part of the said Harbour, with her Masts standing, or otherwise so fitted or constructed as that it shall be necessary, for the Purpose of such Passage, to open or remove the Swing or Draw Arch thereof, a Toll of Five Shillings, to be applied to the Purposes of this Act, and Three Shillings to the Collector for the Labour and Assistance rendered in opening and removing such Swing or Draw Arch: Provided always, that the Vessels belonging to or consigned to the Occupier or Occupiers of the Warehouses known at present by the several Names of *Richardson's*, *Henning's*, *Tizard's*, *Weston's*, and *Hocart's*, which are now standing to the West of the said Bridge, and Vessels returning to the said Bridge into the Eastern Part of the said Harbour, shall not be liable to any Part of the said Toll for such Passage hereby declared to be payable to the Collector for the Purpose of this Act, but in the said respective Cases only Three Shillings shall be paid to the Collector for the Labour and Assistance rendered in opening or removing the said Swing or Draw Arch.

Regulations for using the Swing or Draw Arch over the Bridge.

XXIV. And be it enacted, That from and immediately after the said recited Acts shall have become repealed there shall be demanded and taken on every Vessel above the Burden of Fifty Tons *per Register* which shall lay up in the said Harbour as a Place of Safety a Due of One Penny *per Ton per Month* from the Time of her Entrance therein (unless for the express Purpose of Repairs), or Twenty-one Days after such Vessel shall have discharged any Cargo within the same; and that every Vessel to be laid up as aforesaid shall be moored in such Part of the upper Harbour or Backwater above the Bridge as the Harbour Master shall direct, under the Penalty of any Sum not exceeding Ten Pounds.

Tonnage on Vessels laid up in Harbour for Safety.

XXV. And be it enacted, That the Clauses of "The Harbours, Docks, and Piers Clauses Act, 1847," with respect to the Matters following, (that is to say,) the Collection and Recovery of Rates; the Accounts to be kept of the Rates, and of the Vessels in respect of which they are payable; to Bye Laws; and to the Construction of Warehouses, Wharfs, and other Conveniences; and to the Appointment of Harbour Masters, Dock Masters, and Pier Masters, and their Duties; to the discharging of Vessels, and the Removal of Goods; to the Protection of the Harbour, Dock, and Pier, and the Vessels therein, from Fire or other Injury; and with respect to the saving of Rights, shall be incorporated with this Act.

10 & 11 Vict. c. 27. incorporated.

XXVI. And be it enacted, That from and immediately after the said recited Acts shall have become repealed there shall be demanded and taken at the Toll House or Toll Gate of the said Bridge, for Passage of Cattle and Carriages over the said Bridge, before any Passage

Tolls.

Passage over the said Bridge shall be permitted, the Tolls herein-after mentioned; (that is to say,)

For every Horse, Mule, or Ass, or other Beast of Burden, laden or not laden, and not drawing, the Sum of One Penny:

For every Horse or other Beast, drawing any Coach, Chariot, Curricule, Phæton, Hearse, Caravan, Chair, Gig, Taxed Cart, or other Carriage of the like Nature, the Sum of Three-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, or Carriage of the like Nature, if the Lading on such Waggon, Cart, or Carriage (exclusive of the Weight of such Waggon, Cart, or Carriage) shall not exceed Fifty Hundred Weight, the Sum of Four-pence, and if such Lading shall exceed the said Weight of Fifty Hundred Weight, the Sum of Five Shillings, in addition to the said Sum of Four-pence, for every such Horse or other Beast so drawing such Waggon, Cart, or other Carriage:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for a greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number.

Exemptions
from Tolls
on re-passing
Bridge.

XXVII. And be it enacted, That if any Person or Persons shall pay the respective Tolls by this Act granted and made payable for the passing of any Carriage or Cattle through the said Toll Gate, he, she, or they shall be permitted to pass through the said Gate, with the same Carriage or Cattle, Toll-free, at any Time or Times during the same Day between Twelve of the Clock in one Night and Twelve of the Clock in the next Night.

Exemptions
from Tolls
generally.

XXVIII. Provided also, and be it enacted, That no Toll shall be demanded or taken for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying or guarding the Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; nor any Horses or Carriages attending Her Majesty or any of the Royal Family; nor for the Horse or Horses of any Officers, Soldiers, or Marines on their March or on Duty; nor for any Horse or Horses or other Beasts, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning therefrom, having been employed only in carrying or conveying the Arms or Baggage of any such Officers, Soldiers, or Marines, or of any Officers or Men in Her Majesty's Navy, or in carrying or conveying any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Naval, Victualling, Ordnance, Barrack, Commissariat, or other public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Naval or Land Forces, or returning from having been so employed; nor for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode

rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; nor for Horses, Carts, or Waggons travelling with Vagrants sent by legal Passes, or with Prisoners sent by legal Warrant, or returning after having been so employed; nor for any Horse or other Beast drawing any Cart, Waggon, or Carriage used by the Scavengers of the Borough and Town of *Weymouth* and *Melcombe Regis* for collecting and removing the Soil or Dung in the Streets of the said Borough and Town; nor for any Horses, Coaches, or other Carriages going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Dorset*, on the Day or Days of such Election, or on the Day or Days before or after such Election shall begin or be concluded; or the Drivers of any of the Carriages herein declared to be exempted from Tolls for passing over the Bridge: Provided always, that if any Person shall by any fraudulent or collusive Means whatsoever claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

XXIX. And be it enacted, That nothing in this Act or in the recited Acts contained shall charge or be construed to charge any Ship, Boat, Barge, or other Vessel belonging to or employed in the Service of or seized or detained on behalf of Her Majesty, Her Heirs and Successors, or any Vessel in the Service of the Customs or Excise or Post Office, or any Officers or Persons employed therein respectively, or in the Service or Employ of the Admiralty or Ordnance, with the Payment of any Harbour or other Dues whatsoever, but that all such Ships, Boats, Barges, and other Vessels, and Officers and Persons aforesaid, shall have free Use of the said Harbour, without any Charge or Rate whatsoever being made for the same, and without any Toll or Rate being payable for any Stores belonging to or purchased for Her Majesty's Service, or for any Baggage belonging to such Officer or Person aforesaid; and nothing in this Act contained shall confer any Power or Control over any of the said Vessels or Boats, their Officers or Crews: Provided always, that if any Person shall claim and take the Benefit of any such Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Exemptions
from Har-
bour Dues.

XXX. And be it enacted, That in case any Person or Persons subject or liable to the Payment of any of the Tolls aforesaid shall refuse or neglect to pay the same or any Part thereof, on Demand, as aforesaid, then it shall be lawful for the Person or Persons appointed to collect the said Tolls, by himself or themselves, or taking such Assistance as he or they shall think necessary, to stop and prevent the Passage of the Horse, Beast, Cattle, or Carriage for or in respect of which such Tolls ought to be paid until full Payment thereof,

Recovery
of Tolls.

[Local.]

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thereof,

thereof, or to seize and distrain for the same any Horse or other Cattle, together with the Loading or Gears thereof (except the Bridle or Reins of any such Horse or other Cattle separate from any such Horse or other Cattle), or any Carriage, with its Loading, for or in respect whereof any such Toll is by this Act imposed or made payable, or any Part thereof, and to detain and keep the same until such Tolls, with the reasonable Charge of such Distress, and of detaining and keeping the same, shall be fully paid; and if such Tolls, together with the Costs and Charges of making and keeping such Distress, shall not be paid within Three Days after the making or taking such Distress, it shall be lawful to and for the Person or Persons making such Distress to sell or cause to be sold the same, or so much thereof as he shall think needful, returning the Overplus to arise from such Sale, and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and all the Expences of such Distress, and of keeping and selling the same, shall be deducted.

For settling
Disputes
concerning
Tolls.

XXXI. And be it enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) till the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, (as the Case may happen,) be ascertained by One or more Justice or Justices of the Peace for the said County of *Dorset*, who, upon Application made to him or them for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice or Justices shall appear right and proper, all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress, by Authority and by virtue of a Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any), on Demand, after deducting such Costs and Charges, and the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Toll Collec-
tors to put
up their
Names.

XXXII. And be it enacted, That every Toll Collector appointed either by the Commissioners for executing this Act or by their Lessee or Lessees, under the Power in that Behalf herein-after contained, to collect the Tolls payable at any Toll Gate or Bar whereat the Tolls granted by this Act shall or may from Time to Time be payable and collected, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters in the Front or on some other conspicuous Part of such Toll House, Toll Gate, or Bar, immediately upon his coming on Duty, each of the said Letters of such Name to be at least One Inch in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty at any such Toll Gate or Bar; and if any Collector
of

of the said Tolls shall not place and keep such Board as aforesaid during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll, or shall make use of any scurrilous or blasphemous Language to any Person or Persons passing or going to pass over the said Bridge, or through any such Toll Gate or Bar whereat the said Tolls shall be payable, or shall, without sufficient Cause, detain or delay any Person or Persons so passing or going to pass, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

XXXIII. And be it enacted, That if any Person or Persons shall give to, offer, or dispose of, or receive from any other Person or Persons, any Ticket given to denote the Payment of Toll for Passage over the said Bridge, or shall forge or counterfeit or knowingly make use of any forged or counterfeit Ticket in order to avoid Payment of the said Tolls or any Part thereof, or shall take off or cause to be taken off any Horse or other Beast from any Carriage, whereby the Payment of any of the said Tolls or any Part thereof is or shall be evaded, or shall ride, lead, drive, or convey any Horse, Beast, Cattle, or Carriage whatsoever through, over, or across the River within Five hundred Yards of the said Bridge, in order or with Intent to evade the Payment of the said Tolls, or shall do any other Act for the Purpose of evading the Payment of the said Tolls or any of them, or any Part thereof, every Person so offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Penalty on
evading
Tolls.

XXXIV. And be it enacted, That it shall be lawful for the Commissioners for executing this Act from Time to Time to lease the said Bridge Tolls, or any Part or Parts thereof, from Year to Year, or for any Term of Years not exceeding Seven Years, for the best Rent that can be got for the same, payable at such Times and under such Covenants and to such Person or Persons as such Commissioners shall think fit; and the Monies arising thereby shall be applied in such Manner as the Tolls to be so leased are hereby directed to be applied.

Power to
lease Bridge
Tolls.

XXXV. And be it enacted, That in case the Tolls hereby authorized to be taken for the Passage of Cattle and Carriages over the said Bridge shall at any Time or Times be let to farm, and the Lessee

Enabling
Commission-
ers to take
possession of

the Toll
Houses, &c.
in the Hands
of Lessees or
Collectors.

Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall respectively be demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in arrear and unpaid by the Space of Twenty-one Days next after the Days on which the same ought to be paid, pursuant to the Contract or Agreement for letting the same, or if any Collector or Receiver of the Tolls who shall be discharged from his said Office by the Commissioners for executing this Act, or the Wife or Widow or any of the Children, Family, or Representatives of any Collector or Receiver who shall die, abscond, absent himself, or be discharged, or if any Person or Persons shall refuse to deliver up the Possession of any Toll House or Toll Houses, with the Buildings and Appurtenances thereto belonging, for the Space of Ten Days next after Demand made thereof in Writing, signed by such Commissioners, or by their Treasurer or Receiver with their Authority, and left in any such Toll House, then and in any of the Cases aforesaid it shall be lawful for any Justice of the Peace for the County of *Dorset*, on Complaint to him made of the same by or on behalf of such Commissioners, and due Examination of the same on Oath, to adjudge and direct some Constable or other Officer of the Peace acting in and for the District of the said Borough and Town, taking with him such Assistance as shall be thought necessary, to enter into and upon the Possession of such Toll House or Toll Houses, Weighing Engine or Weighing Engines, and other Buildings and Premises, in the Daytime, and remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and from the Collection of the Tolls there payable, and to put such Commissioners or any of their Officers, or any other Person or Persons appointed by them or any Seven or more of them, in possession thereof; and on such Lessee or Lessees, Farmer or Farmers, or any Person or Persons employed by or in possession under them, being so put out of Possession as aforesaid, it shall be lawful for such Commissioners, or any Seven or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing and letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be accordingly utterly void to all Intents and Purposes, as if such Demise, Contract, or Agreement had never been made (save as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reserved or made payable); and it shall be lawful for such Commissioners, or any Seven or more of them, in every such Case, to demise, let, or farm the said Tolls again to any other Person or Persons, in the same Manner as if no former Demise, Contract, or Agreement had been made or entered into relative to the same.

Power to
borrow Mo-
ney on the
Credit of the
Dues, &c.

XXXVI. And be it enacted, That it shall be lawful for the Commissioners for executing this Act from Time to Time to borrow at Interest, on the Credit of the several Dues, Rates, and Tolls authorized to be levied by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Forty thousand Pounds; and for securing the Repayment of the Monies so borrowed, with Interest,

may assign over or mortgage to the Person or Persons who shall advance or lend the same, their, his, or her Executors, Administrators, or Assigns, (and whether such Persons or Person shall be Commissioners or a Commissioner under this Act,) the said Dues, Rates, and Tolls, or any Part thereof, and the Toll Gates and Toll Houses erected or to be erected for the Collection of such Dues, Rates, and Tolls, (the Charges of such Assignments or Mortgages to be paid out of the said Dues, Rates, and Tolls,) with such other Security by way of Guarantee of the said Railway Companies as may be agreed upon with the said Railway Companies as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

XXXVII. And be it enacted, That by and out of the Monies so to be borrowed by virtue of this Act the Principal Sums so as aforesaid owing upon the said recited Acts or either of them, and the Interest for the same, shall in the first place be duly paid off and discharged, and that, subject to the Payment and Discharge of such Principal and Interest Monies, as well the Monies so to borrowed as aforesaid as all the Dues, Rates, and Tolls to be collected by virtue of this present Act, and all Penalties and Forfeitures levied and recovered by virtue and under the Authority of the same Acts respectively, shall be under the entire Control and Management of the Commissioners for executing this Act, and shall (subject to the Provisions in that Behalf herein-after contained) be applicable as One consolidated and general Fund for the Maintenance and ordinary Repairs of the said Harbour and Bridge, and the Quays, Piers, and other Works and Erections connected therewith respectively, and for the Completion and Improvement of the said Harbour and Bridge, Quays, Piers, and other Works and Erections: Provided always, that nothing in this Act contained shall extend or be construed to exempt any Person or Persons from repairing or keeping in repair, from Time to Time as Need shall be and require, any or any Part of the said Wharfs or Quays which any such Person or Persons were obliged, by Tenure, Covenant, Agreement, or Usage, to maintain or repair before the passing of this Act.

XXXVIII. And be it enacted, That the Commissioners for executing this Act shall apply the clear Monies which shall come to their Hands during each Year, in respect of the Dues, Rates, and Tolls so vested in them as aforesaid, after defraying all the Costs, Charges, and Expences of collecting, receiving, and recovering the same, or in anywise incidental thereto, in Payment of the annual Interest upon the Monies to be borrowed by them as aforesaid, or such Part thereof as shall from Time to Time be due and owing; and that if in any Year such clear Monies shall be insufficient for the Payment of such annual Interest, and the said *Great Western* Railway Company shall have advanced Monies for the Payment of such Deficiency, the same Deficiency may be levied and raised by increasing to an Extent not exceeding Three-pence *per* Ton the Tonnage payable upon all Goods imported or exported at the said Harbour, and by levying a Toll not exceeding One Penny *per* Package upon all Goods, not being otherwise liable to Dues or Duties under the Provisions of this Act,

[Local.]

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belonging

General Fund.

Application of Money.

If Monies insufficient for Payment of Interest, Deficiency may be raised by increasing Dues.

belonging to Passengers landing at the said Harbour, except the Goods or Packages of Passengers being Inhabitants of the said Island of *Portland*, or Passengers who shall have come from or be going to the said Island, which Goods shall be exempt from the Payment of such Toll; and in case in any Year there shall be a Surplus of the clear Monies which shall come to the Hands of such Commissioners after making the Payments aforesaid, such Commissioners shall apply such Surplus in or towards, in the first place, the reimbursing to the said *Great Western Railway Company* any Sum or Sums of Money which may have been previously advanced for making up such Deficiency of Interest as aforesaid of the Principal Monies which shall for the Time being be due on the Credit of the said Dues, Rates, and Tolls, together with Interest on such Advances after the same Rate as that for the Time being payable on the said Principal Monies, and after satisfying such Advances, and Interest thereon, shall apply Two Thirds of the net Surplus in or towards the Payment or Reduction of the said Principal Monies so to be borrowed as aforesaid, and shall apply the remaining Third Part of such net Surplus in the general Improvement of the Harbour and Bridge, and the Works connected therewith, if the same shall in their Opinion be necessary, or, if the same shall not in their Opinion be necessary, shall invest the same, and permit the same and the Produce thereof to accumulate in order to form a Fund for the Purpose of effecting such Improvement as Occasion may require.

Providing for
Deficiency.

XXXIX. And be it enacted, That if the additional Tonnage and Duties so to be imposed as aforesaid shall be insufficient to meet such Deficiency, and the Interest thereof, the Commissioners for executing this Act shall apply the first Surplus which may remain in their Hands in any succeeding Year or Years, or a sufficient Part thereof, to answer such Deficiency and Interest, before applying any Part of such Surplus towards paying off the said Principal Monies then due, or expending any Part of such Surplus in Improvements, or forming thereby a Fund for general Improvements.

Auditor of
Accounts.

XL. And be it enacted, That previously to the Expiration of One Year after the Date of such Notification as aforesaid in the *London Gazette* of the Appointment of Commissioners for executing this Act, and so from Time to Time in every subsequent Year as fresh Occasion shall require, the Town Council of the said Borough and Town of *Weymouth* and *Melcombe Regis* shall, at a Meeting of Town Councillors not being Commissioners, elect some fit and proper Person to be Auditor of the Accounts to be taken of the Receipt and Expenditure of all Monies recoverable by virtue of this Act.

Annual
Account.

XLI. And be it enacted, That the annual Account to be prepared for the Purpose of showing total Receipt and Expenditure shall be taken on the Thirtieth Day of *June* in every Year, or so soon after that Day as conveniently may be.

Regulating
the using of
Harbour.

XLII. And be it enacted, That in order to prevent Damage to the Swing Bridge the Master Pilot or other Person having the Command

mand of any Vessel sailing or coming into the Harbour of *Weymouth* and *Melcombe Regis* with the Wind from the Eastward, or whilst the Tide is running up, shall let go an Anchor and Cable of sufficient Weight and Size, or cause the same to be done, immediately that such Vessel shall be opposite the Street or Opening in *Melcombe Regis* betwixt *Pulteney Buildings* and Mr. *Henning's* House, and in default thereof the Master Pilot or other Person in charge of such Vessel shall forfeit and pay a Penalty not exceeding Ten Pounds for every such Neglect.

XLIII. And be it enacted, That when and so soon as the Principal Monies owing on the Security of the said Dues, Rates, and Tolls vested in the said Commissioners for executing this Act shall have been reduced to Ten thousand Pounds, the Tolls payable for Passage over the said Bridge shall immediately cease and be no longer payable; and the Mayor for the Time being of the said Borough and Town shall by Writing under his Hand and Seal, to be affixed on the Door of the Guildhall of the said Borough and Town, declare that from a Day to be therein named the said Tolls shall cease, and all Persons, with their Horses, Carts, and Carriages, shall thereafter have Liberty to pass the said Bridge Toll-free.

When Bridge
Tolls to
cease.

XLIV. And be it enacted, That when and so soon as all Principal and Interest Monies borrowed on the Security of the said Dues, Rates, and Tolls vested in the said Commissioners for executing this Act shall have been fully paid and discharged, or the said *Great Western*, and *Wilts, Somerset, and Weymouth* Railway Companies shall have been discharged from their Guarantee for such Advances as aforesaid, and shall have been reimbursed all Monies advanced by them for the Purposes of this Act, and the Interest thereof, and all Costs and Expences incurred by them in or about the Premises, the Power of appointing Commissioners by this Act given to the said Railway Companies shall cease and be no longer exercisable, and the Places of the Commissioners then acting by the Appointment of such Railway Companies shall become vacant, and shall be supplied by the Mayor, Aldermen, and Burgesses out of the Town Council of the said Borough, and all future Elections and Appointments shall be made by the said Mayor, Aldermen, and Burgesses.

When Coun-
cil to appoint
all Commis-
sioners.

XLV. And be it enacted, That nothing in this Act contained shall extend to affect the Rights, Powers, and Privileges of the Mayor, Aldermen, and Burgesses of the said Borough and Town of *Weymouth* and *Melcombe Regis*, in their corporate and municipal Capacity.

Saving of
Rights of
Corporation
of Wey-
mouth.

XLVI. And be it enacted, That for the Purposes of this Act the Coast Limits of the Harbour of *Weymouth* and *Melcombe Regis* shall be deemed and taken to be as extending along the Sea Coast from *Bincleves*, the extreme South-western Point of the Parliamentary Boundary of the said Borough, to the *Old Sluice* on the *Wareham* Road, being the extreme North-eastern Point of the same Boundary.

Limits of
Harbour.

XLVII. And

Expences
of Act.

XLVII. And be it enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act shall be defrayed by the said Mayor, Aldermen, and Burgesses out of any Funds now in their Possession, or which shall come to their Hands, under or by virtue of the said recited Acts or either of them, and in case the same shall be insufficient, by the Commissioners for executing this Act out of any Funds coming to their Hands under or by virtue of this Act.

Public Act.

XLVIII. And be it enacted, That this Act shall be deemed to be a Public Act.

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