



ANNO NONO & DECIMO

# VICTORIÆ REGINÆ.

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## *Cap. ccclxiv.*

An Act for enlarging, improving, and maintaining the Harbour, Quays, and Wharfs of *Campbeltown*; for supplying with Water, paving, cleansing, lighting, and watching the said Burgh and Suburbs thereof; and for the better and more effectual assessing, levying, and collecting the Ladle and other Dues and Customs of the said Burgh. [7th August 1846.]

**W**HEREAS the Piers and Quays of and within the Harbour of *Campbeltown* in the County of *Argyll* are in their present State insufficient for the Accommodation of the Shipping and Trade of the Burgh of *Campbeltown*, and of Vessels resorting to and using the same, and it would be of great Advantage to the Public if certain Parts of the said Harbour were deepened and improved, and if the said Piers and Quays were repaired, extended, and enlarged, and Wharfs and other Works made and executed in the said Harbour: And whereas the Tolls, Rates, and Duties now leviabie in and at the said Harbour and Quays under and by virtue of the Royal Charter of Incorporation of the said Burgh dated the Nineteenth Day of *April* One thousand seven hundred are insufficient for carrying into effect the Purposes aforesaid; and it is expedient and necessary to alter and increase the said Tolls, Rates, and Duties,

[Local.]

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and

and to levy other Tolls, Rates, and Duties on Vessels coming into the said Harbour, and using the said Piers, Quays, Wharfs, and other Works, - and on Goods and other Articles and Things landed, embarked, shipped, and unshipped in or at the said Harbour, Piers, Quays, Wharfs, and other Works, and also to grant Powers for the proper Management and Regulation of the said Harbour and Works: And whereas the said Burgh of *Campbeltown*, and the Suburbs and Vicinity thereof, are very inadequately supplied with pure and wholesome Water, and it would be a great Advantage to the Inhabitants if a plentiful Supply thereof were provided for domestic, manufacturing, and other Purposes: And whereas it is expedient and desirable that the Streets, Roads, Lanes, and Thoroughfares of the said Burgh of *Campbeltown*, and the Suburbs and Vicinity thereof, should be properly paved, cleansed, lighted, and watched: And whereas it is also expedient and necessary to make Provision for the better and more effectual assessing, levying, and collecting the Ladle Dues, Causeway Customs, Tronage, and Petty Customs of the said Burgh; but these several Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act.

8 & 9 Vict  
c. 19. incor-  
porated with  
this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Deeds or Instruments, it shall be sufficient to use the Expression "The *Campbeltown* Harbour and Burgh Act, 1846."

Magistrates  
and Town  
Council of  
*Campbel-  
town* to be  
Trustees.

III. And be it enacted, That the Provost, Bailies, Dean of Guild, Treasurer, and remnant Members of the Town Council of the Royal Burgh of *Campbeltown*, and their Successors in Office, and the Chamberlain of the Duke of *Argyll* for the District of *Kintyre* for the Time being, shall be Trustees for effecting the Ends and Purposes of this Act, and carrying the same into execution.

The First  
and other  
Meetings.

IV. And be it enacted, That the said Trustees shall hold their first Meeting under this Act on the Fourth *Wednesday* next after the passing thereof, at One of the Clock Afternoon, and shall thereafter hold a Meeting on the Fourth *Wednesday* of every Month, at the same Hour, which Meetings, as well as all other Meetings of the Trustees, shall be held at the usual Place of Meeting of the Provost, Magistrates, and Town Council of *Campbeltown* within the Town Hall or Common Council Chambers of *Campbeltown*.

Quorum of  
Trustees

V. And be it enacted, That at all Meetings of the Trustees Nine shall be a Quorum; and all the Powers of this Act may be exercised by the major Part or Quorum of the Trustees present at any Meeting holden in pursuance of this Act, the Number present being not less at any Time than Nine; and no Business shall be transacted at  
any

any Meeting of the Trustees unless Nine or more Trustees shall be present at such Meetings; and if at any such Meetings there shall not be Nine Trustees present within One Half Hour after the Time appointed for such Meeting, then it shall be lawful for the Trustees present, or the major Part of them, or any One Trustee if only One be present, or the Clerk of the said Trustees, in the Absence of any Trustee, to adjourn such Meeting to another Day; and Notice shall be given of the Day, Place, and Purpose of such adjourned Meeting in manner herein-after mentioned.

VI. And be it enacted, That at every Meeting of the Trustees one or other of the following Persons shall preside as Chairman; (that is to say,) the Provost, or in his Absence the senior Bailie present, or in the Absence of the Provost and Bailies some One of the Trustees present, to be chosen for that Purpose by the Meeting; and every Proposition at any such Meeting shall be determined by the Majority of Votes of the Trustees present, the Chairman of the Meeting being entitled to vote not only as a Principal, but to have a casting Vote if there be an Equality of Votes.

Chairman of Meetings, and Manner of voting.

VII. And be it enacted, That every Meeting of the Trustees may be adjourned from Time to Time; and no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which such Adjournment took place, unless special Notice be given in manner herein-after mentioned.

Adjourned Meeting.

VIII. And be it enacted, That it shall be lawful for the said Trustees to hold Special Meetings, and the Provost, or in his Absence the senior Bailie, may call such Special Meetings, or may require the Clerk to call such Special Meetings to be held; but no such Meeting shall be held unless Two Days Notice thereof shall be given, and no Business shall be transacted except as shall be specified in the Notice.

Special Meetings.

IX. And be it enacted, That all Meetings to be held under the Authority of this Act shall be called by Cards or Circulars signed by the Clerk or Provost or Bailie calling such Meeting, delivered to each of the Trustees, or left at their usual Places of Abode, or put into the Post Office, Two Days at least before such Meeting.

How Meetings to be called.

X. And be it enacted, That the Trustees may appoint One or more Committees, consisting of such Number of their Body as they think fit, for carrying into effect any of the Provisions of this Act which the Trustees shall from Time to Time think proper to intrust to such Committee, and they may at any General Meeting continue, alter, or discontinue such Committee.

Committees may be appointed.

XI. And be it enacted, That such Committee may meet from Time to Time, as they may think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them except at a Meeting at which there shall be present a Majority of its Members; and

Meetings of Committee.

at

at all Meetings of the Committees One of the Members present shall be appointed as Chairman, and all Questions at any Meeting of the Committee shall be determined by a Majority of the Members 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; and the Clerk of the Committee shall, on being required by any Member of such Committee, or any Member of such Committee may at any Time, call a Meeting of the Committee; but no such Meeting shall be held unless previous Notice thereof shall be given to each Member of such Committee, either personally or by written or printed Notice left at his usual Place of Abode.

Proceedings  
to be entered  
in a Book.

XII. And be it enacted, That the Trustees shall cause 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, or of the Meetings of their Committees, to be duly entered in 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 was 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 Matters shall be presumed.

Orders made  
not to be  
altered with-  
out Notice.

XIII. And be it enacted, That no Order made by the said Trustees at any of their Meetings shall be altered or revoked unless at some Meeting called for that special Purpose, or unless Notice of such Intention be given in the Card or Circular calling the Meeting.

Contracts  
may be  
made by  
Trustees.

XIV. And be it enacted, That it shall be lawful for the Trustees to enter into Contracts with any Persons, not being Trustees under this Act, for the Execution of any Works directed or authorized by this Act to be done by the Trustees, and for providing any Materials for the same, or which may be required by the Trustees; 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 the Chairman and Clerk of the Trustees, and the other Parties thereto.

Indemnity of  
Trustees.

XV. 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

of the Powers given to the Trustees, shall be subject to be sued or be prosecuted, either collectively or individually, by any Person whomsoever; and the Bodies or Goods or Lands of the Trustees, or any of them, shall not be liable in Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them or any of them, or by reason of any other lawful Act done by them or any of them 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 Act for all Payments made or Liability incurred in respect of any lawful Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them; and the Trustees may apply the said Monies for the Purposes of such Indemnity.

XVI. 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.

Treasurer  
and other  
Officers.

XVII. And be it enacted, That neither the Person who shall hold the Office of Clerk to the said Trustees, 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 under this Act; 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  
not to be  
held by the  
same  
Person.

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 Penalties by Action of Debt in any Court competent in *Scotland*, and shall on Recovery thereof be entitled to full Costs of Suit.

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

Persons in-  
trusted with  
Monies to  
give Secu-  
rity.

[*Local.*]

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XIX. And

Officers to  
account, on  
Demand.

XIX. And be it enacted, That every Officer or 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 shall deliver the Vouchers and Receipts for such Payments; and every such Officer 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.

Summary  
Remedy  
against Par-  
ties failing  
to account.

XX. And be it enacted, That if any such Officer 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 Complaint thereof being made to the Sheriff, such Sheriff shall summon or order such Officer before him at a Time and Place to be set forth in such Summons or Order to answer such Charge; and upon the Appearance of such Officer, or in his Absence upon Proof that such Summons or Order was personally served on him, or left at his last known Place of Abode, such Sheriff may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Trustees are in the Hands of such Officer, or owing by him to the Trustees, such Sheriff may order such Officer to pay the same; and if he fails to pay the Amount it shall be lawful for such Sheriff to grant a Warrant to levy the same by Pounding and Sale, 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, —

If any such Officer do not appear before the Sheriff at the Time and Place appointed for that Purpose; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Sheriff the several Vouchers and Receipts relating to such Account; or

If such Officer 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 Bail, until he has made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating

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.

XXI. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Trustees of any Remedy which they might otherwise have against any Surety of such Officer.

Proceedings not to discharge Sureties.

XXII. 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 Harbour 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, under Three distinct Heads, one relating to the Monies received and paid in respect of the Harbour of *Campbeltown*, another relating to the paving, cleansing, lighting, and watching, and the third relating to the Supply of Water to the said Burgh, and shall also cause their Clerk to keep regular Minute Books, in which shall be recorded all the Resolutions and Transactions of the Trustees under this Act; and such Books shall at all reasonable Times be open to the Inspection of any of the Rate-payers or Trustees, or Creditors on the Rates and Duties authorized to be levied by this Act, without Fee or Reward.

Accounts to be kept by Trustees, and to be open to Inspection.

XXIII. And be it enacted, That the said Trustees shall once in each Year cause to be prepared an Account in Abstract of the total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year preceding under the said three distinct Heads of Receipts and Expenditure, with a Statement of the Balances of the said Accounts, duly attested and certified by any Two of the said Trustees, and shall cause a Copy of such annual Accounts to be transmitted, free of Charge, to the Town Clerk of *Campbeltown*, on or before the Twentieth Day of *October* in each Year, which Accounts shall be open to the Inspection of Proprietors, Tenants, or Householders, within the said Burgh, at all seasonable Hours.

Trustees to render an annual Account, and a Copy thereof to be transmitted to the Town Clerk.

XXIV. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to borrow at Interest on the Credit of the Rates and Duties by this Act granted for Anchorage and Quayage, and on the Goods, Articles, and Things mentioned and contained in the Schedule (D.) hereunto annexed, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Fourteen thousand Pounds Sterling; and also to borrow at Interest on the Credit of the several other Rates, Duties, and Assessments by this Act granted and authorized for supplying with Water in the event after mentioned, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Three thousand

Power to borrow Money on the Credit of the Rates.

thousand Pounds Sterling, and in the event of any Part of such Sum or Sums of Money being repaid by the Trustees, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the several Securities aforesaid any more than the said Sums of Fourteen thousand Pounds and Three thousand Pounds respectively in the whole at any One Time; and for securing the Repayment of the Money so borrowed, with Interest, the Trustees, or any Three or more of them, and their Clerk, may assign over the said several Rates, Duties, and Assessments, or any Part thereof, to the Person who shall advance or lend such Money, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Form of  
Assignment.

XXV. And be it enacted, That every such Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands of at least Three of the said Trustees and their Clerk, and may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect; and the Trustees and their Clerk shall not be personally liable by reason of having signed such Assignments for the Repayment of the Money borrowed, or Interest thereon, or for Payment of any Sum which they shall not have bound themselves personally to pay as Individuals, independent of their Office as Trustees and Clerk under this Act.

Assignments  
to be without  
Preference.

XXVI. And be it enacted, That all Persons to whom Securities and all Persons to whom Assignments or Securities shall be made, or who are or shall be entitled to the Monies thereby secured, shall be Creditors on the said Rates, Duties, and Assessments, and be preferable according to the Date of such Securities or Assignments respectively.

Expences of  
Assignment.

XXVII. And be it enacted, That the Expences of every Assignment shall from Time to Time be defrayed by the Trustees out of the Money raised by the same.

Register of  
Assignments  
to be kept,  
and to be  
open to  
Inspection.

XXVIII. And be it enacted, That a Register of such Assignments shall be kept by the Clerk to the Trustees, and within Three Days after the Date of any such Assignment an Entry or Memorial of the Number and Date thereof, and of 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 therein without Fee or Reward.

Transfer of  
Assignment.

XXIX. 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 shall be truly stated; and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or the like Effect.

XXX. And



XXX. And be it enacted, That within Twenty-one Days after the Date of every such Transfer it shall be produced to the Clerk to the Trustees, and thereupon such 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 Assignees, 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: Provided always, that if the Clerk of the Trustees shall refuse or neglect to enter such Transfers as aforesaid, after being thereunto required, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, besides being liable for the Damages consequent on such Neglect.

Register of  
Transfers  
to be kept.

XXXI. And be it enacted, That every Mortgage, Bond, Transfer, or other Security for Money, and every Transfer of any Mortgage, Bond, or other Security for Money to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated, any thing herein contained to the contrary notwithstanding.

Mortgages,  
Transfers,  
&c. to be  
stamped.

XXXII. And whereas a Map or Plan of the Harbour of *Campbeltown*, Quays and Shores thereof, and the Parts thereof which are intended to be extended, enlarged, built upon, and improved, and the Reservoirs, Catchwater Drains, Springs, Aqueducts, Conduits, and other Works proposed to be constructed by the said Trustees, and of the Lands and Grounds on and through which the same are to be situate or carried, and of the Streams intended to be taken, used, and diverted for the Purposes aforesaid, together with a Book of Reference containing Lists of the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands, Grounds, and Places on, under, along, or through which it is intended to form and carry such Reservoirs, Conduits, Aqueducts, Drains, and other Works, have been deposited with the Sheriff Clerk of the County of *Argyll*; be it enacted, That, subject to the Restrictions, Limitations, and Provisions in this Act and the said Lands Clauses Consolidation Act, it shall be lawful for the said Trustees to make and execute the Works hereby authorized on the Sites, in the Lines, and upon and through the Lands delineated on the said Plan and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purposes: Provided always, it shall not be in the Power of the said Trustees, in forming the Works hereby authorized, to deviate more than Ten Yards from the Sites or Lines described in such Map or Plan respectively, without the Consent in Writing of the Owners, Lessees, and Occupiers of the Lands or other Heritages on or through or into which such Deviation is to be made being first had and obtained thereto; or to enter upon, take, or use any Lands or Heritages belonging to the said Duke of *Argyll*, other than the Waters of *Loch Ruag*, and the Streets, Lanes, and

Works to be  
executed  
according  
to deposited  
Plans.

public Places of the said Burgh, without the Consent in Writing of the said Duke, his Heirs and Successors.

Misnomer  
not to pre-  
vent Pro-  
ceedings.

XXXIII. Provided always, and be it enacted, That if any Lands, Grounds, Houses, Tenements, Rivulets, Streams, Springs, or other Heritages required for the Purposes of this Act, or the Persons to whom they belong or by whom they are occupied, shall happen to be omitted, misnamed, or improperly described in the said Book of Reference, such Omission, Misnomer, or inaccurate Description shall not retard the Execution of this Act, but the same shall and may be taken and used for the Purposes of this Act in such and the same Manner in all respects as if the Owners and Occupiers thereof had been therein properly named and described, in case it shall appear to the Sheriff, and be certified in Writing under his Hand, that such Misnomer, Omission, or inaccurate Description proceeded from Mistake : Provided always, that Notice shall be given to the Owner or Occupier of the Lands affected by such Omission, Misnomer, or inaccurate Description Ten Days at least before the Day appointed by the Sheriff for taking the Subject into consideration.

Works to be  
executed in  
Harbour, &c.

XXXIV. And be it enacted, That it shall and may be lawful for the said Trustees, or a Majority of them, to lengthen or extend the Quay called the Old Quay, and the Quay called the New Quay within the Harbour of *Campbeltown*, as shown on the said Plan, and to increase the Breadth of the said Quays, and (subject to the Restrictions and Limitations herein contained) to form a Breastwork between the said Quays, and to deepen, cleanse, and scour the said Harbour, to erect or cause to be erected on the said Piers or Breastwork such Cranes and Sheds as shall be considered useful and necessary.

Breastwork  
or Embank-  
ment be-  
tween the  
Old and New  
Quays.

XXXV. Provided always, and be it enacted, That in erecting the Embankment or Breastwork between the Old and New Quays, as shown on the Plan, the said Trustees shall be entitled to appropriate a Space of not more than Eighty Feet in Breadth along the Inside of the said Breastwork, to be used as a public Street or Passage from the one Quay to the other, and to fill up the whole Space inside of the said Breastwork, or such Parts of the said Space as the said Trustees may find necessary for the Improvement of the Harbour ; and the Proprietors of the adjacent Feus, so far as they are by their Rights entitled to the Property thereof, or the Superiors thereof, as far as such Proprietors are not thus entitled, shall on Completion of the said Breastwork be entitled to take possession of the Remainder of the said Space within the said Eighty Feet in Breadth, without reimbursing the Trustees for any Part of the Expence attendant on filling up the same, or the Erection of the Breastwork : Provided always, that in the event of the whole Space not being filled up by the said Trustees, the Proprietors of the adjacent Feus, or the Superiors thereof as aforesaid, shall be bound respectively within Two Years after the Completion of the Breastwork to fill up and complete the same to the Satisfaction of the said Trustees ; and failing their doing so the said Trustees shall be entitled to fill up the whole Space, and to retain Possession of such Portion of the Ground as they shall fill up

up from Time to Time subsequent to the Expiration of the said Two Years, until reimbursed the Outlay made by them on that Account subsequent thereto, and Interest thereon, under Deduction of the Profit derived by them for the Use of the Ground during their Occupancy, the Amount of which Outlay, Interest, and Profit shall be determined by the Account of the Treasurer of the said Trustees for the Time being.

XXXVI. And be it enacted, That the said Trustees shall be and they are hereby authorized and empowered to erect and construct upon the said Harbour and Quays such and so many Sheds for the Reception, Deposit, and Protection of the Goods, Wares, or Merchandize loading or unloading thereat, and also such and so many Storehouses, Lofts for Sails and other Rigging, Ballast Yards, and other Erections for the Accommodation of the Trade, as may from Time to Time appear to them necessary and expedient, and to remove the same when deemed proper, and to erect and construct others in their Stead.

Trustees  
may erect  
Sheds, &c.

XXXVII. Provided always, and be it enacted, That it shall not be lawful for the Trustees or any other Person to make or begin to make, construct, or carry on any Quay, Pier, or Wharf or other Work below the Line of High-water Mark at ordinary Spring Tides, without the previous Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Hands of Two of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of the Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and the said Lord High Admiral or the said Commissioners, may approve of, such Approval being signified as last aforesaid; and where any such Works shall have been constructed it shall not be lawful for the said Trustees at any Time to alter or extend the same, without obtaining previously to making any such Alteration or Extension the like Consents or Approvals; and if any such Works shall be commenced or completed contrary to the Provisions hereof, it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charges of the said Trustees, and the Amount thereof may be recovered in any competent Court.

No Works  
to be con-  
structed  
below High-  
water Mark  
without  
Consent of  
Commis-  
sioners of  
Woods, &c.  
and Admi-  
ralty.

XXXVIII. And be it enacted, That the Harbour of *Campbeltown* shall comprehend the whole Loch of *Campbeltown* within the Points at the Entrance thereof called *Mac Ninians* or *M'Crinans* and the Rock or Point called the *Otter* or *Outer Buoy*.

Limits of the  
Harbour of  
Campbel-  
town.

XXXIX. And

Beacons reserved to Commissioners of Northern Lighthouses.

XXXIX. And whereas the Commissioners of Northern Lighthouses have erected within the Limits of the said Harbour, as above defined, Two Iron Beacons on the Shores of the said Harbour; be it enacted, That nothing herein contained shall be held or construed to confer any Right or Control over the said Beacons upon the Trustees hereby appointed, or to deprive the said Commissioners of free and unlimited Access at all Times to the said Two Beacons respectively, or to affect their Rights in relation thereto already granted, or which may be granted by Parliament, or to authorize the Construction of any Works or the Mooring of any Vessels so as to interrupt in any way the View of the said Beacons, or to prevent Mariners from obtaining their correct Bearings; and the Trustees by this Act appointed, and the Officers and Servants acting under them, shall take care that nothing is done to occasion any Interruption to the free View of the said Beacons.

Vessels driven in by Stress of Weather exempt from Duties.

XL. And be it enacted, That nothing herein contained shall be held or construed to authorize the Trustees hereby appointed to charge with any of the Duties hereby authorized any Vessel or Vessels which shall be driven by Stress of Weather to seek Refuge in the said Harbour, provided that such Vessel or Vessels shall not be berthed at any of the Quays or Wharfs belonging to the said Trustees, or moored to any of their Mooring Chains, or break Bulk of their respective Cargoes.

Rates and Duties on Ships and Goods.

XLI. And be it enacted, That immediately after the passing of this Act it shall be lawful to and for the said Trustees, and to and for such Persons as they shall from Time to Time authorize and appoint, to demand, exact, levy, collect, receive, and take from the Owners, Masters, and other Persons having the Charge of all Vessels or Boats coming within the Precincts of the said Harbour, if Foreign, a Sum not exceeding Two-pence Sterling *per* Ton, and if not Foreign, a Sum not exceeding One Penny Sterling *per* Ton, for each and every Ton of such Vessel in name of Anchorage, and from the Owners, Masters, or other Persons having the Charge of all such Vessels or Boats as shall touch at or take advantage of and land or take on board a Cargo or Part of a Cargo at the Quays or Wharfs of the said Harbour, or at any Place within the Precincts of the said Harbour, over and above the said Anchorage Dues, the Sum of One Penny Sterling for each and every Ton in name of Quayage, and also to demand and receive for all Goods, Articles, and Things (not being returned Goods to the original Shipper, and in the original State, and which shall have paid Rates outwards) in the Schedule (D.) to this Act annexed, landed, shipped, or unshipped, received or delivered, or carried or conveyed within the said Harbour, any Sums not exceeding the several Rates in said Schedule specified; and the Rates granted by this Act as aforesaid shall include and be in lieu of all Anchorage, Quayage, and Shore Dues or Customs hitherto levied on Vessels or Goods coming within the said Harbour by the Provost, Magistrates, and Town Council of the Royal Burgh of *Campbeltown*, in name of Anchorage, Quayage, or Shore Dues, or under whatever other Denomination the same has been known: Provided

Provided always, that Boats or small Craft engaged in the Herring Fishery shall, in place of the said Anchorage and Quayage aforesaid, only be liable in Payment of Sixpence for every Time they enter or take advantage of the said Harbour or Quays, or, in their Option, to pay Two Shillings and Sixpence Sterling during the Fishing Season.

XLII. And be it enacted, That where the Measure, Weight, and Quantity of any Goods, Articles, or Things shall be less or more than the Measurement, Weight, or Quantity specified in Schedule (D.) the Rates shall be payable in proportion, and all Goods not specified therein (not being returned empty Boxes, Barrels, Bags, Sacks, Packages, and Pack Sheets,) shall be chargeable in proportion to other Goods of similar Bulk and Value; and also that Five Cubic Feet, not exceeding Two and a Half Hundred Weight, shall be rated a Barrel Bulk, but where the Weight of Five Cubic Feet is greater than Two and a Half Hundred Weight then Two and a Half Hundred Weight shall be rated a Barrel Bulk; and in weighing or measuring Goods the Weight or Measurement of the Packages shall be included.

Defining Measure, Weight, and Quantity of Goods.

XLIII. And be it enacted, That for the Purposes of this Act the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register, and the Tonnage of all other Vessels shall be ascertained according to the Rule of Admeasurement established by an Act passed in the Session holden in the Fifth and Sixth Years 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 being regulating such Admeasurement.

For ascertaining the Tonnage of Vessels.

5 & 6 W. 4. c. 56.

XLIV. And be it enacted, That the Rates and Duties aforesaid shall be applied in manner following; *videlicet*, in the first place, towards Payment of one Half of the Expence of preparing, procuring, and passing of this Act, the other Half being defrayed in manner herein-after provided; in the second place, towards the Expence of collecting and managing the Fund arising from the said Rates; in the third place, towards the Payment of the annual Interest of Monies borrowed and owing under the Authority of this Act for effecting the Improvements and extending the Quays; in the fourth place, towards the Payment of the Expence of the Harbour Light, lighting, paving, and watching the Quays, keeping up the Buoys, and other Works in and about the said Harbour and Quays; in the fifth place, towards the Payment and Discharge of the Principal Monies due and owing by the Magistrates and Town Council on account of the said Harbour; and lastly towards the Expence of deepening the Harbour and other Works connected therewith, and of carrying through and finishing the other Improvements to be executed by the Trustees on the Harbour, Quays, Wharfs, and Shores connected therewith, in virtue of the Power hereby committed to them, and of keeping and maintaining the same in good

Application of Dues.

[Local.]

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Order

Order and Condition: Provided always, that in the event of there being any Surplus of the said Rates and Duties after answering the above Purposes the same shall form a Sinking Fund for the gradual Reduction and ultimate Extinction of the Monies borrowed as aforesaid, and shall be applied by the said Trustees for that Purpose.

Rates not to be paid on Vessels putting back.

XLV. And be it enacted, That no Vessel or Boat for which the Rates and Duties exigible by this Act shall have been once paid shall be liable or be obliged to pay the same in case of such Vessel being put back to the said Harbour during the Voyage for which the said Rates and Duties were paid.

Power to reduce Rates, and to raise them again.

XLVI. And be it enacted, That it shall be lawful for the said Trustees, from Time to Time when and so often as they shall deem necessary or expedient, to lower the Rates authorized by this Act to be levied on Vessels and Goods, Articles and Things, or any of them, or any Part thereof respectively, in such Manner as to them shall seem expedient, and the same or any of them again from Time to Time to advance and raise in such Manner as they may judge proper, but so that the Rates, when so advanced and raised, shall not exceed the Rates authorized by this Act to be levied.

Rates on Vessels to be charged equally.

XLVII. Provided always, and be it enacted, That the several Rates 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.

Rates may be compounded.

XLVIII. And be it enacted, That for the Relief of the Masters and Owners of all Vessels or other Boats which shall be employed as regular Packets, Passage Boats, or Ferry Boats, it shall and may be lawful to and in the Power of the said Trustees, or the Majority of them, to compound with the Masters and Owners of all Vessels or other Boats for the Rates and Duties before mentioned, by the Year or Trip, at such lesser Rates or Duties as to the said Trustees or the Majority of them shall from Time to Time appear expedient, provided that in so compounding all such Vessels or other Boats as are or may be of a similar Description shall be compounded with on the same Terms and at the same Rate.

Rates may be leased.

XLIX. And be it enacted, That it shall be in the Power of the said Trustees to let on Lease to the best Bidder or Bidders, at public Roup or Sale for that Purpose appointed and duly advertised on the public Places of the Burgh at least Ten Days before such Roup or Sale, the Rates and Duties foresaid, for any Term or Space not exceeding Three Years.

Queen's Ships and Stores exempt from Payment.

L. Provided always, and be it enacted, That nothing in this Act contained shall be extended or construed to extend to any of the Ships or Vessels belonging to or employed in the Service of Her Majesty, Her Heirs or Successors, or employed in the Ordnance or Transport Service, nor any Vessels employed in the Service of the Customs, Excise, Post Office, Corporation of *Trinity House of Deptford*

*Deptford Strond*, or the Commissioners of the Northern Lighthouses, nor any Military or Government Stores coming to or from the Depôt or Barracks, or to or from the said Harbour with any of the Rates or Duties by this Act imposed.

LI. And be it enacted, That the Master or Commander of any Vessel liable in any of the Rates or Duties aforesaid shall, within Six Hours after the Arrival of such Vessel at the Quays or Shores of the Harbour of *Campbeltown*, report to the Harbour Master for the Time being 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 in a Penalty not exceeding Five Pounds.

Masters to report Arrival of Vessels.

LII. And be it enacted, That the Master or Commander of every registered Vessel shall, on Demand, produce the Certificate of 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 Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Five Pounds.

Master of Vessel to produce Certificate of Registry.

LIII. 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, 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 take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates shall be paid; and in case any of the Rates shall remain unpaid for the Space of Four Days next after such Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more Appraisers, and afterwards sell the Distress, and thereafter to satisfy the Rates so unpaid, and all the Expence for taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or Person having the Command of such Vessel, on Demand.

Recovery of Rates by Distraint of Ship and Tackle.

LIV. 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 said Harbour, the Master or Commander of such Vessel shall, within Twelve Hours after the Arrival of such Vessel, deliver to the Person for the Time being appointed to collect the Rates aforesaid the following Particulars; (that is to say,)

Masters of Vessels to give Accounts of Goods intended to be unshipped, &c.

The Name of the Consignee or Agent of the Cargo or Part of the Cargo of such Vessel intended to be unshipped within the said Harbour:

And if the whole Cargo of such Vessel shall be intended to be unshipped

unshipped within the said Harbour, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel :

Or if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped :

And every such Master or Commander shall, if required by the Person appointed to collect the Rates aforesaid, give to such Person Twelve Hours Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped.

Penalty on Master failing to give an Account, or giving a false Account.

LV. 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 said Harbour who shall fail to deliver or give any of the Particulars or the Notice herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particulars or Notice, shall for every Offence be liable in a Penalty not exceeding Five Pounds.

Masters of Vessels to give an Account of Goods intended to be shipped.

LVI. And be it enacted, That the Master or Commander of any Vessel within the said Harbour on board of which any Goods, Articles, or Things shall be shipped shall give to the Person for the Time being appointed by the said Trustees to collect the Rates aforesaid, a true Account, signed by the Consignor or Agent, of the Kind, Quantities, and Weights of the Goods, Articles, or Things before the same shall be shipped in such Vessel ; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor or Agent who shall sign a false Account of any such Goods, Articles, or Things, shall respectively for every such Offence be liable in a Penalty not exceeding Five Pounds.

In case of Dispute Goods to be weighed or measured.

LVII. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Trustees to 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 as aforesaid, 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.

As to the Expences of weighing or measuring Goods.

LVIII. 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 the Rates due in respect of such Goods, Articles, and Things ; but if such Goods,



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.

LIX. And be it enacted, That the Rates payable to the Trustees in respect of any Goods, Articles, or Things shipped or unshipped within the said Harbour shall be paid as follows; (that is to say,) if such Goods, Articles, or Things shall be shipped, such Rates shall be paid by the Owner or Consignor or Agent of such Goods, Articles, or Things previous to the Shipment of the same, or if such Goods, Articles, or Things shall be unshipped, such Rates shall be paid by the Owner, Agent, or Consignee of such Goods either before the Expiration of Two Calendar Months next after the same shall be unshipped, or previous to the Removal of the same from the Quays or Shores of the said Harbour, which shall first happen.

Rates on Goods by whom and when payable.

LX. And be it enacted, That if Default be made in the Payment of any of the Rates aforesaid payable in respect of any Goods, Articles, or Things, it shall be lawful for the said Trustees, or the Person for the Time being appointed by them to collect such Rates, to distrain any such Goods, Articles, or Things, or, if the same shall be removed, to distrain any other Goods, Articles, or Things within the said Harbour, or on the Quays or Shores thereof, belonging to the Person liable to pay such Rates, and to sell such Distress, and out of the Proceeds of such Sale to pay the Rates due to the Trustees, 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 making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

Rates on Goods.

LXI. Provided always, and be it enacted, That the several Rates 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 Goods, Articles, and Things.

Rates on Goods to be charged equally.

LXII. 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 said Harbour, and to ascertain the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Collector may enter Vessels for ascertaining Rates payable.

LXIII. And be it enacted, That if any Master or Commander of any Vessel, or any other Person whatsoever, shall evade the Payment of any Rates payable to the Trustees as aforesaid, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered

Penalty for evading Payment of Rates.

vered from such Master or Commander or other Person in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any competent Court.

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

LXIV. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs at the Port of *Campbeltown*, 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, from any Vessel liable to the Rates imposed by this Act aforesaid, 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 as aforesaid under this Act in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel, has been paid.

Disputes concerning Rates and Charges of Distress to be settled by the Sheriff.

LXV. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates due and the Charges of such Distress (as the Case may be) shall be ascertained by the Sheriff, 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 such Costs, if not paid on Demand, shall be levied by Distress, and such Sheriff shall issue his Warrant accordingly.

List of Rates to be printed on Boards, and fixed in a conspicuous Place.

LXVI. And be it enacted, That the Trustees shall from Time to Time cause to be painted on Boards, or printed in large and legible Characters, and affixed in the principal Office of Business of the Trustees, and on some conspicuous Part of the Quays of *Campbeltown*, a List of the several Rates which shall be from Time to Time payable as aforesaid under this Act; and no such Rates shall be payable during such Time as such List shall not continue so affixed, or for any Matter or Thing so 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.

Power to appoint Harbour Master.

LXVII. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to appoint a Harbour Master, and at pleasure to remove such Harbour Master.

Duties of Harbour Master.

LXVIII. And be it enacted, That it shall be lawful for the Harbour 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 such Vessels shall come to or lie at the Quays or Shores of the said Harbour,  
and

- and the Position, mooring or unmooring, placing or removing of any Vessel at the same :
- For regulating the Manner in which any Vessel shall take in or discharge its Cargo or any Part thereof, or shall take in or deliver Ballast at the said Quays or Shores :
- For regulating the Government of any Vessel at the said Quays or Shores :
- For regulating the Manner in which any Vessel coming to the said Quays or Shores shall be dismantled for Safety of such Vessel, and for preventing Injury to other Vessels, and to the said Quays or Shore and Moorings :
- For regulating the Quantity of Ballast or dead Weight in the Hold each Vessel shall have during the Delivery of her Cargo at the said Quays or Shores, or when discharging thereat.

LXIX. Provided always, and be it enacted, That nothing herein contained shall be taken to give any Authority to such Harbour Masters to do or cause to be done any Act in any way repugnant to or inconsistent with any Law relating to the Customs, or any Regulation of the Commissioners of Her Majesty's Customs.

No Power given inconsistent with Customs Laws or Regulations.

LXX. And be it enacted, That in case any Harbour Master appointed under this Act shall without reasonable Cause exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Harbour Master exercising Powers without Cause.

LXXI. And be it enacted, That the Master or Commander of every Vessel at any Part of the said Harbour, Quays, or Shores shall regulate such Vessel according to the Directions of the Harbour Master for the Time being, made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice by the said Harbour Master of any such Directions served upon him, shall not forthwith regulate such Vessel according to such Directions, shall be liable in a Penalty not exceeding Five Pounds.

Penalty for not complying with Directions of Harbour Master.

LXXII. And be it enacted, That if the Master, Commander, or other Person having the Charge of any Vessel at any Part of the said Harbour, Quays, or Shores shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Harbour Master for the Time being, given to the said Master, Commander, or other Person, it shall be lawful for the Harbour 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 other Person, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master, Commander, or other Person in the same Manner as any Damages for 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.

LXXIII. And

Penalty on  
Master or  
Commander  
for obstruct-  
ing Harbour  
Master.

LXXIII. And be it enacted, That if any Master or Commander of any Vessel within the said Harbour, or at the said Quays or Shores, or any Person on board such Vessel, shall hinder the said Harbour 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.

Harbour  
Master may  
cut Ropes,  
&c.

LXXIV. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened to the said Quays or Shores shall not, upon Demand of the said Harbour Master, unloose 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 to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master shall cut away 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 the Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Harbour  
Master may  
remove  
Wrecks, &c.

LXXV. And be it enacted, That it shall be lawful for the Harbour Master for the Time being to remove any Wreck or other Obstruction in the said Harbour, 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.

Anchors,  
Cables, &c.  
found to be  
deposited, as  
Harbour  
Master shall  
appoint.

LXXVI. And be it enacted, That every Person who shall pick up or obtain Possession of any Anchor or Cable, or any Boat, Rope, or Tackle of any Vessel, or any Log or Logs of Timber, or any other Article or Thing whatever, within the said Harbour, shall, within Twenty-four Hours thereafter, give Notice thereof to the Trustees or to the Harbour Master, and shall deposit the same in such Place within such Time as he or they may direct; and any Person who shall fail to give such Notice and deposit such Articles as aforesaid shall forfeit a Sum not exceeding One Pound; and the Sheriff shall have Power to fix the Amount of Salvage to be paid for picking up any of the said Anchors or Things.

Vessels not  
to anchor  
within  
Limits, so  
as to occa-  
sion Inter-  
ruption.

LXXVII. And be it enacted, That it shall not be lawful to station or anchor any Vessel within the said Harbour so as to occasion any Interruption to the free Ingress and Egress of Vessels coming within the Harbour to the Quays or Shores; and in the event of any Vessel being anchored or stationed so as to occasion such Interruption, it shall be lawful for the Harbour Master to require the Master or other Person in charge of such Vessel to remove the same, in order to preserve at all Times a free Passage within the said Harbour; and any Master, Owner, or other Person in charge of any such Vessel refusing to remove such Vessel when required by the said Harbour Master, or by  
any

any Person acting under him, to a Situation so as not to occasion any Interruption, the Harbour Master is hereby authorized so to remove such Vessel at the Expence of the Master or Owner thereof; and such Master, Owner, or other Person shall be liable in a Penalty not exceeding Five Pounds for each Offence, for refusing to remove such Vessel when required by the said Harbour Master.

LXXVIII. And be it enacted, That every Vessel having a Cargo on board thereof which shall go to the said Quays or Shores shall be discharged of her Cargo as soon as conveniently may be after coming thereto, and after the Delivery of such Cargo such Vessel shall without Loss of Time be removed to such Part of the said Harbour, Quays, or Shores as the Harbour Master shall direct; and the said Harbour Master for the Time being shall cause to be removed all light Vessels accordingly; and if the Master or Commander or other Person having Charge of any such Vessel shall not remove the same to such Part of the said Harbour, Quays, or Shores as the said Harbour Master shall direct, within Twelve Hours after Notice in Writing signed by the said Harbour 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 immediately to cause such Vessel to be removed to such Part of the said Harbour, Quays, or Shores as the Harbour Master shall appoint; and the Expences of removing the same shall be paid to such Harbour Master by the Commander or Owner of such Vessel.

Delivery of  
Cargo, and  
placing and  
discharging  
Vessels.

LXXIX. And be it enacted, That if any Harbour Master or Servant of the Trustees shall give any undue Preference 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 Pre-  
ference of  
Harbour  
Master.

LXXX. And be it enacted, That if any Tar, Pitch, Rosin, spirituous Liquors, Turpentine, Oil, or combustible Things, being on any Quay or Wharf belonging to the Trustees, or on the Deck of any Vessel lying thereat or near the same, shall not be removed from the Place where the same may be to a Place of Safety within Two Hours after Notice in Writing for that Purpose, signed by the said Harbour Master for the Time being, shall have been served on the Owner or Person having the Charge of the same, or on the Master or other Person in charge of the Vessel, every such Owner, Master, or other Person shall for every such Offence forfeit a Sum not exceeding Twenty 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 re-  
moved.

Penalty

LXXXI. And be it enacted, That if any such combustible Thing as aforesaid shall remain on the Quays or Wharfs, or on the Deck of any Vessel lying thereat or near thereto, after Daylight, the Owner or Person having Charge of the same, or in his Default the Harbour Master, at the Expence of such Owner or Person, shall provide a

Combus-  
tibles to be  
guarded  
during the  
Night.

[*Local.*]

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sufficient

sufficient Number of Persons to guard the same for One Hour before Sunset to One Hour after Sunrise; and such Expence, if not paid on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained or by this Act directed to be ascertained and recovered.

Penalty  
of 5*l.* on  
Persons  
committing  
any Offences  
herein  
named.

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

Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter in any Vessel lying in the said Quays or Shores or Works of the same, except in such Place and in such Manner as shall be specially appointed by the Trustees or Harbour Master for that Purpose :

Every Person who shall have or cause to be had any Fire or lighted Candle or Lamp in any Vessel at the said Quays or Shores or Works of the same, except with the Permission of the Trustees or Harbour Master :

Every Person who shall have or cause to be had any Fire, Candle, or Lamp lighted on the said Quays or Shores or Works of the same, except at such Times as shall be permitted by the Bye Laws of the Trustees :

Every Person who shall bring any loaded Gun on the said Quays or Works of the same, or shall have or suffer to remain any loaded Gun in any Vessel at the same :

Every Person who shall, without the Permission of the Trustees, suffer to remain any Gunpowder on the said Quays or Shores or Works of the same, or in any Vessel at or within One hundred Yards of the same.

Penalty for  
throwing  
Ballast, &c.  
into  
Harbour.

LXXXIII. And be it enacted, That if any Person shall throw or put any Ballast, Earth, Dust, Ashes, Stones, or other Things into the said Harbour, or into or upon any of the said Works to the Injury or Prejudice thereof, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for  
wilfully  
cutting  
Ropes.

LXXXIV. And be it enacted, That if any Person, other than the Harbour Master in execution of the Powers aforesaid, shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Harbour or at the said Quays or Shores shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty  
for wilfully  
injuring any  
of the  
Works.

LXXXV. And be it enacted, That if any Person shall wilfully and maliciously demolish, break down, cut, or injure any of the Works already made and erected, or to be made and erected by virtue of this Act, connected with the said Harbour and Quays, or injure any Vessel lying within the Harbour or at the Quays or other Works already erected or to be erected, then and in every such Case every such Person shall forfeit Five Pounds for every such Offence.

LXXXVI. And

LXXXVI. 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 Quays, 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 in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; and in addition to the Remedies hereby provided for the Recovery of the same it shall be lawful for the Sheriff before whom the same is recovered to cause 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 after the taking of such Distress to cause the Property so distrained, or any Part thereof, to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by the Sheriff, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

Damages done to Quays, Wharfs, &c. to be repaired at the Cost of the Party doing the same.

LXXXVII. 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 to the said Quays, 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 before the said Sheriff in a summary Manner; and it shall be lawful for the Harbour Master for the Time being appointed under this Act to detain any such Vessel or Float of Timber, or both, until sufficient Security shall be given for the Amount of the Damage done by the same, or by any Person employed therein.

Owners or Masters of Vessels answerable for Damage committed by their Servants.

LXXXVIII. And be it enacted, That it shall not be lawful for the said Trustees to exhibit or alter, or permit to be exhibited or altered, any of the Lights, Beacons, Buoys, or Sea Marks already erected, or to exhibit or erect any new or additional ones within the said Harbour, without the Sanction in Writing of the Commissioners of Northern Lighthouses, signified under the Hand of their Secretary, first having been obtained in that Behalf; and if any such Light, Beacon, or Sea Mark shall be exhibited, altered, or new ones erected, without such Sanction as aforesaid, the same shall be of such Power, Description, and Character, and shall be from Time to Time discontinued or altered, as the Commissioners of Northern Lighthouses shall from Time to Time direct by due Notice to the said Trustees.

Lights, Beacons, or Sea Marks not to be exhibited or altered without Sanction of the Commissioners of Northern Lighthouses.

LXXXIX. And be it enacted, That the Trustees from Time to Time may lay or place, or cause to be laid, made, or placed, such Buoys, Perches, Mooring Chains, or Anchors in the said Harbour, for the Purpose of warping or anchoring Vessels, and at such Times and at such Places as the said Trustees shall deem necessary

Power to place Buoys, &c.

or

or expedient, for the Use and Accommodation of Shipping frequenting the same, and again from Time to Time to raise the same, and to cause them to be again laid or placed, and that under such Restrictions, Conditions, and Regulations as the Trustees shall deem proper.

Power to  
make Bye  
Laws.

XC. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to make such Bye Laws as they shall think fit (provided such Bye Laws shall not be repugnant to the Law of *Scotland* or the Provisions of this Act) for all or any of the following Purposes; (that is to say,)

For governing and regulating the Use of the Quays, Wharfs, and other Works already made and hereby authorized to be made in the said Harbour:

For regulating the placing and removing of Vessels coming to, lying at, or going from the Quays, Wharfs, and other Works, or entering, lying in, or going out of the said Harbour, of and for the good Order and Government of such Vessels:

For regulating the Exercise of the several Powers hereby vested in the Harbour Master to be appointed by the Trustees respectively:

For regulating the Admission of Vessels to the said Quays, Wharfs, and Works, and into the said Harbour, and their Removal from or out of the same:

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things, and for regulating the landing or embarking of Passengers from, in, or on the Quays, Wharfs, or Works and Premises of the Trustees:

For regulating the Duties and Conduct of all Persons, as well as the Servants of the Trustees, or others, who shall be employed at or about the Quays, Wharfs, Works, and Premises of the Trustees:

For regulating the Use of Fires, Candles, Lamps, and other Lights or lighted Substances at the said Quays, Wharfs, and the other Premises belonging thereto, and within any Vessel anchored at the Quays and Wharfs, or within One hundred Yards of the Quays, Wharfs, or Works of the Trustees:

For regulating the Rates or Charges for Ballast taken on board or landed from Vessels within the said Harbour:

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

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:

For regulating the Duties and Conduct of the Porters and Carriers employed on or about the said Quays, Wharfs, and Premises, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

For the Appointment of and regulating the Conduct of Pilots, Riggers, and Jobbers, and fixing the Rates to be paid them:

For



For regulating the Conduct of Carters, Carmen, and others, and fixing the Rates to be paid to them for their Services.

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 Alterations be not repugnant to the Law of *Scotland* or the Provisions of this Act, and be reduced into Writing, and be signed by the Chairman and Clerk, and, if affecting other Persons than the Officers or Servants of the Trustees, to be printed and published as herein provided.

Power to repeal, alter, or amend Bye Laws.

XCI. 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.

Power to Trustees under Bye Laws to impose Penalties.

XCII. And be it enacted, That no Bye Law shall be made by the Trustees under the Authority of this Act as aforesaid, 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; and it shall be incumbent on such Sheriff, on the Request of the Trustees, or of any other Person having Interest, 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 fit.

Bye Laws to be confirmed.

XCIII. And be it enacted, That such Bye Law, when confirmed, shall be printed or painted on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the principal Office of the Trustees, and also on some conspicuous Part of the Quays, Wharfs, or Shores of the said Harbour, and such Board 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.

XCIV. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and observed by all Parties, and shall be sufficient to justify all Parties acting under the same, and the Production of a written or printed Copy of the same, authenticated by the Signature of the Chairman and Clerk, shall be Evidence of the Existence and of the due making of such in all Prosecutions under the same; and with respect to the Proof of the Publication thereof, it shall be sufficient that Boards containing a Copy thereof were affixed or continued in the Manner by this Act before directed; and in case of any such Copy being afterwards destroyed or obliterated, it shall be sufficient to prove that such Copy was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such Copy did not contain the Bye Law under which he shall be prosecuted, or that Copies were not affixed or continued to be affixed as required by this Act.

Bye Laws to be binding on all Parties.

Evidence of Bye Laws.

[Local.]

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XCIV. And

Penalty for  
pulling  
down  
Boards.

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

Trustees  
may license  
Pilots.

XCVI. And be it enacted, That it shall be in the Power of the said Trustees and they are hereby authorized to license, appoint, and regulate a sufficient Number of Persons who shall be certified to be fully qualified as Pilots for the said Harbour, and to fix the Rates of Pilotage to be paid to the said Pilots, and to remove and displace them at pleasure.

Trustees  
may con-  
struct Re-  
servoirs and  
other  
Works.

XCVII. And be it further enacted, That it shall and may be lawful for the said Trustees and they are hereby authorized and empowered, by themselves, Servants, Agents, Surveyors, and Workmen, to enter into and upon the Lands and Grounds, Houses, Buildings, public Works, and other Properties, of or belonging to any Person or Persons whatever, (other than and except the said Lands and Heritages of the Duke of *Argyll* as aforesaid,) and to survey and take Levels of the same or any Part thereof, and to set out and appropriate for the Purpose of this Act such Parts thereof as they shall think necessary and proper for supplying the said Burgh and Suburbs thereof with Water, and to make, construct, and maintain a Reservoir or Reservoirs at any Place or Places upon such Land and Grounds, or the Lands and Grounds on which such Houses, Buildings, and public Works are situated, and to erect upon such Lands such Houses and Buildings as may be thought necessary for the Accommodation of their Servants, and to take and use, for supplying and filling the said Reservoirs and others so to be constructed, the Waters of all Streams, Burns, Rivulets, and Springs situated on the Lands of *Askomill*, *Baraskomill*, and *Loch Ruaig*, all in the Parish of *Campbeltown* and County of *Argyll*, delineated on the Map or Plan before mentioned, by means of Catchwater Drains, Aqueducts, Pipes, or other ways, and also to make such Cuts, Drains, Aqueducts, and Works, either open or covered, as shall seem expedient to the said Trustees, for connecting together the said Reservoirs and other Works, and also all such Embankments, Mounds, Cuts, Trenches, Tunnels, Bridges, Canals, or Conduits, Aqueducts, Pipes, Tanks, Filters, Sluices, and other Works, in or along the aforesaid Lands, and the Highways, Roads, and other Places within the aforesaid Parish of *Campbeltown* in the County aforesaid, as shall be thought necessary for conveying the Water to be collected as aforesaid to all or any of the said Reservoirs, and from all or any of the said Reservoirs to the Burgh of *Campbeltown*, and depositing or storing the same there for Distribution, and to take and acquire or agree for such Parts of the said Lands, Grounds, and Premises (except as aforesaid) as may be necessary for the Formation of such Reservoirs, Catchwater Drains, Conduits, Aqueducts, Pipes, and other Works, and for making the necessary Roads and Footpaths around the same, and for enclosing, cleaning, repairing, improving, and enlarging the said Works, and for the Accommodation of the Servants  
of

of the said Trustees, or other Persons to be intrusted with the Charge of the said Works, and, when needful, to clean, alter, repair, maintain, enlarge, and improve all or any of the said Reservoirs, Catchwater Drains, Conduits, Aqueducts, Pipes, and other Works, and also to loose, dig, cut, trench, sough, get, remove, take, and carry away, and lay Earth, Clay, Stone, Rubbish, Beds of Gravel or Sand, or other Soil or Minerals, and all that shall happen to be growing on the said Lands or Heritages, for making the said Reservoirs, Aqueducts, Pipes, Conduits, and other Works which may be got in carrying on the said Works, or out of the Lands of any Person adjoining any Part of the said Works which the said Trustees are hereby empowered to enter for the Purpose of getting such Materials, and to make such Roads as may be requisite for removing the same, and also to place, lay, and work the same; and the said Trustees are authorized to obtain Access to the Lands and Grounds upon, in, or through which the said Reservoirs, Drains, Aqueducts, Pipes, Conduits, or other Works shall be formed, by the Gates or other mode of Entry thereto, at all reasonable Times during the Day, not earlier than Six o'Clock in the Morning nor later than Sunset, the said Trustees doing as little Damage as may be in the Execution of the several Powers hereby granted, and making Satisfaction in manner herein mentioned to the Owners and Occupiers of and other Persons interested in any such Lands or other Heritages or Subjects which shall be taken, used, removed, or prejudiced, for the Value of the Lands and other Heritages so to be taken, and for all actual Damage to be by them sustained in or by the Execution of all or any of the Purposes of this Act.

XCVIII. And be it enacted, That the Powers of the said Trustees for the compulsory Use of Water from the Lands of *Askomell* and *Baraskomell* and *Loch Ruag* for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Period within which Water may be taken from certain Lands.

XCIX. And be it enacted, That it shall and may be lawful for the said Trustees to dig, sink, and construct such and so many Wells within so much of the said Burgh as is not comprised within the Limits specified in the Charter of Erection thereof dated the Nineteenth Day of *April* One thousand seven hundred, as they may from Time to Time deem expedient, and to repair and renew the same as often as they shall consider necessary.

Power to sink and construct Wells.

C. Provided always, and be it enacted, That the said Trustees shall give One Month's Notice of their Intention to take or use such Lands, Grounds, Water, or other Heritages, to the Owners or Occupiers thereof, or their known Factors or Agents, before taking the same; and provided further, that no Surveyor or other Person acting under the Authority of this Act shall begin to dig, gather, or carry away any Materials for the Purposes aforesaid out of or from the Lands and Grounds to be taken and acquired by the said Trustees as aforesaid, until Notice in Writing, signed by the said Surveyor or other Person, shall have been first given to the Owner or his known

Notice to be given.

known Agent, or to the Occupier of the Land from which such Materials are intended to be taken, or left at such Owner's or Occupier's usual Place of Residence, to appear before the Sheriff, at any Time not sooner than Ten Days after the giving of such Notice, to show Cause why such Materials should not be had therefrom; and in case such Owner, Occupier, or Agent shall not attend pursuant to such Notice, or attending shall not show sufficient Cause to the contrary, such Sheriff shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Materials at such Time or Times as to such Surveyor or to such Sheriff shall seem proper: Provided always, that such Sheriff shall, before giving any such Authority, settle and fix the Rate at which such Materials shall be paid for; and if such Owner or Occupier shall neglect or refuse to attend by himself or his Agent, such Sheriff shall and may make such Order thereon as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier or his Agent had attended, and the Order of such Sheriff shall be final and conclusive.

For preserv-  
ing Supply  
of Water to  
Smerby  
Mill.

CI. And be it enacted, That in order to secure to the Mill of *Smerby*, the Property of his Grace the Duke of *Argyll*, an equal Supply of Water to that which it already has from *Loch Ruag*, it shall not be lawful to the said Trustees to perform any Act or Operation which shall have the Effect of diminishing the Supply of Water to the said Mill, but that in any Operations which it may be necessary for the said Trustees to make on *Loch Ruag* they shall be bound to preserve a Supply of Water equal at least to that which at present flows to and supplies the said Mill from the said Loch: Provided always, that before any Operation shall be commenced for obtaining Water from the said Loch the Plan of the Work, so far as relates to the Supply of the said Mill, shall be approved by an Engineer to be appointed by the said Duke or his Successors and the said Trustees, or, in the event of their not agreeing in such Appointment, by an Engineer to be named by the said Sheriff, on the Application of either Party.

Reservation  
of present  
Supplies of  
Water to  
Feuars and  
Tenants.

CII. And in order to secure to the Feuars, Tenants, and others on the Lands herein-before mentioned their present Supplies of Water for domestic Purposes, and for the Use of Cattle, be it enacted; That it shall not be competent for the said Trustees to do or perform any Act or Operation on the Lands aforesaid which shall have the Effect of diminishing the Supply of Water, without preserving to the Feuars, Tenants, and others on the said Lands Supplies of Water equal at least to those which they may have enjoyed previous to such Operations.

The Trustees  
may acquire  
Lands.

CIII. And be it enacted, That it shall and may be lawful to and for the said Trustees and they are hereby empowered, as often as it may be necessary, to treat, contract, agree for, and purchase, from Parties willing to sell the same, all such Lands, Grounds, Houses, Tenements, Rivulets or Streams of Water, Springs, Drainage Water or other Heritages, as they may consider requisite for the Purposes of this Act.

CIV. And

CIV. And be it further enacted, That in order to render available as far as possible the Drainage of the Lands contributing to the Supply of the Streams and Burns proposed to be intercepted for the Purposes of this Act, and to prevent unnecessary Stagnation and Waste of Water thereon, it shall be lawful for the said Trustees, as often as to them shall seem necessary, and within reasonable Hours, to enter upon all or any of the aforesaid Lands, except as aforesaid, and to clean out all stagnant Pools, Water Runs, Ditches, or Draining thereon, communicating in any way with the Drains, Aqueducts, Conduits, or Reservoirs of the said Trustees: Provided always, that the said Trustees shall not be at liberty to clear out as aforesaid any Wells or watering Pools for Cattle on such Lands, and that the said Trustees shall make full Satisfaction for all Damage which may be occasioned in obtaining Access to such Lands, or by such Operations, to the Person sustaining the same.

Trustees to have Power to clear out Drains or Grounds.

CV. And be it enacted, That it shall be lawful for the Trustees to form, lay down, alter, repair, or remove, in or under any Street or Highway within the Limits of this Act, any Aqueducts, Conduits, Pumps, Pipes, Tunnels, and other Works, for the Purpose of supplying the Inhabitants within the same with Water, and for that Purpose to break up or open the Pavement or Soil of any such Street or Highway, and any public Sewer or Drain therein, the Trustees doing as little Damage as may be in the Execution of the said Powers, and making Compensation for any Damage caused thereby in manner herein mentioned.

Power to break up Streets, &c. for the Purposes of this Act.

CVI. And be it enacted, That before any Street, Highway, public Sewer or Drain, shall be opened or broken up by the Trustees, they shall give to the Dean of Guild of the said Burgh, or the Person or Persons under whose Control or Management such Street, Highway, Sewer or Drain, may be, Notice in Writing of their Intention to open or break up the same, Six Days before the Commencement of such Operation.

Notice to be served before breaking up Streets.

CVII. And be it enacted, That every such Street, Highway, Sewer or Drain, shall be opened or broken up under the Superintendence of the said Dean of Guild, or the Person or Persons having the Control or Management of the same, or their Officer, and according to such Plan as shall be agreed upon between such Person, or their Officer, and the Trustees, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by the Sheriff; and such Sheriff is hereby required, on the Application of the Trustees, to determine the Plan according to which such Street, Highway, Sewer, or Drain shall be opened or broken up; provided that Ten Days Notice of the Time and Place at which such Determination is to be made shall be proved to have been served on the said Dean of Guild, or the Person having the Control or Management of the Street, Highway, Sewer or Drain, proposed to be broken: Provided always, that if the Dean of Guild, or the Person having such Control or Management as aforesaid, shall neglect or refuse to superintend the opening of any such Street, Highway, Sewer or Drain, after having

Streets to be broken up under Superintendence.

If Parties neglect to superintend, Trustees may perform

the Work  
without.

had Notice of the Trustees Intention as aforesaid, or shall not propose any Plan for breaking up or opening the same, the Trustees may perform the Work specified in such Notice without the Superintendence of such Person.

Streets  
broken up  
to be rein-  
stated with-  
out Delay.

CVIII. And be it enacted, That when the Pavement or Soil of any Street or Highway, or when any Sewer or Drain, shall be opened or broken up by the Trustees, they shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground, and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced and guarded, and shall set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Soil shall be continued open or broken up.

Penalty for  
Delay in  
reinstating  
the Street.

CIX. And be it enacted, That if the Trustees shall open or break up any Street or Highway, Sewer or Drain, without giving such Notice as aforesaid, or shall break up any Street, Highway, Sewer or Drain, in any other Manner than such as shall be agreed upon or determined as aforesaid, except in the Cases in which the Trustees are hereby authorized to perform such Works without any Superintendence or Notice, or if the Trustees shall make any Delay in completing any such Work, or in filling in the Ground or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Forty Shillings for every Day that any such Delay as aforesaid shall continue after the Expiration of Twenty-four Hours from the Time that such Delay shall have commenced.

In case of  
Delay, other  
Parties may  
reinstate,  
and recover  
the Ex-  
pences.

CX. And be it enacted, That if any such Delay as aforesaid shall take place it shall be lawful for the Persons having the Control or Management of the Street, Highway, Sewer or Drain, in respect of which such Delay shall take place, to cause the Matter or Thing so delayed to be done; and the Expence of doing the same, together with the Costs of recovering such Expence, shall be recovered from the Trustees in the same Manner as any Damages for the Recovery of which no special Provision is made by this Act are hereby directed to be recovered; and the Money so recovered shall be applied by the Persons having the Control or Management of the Street or Highway for the Purposes of the same.

Trustees  
annually to  
fix Rate of  
Assessment.

CXI. And be it enacted, That the said Trustees shall meet within the Town Hall or other Place of Meeting on the Fourth *Wednesday* next after the passing of this Act, or as soon thereafter as conveniently may be, and annually in all subsequent Years on the Fourth *Wednesday* in *June*, or as soon thereafter as conveniently may be, and then

then and there fix the Rate of Assessment for Water, for domestic Purposes, paving, cleansing, watching, and lighting, or for any of these Purposes, to be levied for the then current Year, the first Year's Assessment being for the Year from *Whitsunday* One thousand eight hundred and forty-six to *Whitsunday* One thousand eight hundred and forty-seven, and exigible and payable at *Martinmas* One thousand eight hundred and forty-six for the said then current Year, and so on at the Term of *Martinmas* in each and every Year thereafter: Provided always, that the Rate of the said Assessment so to be fixed shall not in any One Year exceed the maximum Rate of Assessment authorized to be levied by this Act; provided also, that Notice of the Time and Place of meeting be given to the said Trustees by their Clerk One Day at least previous to the said Day of meeting.

CXII. And for the Purpose of raising the Sums or Assessment by this Act so fixed as aforesaid for paving, cleansing, watching, and lighting, be it enacted, That it shall and may be lawful to and for the said Trustees, on the Fourth *Wednesday* next after the passing of this Act, or as soon thereafter as conveniently may be, and on the Fourth *Wednesday* of *June* annually thereafter, or at a Meeting or Meetings to be held for the special Purpose as soon thereafter as may be, to assess, and they are hereby authorized and required to assess, all Tenants and others, Occupiers of Dwelling Houses, Warehouses, Vaults, Shops, Cellars, Stables, Breweries, Distilleries, Manufactories, Yards, Mills, and other Erections, of whatever Description or Denomination the same may be, within the said Burgh, (except as after mentioned,) in a Sum not exceeding One Shilling in the Pound of the Amount of Rent or yearly Value of the said Premises, as the same may be ascertained in manner directed by this Act for the Purposes before mentioned, and in a Sum not exceeding Sixpence in the Pound of such Rent or yearly Value for Water supplied for domestic Purposes.

Maximum  
Rate of  
Assessment.

CXIII. And be it enacted, That, subject to the Restrictions herein contained, it shall be lawful for the Trustees to introduce into the said Burgh a Supply of Water from the Lands shown on the Plan and described in the said Book of Reference, other than those belonging to the said Duke and his Successors, for the Distilleries and other Manufactories therein, and to contract and agree with the Owners and Occupiers thereof as to the Rate to be charged for such Supply.

Trustees  
may eventu-  
ally supply  
Water for  
manufac-  
turing Pur-  
poses.

CXIV. And be it enacted, That all Dwelling Houses, Warehouses, Vaults, Shops, Cellars, Stables, Breweries, Distilleries, Manufactories, Yards, Mills, and other Erections, Tenements, Properties, and Possessions, of whatever Description or Denomination the same may be, unoccupied and unfurnished for the space of Nine Months in any One Year, and all Churches, Places of Worship, Schoolrooms, and any Buildings solely occupied for the Purpose of public Charity, Science, or Education, as also such Lands situated within the said Burgh as are not built upon or used for the Purpose of Trade or Manufacture, shall be exempted from the said Assessment.

Unoccupied  
Houses,  
Churches,  
and public  
Buildings  
exempted  
from Rates.

CXV. And

Lists to be made up of Persons liable in Assessment, and Notice to be given.

CXV. And in order to the Ascertainment of the yearly Rents or Value of the various Properties and the various Persons hereby authorized to be assessed, be it enacted, That the said Trustees, with the Assistance of such authorized Surveyor or Surveyors as they may appoint, shall, at such Time as they may direct, make up exact Lists of all the said Persons, specifying the Rental or yearly Value of their respective Possessions, and the Sums for which they are respectively assessed; and such List being so made up, and the Rates of Assessment being fixed as aforesaid, a printed Notice shall be left at the Dwelling House or other Premises of every Person to be assessed, specifying the Amount of such Rent or yearly Value upon which such Assessment is made up, and the Amount of the Assessment; and if any Person or Persons shall think himself, herself, or themselves aggrieved by such Assessment, it shall be competent to them, within Fourteen Days next after such Notice shall have been left, to appeal to the said Trustees, by Notice in Writing given to the Collector of the Assessment, of such Intention to appeal; and the said Trustees, or any Three of them, the Provost or One of the Bailies being always present and presiding at such Meetings for hearing Appeals, are hereby authorized and required to take cognizance thereof, and to hear and determine the Matter of such Appeal: Provided always, that all Disputes and Questions raised by such Appeals shall be determined by the said Trustees or any Three of them, the Provost or One of the Bailies being always One of the Number, by such Course of Procedure as to them may appear fitting in such Case, by hearing the Parties verbally, remitting to skilful Persons for Opinions or Reports, or calling on the Party appealing to depone to the Rent or Value of the Premises in respect of which the Assessment is imposed, and their Decision on the Matters brought before them on any Complaint or Appeal relative to such Premises or Assessments or Valuations, shall be final and binding, excepting as herein-after mentioned: Provided always, that it shall be in the Power of any Person or Persons who may consider himself, herself, or themselves aggrieved by the Judgment or Decision of the said Trustees to appeal to the Sheriff; and Notice of such Appeal shall be given in Writing to the said Collector, within Seven Days after such Judgment or Decision of the said Trustees; and such Sheriff shall in a summary Manner hear and determine the Matter of such Appeal, and award such Costs to the Party aggrieved as to him shall seem proper, and the Judgment of the said Sheriff shall be final and conclusive, without being subject to Review, Suspension, Reduction, or otherwise.

Persons aggrieved may appeal to the Sheriff.

Proprietors of general Stores liable in Assessment.

CXVI. And be it enacted, That where any Cellar, Warehouse, or other Place situated or commonly used for the keeping or storing of Merchandize as a public or general Store, or any Part thereof, shall be hired or let out from Time to Time, the same being for a shorter Period than One Year, for the Purpose of keeping or storing Merchandize as a public or general Store as aforesaid, the Proprietor, Life-renter, Adjudger, Creditor in possession, principal Tenant, or any other Person whatever hiring or letting out the same, shall be deemed and held the Occupier or Possessor thereof, and as such shall be assessed for and be liable in Payment of the



the said Assessment, the current yearly Value of such Cellar, Warehouse, or other Place so hired or let out as a general Store being hereby declared to be the Rule for ascertaining such Assessment.

CXVII. And be it enacted, That the said Assessment shall be levied from the actual Possessors, whether Proprietors or Tenants, of the Dwelling Houses and other Premises above specified; but in the Case of Houses, Shops, or other Premises or Buildings let for a less Period than a whole Year, the Proprietor, Life-renter, or Lessee, or the Person receiving the Rents of any Houses or Tenements liable to be assessed, either on his own Account or as Agent for any Person interested therein, shall be bound to pay the Assessment, but such Persons so paying shall have Right to charge and to receive Payment from the Tenant or other Person occupying such House, Shop, or other Building liable for such Assessment: Provided always, that Deduction shall be given of the Assessment for each entire Period of Six Months during which any unfurnished House, Shop, or other Building shall be unoccupied or not possessed; provided also, that the Proprietor shall be entitled to every Right of Exemption or Relief to which the Tenant was entitled.

Possessors, whether Proprietors or Tenants, to pay Assessment. Assessment to be paid upon Premises let for a less Period than a Year.

CXVIII. And be it enacted, That all and every Person and Persons renting or occupying a Dwelling House for Twelve Months, the Rent or yearly Value of which Dwelling House shall be under Three Pounds Sterling, shall be exempted from Payment of the Assessment foresaid, and he, she, and they are hereby exempted accordingly, and the said Trustees are hereby empowered to exempt any Person or Persons producing to the Collector or Collectors authorized and empowered by the said Trustees to receive the said Assessment a Certificate or Certificates to the Satisfaction of the said Trustees that the Person or Persons named in such Certificate or Certificates is or are from Poverty unable to pay the said Assessment, which Certificate or Certificates shall be countersigned by the Provost or any One of the Bailies; and such Certificate, when so countersigned, shall authorize the Collector or Collectors aforesaid to exempt the Person or Persons producing the same from Payment of the Assessment for which the said Person or Persons may have been rated and charged.

Exemption under certain Conditions.

CXIX. And be it enacted, That if any Person or Persons who shall be so rated and assessed for Water, paving, cleansing, watching, and lighting as aforesaid, shall refuse or neglect to pay the Rates or Assessments charged upon him, her, or them, for the Space of Twenty-one Days after such Rates or Assessments shall be due and demanded by the said Collector, such Demand being made by a written or printed Notice to be left either at his, her, or their respective Dwelling Houses, Places of Abode, or at his, her, or their Shops or other Places of Business, in the Form specified in the Schedule (C.) hereunto annexed, it shall be competent to the said Provost and Bailies, or any One of them, and they and he are and is hereby authorized and required, upon a Certificate signed by the Collector, certifying such Demand having been made, and such

Assessment, how to be recovered.

Person or Persons being in arrear to the Amount stated in the Certificate, and of such Rates or Assessment not being paid after Eight Days Notice of such Application to the Parties, personally, or at his, her, or their Dwelling Houses, Shops, or other Premises occupied or rented by him, her, or them, to issue a Summons calling upon such Person alleged to be in arrear to attend before the said Provost or any of such Bailies at a Time and Place to be named in such Summons, to show Cause why a Warrant, as herein provided, should not issue against such Person; and the said Provost and Bailies, or any One of them, after hearing such Person, or if such Person shall fail to appear at the Time and Place named in such Summons, may and is hereby required to grant Warrant to an Officer or Officers to seize and take possession of so much of the Goods and Effects of the Person or Persons refusing or neglecting to pay as aforesaid as shall appear sufficient for satisfying by the Sale thereof the Assessments due by him, her, or them respectively, with the Costs incurred or to be incurred in carrying such Warrant into execution; and if such Rate or Assessment shall not be paid within Eight Days next after Seizure is made, together with the said Costs and Charges, then the Collector is hereby authorized to sell the said Goods and Effects so seized, by public Auction, at the Cross of *Campbeltown* or other public Place where such Sales are usually made, returning the Surplus of the Price, if any be, after Payment of the Assessment and Costs, on Demand, to the Owner or Owners of the said Goods and Effects; and the Collector shall be bound to preserve the Warrants of such Seizures and Sales, and enter in a Book to be kept for the Purpose the Names of the Parties proceeded against, the Assessment due, the Expence of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party aggrieved to complain to the Sheriff of any thing done unjustly or oppressively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions, and the Decision of the said Sheriff shall be summarily given, and shall be final and conclusive, and not subject to Review in any Court or by any Form whatever; provided always, that the Collector may sue for and otherwise recover the said Rates and Assessments by ordinary Action before any Court competent; and it is hereby declared, that none of the aforesaid Proceedings shall fall, lapse, cease, or abate by the Death or Removal of such Collector; and it shall be lawful for the Collector for the Time to prosecute and follow forth Procedure commenced and carried on in name of any previous Collector, in all respects as if such Procedure had been all along carried on by himself; and it is hereby further declared, that it shall not be competent for any Person or Persons to sue, nor for any Court of Law to entertain any Action or Proceeding against, the said Trustees, Collectors, or Officers, or other Persons employed, for or on account of any thing done in virtue of such Warrant, by reason of any Mistake, Informality, or Misnomer, if the Goods or other Effects seized or sold under such Warrant are *bonâ fide* the Property  
or

or in the lawful Possession of the Person or Persons actually liable in Payment of the said Assessment under the Provisions of this Act.

CXX. And be it enacted, That the Provost and Bailies of the said Burgh shall and they are hereby authorized and empowered, under the Conditions after specified, to make, and from Time to Time alter, amend, and repeal, such Rules, Regulations, and Orders as they shall deem proper and necessary relative to the paving, cleansing, lighting, and watching, causewaying, metalling, macadamizing, and otherwise repairing the Streets, Roads, Lanes, Passages, Squares, Closes, and other Places within the Limits of this Act, and to enact Penalties for enforcing the same to the Amount herein-after specified, and to be recovered in manner herein-after directed: Provided always, that such Rules, Regulations, and Orders shall not be inconsistent with the Powers hereby conferred, and shall be made and published in manner also herein-after directed.

Regulations as to cleansing, lighting, paving, and watching.

CXXI. And be it enacted, That the said Trustees shall be bound to supply any Tenant or Occupier of a Dwelling House or Part of a Dwelling House in any Street within the said Burgh of *Campbeltown* with a sufficient Supply of Water for the domestic and household Purposes of every such Occupier at a Rate not exceeding Seven Shillings and Sixpence *per Annum* for each Crane or Cock used by him, payable in advance, besides the Expence of introducing the Service Pipe into such Dwelling House, and of maintaining the same in proper Repair.

Rates at which Trustees are to supply Water to Dwelling Houses.

CXXII. And be it enacted, That it shall not be lawful to or for any Person or Persons to take or conduct any Water belonging to the said Trustees to any Place whatever, without the special Permission of the said Trustees; and if any Person shall lay or cause to be laid any Pipe to communicate with any Pipe or Pipes belonging to the said Trustees without having previously contracted for the same, every such Person shall forfeit and pay to the said Trustees any Sum not exceeding One Pound Sterling, and it shall be lawful to the said Trustees to stop such Supply of Water by causing the Pipe or Pipes supplying the same to be separated from the Pipe or Pipes belonging to the said Trustees.

Proprietor or Occupier of any Premises not to take Water without having previously contracted with Trustees.

CXXIII. And be it enacted, That if any Person or Persons supplied with Water as aforesaid shall supply any other Person with any Part of such Water, then and in every such Case every Person so offending shall forfeit and pay to the said Trustees any Sum not exceeding One Pound Sterling, to be recovered and applied in manner herein-after directed, and it shall be lawful to the said Trustees to stop such Supply of Water by causing the Pipe or Pipes belonging to such Defaulter to be separated from the Pipe or Pipes belonging to the said Trustees.

Penalty on Persons supplying other Premises with Water.

CXXIV. And be it enacted, That all and every Proprietor or Proprietors, Occupiers or Occupier of One or more Floors or Flats, shall be entitled to take a Service Pipe from any of the Main Water Pipes

How Pipe to be conducted to

different  
Flats of  
same Tene-  
ment.

Pipes up along the back Wall of the Tenement on the Outside, and passing through the sunk Story or lowest Flat: Provided always, that the Expence of laying and putting up the same, and of keeping it in repair, and all Damages occasioned thereby, shall be defrayed by the Person or Persons laying and putting up the same as aforesaid; and in case of any Difference among the said Proprietors or Occupiers, or any of them, such Difference shall be settled by the said Provost and Bailies, or any One of them.

Price of  
Water to  
Shipping.

CXXV. And be it enacted, That it shall be lawful for the said Trustees to supply Vessels with Water, and to exact and charge such Rates for Water so supplied to such Vessels as to the said Trustees shall from Time to Time seem to be just and reasonable, but in no Case exceeding Two Shillings for each Tun of Water so supplied.

Lease of  
Supply of  
Water from  
the Duke of  
Argyll.

CXXVI. And whereas the Magistrates and Town Council of the said Burgh have entered into an Agreement with his Grace the Duke of *Argyll*, whereby, among other things, his Grace has engaged and become bound, previous to the Term of *Whitsunday* One thousand eight hundred and forty-seven, to form and construct a Compensation Pond or Reservoir in *Crosshill Glen*, by throwing an Embankment across the same of at least Twelve Feet in Height at a Point marked on a Plan signed by the Parties to the said Agreement, and to convey the Water therefrom to the upper Reservoir on the Lands of *Crosshill* belonging to the said Duke, by Pipes of at least Five Inches in Diameter, and has also engaged and become bound to let to the said Magistrates and Town Council, for behoof of the Community within the said Burgh, for a Period of Ninety-nine Years from and after *Whitsunday* One thousand eight hundred and forty-six, so much of the Water to be so conveyed from the said Compensation Pond or Reservoir as may pass through a Pipe placed at the Bottom of the said upper Reservoir of Three Inches in Diameter, or of such other Size as may be considered necessary by an Engineer to be appointed in manner directed by the said Agreement, and has further engaged and become bound to let to the said Magistrates and Town Council for the said Period of Ninety-nine Years, and for behoof aforesaid, the upper and lower Reservoirs in the said Lands of *Crosshill*, and the several Springs which at present flow into the same, and that for the Purpose of supplying the Inhabitants of the said Burgh at the public Wells and at their private Dwelling Houses with Water for household and domestic Purposes only; and by the said Agreement it is further provided, that the said Duke and his Successors, so far as the said Magistrates of the said Burgh of *Campbeltown* are concerned, shall have the exclusive Right of supplying the Distilleries, Manufactories, and other Works situate within or in the immediate Vicinity of the said Burgh of *Campbeltown* with Water from the said Reservoirs or Tanks, or elsewhere, in so far as the Supply therefrom shall be sufficient for that Purpose; be it therefore enacted, That the said Agreements so entered into by the said Duke and the said Magistrates, and every Clause, Matter, and Thing therein contained, shall be as binding in all respects, both at Law and in Equity, upon the said Duke, and his Heirs or Disponees, or the Owners of the said  
Lands

Lands of *Crosshill* for the Time being, and upon the Trustees under this Act, as if the same had been entered into by the said Duke and the said Trustees after the passing and under the Authority of this Act.

CXXVII. And be it enacted, That during the Subsistence of the said Lease, or while the Supply of Water thereby provided shall be found sufficient in Quantity and Quality for supplying the Inhabitants of the said Burgh, according to the Limits described in and defined by the said Charter of Erection of the said Burgh, at the public Wells and at their Dwelling Houses, with Water for domestic and household Purposes, it shall not be in the Power of the said Trustees under the Provision of this Act to take Water from the Lands and other Places herein-before mentioned for supplying the Inhabitants of the said Burgh according to the Limits aforesaid, or to impose the Assessment of not exceeding Sixpence *per* Pound on the Rent or yearly Value for Water Purposes, as herein-before provided, or any Part thereof, within the said Burgh, according to the Limits aforesaid; but in the event of the said Supply of Water to be procured under the foresaid Lease being at any Time found insufficient either in Quantity or Quality for the domestic and household Purposes of the Inhabitants of the said Burgh within the Limits aforesaid, on the Report of an Engineer to be appointed by the said Duke or his Heirs or Disponees, or the Owners of the said Lands of *Crosshill* and the Provost of the said Burgh for the Time being, and failing their agreeing thereon, by an Engineer to be appointed by the Sheriff, then and in that Case it shall and may be lawful for the said Trustees and they are hereby authorized and empowered to take and appropriate from the Lands and others herein-before mentioned such additional Water (as with the Supply to be obtained from the said Duke under the said Lease, if the same is not deficient in Quality,) as may be necessary under the Provisions of this Act for supplying the said Burgh within the Limits aforesaid with Water for household and domestic Purposes, and to impose, exact, and levy from the Tenants or Occupiers within the said Burgh, according to the Limits aforesaid, either the whole or so much of the said Assessment, of not exceeding Sixpence *per* Pound on the Rent or annual Value for Water by this Act provided as may be required for introducing such additional Supply of Water into the said Burgh within the Limits aforesaid.

No Water to be brought in, nor Assessment for Water levied, while Supply of Water under Lease found sufficient.

CXXVIII. And be it enacted, That so long as the Supply of Water to be furnished by the said Duke shall be sufficient for the said Distilleries, Manufactories, and other Works, it shall not be in the Power of the said Trustees, under the Provisions of this Act, to take Water from the Lands and others herein-before mentioned for supplying the same; but in the event of the said Supply of Water being at any Time found insufficient for supplying the said Distilleries, Manufactories, and other Works, on the Report of an Engineer to be appointed in the Manner before provided, then and in that Case it shall and may be lawful for the said Trustees and they are hereby authorized and empowered to take and appropriate such

In the event of a deficient Supply to Manufactories by the Duke of Argyll, Trustees may afford such Supply.

[Local.]

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Quantity

Quantity of Water from the Lands and others herein-before mentioned as along with that supplied by the said Duke and his Successors may be necessary for supplying the said Distilleries, Manufactories, and other Works with Water, upon such Terms as may be mutually agreed upon between the said Trustees and the Parties who may be desirous of such Supply.

Power to the Duke of Argyll to open the Streets of the said Burgh.

CXXIX. And be it enacted, That it shall and may be lawful for the said Duke of *Argyll* and his Successors, during the Subsistence of the said Lease, by themselves, Servants, Agents, Surveyors, and Workmen, to make and construct within the said Burgh of *Campbeltown*, according to the aforesaid Limits, such Cuts, Drains, Aqueducts, Pipes, and other Conduits and Conveyances as may be necessary for the Purpose of supplying the said Distilleries, Manufactories, and other Works with Water, and to put and from Time to Time remove, alter, and repair Stopcocks and Branches from such Cuts, Drains, Aqueducts, Pipes, and other Conduits, in such Places and in such Manner as the said Duke and his Successors shall think proper, for supplying the said Distilleries, Manufactories, and other Works with Water, and for all or any of the Purposes aforesaid, to break up and open the present and future Roads, Streets, Squares, Lanes, and Passages within the said Burgh, according to the Limits aforesaid, as may by the said Duke and his Successors be deemed necessary, subject nevertheless to the same Provisions, Regulations, and Restrictions as are herein-before contained with reference to the breaking up and restoring of Streets by the Trustees.

Trustees to affix Fire-plugs into Mains.

Disputes to be settled under 8 & 9 Vict. c. 18. until an Inspector is appointed.

CXXX. And be it enacted, That the Trustees, at the Request of the Magistrates and Town Council of the said Burgh, shall and they are hereby required to fix proper Fire-plugs into the Main and other Pipes belonging to the Trustees which are already laid or which may hereafter be laid by them within the Limits of this Act, at such convenient Distances from each other and at such Places as may be considered most proper and necessary for the Supply of Water in extinguishing Fire; and in case any Difference of Opinion shall arise as to the proper Position or Number of such Fire-plugs, such Disputes shall be settled in manner following; (that is to say,) until an Inspector or public Officer shall be appointed in this Behalf under the Powers of some general Act to be passed in this or any future Session of Parliament, in the same Manner as Disputes as to Compensation for Land under the Amount of Fifty Pounds may be settled under the Provisions in the "Lands Clauses Consolidation (*Scotland*) Act, 1845," herewith incorporated, and after the Appointment of such Inspector or public Officer as aforesaid, then by such Inspector or public Officer so appointed.

Trustees to repair Fire-plugs, and to deposit Keys at Engine House.

CXXXI. And be it enacted, That the Trustees shall from Time to Time repair, renew, and keep in proper Order every such Fire-plug, and as soon as any such Fire-plug shall have been completed the said Trustees shall deposit a Key thereof at each Place within the Limits of this Act where any public Fire Engine shall be kept for extinguishing Fire, and in any other Places directed by the said Magistrates

trates and Town Council, and affix a public Notification in some conspicuous Place by the Side of each Street, Highway, or Place in which such Pipe shall be situate, to denote the Situation and Distance of such Fire-plug, and which Notification the Trustees are hereby authorized to put up on any House or Building on the Side of such Street, Highway, or Place.

CXXXII. And be it enacted, That the Cost of such Fire-plugs, and the Expence of fixing, placing, and maintaining the same in repair, and of providing such Keys as aforesaid, shall be defrayed by the said Trustees.

Expence of Fire Plugs how to be borne.

CXXXIII. And be it enacted, That it shall at any Time be competent to any Person, being the Owner or Occupier of any Building or Manufactory situated near to any main or other Pipe of the said Trustees, to require them to place Stopcocks and Fire-plugs, at the Expence of the Party requiring the same, opposite or near to such Building or Manufactory, and to attach the same to the Pipes most suitable for that Purpose, to be used for extinguishing Fires only, unless it shall be otherwise agreed upon by and between such Owner or Occupier and the said Trustees, and that exclusively of and in addition to the Fire-plugs to be provided by the said Trustees.

Proprietors of Manufactories may require Company to place Fire-plugs adjacent thereto.

CXXXIV. And be it enacted, That the Trustees shall at all Times keep charged to the full with Water, under sufficient Pressure, all the Pipes belonging to the said Trustees to which any Fire-plugs shall be fixed, and shall permit and suffer all Persons at all Times to take and use such Water for the Purpose of extinguishing Fire, without making Compensation for the same.

Water may be taken to extinguish Fires.

CXXXV. And be it enacted, That the Trustees shall provide and keep constantly laid on a Supply of pure and wholesome Water, sufficient for the domestic Use of all the Inhabitants of *Campbeltown* who are entitled to demand a Supply as herein-after provided, and who shall or may be willing to contract for the Purchase thereof upon the Terms herein mentioned; and the Trustees shall cause Pipes to be laid down and Water to be conducted to every Part of such District, when Two Thirds at least of the Owners and Occupiers of Houses and other Premises therein shall require, by an Application in Writing addressed to the Clerk of the said Trustees, and shall agree to take, such a Supply of Water for Three Years at least as that the annual Payment for the same at the Rates herein specified shall be equal to One Tenth Part of the Expence of providing and laying down such Pipes.

Constant Supply of Water to be kept for domestic Purposes.

CXXXVI. And be it enacted, That if, for Twenty-eight Days after Demand in Writing made to the Clerk or Surveyor of the Trustees, and Tender made to such Clerk or Surveyor of the Amount of the Portion of the Rate payable in advance, the Trustees shall neglect or refuse to lay down Pipes in the Manner herein-before directed, and to provide and keep constantly laid on such Supply of Water, the Trustees shall forfeit to the Owner or Occupiers making such

Penalty for Neglect to lay Pipes or supply Water for domestic Use.

such Demand as aforesaid treble the Amount of Rate so tendered, and shall also forfeit the further Sum of Twenty Shillings for every Day during which they shall neglect or refuse to lay down such Pipes, or to provide such Supply of Water.

Power to  
Inhabitants  
to lay Ser-  
vice Pipes.

CXXXVII. And be it enacted, That it shall be lawful for such of the Inhabitants within the said Burgh and Places adjacent as shall be desirous of having Water from the Waterworks of the Trustees conveyed into their Premises to open the Ground between the Main and Branch Pipes of the Trustees and their respective Houses, Buildings, and Premises, and to lay Service Pipes from such Premises to communicate with the Main or Branch Pipes of the Trustees: Provided always, that every such Inhabitant shall, before he shall commence laying any Service Pipe to communicate with the Pipes of the Trustees, give the Notices herein required, and comply with the other Requirements herein-before specified.

Communi-  
cations to be  
made under  
Superin-  
tendence of  
Trustees  
Surveyor.

CXXXVIII. And be it enacted, That before any Service Pipe is made to communicate with the Main or Branch Pipes of the Trustees the Inhabitant intending to lay such Service Pipe shall give Six Days Notice to the Dean of Guild, or Person having the Control of the Streets, and also a like Notice to the Trustees, of the particular Day and Hour when such Pipe is intended to be made to communicate with the Pipes of the Trustees; and every such Service Pipe shall be so made to communicate under the Superintendence and according to the Directions of the Surveyor or other Officer appointed for that Purpose by the Trustees.

Water to be  
supplied for  
Sewers,  
Drains, and  
other public  
Purposes.

CXXXIX. And be it enacted, That the Trustees shall provide and keep constantly laid on in the Pipes to which any Fire-plug shall be fixed a sufficient Supply of Water for cleansing the Sewers and Drains, or for cleansing and watering the Streets, at such Rates and in such Quantities, and upon such Terms and Conditions as may be agreed upon by and between the said Magistrates and Town Council and the said Trustees, or, in case of Disagreement, as shall be settled in the same Manner as is herein provided in regard to Disputes as to the Number and Position of Fire-plugs.

Penalty for  
Refusal or  
occasional  
Failure of  
Supply.

CXL. And be it enacted, That if the Trustees shall neglect or refuse to furnish to the said Magistrates and Town Council, or to any Owner or Occupier entitled to receive a Supply, a sufficient Supply of Water during any Portion of the Period for which the Rates for such Supply shall have been paid, they shall forfeit to the Persons having paid the Rate the Sum of Twenty Shillings for every Day during which such Refusal or Neglect shall continue after Notice in Writing shall have been given to the Trustees of the Want of Supply, but no Penalty shall be payable by the Trustees if the Want of such Supply shall arise from Frost or other unavoidable Cause or Accident,

Trustees to  
lay down  
Service

CXLI. And whereas the Houses of the Poor are in many Cases not supplied with Water, on account of the Inability of Owners or Occupiers to lay down the Communication Pipes and other Apparatus; be



be it enacted, That it shall be lawful for the Trustees and they are hereby required, upon the Request of the Owner of any House, Building, or Premises in any Street or Place where Pipes shall have been laid down by the Trustees, or upon Request of the Occupier, with the Consent in Writing of the Owner or reputed Owner thereof, or of his Agent or Receiver, and upon Payment or Tender of the Proportion of Water Rate in respect thereof hereby made payable in advance, to lay down Communication Pipes and other proper or necessary Apparatus for the Supply of such House, Building, or Premises with Water for domestic or other Purposes, and to keep the same in repair, and to charge for the same such reasonable annual Rent or Remuneration in Money as shall be agreed upon, or, in case of Dispute, as shall be settled by any Inspector or public Officer that may be hereafter appointed by any Act in this or any future Session of Parliament; and such Rent or Remuneration shall be chargeable on and recoverable from the Occupier, or, in his Default, from the Owner of such House, Building, or Premises, or his Agent or Receiver, at the same Times and in the same Manner as Rents due to the Trustees in respect of such Supply of Water; and such Pipes and other Apparatus shall not be subject to Distress for Rent, nor to be taken in Execution on any Judgment of a Court of Law or under any Fiat in Bankruptcy against any such Occupier or Owner, any Law or Practice to the contrary notwithstanding: Provided always, that the Trustees shall not be liable to make good any Loss or Damage which may arise by Leakage of Water or otherwise from Pipe or Apparatus so laid down by them.

Pipes,  
on Request  
of Occupier,  
and with  
Consent of  
Owner.

CXLII. And be it enacted, That if the Trustees shall neglect or refuse to lay down such Service Pipes or other Apparatus upon such Request and Consent, and upon Tender or Payment of such Rates or Remuneration as aforesaid, the said Trustees shall be liable to forfeit and pay to the Person so making such Request the Sum of Forty Shillings.

Penalty for  
Refusal to  
lay Com-  
munication  
Pipes.

CXLIII. And be it enacted, That in case the Occupier of the Premises in which such Water Pipes or other Apparatus shall have been affixed by the Trustees shall refuse to receive and pay for such Supply of Water, or in case of the Nonoccupation of such Premises, the Trustees may demand and enforce Payment from the Person liable to pay the Rent or Remuneration of the Amount of the Principal Money invested by them in supplying and affixing such Pipes and other Apparatus, and may, if such Person shall, after Ten Days Notice given to him by the Trustees, neglect or refuse to pay such Principal Money, enter and remove such Pipes and other Apparatus, and deduct the Value thereof from such Principal Money; and such Principal Money, or any Part thereof remaining due, together with all Arrear of Rent for such Pipes and Apparatus, shall, in default of Payment, be recovered, together with the Costs incurred, in the same Manner as Rates for Water are directed by this Act to be recovered.

Trustees  
to be at  
liberty to  
remove  
the Pipes,  
and recover  
Expences.

CXLIV. Provided always, and be it enacted, That it shall be lawful for such Owner or reputed Owner of any Houses, Buildings, or

Owner to be  
at liberty to  
purchase  
the Pipes.

[*Local.*]

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Premises

Premises where any such Service Pipes or other Apparatus shall have been laid down by the Trustees, at any Time to pay off the Amount which shall be then due to the Trustees in respect of the Cost of such Service Pipes and other Apparatus, and thereupon such Pipes and Apparatus shall become the Property of such Owner, and all further Rent in respect thereof shall cease to accrue to the Trustees.

Owners liable to pay Water Rates for Houses under annual rateable Value of 10*l.* Pounds a Year.

CXLV. And be it enacted, That the Owners of all Dwelling Houses or Parts of Dwelling Houses occupied as separate Tenements, and receiving the Supply of Water from the Trustees, the annual rateable Value of which Houses or Tenements shall not exceed the Sum of Ten Pounds, and which Houses or Tenements shall be let for Periods not exceeding One Month, shall be liable and subject to the Payment of all Rates, Rents, and other Charges made by the Trustees; and the Powers and Provisions herein contained for the Recovery of Rates, Rents, and other Charges from Occupiers shall be construed to extend and apply to the Owners of such Houses and Tenements.

What Persons deemed Owners.

CXLVI. And in order to prevent any Dispute touching the Meaning of the Word "Owner," for the Purpose of recovering any Rates, Rents, or other Charges under the Provisions of this Act, be it enacted, That the Person receiving the Rents of any Houses or Tenements supplied with Water by the said Trustees from the Occupier thereof, on his own Account or as Agent for any Person interested therein, shall be deemed the Owner of such Houses or Tenements.

Certain Provisions not to come into operation until a public Officer is appointed.

CXLVII. Provided always, and be it enacted, That the Enactments herein-before contained requiring the Trustees to lay down Service Pipes and other necessary Apparatus for the Supply of Water to Occupiers of Houses or Parts of Houses shall not take effect until some general Act shall have been passed in this or some future Session of Parliament providing for the Appointment of an Inspector or other public Officer to determine the Matters herein-before required to be determined by such an Officer.

Trustees not exempted from the Provisions of any future general Act.

CXLVIII. Provided always, and be it enacted, That nothing herein contained shall be deemed to exempt the said Trustees from the Provisions, Regulations, and Conditions which may be contained in any general Act for improving the Condition of Towns and populous Districts, or for providing a better Supply of Water, which may be passed in this or any future Session of Parliament.

Penalties for causing the Water to be corrupted.

CXLIX. And be it enacted, That every Person who shall commit any of the following Offences shall for every Offence forfeit a Sum not exceeding Five Pounds; (that is to say,)

1. Every Person who shall bathe in any Reservoir or Water belonging to the Trustees, or who shall cause any Dog or other Animal to go into any such Reservoir or Water, or shall bathe or wash any such Dog or Animal therein :

2. Every

2. Every Person who shall throw any Gravel, Stone, Rubbish, Filth, or other offensive Thing into, or wash or cleanse any Cloth, Wool, Leather, or Skin of any Animal, or any Wearing Apparel or other Thing, in any such Reservoir or Water as aforesaid :
3. Every Person who shall cause or permit the Water of any Sewer, Sink, or Drain, or other filthy Water belonging to him or under his Control, to run or be conveyed into any of the Water belonging to the Trustees, or into any Spring, Drain, or Watercourse communicating therewith, or shall commit or cause any Act whereby the Water of the Trustees shall be fouled or corrupted.

CL. And be it enacted, That it shall be lawful to and for the said Trustees and they are hereby authorized and required to provide, erect, and maintain such a Number of Lamps, Lamp Posts, Lamp Irons, and other Appurtenances as may be necessary for lighting in a suitable Manner, either with Gas or otherwise, the several Streets, Squares, Lanes, and public Passages or Thoroughfares within the said Burgh, and for that Purpose to break up Pavements, and other Ways, Parts, or Pertinents of any of the present or future Roads, Streets, Squares, Lanes, Passages, public Courts, Footways, and other Places within the Limits of this Act, subject to such and the same Provisions, Regulations, and Restrictions as are herein contained with reference to the Supply of Water, and to light or enter into Contracts for lighting such Lamps, either by means of Gas, Oil, or such other Lights of an improved Kind as they may at any Time and from Time to Time find expedient ; and it shall be lawful to and in the Power of the said Trustees to order the Lamp Irons and Lamps in the said Burgh to be fixed either upon the Sides of the Causeways and Streets, or upon the Curbstones of the Pavements, or at the Railings or in the Walls of the Buildings on the Sides of the Streets, upon indemnifying the Proprietors or Possessors of the said Buildings for any Damage thereby done.

Trustees to erect Lamps, and light or contract for lighting Streets.

CLI. And be it enacted, That all and each of the Lamps which now are erected or may be erected in pursuance of this Act shall be lighted at such Hour or Hours as the said Trustees shall direct, and that the Period of the Year at which the lighting of the said Lamps shall commence shall not be later than the First Day of *September* in each Year, and that the Period at which the said lighting shall cease shall not be earlier than the First Day of *May* thereafter.

Period of Year within which Lamps to be lighted.

CLII. And be it enacted, That in case any Person or Persons shall accidentally or carelessly break, throw down, or damage any of the said Lamps, or the Irons or other Appurtenances thereof, belonging to the said Trustees, and shall not immediately upon Demand make Satisfaction for the Damage done, then and in every such Case it shall and may be lawful to and for the said Provost and Bailies, or any One of them, upon Complaint by the Collector or other Officer of the said Trustees, to award such Sum or Sums of Money by way of Satisfaction for such Damage as the said Provost and Bailies, or any

Penalty for stealing or breaking Lamps.

any One of them, shall think reasonable, and in case of the Neglect or Refusal of the said Party or Parties forthwith to pay such Sum or Sums of Money so awarded, to cause the same to be levied by Seizure and Sale of his, her, or their Goods and Effects, in manner herein-before provided for Recovery of the Assessment by this Act authorized, the Surplus, if any, to be paid to such Party or Parties.

Power to Trustees to light Streets with Gas.

CLIII. And be it enacted, That it shall be lawful to and in the Power of the said Trustees to purchase and acquire, feu, or rent any Grounds, Houses, or Tenements, and to make and procure, lay, and erect Apparatus, Pipes, Furnaces, Gas Meters, Buildings, and Works, for the Manufacture of Gas, and to break up all Roads, Streets, Ways, Passages, Lanes, Causeways, Side Pavements and other Places within the Limits of this Act, subject to the same Provisions, Regulations, and Restrictions as are herein contained with reference to the Supply of Water for receiving Pipes, Branches thereof, or other Apparatus, and in general to use and employ all such Ways and Means as may be necessary for making and preparing and for conveying and bringing a sufficient Supply of Gas from the Place or Places, Building or Buildings, where the same shall be made, to any of the Streets, Squares, Lanes, or other Places, or to any of the said Houses, Buildings, or other Tenements of the said Burgh, and from Time to Time to repair, maintain, and enlarge the Apparatus, Pipes, Furnaces, Gas Meters, Buildings, and Works, or any Part thereof: Provided always, that Indemnification be in every Case made as herein-before provided to any Person or Persons whose Property may be injured by the erecting or constructing of such Apparatus, Pipes, Furnaces, or other Works, or any Part thereof, as aforesaid.

Washings, &c. to be carried off by proper Sewers.

CLIV. And be it enacted, That it shall be lawful for the said Trustees to make Sewers or Cuts of such Breadth, Depth, and Dimensions, and in such Manner, as shall be necessary, under the said Streets and other Places within the said Burgh, for carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Trustees immediately repairing all Surface or other Damage which may arise from such Operations.

Power to open Streets for lighting with Gas Houses, Shops, Manufactories, &c.

CLV. And be it enacted, That such of the Inhabitants of the said Burgh as already have or shall be desirous of having Gas let into their Houses, Shops, Warehouses, Counting-houses, Manufactories, or other Places, or Pertinents thereof, may and they are hereby authorized and empowered, at their own Expence, subject to the same Provisions, Regulations, and Restrictions as are herein contained with reference to the Supply of Water, to open the Ground between the Pipes from which the said Burgh is or shall be lighted and the respective Houses, Shops, Warehouses, Counting-houses, Manufactories, or other Places, or Pertinents thereof, as aforesaid, of such Inhabitants, and to lay Pipes from such respective Houses, Shops, or other Tenements or Pertinents as aforesaid, to communicate with  
the

the Pipes from which the said Burgh is or shall be lighted, in any Road, Street, Pavement, Lane, Passage, or Place within the Limits of this Act; and if any Person shall lay or cause to be laid any Pipe to communicate with any Main Pipe or other Pipe, without the Consent of the said Trustees obtained thereto in Writing, every such Person shall forfeit and pay any Sum not exceeding Five Pounds Sterling for every Day such Pipe shall so remain: Provided always, that such Inhabitants of the said Town, or others as shall have laid Pipes as aforesaid, shall be at liberty to remove and take away the same, and the Cocks thereto belonging, giving always Forty-eight Hours previous Notice of such Intention to the said Trustees; and any Person or Persons who shall remove his, her, or their Pipe or Pipes without such Notice as aforesaid shall forfeit and pay for every such Offence a Sum not exceeding Forty Shillings, to be recovered and applied in manner herein-after directed, besides being liable for any Damage that may arise in consequence of such Neglect.

CLVI. And be it enacted, That whenever any Gas shall be found to escape from any of the said Pipes the said Trustees or other Proprietors of the Gas Works, or the Person or Persons using Gas, shall, immediately after receiving Notice in Writing of any such Escape of Gas from any Inhabitant or Inhabitants of the said Burgh, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Trustees, Proprietors, or others aforesaid shall not, within Twenty-four Hours after such Notice being given of any Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Trustees, Proprietors, or others aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds Sterling for each and every Day after the Expiration of Twenty-four Hours after such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty shall be from Time to Time recoverable in a summary Way before the Sheriff or Magistrates, as herein-before provided for.

Penalty on allowing Escape of Gas after Notice.

CLVII. And be it enacted, That if any Company or Person making or supplying any Gas or inflammable Air within the Limits of this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the Limits of this Act, or belonging to the Trustees, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then such Company or Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty on Persons supplying Gas allowing Water to be corrupted.

CLVIII. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, by Action in any

Penalty to be sued for

[*Local.*]

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competent

within  
Twelve  
Months.

competent Court, by the Person into whose Water such Washing, Substance, or Thing shall be caused or suffered to be conveyed or shall flow, or whose Water shall be fouled or corrupted by any such Act as aforesaid: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Pe-  
nalty during  
the Con-  
tinuance of  
the Offence.

CLIX. And be it enacted, That in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not) the Company or Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be caused or suffered to be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person or Company, or their Clerk (as the Case may be, or his Servant or Agent, or left at his last known Place of Abode), by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Pe-  
nalty during  
Escape of  
Gas after  
Notice.

CLX. And be it enacted, That whenever any Gas shall escape from any Pipe which is now or shall be hereafter laid down or set up by any Company or any Person making or supplying any Gas within the Limits of this Act, such Company or Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Company or Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then such Company or Person shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Daily Pe-  
nalty during  
the Con-  
tinuance of  
Contamina-  
tion of  
Water after  
Notice.

CLXI. And be it enacted, That if the Company or Person so making or supplying Gas shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected served on them or him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Company or Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be contaminated or affected, any Sum not exceeding Ten Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Mode of as-  
certaining  
whether

CLXII. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of any Company or Person making or supplying  
Gas

Gas within the Limits of this Act; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Company or Person making or supplying Gas, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Company or Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Company or Person making or supplying such Gas of the Time at which such digging and Examination are intended to commence and take place.

Water is contaminated.

CLXIII. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Company or Person, the Expences of the digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Company or Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Company or Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Company or Person any Injury which may be occasioned to the Works of the said Company or Person by such Examination.

Expences to abide the Examinations.

CLXIV. And be it enacted, That the Amount of the Expences of any such Examination and Repair, and of any Injury done to the Company or Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is made by this Act are hereby directed to be ascertained and recovered.

Expences to be ascertained and recovered as other Damages under the Act.

CLXV. Provided always, and be it enacted, That nothing in this Act contained shall protect any Company or Person supplying Gas within the Limits of this Act from any Indictment for any Nuisance or any other legal Proceeding to which they or he may be liable in consequence of the making or supplying such Gas.

Persons supplying Gas to be liable to Indictment for Nuisance.

CLXVI. And be it enacted, That all Contracts and Agreements heretofore entered into between the Magistrates and Town Council of *Campbeltown* on the one Part, and the *Campbeltown* Gas Company on the other Part, for lighting the public Lamps of the said Burgh, and regulating the Price of Gas, shall be binding upon the Trustees acting under the Authority of this Act, and their Successors in Office; and that it shall and may be lawful for the said Trustees, and they are hereby required, to exercise and use all and every the Powers by this Act granted for the due Fulfilment of the said Contracts or Agreements accordingly.

Contracts with *Campbeltown* Gas Company to be binding on Trustees.

CLXVII. And be it enacted, That it shall and may be lawful for the said Trustees to construct proper Main Drains or Sewers in all Roads,

Power to Trustees to make

Sewers and  
Drains.

Roads, Streets, Squares, Lanes, and Passages of the said Burgh requiring the same, and to make proper conducting Drains for leading Rain Water or Soil Water into such Main Drains, all of such Dimensions as may be judged necessary, and in such Manner and Form as they shall direct; and it shall and may be lawful for a Majority in point of Rental or annual Value of the Proprietors of Houses situated on any Road, Street, Square, Lane, or Passage within the said Burgh, where Sewers or Drains shall appear necessary for the Health or Comfort of the Inhabitants, to apply to the Magistrates, requiring that the Drains or Sewers considered necessary should be made, or that existing Drains or Sewers should be renewed or enlarged; and upon such Application the Magistrate shall inspect or cause the Street or Place proposed to be drained to be inspected, and shall fix the Site and Dimensions of such Drains and Sewers as they may find necessary, and the Expence thereof, and of keeping the same in repair, shall be borne and defrayed by the said Trustees.

Water from  
Roofs of  
Houses to  
be conveyed  
in Pipes.

CLXVIII. And be it enacted, That the Owners or Proprietors of all Houses and other Buildings fronting any public Street, Square, or other public Place within the said Burgh, so far as occupied by themselves or by Tenants at Will, and the Occupiers thereof so far as let for a Period of Years, shall cause the Waters from the Roofs of such Houses or Buildings to be received and conveyed in Leaden or other Pipes affixed against or on the Sides or Fronts of such Houses or Buildings, and conducted, to the Satisfaction of the said Trustees, so as that the same shall be discharged into the nearest Sewers, and which Pipes the said Owners, and the Tenants thereof, so far as the same are let for a Period of Years, shall be bound to keep clear and in repair at their own Expence; and in case such Owners shall refuse or neglect to cause the Water to be conveyed as aforesaid, and the Pipes to be kept clear and in repair, it shall and may be lawful to the Magistrates and they are hereby authorized, on the Complaint of the Dean of Guild, to cause to be put up and affixed the Pipes which may be necessary, and to be repaired and cleaned at the Charge and Expence of such Owners or Tenants respectively; and in case such Owners or Tenants shall refuse or neglect to pay such Charges, when required, it shall and may be lawful for the said Magistrates, on the Complaint of the said Dean of Guild, to decern such Charges and Expences to be paid by such Owners or Tenants, either to the Tradesmen by whom the Work shall have been done, or to any other Person or Persons to be named by the said Magistrates, with the additional Expence incurred in recovering the same.

To prevent  
future En-  
croachments  
on Streets.

CLXIX. And be it enacted, That it shall not be lawful for any Person or Persons, after the passing of this Act, to erect any Stairs, Buildings, Projections, or other Erections, so as to encroach upon any of the Streets or Footpaths of the said Burgh, or otherwise obstruct the free Passage of such Streets or Footpaths; and any Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall forthwith remove all such  
Stairs,



Stairs, Buildings, Projections, or other Erections, upon being thereto required by the Magistrates; and in the event of any such Person or Persons refusing or delaying to remove the said Stairs, Buildings, Projections, or other Erections, it shall be in the Power of the Magistrates to order the same to be removed forthwith at the Expence of the said Persons respectively.

CLXX. And be it enacted, That when any House or Houses, Tenement or Tenements, fronting the said Streets, Lanes, Squares, or other public Places, are to be taken down, unroofed, or repaired, or to undergo any Alteration whatever, whereby Risk shall arise of Stones, Slates, Timber, or any other Thing falling upon the Street or Foot Pavement, or in case any Deposit of Stones or Building Materials, or Sheds for Masons or other Workmen, shall be placed or erected upon or any Hole or Opening shall be made in or adjoining to any of the Streets, Lanes, Passages, Squares, or public Places of the said Burgh, for the Purpose of building, making Wells or Drains, laying Pipes, or for any other Purpose, every Person or Persons carrying on or causing to be carried on such Works, or making or causing to be made the said Deposits, Sheds, Holes, or Openings, and the Persons employed or concerned therein, shall, at his, her, or their own Expence, cause a sufficient Rail or Fence, at the Sight and under the Direction of the said Dean of Guild, to be put round such Parts of the Streets or Foot Pavements as are opposite to the said Houses or Tenements, and round the said Deposit, Sheds, Holes, or Openings, and shall also cause Lamps or Lights to be affixed at or near the same, to be kept burning every Night from Sunset to Sunrise; and in case any Person or Persons shall refuse or neglect to fence in a sufficient Manner to the Satisfaction of the Dean of Guild, and to affix and keep burning the said Lamps or Lights in manner aforesaid, it shall and may be lawful for the Magistrates to decern the Person or Persons so offending to pay any Sum not exceeding Five Pounds Sterling for each Day's Failure, to be recovered and applied as herein-after directed, and also to order the said Streets, Footpaths, Deposits, Sheds, Holes, or Openings to be fenced, and Lamps or Lights to be affixed and kept burning thereat, by and at the Expence of the Person or Persons concerned or employed therein, reserving always to any Person or Persons who may suffer Injury by such Operations or Neglect in fencing or lighting to prosecute the Defaulters for Reparation and Damages.

When Houses under repair, Streets and Pavement to be fenced round.

CLXXI. And be it enacted, That it shall and may be lawful for the said Trustees to hire and employ Watchmen, Scavengers, and other Persons for watching and cleaning the Streets, Squares, Lanes, public Passages and Thoroughfares of the said Burgh, together with the Breasts and Quays of the Harbour and Wharfs thereof, and to provide Carts and all Implements and Accommodations necessary for such Purposes; to increase or diminish the Number of the said Watchmen and Scavengers and other Persons, from Time to Time, as may be expedient, and to issue such Rules and Directions for the Regulation of their Conduct, and the effectual Performance of their

Power to Trustees to hire Scavengers, &c. for cleaning Streets, or to contract for that Purpose.

[*Local.*]

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respective

respective Duties, as to the said Trustees shall seem necessary; such Watchmen, in virtue of their Appointment, and so long as they hold the same, and no longer, to be subject to all the Regulations and possess and exercise all the Powers applicable and belonging to the Office of Constable by the Law of *Scotland*, and before acting to be sworn in as Constables by the Sheriff, Magistrates, or Justices; and it shall be lawful to the said Trustees to sell or dispose of the Soil, Dirt, Ashes, and Fulzie collected from the said Streets, Squares, Lanes, and other Places, the Money thence arising to be applied to the Purposes to which the said Assessment is applicable as aforesaid, and to contract with other Persons to sweep and clean the said Streets, Squares, Lanes, and other Places, if at any Time they shall think proper, and as often as they may think proper so to do.

Occupiers  
of Closes,  
&c. to clean  
them at their  
own Ex-  
pence.

CLXXII. And be it enacted, That from and after the passing of this Act all Courts, Closes, and Lanes within the said Burgh, not being Thoroughfares, shall be kept clean and clear of all Dung, Fulzie, or Rubbish, and shall be swept and cleaned, at the Expence of the Occupier and Occupiers thereof, or of the Houses, Buildings, or Premises therein situated, at least twice each Week, either by the Occupiers, or by the said Trustees at their Expence; and if the Occupier or Occupiers of such Courts, Closes, and Lanes, or of the Houses, Buildings, and Premises therein, shall not so sweep and keep clean the said Courts, Closes, and Lanes, every such Occupier shall forfeit and pay any Sum not exceeding Ten Shillings Sterling for each Offence, along with the Expence of sweeping and cleansing the said Courts, Closes, and Lanes.

Apportion-  
ment of Ex-  
pence, where  
more Oc-  
cupiers than  
One.

CLXXIII. And be it enacted, That where the said Courts, Closes, and Lanes, or Houses, Buildings, and Premises therein, or occupied by more than One Person or Family, the several Occupiers shall be obliged to defray the Expence of sweeping and cleaning the said Courts, Closes, and Lanes in proportion to the Rent or annual Value of their respective Premises; and in case any Dispute or Difference shall occur among such Occupiers, relative to their Proportion of the said Expence, it shall and may be lawful to the Magistrates, after hearing the Parties concerned, by a Sentence or Decree to be pronounced by them to determine the Amount and Proportion to be paid by each Occupier, and to discern for the same, which Determination shall be final and conclusive, and shall not be subject to Review by Suspension, Advocation, Reduction, Appeal, or otherwise: Provided always, that where any One or more of the Proprietors are, by their Title Deeds or otherwise, burdened with the Expence of sweeping or cleaning the said Courts, Closes, and Lanes, the Tenants or Occupiers shall continue to be subject to that Burden.

Occupiers  
of Shops,  
&c. to clean  
Pavements.

CLXXIV. And be it enacted, That all and every Person or Persons who shall possess the Shops, or inhabit the Ground or Street Floor of any Dwelling House or other House or Building adjoining to or fronting the Foot Pavements within the said Burgh, shall cause the same, along the Fronts of their respective Shops, Houses, and Premises,

Premises, to be swept, scraped, and cleaned once every lawful Day between the Hours of Six and Nine in the Morning; and where there are no Possessors therein every Person or Persons who shall possess the Second Floor, or where there are no Possessors therein the Person or Persons who shall possess the next Floor, and so on, of any such Dwelling House or Building, or where there are no Tenants or other Possessors in any Part of such Building or Tenement the Proprietor or Proprietors of the same, shall cause the said Pavement, and also the Pavement in front of the Entry or Passage itself, to be in like Manner swept, scraped, and cleaned once every lawful Day between the said Hours of Six and Nine; and if they or any One of them shall fail so to do it shall be lawful for the Magistrates to decern in a summary Manner such Possessors and Proprietors to pay any Sum not exceeding Two Shillings and Sixpence Sterling for each Offence or Neglect, to be levied in manner herein-after directed; and in case any Dispute shall arise among the said Possessors and Proprietors relative to the said sweeping, scraping, and cleaning, it shall be lawful to the Magistrates to inquire into the Matter and determine the same.

CLXXV. And be it enacted, That all Persons who shall lay or cause to be laid, on any Part of the Streets, Lanes, or other public Ways in the said Burgh, any Dung, Ashes, or Fulzie, for the Purpose of transporting it to other Places, shall lay down and also remove the same before Nine of the Clock of the Morning on the Day in which it is so laid down, in the Months of *October, November, December, January, and February*, and before Eight of the Clock of the Morning in the Months of *March, April, May, June, July, August, and September*, and the Carts employed in removing and transporting the same shall be so close, tight, and sufficient, and shall be so loaded, as to prevent any Part of the Contents from falling out or over; and immediately after such Removal the Person so laying down or causing to be laid down such Dung, Ashes, or other Nuisance as aforesaid shall sweep, scrape, and clean, or cause to be swept, scraped, and cleaned, those Parts of the Foot Pavements, Streets, Passages, or other Places on which such Dung, Ashes, or Fulzie may have been laid down, or over which it may have been wheeled or conveyed to the Carts employed in removing the same, under a Penalty not exceeding Two Shillings and Sixpence for each Offence; and no Person or Persons shall lay or cause to be laid, upon any of the Streets, Pavements, Lanes, Footways, Alleys, Passages, or Closes, whether Thoroughfares or not, of the said Burgh, any Dung, Ashes, Fulzie, Rubbish, or Nuisance of any Kind, on any Pretence whatever, except as aforesaid, under a Penalty not exceeding Two Shillings and Sixpence for each Offence, to be levied and applied in manner also herein-after directed.

No Dung or Ashes to be laid down in Streets except at certain Times.

CLXXVI. And be it enacted, That it shall not be lawful for any Dealer in Dung to form Dunghills or to collect Manure for Sale within the said Burgh, or to lay down Dung, Fulzie, or other Refuse on any of the public Streets, Lanes, Footways, Alleys, Passages, or Closes or other public Places, whether Thoroughfares or not, except as

Accumulations of Dung, &c. prohibited.

as

as herein-before provided, or for any Person or Persons to mix or allow to be mixed with the Dung, Fulzie, and Refuse of Stables or Cowhouses belonging to private Parties any Dung, Soil, Dirt, Ashes, or Fulzie vested by this Act in the said Trustees, nor to allow or permit any Dung, Soil, Dirt, Ashes, or Fulzie to accumulate within his, her, or their Cellars, so as to become a Nuisance, nor to accumulate the Dung, Soil, or Refuse of any Stable, Cowhouse, or Pighouse for more than Thirty Days, or so as to become a Nuisance; and every Person convicted of any One of such Offences shall not only be subjected in Payment of a Penalty not exceeding Ten Shillings for every Offence, but it shall be competent for the Magistrate, upon a Certificate being presented to them, signed by any Two Physicians or Surgeons, and by any Three of the said Trustees, that any such Accumulation of Dung or Fulzie on or in the Neighbourhood of any Parts of the Streets, Lanes, Footways, Alleys, Passages, or Closes, or other public Places, whether Thoroughfares or not, within the said Burgh, ought to be removed, as being prejudicial to the Health of the Inhabitants, to give or cause Notice to be given in Writing to the Owners of such Dung or Fulzie to remove the same within Twenty-four Hours after such Intimation; and in case of Failure to comply with such Notice the Magistrates shall, *brevi manu*, and without any Warrant or Authority other than this Act, seize and dispose of or cause to be seized and disposed of the said Dung or Fulzie, the Proceeds whereof shall be paid over to the said Collector or Treasurer, and which shall be expended for the Purposes of this Act: Provided always, that Dung accumulated in any Dungstead approved of by the said Trustees, or any Straw Yard situated upon Ground under Cultivation within the said Burgh, or upon the said Ground itself, for the Purpose of being laid thereon, shall not be subject to the aforesaid Prohibitions and Regulations, nor be liable to Seizure as aforesaid.

Trustees to  
erect Dung-  
steads, &c.

CLXXVII. And be it enacted, That it shall be lawful for the Trustees to purchase or agree for or take on Lease such Ground as they may consider necessary for the Purpose of Dungsteads or Stances and Privies, and to erect and maintain such Number of Dung Stances and Privies in such Situation as they may deem necessary, for the general Convenience and Cleanliness of the said Burgh, such Dungsteads or Stances not being nearer to any Dwelling House than One hundred Yards: Provided also, that no Dung Stances or Privies shall be made or erected so as to abut on any public Street in the said Burgh, by any Person or Persons, without the Consent of the said Trustees.

Rubbish not  
to be put on  
Streets.

CLXXVIII. And be it enacted, That any Person or Persons laying down or depositing on any of the public Streets, Lanes, Footways, Alleys, Passages, Closes, or other public Places, whether Thoroughfares or not, of the same Burgh, any Ashes or Danders, Coal, Culm, Sweeping of Cellars, or other Rubbish, of whatever Description, other than the Rubbish arising from the Erection or Repair of Buildings, not being fit to be sold and used as Manure, such Person or Persons shall be bound and obliged to remove the same within Twelve Hours after  
being

being so laid down or deposited, under a Penalty not exceeding Five Shillings; and it shall be lawful to the Magistrates, and they are hereby authorized and empowered, forthwith, on the Expiration of the said Period of Twelve Hours, and without any other Warrant and Authority than this Act, to cause the same to be removed, at the Expence of the Offender or Offenders, which Expence, if refused to be paid when demanded, it shall be competent to recover in the same Way and Manner as Penalties are by this Act directed to be recovered, together with the Expence of Prosecution.

CLXXIX. And be it enacted, That in all Streets or other Places within the said Burgh where Common Sewers are now or may hereafter be constructed it shall be lawful for the Proprietor or Proprietors of any One or more of the Floors or Flats of Houses situated within such Streets or other Places, so far as occupied by themselves or by Tenants at Will, and by the Tenants thereof so far as the same are let for a Period of Years, to erect One Waste or foul Water Pipe along the Back Wall of the Tenement on the Outside communicating with the Drain under Ground leading into the Common Sewer, where there is such Drain, and with Power to make such Drain, if there is not one already, and afterwards to keep the same in good and sufficient Repair; provided that Authority shall first be obtained from the said Trustees for erecting such Pipes and making such Communication or Drain, which Authority the Trustees shall be bound to give in the most convenient Manner; and provided further, that the Expence and Damage occasioned by erecting and constructing such Pipe, Communication, and Drain, and the Expence of keeping the same clean and in good Repair, shall be defrayed by the Proprietors of the Floors or Flats making use of the same in proportion to their Rents or annual Value; and the Magistrates shall, upon Application for that Purpose, and in case of Difference among the Parties themselves, or any of them, settle and decern for the Proportion to be defrayed by such Proprietors respectively.

Waste or  
foul Water  
Pipes may  
be erected  
along the  
Back Wall  
of Tene-  
ments di-  
vided into  
separate  
Flats.

CLXXX. Provided always, and be it enacted, That when any One or more of the said Proprietors is or are by their Title Deeds or otherwise burdened with the Expence of conveying the whole Water from the said Houses or Buildings, he, she, or they, or his, her, or their Tenants, shall be subject to that Burden; but it shall and may be lawful for them (upon obtaining an Order for that Purpose from the said Magistrates, after visiting the Premises, and hearing the Parties concerned), at their own Charges and Expences, to affix or cause to be affixed to those Parts of the Walls of the said Houses or Buildings which belong to the other Proprietors a Pipe or Pipes for the Purposes aforesaid, they always indemnifying the other Proprietors for all Damages they may sustain by the said Fixtures, as the same shall be ascertained by a Decree of the Magistrates, in manner and according to the Provisions aforesaid.

Provision  
where Pro-  
prietor  
obliged by  
his Title  
Deeds to  
convey  
waste  
Water.

CLXXXI. And be it enacted, That nothing herein contained shall render it incompetent for any Sheriff to hear and determine all Civil Causes or Prosecutions for Rates or Penalties on account of any of the  
[Local.]

Sheriff may  
proceed for  
Recovery of  
Rates, &c.

10 G. 4.  
c. 55.

Matters herein-before enacted, according to the Provisions of an Act passed in the Tenth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act for the more effectual Recovery of Small Debts and diminishing the Expences of Litigation in Causes of small Amount, in the Sheriff Courts of Scotland*, or under the Jurisdiction or Authority competent otherways to such Sheriff by the Common or Statute Law of *Scotland*.

Rates to be  
levied in  
place of  
Ladle Dues  
and other  
Customs.

CLXXXII. And whereas the Magistrates and Town Council of the Royal Burgh of *Campbeltown* have, in virtue of Royal Charter and immemorial Usage, been in use to levy certain Duties, Taxes, and Customs on certain Articles and Things brought within the Liberties of the Burgh of *Campbeltown*, or passing through the same, in name of Ladle Dues, Causeway Customs, Tronage, and Petty Customs; and in order that the said Dues and Customs may be better equalized and more effectually levied and collected, be it enacted, That in place of the Ladle Dues in use to be exacted, levied, and collected by the said Magistrates and Town Council it shall be lawful to the said Trustees, and for such Persons as they shall from Time to Time authorize and appoint, to demand, levy, receive, and collect from the Owners and Proprietors of all the Articles and Things brought within the Limits of this Act, and sold or delivered within the same, the Rates and Duties specified in Schedule (E.) annexed to this Act; that in place of the Causeway Customs in use to be exacted, levied, and collected by the said Magistrates and Town Council on Articles brought within the Limits of this Act, or within any Part of the ancient Royal Burgh, or passing through the same, the said Trustees, or others authorized and empowered by them, shall receive and collect from the Owners and Proprietors of all the Articles and Things brought within the Limits of this Act specified in Schedule (F.) annexed to this Act the Rates and Duties therein specified; and in place of the Tronage and Petty Customs so in use to be exacted, levied, and collected by the said Magistrates and Town Council the said Trustees, or others authorized by them, shall within the Limits of this Act demand, levy, receive, and collect from the Owners and Proprietors of all the Articles and Things mentioned in Schedule (G.) annexed to this Act the Rates and Duties therein mentioned.

Exemptions  
in certain  
Cases.

CLXXXIII. And be it enacted, That such of the Articles or Things contained in Schedule (F.) as may have paid or may pay the Dues specified in Schedules (D.) and (E.), or either of them, shall not be liable in Payment of any of the Dues contained in Schedule (F.), nor shall Farm Produce, merely passing through the Burgh from one Part of the District of *Kintyre* to another, for agricultural or domestic Purposes, and not for Milling, Trade, or Manufacture, be liable in any of the Dues specified in Schedule (F.)

Rates and  
Duties  
may be re-  
covered in

CLXXXIV. And be it enacted, That the said Trustees shall have the same Power, Authority, and Remedy for recovering the said Rates and Duties hereby granted in lieu of the said Ladle Dues, Causeway Customs, Tronage, and Petty Customs, as are herein-before

before provided for the Recovery of the Rates and Duties leviab<sup>le</sup> under the Provision of this Act on Goods, Articles, and Things mentioned in Schedule (D.)

like Manner  
as Duties on  
Goods ;

CLXXXV. And be it enacted, That the Rates and Duties hereby granted in lieu of the said Ladle Dues, Causeway Customs, Tronage, and Petty Customs shall (except as herein otherwise provided) be applied by the said Trustees in such and the like Manner and for the same Purposes as the said Ladle Dues, Causeway Customs, Tronage, and Petty Customs had been heretofore applied by the Magistrates and Town Council of the said Burgh before the passing of this Act.

and to be  
applied in  
the same  
Manner as  
Ladle  
Dues, &c.

CLXXXVI. And whereas it is herein-before provided that one Half of the Expence incident to the procuring of this Act is to be paid out of the Rates and Duties to be levied at the Harbour, Quays, and Shores of the Burgh ; be it enacted, That the other Half of the said Expence shall be paid out of the first and readiest Monies raised under the Provisions of this Act for paving, lighting, cleansing, watching, and for supplying Water.

Expence of  
Act how  
to be paid.

CLXXXVII. And be it enacted, That it shall be lawful for the Trustees to erect or provide such Cranes, weighing and other Machines, Conveniences, Weights, and Measures as they may think necessary, for loading, unloading, measuring, and weighing any Goods, Articles, or other Things in the said Burgh, and also on the Quays, Shores, and Wharfs of the said Harbour, and to exact such reasonable Dues for the Use of the same as to them may appear just.

Power to  
provide  
Cranes and  
Weighing  
Machines.

CLXXXVIII. 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 no Person shall be entitled to any Exemption or Deduction on any Vessel, Goods, Articles, or Things belonging to him in respect of his being free of the said Royal Burgh of *Campbeltown*, or on any other Ground whatsoever, nor shall it be lawful for the said Trustees or Magistrates to give any such Deduction.

Rates to be  
charged  
equally.

CLXXXIX. And be it enacted, That in all Cases where it may be requisite or necessary to serve any Notice upon the said Trustees, or any Citation or Summons or other legal Proceedings against them, the Service upon the Clerk of the said Trustees, or left at his usual Place of Abode, shall be deemed good and sufficient Service of the same respectively upon the said Trustees.

Notice, how  
to be served  
on Trustees.

CXC. And be it enacted, That the said Trustees may sue and be sued for any Matter or Thing to be done in the Execution of this Act in the Name of the Treasurer or the Clerk for the Time being of the said Trustees ; and no Action or Suit wherein the said Trustees shall be concerned, as Pursuers or Defenders, in the Name of the Treasurer or Clerk, or by virtue of this Act, shall abate by the Death or Removal of any such Treasurer or Clerk, but the Treasurer or Clerk for the Time being shall be deemed to be the Pursuer or Defender

Trustees  
to sue and  
be sued  
in Name of  
Treasurer or  
Clerk.

Defender (as the Case may be) in every Action; and the said Treasurer or Clerk shall, out of the Monies arising by virtue of this Act, be reimbursed and paid all Monies, Charges, and Expences which he shall pay, expend, or be put to by his or their being so made Pursuer or Defender as aforesaid.

Limit of the  
Burgh of  
Campbel-  
town.

CXCI. And be it enacted, That, except as herein provided, all and every the Powers, Provisions, and Declarations of this Act shall apply to, extend, and be exercised over the whole Territory comprehended within the Boundaries of the Parliamentary Burgh of *Campbeltown*, as the same are fixed by an Act passed in the Second and Third Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to amend the Representation of the People of Scotland*.

3 & 4 W. 4.  
c. 65.

Recovery of  
Penalties.

CXCII. And be it enacted, That every Fine, Forfeiture, or Penalty imposed by this Act, the Recovery of which is not otherwise provided for, shall be recovered and enforced by summary Proceeding, upon Complaint in Writing made by the Treasurer or Clerk of the said Trustees to the Sheriff or Magistrates, and on such Complaint being made such Sheriff or Magistrate shall issue his Warrant for bringing the Party complained against before him, or shall issue an Order requiring the Party complained against to appear at a Day and at a Time and Place to be named in such Order; and every such Order shall be served on the Party offending either in Person or by leaving at his usual Place of Abode a Copy of such Order, and of the Complaint upon which the same has proceeded; and either upon Appearance or on Default to appear of the Party offending it shall be lawful for the Sheriff or Magistrates to proceed to the hearing of the Complaint, and upon Proof of the Offence, either by Confession of the Party complained against, or other legal Evidence, and without any written Pleadings or Record of Evidence, to convict the Offender, and upon such Conviction to decern and adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Expences as the Sheriff or Magistrates shall think fit, and to grant Warrant for imprisoning the Offender until such Penalty or Forfeiture and Expences shall be paid: Provided always, that such Warrant shall specify the Amount of such Penalty and Forfeiture and Expences, and shall also specify a Period at the Expiration of which the Party shall be discharged, notwithstanding such Penalty or Forfeiture or Expences shall not have been paid, and shall in no Case exceed Three Calendar Months.

Application  
of Penalties.

CXCIII. And be it enacted, That the Fines, Forfeitures, and Penalties imposed by virtue of this Act, or by any Bye Law, Rule, or Order to be made in pursuance thereof, the Application whereof is not otherwise provided for, shall, when recovered, be paid over to the said Trustees, or their Treasurer or Collector, to be applied for the Purposes of this Act: Provided always, that no Person shall be liable to the Payment of any Fine, Forfeiture, or Penalty, unless prosecuted for within Six Months after the Commission of the Offence for which it has been incurred.

CXCIV. Whereas



CXCIV. Whereas a Quay called the Quay of *Dalintober* has been erected on the Lands of *Dalintober*, within the Limits or Boundary of the Grant of Harbour in favour of the Magistrates of the Burgh of *Campbeltown*: And whereas no Quayage Dues are exigible at the Quay of *Dalintober*: And whereas the Owner of the said Lands claims Right to the Solum of the Roads and Streets within the said Town and Lands of *Dalintober* and the Lands of *Dalaruan*: And whereas it is just and reasonable that the Owner of the said Lands, or those in his Right, should receive Compensation, Price, or Value for his Right and Interest in and to the said Quay of *Dalintober*, as well as for the Permission to open the Roads and Streets of *Dalintober* and *Dalaruan* for laying Pipes for Water or Gas; be it therefore enacted, That in case the Owner of the said Lands, or those in his Right, and the said Trustees, shall not agree as to the Sum to be paid to the said Owner, or those in his Right, as Compensation, Price, or Value for his Right and Interest in the said Quay of *Dalintober*, as well as for the Permission to open the Roads and Streets of *Dalintober* and *Dalaruan* for conveying by Pipes Water and Gas, then and in that Case the same shall be settled by Arbitration in the Manner directed by the Lands Clauses Consolidation (*Scotland*) Act, 1845; and that the Powers and Authorities conferred on the said Trustees by this Act shall not come into operation, in so far as relates to the Town and Lands of *Dalintober* and *Dalaruan*, including the Quay of *Dalintober*, until the said Trustees shall have paid to the Owner of the said Lands, or those in his Right, such Sum or Sums of Money as shall be agreed upon or ascertained under such Arbitration as aforesaid; and the said Sum or Sums of Money shall be paid out of the Monies to be raised on the Credit of the Harbour Dues, out of the Assessment made for lighting, cleansing, and watching, and out of the Monies to be raised on the Credit of the Water Dues respectively.

Compensation to the Owner of the Lands of *Dalintober* and *Dalaruan*.

CXCV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, impeach, diminish, or affect the Rights, Customs, Duties, and Payments, Privileges, Jurisdictions, and Immunities or Authorities of the Magistrates and Town Council of the Royal Burgh of *Campbeltown*, belonging or in any way competent to them, in virtue of any Royal Charter or otherwise, or of his Grace the Duke of *Argyll* or others, excepting only in so far as the same are by this Act expressly taken away, varied, altered, or restrained.

Reserving Rights of the Magistrates and Town Council of *Campbeltown* and of the Duke of *Argyll*.

CXCVI. And be it enacted, That nothing contained in this Act or referred to shall extend to authorize the Trustees to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving Rights of the Crown.

[*Local.*]

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CXCVII. And

Interpre-  
tation of  
Act.

CXCVII. 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,)

The Word "Sheriff" shall mean and include the Sheriff of the County of *Argyll*, and all Substitutes holding Appointments from and under him:

The Word "Justice" or "Justices" shall mean Justice or Justices of the Peace for the County of *Argyll*:

The Word "Lands" shall include Heritages and Heritable Subjects of every Description:

The Word "Vessel" or "Vessels" shall include Ship, Brigs, Schooner, Sloop, Barque, Lighter, Yacht, Steam Vessel, Barge, and Boat:

The Word "Proprietor" or "Proprietors," and "Owner" or "Owners," shall also mean and include all Persons holding under Leases for Nineteen Years or upwards:

The Word "Magistrate" or "Magistrates" shall mean the Provost and Bailies of the Royal Burgh of *Campbeltown*, and the Powers conferred by this Act on the said "Magistrates" or "Magistrate" may be exercised by any One or more of them:

That the Words "within the Limits of this Act," and the Word "Burgh," shall be held to mean and to comprehend the whole Limits and Boundaries to which the Burgh of *Campbeltown* is extended by the Act passed in the Second and Third Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of Scotland*, unless otherwise specially provided.

2 & 3 W. 4.  
c. 65.

Public Act.

CXCVIII. 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 this Act.

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SCHEDULE (A.)

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FORM OF BOND AND ASSIGNMENT.

By virtue of the Campbeltown Harbour and Burgh Act, 1846, made in the Year of the Reign of Her Majesty Queen Victoria, We

being of the Trustees, and I being the Clerk of the said Trustees under the said Act, in consideration of the Sum of advanced and paid by do hereby assign and make over to the said his [or her or their] Heirs, Executors, Administrators, and Assigns, all and sundry the Rates and Assessments payable to us in virtue of the said Act of Parliament, and all our Right, Title, and Interest of, in, and to the same, to be held by the said and his [or her or their] aforesaid, until the said Sum of with the legal Interest thereof, shall be fully satisfied and paid: Provided always, that the said and his [or her or their] aforesaid shall not be entitled to call up or demand Repayment of the said Principal Sum, without giving Intimation of his [or her or their] Intention by Letter addressed to the said Trustees at least Six Months previous to the Date at which Repayment is required. In witness whereof we have subscribed these Presents, written by at the Day of before these Witnesses.

SCHEDULE (B.)

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FORM OF TRANSFERENCE.

I in consideration of the Sum of paid by do hereby transfer the Assignment made to me by the Trustees under the Campbeltown Harbour and Burgh Act, 1846, bearing Date the Day of 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 Assigns. In witness whereof I have subscribed these Presents, written by at the Day of before these Witnesses.

SCHEDULE (C.)

FORM OF NOTICE OF ASSESSMENT.

TAKE notice, That by Order of the Trustees under the Campbeltown Harbour and Burgh Act, 1846, the Assessment due by you from Whitsunday 18 to Whitsunday 18 as under noted, is payable at this Office within Twenty-one Days from this Date; and unless Payment shall be made within the said Period you will be proceeded against in Terms of the Statute.

(Signed)

Collector.

Campbeltown.

Description of Property.	Where situate.	Rent.	Assessment.

N.B. — If you consider yourself aggrieved by such Assessment, it is competent to you, within Fourteen Days from the Date of this Notice, to appeal for Redress to the Trustees, previous Notice in Writing being always given to me of such Appeal; but if you do not appeal within the said Space, and refuse or neglect to pay the said Assessment, it is provided by the Act that Warrant may be granted for the Seizure and Sale of so much of your Goods and Effects as shall satisfy and pay the same, with Costs of Seizure and Sale.

(Signed)

Collector.

SCHEDULE (D.)

RATES LEVIABLE UPON GOODS IMPORTED AND EXPORTED.

	s.	d.	
Acorns - - -	0	3	Per Bushel.
Alabaster - - -	0	3	Per Barrel Bulk.
Ale, strong - - -	0	4	Per Hogshead.
Almonds. <i>See</i> Grocery.			
Alum, Rock - - -	0	5	Per Ton.
Apples - - -	0	1	Per Barrel Bulk.
Argol - - -	0	10	Per Ton.
Ashes, Pot or Pearl - - -	0	10	Ditto.
Weed or Wood - - -	0	10	Ditto.
Bacon or Hams - - -	0	1	Per Cwt.

	s.	d.	
Barilla - - -	0	8	Per Ton.
Bar Iron. <i>See</i> Iron.			
Bark, Oak, &c. - - -	0	8	Ditto.
Quercitron - - -	0	10½	Ditto.
Barley. <i>See</i> Corn.			
Shelled or Pearled. <i>See</i> Corn.			
Basket Rods - - -	0	1	Per Bundle.
Baskets; viz.			
Under 12 Inches Diameter - - -	0	0½	Per Dozen.
12 Inches Diameter - - -	0	1	Ditto.
Bay Berries. <i>See</i> Berries.			
Beans. <i>See</i> Corn.			
Beef or Pork - - -	0	1½	Per Barrel Bulk.
Beer, Spruce - - -	0	1	Per Keg.
Berries, Bay, Juniper, Yellow and Cran - - -	0	1	Per Barrel Bulk.
Biscuit - - -	0	0½	Per Cwt.
Blacking - - -	0	1	Ditto.
Black Lead. <i>See</i> Lead.			
Bones and Bonedust - - -	0	2	Per Ton.
Books - - -	0	1	Per Barrel Bulk.
Bottles of green or common Glass, not less than Pints - - -	0	1	Per Gross.
Bottles, broken - - -	0	1	Per Ton.
Bran - - -	0	1	Per Cwt.
Brandy. <i>See</i> Spirits.			
Brass - - -	0	1	Per Cwt.
Bricks - - -	0	5	Per 1,200.
Brimstone - - -	0	1	Per Barrel Bulk.
Bristles - - -	0	1	Per Cwt.
Bulrushes - - -	0	5	Per Load.
Bulls. <i>See</i> Cattle.			
Butter - - -	0	1	Per Cwt.
Blubber - - -	0	4½	Per Tun.
Barrels, empty Herring - - -	0	3	Per Dozen.
Calves, Velves - - -	0	1	Per Cwt.
Candles - - -	0	2	Per Barrel Bulk.
Cane Reeds - - -	0	2½	Per 1,200.
Carpets. <i>See</i> Cloth.			
Cattle; viz.			
Bulls - - -	0	2½	Each.
Cows - - -	0	1	Ditto.
Ditto under Three Years - - -	0	0¾	Ditto.
Calves - - -	0	0½	Ditto.
Horses - - -	0	3	Ditto.
Ditto under Three Years - - -	0	2	Ditto.
Oxen - - -	0	1½	Ditto.
Pigs - - -	0	1	Ditto.
Sheep or Goats - - -	0	0½	Ditto.
Lambs - - -	0	0¼	Ditto.
Caviare - - -	0	1	Per Barrel Bulk.
Chalk - - -	0	1	Per Ton.
Cheese - - -	0	0½	Per Cwt.
Chestnuts - - -	0	1	Per Barrel Bulk.
Cider - - -	0	2	Ditto.
Cinnamon. <i>See</i> Groceries.			
Clay, China or Pipeclay - - -	0	2	Per Ton.
Fire - - -	0	4	Ditto.

[Local.]

	s.	d.	
Cochineal - - -	0	4	Per Barrel Bulk.
Cocoa - - -	0	1	Ditto.
Coffee - - -	0	1	Ditto.
Cocoa Nuts - - -	0	1	Ditto.
Copper - - -	1	4	Per Ton.
Old - - -	0	8	Ditto.
Ore - - -	0	2 $\frac{1}{2}$	Ditto.
Boiler or Still - - -	0	6	Per 100 Gallons.
Copperas - - -	0	2 $\frac{1}{2}$	Per Ton.
Coral - - -	0	2 $\frac{1}{2}$	Per Cwt.
Cordage - - -	0	2 $\frac{1}{2}$	Ditto.
Cork - - -	0	1	Ditto.
Corn and Meal; viz.			
Barley, Bere, or Big - - -	0	1	Per Quarter
Shelled and pearled - - -	0	0 $\frac{1}{2}$	Per Cwt.
Beans - - -	0	1	Per Quarter.
Indian Corn - - -	0	1	Ditto
Meal - - -	0	1	Ditto.
Corn and Meal; viz.			
Malt - - -	0	1	Per Quarter.
Oats - - -	0	1	Ditto.
Oatmeal - - -	0	1	Per 280 lb.
Pease - - -	0	1	Per Quarter.
Rye - - -	0	1	Ditto.
Wheat - - -	0	1	Ditto.
Flour - - -	0	1	Per Sack.
Carrots - - -	0	3	Per Ton.
Cow, Ox, or Bull Hair. <i>See Hair.</i>			
Cows. <i>See Cattle.</i>			
Cranberries. <i>See Berries.</i>			
Crystal - - -	0	1	Per Barrel Bulk.
Culm - - -	0	1	Per Ton.
Currants. <i>See Groceries.</i>			
Coals, Scotch - - -	0	2	Ditto.
English - - -	0	2	Ditto.
Smithy - - -	0	2	Ditto.
Cinders - - -	0	2	Ditto.
Codilla - - -	0	6	Ditto.
Cloth, brown or bleached Linens; viz.			
Osnaburgs - - -	0	2	Per Barrel Bulk.
Sheeting - - -	0	2	Ditto.
Dowlas - - -	0	2	Ditto.
Ducks - - -	0	2	Ditto.
Ticklenburghs - - -	0	2	Ditto.
Drillings and Shirtings - - -	0	2	Ditto.
Siliesias - - -	0	2	Ditto.
Sailcloth - - -	0	2	Ditto.
Bagging of all Kinds - - -	0	2	Ditto.
Tarpaulins - - -	0	2	Ditto.
Browns - - -	0	2	Ditto.
Sacks, made - - -	0	2	Ditto.
Clothing - - -	0	2	Ditto.
Haberdashery, comprehending Cotton and Silk Goods - - -	0	2	Ditto.
Hosiery - - -	0	2	Ditto.
Carpetings - - -	0	2	Per Piece.
Other Cloths not mentioned - - -	0	2	Per Barrel Bulk.

	s.	d.	
Cement - - -	0	1	Ditto.
Coaches, Chaises, Gigs, and other similar Carriages - - -	0	2	Ditto.
Cotton Wool - - -	0	1	Per Cwt.
Draft or Grain - - -	0	1	Per Ton.
Drugs - - -	0	2	Per Barrel Bulk.
Earthenware - - -	0	6	Per Crate.
in Bulk - - -	2	6	Per 100 Dozen.
Eggs - - -	0	2	Per Barrel Bulk.
Elephants Teeth - - -	0	2	Per Cwt.
Emery Stones - - -	0	1	Ditto.
Epsom Salts - - -	0	1	Ditto.
Farina - - -	0	8	Per Ton.
Feathers - - -	0	4	Per Cwt.
Figs. See Groceries.			
Fish Oil. See Oil.			
Flint Stones - - -	0	2	Per Ton.
Flower Roots - - -	0	1	Per Barrel Bulk.
Furriers Waste - - -	0	1	Per Ton.
Flax - - -	0	10	Ditto.
Fish, salted, dry - - -	0	6	Ditto.
Fresh - - -	0	1	Per Box.
Garden Seeds. See Seeds.			
Geneva. See Spirits.			
Ginger - - -	0	1	Per Barrel.
Preserved - - -	0	0 $\frac{1}{2}$	Per Jar.
Glass - - -	0	6	Per Crate.
Glass, broken - - -	0	6	Per Ton.
Glue - - -	0	1	Per Cwt.
Goats Hair. See Hair.			
Grapes - - -	0	1	Per Jar.
Grease - - -	0	10	Per Ton.
Groceries; viz.			
Almonds - - -	0	1 $\frac{1}{2}$	Per Barrel Bulk.
Cinnamon - - -	0	1 $\frac{1}{2}$	Ditto.
Currants - - -	0	1 $\frac{1}{2}$	Ditto.
Figs - - -	0	1 $\frac{1}{2}$	Ditto.
Pepper - - -	0	1 $\frac{1}{2}$	Ditto.
Pimento - - -	0	1 $\frac{1}{2}$	Ditto.
Plums - - -	0	1 $\frac{1}{2}$	Ditto.
Prunes - - -	0	1 $\frac{1}{2}$	Ditto.
Raisins - - -	0	1 $\frac{1}{2}$	Ditto.
Gunpowder - - -	0	1 $\frac{1}{2}$	Per 100 lb.
Ginseng - - -	0	1 $\frac{1}{2}$	Per Barrel Bulk.
Guano - - -	0	6	Per Ton.
Hair; viz.			
Cow, Ox, or Bull - - -	0	1	Per Cwt.
Goats Hair or Wool - - -	0	1	Ditto.
Horse - - -	0	1	Ditto.
Plasterers - - -	0	1	Ditto.
Hair Powder - - -	0	2	Per Barrel Bulk.
Hardware - - -	0	2	Ditto.
Hats - - -	0	2	Ditto.

	s.	d.	
Hay	0	6	Per Ton.
Hemp, rough	0	10	Ditto.
Herrings	0	1	Per Barrel.
Ditto salted, in Bulk	0	1½	Ditto.
Hydes, dry	0	8	Per Ton.
Salted	0	4	Ditto.
Honey	0	2½	Per Barrel Bulk.
Hoops, Wooden	0	8	Per 1,000.
Iron	0	8	Per Ton.
Hops	0	4	Per Pocket.
Horns, Slugs and Tips	0	1	Per 1,200.
Horse. See Cattle			
Household Furniture	0	1	Per Barrel Bulk
Husbandry Utensils	0	1	Ditto.
Indian Corn or Meal. See Corn.			
Indigo	0	6	Ditto.
Iron; viz.			
Bar, Plate, Bolt, and Rod	0	4	Per Ton.
Forged	0	5	Per Ton.
Made, Work	0	8	Ditto.
Hoops. See Hoops.			
Old	0	2½	Ditto.
Cast, Goods	0	4	Ditto.
Old, broken or cast	0	2	Ditto.
Pig	0	2	Ditto.
Ivory	0	2½	Per Cwt.
Ink	0	1½	Per Barrel Bulk.
Junk, old	0	3	Per Ton.
Juniper Berries. See Berries.			
Kelp	0	4	Ditto.
Lard	0	2	Per Barrel Bulk.
Latten, Black	0	10	Per Ton.
Lead	0	4	Ditto.
Black	0	1	Per Barrel Bulk.
Ore	0	5	Per Ton.
Red and White	0	5	Ditto.
Shot	0	5	Ditto.
Leather, tanned and dressed	0	10	Ditto.
Lemons	0	2	Per Chest.
Limes	0	2	Per Cask.
Linseed. See Seed.			
Oil. See Oil.			
Lime	0	2	Per Ton.
Lobsters	0	1	Per Box.
Madder	0	10	Per Ton.
Roots	0	8	Ditto.
Malt. See Corn.			
Manganese	0	5	Ditto.
Marble	0	5	Ditto.
Mats, Bass	0	1	Per Barrel Bulk.
Meal. See Corn.			
Medicines	0	2	Ditto.
Mill Waste	0	1	Per Ton.
Mohair Yarn	0	1	Per Cwt.
Molasses	0	4	Per Puncheon.
Morels	0	1	Per Cwt.



	s.	d.	
Moss Rock - - -	0	8	Per Ton.
Mum - - -	0	10	Ditto.
Manure - - -	0	1	Ditto.
Meal. See Corn.			
Machinery - - -	0	1	Per Barrel Bulk.
Musical Instruments - - -	0	6	Ditto.
Netts - - -	0	1	Per Piece.
Nuts - - -	0	1	Per Barrel Bulk.
Nutmegs - - -	0	2	Per Cwt.
Oakum - - -	0	5	Per Ton.
Oats. See Corn.			
Oatmeal. See Corn.			
Oil, Linseed - - -	0	10	Ditto.
Palm - - -	0	10	Ditto.
Rape - - -	0	10	Ditto.
Turpentine - - -	0	10	Ditto.
Sperm - - -	0	10	Ditto.
Vitriol - - -	0	1	Per Bottle.
Whale or Train Cake - - -	0	6	Per Ton. Ditto.
Ochre - - -	0	5	Ditto.
Onions - - -	0	1	Per Bushel.
Oranges - - -	0	2	Per Chest.
Orchilla Weed - - -	0	10	Per Ton.
Ore of Iron. See Iron.			
Ore of Lead. See Lead.			
Paper; viz.			
Writing and Printing - - -	0	2	Per Barrel Bulk.
Packing - - -	0	2	Ditto.
Pearl Barley. See Corn.			
Pease. See Corn.			
Pelts - - -	0	8	Per Ton.
Pepper. See Groceries.			
Perry - - -	0	1	Per Barrel Bulk.
Pig Iron. See Iron.			
Pigs. See Cattle.			
Pigheads - - -	0	1	Ditto.
Pimento. See Groceries.			
Pitch - - -	0	1	Ditto.
Plaster of Paris - - -	0	6	Per Ton.
Plums. See Groceries.			
Pumice Stones - - -	0	5	Ditto.
Pork. See Beef.			
Porter - - -	0	4	Per Hogshead.
Potatoes - - -	0	3	Per Ton.
Powder of Lead. See Lead.			
Prunellas - - -	0	1	Per Barrel Bulk.
Prunes. See Groceries.			
Peats - - -	0	1	Per Ton.
Quercitron Bark. See Bark.			
Quills - - -	0	1	Per Barrel.
Rags, Linen - - -	0	4	Per Ton.
Other Rags, old Ropes, and old Leather - - -	0	4	Ditto.
Raisins. See Groceries.			
Rape Cake - - -	0	6	Ditto.
Seeds. See Seeds.			

[Local.]

	s.	d.	
Red Lead. <i>See</i> Lead.			
Rice - - -	0	2	Per Barrel Bulk.
Rock Moss. <i>See</i> Moss.			
Rosin - - -	0	1	Per Barrel.
Rum. <i>See</i> Spirits.			
Rye. <i>See</i> Corn.			
Salt - - -	0	4	Per Ton.
Rock - - -	0	2½	Ditto.
Petre - - -	0	2	Per Barrel Bulk.
Seed; viz.			
Flax and Rape Seed - - -	0	4	Per Hogshead.
Ditto - ditto - - -	0	2	Per Barrel.
Ditto - ditto, in Bulk - - -	0	2½	Per Quarter.
Ditto - ditto, in Bags - - -	0	3	Ditto.
Clover - - -	0	3	Per Bag.
Rye Grass - - -	0	1½	Per Quarter.
Sheep. <i>See</i> Cattle.			
Shumack - - -	0	8	Per Ton
Skins; viz.			
Calf - - -	0	2	Per Score.
Sheep - - -	0	2½	Ditto.
Deer - - -	0	2½	Ditto.
Kid - - -	0	2	Ditto.
Lamb - - -	0	2	Ditto.
Seal - - -	0	2	Ditto.
Slates - - -	0	8	Per 1,200.
Slate Pencils and Slates - - -	0	1	Per Barrel Bulk.
Smelts - - -	0	1	Per Cwt.
Snuff - - -	0	1½	Per Barrel Bulk.
Soap - - -	0	10	Per Ton.
Soapers Waste - - -	0	1	Ditto.
Spermaceti - - -	0	10	Ditto.
Stones; viz.			
Limestone - - -	0	1	Ditto.
Rubble Freestone - - -	0	1	Ditto.
Hewn Ashlar Freestone - - -	0	1	Ditto.
Rough Ashlar Freestone - - -	0	1	Ditto.
Rubble Causeway - - -	0	1	Ditto.
Causeway, dressed - - -	0	1	Ditto.
Pavement - - -	0	1	Ditto.
Curb - - -	0	1	Ditto.
Whinstones - - -	0	1	Ditto.
Foreign Grave Stones - - -	0	6	Each.
Home Grave Stones - - -	0	6	Ditto.
Scythe Stones - - -	0	1	Per Score.
Grind Stones - - -	0	1	Each.
Mill Stones - - -	1	0	Ditto.
Spirits; viz.			
Foreign - - -	0	4	Per 120 Gallons.
British - - -	0	3	Ditto.
Starch - - -	0	2	Per Barrel Bulk.
Steel - - -	0	8	Per Ton.
Sugar, Raw and Refined, in Barrels-			
Refined, loose - - -	0	3	Per Hogshead.
- - - - -	0	10	Per Ton.
Soda - - -	0	6	Ditto.
Stucco - - -	0	4	Ditto.

	<i>s.</i>	<i>d.</i>	
Smalts - - -	0	1	Per Barrel Bulk.
Salmon - - -	0	1	Per Box.
Tallow - - -	0	10	Per Ton.
Tamarinds - - -	0	1	Per Cwt.
Tanners Waste - - -	0	1	Per Ton.
Tar - - -	0	1	Per Barrel.
Tea - - -	0	1	Per Chest.
Thread - - -	0	1	Per Barrel Bulk.
Tin of all Kinds - - -	0	10	Per Ton.
Tobacco - - -	0	2	Per Barrel Bulk.
Tongues, Smoked - - -	0	1	Per Dozen.
Pickled - - -	0	2	Per Barrel.
Tortoiseshell - - -	0	1	Per Cwt.
Tow - - -	0	5	Per Ton.
Toys - - -	0	2	Per Barrel Bulk.
Treenails - - -	0	3	Per 1,200.
Turmeric - - -	0	1	Per Barrel Bulk.
Twine - - -	0	1	Per Cwt.
Tiles - - -	0	3	Per Ton.
Turnips - - -	0	3	Ditto.
Valonia - - -	0	10	Ditto.
Vases or sculptured Marble - - -	0	2	Per Barrel Bulk.
Verdigrease - - -	0	10	Per Ton.
Vermillion - - -	0	1	Per Cwt.
Vinegar - - -	0	2	Per Barrel Bulk.
Vitriol. <i>See Oil.</i>			
Willow Reeds - - -	0	1	Per Bundle.
Wine - - -	1	0	Per Barrel Bulk.
Whalebone, dressed and undressed -	0	8	Per Ton.
Wood, Foreign; viz.			
Batens - - -	0	4	Per Load of 50 Cubic Feet.
Boards, Oak or Wainscot - - -	0	5	Ditto.
Boards, Paling - - -	0	1½	Per 120.
Deals - - -	0	4	Per Load of 50 Cubic Feet.
Deal Ends - - -	0	4	Ditto.
Firewood - - -	0	1½	Per Fathom.
Handspikes - - -	0	1	Per 120.
Laths - - -	0	2½	Per Fathom.
Masts, Yards, or Bowsprits; viz.			
6 Inches Diameter and under			
8 Inches - - -	0	2	Per Load of 50 Cubic Feet.
8 Inches Diameter, and under			
12 Inches - - -	0	4	Ditto.
12 Inches Diameter, and upwards - - -	0	5	Ditto.
Oak Planks - - -	0	5	Ditto.
Oars and Oar Rafters - - -	0	4	Per 120.
Rickers, Boat Hooks and Hooks -	0	4	Ditto.
Spars - - -	0	4	Per Load of 50 Cubic Feet.
Cart-wheel Spokes - - -	0	1	Per 60 Pieces.
Staves, Pipes, from any Port in Europe, above 50 Inches long	0	4	Per 120.
50 Inches long and under -	0	2	Ditto.

	s.	d.	
Wood, Foreign, <i>continued.</i>			
Staves from United States of America, above 50 Inches long - - -	0	1	Per 120.
Staves, Hogshead, 50 Inches long and under - - -	0	1	Ditto.
Staves, Barrel, and all under 50 Inches long - - -	0	0½	Ditto.
Staves, Pipe, from any of the British Plantations, above 50 Inches long - - -	0	3	Ditto.
50 Inches long and under - - -	0	2	Ditto.
Fir - - -	0	4	Per Load of 50 Cubic Feet.
Oak - - -	0	5	Per Load of 50 Cubic Feet.
Pine - - -	0	4	Ditto.
Hardwood - - -	0	5	Ditto.
Ufers - - -	0	4	Ditto.
Wainscot Logs - - -	0	5	Ditto.
Delivered by Weight; viz.			
Barwood - - -	0	8	Per Ton.
Boxwood - - -	0	8	Ditto.
Brazil Wood - - -	0	10	Ditto.
Canewood - - -	0	10	Ditto.
Ebony - - -	0	8	Ditto.
Fustic - - -	0	8	Ditto.
Lignum Vitæ - - -	0	8	Ditto.
Logwood - - -	0	8	Ditto.
Mahogany - - -	0	8	Ditto.
Nicaragua Wood - - -	0	8	Ditto.
Redwood - - -	0	8	Ditto.
Sassafras - - -	0	8	Ditto.
Wood, Home; viz.			
Fir - - -	0	2	Per Load of 50 Cubic Feet.
Hardwood - - -	0	3	Ditto.
Fir Planks and Deals - - -	0	2	Ditto.
Hardwood Planks and Deals - - -	0	3	Ditto.
Cart-wheel Spokes - - -	0	1	Per 60 Pieces.
Hogshead Staves - - -	0	1	Per 120.
Barrel Staves - - -	0	1	Ditto.
Wool other than Cotton Wool - - -	0	1	Per Cwt.
Worsted Yarn. See Yarn.			
Whitening - - -	0	4	Per Ton.
Yarn; viz.			
Lint - - -	0	10	Ditto.
Cotton - - -	0	10	Ditto.
Tow - - -	0	6	Ditto.
Hemp - - -	0	6	Ditto.
Worsted - - -	0	1	Per Cwt.
Yeast - - -	0	1	Per Puncheon.

### SCHEDULE (E.)

#### LADLES.

For each and every Quarter of Barley, Bere, or Big, Beans, Farina, Flour, Malt, Meal, Oats, Pease, Rye, One-eightieth Part of a Quarter, or the converted Price thereof.

For each and every Ton Potatoes, One-eightieth Part of a Ton, or the converted Price thereof.

For each and every Ton Carrots, Turnips, One-eightieth Part of a Ton, or the converted Price thereof.

For each and every Hundred Weight Fruit, Onions, and others of the like Kind, One-eightieth Part of a Hundred Weight, or the converted Price thereof.

For each and every Hundred Weight Peelygrass, Two Pounds Weight, or the converted Price thereof.

### SCHEDULE (F.)

#### CAUSEWAY CUSTOMS.

			<i>s.</i>	<i>d.</i>	
Bere or Barley	-	-	0	2	Per Quarter.
Beans	-	-	0	2	Ditto.
Bricks	-	-	0	3	Per 1,000.
Carrots	-	-	0	3	Per Ton.
Coals	-	-	0	1	Ditto.
Farina	-	-	0	8	Ditto.
Flour	-	-	0	8	Ditto.
Kelp	-	-	0	6	Ditto.
Malt	-	-	0	3	Per Quarter.
Meal	-	-	0	2	Per 280 lb.
Oats	-	-	0	2	Ditto.
Onions	-	-	0	1	Per Bushel.
Pease	-	-	0	2	Ditto.
Potatoes	-	-	0	2	Per Ton.
Peelygrass	-	-	0	2	Ditto.
Peats	-	-	0	0 $\frac{1}{2}$	Per Cart Load.
Rye	-	-	0	2	Ditto.
Straw	-	-	0	2	Per Ton.
Hay	-	-	0	4	Ditto.
Turnips	-	-	0	2	Ditto.
Timber	-	-	0	2	Per Load of 50 Feet.
Whisky	-	-	0	3	Per 120 Gallons.
Wheat	-	-	0	2	Per Quarter.
Wool	-	-	0	1	Per Cwt.

SCHEDULE (G.)

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TRONAGE AND PETTY CUSTOMS.

Shopman's Stand on weekly Market Day	-	-	-	1s. each.
Ditto for the Stand of Fairs	-	-	-	1s. each.
Whisky Stand at Fairs	-	-	-	1s. each.
Horse, Mare, or Gelding, coming to Market, whether sold or not				2d. each.
Mare, with her Foal, coming to Market, whether sold or not	-			3d. each.
Cow, Quey, Stot coming to Market, whether sold or not	-	-		1d. each.
Sheep coming to Market, whether sold or not	-	-	-	$\frac{1}{2}$ d. each.

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