



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. lxxxiii.

An Act for altering and amending the *Dundee* Harbour Acts; and for more effectually maintaining, improving, and extending the Harbour of *Dundee*; and for other Purposes connected therewith. [28th July 1843.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually maintaining, improving, and extending the Harbour of Dundee in the County of Forfar:* 11 G. 4. & 1 W. 4. c. 119.
 And whereas another Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter, amend, and extend the Powers of an Act passed in the Eleventh Year of the Reign of His late Majesty, for more effectually maintaining, improving, and extending the Harbour of Dundee in the County of Forfar:* 6 & 7 W. 4. c. 61.
 And whereas the Trustees under the said recited Acts were authorized to construct and maintain certain Works required for the Improvement of the said Harbour, and for the Convenience of the Trade thereof, and for these and the other Purposes of the said Acts to borrow the Sum of Two hundred and thirty thousand Pounds: And whereas it is necessary, for the Protection of the Works already constructed, and the further Improvement of the said Harbour, that the said Trustees should be authorized to construct the additional Works herein-after mentioned, and for that Purpose, and for more fully carrying into effect the Purposes of the said

[Local.]

recite

Recited Acts, except where altered, extended to this Act.

recited Acts, that they should be authorized to borrow a further Sum of Money, and that further and additional Powers should be given to the said Trustees, and that the said recited Acts should be altered and amended; but the same cannot be done 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 the said recited Acts, and all the Powers, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Clauses, Matters, and Things therein respectively contained, (except so far as the same have already been or shall by this Act be repealed, altered, or otherwise provided for, or as are inconsistent with the Provisions thereof,) shall be of full Force and Effect, and shall extend to this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were repeated and re-enacted in the Body of this Act.

Provisions of recited Acts relating to the Appointment of Trustees repealed, and new Appointments made.

II. And be it enacted, That so much of the said recited Acts as relates to the Nomination or Appointment of Trustees for executing the Purposes thereof, and the Time of their Election, shall be and the same is hereby repealed; and that from and after the passing of this Act the Provost, Four Bailies, the Dean of Guild of the Royal Burgh of *Dundee*, and the Box-master of the Fraternity of Masters and Seamen of *Dundee*, all for the Time being, (each of which Persons shall be deemed to be official Trustees,) together with Fourteen other Persons, to be nominated and chosen annually in manner herein-after provided, (that is to say,) One Person, being a Common Councillor of the Burgh of *Dundee*, to be elected by the Town Council of the said Burgh, Five Members of the Guildry Incorporation of *Dundee*, to be elected by the said Incorporation, Three Members of the Nine Incorporated Trades of *Dundee*, to be elected by the said Nine Trades, One Member of the Three United Trades of *Dundee*, to be elected by the said Three Trades, and Four Persons possessed of Landed Property in the County of *Forfar*, rated in the Cess Books thereof at One hundred Pounds *Scots* at the least, to be chosen by the said County, shall be and they are hereby constituted and appointed Trustees for the Purpose of carrying the said recited Acts and this Act into execution, and accomplishing the Objects therein specified; and the Fourteen first non-official Trustees shall be the following Persons; (*videlicet*,) Sir *John Ogilvy* of *Inverquharity*, Baronet, *David Hunter* of *Blackness*, *Alexander Clayhills* of *Invergowrie*, *William Douglas Dick* of *Pitkerro*, *James Brown*, *John Sturrock*, *Thomas Neish*, *David Baxter*, *Thomas Powrie*, *Alexander Martin*, *James Murray*, *Alexander Brown*, *David Scott*, and *David Low*; and the said Trustees shall continue in Office until the Third *Monday* of *November* in this present Year One thousand eight hundred and forty-three, when they shall go out of Office, and their Places shall be supplied by Fourteen Trustees, to be elected in manner herein-after provided, who shall remain in Office until the Third *Monday* of *November* One thousand eight hundred and forty-four, when the Fourteen last-mentioned Persons so elected

electd shall go out of Office, and their Place be supplied by the like Number of Persons to be elected in manner herein-after provided, and so on yearly on the Third *Monday* of *November* in all Time thereafter the Fourteen non-official Trustees elected for the preceding Year shall go out of Office, and Fourteen Trustees shall be elected in manner herein-after provided to supply their Places: Provided always, that every Trustee about to go out of Office as aforesaid shall, if otherwise duly qualified, be at all Times eligible to be re-elected.

III. And be it enacted, That upon the Day in this present Year appointed for the Election of Magistrates under an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of Magistrates and Councils of the Royal Burghs in Scotland*, the Town Council of *Dundee* shall nominate and elect, in the Manner usually observed by them, One Person, being a Common Councillor of the Burgh, to be a Trustee under this Act for the Year next ensuing, and annually thereafter upon the Day appointed by the said Act for the Purpose aforesaid the said Town Council of *Dundee* shall nominate and elect One Person, being a Common Councillor of the Burgh, to be a Trustee under this Act for the Year then ensuing, who shall come into Office on the Third *Monday* of *November*.

Election of one Trustee from Town Council.

IV. And be it enacted, That the Dean of Guild, the Convener of the Nine Incorporated Trades, the Convener of the Three United Trades, or the Preses or Chairman of the said several Bodies for the Time being, shall call General Meetings of the said Guildry Incorporation, Nine Incorporated Trades, and Three United Trades, respectively, after Seven free Days previous Advertisement in One or more Newspapers published in *Dundee*, to be held on the *Wednesday* immediately preceding the Third *Monday* of *November*, One thousand eight hundred and forty-three, within their respective Halls, or such other Places of Meeting as the said respective Bodies or Incorporations from Time to Time shall fix and determine; and such Meetings shall respectively there, between Eleven in the Forenoon and Twelve of the Clock at Noon, put in nomination such Number of Persons, being Members of the said Guildry Incorporation, Nine Incorporated Trades, and Three United Trades, respectively, as to each respective Meeting shall seem proper, to be Candidates for the Office of Trustee on behalf of the said respective Incorporations for the Year then ensuing; and in case Five Candidates only for the said Guildry Incorporation, Three Candidates for the said Nine Incorporated Trades, and One Candidate for the said Three United Trades, respectively, shall be nominated, the Persons so nominated shall be forthwith declared by the Preses or Chairman of the respective Meetings to be duly elected Trustees under this Act for the Year then next ensuing; but in case the Number of Persons put in nomination shall exceed the Number of Trustees to be elected by the said Guildry Incorporation, Nine Incorporated Trades, or Three United Trades, respectively, the Meetings of such of the said

Election of Five Trustees from the Guildry, Three from Nine Trades, and One from Three United Trades.

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Incorporations at which the Number of Candidates shall be greater than the Number of Trustees to be elected by such Incorporation shall, immediately on the Nomination of the Candidates being completed, proceed to elect by the Majority of Votes from amongst the Candidates then proposed, and in the Manner usually observed by them in all Cases of the Election or Appointment of Persons to represent them in any separate Trust or Institution, the Number of Trustees under this Act herein-before prescribed to be elected by the said Bodies or Incorporations respectively, and so on annually upon the said *Wednesday* immediately preceding the Third *Monday* of *November* in all Time thereafter similar Elections shall take place; provided always, that previous Notice of the said Meetings for the Election of Trustees shall be given as aforesaid; and the Trustees to be so elected annually by the said Guildry Incorporation, Nine Incorporated Trades, and Three United Trades, respectively, shall come into Office on the Third *Monday* of *November*, and remain in Office for One Year; provided that no Bankrupt or notour Insolvent shall be capable of being or of continuing to act as a Trustee under this Act.

Election of Four Trustees from the County of Forfar.

V. And be it enacted, That by and in the *Michaelmas* Meeting of the County of *Forfar* to be held in this present Year, or at any Adjournment thereof, Four Persons shall be elected in the Manner usually observed by the said County in all Cases of the Election of Persons to represent them in any separate Trust or Institution to be Trustees under this Act, who shall come into Office on the Third *Monday* of *November* ensuing such Election, and remain in Office for One Year, when they shall go out of Office; and in like Manner, by and in the *Michaelmas* Meeting of the said County for the Year One thousand eight hundred and forty-four, or at any Adjournment thereof, and annually thereafter, Four Persons shall be elected to be Trustees under this Act, to supply the Place of the County Trustees who go out of Office on the said Third *Monday* of *November* in each Year: Provided also, that no Person shall be entitled to vote at such County Election, or be qualified to be elected by the said County as a Trustee under this Act, unless he be possessed in his own Right or in right of his Wife of Land in the said County of *Forfar*, rated in the Cess Books thereof at One hundred Pounds *Scots* or upwards, or be the eldest Son of a Person so qualified.

A Return of the Names of Trustees to be made to the Clerk to the Trustees.

VI. And be it enacted, That the Town Clerks of the Royal Burgh of *Dundee*, or One of them, the Clerk of Supply of the County of *Forfar*, the Clerks of the said Guildry Incorporation, Nine Trades, and Three United Trades, respectively, and the Clerk of the Fraternity of Masters and Seamen of *Dundee*, shall be and are hereby required, within Two Days next ensuing the Days on which such Elections shall respectively take place, in virtue of the Provisions of this Act, to make a Return in Writing to the Clerk of the Trustees under this Act of the Names of the Persons qualified *ex officio* or elected to be Trustees under this Act, under a Penalty not exceeding Five Pounds.

VII. And

VII. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Trustee he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, other than a Contract of Lease or a Feu Contract or Disposition of Heritable Property let or sold under the Regulations prescribed by the said recited Acts or this Act, as Principal or Surety, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Trustee, and his Office shall become vacant, on an Entry to the Effect that such Vacancy has occurred being made by the Trustees in their Sederunt Book: Provided always, that no Person, being a Shareholder or Member of any Company established by Act of Parliament or Charter, or of any Company constituted by voluntary Contract, and consisting of a greater Number of Partners than Fifteen, shall be prevented from acting as a Trustee under this Act by reason of any Contract entered into between such Company and the Trustees.

Trustees not to hold Office, nor be concerned in Contracts.

VIII. And be it enacted, That if any Person shall act as a Trustee, being incapacitated to act, or not being duly qualified, or after having become disqualified, he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds, to be paid to the Treasurer under this Act, and applied to and for the Purposes thereof; and such Penalty may be recovered, with full Costs of Suit, in a summary Complaint to be heard and determined by the Sheriff in the same Manner as in Proceedings before him for the Recovery of small Debts at the Instance of any Person qualified to vote in the Election of any Trustee under this Act who shall sue for the same; but nevertheless all Acts and Proceedings of any Person acting as a Trustee, being incapacitated, not being duly qualified, or being disqualified, done previous to the Award of such Penalty, shall be as valid as if such Person had been duly qualified.

Penalty on unqualified Persons acting as Trustees.

IX. And be it enacted, That in case there shall be a Vacancy in the Number of Trustees by reason of any of the respective Bodies or Corporations herein-before mentioned refusing or neglecting to elect Trustees for such Bodies or Corporations or any of them, at the Time fixed for the Election, or in case the Place of any of the Trustees shall become vacant by Death, Resignation, Refusal to act, Bankruptcy, notour Insolvency, or otherwise, then and in any such Case it shall be lawful for the Body or Incorporation which the Trustee so dying, removing, or refusing to act, or becoming Bankrupt, or notour Insolvent, represented, and within One Month after such Death, Removal, or Refusal to act, or Bankruptcy or Insolvency, to nominate and elect a Person to supply such Vacancy, and failing thereof it shall be lawful for the Trustees and they are hereby required to nominate and appoint a Person to supply such Vacancy from amongst the Members of the Body or Incorporation so refusing or neglecting, or by whom the Person creating the Vacancy shall have been elected; and such Person, when so nominated and appointed, shall have and enjoy the same Powers and Privileges as the Trustee whose Place he is appointed to supply, and shall remain in Office for the Period such Trustee would have remained in Office had

Provision for supplying Vacancies.

[Local.]

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the Vacancy not occurred ; and during any Vacancy in the Number of Trustees from any Cause whatever the other Trustees elected and acting for the Time shall have and are hereby vested with full Power and Authority to carry into effect all the Purposes of the said recited Acts and this Act.

Trustees not incapable of acting as Justices.

Trustees and Officers not incompetent to give Evidence.

X. And be it enacted, That no Trustee shall be incapable of acting as a Judge or Justice of the Peace in any Matter or Thing relating to the Execution of this Act by reason of his being such Trustee ; and no Trustee, or Person employed in the Execution of this Act or in the Service of the Trustees, shall be deemed incompetent to give Evidence in any Matter or Thing, in any Court of Justice or otherwise, relative to this Act, by reason of his being such Trustee, or employed in the Execution of this Act, or in the Service of the Trustees.

General Meetings of Trustees.

XI. And be it enacted, That so much of the said recited Acts as relates to the holding of annual General Meetings of Trustees, to the Quorum of such Meetings, to the calling and holding of Meetings of Trustees for special Purposes, Adjournments of Meetings, and to the Appointment of Committees of Trustees, and to the Appointment of Treasurer, Clerk, and other Officers, shall be and the same is hereby repealed ; and that the First stated General Meeting of the Trustees under this Act shall be held within the Harbour Chambers of *Dundee* on the Second *Monday* after the passing of this Act, at One o'Clock Afternoon ; and that thereafter a stated General Meeting of the Trustees shall be held in the Harbour Chambers upon the First *Monday* of every Month at the same Hour or in such other Place and at such other Hour as the Trustees may from Time to Time fix and appoint for the assembling of stated General Meetings.

Adjourned and Special General Meetings.

XII. Provided always, and be it enacted, That intermediate Meetings of the Trustees may be held by Adjournment as herein-after provided ; and that Special General Meetings may be called by the Provost of the Burgh of *Dundee*, and also by the Clerk, on Requisition being made to him, stating the Object of the intended Meeting, under the Hands of any Three of the Trustees ; which Special General Meetings the Clerk shall be bound to summon within Four Days next after such Requisition shall have been delivered to him ; and a written or printed Notice of Special General Meetings, to be called by the Provost, specifying the Purpose of the Meetings, and a like Notice of Special General Meetings to be called by the Clerk, on Requisition, containing a Copy of such Requisition, shall be delivered or sent to each of the Trustees at least Twenty-four Hours before the Meeting shall be held ; and that no Business shall be considered at any Special Meeting called by the Provost, or by the Clerk, on Requisition, as aforesaid, but such as may be set forth in the said Notice ; and that at all stated, adjourned, or Special Meetings Seven Trustees shall be the Quorum ; and the Provost of *Dundee* for the Time, or in his Absence the Senior Bailie thereof who may be present, or in Absence of all of the Bailies, the Dean of Guild, and in Absence of the Provost, Bailies, and Dean of Guild, such

such One of the Trustees as shall be chosen by the Meeting, shall preside, and shall have a deliberative, and also, in case of Equality, a casting Vote, in all Matters and Questions which shall come before them: Provided also, that after the Meeting shall have been constituted and the Chair taken the Person in the Chair shall not be displaced by the subsequent Arrival of the Provost, Bailies, and Dean of Guild, or any of them, but shall continue to officiate as Chairman or Preses till the Close of the Meeting.

XIII. And be it enacted, That no Regulation shall be adopted or carried into execution by any Special General Meeting, altering, or tending to alter or annul, any Regulation which may have been made at any stated General Meeting of Trustees. Limiting Powers of Special Meetings.

XIV. And be it enacted, That the Trustees, or a Majority of them present at any Meeting, may adjourn the same to any other Day and Hour not later than Twenty-one Days from the Day on which such Adjournment shall take place; and that if there shall not be Seven Trustees present within Fifteen Minutes after the Time appointed for any Meeting of Trustees it shall be lawful for the Trustees present, or the major Part of them, or for any One Trustee, if only One be present, to adjourn the Meeting to any other Day and Hour not later than Twenty-one Days from the Day of such Adjournment. Meetings may be adjourned.

XV. And be it enacted, That Notice of all stated or adjourned Meetings shall be given to every Trustee by Letters in such Form, and to be sent or delivered under such Regulations, as shall from Time to Time be directed by the Trustees assembled at any stated General Meeting by a Minute engrossed in their Sederunt Book; and that a Certificate by the Clerk, or any other Person to be appointed by the Trustees or by their Clerk to send or deliver such Notices, that he duly sent or delivered a Copy of the same to each of the Trustees in Terms of such Regulations, shall be deemed and held as sufficient legal Proof that such Notices were so sent or delivered. Notice of Meetings how to be given.

XVI. And be it enacted, That the Trustees may appoint Committees, consisting of such Number of their Body, not being fewer than Three, as they think fit, for carrying into effect any of the Provisions of this and the said recited Acts which the Trustees shall from Time to Time think proper to intrust to such Committees, and they may at any Meeting continue, alter, or discontinue such Committees. Committees may be appointed.

XVII. And be it enacted, That such Committees may meet from Time to Time, and may adjourn from Place to Place, as they think proper, for carrying into effect the Purposes of their Appointment; but no such Committee shall exercise the Powers intrusted to them, except at a Meeting at which there shall be present Three of its Members; and at all Meetings of Committee One of the Members present shall be appointed Chairman, and all Questions at any Meeting of the Committee shall be determined by a Majority of the Members present, Meetings of Committees.

present, and in case of an equal Division of Votes the Chairman shall have a casting Vote, in addition to his Vote as a Member of the Committee.

Proceedings
to be en-
tered in a
Book.

XVIII. And be it enacted, That the Trustees shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all their Meetings, and of the Meetings of their Committees, to be duly entered into Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Trustees; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Trustees or Members of Committees, respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed.

Contracts
may be
made.

XIX. And be it enacted, That so much of the said first-recited Act as relates to Contracts shall be and the same is hereby repealed; and that it shall be lawful for the Trustees to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this or the said recited Acts to be done by the Trustees, and for providing any Materials for the same, or which may be required by the Trustees; and Notice of such Contract shall be given by Advertisement for Two consecutive Weeks in at least One Newspaper published in *Dundee*; and every such Contract shall be in Writing, and shall specify the Work to be done, and the Quality of the Materials to be used, the Prices to be paid, and the Term within which the Contract is to be performed, and the Penalties for Nonperformance thereof, or such other Things as the Trustees think proper; and the Trustees may take such Security for the Performance of such Contract as to them shall seem necessary; and every such Contract shall be signed by Five or more of the Trustees and the other Parties thereto.

Indemnity
of Trustees.

XX. And be it enacted, That no Trustee, by being a Party to, or making, signing, or executing, in his Capacity of a Trustee, any Contract or other Instrument, or otherwise lawfully executing any of the Powers given to the Trustees, shall be subject to be sued or be prosecuted, either individually or collectively, by any Person whomsoever, and neither the Person nor the Property of any Trustee shall be liable to the Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by any of them, or by reason of any other lawful Act done in the Execution of any of their Powers as Trustees; and the Trustees, their Heirs, Executors, and Administrators, shall be indemnified, out of the Monies to arise by this or the said recited Acts, for all Payments made, or Liability incurred, in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the
Powers

Powers granted to them ; and the Trustees may apply the said Monies for the Purposes of such Indemnity.

XXI. And be it enacted, That it shall be lawful for the Trustees from Time to Time to appoint a Treasurer, Clerk, Collector, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable ; and to remove such Treasurer, Clerk, Collector, and Officers, and appoint others in their Stead.

Appoint-
ment of
Treasurer
and other
Officers.

XXII. And be it enacted, That every Officer or Person appointed or employed under the said recited Acts shall continue to hold and exercise their respective Offices and Employments until they shall be displaced, or removed by the Trustees ; and every such Officer or Person shall have the same Powers, and be subject to the like Rules, Regulations, Pains, and Penalties, as if they had been severally appointed by the Trustees after the passing of this Act.

Officers un-
der former
Acts to con-
tinue.

XXIII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be the Treasurer ; and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk ; and if any Person offend in any of the following Cases he shall for every such Offence forfeit One hundred Pounds ; (that is to say,)

Offices of
Clerk and
Treasurer to
be separate.

If any Person accept both the Offices of Clerk and Treasurer :

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer :

If any Person, being the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of the Clerk, or in any Manner officiate for the Clerk :

If any such Treasurer or Clerk, hold any Place of Profit or Trust under the Trustees, other than that of Treasurer or Clerk (as the Case may be) :

And any Person may sue for such Penalty before the Court of Session, or the Sheriff of the County of *Forfar*, and shall on Recovery thereof be entitled to full Costs of Suit.

XXIV. And be it enacted, That before any Person intrusted with the Custody or Control of Monies under the said recited Acts or this Act, whether Treasurer, Clerk, Collector, or other Officer, shall enter upon his Office, the Trustees shall take sufficient Security from him for the faithful Execution of his Office.

Security to
be taken.

XXV. And be it enacted, That if any Treasurer, Clerk, Collector, or other Officer in the Service of the Trustees exact, take, or accept, on account of any thing done by virtue of his Office, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Fees

Penalty on
Officers
taking Fees.

[Local.]

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allowed

allowed by the Trustees, he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Officers to
account.

XXVI. And be it enacted, That every Officer or other Person employed by the Trustees shall from Time to Time when required by the Trustees make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Trustees; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of; and, together with such Account, such Officer or Person shall deliver the Vouchers and Receipts for such Payments; and every such Officer or Person shall pay to the Trustees, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy
against Offi-
cers failing
to account.

XXVII. And be it enacted, That if any such Officer or Person fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same, in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Trustees, or to any Person appointed by them to receive the same, all Books, Papers, and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act or belonging to the Trustees, then, on summary Complaint thereof being made to the Sheriff, such Sheriff shall, by Warrant under his Hand, cause such Officer or Person to be brought before him, and upon such Officer or Person being so brought before him, or if such Officer or Person cannot be found, then in his Absence such Sheriff may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer or Person; and if it appear, either upon Confession of such Officer or Person, or upon Evidence, or upon Inspection of the Account, that any Monies of the Trustees are in the Hands of such Officer or Person, or owing by him to the Trustees, such Sheriff may order such Officer or Person to pay the same; and if he fail to pay the Amount it shall be lawful for such Sheriff to grant a Warrant to levy the same by Pounding and Sale of the Effects of such Officer or Person, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months; and in any of the following Cases, (that is to say,)

If any such Officer or Person do not appear before the Sheriff at the Time and Place appointed for that Purpose; or
If such Officer or Person appear, but fail to make out such Account in Writing; or
If such Officer or Person refuse to produce and deliver to the Sheriff the several Vouchers and Receipts relating to such Account; or
If such Officer or Person refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Trustees;

Such Sheriff may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody
without

without Bail until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

XXVIII. And be it enacted, That no such Proceeding against or Dealing with any such Officer or Person as aforesaid shall deprive the Trustees of any Remedy which they might otherwise have against any Surety of such Officer or Person. Sureties not to be discharged.

XXIX. And be it enacted, That full and true Accounts shall be kept of all Sums of Money received or expended on account of the said recited Acts or this Act by the Trustees, and all Persons employed by or under them, and of the Articles, Matters, and Things for which such Sums of Money shall have been received or disbursed and paid; and the Trustees shall also cause Books to be provided and kept by their Treasurer, in which shall be entered true and regular Accounts of Money received and paid out; and such Books shall at all reasonable Times be open to the Inspection of any Trustee or Creditor on the Rates authorized to be levied by this Act, without Fee or Reward. Accounts to be kept.

XXX. And be it enacted, That so much of the said recited Acts as relates to the making up and auditing of the Accounts of the Trustees shall be and the same is hereby repealed; and that the Accounts of the Monies received and expended by the Trustees under the said recited Acts and this Act shall be balanced yearly as on the Thirty-first Day of *May*; and that an Abstract of the said Accounts shall be made up, and produced at the stated General Meeting of the Trustees to be held on the First *Monday* of *July* in every Year, or at some Adjournment thereof, or at the First stated or Special Meeting after the First *Monday* of *July*; together with a Statement in Writing of all Sums or Debts resting and owing by the Trustees at the said Thirty-first Day of *May*, on Bonds, open Account, or otherwise undischarged, so far as known at the Time. Accounts to be balanced annually.

XXXI. And be it enacted, That the Sheriff of the County of *Forfar* shall annually appoint a fit and proper Person to audit and docket the Accounts of the Trustees; and that such Person shall, in the Month of *July* in each Year, attend in *Dundee*, and proceed to examine the Accounts of the Receipts and Disbursements of the Trustees for the Year ending on the Thirty-first Day of *May* preceding, and compare the said Disbursements with the Vouchers instructing the same; for which Purpose the said Vouchers, and all Books, Papers, and Documents in any way relating to the Business of the said Harbour, shall be produced or made patent to the said Auditor; and that the Auditor shall have Power to require from all Persons in the Employment of the Trustees all such Information as the said Persons may be able to give, with respect to the Conduct and Management of the Business of the said Harbour; and thereafter such Auditor shall prepare an Account in Abstract An Auditor of Accounts to be appointed.

stract of the total Receipts and Expenditure of all Funds levied by virtue of the said recited Acts and this Act for the Year ending the Thirty-first Day of *May* preceding, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of the said Accounts, and shall audit and certify the same; and on or before the First *Monday* of *August* yearly transmit or deliver his Report to the Trustees, who shall consider the same at the First stated or adjourned General Meeting thereafter, or at a Special Meeting to be called for the Purpose, and approve or disapprove of the said Report, and of the Accounts of the Treasurer, Collector of Rates and Duties, and other Officers and Servants who may have been empowered to receive or disburse any of the Monies of the Trust, or defer the Consideration of the said Report and Accounts for any Period not exceeding Fourteen Days; and the Trustees shall pay to the Auditor such Sum for his Trouble in making the Audit as they, with the Advice and Concurrence of the said Sheriff, shall from Time to Time fix and determine.

Abstract of Accounts to be printed and distributed.

XXXII. And be it enacted, That after the said Accounts of Receipt and Expenditure shall have been allowed or approved of, an Abstract of the same, as made up by the Auditor, shall be printed on or before the First *Monday* of *October* in each Year; and that a Copy thereof shall be delivered to each of the Trustees under this Act, to each of the Members of the Town Council of *Dundee*, to the Town Clerk of *Dundee*, to each of the Assessors of the Dean of Guild, to the Convener and each of the Deacons of the Nine Incorporated Trades, to the Convener and each of the Deacons of the Three United Trades, to the Deputy Box-master of the Fraternity of Masters and Seamen, all of *Dundee*, for the Use of their respective Corporations, and to such other Persons or Bodies as the Trustees may from Time to Time direct.

Abstract of annual Accounts to be transmitted to the Sheriff Clerk.

XXXIII. And be it enacted, That the Trustees shall transmit a Copy of the said Account in Abstract, certified by the said Auditor or any Three of the Trustees, free of Charge, to the Sheriff Clerk for the County of *Forsar*, on or before the Thirty-first Day of *January* in every Year; which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Trustees shall omit to prepare or transmit such Account they shall forfeit for every such Omission the Sum of Five Pounds.

Notices how to be served on Trustees.

XXXIV. And be it enacted, That in all Cases where it may be requisite or necessary to serve any Notice upon the Trustees, or any Citation or Summons or other legal Proceedings against them, the Service upon the Clerk of the Trustees, or at the Office of the said Clerk, or left at his Place of Abode, shall be deemed good and sufficient Service of the same upon the Trustees; provided that in all Cases of Arrestment such Notice shall be served on the Treasurer as well as the Clerk.

Authentication of Notices.

XXXV. And be it enacted, That in all Cases where it may be requisite or necessary for the Trustees to serve any Summons, Demand,
or

or Notice, or other such Document, the same may be in Writing or Print, or partly in Writing or Print, and if the same require Authentication, the Signature thereof by the Clerk of the Trustees shall be a sufficient Authentication.

XXXVI. And with respect to Actions brought in respect of any Proceeding under the Provisions of the said recited Acts or this Act, be it enacted That if before Action brought any Party, having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of the said recited Acts or this Act, or by virtue of any Power or Authority thereby given, make Tender of sufficient Amends to the Party injured, such Party shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Defender, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit; and thereupon such Proceedings shall be had as in other Cases where Defenders are allowed to pay Money into Court.

XXXVII. And be it enacted, That the Trustees may sue and be sued in the Name of their Clerk for the Time being; and no Action or Proceeding which may be brought or instituted by or against the Trustees in the Name of their said Clerk shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered without the Consent or Direction of the Trustees, but such Clerk shall be deemed Pursuer or Defender in all such Actions and Proceedings: Provided always, that every Clerk as aforesaid in whose Name any Action or Proceeding shall be instituted or defended, as herein-before mentioned, shall always be reimbursed, out of the Monies to arise by virtue of this Act, all such Expences as he shall incur or become chargeable with by reason of his being so made Pursuer or Defender, and shall not be personally answerable or liable for the same, unless such Action or Proceeding shall have arisen in consequence of his own wilful Neglect or Default, or been instituted or defended without the Order or Direction of the Trustees: Provided also, that the said Clerk shall not, by reason of his being such nominal Party in any Action or Proceeding instituted or defended under the Authority of this Act, be incapacitated for being a Witness, either for or against the Trustees, in any such Action or Proceeding, if in other respects admissible.

XXXVIII. And be it enacted, That it shall be lawful for the Trustees to borrow such Sums of Money as shall from Time to Time be considered necessary by them, not exceeding in the whole the Sum of Twenty thousand Pounds, in addition to the Sums which they are by the said recited Acts authorized to borrow; and for securing the Sums so respectively from Time to Time borrowed, with Interest, to assign the whole Rates, Duties, and other Revenues of the Harbour and Works to the Person who shall advance or lend such Sums so to be borrowed, together with Interest for the same.

[Local.]

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XXXIX. And

Reborrow-
ing.

XXXIX. And be it enacted, That if, after having borrowed any Part of the Money which they are authorized to borrow, the Trustees pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time, under the Limitations herein-after mentioned.

Form of As-
signment.

XL. And be it enacted, That every Assignment for securing Money to be hereafter borrowed by the Trustees shall be by Deed under the Hands of the Trustees or any Seven or more of them, and their Treasurer, duly stamped, and wherein the Consideration Money shall be truly stated; and every such Assignment shall be in the Words or to the Effect set forth in the Schedule (A.) to this Act annexed; and every such Assignment shall be executed by and in Presence of a Quorum of the Trustees at some General Meeting, and after a Resolution shall have been entered on their Minutes to borrow the Sum to be contained in such Assignment from the Person in whose Favour such Assignment is or shall be granted.

Assign-
ments to be
without Pre-
ference.

XLI. And be it enacted, That all Persons to whom Assignments have before the passing of this Act been granted under the said recited Acts, and all Persons to whom Assignments or Securities shall hereafter be made, or who are or who shall be entitled to the Monies thereby secured, shall be entitled, one with another, to their respective Proportions of the said Rates, Duties, and other Revenues of the said Harbour and Works, according to the Sums advanced by such Persons respectively, and to be repaid the Sums so advanced, without any Preference, one above the other, by reason of the Priority of the Date of any such Securities or Assignments, or on any other Account whatsoever: Provided always, that nothing in this Act contained shall be held or construed to alter, affect, or diminish any Security or Mortgage granted for Money borrowed under the said recited Acts or any of them, all of which Securities or Mortgages shall remain valid and sufficient in favour of the Holders thereof the same as if this Act had not passed.

Existing Se-
curities not
to be pre-
judiced.

Register of
Assign-
ments.

XLII. And be it enacted, That a Register of such Assignments shall be kept by the Clerk; and within Twenty-one Days after the Date of any such Assignment an Entry or Memorial, specifying the Date of such Assignment, and the Names of the Parties thereto, with their proper Designations, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested in such Assignment, without Fee or Reward.

Transfer of
Assign-
ments.

XLIII. And be it enacted, That from Time to Time any Party entitled to any such Assignment may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration Money shall be truly stated; and every such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect.

Entry of
Transfers
of Assign-
ments.

XLIV. And be it enacted, That within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom,

Kingdom, it shall be produced to the Clerk, and thereupon the Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Assignment; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Assignment in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Assignment so transferred, or any Money thereby secured.

XLV. And be it enacted, That the Interest on any such Assignment shall not be transferable except by Deed duly stamped.

Transfers of Interest to be stamped.

XLVI. And be it enacted, That the Trustees may at all Times pay off the Money borrowed, or any Part thereof, on giving not less than Six Months previous Notice; and such Notice shall be by Writing, given either personally to the Creditor to be paid off, or if such Creditor be unknown, or cannot be found, such Notice shall be given by Advertisement in the *Edinburgh Gazette* and in some Newspaper published in the County of *Forfar*, and at the Expiration of the said Notice Interest shall be payable on the Money secured by such Assignment, at the Rate allowed at the Time by the Majority of chartered Banks in *Edinburgh*.

Repayment of Money borrowed.

XLVII. And whereas it is expedient to make additional Provision for maintaining and regulating a Sinking Fund for the gradual Liquidation of the Debt affecting the said Harbour; be it enacted, That so much of the said recited Act of the Sixth Year of the Reign of His late Majesty King *William* the Fourth as relates to a Sinking Fund shall be and the same is hereby repealed; and that from and after One Month after the passing of this Act the Trustees shall be authorized and they are hereby required, out of the Rates, Duties, Revenues, and other Monies paid or to become payable to them under the said recited Acts and this Act, to set apart yearly the Sum of Five thousand seven hundred and fifty Pounds as a Sinking Fund, to be applied in the Repayment of the Sums borrowed or to be borrowed and due and owing by the Trustees as aforesaid, which Sinking Fund of Five thousand seven hundred and fifty Pounds *per Annum* shall continue to be raised and applied in the Liquidation of the Debt of the said Harbour until the Amount of such Debt shall have been reduced to Two hundred thousand Pounds; but after the Debt affecting the said Harbour shall be reduced to Two hundred thousand Pounds the Sinking Fund to be thereafter raised shall be Two and a Half *per Cent.* on that Sum, or Five thousand Pounds yearly, until the said Principal Debt shall have been extinguished.

Repealing the Provisions respecting the Sinking Fund and making other Provisions.

XLVIII. And be it enacted, That the Treasurer of the Trustees for the Time being shall, from and after One Month after the passing of this Act, out of the Rates, Duties, Revenues, and other Monies to be received by him in virtue of the said recited Acts and this Act, pay monthly into an Account to be opened with one of the local Banks of *Dundee*, or with one of the Branches in *Dundee* of any Bank incorporated by Act of Parliament or Royal Charter,

Sinking Fund to be formed by monthly Payments into Bank.

and

and to be entitled "Sinking Fund of the Trustees of the Harbour of *Dundee*," the Sum of Four hundred and seventy-nine Pounds Three Shillings and Four-pence; which monthly Payments shall constitute the said annual Sinking Fund of Five thousand seven hundred and fifty Pounds, until the Amount of the said Debt shall have been reduced to Two hundred thousand Pounds, when the modified Sinking Fund of Five thousand Pounds yearly, herein-before mentioned, shall be formed by monthly Payments as aforesaid of Four hundred and sixteen Pounds Thirteen Shillings and Four-pence; and all Interest arising from the Sums of Money deposited from Time to Time in the said Account shall be added to and form Part of the said Sinking Fund.

Application
of Sinking
Fund.

XLIX. And be it enacted, That it shall be lawful for the Trustees and they are hereby required from Time to Time, and at least once in every Year, to pay or apply the said Sinking Fund to be formed as aforesaid for and towards Repayment *pro tanto* of the Debt affecting the said Harbour, and to no other Purpose whatever; provided that each and every Payment by the said Treasurer of any Sum of Money into the said Sinking Fund shall be deemed and held by such Treasurer, and by the Auditor or other Person who may be employed to make up the annual Accounts of the Trustees, a Reduction and Extinction to the like Extent of the Sum authorized to be borrowed by the Trustees; and the Power of the Trustees of borrowing Money under the said recited Acts and this Act shall from and after One Month after the passing of this Act be limited and restricted accordingly.

Power to
Trustees
to increase
or diminish
the Rates.

L. And be it enacted, That in order that the Revenue of the said Harbour may be from Time to Time adjusted with reference to what is required for the Sinking Fund, and the several Purposes of the last herein-before recited Act and this Act, the Trustees shall be and they are hereby authorized and required to increase or reduce the Rates and Duties payable under the Schedules (C.) and (D.) annexed to this Act, as may from Time to Time be found necessary or expedient, any thing in the said recited Acts or this Act to the contrary notwithstanding; and with that view the Trustees shall, at some stated or Special Meeting to be held not later than One Month after the passing of this Act, authorize and order to be levied, taken, and collected such increased Rates, over and above the Rates specified in the said Schedules (C.) and (D.), as they shall estimate to be necessary for the Purposes aforesaid, which increased Rates shall commence at the Expiry of Ten Days after Notice of the Resolution of the Trustees authorizing such Increase shall have been given in some One or more Newspapers published in *Dundee*, and continue to be paid till the Thirtieth Day of *September* One thousand eight hundred and forty-four, inclusive of that Day; and in the Month of *August* One thousand eight hundred and forty-four, and in the Month of *August* annually thereafter, the said Trustees shall, at a stated or Special Meeting, on due Consideration of the Amount of Revenue received for the Year ending the Thirty-first Day of *May* preceding, and of the probable Amount of Revenue to be derived for the succeeding Year (so
as

as to provide as nearly as possible for the Purposes aforesaid), fix and declare the Increase to be levied or Reduction to be made upon the Rates specified in the said Schedules (C.) and (D.) (if any) for the Year to commence on the First Day of *October* following: Provided also, that after any Resolution of the said Trustees to increase or diminish the said Rates leviable under such Schedules for any Year commencing as aforesaid such increased or reduced Rates shall continue to be paid and levied from Year to Year, until otherwise expressly ordered by the Trustees at any Meeting to be held in the said Month of *August* in any Year as aforesaid: Provided further, that no such Increase of the said Rates and Duties shall exceed One Third Part of the Rates and Duties specified in the said Schedules (C.) and (D.) to this Act annexed; and that it shall not be lawful for the Trustees to reduce the said Rates and Duties specified in the said Schedules (C.) and (D.) until by the Operation of the foresaid Sinking Fund the Amount of Debt affecting the said Harbour shall be reduced to Two hundred thousand Pounds, or under.

LI. And be it enacted, That if at any Time after the Trustees shall have entered upon any Lands which under the Provisions of the said recited Acts they were authorized to purchase, and which shall be permanently required for the Purposes of the said recited Acts or this Act, any Party shall appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands which the Trustees shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Lands shall have expired or not, the Trustees shall remain in the undisturbed Possession of such Lands, provided, within Six Calendar Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Trustees, or in case the same shall be disputed, then within Six Calendar Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the Trustees shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the Trustees thereon and the Time of the Payment of such Purchase Money or Compensation by the Trustees, so far as such Profits or Interest may be recoverable by Law; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as, according to the Provisions of the said recited Acts, the same respectively would have been agreed on or awarded and paid in case the Trustees had purchased such Estate, Right, Interest, or Charge before their entering upon such Lands, or as near thereto as Circumstances will admit.

Trustees empowered to purchase the Interest in Lands the Purchase whereof may have been omitted by Mistake.

LII. And be it enacted, That, in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate, or Interest, and Profits, without regard to any Improvements or Works made in the said Lands by the Trustees,

How Value of such Lands to be estimated.

[*Local.*]

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and

and as though the Works authorized by the said recited Acts had not been constructed.

Trustees to pay the Costs of Litigation as to such Lands.

LIII. And be it enacted, That, in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Trustees shall become absolutely entitled to any such Estate, Interest, or Charge, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law for the Recovery of the same, to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

No Pier or Quay below High-water Mark without the Consent of the Admiralty.

LIV. Provided always, and be it enacted, That it shall not be lawful for the Trustees, or any Person acting under their Authority or in their Behalf, to make or begin to make, construct, or carry on any Pier, Quay, or other Work below the Line of High-water Mark at ordinary Spring Tides, without the Consent of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty for the Time being.

If certain Works authorized by recited Act of 6 & 7 W. 4. are not completed within Three Years the Powers to cease.

LV. And be it enacted, That in case the Works at or near *Broughty Ferry*, and the Chain Pier from the outer or protection Wall to *Fowlers Rock*, or to the *Beacon Rock*, and the Low-water Pier at either of those Rocks, authorized to be constructed and erected by the said recited Act of the Sixth Year of the Reign of His late Majesty King *William* the Fourth, with proper Approaches thereto, shall not be made, erected, and completed for the Use of the Public, so as to answer the Objects thereof respectively, within Three Years from and after the passing of this Act, all the Powers and Authorities given by the said recited Act relative thereto shall thenceforth cease and determine, save only to so much of such Works as shall have been completed within the Time aforesaid.

Tonnage Duty on Vessels.

LVI. And be it enacted, That from and after One Month after the passing of this Act the several Rates and Duties specified in the Schedules (A.) and (B.) annexed to the said recited Act of the Sixth Year of the Reign of His late Majesty King *William* the Fourth shall cease and determine; and that thereafter the Trustees, or such Collector, Officer, or other Person as they shall appoint, shall have Power and they are hereby authorized to demand, levy, and recover, for the Purposes of the said recited Acts and this Act, from the Master, Owner, Agent, Consignee, or other Person in Charge or Command of every Vessel which shall come into or go out of the Port and Harbour of *Dundee* or the Precincts thereof, the Tonnage Rates and Duties specified in the Schedule (C.) annexed to this Act; and that no such Vessel arriving at or in the said Port and Harbour or Precincts thereof shall be allowed to depart therefrom until the said Rates and Duties shall have been paid, and a Certificate to that Effect, under the Hands of the Collector or other Officer or Person aforesaid;

aforesaid, exhibited to the Harbour Master or Dock Master, under a Penalty not exceeding Five Pounds.

LVII. And be it enacted, That the Tonnage of every *British* Vessel liable in the Payment of any Rates and Duties under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and that the Tonnage of all other Vessels whatsoever shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*, or any Law for the Time regulating such Admeasurement; and the Master or Owner of every Vessel requiring to be measured for ascertaining the Duties payable in respect thereof under this Act shall pay the Expence of such measuring, over and above the said Rates and Duties.

Tonnage of British registered Vessels to be ascertained by Register, and of other Vessels by Measurement under 5 & 6 W. 4. c. 56.

LVIII. And be it enacted, That, over and above the Tonnage Rates and Duties herein-before authorized to be taken on Vessels, it shall be lawful for the Trustees, from and after One Month after the passing of this Act, to demand and receive, for all Goods, Articles, or Things mentioned in the Schedule (D.) to this Act annexed, which shall be shipped or unshipped; received or delivered, within the said Port and Harbour or Precincts thereof, any Sums not exceeding the several Rates and Duties specified in the said Schedule (D.); provided that nothing herein contained shall be deemed or held to alter or affect the Proportion of the Rates and Duties payable by the said recited Act of the Sixth Year of the Reign of His late Majesty King *William* the Fourth by the Owners or Proprietors of Lime or Coal imported or exported in any Vessel at those Places which are situated within the Precincts of the said Harbour to the Eastward of the *Roodyards* and the Westward of the *Magdalen Yard*.

Rates on Goods.

LIX. Provided always, and be it enacted, That any Duties, Rates, or Charges chargeable by this Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported in such Vessels, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity have been concluded or may hereafter be concluded, so long as such Treaties shall continue in force, nor to the Goods imported or exported therein, but the same Duties, Rates, or Charges shall be levied upon the Vessels of such Countries during such Periods as aforesaid, and upon the Goods imported or exported therein, as may be from Time to Time payable by this Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels.

Rates on Foreign Vessels to be reduced to the Rates on British Ships where Reciprocity Treaties shall be entered into with Foreign Countries.

LX. Provided always, and be it enacted, That the several Rates and Duties authorized to be taken by this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Vessels and Goods.

Rates to be charged equally.

LXI. And

Power to compound for Rates in respect of Steam Vessels.

LXI. And be it enacted, That it shall be lawful for the Trustees from Time to Time to compromise, compound, and agree, by the Year or otherwise, with any Proprietors or Masters of Steam or Sailing Vessels resorting to the said Port and Harbour, and making more than One Trip to and from the same *per* Week, for the Rates and Duties payable by such Vessels respectively, and to accept and take such Sums of Money, payable in advance, in lieu of such Rates and Duties so compounded for as aforesaid, as the Trustees shall from Time to Time think proper, any thing herein or in the said recited Acts to the contrary notwithstanding; and provided always, that in case the Trustees shall at any Time compound and agree in manner aforesaid with any Proprietor or Master of any Steam or Sailing Vessel for such Rates and Duties as aforesaid, it shall be lawful for all Proprietors or Masters of other Steam or Sailing Vessels to compound for the Rates and Duties payable by or in respect of such Steam or Sailing Vessels upon the like Terms as any other Proprietor or Master of any Steam or Sailing Vessel shall for the Time being have compounded for and agreed under the Power and Authority herein contained; and the Trustees are hereby required to accept such Composition as last aforesaid, but so that such Rates and Duties may not be compounded for partially, or in favour of any particular Person or Party whatsoever.

Masters to report Arrival of Vessels.

LXII. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates or Duties shall, within Twenty-four Hours after the Arrival of such Vessel within the Limits of the said Harbour, or if such Vessel shall arrive in a Holiday then at or before Ten of the Clock of the Forenoon of the next lawful Day, report to the Collector of Rates for the Time being at his Office the Arrival of such Vessel, and the Place from whence it came; and any Master or Commander of any such Vessel who shall fail to make such Reports within the Time aforesaid shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Master of Vessel to produce Register.

LXIII. And be it enacted, That the Master or Commander of every Vessel shall, on Demand, produce the Register of such Vessel to any Person authorized by the Trustees to collect the Rate in respect of such Vessel; and if any such Master or Commander shall refuse or neglect to produce such Register to any such Person, on Demand, or shall obstruct or hinder the Trustees, or any Person authorized by them to admeasure such Vessel, from going on board and taking such Admeasurement, he shall forfeit any Sum not exceeding Ten Pounds, over and above the Expence of Measurement.

Recovery of Rates by Pounding and Sale of Ship and Tackle.

LXIV. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates shall be payable, or who shall be liable for the Payment of any Rates to the Trustees, shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Trustees to collect such Rates to go on board of such Vessel, and demand such Rates, and on Nonpayment thereof or any Part thereof to apply to any One of the Judges of Police under this Act for Warrant to take, pound, and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging

belonging thereto, or any Part thereof, which Warrant any such Judge of Police is hereby required to grant; and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Poind so executed, then such Judge shall authorize such Vessel, and the Tackle, Apparel, and Furniture belonging thereto, or so much thereof as may be deemed necessary, to be sold by Public Auction at any Place to be mentioned in the Warrant of Sale, and with the Proceeds thereof to satisfy the Rates so unpaid, and all the Expences of taking, keeping, appraising, and selling such Poind, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

LXV. And be it enacted, That when the Cargo of any Vessel arriving within the said Harbour, or any Part of such Cargo, shall be intended to be unshipped within the Limits of the said Harbour, or in any of the Docks, the Master or Commander of such Vessel shall, within Twenty-four Hours after the Arrival of such Vessel within the Limits of the said Harbour, and before commencing to discharge, pay the Dues on such Vessel, and deliver to the Person for the Time being appointed to collect the Rates aforesaid a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things so intended to be unshipped, and shall, if required by such Person, produce and exhibit to him such of the following Documents as may be in the Possession or Power of such Master or Commander; (that is to say,)

Masters of Vessels to give Accounts of Goods intended to be unshipped within Limits.

The Cargo Book, Manifest, Bills of Lading, Custom House Reports and Clearances, Invoices, and such other Documents as may be in his Possession calculated to show the true Quantity and Description of such Cargo.

LXVI. And be it enacted, That any Master or Commander of any Vessel, the Cargo or Part of the Cargo of which shall be intended to be unshipped within the Limits of the said Harbour or Docks, who shall fail to deliver or give any of the Particulars herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particulars, or allow any Part of the said Cargo to be unshipped before the Shore Dues shall have been paid thereon, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Masters not giving an Account, or a false Account.

LXVII. And be it enacted, That no Master, Commander, or other Person in Charge of any Vessel lying within the Limits of the said Harbour or Precincts, on board of which it may be intended to ship any Goods, Articles, or Things, shall ship or allow to be shipped any such Goods, Articles, or Things until he shall have first received a Certificate by the Collector or other Person authorized by the Trustees to collect the Rates under this Act, bearing that the Shore Dues have been paid on such Goods, Articles, or Things, under a Penalty not exceeding Five Pounds for each Offence.

Master of Vessel to give an Account of Goods intended to be shipped.

LXVIII. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Trustees to
[Local.] 30 C collect

In case of Dispute Goods to be weighed or measured.

collect the Rates aforesaid, and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured, as the Case may require, and, if necessary, to detain the Vessel in which such Goods, Articles, or Things may be until the same shall have been weighed or measured.

Expences of weighing or measuring Goods.

LXIX. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the Trustees or their Collector, and shall be recovered by the Trustees or their Collector by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; but if such Goods, Articles, and Things shall be of the same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the Trustees shall pay all the Expences of such weighing or measuring, and shall also pay to the Master or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

Rates on Goods by whom and when payable.

LXX. And be it enacted, That the Rates payable to the Trustees in respect of any Goods, Articles, or Things shipped or unshipped within the Limits of the said Harbour or Docks shall be paid previous to such Goods, Articles, or Things being so shipped or unshipped respectively, under a Penalty not exceeding Five Pounds for each Offence, to be paid by the Owner, Agent, or Consignee thereof.

Recovery of Rates on Goods.

LXXI. And be it enacted, That if Default be made in the Payment of any Rates payable in respect of any Goods, Articles, or Things, it shall be lawful for any One of the Judges of Police under this Act, upon Complaint at the Instance of the Person for the Time being appointed by the Trustees to collect such Rates, to issue his Warrant to poid and distrain any such Goods, Articles, or Things, or, if the same shall have been removed without the Limits of the said Harbour or Docks and Premises of the Trustees, to poid and distrain any other Goods, Articles, or Things within the said Limits or Premises belonging to the Person liable to pay such Rates, and to sell the said Goods, Articles, and Things by public Auction, and out of the Proceeds of such Sale to pay the Rates due to the Trustees, together with the Expences incurred, or it shall be lawful for the Trustees to recover such Rates by Action in any competent Court; provided that the Person collecting any such Rates shall, before causing any such Poiding to be made and executed as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so poided and distrained, and may retain the

the Amount of Duties so paid out of the Proceeds arising from the Sale of such Poind.

LXXII. And to the end that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Persons, into any Vessel within the Limits of the said Harbour or Docks, for the Purpose of ascertaining the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Collector of Rates may enter Vessels.

LXXIII. And be it enacted, That if the Master or Commander of any Vessel or any other Person shall evade the Payment of any Rates payable to the Trustees, he shall forfeit and pay to them Three Times the Amount of such Rates, over and above a Penalty of not exceeding Five Pounds; and such Treble Rates and Penalty shall be recovered from such Master, Commander, or Person in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any competent Court.

Penalty on evading Payment of Rates.

LXXIV. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs at *Dundee*, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Cocquet, Discharge, or Clearance, or take any Report inwards or outwards, for any Vessel liable to any of the said Rates, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate, under the Hand of the Person appointed by the Trustees to collect such Rates, that the Rates payable to the Trustees in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel, have been paid to the Trustees.

Collector of Customs may withhold a Discharge to any Vessel until Rates paid.

LXXV. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due, or the Charges occasioned by any Poinding to be executed by virtue of this Act, it shall be lawful for the Collector to detain the Goods, Articles, or Things poinded until the Amount of the Rates due, or the Charges of such Poinding, (as the Case may be,) shall be ascertained by any One of the Judges of Police under this Act, who, upon Application made to him for that Purpose, shall in a summary Manner determine the Amount of the Rates due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable, and grant Warrant for recovering the same by Poinding and Sale of the Effects of the Party found liable in the Payment of such Costs.

For settling Disputes concerning Rates and Charges of Poinding.

LXXVI. And be it enacted, That the Trustees shall from Time to Time cause to be printed in legible Characters, and affixed in Front of the principal Office of the Collector of Rates appointed by the Trustees, and on some conspicuous Part of the Quays of the said Harbour, a List of the several Rates which shall be from Time to Time payable to the Trustees under this Act; and no such Rates shall be payable during such Time as such List shall not continue so affixed,

List of Rates to be set up.

or

or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be destroyed, injured, or obliterated, the Rates shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such List had continued affixed and in the State required by this Act.

Articles not
in Schedule
to be rated.

LXXVII. And be it enacted, That it shall be lawful for the Trustees to ascertain and fix a Rate or Duty to be chargeable and paid upon the loading or unloading, importing or exporting, in any Vessel, of any Goods, Articles, or Things not specified or enumerated in the said Schedule (D.) hereunto annexed, in proportion as nearly as may be to the several Rates and Duties rated and affixed on Goods, Articles, and Things of a similar Nature, Package, Quantity, and Value specified in the said Schedule; which Rates and Duties, when so ascertained and fixed by the Trustees, shall be valid and effectual to all Intents and Purposes, and shall be levied and recovered as if the same had been specially enumerated in this Act, or in the said Schedule hereunto annexed.

Fractional
Parts of a
Penny how
to be levied.

LXXVIII. And be it enacted, That when the Collector of the Rates and Duties payable to the Trustees, in calculating the Amount payable on Vessels, or on Goods, Articles, or Things, shall find that there is a Remainder or fractional Part of such Rates or Duties of a lower Denomination than One Halfpenny, the said Collector is hereby authorized to demand and take from all Persons whatsoever liable in such Rates or Duties, One Halfpenny in lieu of such fractional Part of a Halfpenny, and when such fractional Part shall exceed One Halfpenny and be under One Penny then such Collector shall demand and take One Penny in lieu of such fractional Part of a Penny.

Power to
appoint
Harbour
Master or
Dock
Master.

LXXIX. And be it enacted, That it shall be lawful for the Trustees from Time to Time to continue or appoint such Harbour Masters or Dock Masters as they shall think necessary, and at pleasure to remove such Harbour Masters or Dock Masters.

Powers of
Harbour
Master or
Dock
Master.

LXXX. And be it enacted, That it shall be lawful for the Harbour Master or Dock Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Time and Manner in which any Vessel shall enter into, go out of, or lie in the Limits of the said Harbour or Docks, and the Position, mooring or unmooring, placing or removing of any Vessel within the same:

For regulating the Time, Manner, and Position in which any Vessel shall take in or discharge its Cargo or any Part thereof, or shall take in or deliver Ballast within the Limits of the said Harbour or Docks:

For regulating any Vessel within the Limits of the Harbour or Docks.

Penalty for
unreasonably

LXXXI. And be it enacted, That in case any Harbour Master or Dock Master shall, without reasonable Cause, exercise any of the Powers

Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds. exercising Powers.

LXXXII. And be it enacted, That the Master or Commander of every Vessel within any Part of the Limits of the said Harbour or Docks shall regulate such Vessel according to the Directions of the Harbour Master or Dock Master for the Time being, made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice in Writing signed by the said Harbour Master or Dock Master of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Five Pounds. Penalty on Noncompliance with Directions of the Harbour Master.

LXXXIII. And be it enacted, That if the Master or Commander of any Vessel within any Part of the Limits of the said Harbour or Docks shall not moor, unmoor, place, or remove such Vessel, according to the Directions of the said Harbour Master or Dock Master for the Time being, in Writing given to the said Master or Commander, it shall be lawful for any such Harbour Master or Dock Master to cause such Vessel to be moored, unmoored, placed, or removed, according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose; and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master, Commander, or Owner, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered. Power of Harbour Master to remove Vessels.

LXXXIV. And be it enacted, That if any Master or Commander of any Vessel within the Limits of the said Harbour or Docks, or any Person on board the same, shall hinder the said Harbour Master or Dock Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Five Pounds. Penalty on Master or Commander for obstructing Harbour Master.

LXXXV. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened within the Limits of the said Harbour or Docks shall not, upon Demand of the said Harbour Master or Dock Master, unloose, cast off, or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored or fastened, it shall be lawful for the said Harbour Master or Dock Master to cut or cast off the Rope or slacken or cast off the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master or Dock Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel; and all Expences thereby
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thereby incurred shall be paid by the Master, Commander, or Owner of such Vessel.

Harbour
Master may
remove
Wrecks, &c.

LXXXVI. And be it enacted, That it shall be lawful for the said Harbour Master or Dock Master to remove or cause to be removed any Wreck or other Obstruction within the Limits of the said Harbour or Docks, and also any floating Timber which may impede the Navigation thereof; and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same.

Vessels en-
tering Docks
to have
Anchors
stowed, &c.,
as Harbour
Master shall
direct.

LXXXVII. And be it enacted, That every Vessel entering the said Harbour or Docks shall have her Anchors stowed, Booms and Boom-irons off the Yards, the Yards peeked, and the Sliding Bowsprit and Jib-booms rigged in, as shall be directed by the Harbour Master or Dock Master, otherwise the Master or Person in Charge of such Vessel shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels to
have Haw-
sers, &c.
fixed to
Moorings.

LXXXVIII. And be it enacted, That every Vessel in the said Harbour or Docks shall have substantial and sufficient Hawsers, Towlines, and Fasts fixed to the Dolphins, Moorings, Booms, Buoys, and Rings, or Mooring Posts, when required by the Harbour Master or Dock Master; and if any Vessel shall be in the said Harbour or Docks without such substantial Hawser, Towlines, or Fasts fixed as aforesaid, after Notice in Writing from the said Harbour Master or Dock Master to the Master or Commander of such Vessel to furnish or fix the same, such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels to
have their
Sails low-
ered when
entering and
navigating
Docks.

LXXXIX. And be it enacted, That before any Vessel shall enter into the said Docks such Vessel shall have her Sails lowered or furled; and in case any Master or Commander of any Vessel shall navigate the same under Sail into or in the said Docks every such Master or other Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Delivery of
Cargoes in
Docks, and
placing of
discharged
Vessels.

XC. And be it enacted, That every Vessel having a Cargo on board thereof which shall go into the said Harbour or Docks shall be discharged of her Cargo as soon as conveniently may be after entering therein; and after the Delivery of such Cargo such Vessel shall without Loss of Time be removed into such Part of the said Harbour or Docks as the said Harbour Master or Dock Master shall direct, and the Harbour Master or Dock Master for the Time being shall cause to be removed all such Vessels accordingly; and if the Master or Commander of any such Vessel shall not remove the same into such Part of the said Harbour or Docks as the said Harbour Master or Dock Master shall direct, within Twenty-four Hours after Notice in Writing signed by the said Harbour Master or Dock Master shall have been served on him, then he shall forfeit a Sum not exceeding Five Pounds; and it shall be lawful for the said Harbour Master or Dock Master to cause such Vessel to be removed into the Part of the said Harbour or Docks so directed by the

the Harbour Master or Dock Master, and the Expences of removing the same shall be paid to such Harbour Master or Dock Master by the Master, Commander, or Owner of such Vessel.

XCI. And be it enacted, That if any Officer or Servant of the Trustees shall give any undue Preference in berthing Vessels, or show any Partiality in loading or unloading any Goods or other Things at any Wharf, Quay, House, Warehouse, Landing Place, Crane, or Machine belonging to the Trustees, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for undue Preference.

XCII. And be it enacted, That if any Tar, Pitch, Rosin, Spirituous Liquors, Turpentine, Oil, or combustible Thing, being on any Quay, Dock, or Wharf belonging to the Trustees, or on the Deck of any Vessel within the Limits of the said Harbour or Docks, shall not be removed from the Place where the same may be to a Place of Safety within Four Hours after Notice given for that Purpose, signed by the said Harbour Master or Dock Master, or the Superintendent of Harbour Police, to the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Forty Shillings for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Combustible Matter on Quays, &c. to be removed.

XCIII. And be it enacted, That if any such combustible Thing as aforesaid shall remain on any of the said Quays, Docks, Sheds, or Wharfs, or on the Deck of any Vessel within the Limits of the said Harbour or Docks, after Daylight ceases, the Owner or Person having Charge of the same, or in his Default the Trustees, at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from One Hour before Sunset to One Hour after Sunrise; and such Expence, if not paid to the Trustees on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by this Act directed to be ascertained and recovered.

Combustibles to be guarded during the Night.

XCIV. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds; (that is to say,)

Penalties against Fire:

1. Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or any other combustible Matter, in any Vessel lying in the Limits of the said Harbour or Docks, or in any Place within the Limits of the said Harbour or Docks, except in such Place and in such Manner as shall be specially appointed by the Trustees for that Purpose:
2. Every Person who shall have or cause to be had any Fire, or lighted Candle or Lamp, in any Vessel within the Limits of the said Harbour or Docks, except with the Permission of the Trustees or the Superintendent of Harbour Police:
3. Every Person who shall have or cause to be had any Fire, Candle or Lamp lighted within the said Harbour or Docks, or the Works

(1.) Boiling or heating Pitch, &c.;

(2.) Fires in Vessels;

(3.) Fires within Docks;

Works belonging to the same, except such Fires or lighted Candles or Lamps and at such Times as shall be permitted by the Bye Laws of the Trustees :

(4.) Loaded Guns.

4. Every Person who shall bring any loaded Gun on the Piers, Quays, or Works of the said Harbour, or into the said Docks or the Works of the same, or shall have or suffer to remain any loaded Gun in any Vessel in the said Docks, or within Two hundred Yards of the Piers, Quays, or Works of the said Harbour.

Penalty for cutting Ropes.

XCV. And be it enacted, That if any Person, other than the Harbour Master or Dock Master, in execution of the Powers of this Act, shall wilfully or maliciously cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Harbour or Docks shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Five Pounds, over and above the Damage thereby occasioned.

Remedies for Damage to Harbour, &c.

XCVI. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber through whose wilful Act or Negligence any Damage shall be done to the said Harbour, or to the Quays, Piers, Docks, Wharfs, Machinery, or other Works or Property of the Trustees, by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Fifty Pounds, shall be ascertained and recovered by Complaint at the Instance of the Superintendent of Harbour Police before any of the Judges of Police under this Act; and such Judge may order the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid; and if the same shall not be paid within Seven Days next after such Order such Judge shall issue his Warrant for the Sale by public Auction of the Property so detained, or any Part thereof, and the Proceeds of such Sale shall be applied in paying the Amount of Damage and Costs awarded by such Judge, and all the Charges incurred by the Detention, Pounding, and Sale of such Property.

Owner or Master of Vessel answerable for Servants.

XCVII. And be it enacted, That the Owner or Master or Commander, or other Person in Charge of every Vessel or Float of Timber, shall be answerable to the Trustees for any Damage done by such Vessel or Float of Timber, or by any Person employed about the same, to the said Harbour, or to any of the Quays, Piers, Docks, Wharfs, Machinery, or other Works or Property of the Trustees; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Fifty Pounds, shall be ascertained by and be recovered in the same Way that any Penalty by this Act imposed may be recovered; and it shall be lawful for the Harbour Master or Dock Master for the Time being appointed under this Act to detain any such Vessel or Float of Timber until sufficient Security shall have been given for the Amount of the Damage done by the same, or by any Person employed therein.

XCVIII. And

XCVIII. And be it enacted, That in case any Vessel shall arrive at or come into the said Harbour or Docks in Distress, or shall meet with any Misfortune therein, or in case it shall be supposed that Injury has been done to the Cargo, it shall be lawful to the Harbour Master or Dock Master, upon Application by the Master, Owner, Consignee, or Agent of the Vessel or Cargo, to assign a Discharging Berth to such Vessel in preference to other Vessels then in the Harbour or Docks; and every Master, Mate, or other Person having the Command of any Vessel lying within the said Harbour or Docks who shall refuse or delay to comply with such Order of Preference by the Harbour Master or Dock Master shall forfeit a Sum not exceeding Five Pounds, and shall further be liable in all Damages which may arise from his Delay or Refusal as aforesaid.

Preference to be given to Vessels arriving in Distress.

XCIX. And be it enacted, That every Master, Owner, Agent, or Consignee of Vessels, and every other Person, who shall have landed or discharged, or caused to be landed or discharged, from any Vessel, any Goods, Articles, or Things whatever upon or within any of the Piers, Quays, Docks, Sheds, or other Works belonging to the Trustees, shall, within Forty-eight Hours (except such Goods as are by this Act directed to be removed within a shorter Period) after such Goods, Articles, or Things shall have been landed or discharged as aforesaid, remove the same, and, when that is required, have the same passed by an Officer of Her Majesty's Customs; and in all Cases where the said Goods, Articles, or Things shall have lain or continued beyond the Space of Forty-eight Hours, without the Permission of the Trustees, it shall and may be lawful to and for the said Harbour Master or Dock Master, or any other Person whom the Trustees or the Harbour Master or Dock Master may appoint, to remove or cause to be removed all such Goods, Articles, and Things as he or they shall find so lying or continuing beyond the said limited Time, to any Place to be appointed by the Trustees, and therein to detain and keep the same till Payment of the Charges of such Removal and Detention, and of such Consideration, to the Officers or other Persons employed, for their Trouble in and about the same, as any of the Judges of Police shall think reasonable; and if such Charges and Consideration shall not be paid within the Space of Three Days after Demand made thereof by the said Harbour Master or Dock Master, or other Person as aforesaid, the said Harbour Master or Dock Master is hereby authorized and required, under Authority of a Warrant to be granted by any of the said Judges of Police to that Effect, to levy the same by Pounding and Sale of the said Goods, Articles, and Things, rendering the Overplus (if any be), after Deduction of all Expences, to the Owners thereof, or the Agent or Consignee of such Owner.

Goods and other Articles to be removed from Piers, Basins, &c. within Forty-eight Hours after landing.

C. And be it enacted, That every Person who shall take in exchange from any Seaman or other Person on board of or employed in any Vessel which may be lying in any Part of the said Harbour or Docks (such Seaman or Person not being the Owner or Master of the Vessel) any Article or Thing belonging to such Vessel, or forming Part of the Cargo or Stores of any such Vessel, shall forfeit

Penalty for receiving Ship's Stores from Seamen, &c.

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any

any Sum not exceeding Five Pounds for such Offence, over and above the Value of the Article or Thing so taken in exchange.

Power to
ballast
Ships.

CI. And be it enacted, That it shall be lawful for the Trustees, if they deem it expedient, to supply and put on board of any Vessel such Quantity of Ballast as any Master or Owner of such Vessel may desire, charging such Master or Owner a reasonable Price for the said Ballast, but without Prejudice to all such Masters or Owners being at liberty to procure Ballast for their Vessels in any other Way, as heretofore.

Police
Offences to
be tried in
the Burgh
Police
Court.

1 Vict.
c. 109.

CII. And whereas by the said second herein-recited Act Power was given to the Sheriff of the County of *Forfar*, upon being required by the Trustees so to do, to nominate and appoint a Person before whom all Offenders against the Rules and Regulations of the Police of the said Harbour, and all Persons charged with the Committal of Crime at the said Harbour, should be brought, and the Person so appointed was declared to have the same Powers and Authorities which the Sheriff Substitute had in dealing with all such Offenders: And whereas it is expedient to repeal so much of the said recited Act as relates to the Appointment of the said Person as Judge of Harbour Police, and to transfer all Powers and Jurisdictions given to him by the said Act to the Judges in the Ordinary Police Court of the Burgh of *Dundee*, under an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the better paving, lighting, watching, and cleansing the Burgh of Dundee, and for maintaining and regulating the Police of the same and Places adjacent, and other Purposes relating thereto*; be it enacted, That from and after the passing of this Act so much of the said second-recited Act as relates to the Office of Judge of Police, or Person so nominated and appointed by the Sheriff, shall be and the same is hereby repealed; and all and every Power, Jurisdiction, and Authority given by the said second-recited Act to such Person shall be and the same are hereby transferred to the said Judges in the Ordinary Police Court of the Burgh of *Dundee*, who are hereby constituted and appointed Judges of Police for the Harbour of *Dundee*, before any of whom all and every Proceeding which might have been had or taken before such Person so appointed Judge of Harbour Police shall be competent, from and after the passing of this Act, according to such summary Form of Proceeding as the Provost of *Dundee* and the Sheriff may from Time to Time settle and appoint; and the said Judges of Police for the Burgh of *Dundee* shall have and exercise, in like Manner and Form, the Powers, Authorities, and Jurisdictions within the Limits of the said Harbour and Docks which they now have and enjoy within other Parts of the Territory over which the said Burgh Police Act extends; and the Superintendent, Watchmen, and Officers of Police appointed or to be appointed by the Trustees shall have and exercise the same Powers and Duties within the Limits of the Harbour aforesaid as the Persons holding the like Offices under the said Burgh Police Act have and exercise within the Limits over which the said Act extends.

CIII. And

CIII. And be it enacted, That it shall be lawful for the Trustees to treat and agree with all Persons having Interest in regard to the Sum to be paid, annually or otherwise, by the Trustees, as the Expence of trying all Cases arising under the said recited Acts or this Act in the ordinary Police Court of the said Burgh of *Dundee*, or for the Use of the Cells or Lock-up Houses belonging to the Commissioners of Police; and in case any Dispute or Difference shall arise in regard to such Expence, such Dispute or Difference shall be referred to the Sheriff, whose Award in such Matter shall be final.

Trustees to defray the Expence of the Police Court, &c.

CIV. And be it enacted, That it shall be lawful for the Trustees to pave, light, watch, and cleanse all the Streets, Quays, Piers, Jetties, Docks, and other Places within the said Harbour and Docks, or Precincts thereof, in such Manner as they shall deem necessary, and also to erect and provide, in some convenient Situations, such Buildings as they may deem requisite for the Reception and Custody of One or more Fire Engines, Water Carts, and other Apparatus, for the Prevention and extinguishing of Fires in the said Harbour or Docks, and from Time to Time to alter the Situations of the said Fire Engine Stations; and the Expences thereof, and of such paving, lighting, watching, and cleansing, shall be defrayed by the Trustees out of the Rates and Duties granted by the said recited Acts and this Act.

For the paving, lighting, &c. of the Harbour.

CV. And be it enacted, That it shall be lawful for the Superintendent of Harbour Police and he is hereby authorized to insist for the public Interest by a Complaint in his own Name, or as Procurator Fiscal, before the said Ordinary Police Court of the Burgh of *Dundee*, in all Cases hereby made cognizable by that Court, and arising within the Limits of the Harbour, with full Power to the said Superintendent to sue for Judgment in such Actions as he is authorized to bring, and for the Performance of all and each of the Obligations, and for levying and recovering all and each of the Penalties incurred or leviable in virtue of the said recited Acts or this Act, or by any Bye Law, Rule, or Regulation made or to be made by the Trustees in virtue thereof.

Superintendent to be Prosecutor.

CVI. And be it enacted, That the Superintendent of Harbour Police shall have Power to enter at all Times with or without Constables or Officers, as he shall think necessary, as well by Night as by Day, into and upon every Vessel lying in any Part of the said Harbours or Docks or Precincts thereof, and into every Part of every such Vessel, for the Purpose of inspecting and directing the Conduct of any Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel, in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the effectual Prevention or Detection of any Felonies or Misdemeanours which he has just cause to suspect to have been or to be about to be committed within the said Harbour or Docks, and to take into Custody all Persons suspected of being

Superintendent of Police may examine Vessels.

being concerned in such Offences, and also to take charge of all Property so suspected to be stolen.

For providing Cells or Lock-up Houses.

CVII. And be it enacted, That for the more safe and ready Detention of Persons accused or suspected of Offences from the Time they are apprehended until taken before some of the said Judges of Police, or to the Cells or Lock-up Houses of the Burgh, it shall be lawful for the Trustees and they are hereby empowered to provide and fit up Cells or Lock-up Houses within the Limits of the said Harbour, and which Cells or Lock-up Houses, being first certified and approved of by the Sheriff of the County of *Forfar* as fit and proper for the Purpose, shall be deemed and held to be legal Places of Detention as aforesaid for all Persons charged with or suspected of Offences against the Provisions of the said recited Acts or this Act, or any Rule or Bye Law made in pursuance thereof.

Penalty for obstructing Police Officers in entering Vessels.

CVIII. And be it enacted, That any Person who shall obstruct or aid in obstructing any Police Officer, Watchman, or other Person having Instructions from the Trustees, or their Harbour Master, Dock Master, or Superintendent of Police, from entering into or being in any Vessel within the said Harbour or Docks, or Precincts thereof, for the Purpose of searching for or extinguishing any Fire, Candles, or Light in or suspected to be in such Vessel contrary to the Provisions of the said recited Acts or this Act, or of any Bye Law made in pursuance thereof, or for the Purpose of discovering any Theft or Embezzlement suspected to have been committed therein, or of quelling any Disturbance, or for any Purpose authorized by the said recited Acts or this Act, or any Bye Law made in pursuance thereof, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

For preventing riotous or disorderly Conduct on board of Ship.

CIX. And be it enacted, That every Person on board of any Vessel in the said Harbour or Docks, whether Master, Mate, Seaman, Tradesman, or other Person, who shall be guilty of any riotous, indecent, or disorderly Conduct on board of such Vessel while in the said Harbour or Docks or the Precincts thereof, shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Transient Offenders.

CX. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Person in the Employment of the Trustees, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of the said recited Acts or this Act, and whose Name and Residence shall be unknown to such Officer or Person, and may convey him with all convenient Dispatch before any of the Judges of Police, without any Warrant or other Authority than this Act; and such Judge shall proceed with all convenient Dispatch to the hearing and determining of the Complaint against such Offender.

Warrants may be executed within the Burgh of

CXI. And be it enacted, That for the more effectual Execution of the Purposes of the said recited Acts and this Act it shall be lawful to execute the Warrants to be granted under the said recited Acts
or

or this Act within any Part of the Burgh of *Dundee* and the Districts of *Lochee* and *Broughty Ferry* as the said Burgh and Districts respectively are described in the before-mentioned Act relating to the Police of the said Burgh of *Dundee*, and also upon any Part of the River or Firth of *Tay* within the Limits of the Port and Harbour of *Dundee*; and it shall be lawful to and competent for the said Judges of Harbour Police, or any of them, to try and give Judgment in regard to all Offences against the said recited Acts and this Act, or any Bye Law, Rule, or Regulation made in virtue thereof, committed within the Limits or Precincts of the said Port and Harbour of *Dundee*, or upon any Part of the said River or Firth of *Tay* within the said Limits or Precincts, according to such summary Form of Proceeding as may from Time to Time be settled and appointed by the Provost of *Dundee* and the Sheriff; and the said Judges of Harbour Police, and the Superintendent, Prosecutors, Officers, and other Persons acting under the said recited Acts and this Act, shall have and enjoy all the Privileges and Immunities belonging to the said Judges and others acting under the said Act for maintaining and regulating the Police of the said Burgh of *Dundee*; provided that no Complaint shall be entertained in the said Police Court at the Instance of any Party under the said recited Acts or this Act, unless the same be presented within Three Months after the Offence complained of shall have been committed.

Dundee and on the Firth of *Tay*; and Offences committed within Limits of Harbour to be punished in Police Court.

CXII. And be it enacted, That no Pounding or Sale under the said recited Acts or this Act shall be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Order, Warrant of Pounding, or other Proceedings relating thereto; nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity that shall afterwards be done by the Party so distraining, but the Person so aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage in the ordinary Course of Law.

No Pounding unlawful, nor any Party deemed a Trespasser *ab initio*, for Want of Form.

CXIII. And be it enacted, That all Forfeitures, Penalties, Fines, and Damages, not otherwise herein directed to be imposed, sued for, and recovered, shall be imposed, sued for, and recovered at the Instance of the Superintendent, before the said Judges of Police or any of them, and when recovered shall be paid on the First *Monday* of every Month to the Treasurer under this Act, and be disposed of as herein mentioned, and the Damages shall be paid to the Person by whom the Loss has been sustained.

Fines and Damages to whom to be paid.

CXIV. And be it enacted, That all Fines, Forfeitures, and Penalties imposed by or under the Authority of the said recited Acts or of this Act, or any of them, or by any Bye Law, Rule, or Order to be made in pursuance thereof, the Application of which is not otherwise provided for, shall, when levied, be paid over to the said Trustees or their Treasurer, to be applied for the Purposes of this Act.

Application of Penalties.

CXV. And be it enacted, That the whole Dung, Fulzie, Soil, Dirt, Ashes, and Filth within the Limits of the said Harbour and Docks
[Local.] 30 F of

Dung, &c., vested in Trustees.

of *Dundee*, and Precincts thereof, shall be and is hereby vested in the Trustees; and it shall be lawful to the Trustees to gather and carry off, or cause to be gathered and carried off, the said Dung, Soil, Fulzie, Dirt, Ashes, and Filth so vested in them, of and from the Streets, Piers, Quays, Jetties, and other Property within the said Harbour and Precincts, whether in lock-fast Places or not, and whether occupied by themselves or by others, (excepting Horse and Cow Dung only, collected in a Stable or Byre within the Precincts of the Harbour, which, if wholly unmixed with any other Dung or Substance or Thing, shall belong to the Owner or Custodier of such Horse or Cow,) and to deposit the said Dung, Soil, and others in such suitable Place as they shall think fit, and to sell and dispose of the same to such Persons as may be willing to purchase the same, and that in such Manner as the Trustees may think fit; and the Money thence arising shall make Part of the Funds for the Purposes of this Act.

Penalty
for other
Persons
collecting
or selling
Dung, or
throwing it
into the Tay.

CXVI. And be it enacted, That if any Person, other than the Lessees, or Persons employed by them, or Persons authorized by the Trustees, or some Person employed by them, shall collect, carry away, or sell, or otherwise apply to his own Purposes, or throw or convey into any Part of the Harbour or Docks, or into the River or Firth of *Tay*, within the Precincts of the Harbour, any such Dung, Soil, Fulzie, Dirt, Ashes, and Filth so vested in the Trustees, he shall be liable in a Penalty, over and above the Value of the same, of not more than Five Pounds for each Offence: Provided also, that it shall be lawful to the Trustees to make and establish from Time to Time general Regulations, or to alter and amend the existing Regulations in relation to the gathering, collecting, conveying, depositing, retaining, and accumulating of the Dung, Fulzie, Soil, Dirt, Ashes, and Filth within the Limits of the said Harbour and Docks.

Dung may
be leased.

CXVII. And be it enacted, That it shall be lawful to the Trustees from Time to Time to grant Leases for any Period not exceeding Three Years of the Dung, Fulzie, Soil, Dirt, Ashes, and Filth hereby vested in them, either with or without such as shall come to belong to them by Forfeiture, such Leases being made by public Roup to the highest Bidder, under such Limitations, Restrictions, and Conditions, and after such previous Advertisement, as to the Trustees shall appear proper.

Duties of
the Harbour
Scavengers
to be per-
formed
under a
Penalty.

CXVIII. And be it enacted, That the Persons employed by or contracting from Time to Time with the Trustees for cleansing the Streets, Quays, Piers, Jetties, and other Property South of the Line of the Foot Pavement made or to be made on the North Side of *Dock Street*, or for removing the Dung, Fulzie, Ashes, and Rubbish from any House, Warehouse, Ship-building or Timber Yards, Smithies, or other Premises therein, shall, by themselves or their Servants, every lawful Day, and at such Times and in such Manner as the Trustees may from Time to Time appoint, collect together all Dung, Fulzie, Soil, Dirt, Ashes, Filth, and Rubbish from the Streets, Piers, Quays, Jetties, and other Properties, and from

from all Houses, Warehouses, Ship-building Yards, and all other Premises whatever within the Limits of the said Harbour and Docks, or Precincts thereof, and shall carry away all such Dung, Fulzie, Soil, Dirt, Ashes, Filth, and Rubbish so collected to such Place as shall be appointed by the Trustees for the depositing of the same; and if any such Persons fail to remove any Dung, Soil, Ashes, or Rubbish which he shall contract or be employed to remove at the Time or in the Manner prescribed by the Trustees for that Purpose, or shall deposit any of such Dung, Fulzie, Dirt, Ashes, or Rubbish in any other Place than such as shall be appointed by the Trustees for that Purpose, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

CXIX. And be it enacted, That every Person who may prevent or obstruct or in any way interfere with any Contractor or other Person employed by the Trustees in collecting or removing any Dung, Fulzie, Soil, Ashes, or Rubbish which such Lessees, or their Contractor, Servants, or other Person are hereby authorized to remove, shall forfeit any Sum not exceeding Five Pounds for each Offence.

Penalty for obstructing Scavengers.

CXX. And be it enacted, That every Person shall be liable to a Penalty not exceeding Forty Shillings who, upon any Street, Pier, Quay, Jetty, or other Place within the Limits of the said Harbour and Docks, shall commit any of the following Offences; (that is to say,)

Penalty for the following Offences:

Every Person having the Care of any Cart, Waggon, or Carriage who shall ride on any Part thereof, or on the Shafts, or on any Horse or other Animal drawing the same, without having Reins and holding the same, or who shall not be in attendance upon the Left or Near Side of the Horse or other Animal drawing such Carriage, or who shall be at such a Distance therefrom as not to have the complete and immediate Control over every such Horse or Animal by means of the Bridle:

(1.) Negligence in driving of Carts;

Every Person who, in driving any Cart or Carriage, or having the Care or Conduct of any Cart or Carriage, shall not keep the same on the Left or Near Side of the Street, Quay, Pier, Jetty, or other Place within which such Cart or Carriage is, except in case of actual Necessity, or some sufficient Reason for Deviation, or shall wilfully prevent any Person or Carriage from passing him or any Carriage under his Care:

(2.) Not keeping the Near Side of the Horse;

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or who, to the common Danger of the Passengers in any Street, Quay, Pier, Jetty, or other Place, shall leave any Horse, whether attached to any Carriage or not, without some competent Person in the Care thereof:

(3.) Furious driving or riding;

Every Person who by Negligence or Ill Usage in driving Cattle shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle:

(4.) Improper driving of Cattle;

Every

- (5.) Not placing Carriages close to the Side; Every Person engaged in loading or unloading any Cart or Carriage, who shall not during such loading or unloading place such Carriage as near as conveniently may be to that Side of the Street or Place at which the loading or unloading is to be performed :
- (6.) Dragging Timber without a Carriage; Every Person who shall draw any Timber, Stone, or other weighty Article along any Street, Quay, Pier, or Jetty, without the same being placed upon or suspended from a wheeled Carriage proper for the Purpose, without the Consent of the Superintendent of Harbour Police :
- (7.) Drawing Timber without a competent Attendant; Every Person who shall cause any Tree, Log, or Timber to be drawn in or upon a Timber Carriage without having to guide and direct the Hind Wheels of such Carriage, or the hinder End of the Tree or Log, a Person above Eighteen Years of Age, and who shall be of sufficient Strength to guide and direct the same by means of a Rope or Chain attached to the Steerer thereof :
- (8.) Driving improperly; Every Person who shall lead or ride any Horse or Cattle, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curb Stone, or fasten any Horse or other Animal so that it can stand across or upon any Footway, or who shall roll, draw, or carry any Cask or Timber, Show Board, or any Rode, Bar or Bolt of Iron or other Metal, upon any Footway :
- (9.) Throwing Stones, &c., and Fireworks. Every Person who shall throw or discharge any Stone or other Missile, to the Damage, Danger, or Annoyance of any Person, or shall throw any Stone or Metal from the Docks or Quays into any Part of the Docks or Harbours, or into the River *Tay* opposite the said Docks or Harbours, or fire any Gun on any Occasion or Pretence whatever, or throw or set fire to any Fireworks.

Procedure when Lamps accidentally broken.

CXXI. And be it enacted, That if any Person shall carelessly or accidentally break any Lamp, Lamp Iron, Lamp Post, or Gas Tube which now is or hereafter shall be set up within the Limits of the said Harbour or Docks, and shall not, upon Demand, make Satisfaction for the Damage or Injury so done, it shall be lawful for the Superintendent of Police to summon the Party complained of; and the Judge of Police before whom such Complaint shall be brought shall examine into the Matter, and award such Sum of Money by way of Satisfaction for such Damage, besides Expences of Process, as he shall think reasonable.

Drivers of Carts, &c., to take them to Weighing Machines, at Request of Buyers of Goods, in order to be weighed.

CXXII. And be it enacted, That the Proprietor or Driver of every Cart loaded with any Goods brought within the Limits of the said Harbour or Docks shall, at the Request of the Buyer of any such Goods, or the Person on whose Behalf the same shall be consigned, or their respective Agents, take such Cart, with or without the Loading thereof, to be weighed at one of the Machines used within the said Harbour or Docks, for the Purpose of ascertaining the Weight of such Articles; and all Charges for Carriage, together with the Tolls or Fees to be paid for weighing any such Cart, shall be paid by the Person requiring the same to be weighed; and such Charges

Charges for Carriage shall, if demanded, be paid before the Driver of such Cart shall be obliged to go out of his Way for the Purpose of having the same weighed: Provided that if the Proprietor or Driver, or other Person having the Charge of any such Cart, shall not, upon being requested as aforesaid, and being paid such Charges for Carriage as aforesaid, if demanded, take the same to such public Weighing Machine as herein-before is directed, or shall refuse to assist in the weighing of the same, in such Manner as the Drivers of Carts are used and accustomed to do, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings to the Person requiring such Cart to be weighed, and such Person shall be deemed a competent Witness for the Proof of such Offence.

CXXIII. And be it enacted, That every Owner or Driver of any Cart weighed at any such Weighing Machine as aforesaid, who shall commit any of the following Offences, shall be liable to a Penalty not exceeding Five Pounds for each Offence; (that is to say,)

Penalties on
Owners or
Drivers of
Carts com-
mitting
Frauds.

Every Person or Driver who shall at or before the Time of weighing any such Cart place or knowingly leave any Matter or Thing in or about the same other than the proper Loading thereof:

Every such Owner or Driver who shall alter any Ticket denoting the Weight of any such Cart or of the Loading of the same:

Every such Owner or Driver who shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart or the Loading thereof:

Every such Owner or Driver who, after the weighing of any such Cart with the Loading of the same, shall remove any Part of such Loading, and afterwards dispose of or attempt to dispose of the Residue of such Loading as being the full Loading denoted by such Ticket:

Every Owner or Driver of any such Cart who shall, after the same and the Loading thereof have been so weighed, change the Wheels thereof, or place thereon lighter or heavier Wheels, or make any Alteration or do any other Act to such Cart before the same shall be brought back to the Machine to be again weighed without the Loading thereof:

Every such Owner or Driver who, when any such Cart shall have been weighed with the Loading thereof at any such Machine as aforesaid, shall not, if required, bring back the same without Alteration to be again weighed at the said Machine:

Every Owner or Driver who shall be guilty of any other fraudulent Contrivance touching the Weight of any such Cart or the Loading thereof:

But saving and reserving always the Rights, Jurisdictions, and Authorities of the Provost and Magistrates of *Dundee* as established by Law, and by the said Act for the better paving, lighting, watching, and cleansing the Burgh of *Dundee*, and for maintaining and regulating the Police of the same, and Places adjacent, and other Purposes relating thereto, to license all Coachmen, Drivers, Carters, and others within the said Burgh, extended Royalty, Harbour, and Docks of *Dundee*, and surrounding Bounds, in Terms of the said

Act, and to withdraw such Licences from Time to Time as they shall see cause; and declaring that the said Powers, Jurisdictions, and Authorities of the Provost and Magistrates of *Dundee*, or of the Magistrates and Council of *Dundee*, as established by Law and by the said Act, shall be noways lessened, limited, or abridged by this present Act, any thing herein contained to the contrary notwithstanding.

Penalty for smoking within the Harbour or Docks.

CXXIV. And be it enacted, That if any Person shall at any Time smoke Tobacco, or any Herb or Substance, whatever the same may be, within any Part of the Harbour or Docks, or on board of any Vessel in any Part of the said Harbour or Docks, or in any Shed or Warehouse erected or to be erected, taken or held in Lease, by the Trustees, the Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, or suffer not exceeding Sixty Days Imprisonment in the Gaol or Bridewell of *Dundee*.

Trustees to license Pilot Master and Pilots, &c.

CXXV. And whereas from the Increase of Shipping resorting to the said Harbour it is necessary to make further Provision for the safe Conduct of Vessels into and out of the same, and also into and out of the River *Tay*; be it enacted, That the Trustees shall be and are hereby authorized to appoint a Pilot Master, as well as Pilots, for the conducting of Vessels into and out of the said River *Tay*, and into and out of the said Harbour, and to suspend or dismiss such Pilot Master and Pilots at pleasure, and along with the Rates of Pilotage to fix and regulate the Powers, Duties, and Fees or Salary of the said Pilot Master: Provided always, that all Pilots, with the Exception of the Pilot Master, shall be certified by the Fraternity of Masters and Seamen of *Dundee* to be fully qualified in Terms of the said first herein-before recited Act.

Roll of Pilots to be made up and Licences renewed.

CXXVI. And be it enacted, That the Trustees shall from Time to Time as they may deem necessary make or cause to be made up a Roll of the several Persons licensed by them as Pilots for the said River and Harbour, and shall also, as soon as may be, fix and declare the Terms and Conditions on which Pilots will be appointed, and such Particulars regarding their Age, Character, Knowledge and Experience in conducting Vessels out of and into the said River and Harbour, as the Trustees may deem necessary for providing an adequate Number of skilful and efficient Pilots for the said River and Harbour; and the Trustees shall have Power from Time to Time to vary, alter, and amend such Terms, Conditions, and Particulars as they may deem necessary or expedient: Provided always, that all licensed Pilots at the passing of this Act may continue to hold and exercise the Office of Pilot for the said River and Harbour in virtue of such Licence for Six Months thereafter, but no longer, unless licensed under this Act; and all Persons acting under such Licences during the said Period of Six Months shall be entitled to all the Benefits conferred, and shall be subject and liable to all the Rules, Regulations, and Penalties to which by this Act Pilots licensed under the Powers thereof and the Bye Laws of the Trustees are subject and liable.

CXXVII. And

CXXVII. And be it enacted, That any Person may lawfully, and without being subject to any Penalty in virtue of this Act, assume or continue in the Charge or Conduct of any Vessel inward bound as a Pilot, when and so long as no Person authorized by the Trustees to act as a Pilot for the said River or Harbour shall have offered to take the Charge of such Vessel as Pilot, or shall have made a Signal for that Purpose, or when and so long as such Vessel shall be in Distress, or under Circumstances which shall have rendered it necessary for the Master or Person in Charge of such Vessel to avail himself of the best Assistance which at the Time could be procured.

When un-licensed Persons, &c. may act as Pilots.

CXXVIII. And be it enacted, That if any Person, after having been suspended as a Pilot, shall at any Time during the Period of such Suspension, or if any Person whose Licence has been recalled shall upon any Pretence or pretended Authority whatever, after the Recal of his Licence as a Pilot, act as such Pilot in taking charge of or in conducting any Vessel into or out of the said River, or into or out of the said Harbour, such Person shall be subject and liable to a Penalty not exceeding Ten Pounds for each Offence.

Penalty on Pilots acting as such after being suspended.

CXXIX. And be it enacted, That in case any Vessel shall be met with at Sea in Distress, without or within the Buoy of *Tay*, by any of the Pilots acting under this Act, and the Master or other Person in Charge of such Vessel shall desire any extraordinary Assistance of such Pilot, his Crew or Boat, the Compensation to be made for such Assistance shall, in the event of the Parties failing to agree, be settled and ascertained according to the Circumstances of the Case by the Sheriff, and the Judgment of the Sheriff in any such Question shall be final, and not subject to Review; or in case any Vessel shall, at the Request of the Master or other Person having the Command thereof, be piloted or assisted by any of the said Pilots into the said River *Tay* from any farther Distance than such as is provided for by the Regulations to be from Time to Time established by the Trustees, every such Pilot shall be paid for such extra Pilotage such Sum as the Trustees shall order and direct.

Compensation to Pilots for extra Service to be settled by the Sheriff.

CXXX. And be it enacted, That the Master of every Vessel outward bound from the said Harbour, desiring a Pilot, shall apply for a Pilot at the Pilot Office in *Dundee*, and upon such Application the Pilot Master shall appoint a Pilot to take charge of such Vessel; and any Master of any Vessel outward bound who shall employ as a Pilot any Person other than a Person licensed and authorized to act as a Pilot under this Act, between *Invergowrie Burn* and *Balmerino* on the West, and the Buoy of *Tay* on the East, or being inward bound for the said Harbour shall employ or continue to employ as a Pilot any Person other than a Person licensed and authorized to act as a Pilot under this Act, after any such Pilot shall have offered to take charge of such Vessel, or shall have made a Signal for that Purpose, shall forfeit for every such Offence Double the Amount of the Sum which would have been legally

Penalty on Masters allowing Vessels to be piloted by any other than a licensed Pilot.

legally demandable for the Pilotage of such Vessel, and shall likewise forfeit for every such Offence any Sum not exceeding Five Pounds; and such Penalty shall be recovered in the Way that any Penalty may by this Act be recovered.

Masters of Ships inward to display Signal for Pilot.

CXXXI. And be it enacted, That the Master or other Person having the Charge or Command of any Vessel inward bound, arriving at or within Three Miles of the Buoy of *Tay*, and desiring the Services of a Pilot, shall display and keep displayed the usual Signal for a Pilot to come on board, by hoisting a Flag in the Daytime, and a clear Light in a Lantern during Night-time, at the Masthead, in a conspicuous Situation, clear of the Sails and Rigging of the Vessel, and so as to be distinctly visible; and if any Pilot shall be within hail or approaching and within a reasonable Distance of any such Vessel, with the proper distinguishing Flag flying, the Master, or other Person having the Command of such Vessel shall, by heaving-to in proper Time, or shortening Sail, and by all other practicable Means consistently with the Safety of the Vessel, facilitate such Pilot getting on board thereof: Provided always, that such Master or Owner shall be bound to prefer the Pilot who shall first offer his Services, under a Penalty not exceeding Ten Pounds; and that if any Pilot entitled to such Preference shall evade the Performance of his Duty when called upon he shall be liable in the like Penalty.

Pilots leading Way entitled to certain Pilotage.

CXXXII. And be it enacted, That in case any Vessel coming into or going out of the said River and Harbour shall be in want of a Pilot, and no Pilot licensed and authorized to act as Pilot under this Act can be procured, and there shall be any such Pilot on board of any other Vessel passing into or out of the said River or Harbour, such Pilot on board any such other Vessel shall be bound, as far as may be practicable, to lead the Way for and direct the Course of the Vessel so in want of a Pilot either into or out of the said River and Harbour, until another Pilot can be obtained; and the Master or Commander of every such Vessel which shall be so directed by any Pilot leading the Way in such other Vessel shall be subject and liable to the Payment of One Half of the Pilotage Rates according to the Distance such Vessel shall have been directed in manner aforesaid; and if any Pilot Vessel licensed under this Act shall run before any Vessel not having on board any Pilot licensed and authorized to act as a Pilot under this Act, when such Vessel cannot from particular Circumstances be boarded by any such Pilot for the Purpose of directing her Course, until a Pilot can be put on board, the Pilot on board such Pilot Vessel shall be entitled to the full Pilotage for the Distance run, until a Pilot shall be put on board, as if such Pilot had been actually on board and had taken the Charge of such Vessel as Pilot.

Trustees may license Pilot Vessels.

CXXXIII. And be it enacted, That it shall be lawful for the Trustees to license Pilot Vessels, of such Size and Description as they shall think proper, for the Purpose of having Pilots constantly in attendance in such Vessels within the Limits for which Pilots may be licensed by the Trustees; and all such Pilot Vessels shall be under the Control, Regulation,

Regulation, and Management of the Fraternity of Masters and Seamen of *Dundee*, and shall at all Times be equipped to the Satisfaction of the said Fraternity of Masters and Seamen, or any Committee of their Number who may be appointed from Time to Time to control, regulate, or manage the same.

CXXXIV. And be it enacted, That any Vessel which shall have been piloted or conducted by any Pilot licensed and authorized to act as a Pilot under this Act out of the said Harbour, or from any Place to the Eastward of a Line from *Balmerino* on the South Side of the River *Tay* and *Invergowrie Burn* on the North Side of the said River, to the Sea, shall be forced back by Storm or contrary Winds after having (by the Consent of the Master or Commander of such Vessel) parted with such Pilot, and shall be conducted by such Master or other Person in Charge into any Place in the said River, and such Master or other Person shall afterwards employ a Pilot to conduct such Vessel out of such Place to the Sea, he shall for such Service be liable to pay One Half only of the Sum payable for Pilotage outwards from such Place.

Vessels forced back to pay Half Rates for being again piloted.

CXXXV. And be it enacted, That it shall be lawful for any Pilot, licensed and authorized to act as Pilot for such Vessel under this Act, to supersede in the Charge of any Vessel any Person not so licensed and authorized to act as a Pilot; and every Person assuming or continuing in the Charge or Conduct of any Vessel, contrary to the Provisions of this Act, or any Bye Law, Rule, or Regulation made by the Trustees in virtue thereof, after being required to give up the Charge or Conduct by such Pilot, shall forfeit a Sum not exceeding Forty Shillings for every such Offence: Provided that if any Pilot licensed by the Trustees shall lend his Licence or Badge of Office to any other Person, in order that any such Person might assume to act as a Pilot under such borrowed Licence or Badge, the Pilot lending such Licence or Badge, and the Person taking the same, and assuming or pretending to act under such Licence or Badge as a Pilot, shall each be liable in a Penalty not exceeding Twenty Pounds for every such Offence.

Pilots to supersede unlicensed Persons.

Penalty on Pilot lending his Licence or Badge.

CXXXVI. And be it enacted, That every Pilot who shall take upon himself the Charge or Conduct of any Vessel about to sail out of the said Harbour or from any Part thereof shall and he is hereby required to take charge of such Vessel at her Mooring in any of the Docks or Tide Harbours, or elsewhere within the Limits of the said Harbour where such Vessel shall then be, and to conduct or pilot such Vessel so far out to Sea as One Mile, or any farther Distance not exceeding Six Miles beyond the Buoy of *Tay*; and whenever any such Pilot shall be required by the Master or other Person in Charge or Command of any Vessel, whether outward or inward bound, to attend such Vessel at Anchor in any Roadstead in the said River, such Pilot shall attend accordingly, and shall be paid such Sum as the Trustees shall appoint, not being less than Five Shillings *per Day* for every Day of Twenty-four Hours Attendance; and if any such Pilot shall so attend, and be employed for a Part only of a

Distance to which outward bound Vessels are to be piloted.

[Local.]

30 H

Day,

Day, not being less than Twelve Hours, he shall be paid the like Sum as for a whole Day ; and in case the Use or Attendance of a Pilot's Crew or Vessel shall be required there shall be paid for the Use of such Crew or Vessel such Sum of Money, by the Tide, Day, or otherwise, according to the Circumstances of the Case, as shall be settled and directed by the Trustees ; and if any such Pilot, after he shall have been engaged to serve, shall quit any such Vessel on board of which his Services may be so required, without the Consent of the Master or other Person in Charge thereof, before he shall have performed the Service for which he was engaged, such Pilot shall forfeit the Pilotage or other Sum of Money to which on Performance of his Duty he would have been entitled, and shall besides forfeit any Sum not exceeding Ten Pounds for each such Offence.

Places to which inward-bound Vessels are to be piloted.

CXXXVII. And be it enacted, That every such Pilot as aforesaid who shall be employed to pilot or conduct any Vessel into the said Harbour shall and he is hereby required to take the same to such Place of Delivery in the said Harbour or Docks as the Master or other Person in Charge of such Vessel shall, subject to the Order of the Harbour Master, require, or so near thereto as he can safely get, and there moor such Vessel in some proper Situation, without being paid any other Rate than is payable for piloting such Vessel into the said Harbour.

Remuneration to Pilots detained on board Vessels performing Quarantine.

CXXXVIII. And be it enacted, That the Master or other Person in Charge of every Vessel which shall be piloted by any Pilot into any Part of the said River, for the Performance of Quarantine, shall pay the full Charges of Pilotage into such Part of the said River ; and such Pilot shall, in case such Vessel has a *British* Register, be entitled to Five Shillings *per Diem*, and in the Case of all other Vessels Seven Shillings *per Diem*, for the Days during which such Pilot shall be obliged to remain in Quarantine, exclusive of the Day of the Arrival of such Vessel in the said Harbour.

Masters to give Pilots a true Account of Draught of Water.

CXXXIX. And be it enacted, That the Master or other Person in Charge of every Vessel shall give a true Account to the Pilot employed in the conducting or piloting of such Vessel of the Draught of Water of such Vessel, and in case the Pilot so employed shall suspect the Truth of such Account the Pilot Master to be appointed and acting under this Act for the Time is hereby authorized, upon the Request of the said Pilot to that Effect, to admeasure, or to cause to be admeasured, such Vessel, and if on such Admeasurement it shall appear that such Master or other Person in Charge gave a false Account of her Draught of Water he shall forfeit and pay any Sum not exceeding Ten Pounds, together with all Expences to be incurred by such Admeasurement, and in the Recovery of such Penalty.

Persons liable to pay Pilotage.

CXL. And be it enacted, That the Master, Owner, Agent, Consignee, or other Person having the Charge of any Vessel which shall be piloted or attended by any Pilot licensed and authorized to act as Pilot under this Act shall be accountable for the Remuneration to which

which such Pilot shall be entitled under the Provisions of the first herein-before recited Act and this Act, and shall pay the same to such Person as shall from Time to Time be appointed by the Trustees to receive the same at the Pilot Office in *Dundee*, or at such other Place as shall from Time to Time be appointed by the Trustees for the Receipt of Pilotage; and if any such Pilotage shall remain unpaid for Three Days after having been demanded from the Person accountable for the same, the said Pilotage shall and may be recovered in a summary Manner by Complaint before any Judge of Police under this Act, at the Instance of the Pilot Master for the Time under this Act; and such Judge of Police shall determine the Matter, and order such Execution to follow upon his Judgment for the said Pilotage as is herein authorized and directed in the Case of Proceedings for the Recovery of Penalties.

CXLI. And be it enacted, That the Master, Owner, Agent or Consignee, or other Person having or taking the Charge of any Vessel liable in Pilotage, shall pay at the said Pilot Office, or at such other Place in *Dundee* as aforesaid, to such Person as shall from Time to Time be appointed by the Trustees to receive the same, the Pilotage, inwards and outwards respectively, for which such Vessel is liable.

In what Manner Pilotage is to be paid.

CXLII. And be it enacted, That in case any Master, Owner, Agent, or Consignee, or other Person having or taking the Charge of any Vessel, whether inward or outward bound, shall refuse or neglect to pay the Pilotage Dues to which such Vessel is liable, and the Remuneration to which any Pilot licensed and authorized to act as a Pilot under this Act shall be entitled for the Pilotage of or for any other Services rendered to such Vessel within Three Days after the same shall have been demanded from such Master, Owner, Agent, or Consignee, or other Person as aforesaid, by the Person appointed by the Trustees to receive the same, then such Pilotage and Remuneration shall be recovered by and at the Instance of the Pilot Master appointed under this Act for the Time, in such and the same Manner as is herein appointed for the Recovery of Rates on Goods imported at the said Harbour, together with all necessary Expences.

In case of Nonpayment of Pilotage, Pilot Master may prosecute.

CXLIII. And be it enacted, That the Agent or Consignee or other Person taking the Charge of any Vessel, inward or outward bound, from whom any Sum of Money for Pilotage or Remuneration for other Services rendered to such Vessel shall have been recovered or shall be recoverable, or by whom any such Sum of Money shall have been paid, is hereby authorized and empowered to retain in his Hands, out of any Monies which he may have received or shall thereafter receive, for or on account of such Vessel, or the Owner or Owners thereof, so much as shall be sufficient to pay and discharge such Pilotage or other Remuneration, and any Expences attending the same.

Agents or Consignees of Vessels authorized to retain Amount of Pilotage.

CXLIV. And whereas it may happen that a Pilot under this Act may through Stress of Weather be unavoidably carried to Sea beyond the

Pilots taken to Sea to get Wages

besides
Pilotage
Rates.

the Limits of Pilotage hereby prescribed; be it enacted, That the Master of the Vessel on board of which any such Pilot shall through Stress of Weather be unavoidably carried to Sea beyond the Limits aforesaid shall pay to such Pilot, for the Time he shall be detained on board after passing the said Limits, the same Wages as shall be payable by the said Master to the Mate of such Vessel, in addition to the Rate of Pilotage to which such Pilot shall be entitled as Pilot of such Vessel; and in case any such Pilot shall be wilfully and forcibly carried to Sea beyond the said Limits, otherwise than through Stress of Weather, such Master shall pay to such Pilot such Wages as are herein-before mentioned, and shall also forfeit any Sum not exceeding Twenty Pounds for such Offence.

Penalty on
Pilots dis-
obeying the
Orders of
Dock-
master.

CXLV. And be it enacted, That if any Pilot, having the Charge or Direction of any Vessel coming into or going out of the said River or Harbour, shall neglect or refuse to obey such Orders or Directions as shall from Time to Time be given to such Pilot by the Dock Master or Harbour Master at the said Harbour, touching or relating to the mooring, unmooring, removing, or navigating of such Vessels so being under the Charge or Direction of any such Pilot as aforesaid, or shall in the Charge or Conduct of any such Vessel neglect or refuse to observe or obey any Signal made by the Dock Master and Harbour Master, or any Assistant of such Dock Master or Harbour Master, when approaching the Entrance of the Harbour or of any of the Docks or other Place within the Precincts of the said Harbour, then and in every such Case every Pilot so offending shall forfeit and pay the Sum of Five Pounds, and shall also be liable to be suspended or dismissed by the Trustees.

Pilots to give
the Prefer-
ence to Her
Majesty's
Vessels.

CXLVI. And be it enacted, That every Pilot who shall have been licensed and appointed under and by virtue of this Act, or who shall hereafter be licensed and appointed by Authority of the same, shall at all Times afford every Assistance in his Power to any of Her Majesty's Vessels, and when any of them shall, by Signal or otherwise, appear to be in want of a Pilot, shall go to, assist, and pilot such Vessels, in preference to any other Vessel whatsoever.

Rates, Rules,
and List of
Pilots to be
printed and
put up.

CXLVII. And be it enacted, That the Trustees shall cause a Table of the Rates of Pilotage, with the Rules and Regulations relative to Pilotage, and a List of the Pilots licensed and appointed as aforesaid, to be from Time to Time printed and affixed to some conspicuous Place at the Pilot Office and Shore Dues Office in *Dundee*, and shall cause the same to be renewed so often as the same shall become obliterated or defaced.

Every Pilot
to exhibit
the Pilotage
Rules and
his Licence.

CXLVIII. And be it enacted, That every Person who may be licensed as a Pilot under this Act shall at the Time of his Appointment receive a Copy of this Act, and a Copy, written or printed, of the Rules and Regulations to be from Time to Time made by the Trustees for the Conduct and Regulation of Pilots, and the Payment of their Fees; and every such Pilot shall exhibit the same, together
with

with his Licence and Badge, to all Persons requiring or receiving his Services, under a Penalty not exceeding Five Pounds for each Neglect or Refusal to do so.

CXLIX. And whereas all that Portion of the Beach of the River *Tay* to which the Inhabitants of *Dundee* in Times past resorted for the Purpose of bathing has been occupied and used for the Purposes of the said recited Acts, whereby the said Inhabitants have been deprived of a Place suitable for bathing within a convenient Distance from the Burgh, and it would conduce to the Cleanliness, Health, and Comfort of the Place, that public Baths were provided to supply the Want of the said former Bathing Places: And whereas the vacant Piece of Ground situate immediately on the North Side of the Lock of *Earl Grey's Dock*, which by the said Act last herein-before recited the Trustees were authorized to set apart, or so much thereof as might be necessary for the Construction of public Baths for the Use of the said Inhabitants, has been in part appropriated by the Trustees for the Purposes of the Harbour, and such Baths cannot now, with due Regard to the Convenience of the Public resorting to the said Harbour and Docks, be constructed on the Part or Place aforesaid; be it enacted, That the Trustees shall be and they are hereby authorized and empowered, any thing in the said recited Acts to the contrary notwithstanding, to appropriate or sell, by private Treaty, to any Person or Company willing to purchase the same, and for a Price or annual Ground Rent or yearly Payment, a Piece of Ground not exceeding Seventy Poles Imperial Measure, either on that Space of Ground on the South Side of the Lock of *Earl Grey's Dock*, or at any Place deemed most suitable between *Victoria Dock* and the River *Tay*, but on condition always that the said Ground shall only be used for the Construction of public Baths, and the Buildings to be erected thereon possessed and used in all Time coming as such public Baths, and be open to the Public at all reasonable Times on Payment of such Fees or Dues as may from Time to Time be fixed and agreed on by and between the Trustees and such Person or Company, and in the event of any Dispute or Difference arising as to such Fees or Dues the same shall be referred to the Sheriff, whose Decision shall be final: Provided always, that the Person or Company to whom such Ground may be appropriated or sold as aforesaid, for the Purposes aforesaid, and their Servants, and all Persons using the said Baths, shall be subject to the Rules and Regulations to be made by the Trustees, and shall be liable to the Penalties for Non-observance of such Rules and Regulations, in such and the same Manner as any other Persons are or shall be subject to the same; provided further, that it shall be in the Power of the said Trustees to permit Floating Baths, during Pleasure, to be moored or stationed within the Precincts of the Harbour, and to exempt such Floating Baths from the Payment of Tonnage Dues under this Act.

Trustees
may set
apart
Ground for
Bathing
Places.

CL. And be it enacted, That from and after the passing of this Act it shall be sufficient Notice or Advertisement of the public Sale of any Property belonging to the Trustees under the said recited Acts

[Local.]

30 I

Sale of He-
ritable Pro-
perty how
to be adver-
tised.
and

and this Act, or which may belong to them under the Operation of the said recited Acts or this Act, if such Notice or Advertisement be inserted in One or more Newspapers published in the Borough of *Dundee*, and One Newspaper published in *Edinburgh*, Three consecutive Weeks preceding such Sale, the first Insertion of such Notice or Advertisement in each such Newspaper being at least Thirty clear Days previous to the Day of Sale, any thing in the said recited Acts to the contrary notwithstanding.

Bye Laws for accomplishing Acts; and, in particular,

CLI. And be it enacted, That it shall be lawful for the Trustees from Time to Time to make such Bye Laws as they shall think fit for accomplishing the several Purposes of the said recited Acts and this Act; and in particular for all or any of the following Purposes; (that is to say,)

For Use of Piers, &c.;

For governing and regulating the Use of the Piers, Quays, Docks, Graving Docks, Patent Slips, and other Works belonging to the Trustees:

Placing and removing Vessels;

For regulating the placing and removing of Vessels entering in, lying in, or going out of the said Harbour or Docks, for the good Order and Government of all such Vessels:

Powers of Harbour Master;

For regulating the Exercise of the several Powers hereby vested in the Harbour Master or Dock Master:

Admission of Vessels;

For regulating the Admission of Vessels to the said Docks, Slips, and Works, and their Removal out of the same:

Loading and unloading;

For regulating the shipping, unshipping, landing, warehousing, housing, stowing, depositing, and removing of all Goods, Articles, or Things from in or on the Piers, Quays, Wharfs, Docks, or Warehouses of the Trustees:

Persons employed at Quays, &c.;

For regulating the Duties and Conduct of all Servants of the Trustees who shall be employed at or about the Quays, Docks, and Premises of the Trustees:

Use of Fires and Candles;

For regulating the Use of Fires, Candles, Lamps, and other Lights or lighted Substances within the said Harbour, Docks, and other Premises, and within any Vessel being within the said Harbour or Docks, or within One hundred Yards of the Piers, Quays, or Works of the Trustees:

Prevention of Damage;

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the Trustees:

Police;

For regulating the Police of the said Harbour and Docks, and the Times and Manner in which the Police Officers and Watchmen shall perform their Duties:

Use of Cranes, &c.

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the Trustees, and the Duties and Conduct of all Weighers and Meters appointed by them:

And it shall be lawful for the Trustees, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Law of *Scotland* or the Provisions of this Act, and be reduced into Writing, and be signed by any Three or more of the Trustees and their Clerk, and, if affecting other Persons than the Trustees, their Officers or Servants, be printed and published as herein provided.

CLII. And

CLII. And be it enacted; That it shall be lawful for the Trustees by the Bye Laws so to be made by them to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws be so framed as to allow the Judge before whom any Penalty imposed thereby is sought to be recovered to order the Whole or Part only of such Penalty to be paid!

Penalty for enforcing Bye Laws.

CLIII. And be it enacted, That no Bye Law which shall be made by the Trustees under the Authority of this Act, except such as may relate solely to the Trustees, or their Officers or Servants, shall be valid or binding, unless the same shall be allowed, approved of, and confirmed by the Sheriff of the County of *Forfar*; and it shall be incumbent on such Sheriff, on the Request of the Trustees, to inquire into any Bye Laws which may be tendered to him for that Purpose, and to allow or disallow of the same as he shall think meet: Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers published in the County of *Forfar* One Month at least before the hearing of such Application; and any Person aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Trustees Ten Days before the hearing of such Application, may, by himself or his Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Matter of Objection.

Bye Laws to be confirmed.

CLIV. Provided always, and be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office of the Clerk to the Trustees; and it shall be lawful for all Persons, at all reasonable Times, to inspect such Copy, without Fee or Reward, and to be furnished by the Trustees with a Copy thereof or of any Part thereof, on Payment of Sixpence for every One hundred Words.

A Copy of proposed Bye Laws to be open to Inspection.

CLV. And be it enacted, That such Bye Laws, when confirmed, shall be printed and hung up within the principal Office of the Collector of Rates and Duties appointed by the said Trustees, and also on some conspicuous Part of the Works of the said Harbour and Docks, and such Print shall be from Time to Time renewed as often as the same or any Part thereof may be obliterated or destroyed.

Publication of Bye Laws.

CLVI. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Bye Laws to be binding on all Parties.

CLVII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Trustees, authenticated by the Signature of their Clerk, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof it shall be sufficient that printed Copies thereof were affixed
or

Evidence of Bye Laws.

or continued in the Manner by this Act directed, and in case of any of such being afterwards destroyed or obliterated it shall be sufficient to prove that the same were replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such printed Copies did not contain a Copy of the Bye Law under which he shall be prosecuted, or that the same were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards on which Bye Laws are printed.

CLVIII. And be it enacted, That any Person who shall wilfully destroy, pull down, injure, or deface any Board on the Premises of the Trustees, on which any Bye Law of the Trustees, or any Rate to be taken under this Act, shall be printed or affixed, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Provision for Damages not otherwise provided for.

CLIX. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by One or more of the Judges of Police; and when by this Act any Damages or Charges are directed to be paid, in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Judge of Police by whom the Offender shall be convicted of such Offence, and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Pounding and Sale of the Offender's Goods and Effects, and such Judge shall issue his Warrant accordingly.

Distress against the Trustees.

CLX. And with respect to any Sum of Money under the Provisions of this Act adjudged to be paid by the Trustees, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Trustees to the Party entitled to receive the same, within Thirty Days after Demand thereof in Writing, stating the Order for the Payment of such Money, the Amount may be recovered by Distress, and the Judge or Justice by whom such Sum of Money shall have been ordered to be paid, or any other Judge or Justice, on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the Trustees cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the Trustees; and the Judge or Justice aforesaid, or any other Judge or Justice, on Application, shall issue his Warrant accordingly; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer, or left at his Residence.

Distress against the Treasurer.

Reimbursement of the Treasurer.

CLXI. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid he may retain the Amount

so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Trustees, coming into his Custody or Control, or he may sue for the same against the Trustees by Process of Law.

CLXII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding upon Complaint of the Superintendent of Harbour Police, or of the Collector of Rates and Duties, made before the said Judges of Police or any of them, according to such summary Form of Proceeding as the Provost of *Dundee* and the Sheriff may from Time to Time settle and appoint; and upon Proof of the Offence, either by Confession of the Party complained against or upon the Oath of One credible Witness or more, it shall be lawful for any such Judge to convict the Offender; and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as the Costs attending the Conviction.

Penalties to be summarily recovered before the Judges of Police.

CLXIII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid, or any Decreet for any pecuniary Penalty, Fine, or Forfeiture, and Costs, decerned for by virtue of the said recited Acts or this Act, or any Bye Law, Rule, or Regulation of the Trustees, the Amount of the Penalty, Fine, or Forfeiture, and of such Costs, be not paid or consigned, it shall be lawful to any of the Judges of Police to grant Warrant to poind and sell by public Roup, within such Time as such Judge may by such Warrant fix, as much of the Goods and Effects of the Offender or Defender as will satisfy and pay the said Penalty, Fine, or Forfeiture, and Costs, and the Costs and Charges attending the said Poinding and Sale, rendering the Overplus (if any) to such Offender or Defender.

Penalties to be levied by Poinding.

CLXIV. And be it enacted, That it shall be lawful for the said Judges of Police or any of them to order any Offender convicted in any Penalty, Fine, or Forfeiture, under the said recited Acts or this Act, or under any Bye Law, Rule, or Regulation made or to be made in virtue thereof, to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Poinding and Sale to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security to the Satisfaction of such Judge for his Appearance on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Poinding and Sale it shall appear to the Judge, by the Admission of the Offender or otherwise, that no sufficient Effects can be had whereon to levy such Penalty or Forfeiture and Costs, such Judge may, if he think fit, refrain from issuing such Warrant of Poinding, and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Judge of Police, then such Judge shall by Warrant cause such Offender to be committed to the Gaol or Bridewell

Imprisonment in default of Poinding.

of *Dundee*, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Judges of Police to have Power of Justices as to Seamen's Wages, &c.

CLXV. And be it enacted, That all Actions for Recovery of Seamen's Wages, or for Implement of Articles betwixt Masters and Seamen, competent before Justices of the Peace, may be tried and disposed of by any of the Judges of Police in such summary Form as may be settled and approved of by the Sheriff; and all Execution shall follow upon the Judgments of the said Judges in such Matters in like Form and Manner as is competent on the Judgments of Justices of the Peace in similar Cases.

Provision for disabled Workmen.

CLXVI. And be it enacted, That it shall be lawful for the Trustees and they are hereby authorized and empowered to pay or apply, out of the Rates and Duties granted by this Act, a Sum not exceeding One hundred Pounds Sterling in any One Year for and towards the Relief or Support of any Persons injured, disabled, or worn-out or superannuated in their Service, or for and towards the Relief and Support of the Widows and Families of such Persons as may have been killed in such Service, and that either by direct pecuniary Gratuities to such Persons, their Widows or Families, or by yearly or other Payments to any Infirmary or Hospital in which the Necessities of such Persons or any of them shall be relieved to the Satisfaction of the Trustees.

Expences of Act.

CLXVII. And be it enacted, That the Costs, Charges, and Expences of obtaining and passing this Act and incident thereto shall be paid by the Trustees out of the first and readiest Monies applicable to the Purposes of this Act.

Not to extend to Ships of War, &c.

CLXVIII. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in the Service of Her Majesty, or of the Ordnance, Customs, or Excise, or of Her Majesty's Postmaster General, or of the Commissioners of Northern Lights, or of the Corporation of *Trinity House of Deptford Strond*.

Saving Rights of Commissioners of Northern Lights and Corporation of Trinity House.

CLXIX. And be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from the Jurisdiction or Authority or any of the Rights or Privileges of the Commissioners of Northern Lights, or of the Corporation of *Trinity House of Deptford Strond*.

Saving the Rights of Magistrates and Town Council of Dundee.

CLXX. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to transfer to or vest in the said Trustees, or confer any Right or Claim on the said Trustees to, or alter, diminish, or affect, any Rights, Titles, Dues, Duties, Payments, Powers, Privileges, Jurisdictions, or Authorities of the Magistrates and Town Council of *Dundee*, or of the Magistrates of *Dundee*, granted to them in behalf of the Community of the said Burgh, or to which they have Right by the Rights and Charters of the

the said Burgh, and particularly by the Charter under the Great Seal granted by King *Charles* the First, bearing Date the Fourteenth Day of *September* One thousand six hundred and forty-one, or to prejudice or affect a Decision of the Court of Session dated the Twenty-second Day of *February* One thousand eight hundred and forty-two, pronounced in a Process of Declarator and Adjudication at the Instance of the said Trustees against the said Magistrates and Council, or to alter, prejudice, or affect any other Rights, Titles, Dues, Duties, or Payments, Powers, Privileges, Jurisdictions, or Authorities, in any way belonging to them the said Magistrates and Council, except only in relation to any such Rights, Titles, Dues, Payments, Powers, Privileges, Jurisdictions, or Authorities, or Claims of Right, which the said Magistrates and Council, as authorized by the said recited Acts, may have renounced or transferred to the said Trustees by Discharge and Renunciation dated the Third Day of *November* One thousand eight hundred and thirty-one, or in any other Manner whatever.

CLXXI. And be it enacted, That nothing herein contained shall extend or be construed to extend to diminish, alter, or affect any Powers, Rights, or Jurisdiction, in relation to the said Harbour or otherwise, which the General Police Commissioners or the Ordinary Police Court of the said Burgh of *Dundee* may now have or enjoy.

Saving Rights of General Police Commissioners.

CLXXII. Provided always, and be it enacted, That nothing contained in this Act, or in any of the Acts herein recited, mentioned, or referred to, shall be deemed, taken, or construed to defeat, abridge, derogate from, lessen, impair, or prejudice the Estate, Right, Title, Interest, Franchise, or Prerogative of Her Majesty, Her Heirs or Successors, in, to, upon, or over the Bed or Shores of the River *Tay* or any Part thereof.

Saving the Rights of the Crown.

CLXXIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Interpretation of Words.

The Word "Trustees" shall mean the Trustees of the Harbour of *Dundee* acting under the said recited Acts and this Act :

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Word "Month" shall mean Calendar Month :

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath :

The Word "Lands" shall mean all Houses, Tenements, and Heritages of whatever Kind or Tenure :

The Word "Sheriff" shall include Sheriff Substitute, and shall mean the Sheriff Depute or Sheriff Substitute of the County of

Forfar,

Forfar, or of the County where any Matter requiring the Cognizance of such Sheriff or Substitute shall arise :

The Words "Sheriff Clerk" shall mean the Sheriff Clerk of the County of *Forfar* :

The Word "Person" shall include Corporation :

The Word "Vessel" shall include Ship, Lighter, Vessel, Barge, Boat, and any other Kind of Craft :

The Word "Owner" shall include Agent or Consignee :

The Word "Cart" shall include Carriage or other Vehicle used for the Conveyance of Goods, Articles, or Things.

Public Act. CLXXIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Assignment.

BY virtue of an Act passed in the _____ Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], and of the Acts therein recited, we _____ of the Trustees of the Harbour of Dundee, and _____ their Treasurer, in consideration of the Sum of _____ advanced and paid by _____ do hereby sell, assign, and make over to the said _____ his Heirs, Executors, Administrators, and Assigns, the Harbour and Works erected and to be erected pursuant thereto, and all and sundry the Rates and Duties and other Monies payable to us in virtue thereof, and all our Right, Title, and Interest of, in, and to the same, to be held by the said _____ and his aforesaid until the said Sum of _____ together with Interest for the same after the Rate of _____ per Centum per Annum, shall be fully satisfied and paid. In witness whereof we have subscribed these Presents, written by _____ at _____ the _____ Day of _____ before these Witnesses,

SCHEDULE (B.)

Form of Transfer of Assignment.

I _____ of _____ in consideration of the Sum of _____ paid to me by _____ of _____ do hereby transfer a certain Assignment made by the Trustees of the Harbour of Dundee to me, bearing Date the _____ Day of _____ for securing the Sum of _____ and Interest, and all Interest now due and to become due thereon, and all my Right and Property therein, to the said _____ his Heirs, Executors, Administrators, and Assignees. In witness whereof I have subscribed these Presents, written by _____ at _____ the _____ Day of _____ before these Witnesses,

SCHEDULE (C.)

Tonnage Rates and Duties.

	£	s.	d.
1. For all Vessels navigating to the Southward of the Tropic of Capricorn, per Register Ton - - - - -	0	1	6
2. Between the Equator and the Tropic of Capricorn - - - - -	0	1	3
3. Between the Tropic of Cancer and the Equator - - - - -	0	1	0
4. To or from any Port in North America, Greenland, Davis's Straits Fisheries, and all within the Straits of Gibraltar - - - - -	0	0	8
5. To or from any Port in Europe to the North of Dronthiem, in Norway, and to or from the Azores, Madeira, or Teneriffe Islands, and the West Coast of Africa, between the Tropic of Cancer, and the Straits of Gibraltar - - - - -	0	0	7
6. To or from any Port on the Coast of Europe between Gibraltar and Dronthiem in Norway, including both these Ports and all Ports in the Baltic - - - - -	0	0	5
7. To or from any Port in Great Britain or Ireland, including the Islands of Guernsey, Jersey, Alderney, Sark, Man, the Shetland Islands, and Orkneys - - - - -	0	0	3
8. All Vessels loaded with Coals, Lime, or Manure only, from any Port in Great Britain, &c., excepting Scotland - - - - -	0	0	2
9. All Vessels loaded with Coals, Lime, or Manure only, from any Port in Scotland - - - - -	0	0	1½
10. All Vessels employed in the River Tay, carrying Goods and entering the Precincts of the Port or Harbour of Dundee - - - - -	0	0	1½
11. All Steam Vessels from any Port in Great Britain, or Places enumerated in No. 7., carrying Passengers and their Luggage exclusively - - - - -	0	0	2
12. All Steam Vessels employed in the River Tay, carrying Passengers and their Luggage exclusively, and Vessels trading from the Harbour, or carrying Passengers to any Part within the Precincts - - - - -	0	0	1
13. All Steam Vessels carrying Goods and Passengers to pay the same Rates as Sailing Vessels.			
14. All Vessels from any Part of the River Tay, not exceeding Thirty Tons Register, with Stones, and having no other Goods on board, and delivering their Cargoes in the Precincts of the said Harbour, to pay Two Shillings each Voyage in Name of Tonnage Dues, and One Shilling for every Twenty Tons or Part of Twenty Tons additional.			
15. All Vessels from any Part of the River Tay with Sand, and having no other Goods on board, to pay One Shilling for each Trip in Name of Tonnage Dues.			
16. It shall be in the Option of the Trustees to charge either the Tonnage Dues on the Voyage inwards or on the Voyage outwards, at the Rates specified in the above Schedule; and if the Charge be made on the Voyage outwards there shall be deducted from it the Amount of the Dues that may have been previously paid on the Voyage inwards; but if such Vessels sail in Ballast they shall be charged with Dues on the inward Voyage only.			
17. All Vessels launched within the Harbour of Dundee or Precincts thereof to pay Half Dues on the Voyage outwards, if sailing in Ballast; but if loaded in whole or in part, or taking Passengers, to pay full Dues.			
18. All Vessels to be permitted to enter the Harbour of Dundee for Safety by Payment of One Half of the Tonnage Dues; but if such Vessels shall remain in the Harbour or any of the Docks beyond the Space of Twenty-one Days, or shall take Goods on board (Stores for their own Use excepted), or break Bulk, they shall be liable in the full Tonnage Dues.			
19. All			

19. All Vessels remaining in Harbour to pay, after Two Months, One Penny per Register Ton per Month in advance, when they are lying in any of the Tide Harbours, and One Penny Halfpenny per Ton when lying in any of the Docks.
20. Each Vessel, with the Exception after mentioned, entering the Harbour, and loading or unloading Goods or Ballast within the same, or performing both Operations, before leaving the Harbour to pay in Name of Plank Money (whether a Plank be used or not) as follows:

	£	s.	d.
21. Vessels not exceeding 20 Tons	-	0	1 0
Exceeding 20 Tons and not exceeding 50 Tons	-	0	1 6
50 - - - - 100	-	0	2 0
100 - - - - 150	-	0	2 6
150 - - - - 200	-	0	3 0
200 - - - - 250	-	0	3 6
250 - - - - 300	-	0	4 0
300 - - - - 350	-	0	4 6
350 - - - - 400	-	0	5 6
400 and upwards	-	0	6 6

22. All Vessels loaded with Coals, Lime, or Manure only, and discharging their Cargoes within the Precincts of the Harbour to the Eastward of the Rood-yards, or to the Westward of the Magdalen Yard, to pay One Half of the Dues in the above Schedule.
23. Vessels with Fish of any Kind for curing, per Ton Register or Admeasurement, Two-pence.

Exemptions.

24. All Vessels leaving the Harbour for the Purpose of taking on board Ballast in any Part of the River Tay, and returning to the said Harbour or Precincts thereof with Ballast, shall not be liable in Shore Dues for such Return.
25. Any Vessel sailing from the Port of Dundee, and put back by Stress of Weather or any other Cause, without having accomplished her Voyage, shall not be liable in additional Dues for such Return.
26. Vessels partly loaded with Coals, Lime, or Manure, or in Ballast, but having Dunnage Deals or Stow Wood on board, which have been used as such, and are intended to be unloaded, or having Goods on board which are neither to be landed nor reshipped into any other Vessel within the Harbour or Precincts, shall be charged the same Dues as Vessels wholly loaded with Coals, Lime, or Manure.
27. All Vessels arriving in Ballast, for the Purpose of being repaired in the Graving Dock or on the Patent Slip, and departing in Ballast, shall be exempted from Tonnage Dues, provided such Vessels enter for the Dock or Slip immediately on Arrival, and sail within One Month after leaving such Graving Dock or Patent Slip; otherwise to be chargeable with the same Dues as in Article 19.
28. Vessels with Cargoes, arriving for the express Purpose of being repaired in the Graving Dock or on the Patent Slip, shall not be liable in Shore Dues, provided they neither take Goods on board (Stores for their own Use excepted) nor break Bulk, except to lighten for getting into the Dock or upon the Slip, and that they shall again reload all the Goods so landed.
29. All Vessels loading or unloading Goods within the Precincts of the Harbour of Dundee to the Eastward of the Roodyards and the Westward of the Magdalen Yard shall be exempted from Payment of Plank Money.
30. All Vessels not carrying Passengers arriving in the Harbour in Ballast, and departing again in Ballast, shall be subject only in Half Dues; but if such Vessels after arriving in Ballast, shall take in Cargoes, or Parts of Cargoes, before their Departure, they shall be liable in full Dues.

SCHEDULE (D.)

Rates and Duties on Goods, Articles, and Things.

GOODS, &c.	RATES.			
	Inwards.		Outwards.	
	s.	d.	s.	d.
Acorns - - - - - Per Quarter	0	3	0	3
Alabaster - - - - - Ton	2	0	2	0
Ale, Strong, in Casks - - - - - Barrel Bulk	0	3	0	3
Strong, in Bottles - - - - - Ditto	0	1½	0	1½
Almonds - - - - - Ditto	0	6	0	2
Alum, Rock - - - - - Ton	1	0	1	0
Ammonia, or Gas Water - - - - - Barrel Bulk	0	0½	0	0½
Animalised Carbon for Manure - - - - - Ton	0	9	0	9
Apples - - - - - Bushel	0	1	0	1
Argol - - - - - Ton	2	0	2	0
Arrow Root - - - - - Barrel Bulk	0	6	0	6
Ashes, Pot or Pearl - - - - - Ton	1	6	0	6
Weed and Wood - - - - - Ditto	1	6	1	6
Bacon or Hams - - - - - Barrel Bulk	0	3	0	3
Barilla - - - - - Ton	1	6	1	6
Bark, Oak - - - - - Ditto	1	6	1	6
Quercitron - - - - - Ditto	2	0	2	0
Barley, Shelled or Pearl - - - - - Cwt.	0	1	0	1
Basket Rods - - - - - Bundle	0	1	0	1
Baskets, — viz. under 12 Inches in Diameter - - - - - Dozen	0	1	0	1
above 12 Inches in Diameter - - - - - Ditto	0	2	0	2
Barrels, empty Herring - - - - - Ditto	0	4	0	4
Beef or Pork - - - - - Barrel Bulk	0	2	0	2
Beer, Spruce - - - - - Ditto	0	2	0	2
Berries, dried and preserved - - - - - Ditto	0	6	0	6
Biscuit - - - - - Ton	1	0	1	0
Blacking - - - - - Barrel Bulk	0	4	0	4
Bleaching Powder - - - - - Ton	1	6	1	6
Blubber - - - - - 252 Imperial Gallons	1	3	1	3
Bones - - - - - Ton	0	6	0	6
Bone Dust - - - - - Ton of 40 Bushels	0	9	0	9
Books - - - - - Barrel Bulk	0	6	0	6
Bottles of Green or Common Glass, not less than Pints - - - - - Gross	0	3	0	3
if less - - - - - Ditto	0	2	0	2
Bottles, Broken - - - - - Ton	0	3	0	3
Boats, new, — viz. 12 to 14 Inches Keel - - - - - Each	2	0	2	0
14 to 16 — — - - - Ditto	2	6	2	6
16 to 18 — — - - - Ditto	3	0	3	0
18 to 20 — — - - - Ditto	3	6	3	6
20 and above - - - - - Ditto	4	6	4	6
All other Boats in proportion.				
Boxes and Kitts empty, if not returned - - - - - Barrel Bulk	0	1	0	1

GOODS, &c.	RATES.	
	Inwards.	Outwards.
	<i>s.</i>	<i>d.</i>
Brushes - - - - - Barrel Bulk	0	4
Brooms, Birch and Heather - - - - - Dozen	0	1
and Brush Handles, Heads and Stocks, Barrel Bulk	0	2
Bran - - - - - Chaldron	0	8
Brass - - - - - Cwt.	0	2
Brass, old - - - - - Ditto	0	1½
Bricks common, common Size - - - - - 1000	0	10
Fire - - - - - Ditto	2	0
All above in proportion.		
Brimstone, refined - - - - - Ton	2	0
rough - - - - - Ditto	0	9
Bristles - - - - - Cwt.	0	8
Bulrushes - - - - - Load	1	0
Butter - - - - - Barrel Bulk	0	4
Calves Velves - - - - - Cwt.	0	2
Candles - - - - - Barrel Bulk	0	4
Cane Reeds - - - - - 1000	0	9
Casks, empty, not being returned Packages - - - - - Puncheon	0	3
Other Casks in proportion.		
Cattle, — viz.		
Bulls, Cows, and Oxen - - - - - Each	1	0
Calves - - - - - Ditto	0	4
Horses, 12 Hands and upwards - - - - - Ditto	2	0
Ditto, under 12 - - - - - Ditto	1	0
Pigs - - - - - Ditto	0	2
Sheep - - - - - Ditto	0	2
Lambs - - - - - Ditto	0	1
Asses and Mules - - - - - Ditto	1	0
Caviare - - - - - Barrel Bulk	0	6
Carrots - - - - - Ton	0	6
Cards, Tow and Wool - - - - - Barrel Bulk	0	4
Candle Wicks - - - - - Ditto	0	2
Carraway Seeds - - - - - Ditto	0	6
Carriages, — viz. Mail and Stage Coaches - - - - - Each	12	6
Coach or Chariot - - - - - Ditto	10	0
Post Chaise - - - - - Ditto	7	6
Britska - - - - - Ditto	7	6
Phaeton - - - - - Ditto	5	0
Gig - - - - - Ditto	3	0
Other Carriages in proportion.		
Cement - - - - - Ton	1	0
Chalk - - - - - Ditto	0	3
Charcoal (Wood) - - - - - Ditto	2	6
Cheese - - - - - Ditto	2	0
Chesnuts - - - - - Barrel Bulk	0	4
Chimney Cans, Three Feet High and above - - - - - 100	3	0
Cans, under Three Feet - - - - - Ditto	2	0
China Ware - - - - - Barrel Bulk	0	2
Cider - - - - - Ditto	0	2
Cigars - - - - - Ditto	1	0
Cinders and Coke - - - - - Chaldron	0	8
Cinnamon - - - - - Barrel Bulk	0	6
Clay, — viz.		
China Clay or Stone Clay - - - - - Ton	0	6
Pipe Clay - - - - - Ditto	0	6
Other Kinds in proportion.		

[Local.]

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GOODS, &c.		RATES.			
		Inwards.		Outwards.	
		s.	d.	s.	d.
Clothiery	- - - - -	0	6	0	2
Cloth, Brown or Bleached Linens, viz.					
Osnaburgs	- - - - -	0	0 $\frac{1}{2}$	0	1
Sheeting	- - - - -	0	0 $\frac{1}{2}$	0	1
Dowlas	- - - - -	0	0 $\frac{1}{2}$	0	1
Ducks	- - - - -	0	0 $\frac{1}{2}$	0	1
Ravenducks	- - - - -	0	0 $\frac{1}{2}$	0	1
Ticklenburgs	- - - - -	0	0 $\frac{1}{2}$	0	1
Drillings	- - - - -	0	0 $\frac{1}{2}$	0	1
Shirtings	- - - - -	0	0 $\frac{3}{4}$	0	1 $\frac{1}{2}$
Siliesias	- - - - -	0	0 $\frac{1}{2}$	0	1
Hessians or Wrappering, 40 Inches and under	- - - - -	0	0 $\frac{1}{2}$	0	1
Hessians or Wrappering, for every 10 Inches above 40	- - - - -	0	0 $\frac{1}{8}$	0	0 $\frac{1}{4}$
Sailcloth	- - - - -	0	0 $\frac{3}{8}$	0	0 $\frac{3}{4}$
Bagging and Sacking of all Kinds, Forty Inches and under	- - - - -	0	0 $\frac{3}{8}$	0	0 $\frac{3}{4}$
And for every 10 Inches above 40	- - - - -	0	0 $\frac{1}{8}$	0	0 $\frac{1}{4}$
Pimento Bagging	- - - - -	0	0 $\frac{3}{8}$	0	0 $\frac{3}{4}$
Tarpaulings	- - - - -	0	0 $\frac{3}{8}$	0	0 $\frac{3}{4}$
Browns	- - - - -	0	0 $\frac{3}{8}$	0	0 $\frac{3}{4}$
Canvass, broad	- - - - -	0	1 $\frac{1}{2}$	0	3
Linen Cloth, when cut down into short Lengths to pay as the original Piece would have been rated	- - - - -				
Sacks, made	- - - - -	0	1 $\frac{1}{2}$	0	3
Sand Bags	- - - - -	0	0 $\frac{3}{4}$	0	1 $\frac{1}{2}$
Wool Packs	- - - - -	0	4	0	8
Carpeting, Jute	- - - - -	0	1	0	1
Rugs	Ditto	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Bell Pulls	Ditto	0	2	0	2
Cochineal	- - - - -	1	0	0	4
Cocoa	- - - - -	3	0	1	0
Coffee	- - - - -	0	4	0	1 $\frac{1}{3}$
Cocoa Nuts	- - - - -	0	3	0	1
Fibre	- - - - -	1	0	0	4
Copper	- - - - -	3	6	3	6
Old	- - - - -	2	6	2	6
Ore	- - - - -	0	9	0	3
Copperas	- - - - -	0	6	0	6
Coral	- - - - -	0	6	0	6
Cordage	- - - - -	1	6	1	6
Corks	- - - - -	0	3	0	3
Corkwood	- - - - -	3	0	1	0
Corn, — viz.					
Barley, Bere or Big	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Beans	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Indian Corn	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Malt	- - - - -	0	2 $\frac{1}{2}$	0	2 $\frac{1}{2}$
Oats	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Pease	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Split	- - - - -	0	1	0	1
Rye	- - - - -	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Wheat	- - - - -	0	2 $\frac{1}{2}$	0	2 $\frac{1}{2}$

GOODS, &c.		RATES.			
		Inwards.		Outwards.	
		s.	d.	s.	d.
Coals, — Scots, English, Smithy, and Culm	- Ton	0	2 $\frac{3}{4}$	0	1
Codilla	- Ditto	1	0	0	4
Cobles, new, — viz. 12 to 14 Feet long	- Each	2	0	2	0
14 to 16 Ditto	- Ditto	2	6	2	6
16 to 18 Ditto	- Ditto	3	0	3	0
18 to 20 Ditto	- Ditto	3	6	3	6
All other Cobles in proportion.					
Confections	- Barrel Bulk	0	6	0	6
Cotton Wool	- Ton	2	0	0	8
Crystal	- Barrel Bulk	0	4	0	4
Currants	- Ditto	0	6	0	2
Dogs (Sporting)	- Each	0	9	0	9
All others	- Ditto	0	3	0	3
Druff	- Quarter	0	0 $\frac{1}{2}$	0	0 $\frac{1}{2}$
Drugs, and all Merchandize for Druggists	- Barrel Bulk	0	6	0	6
Earthenware, packed,	- Barrel Bulk	0	1	0	1
Ditto in bulk	- 100 Dozen	3	0	3	0
Eggs	- Barrel Bulk	0	3	0	3
Elephants Teeth	- Cwt.	0	6	0	6
Emery Stones	- Ditto	0	1	0	1
Feathers	- Cwt.	0	6	0	6
Felt	- Barrel Bulk	0	2	0	2
Fish, salted dry	- Boat	5	0	5	0
Ditto	- Ton	1	0	1	0
Pickled or smoked	- Barrel Bulk	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Figs	- Ditto	0	6	0	2
Flint Stones	- Ton	0	4	0	4
Flower Roots	- Barrel Bulk	0	3	0	3
Flax	- Ton	1	6	0	6
Flour	- Sack	0	2 $\frac{1}{2}$	0	2 $\frac{1}{2}$
Potatoe	- Ditto	0	2	0	2
Furriers Waste	- Ton	0	3	0	3
Game	- Barrel Bulk	0	9	0	9
Ginger	- Ditto	0	6	0	2
Preserved	- Cwt.	0	3	0	3
Ginseng	- Ditto	0	6	0	6
Glass, Window	- Crate	0	6	0	6
Broken	- Ton	0	4	0	4
Glue	- Barrel Bulk	0	3	0	3
Grapes	- Ditto	0	6	0	6
Grease	- Ton	1	0	1	0
Groceries, not otherwise rated	- Barrel Bulk	0	6	0	6
Guano	- Ton	0	9	0	3
Gunpowder	- Cwt.	0	3	0	3
Haberdashery, comprehending Cotton, Silk, and					
Hosiery Goods	- Barrel Bulk	0	6	0	2
Hair, — viz. Cow, Ox, or Bull	- Cwt.	0	2	0	2
Horse	- Ditto	0	6	0	6
Goats Hair or Wool	- Ditto	0	2	0	2
Hair Powder	- Ditto	0	6	0	6

GOODS, &c.		RATES.			
		Inwards.		Outwards.	
		s.	d.	s.	d.
Hardware	- - - - -	Cwt.	0 6	0 6	0 6
Hats	- - - - -	Ditto	0 4	0 4	0 4
Hay	- - - - -	Ton	0 10	0 10	0 10
Hemp, Rough	- - - - -	Ditto	1 6	0 6	0 6
Hemp, Jute	- - - - -	Ditto	1 0	0 4	0 4
Herrings	- - - - -	Barrel	0 1½	0 0½	0 0½
Ditto, in Bulk	- - - - -	Crane	0 1½	0 1½	0 1½
Hides	- - - - -	100	2 0	2 0	2 0
Honey	- - - - -	Cwt.	0 2	0 2	0 2
Hoops of Wood, all of the Size of Puncheon					
Hoops, and under	- - - - -	1000	0 9	0 9	0 9
All above	- - - - -	Ditto	1 0	1 0	1 0
Iron	- - - - -	Ton	1 0	0 4	0 4
Hops	- - - - -	Cwt.	0 4	0 4	0 4
Horns, Slugs, Tips, and Hoofs	- - - - -	Ton	2 6	2 6	2 6
Household Furniture, new	- - - - -	Barrel Bulk	0 3	0 3	0 3
old	- - - - -	Ditto	0 2	0 2	0 2
Husbandry Utensils,—viz.					
Waggon with Four Wheels	- - - - -	Each	3 0	3 0	3 0
Box Cart	- - - - -	Ditto	1 6	1 6	1 6
Plough	- - - - -	Ditto	0 6	0 6	0 6
Harrows	- - - - -	Pair	0 6	0 6	0 6
Wheelbarrow	- - - - -	Each	0 2	0 2	0 2
Other Husbandry Implements	- - - - -	Barrel Bulk	0 2	0 2	0 2
Indigo	- - - - -	Ditto	1 0	0 4	0 4
Ink	- - - - -	Ditto	0 2	0 2	0 2
Iron,—viz.					
Bar, Bolt, and Rod, British	- - - - -	Ton	0 9	0 3	0 3
Foreign	- - - - -	Ditto	1 0	0 4	0 4
Plate, Sheet, and Forged	- - - - -	Ditto	1 0	0 4	0 4
Made Work	- - - - -	Ditto	1 6	1 6	1 6
Old Iron	- - - - -	Ditto	0 4	0 4	0 4
Cast Iron Goods	- - - - -	Ditto	1 3	1 3	1 3
Ditto, commonly called Ironmongery	- - - - -	Ditto	1 6	1 6	1 6
Old or broken Cast Iron	- - - - -	Ditto	0 4	0 4	0 4
Pig	- - - - -	Ditto	0 4	0 2	0 2
Ivory	- - - - -	Cwt.	0 6	0 2	0 2
Junk, old	- - - - -	Ton	0 6	0 6	0 6
Kelp	- - - - -	Ditto	0 6	0 6	0 6
Kipps	- - - - -	100	1 6	1 6	1 6
Kiln, Pavement	- - - - -	30 sup. Feet	0 2	0 2	0 2
Lard	- - - - -	Ton	2 0	2 0	2 0
Latten Black	- - - - -	Ditto	2 0	2 0	2 0
Lead, Pig	- - - - -	Ditto	1 6	0 6	0 6
Black	- - - - -	Ditto	2 0	2 0	2 0
Ore	- - - - -	Ditto	1 0	1 0	1 0
Red and White	- - - - -	Ditto	2 0	2 0	2 0
Shot	- - - - -	Ditto	1 6	0 6	0 6
Pipes	- - - - -	Ditto	1 6	1 6	1 6
Leather, tanned	- - - - -	Ton	2 6	2 6	2 6

GOODS, &c.	RATES.			
	Inwards.		Outwards.	
	s.	d.	s.	d.
Leather, dressed - - - - - Ton	3	6	3	6
Other Kinds not enumerated - - - - - Barrel Bulk	0	4	0	4
Lemons - - - - - Chest	0	4	0	1½
Limes - - - - - Cask	0	4	0	1½
Lime - - - - - Chaldron	0	6	0	6
Linseed Cakes - - - - - Ton	1	6	0	6
Loam - - - - - Ditto	0	1	0	1
Machinery - - - - - Barrel Bulk	0	3	0	3
Madder - - - - - Ton	2	6	0	10
Madder Roots - - - - - Ditto	2	0	0	8
Manganese - - - - - Ditto	1	0	0	4
Manna Croop - - - - - Barrel Bulk	0	4	0	4
Marble - - - - - Ton	1	0	1	0
Matting of Cocoa Nut Fibre - - - - - Barrel Bulk	0	1½	0	1½
Matts, Bass - - - - - 100	0	6	0	2
Manure - - - - - Ton	0	1	0	1
Meal - - - - - 140 lbs.	0	1	0	1
Mill Waste - - - - - Ton	0	3	0	3
Mohair Yarn - - - - - Cwt.	0	2	0	2
Molasses - - - - - Ton	1	0	1	0
Moss Rock - - - - - Ditto	1	6	1	6
Musical Instruments - - - - - Barrel Bulk	0	6	0	6
Mussels - - - - - Bushel	0	0½	0	0½
Nitrate of Soda - - - - - Ton	1	0	1	0
Nuts - - - - - Barrel Bulk	0	4	0	4
Nutmegs - - - - - Ditto	0	6	0	6
Oakum - - - - - Ton	1	0	1	0
Ochre - - - - - Ditto	0	6	0	6
Oils— Linseed, Palm, Rape, Turpentine, and Sperm - - - - - Barrel Bulk	0	3	0	3
Whale or Train - - - - - Ton	1	6	1	6
Onions - - - - - Bushel	0	1	0	1
Oranges - - - - - Chest	0	3	0	3
Orchella Weed - - - - - Ton	2	0	2	0
Oysters - - - - - Barrel Bulk	0	4	0	4
Paper, — viz. Writing and Printing - - - - - Barrel Bulk	0	6	0	6
Packing - - - - - Ditto	0	3	0	3
Passengers Luggage, if under 2 Barrel Bulk free; all above - - - - - Ditto	0	6	0	6
Perry - - - - - Ditto	0	2	0	2
Peats - - - - - 100	0	1	0	1
Pepper - - - - - Barrel Bulk	0	6	0	2
Pigs Heads - - - - - Ditto	0	3	0	3
Pimento - - - - - Ditto	0	6	0	2
Pitch - - - - - Barrel	0	2	0	0½
Plants of Trees or Shrubs - - - - - Barrel Bulk	0	1½	0	1½
Plums - - - - - Ditto	0	6	0	2
Plaster of Paris - - - - - Ton	1	0	0	4
Porter in Casks - - - - - Barrel Bulk	0	3	0	3
in Bottles - - - - - Ditto	0	1½	0	1½

[Local.]

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GOODS, &c.	RATES.				
	Inwards.		Outwards.		
	s.	d.	s.	d.	
Potatoes - - - - -	Ton	0	4	0	4
Poultry - - - - -	per Dozen	0	2	0	2
Preserved Provisions - - - - -	Barrel Bulk	0	4	0	4
Prunelloes - - - - -	Ditto	0	6	0	6
Prunés - - - - -	Ditto	0	6	0	2
Pumice Stones - - - - -	Ton	1	0	1	0
Quills, undressed - - - - -	per 1000	0	2	0	2
Raisins - - - - -	Barrel Bulk	0	6	0	2
Rags, — viz. Linen - - - - -	Ton	0	9	0	9
Other Rags and Old Leather - - - - -	Ditto	0	6	0	6
Rape Cakes - - - - -	Ditto	0	9	0	3
ground - - - - -	Ditto	1	0	1	0
Rice - - - - -	Ditto	2	0	0	8
Ropes, old - - - - -	Ditto	0	6	0	6
Rosin - - - - -	Barrel Bulk	0	2	0	2
Salt - - - - -	Ton of 40 Bushels	0	6	0	2
refined - - - - -	Cwt.	0	1	0	1
Rock, in Lump - - - - -	Ton	0	6	0	6
Saltpetre - - - - -	Ditto	2	6	2	6
Salmon - - - - -	Box of 4 Kitts	0	4	0	4
Sand for Founders - - - - -	Ton	0	3	0	3
Builders, Plasterers, &c. - - - - -	Ditto	0	1	0	1
Saddlery not enumerated - - - - -	Barrel Bulk	0	4	0	4
Seed, — viz. Flax and Rape - - - - -	Hogshead	0	6	0	2
Ditto - - - - -	Barrel	0	3	0	1
Ditto in Bulk - - - - -	Quarter	0	4 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Clover - - - - -	Cwt.	0	2	0	0 $\frac{2}{3}$
Garden Seeds - - - - -	Barrel Bulk	0	6	0	2
Hemp and Canary - - - - -	Ditto	0	3	0	1
Turnip Seed - - - - -	Ditto	0	6	0	6
Rye Grass - - - - -	Quarter	0	3	0	3
Other Seeds to be charged in proportion to those enumerated.					
Shumach - - - - -	Ton	2	0	2	0
Shakes of Casks, Pipe, or Puncheon - - - - -	each	0	1	0	1
Others in proportion.					
Skins, untanned — viz.					
Calf - - - - -	Score	0	4	0	4
Sheep - - - - -	Ditto	0	3	0	3
Deer - - - - -	Ditto	0	10	0	10
Kid - - - - -	Ditto	0	4	0	4
Lamb - - - - -	Ditto	0	3	0	3
Seal - - - - -	Ditto	0	3	0	1
Sheep, dressed - - - - -	Barrel Bulk	0	3	0	3
Hare and Rabbit - - - - -	Ditto	0	3	0	3
Other Skins in proportion to those enumerated.					
Slates, Undersize - - - - -	1200	0	10	0	10
Sizeable - - - - -	Ditto	1	3	1	3
Oversize - - - - -	Ditto	2	0	2	0
Slate Pencils and Slates - - - - -	Barrel Bulk	0	4	0	4
Smelts - - - - -	Cwt.	0	2	0	2
Smalts - - - - -	Ton	2	6	2	6

GOODS, &c.	RATES.								
	Inwards.		Outwards.						
	s.	d.	s.	d.					
Snuff	-	-	-	-	Barrel Bulk	0	8	0	8
Soap	-	-	-	-	Ton	2	0	2	0
Soapers Waste	-	-	-	-	Ditto	0	3	0	3
Ditto Salts	-	-	-	-	Ditto	0	6	0	6
Soda	-	-	-	-	Ditto	0	9	0	9
Spermaceti	-	-	-	-	Ditto	2	0	2	0
Spirits, Foreign	-	-	-	-	Barrel Bulk	0	6	0	2
British	-	-	-	-	Ditto	0	4	0	4
Stones, — viz. Rubble Freestone	-	-	-	-	Ton	0	0 $\frac{1}{4}$	0	0 $\frac{1}{4}$
Hewn Ashlar Freestone	-	-	-	-	Ditto	0	1	0	1
Rough Ashlar Freestone	-	-	-	-	Ditto	0	0 $\frac{1}{2}$	0	0 $\frac{1}{2}$
Rubble Causeway	-	-	-	-	Ditto	0	0 $\frac{1}{2}$	0	0 $\frac{1}{2}$
Causeway Stones, dressed	-	-	-	-	Ditto	0	1	0	1
Pavement	-	-	-	-	Ditto	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Pavement, dressed	-	-	-	-	Ditto	0	2	0	2
Curb	-	-	-	-	Ditto	0	1	0	1
Foreign Gravestones	-	-	-	-	Each	5	0	5	0
Home Gravestones	-	-	-	-	Ditto	2	6	2	6
Sithe Stones	-	-	-	-	Gross	0	4	0	4
Grindstones of 30 Inches Diameter and under	-	-	-	-	Each	0	1	0	1
And for every 6 Inches above 30	-	-	-	-	-	0	1	0	1
Millstones, common	-	-	-	-	Ditto	1	6	1	6
Ditto (Burr)	-	-	-	-	Ditto	2	6	2	6
Starch	-	-	-	-	Barrel Bulk	0	3	0	3
Steel	-	-	-	-	Ton	2	0	2	0
Stucco	-	-	-	-	Ditto	0	6	0	6
Sugar, Raw	-	-	-	-	Ditto	2	0	0	8
Refined	-	-	-	-	Ditto	2	6	2	6
Moulds	-	-	-	-	100	0	9	0	9
Tallow	-	-	-	-	Ton	1	6	1	6
Tamarinds	-	-	-	-	Cwt.	0	3	0	3
Tanners' Waste	-	-	-	-	Ton	0	4	0	4
Tar	-	-	-	-	Barrel	0	2	0	0 $\frac{2}{3}$
Tares	-	-	-	-	Quarter	0	3	0	3
Tea	-	-	-	-	Barrel Bulk	0	8	0	2 $\frac{2}{3}$
and if direct from China or India	-	-	-	-	Ditto	0	4	0	2 $\frac{2}{3}$
Thread	-	-	-	-	Ditto	0	4	0	4
Tin of all Kinds	-	-	-	-	Ton	3	0	3	0
Tiles, common Size	-	-	-	-	1000	1	3	1	3
Others in proportion.	-	-	-	-	-	-	-	-	-
Tobacco	-	-	-	-	Barrel Bulk	0	6	0	2
Pipes	-	-	-	-	Ditto	0	3	0	3
Tongues, Smoked	-	-	-	-	Dozen	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Pickled	-	-	-	-	Ditto	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Tortoiseshell	-	-	-	-	Cwt.	0	6	0	6
Tow	-	-	-	-	Ton	1	3	0	5
Toys	-	-	-	-	Barrel Bulk	0	3	0	3
Treenails	-	-	-	-	1000	0	6	0	6
Turmeric	-	-	-	-	Cwt.	0	1 $\frac{1}{2}$	0	1 $\frac{1}{2}$
Turnips	-	-	-	-	Ton	0	4	0	4
Twine and Twisted Yarn	-	-	-	-	Ditto	2	6	2	6

GOODS, &c.	RATES.		
	Inwards.	Outwards.	
Valonia - - - - -	Ton	2 0	2 0
Vases or sculptured Marble - - - - -	Barrel Bulk	0 6	0 6
Varnish - - - - -	Ditto	0 4	0 4
Verdigris - - - - -	Ton	2 0	2 0
Vermilion - - - - -	Cwt.	0 6	0 6
Veneers of all Kinds - - - - -	Barrel Bulk	0 4	0 4
Vinegar - - - - -	Ditto	0 4	0 4
Vitriol - - - - -	Bottle	0 2	0 2
Water, Soda and Seltzer - - - - -	Barrel Bulk	0 2	0 2
Whalebone, dressed or undressed - - - - -	Ton	2 6	2 6
Whitening - - - - -	Ditto	0 3	0 3
Willow Reeds - - - - -	Bundle	0 1	0 1
Wine in Casks - - - - -	Barrel Bulk	0 6	0 2
in Bottles - - - - -	Ditto	0 3	0 1
Wool - - - - -	Cwt.	0 2	0 2
Wood, Foreign,—viz. (Calliper Measure)			
Batons - - - - -	50 c. Feet	0 9	0 3
Boards, Oak or Wainscot - - - - -	Ditto	1 6	0 6
Boards, Paling - - - - -	120	0 4	0 1 $\frac{1}{3}$
Deals - - - - -	50 c. Feet	0 9	0 3
Deal Ends - - - - -	Ditto	0 9	0 3
Firewood - - - - -	Fathom	0 4	0 1 $\frac{1}{3}$
Handspikes - - - - -	120	0 3	0 1
Lathwood - - - - -	Fathom	1 3	0 5
Masts, Spars, Yards, or Bowsprit Wood,—viz.			
6 Inches in Diameter and under 12 Inches, 50 c. Feet		0 9	0 3
12 Inches and upwards - - - - -	Ditto	1 0	0 4
Spars 4 In. Diameter and under 6 In. - - - - -	60 Pieces	1 6	0 6
Spars under 4 In. - - - - -	Ditto	1 0	0 4
Oak Planks - - - - -	50 c. Feet	1 6	0 6
Oars and Oar Rafters - - - - -	120 Pieces	1 0	0 4
Rickers, Boathooks, and Hoops - - - - -	Ditto	0 9	0 3
Cartwheel Spokes - - - - -	60 Ditto	0 4	0 1 $\frac{1}{3}$
Fir - - - - -	50 c. Feet	0 9	0 3
Oak - - - - -	Ditto	1 3	0 5
Pine - - - - -	Ditto	0 9	0 3
Pine Pitch - - - - -	Ditto	1 3	0 5
Hard Wood - - - - -	Ditto	1 3	0 5
Ufers - - - - -	Ditto	0 9	0 3
Wainscoat Logs - - - - -	Ditto	1 6	0 6
Delivered by Weight,—viz.			
Barwood	Ton	2 0	0 8
Boxwood			
Brazilwood			
Camwood			
Ebony			
Fustic			
Lignum Vitæ			
Logwood			
Mahogany			
Nicaragua Wood			
Red Wood			
Sassafras			

GOODS, &c.	RATES.			
	Inwards.		Outwards.	
Wood— <i>continued.</i>				
Staves,— <i>viz.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
American Pipe, - - - Standard Thousand	10	0	3	4
Single Hogshead - - - 1200	4	0	1	4
Barrel - - - Ditto	2	0	0	8
Hogshead Billets - - - Ditto	6	8	2	2 $\frac{2}{3}$
Barrel - - - Ditto	5	4	1	9 $\frac{1}{3}$
Baltic and Hamburgh Pipe - - - Ditto	20	0	6	8
Hogshead - - - Ditto	13	4	4	5 $\frac{1}{3}$
Best Barrel - - - Ditto	6	8	2	2 $\frac{2}{3}$
Inferior Quality - - - Ditto	3	4	1	1 $\frac{1}{3}$
Home,— <i>viz.</i>				
Fir - - - 50 c. Feet	0	6	0	6
Hard Wood - - - Ditto	1	0	1	0
Planks and Deals, Fir - - - Ditto	1	0	1	0
Planks and Deals, Hard Wood - - - Ditto	1	3	1	3
Cartwheel Spokes - - - 100 Pieces	0	6	0	6
Hogshead Staves - - - Ditto	0	4	0	4
Barrel Staves - - - Ditto	0	2	0	2
Burnwood - - - Ton	0	6	0	6
Wreck Materials to be charged One Half per Cent. on the Value.				
Yarn,— <i>viz.</i> Jute, Tow, or Hemp - - - Ton	1	6	1	6
Lint and Cotton - - - Ditto	2	0	2	0
Worsted - - - Cwt	0	2	0	2
Yeast - - - Barrel Bulk	0	2	0	2

1. All Goods imported at the Harbour of Dundee in any Vessel, from any Place not being within the River Tay, and reshipped overside, or conveyed direct to another Vessel in the Docks and Harbour, which Vessel is to clear out for a Port in the River beyond the Precincts of the Harbour, to be charged One Half of the Dues inwards specified in the foregoing Schedule, no Charge for dues outwards being made. But if the Vessel into which such Goods may be reshipped clear out for any Port or Place not within the River Tay, full Dues inwards shall be charged on the Goods, no Charge outwards being made.
2. All Goods imported from any Port or Place in the River Tay, not being within the Precincts of the Harbour, and reshipped overside, or conveyed direct to another Vessel in the Harbour or Docks, shall be liable in Half Dues inwards, no Charge outwards being made.
3. When Goods brought into the Harbour by any Vessel, to be reshipped into another Vessel, cannot be conveyed directly to such Vessel, the Owner, Agent, or Consignee of the Goods shall, at the Time of entering them for Payment of the inward Dues, declare by a Writing to be delivered to the Collector of Shore Dues that such Goods are to be reshipped, and on receiving such Declaration the Collector shall issue his Permit for the landing and reshipping of such Goods outwards free of outward Dues, provided the Reshipment be made within Four free Days after the Goods shall have been so landed.
4. All Goods, having paid Shore Dues outwards, shall, if returned to the original Shipper and in the original State, be exempted from Dues inwards.
5. All returned empty Boxes, Barrels, Bags, Sacks, and Pack Sheets are exempted from Dues.
6. All Goods, Merchandize, Wares, or Commodities whatsoever, and all Beasts, conveyed in licensed Passage Boats from any of the Ferry Harbours of Ferry Port-on-Craig, Newport, Woodhaven, Balmerino, or any Landing Place to be erected for the Ferry at Craighead in the County of Fife to the Ferry Harbour

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- bour of Dundee, or from the Ferry Harbour of Dundee to any of those Ferry Harbours or Landing Place, are exempted from Payment of Shore Dues.
7. Lime, Manure, and Coal landed within the Precincts of the Harbour to the Eastward of the Rooyards or to the Westward of the Magdalen Yard to pay Half Dues only.
 8. Five Cubic Feet, not exceeding $2\frac{1}{2}$ Cwt., to be rated a Barrel Bulk; but when the Weight of 5 Cubic Feet is greater than $2\frac{1}{2}$ Cwt., then $2\frac{1}{2}$ Cwt. to be rated a Barrel Bulk.
 9. In weighing and measuring Goods for ascertaining the Shore Dues payable the Weight or Measurement of the Packing Materials is to be included.
 10. All Stones, Wood, Coals, and other Articles whatsoever, brought into the Harbour or Precincts thereof, for the Use of the Harbour Works, Ferry Harbour Works, or the Steam Boats, Floating Bridges, or other Vessels navigating or using the said Ferry, or for the Use of the Police Works or any of the Public Works of the Town of Dundee, shall be exempted from Shore Dues, and Ferry Boats and Floating Bridges from Tonnage, Anchorage, and Beacon Dues, but the Vessels bringing all such Materials shall be liable to Tonnage Dues.
 11. Ship's Outfit and Stores of all Kinds, including Provisions, when taken direct on board of any Vessel for her own Use, or landed for the Purpose of being again re-shipped for the Use of the same Vessel out of which they were so landed, shall be exempted from Payment of Shore Dues, but all such Stores must first be entered at the Export Shore Dues Office, and a Permit obtained for such shipping and landing respectively.
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