



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. lxxvii.

An Act to alter and amend an Act passed in the Eleventh Year of the Reign of His late Majesty and First Year of the Reign of His present Majesty, intituled *An Act for enlarging, improving, and maintaining the Port and Harbour of Perth, for improving the Navigation of the River Tay to the said City, and for other Purposes therewith connected.* [27th June 1834.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth and First Year of the Reign of His present Majesty, intituled *An Act for enlarging, improving, and maintaining the Port and Harbour of Perth, for improving the Navigation of the River Tay to the said City, and for other Purposes therewith connected*: And whereas in virtue of the Powers contained in the said recited Act the Commissioners appointed under the Authority of the same have made considerable Progress in the Execution of the Works thereby authorized to be made and completed: And whereas it would be of great additional Advantage to the Merchants, Traders, and Inhabitants of the said City, to the Owners and Masters of Vessels frequenting the said Port and Harbour, and to the surrounding Country, if the Powers conferred by

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the said recited Act were extended so as to enable the said Commissioners to make and form a Tide Harbour, with a Dock or Docks, and other Works therewith connected, in such Manner and of such Dimensions as the Trade of the Port may require, and to deepen and otherways improve the Navigation of the said River: And whereas it would be of Benefit to the Public if the Port Dues and Customs, leviabie by the Magistrates and Town Council of the City of *Perth* on behalf of the Community thereof upon Vessels frequenting the said Port and Harbour, and upon Goods and other Commodities imported and exported thereat, were consolidated with the Rates and Duties leviabie under the said recited Act and this Act, and were so regulated, adjusted, and equalized as to place all and every Person upon the same Footing in so far as regards the said Port Dues and Customs; but as these 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 King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That from and after the passing of this Act, instead of the Commissioners to be nominated and elected in manner directed by the said recited Act, the Persons to be nominated and elected in manner herein-after mentioned shall be Commissioners for carrying into effect the Purposes of this Act, and also of the said recited Act, in so far as the same is not hereby altered or repealed.

Commissioners under this Act to be Commissioners for carrying the former Act and this Act into execution.

II. And be it further enacted, That the Commissioners for carrying the said recited Act and this Act into execution shall consist of Thirty in Number, of whom the Member of Parliament for the Time being for the City of *Perth* shall be One, Fourteen shall be Members of the Town Council of *Perth*, Six shall be Commissioners of Supply and in the Commission of the Peace for the County of *Perth*, Three shall be Shipowners, each holding in his own Right Twenty Tons or upwards of Shipping belonging to the Port of *Perth*, and the remaining Six shall be Burgesses of *Perth*; the said Shipowners and Burgesses respectively to be resident within the Boundaries of the Town of *Perth* fixed by an Act of Parliament passed in the Second and Third Year of the Reign of His present Majesty, intituled *An Act for amending the Representation of the People in Scotland*; and such Commissioners shall be respectively nominated and elected in manner herein-after mentioned; (that is to say,) the Fourteen Commissioners who are to be Members of the Town Council shall consist of the Lord Provost, Dean of Guild, Four Bailies, and Town Treasurer, and Seven other Members of the Town Council, to be elected and chosen by the said Town Council yearly, upon the same Day and at the same Place when and where the annual Election of the said Lord Provost, Four Bailies, and Town Treasurer for the said City shall take place, and immediately after such annual Election, the said Lord Provost having in the Election of the said Seven Commissioners the casting Vote in Cases of Equality; the said Six Commissioners on the Part of the County shall consist of the Two Conveners of the County, who shall be and are hereby appointed Commissioners in

Commissioners how to be appointed.

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virtue of their said Offices, and of Four Commissioners of Supply of the said County, being in the Commission of the Peace for the same, and each possessing the *Dominium utile* of Lands valued in the Cess Books of the said County at One hundred Pounds Scots at least, and which Four Commissioners shall be elected and chosen at the usual *Michaelmas* Sessions of the Peace for the said County to be holden in the Month of *September* or *October* yearly, by the Majority of Voices of the Justices of the Peace so qualified as Commissioners of Supply as aforesaid then present; the said Three Shipowners, qualified as aforesaid, to be elected and chosen annually by Ballot, or in such other Manner as the Meeting called for such Election shall decide, at a Meeting of Shipowners qualified as aforesaid to be held upon the Second *Tuesday* of *November* yearly; and the said Six Burgesses, resident as aforesaid, to be elected and chosen annually, by Ballot, or in such other Manner as the Meeting called for such Election shall decide, at a Meeting of the Burgesses resident as aforesaid to be held upon the Second *Wednesday* of *November* yearly; the said annual Meetings for the Election by the said Shipowners and Burgesses to be called in the Manner and as specially prescribed in the said recited Act, in so far as applicable to the Election of Shipowners and Burgesses to be Commissioners under the said Act.

III. And be it further enacted and declared, That the Commissioners to be nominated and elected under and by virtue of this present Act shall be and they are hereby authorized and empowered to do, exercise, and perform all and every the Powers, Acts, Duties, and other Matters and Things competent to the Commissioners nominated and elected, or who might have been nominated and elected, into the Offices of Commissioners under or by virtue of the said recited Act; and the Commissioners nominated or elected under or by virtue of the said recited Act shall be and they are hereby authorized and empowered, not only to continue to hold, execute, and carry into effect the whole Powers and Authorities by that Act conferred upon them, but also to hold, execute, and carry into effect the whole other and additional Powers granted by this Act, until the first annual Periods above directed for the Nomination and Election of the Commissioners to be nominated and elected under this Act shall have taken place, as fully, freely, and effectually, to all Intents and Purposes, as if they had been nominated or elected under or in virtue of the Provisions of this Act.

Powers of
Commis-
sioners.

IV. And be it further enacted, That the Commissioners to be nominated or elected in virtue of this Act shall be entitled to demand and insist upon Performance of all Contracts and Obligations entered into by any Person or Persons whatsoever with the Commissioners under the said recited Act, or any of them, in regard to the Works and Operations thereby authorized to be carried into effect, and in like Manner the Commissioners to be nominated or elected in virtue of this present Act shall be bound and obliged to implement and fulfil all Contracts, Agreements, Bonds for Money borrowed, and other Obligations come under by the Commissioners acting under the said recited Act or under this Act, until the first annual Periods above directed for the Nomination and Election of Commissioners, in
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Contracts to
remain in
force.

the same Manner, and to the same Extent only, as the Commissioners under the said recited Act are or may be bound and obliged, and no further or otherwise than the Commissioners under the said Act, or any of them, would have been bound and obliged.

Securities to remain in force.

V. And be it further enacted and declared, That in all and every Case or Cases where the Lord Provost, Magistrates, and Town Council of the City of *Perth* have, in virtue of the Authority granted by the said recited Act, interposed the Security of the said City of *Perth*, and Common Funds thereof, in guarantee of the Repayment of any Sums borrowed by the Commissioners under the said recited Act for the Purposes thereof, or in any other Matter connected with the Purposes of the said recited Act, such Security and Guarantee shall subsist and remain equally valid, obligatory, and effectual to the Holders thereof as if the present Act had not been passed.

Meetings of Commissioners.

VI. And be it further enacted, That the Two annual General Meetings appointed by the said recited Act to be held of the Commissioners under such Act shall in like Manner be held by the Commissioners under this Act, and be held and called in manner prescribed in the said before-recited Act, with this Alteration, that the First of the said annual General Meetings shall be held upon the Fourth *Thursday* of *November*, in place of the Fourth *Thursday* of *October*, as specified in the said recited Act; and in regard to the said Two annual General Meetings, as well as any other Special Meetings of the said Commissioners required, as set forth in the said recited Act, the Notices thereby prescribed shall be held to be sufficient if given Three clear Days previous to such Meeting, in place of Ten Days, as prescribed by the said recited Act.

Officers under former Act to continue.

VII. And be it further enacted, That each and every Clerk, Treasurer, Collector, or Receiver of the Rates and Duties, Harbour Master or Berthing Master, or other Officer, who shall have been or may be appointed under or employed in the Execution of the said recited Act, shall respectively continue to hold and exercise his or their respective Office or Offices and Employments until he or they shall respectively resign, or be displaced or removed by the said Commissioners, and shall have the like Powers and Authorities for carrying this Act into execution, and shall be subject to the like Rules, Regulations, and Penalties, in all respects, as if they had been severally appointed by virtue of this Act.

Officers to account and deliver up Books, &c. when required.

VIII. And be it further enacted, That all Persons who shall have been employed to receive or who shall have received any Rates and Duties or other Monies by virtue or in pursuance of the said recited Act, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, Documents, or Things relating to the said Harbour or Navigation of the River, which the Commissioners under the said Act are entitled to demand or have in their Possession, shall account for, pay, and deliver over the same to the Commissioners to be nominated and elected in virtue of this Act; and all Books, Accounts, Papers, Writings, and Documents kept under or by virtue of the said recited Act shall have such and the same Force and Effect, and be received

ceived in Evidence in such and the same Manner, as if the said Act had not been altered and amended by this Act.

IX. And be it further enacted, That in addition to the Powers and Authorities granted by the said recited Act to the Commissioners nominated and to be elected as therein set forth, and which whole Powers and Authorities are hereby transferred to the Commissioners to be nominated and elected in virtue of this Act, the Commissioners to be nominated and elected in virtue of this Act shall be and they are hereby authorized and empowered, besides and in addition to the Works and Operations contemplated and authorized by the said recited Act, to cause make, form, and erect a Tide Harbour, a Dock or Docks, either a Dry or a Wet Dock or Docks, as they may find to be practicable or judge expedient or advisable, with a Canal or Canals, Cuts, Entrances, or other Accesses thereto, and all Embankments, Retaining Walls, Locks, Sluices, Drawbridges, or other Bridges, Buttresses, Barriers, Bulwarks, Quays, Landing Places, or other Works or Erections they shall deem proper or requisite, with Roads, Railways, Towing Paths, or other Accesses or Communications connected with or in their Opinion necessary for the same.

Authority to form Tide Harbour, Docks, and other Works.

X. And be it further enacted, That the said Commissioners to be nominated and elected in virtue of this Act shall be and they are hereby authorized and empowered to take and use such Part of the Property of the Community of *Perth*, and of the Inch or Island commonly called the *Sand Island*, belonging partly to the said Community of *Perth* and partly to Sir *Thomas Moncrieff* Baronet, as may be found necessary for the Purposes aforesaid, or to make such Bulwarks, Jetties, Abutments, Embankments, Retaining Walls, Towing Paths, Roads, Railways, Carriage Ways, Locks, Sluices, Bridges, or other Works or Erections in or upon the said Inch or Island, or along the same, or in the Bed or Channel of the River *Tay* opposite to, running along, or contiguous to any Part of the said Property or Island, as they shall judge necessary; also to take or use such Parts of the Lands, Grounds, or Estate of the said Sir *Thomas Moncrieff* Baronet lying upon the West Side of the River *Tay*; and, with the previous Consent in Writing of the Right Honourable and Honourable the principal Officers of His Majesty's Ordnance, but not otherwise, to take and use any Part of the Grounds upon which the Ordnance Depôt at *Perth* is situated, and in the Bed or Channel of the River *Tay* opposite to or running along the East Side of the same, as may by the said Commissioners be deemed necessary for the Purposes aforesaid: Provided always, that it shall not be lawful for the said Commissioners or their Successors to take or use any Part of the said Grounds or Property belonging to the said principal Officers of His Majesty's Ordnance until the same shall have been valued by Two indifferent Persons, one to be chosen by the said principal Officers or their Successors in Office, and the other by the said Commissioners or their Successors, or by an Umpire, to be chosen by such Two Persons in case they shall not agree in their Valuation, nor until the Amount of such Valuation shall have been actually paid by the said Commissioners or their Successors unto such Person as the said

Power to take certain Lands and Grounds.

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principal

principal Officers or their Successors in Office shall appoint to receive the same; provided also, that in carrying into execution the said Works and Operations by this Act authorized the said Commissioners shall have no Right, Power, or Authority to interfere with, encroach upon, or injure any of the Buildings, Inclosures, or Erections belonging to or situated upon Ground belonging to the said principal Officers of His Majesty's Ordnance, without the express Sanction, Licence, or Permission of the said principal Officers under whose Superintendence the same are or may be, or of the Person or Persons who may have Power to grant such Sanction, Licence, or Permission; and provided also, that the said Commissioners and their Successors shall be bound and obliged, from the Funds entrusted to their Administration under this Act, to cause make, erect, and construct sufficient March Dykes or Fences of Stone and Lime betwixt such Parts of the Lands or Property of the said Sir *Thomas Moncrieff* as they may take or use for the Purposes authorized by this Act, and the remaining Part or Parts of his said Lands or Property; and also that where, by any of the Operations authorized by the said recited Act and this Act, the said Commissioners or their Successors shall interfere with the Drains constructed for carrying off the Water from the Lands remaining the Property of the said Sir *Thomas Moncrieff*, or any Part thereof, they shall be bound and obliged to cause make and construct, at their sole Expence, such Conduits or other Conductors or Outlets as shall allow the Water from such Drains to flow into the *Tay* as freely as at present; and that it shall be competent to the Sheriff of *Perthshire*, upon the summary Application of either Party, to fix the Height and Extent of such March Fences, and the Nature and Extent of such Conduits or Outlets of Drains, in both of which Cases his Decision shall be final and obligatory upon the Parties, without being subject to review by Advocation, Suspension, Reduction, or otherwise.

XI. And be it further enacted, That the said Commissioners acting in virtue of this Act shall be and they are hereby specially authorized and empowered to cause to be done, performed, and executed every Act and Operation tending either to preserve or improve the Navigation of the said River *Tay*, within the Bounds of the Port and Harbour thereof, as fully and freely as is competent by Law to the said Lord Provost, Magistrates, and Town Council, and in particular, and without reference to the Powers competent to the said Lord Provost, Magistrates, and Town Council, to cause lessen or remove, in whole or in part, by dredging by Steam Vessels, Hand Labour, or otherways, all Banks, Bars, Fords, Shallows, Hursts, or other Obstructions, either natural or artificial, to the free Navigation of the River, either in the Bed or Channel or along the Banks thereof, and also to adopt and use all and every other Means and Measures for improving the said Navigation, by excavating or deepening the present Bed or Channel of the said River, changing the Course and Direction thereof, improving the main Channel by connecting the Islands in the said River known by the Names of *Sleepless Island*, *Balhepburn Island*, and *Darry* or *Darien Island*, with the main Land, the two former, *videlicet*, *Sleepless* and *Balhepburn Islands*, with the Right or Southern Bank of the River, and *Darry*
or

Commis-
sioners may
improve the
Navigation
within cer-
tain Limits.

or *Darien Island* with the Left or Northern Bank of the said River, by means of Embankments, the Positions of which are laid down in the Plan after mentioned; with Power to form new Embankments, Bulwarks, Jetties, or other Works or Erections for confining, directing, or improving the Course of the main navigable Stream, and to remove or cause to be removed all such Embankments, Bulwarks, Jetties, or other natural or artificial Erections or Obstructions as to them shall appear prejudicial to the Improvement of the free and uninterrupted Navigation of the said River; such Powers to be competent to and be fully and freely exercised by the said Commissioners within the Whole and every Part and Portion of the said Port and Harbour of *Perth*: Provided always, that in improving the navigable Channel of the River at *Mugdrum Island* the Operations hereby authorized shall be confined to improving the Branch or Channel of the said River running along the South Side of the said Island; without Prejudice to the said Commissioners entering into any Arrangement with the Proprietors of the said several Islands before mentioned for carrying into effect the Junction of the said Islands to the main Land, as aforesaid, by such Proprietors themselves, provided the same be done to the Satisfaction of the said Commissioners, or any Engineer appointed by them; and also without Prejudice to the said Commissioners and their Successors entering into Arrangements, Agreements, or Contracts with the Lord Provost, Magistrates, and Town Council on behalf of the Community of *Perth*, and with all other Proprietors or Occupiers of Lands, Tenements, Fishings, or other Heritages adjacent to or in the said River *Tay*, as they may judge necessary for the Purposes of this Act, and that either by Purchase, Lease, Excambion, or otherways, of such Lands, Tenements, Fishings, or other Heritages, or any Part or Portion thereof, as the Parties shall mutually agree upon, and which the several Parties, according to their respective Rights and Interests, are hereby authorized to purchase, take in Lease, or exchange, sell, or let out in Lease, as they shall mutually judge proper, any Law or Practice to the contrary notwithstanding; but reserving always to the Proprietors of Lands, Tenements, Fishings, Ferries, and other Heritages adjacent to and in the said River *Tay* the whole Rights and Privileges competent to them by Law, in so far as not limited by the before-recited Act and this Act.

XII. And be it further enacted and declared, That in carrying into execution the Works by this Act authorized it shall not be competent to nor in the Power of the said Commissioners to proceed further in the Execution of the same than to deepen and improve the Navigation of the said River *Tay*, and to form and complete the Tide Harbour herein-before authorized to be made, formed, and erected, nor for these Purposes to expend, borrow, or take up at Interest any Sum exceeding the Sum of Fifteen thousand Pounds Sterling beyond the Debt already incurred under the Authority of the said recited Act, until Compensation shall be made or provided for, in Terms of the Directions herein-after contained for that Purpose, to the Proprietors of Fishings, for any Damage that may be sustained by the Proprietors of such Fishings in consequence of the Operations and Works executed by the said Commissioners.

Works not to be proceeded with beyond a certain Extent till Compensation be made.

XIII. And

Compen-
sation to be
made for
Property
taken or de-
teriorated.

XIII. And be it further enacted, That Satisfaction and Compensation shall be made to the Owners and Occupiers of such Lands, Tenements, Fishings, Bulwarks, Embankments, Jetties, and other Heritages as may be injured or deteriorated by or in consequence of the said Operations, or be used or taken for the Purposes of the said recited Act or this Act, to be ascertained, liquidated, and settled for in manner provided and set forth in the said recited Act in the Case of Lands or other Heritages damaged by the Operations thereby authorized, the whole Clauses, Enactments, and Provisions of which Act in regard to Property used or taken, the Loss or Damage occasioned, or Injury sustained, the Satisfaction and Compensation to be made, the Mode of ascertaining and making the same as by this Act explained and amended, and the Security to be interposed by the Community of *Perth* in relation thereto, are and shall be deemed and held to be equally applicable to this Act as if the said Clauses and Provisions were repeated and re-enacted in this Act, and also to be applicable and applied so as to provide Compensation for Lands or other Heritages taken or used as well as for Lands or other Heritages damaged or deteriorated.

For Com-
pensation to
Proprietors
of Salmon
Fishings.

XIV. And be it further enacted, That the Proprietors or Owners of Salmon Fishings situated in that Part of the River *Tay* to which the Operations authorized by the said recited Act and this Act extend, and the Lessees, Tenants, or Occupiers of the same, shall be entitled to Indemnification for any Loss or Damage which their said Fishings may suffer or sustain in consequence of any such Operations; and in order to the more readily ascertaining the Extent of such Loss or Damage, all such Proprietors, Owners, Lessees, Tenants, and Occupiers of Fishings, and also the said Commissioners, shall be entitled to cause ascertain by amicable Arrangement, or, in case of Difference of Opinion, by a Jury to be called in manner specified in the said recited Act, previous to the Commencement of any Operations for improving the Navigation of the said River, the average Proportion which the Salmon and Grilses taken upon the Fishing, if only One, or aggregate Fishings, if more than One, of each such Proprietor, during the Five Years or Fishing Seasons immediately preceding the Commencement of the said Operations, bears to the whole Salmon and Grilses taken during the same Period of Five Years in the River *Tay* and its tributary Streams, from the Junction of the said River with the River *Isla* downwards to the Sea, at the Boundary Line betwixt the said River *Tay* and the Sea, as fixed by Decree of the Court of Session; and in the event of the Proprietors or Owners of the said Salmon Fishings not being able to establish, by the Testimony of Witnesses, the exact Number of Salmon and Grilses taken during the Period foresaid at any of the Stations, then and in that Case it shall be competent to the said Jury, or the Referee or Referees, to whom the Adjustment by amicable Arrangement may have been left, and they are hereby empowered to fix and determine what Number of Salmon and Grilses may have been so taken at the said Fishing Stations during the Period aforesaid, by taking into view the Number of Salmon and Grilses taken at the other Fishing Stations, and the Proportion they bear to the Rents thereof during the Period aforesaid, as the same shall be ascertained by the Evidence adduced; or it shall

be competent to the said Jury, or Referee or Referees, to fix and determine the Number of Salmon and Grilses taken at such Fishing Stations, during the Period aforesaid, in such other Mode or Manner as shall prove satisfactory to the said Jury, or Referee or Referees; and this average Proportion being so fixed and ascertained, the said Owners and Occupiers of Fishings shall be entitled to have it ascertained in like Manner at the End of each Fishing Season, as established by Law for the Time, during the Continuance of the said Operations in improving the Navigation of the River, and also during the Five Years or Fishing Seasons immediately succeeding the Termination of such Operations, and within not less than Twenty nor more than Sixty Days after the Termination of each such Fishing Season as aforesaid, whether there has been taken on the Fishing, if only One, or the aggregate Fishings, if more than One, of each Proprietor situated within the Bounds to which the Operations authorized by the said recited Act and this Act extend, the same Proportion of Salmon and Grilses of the whole Salmon and Grilses taken in the *Tay* and its tributary Streams within the Limits before mentioned which it was previously ascertained had been taken on such Fishing or aggregate Fishings on the Average of the said Five Years immediately preceding the Commencement of such Operations; and in the Event of it being so ascertained that the Number of Salmon and Grilses taken upon the Fishing, if only One, of such Proprietor, or the aggregate of his Fishings, if more than One, shall fall under the Proportion of the whole Salmon and Grilses taken in the River *Tay*, from the Junction of the *Isla* with the *Tay* downwards to the Sea, defined as aforesaid, the said Commissioners and their Successors shall be bound, yearly and each Year, to make good and pay to the said Owners or Occupiers the Loss or Damage arising from such Deficiency, to be ascertained at the Average of the selling Price of *Tay* Salmon in the *London* Market for each such Fishing Season, to be ascertained in the same Manner as the Numbers and Proportion of Salmon and Grilses taken as aforesaid are provided to be ascertained.

XV. And be it further enacted, That at the Expiration of Five Years or Fishing Seasons after the Completion of the Operations in regard to improving the Navigation of the River by the said recited Act and this Act authorized, a Count and Reckoning shall take place betwixt the Commissioners under this Act and their Successors, and the Proprietors of Salmon Fishings and their Successors, who shall by themselves, or their Tenants or Lessees, have claimed or received any Payment or Compensation for Loss or Damage sustained as aforesaid; and if it shall appear that upon the Average of the whole Years, from the Commencement of the Operations under this Act to the Period of such Count and Reckoning being demanded by either Party, the said Commissioners or their Successors shall have paid more to the said Proprietors or their Lessees than the average Damage or Loss sustained by them, ascertained according to the Rule and Principle to be adopted in ascertaining such Loss or Damage as before specified, then and in that Event the said Commissioners and their Successors shall be entitled to receive, and the said Proprietors and their Successors be bound to repay to the said Commissioners, such Sums or

Count and
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Payments as they or their Lessees or Tenants have received over and beyond such actual average Loss or Damage ascertained as aforesaid, with Interest upon the same at the Rate of Four Pounds *per Centum per Annum* from the Time or Times of such Over-payment until the same is repaid; declaring always, that although upon the said Count and Reckoning it should appear that during the Period to which the same shall apply the average Produce upon the Fishing or aggregate Fishings of any Proprietor shall exceed his Proportion of the Salmon and Grilse taken in the River *Tay* and its tributary Streams within the Bounds before mentioned, the said Commissioners or their Successors shall have no Claim against the said Proprietor beyond Repayment of the Sums paid by them to him or his Tenants or Lessees, and Interest on Over-payments as aforesaid.

Final Compensation how to be made.

XVI. Provided also, and be it further enacted, That if at the Period of the said Count and Reckoning taking place it shall appear that, in consequence of the Operations authorized by the said recited Act and this Act, the average Proportion of Salmon and Grilse taken during the Five preceding Years or Fishing Seasons as aforesaid upon the Fishing, if only One, or aggregate Fishings, if more than One, held by the respective Proprietors of such Fishings, or their Successors, of the whole Salmon and Grilse taken in the *Tay* and its tributary Streams, from its Junction with the *Isla* to its Boundary with the Sea, defined as aforesaid, shall be less than the Proportion so taken by them respectively during the Five Years immediately preceding the Commencement of the said Operations, then and in that Event the said several Proprietors, or their Successors, shall be entitled to have it ascertained by amicable Arrangement, or, in case of Difference of Opinion, by the Verdict of a Jury, to be called as provided by the said recited Act, what Sum or Sums ought to be paid to them in full, and as a final Compensation for the Loss or Damage sustained by each Proprietor upon the Fishing or aggregate Fishings presently belonging to him within the Bounds to which such Operations are authorized to extend, in consequence of the Operations for improving the Navigation of the said River authorized by the said recited Act and this Act, or which may in all Time thereafter arise from or be occasioned by the said Operations; and all Loss or Damage, temporary or permanent, arising from such Deficiency as aforesaid, sustained by any Proprietor or Proprietors, and his or their Tenants or Lessees of Fishings, after the Commencement of the said Operations for improving the Navigation of the said River, ascertained as is by this Act in any Case directed to be ascertained, shall be deemed to have been caused by such Operations, unless the said Commissioners or their Successors shall satisfactorily establish that such Loss or Damage arose or was occasioned, in whole or in part, by any Cause or Causes other than their said Operations authorized by the said recited Act or this Act for the Improvement of the Navigation of the said River *Tay*: Provided always, that although the legal Time for the Commencement and Termination of the Season for Salmon Fishing in the River *Tay* shall at any Time during the Progress of the said Operations, or within Five Years after their Completion, be altered, it shall not be competent to the said Commissioners or their Successors to plead such Alteration as a

Cause for the Deficiency of the Proportion of Salmon or Grilises taken on the Fishing or Fishings of any Proprietor or Proprietors of Fishings, or his or their Tenants; provided also, that the said Owners and Occupiers of Fishings who shall have claimed Compensation for Loss or Damage sustained in consequence of the Operations authorized by the said recited Act or this Act, or to whom it was competent to make such Claim, and who shall have failed to make the same at the respective Periods and in manner before particularly provided for, shall not be entitled to make any farther Claim for Compensation or Indemnification, on account of any Operations in regard to the Navigation of the said River subsequent to the Completion of those Works, and Operations relative thereto, authorized by the said recited Act and this Act, which the said Commissioners shall find it necessary to perform for upholding or preserving in an efficient State the Works and Operations previously executed, and for maintaining the Navigation of the River as so improved, on account of which Compensation had or might have been claimed as aforesaid.

XVII. And whereas a Survey has been taken, and Maps or Plans and Sections have been laid down and constructed, showing the Position, Nature, and Extent of the proposed Tide Harbour, Dock or Docks, Canal, or Access thereto, Lock thereon, and relative Embankments, Quays, Piers, Roads, Accesses, and other Works connected therewith, of the Course of the Navigation of the River within the Bounds of the said Port and Harbour of *Perth*, Fords therein, and Positions of the Embankments necessary for joining to the main Land the several Islands before mentioned, and such Maps, Plans, and Sections, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers of the Lands, Tenements, Fishings, and other Heritages thereby affected, have been deposited in the Office of the Clerk of the Peace for the County of *Perth*, and also in the Office of the Clerk of the Peace for the County of *Fife*; be it therefore enacted, That such Maps or Plans and Sections, and Books of Reference, shall remain in the Custody of the respective Clerks of the Peace of the said Counties, and all Persons shall at all reasonable Times have Liberty to inspect and peruse the same, or obtain Copies thereof or Extracts therefrom, as Occasion shall require, paying to the said respective Clerks of the Peace the Sum of One Shilling for every such Examination, or Sixpence for every Seventy-two Words of such Copies or Extracts; and the said Commissioners in making the said intended Improvements shall not deviate more than One hundred Yards from the Position of the said Dock or Docks, and Tide Harbour, or the Course, Line, or Direction of the said Canal, Roads, Railways, or other Accesses thereto, or Embankments connected therewith, as laid down and delineated on the said Maps or Plans and Sections, without the express Consent and Concurrence in Writing of the Owners and Occupiers of the Lands, Tenements, Fishings, or other Heritages that may be affected by such Deviation.

Maps, Plans, &c. to remain with the Clerks of the Peace of the Counties of *Perth* and *Fife*.

XVIII. And whereas by the said recited Act the Commissioners acting under the same were authorized and empowered to borrow, take up, and expend, on the Credit of certain Rates and Duties thereby granted,

Further Sums may be borrowed.

granted, a Sum or Sums of Money not exceeding Sixteen thousand Pounds Sterling, to be secured, liquidated, and paid as therein set forth; and as the additional Works and Operations by this Act authorized to be done, made, and performed will require a further and larger Sum to be provided for carrying the same into execution, be it therefore enacted, That the Commissioners acting in virtue of this Act shall be and they are hereby authorized and empowered to borrow and take up at Interest any Sum or Sums of Money, not exceeding the additional Sum of Thirty-four thousand Pounds Sterling, upon the Credit and Security of the Rates and Duties imposed by the said recited Act, as altered and explained by this Act and the relative Schedules after-mentioned, and that in the same Manner, and upon the same Security in every respect, as the Commissioners under the said recited Act were thereby authorized to borrow and apply the said Sum of Sixteen thousand Pounds; the whole Clauses in which recited Act, in so far as regards the borrowing and taking up the said Sum of Sixteen thousand Pounds, Application thereof, and levying of Rates and Duties for liquidating and satisfying the same, and Authority granted to the Magistrates and Town Council to interpose the Guarantee of the Community for the Sums so borrowed, shall be and are hereby extended and declared to apply, not only to such Part of the said Sum of Sixteen thousand Pounds as shall not at the Time of the passing of this Act have been borrowed, levied, and applied for the Purposes of the said recited Act, and which the Commissioners acting in virtue of this Act are hereby authorized and empowered to borrow, levy, and apply to the Works and Operations by the said recited Act and by this Act authorized to be executed, but also to the said additional Sum of Thirty-four thousand Pounds Sterling hereby authorized to be borrowed and applied to the Works and Operations authorized by the said recited Act and this Act, with full Power also to the said Commissioners acting in virtue of this Act to pay off the Whole or any Part or Parts of the Sum or Sums so borrowed or to be borrowed, either from the Proceeds of the said Rates and Duties, or otherwise, and again to borrow and take up, on the same Security, such other Sum or Sums as may from Time to Time be necessary either to pay off the previously existing Debt or any Part thereof, or to complete the Works and Operations hereby authorized: Provided always, that the whole Amount borrowed upon the Security of the said Rates and Duties shall at no Time exceed the Sum of Fifty thousand Pounds Sterling.

Further
Time for
carrying the
Works into
execution.

XIX. And whereas by the said recited Act it is provided and enacted that the Works thereby authorized should be executed and completed within the Space of Five Years from the passing of the said Act: And whereas the additional Works now proposed will require a Prolongation of the Time for the proper Execution thereof, more especially as the same will fall to be executed progressively as the Trade of the Port and Harbour of *Perth* will require the same, and as the Produce of the Rates and Duties hereby imposed will prove sufficient to meet the Expence thereof; be it therefore further enacted, That the Time and Period for the Execution of the Works and Operations by the said recited Act and this Act authorized to be made, done, and performed,

formed, shall be and the same is hereby extended to the Period of Five Years from and after the passing of this Act for deepening and improving the Navigation of the River beyond the Bounds to which the said recited Act applies, and Twenty Years from and after the passing of this Act for the Execution of the other Works and Operations, such other Works and Operations being always to be executed upon Lands, Grounds, or Heritages which shall be at the Time the Property of the Community of the City of *Perth* or of the said Commissioners.

XX. And be it further enacted, That no Commissioner acting in virtue of this Act shall hold any Office of Emolument under this Act, either as a Principal or Deputy, nor be directly or indirectly concerned in any Contract under this Act, nor be Surety for any Contractor under this Act, under the Penalty of One hundred Pounds Sterling, to be levied and applied as is provided in the said recited Act in regard to the Recovery and Application of the Fines and Penalties by that Act granted.

No Commissioner to hold any Office.

XXI. And whereas by the said recited Act there were expressly reserved to the Lord Provost, Magistrates, and Town Council of the City of *Perth*, on behalf of the Community thereof, their whole Rights, Powers, Privileges, Jurisdictions, and Authorities in regard to the Navigation of the *Tay*, and all Right competent to them to levy and exact the accustomed Rates, Dues, and Duties payable to them, in Name of Custom, Anchorage, Cess Boll, Shore Dues, Coal Deacons Dues, or under whatever other Denomination the same might be levied or received: And whereas these Rates, Dues, and Duties anciently imposed are now, from the Circumstances of the Change of the Trade of the Country, levied unequally, both in respect to the Vessels and Goods for which the same are chargeable, and the Persons liable to pay the same and the Exaction of different Sets of Rates, Dues, and Duties, and by separate Collectors, upon the same Vessels and Commodities, proves harassing to the Public, and to the Payers thereof; it is just and expedient that these Grievances be put an End to, by consolidating the Whole of these Rates, Dues, and Duties with the Rates and Duties to be levied under the said recited Act and this Act, on adequate Compensation being made, provided for, and paid by the said Commissioners, from the Rates and Duties leviabie by them under this Act, to the said Lord Provost, Magistrates, and Town Council, in behalf the said Community of *Perth*, for and in consideration of their ceding and giving up, in all Time coming, the said Customs and Dues so leviabie by them; be it therefore enacted, That the said Commissioners acting in virtue of this Act shall be and they are hereby authorized, empowered, and required, out of and from the first Proceeds of the Rates, Dues, and Duties leviabie and to be levied by them in virtue of the said recited Act and this Act, to satisfy and pay to the said Lord Provost, Magistrates, and Town Council of *Perth*, or the City Chamberlain thereof for the Time, or his or their Assignees, for the Use and Behoof of the Community of the said City of *Perth*, a Sum equal in Amount to One just and equal Twelfth Part and Share of the Amount which the said Rates, Dues, and Duties by this Act

Annual Sum to be paid to the Magistrates of *Perth*.

imposed and authorized to be levied would or might have produced if the same had been or shall be levied or exacted for each of such Years by the said Commissioners at the full or maximum Rates specified and contained in the Schedules (A.) and (B.) to this Act annexed, and that at Two Terms in the Year, *Whitsunday* and *Martinmas*, by equal Portions, beginning the first Half Year's Payment thereof at the Term of *Whitsunday* in the Year One thousand eight hundred and thirty-five for the Half Year immediately preceding, and the next Half Year's Payment at the Term of *Martinmas* thereafter, and half-yearly and termly in all Time thereafter, with the due and legal Interest of the said termly Payments, from and after the same respectively fall due, and till Payment.

Certain Rates and Duties heretofore paid to the Magistrates to cease.

XXII. Provided always, and be it further enacted and declared, That in consideration of the said yearly Sums so to be paid to the Lord Provost, Magistrates, and Town Council of *Perth*, or the City Chamberlain for the Time, or his or their Assignees, on behalf of the Community thereof, the Right and Title of the said Lord Provost, Magistrates, and Town Council, and of the Community of the City of *Perth*, to demand, levy, or exact, by themselves and others on their Behalf, the Rates, Dues, and Duties presently exigible by them under the Name of Custom, Anchorage, Cess Boll, Shore Dues, Coal Deacons Dues, or under whatever other Denomination the same shall be known, shall fall, cease, and determine from and after the Term of *Martinmas* in the Year One thousand eight hundred and thirty-four.

Powers to the Magistrates and the Commissioners, respectively or jointly, to raise Actions of Declarator, &c.

XXIII. And be it further enacted, That in the Event of any Question, Dispute, or Difference, in regard to which the Mode of Settlement is not specially provided for by the said recited Act or this Act, arising as to the Right of any Person or Persons, as Owners or Occupiers, to erect, have, or use any Quays, Piers, Shores, or other Landing Places for importing or exporting Goods, Commodities, or other Articles or Things within the Limits of the Operations authorized by this Act, or their Right to permit any Ships, Vessels, Barks, Boats, or Lighters to load or unload, receive or discharge, any Cargo or Part of a Cargo, Goods, Merchandize, Commodities, or other Articles or Things, at such Quays, Piers, Shores, or other Landing Places, or in regard to any Piers, Embankments, or other Erections made or to be made, within the Limits aforesaid, which may be deemed prejudicial to the Navigation of the said River, either as to the Removal of those existing, or the Prevention of those attempted to be made or erected, and that in any such Question arising between these Proprietors or Occupiers and the Commissioners acting in virtue of this Act, or betwixt the said Proprietors and Occupiers and the Lord Provost, Magistrates, and Town Council, it shall be competent to the said Commissioners, or the Lord Provost, Magistrates, and Town Council of *Perth*, respectively or jointly, or to the said Proprietors and Occupiers, to institute, raise, and insist, in any Action of Declarator, or other Suit, Process, or Action in relation thereto, before the Sheriff or Judge Ordinary of the Bounds in which the said Quays, Piers, Shores, or other Landing Places, or such Piers, Embankments, or other Obstructions or Erections deemed prejudicial to the Navigation

gation of the River, are or may be situated, made, or attempted to be made, used, or established, any Law or Practice to the contrary notwithstanding.

XXIV. And whereas by the said recited Act it was provided, that so soon as the Works and Operations thereby authorized to be executed should be completed, and which was to be certified by the Commissioners under the said Act, the Lord Provost, Magistrates, and Town Council and Community of the said City of *Perth* should be bound and obliged to uphold and keep in repair, from the Common Funds of the Burgh, the said Works and Erections in all Time coming; be it further enacted, That the Clauses and Obligations to that Effect contained in the said recited Act shall be and the same are hereby repealed, and the whole Works, Operations, and Erections by the said recited Act and this Act authorized to be made, erected, and executed shall, after the same are completed, be maintained, upheld, and kept in repair and efficient Condition by the Commissioners acting in virtue of this Act, from and out of the Proceeds of the Rates and Duties to be levied in virtue of this Act, as herein-after set forth.

Works when completed to be maintained by the Commissioners.

XXV. And whereas the Tables of Rates and Duties specified and contained in the Schedules (A.) and (B.) annexed to the said recited Act have in some Instances not been sufficiently defined, nor the Duties imposed in a due Proportion to the relative Values of the Goods and other Commodities upon which the same are leviable; and as the Customs and Dues at present exigible by the Lord Provost, Magistrates, and Town Council of *Perth* to be ceded and given up by them as aforesaid, are to be consolidated with the Rates and Duties hereby authorized to be levied; be it therefore enacted, That from and after the Term of *Martinmas* in the Year One thousand eight hundred and thirty-four the said Dues and Duties on Vessels and on Goods and other Commodities shall be leviable and exigible in conformity to the Rates, Dues, and Duties specified and contained in the respective Schedules (A.) and (B.) to this Act annexed, in lieu and instead of the Rates and Duties contained in the Schedules (A.) and (B.) annexed to the said recited Act; and such Rates and Duties hereby granted shall, after paying the Expences attendant upon the procuring of this Act, as after mentioned, and the Charge of collecting and Management of the Funds thence arising, be applied to and for the Purposes by the said recited Act and this Act authorized, and to no other Use, Intent, or Purpose whatsoever.

New Tables of Rates and Duties authorized.

XXVI. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times when and so often as He or they shall think fit so to do, in and by their Order in Writing, to reduce the Duties hereby made payable on all or on such or so many of the Foreign Ships or Vessels frequenting the said Port and Harbour, as he or they shall deem expedient, to the same and like Duties as are hereby made payable in respect of Vessels registered at any Port of the United Kingdom.

Rates and Duties on Foreign Ships to be regulated by His Majesty and the Treasury.

XXVII. And

Powers to regulate Dues upon Boats and Lighters.

XXVII. And be it further enacted, That it shall be competent to and in the Power of the Commissioners acting in virtue of this Act to compound, transact, and agree with the Proprietors of undecked Boats or Vessels of any Description employed in the loading or lightening Vessels within the Bounds of the said Port and Harbour of *Perth*, or in carrying Sand, Gravel, Stones, or other Articles from one Place to another within the said Bounds, at a lower or abated Rate of the Rates and Dues leviabie in respect of the Tonnage of such Boats or other Vessels than those contained in the said Schedules (A.) and (B.) hereunto annexed.

Extension of Limits within which Rates and Duties are to be levied.

XXVIII. And whereas the said Rates and Duties by the said recited Act demandable and leviabie were authorized to be so demanded and levied upon Ships, Vessels, Barks, Boats, or Lighters coming to the Port or Harbour of *Perth* to receive or discharge a Cargo or Part of a Cargo within that Part and Portion of the Precincts of the said Port and Harbour situated or lying above and farther up the River *Tay* than where the *Willowgate* Branch or Division thereof flows into or joins at its South End or Extremity of *Moncrieff Island* the westmost or main Branch of the River, and upon Goods, Wares, Merchandize, and Commodities imported or exported by Ships, Vessels, Barks, Boats, or Lighters coming to or leaving the said Port and Harbour of *Perth* within that Part or Portion of the Precincts thereof specified and defined in the said recited Act; but as the Operations and Improvements authorized by this present Act are to be extended to the whole of the River as far as the Boundaries of the Port and Harbour of *Perth* do extend, it is just and proper that the Limits within which such Rates and Duties shall be leviabie and exigible should be extended; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners, and their Servants, Tacksmen, and all such Persons who are, shall, or may be commissioned, employed, or empowered by them, and they are hereby authorized and empowered, to demand and take, upon every Ship, Vessel, Bark, Boat, or Lighter coming to receive or discharge a Cargo or Part of a Cargo within that Part and Portion of the Precincts of the said Port and Harbour of *Perth* which is situated to the Westward, or further up the River *Tay* than a Line drawn from a Point on the South Side of the said River immediately above the Junction of the River *Earn* with the said River *Tay* to the West End of the Dyke or Embankment on the North Side of the said River *Tay* forming the Land March between the Estates of *Pitfour* and *Inchyra*, the several Rates and Duties contained in Schedule (A.) hereunto annexed; and also to demand and take, from all and every the Owners and Proprietors of all Goods, Wares, Merchandize, and Commodities whatsoever which shall be imported or exported in any Ship, Vessel, Boat, Bark, or Lighter coming to and within or leaving the said Port and Harbour of *Perth*, or any Part or Place within the Precincts or Boundaries thereof first before mentioned, or from the Agents, Factors, or Managers of such Owners and Proprietors, the several Rates and Duties which are specified and contained in the Schedule (B.) hereunto annexed: Provided always, that it shall not be competent to or in the Power of any Person or Persons to plead or claim Exemption from Payment of the Rates and Duties by this Act imposed, or any Part thereof, upon
the

the Ground or Plea of their being exempted, or having any Claim of Exemption, from Payment of the Rates, Dues, or Duties formerly or at present exigible by the Lord Provost, Magistrates, and Town Council of *Perth*, by Consuetude, Grant from the Crown, Statute, or otherwise.

XXIX. Provided always, and be it enacted and declared, That all Ships, Vessels, Boats, Barks, or Lighters coming to or frequenting any private Quay, Pier, or Landing Place within the said Port and Harbour of *Perth*, at which the Proprietor, or his or her Tenants, have a legal Right, either by written Title or Consuetude, to export or import any Goods, Articles, or Things, and also the said Goods, Articles, or Things so exported or imported at such private Quay, Pier, or Landing Place, having a legal Right as said is, shall be and they are hereby exempted from Payment, at such private Quay, Pier, or Landing Place, of the Rates and Duties by the said recited Act and this Act authorized to be levied, but without Prejudice to the Liability of such Ships, Vessels, Boats, Barks, or Lighters proceeding to and receiving or discharging a Cargo, or any Part of a Cargo, at any other Quay, Pier, or Landing Place not having such legal Right, or the Goods, Articles, or Things exported or imported at such other Quay, Pier, or Landing Place, in Payment of the Rates and Duties imposed by the said recited Act and this Act.

Reservation
as to Rights
of private
Quays.

XXX. And whereas the said recited Act contains certain Clauses and Provisions for regulating the Extent and Proportion of the Rates and Duties thereby imposed, which the Commissioners under the said Act were, under certain Circumstances therein set forth, to be entitled to exact and levy, and for the raising and diminishing, in the Events therein specified, the Proportions to be levied and exacted of the said Rates and Duties; be it enacted, That all and each of the said Clauses and Provisions contained in the said recited Act for regulating the Proportions of the said Rates and Duties to be from Time to Time levied and exacted, and for regulating from Time to Time the increasing or diminishing of the said Proportion of these Rates and Duties so to be levied and exacted, shall be and are hereby repealed.

Rates and
Duties to be
raised and
diminished
in certain
Circum-
stances.

XXXI. And be it further enacted, That in the Event of the Rates and Duties mentioned in the said Schedules (A.) and (B.) hereunto annexed being found to produce a free annual Revenue, more than sufficient to pay the foresaid annual Payment to the Lord Provost, Magistrates, and Town Council of the City of *Perth*, on behalf of the Community thereof, in lieu of their present Customs and Dues, the Interest upon the Money borrowed and then due, the Expence of upholding the Works hereby authorized, the Operations necessary for preserving the free and uninterrupted Navigation of the River, and the ordinary Expence attending the Management, Lighting, Police, and other Matters regarding and necessary for the Regulation of the said Port and Harbour, to meet any Claim of Damages that may be made by the Proprietors or Occupiers of Lands, Tenements, Fishings, or other Heritages, in virtue of the Clauses of Indemnification contained in this present Act or otherwise, and to provide a Sinking Fund for

Further
Regulations
as to raising
or diminish-
ing Rates
and Duties.

liquidating the then existing Debt within a Period of not less than Thirty Years and not exceeding Forty-five Years, then and in that Case it shall be lawful to the said Commissioners and they are hereby required to levy and exact such a Proportion only of the said Rates and Duties as will produce, as nearly as the same can be estimated or ascertained, a Revenue sufficient for Payment of the fore-said yearly Sum to the Lord Provost, Magistrates, and Town Council of *Perth*, of the Interest on the then existing Debt, of the Expence of upholding the Works hereby authorized, of preserving the Navigation of the River as before mentioned, and other Expences before set forth, and for liquidating the Debt within the Period before specified; but without Prejudice to the said Commissioners, from Time to Time as they shall find and judge necessary in order to produce a Revenue adequate to the Purposes aforesaid, to raise or diminish the Proportion of the said Rates, Dues, and Duties so to be levied and exacted: Provided always, that the said Rates, Dues, and Duties shall not exceed the Rates, Dues, and Duties specified in the said Schedules (A.) and (B.) before referred to, nor, on an Average of Three or Five Years, materially exceed or fall below the Income necessary for the Purposes herein above set forth.

Rates and
Duties may
be let.

XXXII. And be it further enacted, That in case it shall by the said Commissioners be judged adviseable or advantageous to let or lease out the said Rates, Dues, and Duties hereby imposed for a Period not exceeding Three Years at One Time, and which they are hereby authorized to do, no Alteration whatever upon the said Rates, Dues, and Duties exigible at the Time of entering into the said Lease shall take place during the Continuation of such Lease, however the Amount or other Statement of the Funds and Debts leviabie, borrowed, realized, or due in virtue of this Act or of the said before-recited Act may stand or be for the Time.

After Works
are finished,
the Rates to
be diminish-
ed.

XXXIII. And be it further enacted and declared, That after the Works hereby authorized to be made and erected are completed, and the Debt incurred for the Execution thereof shall be liquidated and paid, the Powers and Authorities of the said Commissioners in regard to the levying and raising the Rates, Dues, and Duties hereby imposed shall be limited to the levying and raising of such a Proportion thereof only as shall satisfy and pay the Sum payable to the Lord Provost, Magistrates, and Town Council of *Perth* as aforesaid, the Expence of upholding the said Works, Management, Police, and other Expences of and connected with the due Regulation, Charge, and Efficiency of the said Tide Harbour, Dock or Docks, Canal, Accesses, Embankments, and other Works connected therewith and necessary thereto, and of such Operations as may be necessary for preserving the free and uninterrupted Navigation of the *Tay*, and to meet such Claims for Indemnification as shall not then have been ascertained and liquidated, or may be made or arise in any Time thereafter.

Special
Powers as to

XXXIV. Provided always, and be it further enacted, That it shall be competent to and in the Power of the said Commissioners, and they are hereby

hereby authorized and empowered, in case, owing to the unforeseen Depreciation in the Value of any Article or Commodity, or other Cause appearing to them to warrant, upon fair and equitable Principles, the Reduction of the Rates, Dues, and Duties leviabie and exigible upon such Article or Commodity under Schedule (B.) hereunto annexed, to reduce the said Rates, Dues, or Duties upon any specific Article or Commodity without a similar or proportionate Reduction upon the whole Table of Rates, and again to increase or raise the said Rates, Dues, or Duties thereon : Provided that in no Instance such Rates, Dues, or Duties shall be so raised or increased above the general Rate and Proportion specified and set forth in the said Schedule.

reducing
Duties on
Goods.

XXXV. And whereas by the said recited Act it is enacted, that in order to ascertain the Duties leviabie upon Vessels according to the Tonnage, the Registers of such Vessels must be produced, and that otherwise the Commissioners under the said Act were to have Power to cause to measure the said Vessels: And whereas this Power of measuring Vessels is found to be inconvenient; be it therefore enacted, That the said Clause of the said recited Act, and the Provisions and Penalties therein contained, shall be and the same are hereby repealed, and that in lieu and place thereof, in all Cases wherein it shall be necessary to ascertain the Tonnage of any *British* or *Irish* built Ship, Vessel, Bark, Boat, or Lighter having a Register, for the Purposes of this Act, the Production of the Register of such Ship, Vessel, Bark, Boat, or Lighter shall be deemed sufficient for that Purpose, without an actual Admeasurement of such Ship, Vessel, Bark, Boat, or Lighter, and the Master or Owner or other Person having the Command or Management thereof is hereby required to produce and show such Register accordingly, under a Penalty, in case of Refusal, of any Sum not exceeding Ten Pounds Sterling.

Registered
Vessels to
be rated ac-
cording to
their Regis-
ters.

XXXVI. And be it further enacted, That the said Commissioners shall be and are hereby authorized and empowered to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Ships, Vessels, Barks, Boats, or Lighters, and of all other Ships, Vessels, Barks, Boats, or Lighters, having no Registers, which shall enter or come for the Purpose of receiving or discharging a Cargo within the foresaid Precincts of the Port and Harbour of *Perth*, in order to a due Collection of the Rates and Duties payable by and for such Ships, Vessels, Barks, Boats, or Lighters; and such Person or Persons is and are hereby empowered and required to admeasure the same accordingly, according to the Directions of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the registering of British Vessels*, or any Act or Acts which may be made for regulating the Admeasurement of Vessels for these Purposes; and the Owner and Master, or other Person or Persons in charge of every such Ship, Vessel, Bark, Boat, or Lighter, shall pay the Expencc of the Admeasurement, besides the Rates and Duties to which they are liable by virtue of this Act.

Foreign Ves-
sels to be
measured.

XXXVII. And be it further enacted, That in case the Owner, Mas-
ter, or other Person having the Command of any Ship, Vessel, Bark, Boat,

Penalty on
obstructing
Officers.
or

or Lighter liable to any of the Rates or Duties imposed by this Act, or any other Person or Persons whatsoever, shall obstruct or hinder the said Commissioners, or the Person or Persons appointed to collect the Rates or Duties hereby made payable, or the Tacksman or Tacksmen of the same, or the Person or Persons employed or appointed to admeasure any Ships, Vessels, Barks, Boats, or Lighters, in pursuance of this Act, from entering on board such Ship, Vessel, Bark, Boat, or Lighter, or taking the Admeasurement thereof, such Owner, Master, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds Sterling.

Penalty on Articles remaining on Piers, &c. beyond a certain Time.

XXXVIII. And be it further enacted, That it shall not be lawful for any Person or Persons who shall have landed or caused to be landed or brought or laid down, unshipped, or for the Purpose of being shipped, any Goods, Merchandize, Wood, Ballast, or other Commodities, Articles, or Things other than Materials for the Execution or Repair of the Works hereby authorized, upon any of the Piers, Quays, or Landing Places within the Boundary of the said Port and Harbour, or on any of the adjacent Streets, Roads, Avenues, or Accesses leading to the said Piers and Quays or any of them, to continue or permit the same or any Part thereof to remain or lie thereon for any longer Time than Forty-eight Hours; and in all Cases where the Goods or other Articles or Things aforesaid shall have so continued beyond the Space of Forty-eight Hours it shall and may be lawful to the said Commissioners, or any Person or Persons authorized or appointed by them as aforesaid, to remove or cause to be removed all such Goods, Commodities, and other Articles or Things as shall be so found lying, continuing, and being upon the said Quays, Piers, and other Places beyond the said limited Time, to some Place or Places of Safety, and therein to detain and keep the same till Payment of the Charges of such Removal and Detention, and of such Consideration besides to the Person or Persons authorized as aforesaid, as the Lord Provost and other Magistrates of the City of *Perth*, or any One or more of them, shall think reasonable; and if such Charges and Expences shall not be paid within the Space of Three Days after Demand made thereof by the said Person or Persons authorized as aforesaid by the said Commissioners, then and in that Case, they are hereby authorized and required to levy the same by Distress and Sale of the Goods, Commodities, or other Articles or Things so respectively secured and detained, and to render the Overplus (if any be) to the Owner or Owners of such Goods, Commodities, or other Articles or Things as aforesaid, the Charge of taking, removing, securing, keeping, and making the Sale being deducted and allowed whenever the same shall be demanded.

Commissioners to erect or hire Sheds, &c.

XXXIX. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered, out of the Rates and Duties aforesaid, to rent or hire by the Year or otherwise, or to build, erect, make, or inclose, convenient Warehouses, Sheds, Yards, or other Places, for the receiving and safe keeping or lodging of such Goods, Commodities, or other Articles or Things so to be removed off the Quays, Shores, Piers, and other Places.

XL. And

XL. And be it further enacted, That no Tar, Pitch, Rosin, Hemp, Flax, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, or other such combustible Substances or Things, shall be suffered to be or remain upon the Quays or Piers erected or to be erected in virtue of the Powers by the before-recited Act and this Act granted, or any Part thereof, or upon the Deck of any Ship, Vessel, Boat, Bark, or Lighter, in the said Harbour, Dock or Docks, or at the said Quays and Piers, for above the Space of Twenty-four Hours; nor shall any Gunpowder be suffered to remain on board any Ship or Vessel, or upon the said Piers or Quays, for above the Space of Twenty-four Hours after the Arrival of such Ship or Vessel in the said Dock, Harbour, or Docks, Quays, or Piers; and in case the Owner or Owners of such Goods, Commodities, and other Things, or the Master or Masters of any Ships, Vessels, Barks, Boats, or Lighters, shall make default herein, every such Owner or Owners, Master or Masters, shall forfeit and pay for every such Offence a Sum not exceeding Ten Pounds; and in case any Ship, Vessel, Bark, Boat, or Lighter in which any Gunpowder shall happen to be shall arrive in the said Harbour or Dock, or at the Quays or Piers, upon a *Sunday* or any other Custom House Holiday, it shall be lawful for the Master or other Person in the Command of any such Ship, Vessel, Bark, Boat, or Lighter, or for the Owner or Owners of such Gunpowder, their Agents or others acting on their Behalf, to land and convey the same to the City's Powder Magazine, or other Place of Safety, without a Sufferance or Leave of the Officers of His Majesty's Customs for so doing.

Combustible
Substances
not to re-
main on
Quays.

XLI. And be it further enacted, That no Person whatsoever shall have or keep any Fire, Candle, or Lamp lighted on board of any Ship, Vessel, Bark, Boat, or Lighter lying in the said Tide Harbour, Canal, Dock or Docks, or at any of the Quays or Piers of *Perth*, at any Time or Times whatsoever (excepting with the Permission of the said Commissioners as herein-after mentioned), upon pain of forfeiting for every such Offence a Sum not exceeding Five Pounds Sterling.

No Fire or
Light to be
kept on
board Ships;

XLII. And be it also enacted, That in case it shall appear to the said Commissioners necessary and proper to permit any Fire, Candle, or Lamp to be lighted or used on board of any Ship, Vessel, Bark, Boat, or Lighter lying within the said Tide Harbour, Canal, or Dock or Docks, or at any of the Quays or Piers of *Perth*, it shall be lawful for the said Commissioners from Time to Time to authorize and permit the same to be lighted and used in such Part or Parts thereof, or on board of such Ship, Vessel, Bark, Boat, or Lighter, and during such Times and Hours, and under such Regulations only, as they shall order and direct in that Behalf.

but Commis-
sioners may
license the
same to be
used.

XLIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship, Vessel, Bark, Boat, or Lighter belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service or Employ of the Customs, Excise, or Post Office, or any Government Office, coming into or using the Port and Harbour of *Perth*, nor to any

Act not to
extend to
King's Ships,
&c.

Military or Government Stores coming into or going out of the said Port and Harbour.

Berths of
Vessels to be
fixed.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Person or Persons appointed by them, not only to regulate and fix the Berths or Lying Places of every Ship, Vessel, Bark, Boat, or Lighter frequenting the said Port and Harbour, assigning them their respective Situations, either within the said Tide Harbour, Canal, Dock or Docks, Entrances or Passages thereto, Quays, or Breast Works or Abutments, built or to be built, or at the Piers or Quays situated along the main Channel of the River, but to remove or cause the same to be removed from the Berth or Lying Place at which the same shall happen to be stationed or moored at the Time to any other Berth or Lying Place, as they or he shall think proper; and the Master, Commander, and Owner or Consignee of such Ship, Vessel, Bark, Boat, or Lighter so to be berthed, stationed, or removed, failing their doing so when required by the said Commissioners or the Person or Persons authorized by them as aforesaid, shall respectively be liable for and pay to the said Commissioners, or the Person or Persons authorized by them as aforesaid, all such Costs and Charges as shall be reasonably incurred or expended in removing such Ship, Vessel, Bark, Boat, or Lighter, to be recovered, levied, and applied in like Manner as the Forfeitures and Penalties imposed by the said recited Act and this Act are directed to be recovered, levied, and applied; and every Master, Commander, Mate, or other Person having or taking upon him the Command, Charge, or Management of any Ship, Vessel, Bark, Boat, or Lighter, and the Owner, Factor, Consignee, or Agent, or other Person or Persons whatsoever, who shall obstruct or hinder the berthing or Removal of any such Ship, Vessel, Bark, Boat, or Lighter, shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds Sterling.

No Vessels
unfit for Sea
Service to
remain in
the Harbour.

XLV. And be it further enacted, That no Ship, Vessel, Bark, Boat, or Lighter which shall be laid by as unfit for Sea Service, or to undergo more than temporary Repairs, or be neglected by the Owner or Owners thereof, shall be permitted to be and remain within the said Tide Harbour, Canal, Dock or Docks, Entrances or Passages thereto, Quays or Piers of the same, or any other Piers, Quays, or Landing Places of or within the said Port and Harbour of *Perth*, so as to occupy or encumber the same; but in every such Case it shall and may be lawful to and for the said Commissioners, or any Person or Persons whom they shall authorize for that Purpose, immediately to cause such Ship, Vessel, Bark, Boat, or Lighter to be, at the Charges and Expences of the Owner or Owners of the same, removed from the said Tide Harbour, Canal, Dock or Docks, Entrances or Passages thereto, Quays and Piers thereof, and other Quays, Piers, and Places of and within the said Port and Harbour of *Perth*, where the lying and remaining of the same shall to the said Commissioners appear inconvenient or inconvenient to the Trade or Navigation of the said River, and to lay and moor the same in or along any Part of the said River *Tay*, Creek, Harbour, or Place of or within the said Port and Harbour of *Perth* which shall by them be deemed a Place of Safety; the

the Charges and Expences of such Removal to be fixed and ascertained by and before the Lord Provost or any One or more of the Bailies of the said City; and in case of Refusal or Neglect of Payment of such Charges and Expences, fixed and ascertained as aforesaid, within Three Days next after Demand thereof made, then and in every such Case it shall and may be lawful to and for the said Commissioners, or the Person or Persons authorized by them as aforesaid, to levy such Charges and Expences by Distress and Sale of such Ship, Vessel, Bark, Boat, or Lighter, or any of the Tackle, Apparel, or Furniture of the same, or any Part thereof, rendering the Overplus (if any be), after deducting the Charges of taking and Sale of such Distress, to the Owner or Owners, Master or Agent of such Ship, Vessel, Bark, Boat, or Lighter, whenever the same shall be demanded.

XLVI. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, by themselves or the Person or Persons authorized by them as aforesaid, to cause any Vessel having a Cargo of Lime, Bone Dust, or other Manure to discharge, or of Manure of any Kind to export, to proceed and lie at such Quays, Piers, Wharfs, or Landing Places within the said Port and Harbour of *Perth* and at such Parts and Places thereof as they shall think proper, for the Purpose of loading or unloading the same.

The Landing Places of Lime, Bone Dust, or Manure, to be fixed.

XLVII. And be it further enacted, That the whole Provisions and Penalties thereto annexed contained in the before-recited Act, in regard to the throwing Ballast or any other Article into the River, or taking Ballast or any other Thing from the River, within that Part and Portion of the Precincts of the Port and Harbour of *Perth* to which such Act is applicable and applies, shall be and the same are hereby extended and declared to be applicable and to be applied in every respect to the whole of the said Port and Harbour contained in and embraced by the Provisions of and Operations by this Act authorized.

Regulations as to Ballast.

XLVIII. And be it further enacted, That it shall be competent to the said Commissioners acting in virtue of this Act, and they are hereby authorized and empowered, to avail themselves of the whole Powers and Provisions contained in an Act passed in the Third and Fourth Year of the Reign of His present Majesty, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*, in so far as the same is or may be applicable, or may in their Opinion be advantageously applied to the Preservation and Protection of the said Works hereby authorized to be made, Vessels resorting thereto, and Goods or other Commodities imported or exported at the same; and also, if they shall judge the same expedient or necessary, of themselves to establish a Police and Watchmen for these special Purposes, the Person or Persons so appointed to have the same and as ample Powers as if they had been appointed under or by virtue of the said General Police Act.

Provisions of the Act 3 & 4 W. 4. c. 46. applied to this Act.

XLIX. And whereas Persons guilty of Offences against this Act may be transient Persons unknown to the Harbour Master, Berthing Master,

As to transient Offenders.

Master, Collectors of the Rates and Duties, Police, or other Persons acting under the Authority of this Act; be it further enacted, That it shall and may be lawful to and for the said Harbour Master, Berthing Master, Collectors of Rates and Duties, Policemen, or other Officers respectively, to seize and detain any such unknown or transient Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more of the Magistrates of *Perth*, or any One or more of the Justices of the Peace of the County of *Perth*, without any other Warrant than this Act for so doing; and such Magistrate or Magistrates, Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders in a summary Way.

Officers under Act to be admitted as Witnesses.

L. And be it further enacted, That no Person or Persons shall be deemed incompetent to give Evidence in any Cases and Matters which shall be heard and determined relative to this Act, or the Powers thereby granted, by reason only or on account of such Person or Persons being Commissioners, or acting under the Appointment of the said Commissioners.

Power to make Bye Laws.

LI. And be it further enacted, That the Power to make Bye Laws, as specified and set forth in the said recited Act, shall be and is hereby extended to and shall be equally applicable and applied to the Works and Operations by this present Act authorized, Rates and Duties thereby imposed, and whole Proceedings, Matters, and Things to be done or performed in virtue thereof, and in particular by the said Bye Laws to make all necessary Arrangements for erecting Cranes and Weighing Machines, appointing Meters and Weighers, and furnishing Planks and other Accommodations for loading or unloading Vessels, and fixing the Rates to be paid by those availing themselves thereof, and also for that Purpose to enter into any Arrangement which shall be deemed expedient with the Guildry Incorporation of *Perth* for purchasing or otherways acquiring any Right they at present have to exact Plank Mail or Plankage Duty.

Powers of Commissioners in certain Events to be made over to the Magistrates.

LII. And be it further enacted, That so soon as the said Works and Operations authorized by the said recited Act and this Act shall be completed it shall be in the Power of the Commissioners for the Time being acting in virtue of this Act, if they shall deem it advisable, and if the Lord Provost, Magistrates, and Town Council of *Perth* for the Time shall agree thereto, to make over to and devolve upon the said Lord Provost, Magistrates, and Town Council, and their Successors in Office, the entire Charge and Management of the said Harbour, Dock or Docks, and other Operations, Works, and Erections, the Preservation of the Navigation of the River *Tay*, of levying the Rates and Duties by the said recited Act and this Act authorized, and Application of the same to the Purposes of this Act; or the said Commissioners may, if they see fit, continue in the Management and Exercise of the Powers hereby conferred upon them, but without Prejudice to the said Commissioners at any future or intermediate Period, devolving the said Charge and Management upon the said Lord Provost, Magistrates, and Town Council for the

Time being, and their Successors in Office, on their agreeing to accept of the same.

LIII. And be it further enacted, That in the Event of the said Commissioners, either upon the Works and other Operations by this Act authorized to be made and performed being completed, or at any subsequent or other Period, so devolving the Charge and Management of the said Harbour, Docks, and other Operations, Works, and Erections, and the Preservation of the Navigation of the River *Tay*, the levying of the said Rates and Duties, and Application thereof, upon the said Lord Provost, Magistrates, and Town Council, and their Successors in Office, then and from that Time forward the said Lord Provost, Magistrates, and Town Council, and their said Successors in Office, shall be entitled and they are hereby authorized and empowered to exercise and execute the whole Powers, Authorities, and Duties conferred upon the said Commissioners by the said recited Act and also by this Act, in the same Manner and to the same Extent as the said Commissioners were and are authorized in every respect to do, act, and perform the same.

Magistrates thereupon may exercise Powers of Commissioners.

LIV. And whereas the Clause contained in the said recited Act, for reserving the Rights and Jurisdictions of the Lord Provost, Magistrates, and Town Council, on behalf of the Community of the City of *Perth*, and for reserving the Rights of all others possessed of a valid Grant of free Port and Harbour of *Perth*, to which the said recited Act applied, is now to a certain extent inapplicable to the Provisions of this present Act; be it therefore further enacted, That the said Saving Clause shall be and the same is hereby repealed.

Saving Clause in former Act repealed.

LV. And be it further enacted, That nothing in the said recited Act or this Act contained shall extend or be construed to extend to take away, impeach, diminish, limit, change, or affect the Rights, Powers, Privileges, Jurisdictions, or Authorities of the Lord Provost, Magistrates, and Town Council of the City of *Perth*, in any way belonging to or vested in them on behalf of the Community thereof, in virtue of their Right to free Port and Harbour, or as Conservators of the Navigation of the River *Tay*, or otherwise, but without Prejudice always to the Right of the free Port and Harbour claimed by the Right Honourable the Earl of *Kinnoull* at *Bridgend* of *Perth*, as a Part and Pertinent of the Barony of *Balhousie*, in so far as his Rights and Titles shall legally support or establish the same, and also without Prejudice to the legal Rights, Claims, and Privileges of any other Person or Persons constituted either by a written Title or Consuetude to any Right of free Port and Harbour, or of public Ferry; or other Right in or upon the said River *Tay*, Bed or Channel thereof, or any Part of the same, not specially taken away or limited by this Act; but nothing herein contained shall be deemed, construed, or taken to exempt Ships, Vessels, Barks, Boats, or Lighters frequenting the said Port of *Bridgend* of *Perth*, or Goods imported or exported thereat, from Payment of the Rates and Duties by the said recited Act and this Act imposed and authorized to be levied.

Reservation of Rights.

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Provisions of
11 G. 4. &
1 W. 4.
applied to
this Act.

LVI. And be it further enacted, That the said recited Act of the Eleventh Year of the Reign of His late Majesty King *George* the Fourth and First Year of the Reign of His present Majesty shall be and is hereby declared to remain and continue in full Force and Effect, and the same is by this present Act ratified and confirmed in the whole Heads, Clauses, Provisions, Tenor, and Contents thereof, in so far as the same are not by this present Act altered, extended, or repealed; and, as so ratified and confirmed, the whole Enactments and Provisions therein are hereby declared to be applicable to this present Act as if the same had been specially re-enacted and inserted herein.

Expences
of Act.

LVII. And be it further enacted, That all the Costs, Charges, and Expences incident to the preparing or applying for and obtaining this Act shall be paid and discharged by and out of the first and readiest of any Money or Monies arisen or to arise, levied or to be levied, in virtue of the said recited Act and this Act.

Public Act.

LVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHE.

SCHEDULE (A.) to which this Act refers.

RATES and DUTIES, according to the Tonnage.

	Rates and Duties.	
<p>For every Vessel, Ship, Boat, Bark, or Lighter, for every Time it comes to the Port or Harbour of Perth, and within the Limits set forth in the Act, to receive or discharge a Cargo or Part of a Cargo :</p>	<p>£ s. d.</p>	
<p> If not registered at any Port of the United Kingdom</p>	<p>0 0 4½</p>	<p>Per Register Ton.</p>
<p> If registered at any Port of the United Kingdom -</p>	<p>0 0 3</p>	<p>Per ditto.</p>
<p> If only employed in carrying Goods or other Commodities to or from Dundee, or other Ports or Places in the River Tay - - - -</p>	<p>0 0 2</p>	<p>Per ditto.</p>
<p>For every Steam Vessel employed in the River Tay in carrying Passengers and their Luggage exclusively, which shall enter or leave the said Port or Harbour within the Limits set forth in the Act - - - -</p>	<p>0 0 0½</p>	<p>Per ditto.</p>
<p>For every Vessel remaining at the Harbour or Quays of Perth more than Six Months, One Third more of the above Dues ; so remaining One Year, Double the above Dues ; and the above Rates for every Six Months it shall so remain beyond One Year.</p>		
<p>Boats employed solely in conveying Salmon and Grilses from Fishings in the Tay to Perth to be exempted.</p>		

SCHEDULE (B.) to which this Act refers.

RATES and DUTIES leviable upon Goods imported and exported.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Alabaster	0	0	8	Per Barrel Bulk.
Ale, Strong	0	0	6	Per Hogshead.
Almonds. See Grocery.				
Alum, Rock	0	1	4	Per Ton.
Apples	0	0	4	Per Barrel Bulk.
Argol	0	2	8	Per Ton.
Ashes, Pot or Pearl	0	2	6	Per Ton.
Weed or Wood	0	2	6	Per Ton.
Bacon or Hams	0	0	6	Per Barrel Bulk.
Barilla	0	2	0	Per Ton.
Bar Iron. See Iron.				
Bark, Oak	0	2	0	Per Ton.
Quercitron	0	2	8	Per Ton.
Barley. See Corn.				
Shelled or Pearled. See Corn.				
Basket Rods	0	0	1	Per Bundle.
Baskets; viz ^t .				
under Twelve Inches Diameter	0	0	1½	Per Dozen.
Twelve Inches Diameter	0	0	3	Per Dozen.
Bay Berries. See Berries.				
Beans. See Corn.				
Beef or Pork	0	0	6	Per Barrel Bulk.
Beer, Spruce	0	0	2	Per Keg.
Berries, Bay, Juniper, Yellow, and Cran	0	0	8	Per Barrel Bulk.
Biscuit	0	0	1	Per Cwt.
Blacking	0	0	4	Per Cwt.
Black Lead. See Lead.				
Bones and Bone Dust	0	0	4	Per Ton.
Books	0	0	8	Per Barrel Bulk.
Bottles of Green or common Glass not less than Pints	0	0	3	Per Gross.
Bottles, broken	0	0	4	Per Ton.
Bran	0	0	2	Per Ton.
Brandy. See Spirits.				
Brass	0	0	3	Per Cwt.
Bricks	0	1	4	Per 1200.
Brimstone	0	0	4	Per Barrel Bulk.
Bristles	0	0	8	Per Cwt.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Bulrushes - - - -	0	1	4	Per Load.
Bulls. See Cattle.				
Butter - - - -	0	0	2	Per Cwt.
Blubber - - - -	0	1	1½	Per Tun.
Barrels, empty Herring - -	0	0	4	Per Dozen.
Calves Velves - - - -	0	0	3	Per Cwt.
Candles - - - -	0	0	5	Per Barrel Bulk.
Cane Reeds - - - -	0	0	8	Per 1200.
Carpets. See Cloth.				
Cattle; viz ^t .				
Bulls - - - -	0	0	8	Each.
Cows - - - -	0	0	8	Each.
Calves - - - -	0	0	4	Each.
Horses - - - -	0	1	4	Each.
Oxen - - - -	0	0	8	Each.
Pigs - - - -	0	0	3	Each.
Sheep - - - -	0	0	3	Each.
Lambs - - - -	0	0	1½	Each.
Caviare - - - -	0	0	8	Per Barrel Bulk.
Chalk - - - -	0	0	4	Per Ton.
Cheese - - - -	0	0	2	Per Cwt.
Chesnuts - - - -	0	0	8	Per Barrel Bulk.
Cider - - - -	0	0	3	Per Barrel Bulk.
Cinnamon. See Groceries.				
Clay, China or Pipe Clay - -	0	0	8	Per Ton.
Cochineal - - - -	0	0	8	Per Barrel Bulk.
Cocoa - - - -	0	0	8	Per Barrel Bulk.
Coffee - - - -	0	0	8	Per Barrel Bulk.
Cocoa Nuts - - - -	0	0	8	Per Barrel Bulk.
Copper - - - -	0	4	0	Per Ton.
Old - - - -	0	2	0	Per Ton.
Ore - - - -	0	0	8	Per Ton.
Copperas - - - -	0	0	8	Per Ton.
Coral - - - -	0	0	8	Per Cwt.
Cordage - - - -	0	0	1½	Per Cwt.
Cork - - - -	0	0	2	Per Cwt.
Corn and Meal; viz ^t .				
Barley - - - -	0	0	3	Per Quarter.
Shelled and Pearled - -	0	0	3	Per Quarter.
Beans - - - -	0	0	3	Per Quarter.
Indian Corn - - - -	0	0	4	Per Quarter.
Meal - - - -	0	0	4	Per Quarter.
Malt - - - -	0	0	3	Per Quarter.
Oats - - - -	0	0	3	Per Quarter.
Oatmeal - - - -	0	0	3	Per Quarter.
Pease - - - -	0	0	3	Per Quarter.
Rye - - - -	0	0	3	Per Quarter.
Wheat - - - -	0	0	4	Per Quarter.
Flour - - - -	0	0	3½	Per Sack.
Carrots - - - -	0	0	0½	Per Cwt.
Cow, Ox, or Bull Hair. See Hair.				
Cows. See Cattle.				
Cranberries. See Berries.				

[Local.]

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Crystal	0	0	8	Per Barrel Bulk.
Culm	0	0	5½	Per Ton.
Currants. See Groceries.				
Coals, Scotch	0	0	6	Per Ton.
English	0	0	6	Per Ton.
Smithy	0	0	6	Per Ton.
Cinders	0	0	6	Per Ton.
Codilla	0	1	8	Per Ton.
Cloth, Brown or Bleached Linens; viz.				
Osnaburghs	0	0	8	Per Barrel Bulk.
Sheeting	0	0	8	Per Barrel Bulk.
Dowlas	0	0	8	Per Barrel Bulk.
Ducks	0	0	8	Per Barrel Bulk.
Raven Ducks	0	0	8	Per Barrel Bulk.
Ticklenburghs	0	0	8	Per Barrel Bulk.
Drillings and Shirtings	0	0	8	Per Barrel Bulk.
Siliesias	0	0	8	Per Barrel Bulk.
Sail Cloth	0	0	8	Per Barrel Bulk.
Bagging of all Kinds, Thirty-four Inches and under	0	0	8	Per Barrel Bulk.
Bagging of all Kinds, above Thirty-four Inches	0	0	8	Per Barrel Bulk.
Pimento Bagging	0	0	8	Per Barrel Bulk.
Tarpaulings	0	0	8	Per Barrel Bulk.
Browns	0	0	8	Per Barrel Bulk.
Sacks, made	0	0	1	Per Twenty.
Clothiery	0	0	8	Per Barrel Bulk.
Haberdashery, comprehending Cotton and Silk Goods	0	0	8	Per Barrel Bulk.
Hosiery	0	0	8	Per Barrel Bulk.
Cement	0	0	6	Per Barrel Bulk.
Coaches, Chaises, Gigs, and other similar Carriages	0	0	6	Per Barrel Bulk.
Cotton Wool	0	0	1½	Per Cwt.
Drugs	0	1	0	Per Barrel Bulk.
Earthenware	0	0	8	Per Crate.
in Bulk	0	3	4	Per 100 Dozen.
Eggs	0	0	4	Per Barrel Bulk.
Elephants Teeth	0	0	8	Per Cwt.
Emery Stones	0	0	1½	Per Cwt.
Feathers	0	0	8	Per Cwt.
Figs. See Groceries.				
Fish Oil. See Oil.				
Flint Stones	0	0	6	Per Ton.
Flower Roots	0	0	8	Per Barrel Bulk.
Furriers Waste	0	0	4	Per Ton.
Flax	0	2	0	Per Ton.
Fish, Salted, Dry	0	1	4	Per Ton.
Garden Seeds. See Seeds.				
Geneva. See Spirits.				
Ginger	0	0	8	Per Barrel Bulk.
preserved	0	0	8	Per Barrel Bulk.
Glass	0	0	8	Per Crate.

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	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Glass, broken	0	0	6	Per Ton.
Glue	0	0	2	Per Cwt.
Goats Hair. See Hair.				
Grapes	0	0	3	Per Jar.
Grease	0	1	4	Per Ton
Groceries; viz ^t .				
Almonds	0	0	8	Per Barrel Bulk.
Cinnamon	0	0	8	Ditto.
Currants	0	0	8	Ditto.
Figs	0	0	8	Ditto.
Pepper	0	0	8	Ditto.
Pimento	0	0	8	Ditto.
Plums	0	0	8	Ditto.
Prunes	0	0	8	Ditto.
Raisins	0	0	8	Ditto.
Gunpowder	0	0	8	Per 100 lbs.
Ginseng	0	0	8	Per Barrel Bulk.
Hair; viz ^t .				
Cow, Ox, or Bull	0	0	3	Per Cwt.
Goats Hair or Wool	0	0	3	Per Cwt.
Horse	0	0	3	Per Cwt.
Plaisterers	0	0	1½	Per Cwt.
Hair Powder	0	0	8	Per Barrel Bulk.
Hardware	0	0	6	Per Barrel Bulk.
Hats	0	0	6	Per Barrel Bulk.
Hay	0	1	4	Per Ton.
Hemp, rough	0	2	0	Per Ton.
Herrings	0	0	2	Per Barrel.
Hides, Dry	0	2	8	Per Ton.
Salted	0	1	4	Per Ton.
Honey	0	0	8	Per Barrel Bulk.
Hoops, Wooden	0	2	0	Per Thousand.
Iron	0	2	0	Per Ton.
Hops	0	0	8	Per Pocket.
Horns, Slugs, and Tips	0	0	1½	Per 1,200.
Horse. See Cattle.				
Household Furniture	0	0	3	Per Barrel Bulk.
Husbandry Utensils	0	0	3	Per Barrel Bulk.
Indian Corn or Meal. See Corn.				
Indigo	0	1	4	Per Barrel Bulk.
Iron; viz ^t .				
Bar, Plate, Bolt, and Rod	0	1	0	Per Ton.
Forged	0	1	4	Per Ton.
Made, Work	0	2	0	Per Ton.
Hoops. See Hoops.				
Old	0	0	8	Per Ton.
Cast, Goods	0	1	0	Per Ton.
Old broken or Cast	0	0	6	Per Ton.
Pig	0	0	6	Per Ton.
Junk, Old	0	0	8	Per Ton.
Juniper Berries. See Berries.				
Ivory	0	0	8	Per Cwt.
Ink	0	0	5	Per Barrel Bulk.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Kelp	0	0	8	Per Ton.
Lard	0	0	8	Per Barrel Bulk.
Latten Black	0	2	8	Per Ton.
Lead	0	1	0	Per Ton.
Black	0	0	6	Per Barrel Bulk.
Ore	0	1	4	Per Ton.
Red and White	0	1	4	Per Ton.
Shot	0	1	4	Per Ton.
Leather, Tanned and Dressed	0	3	4	Per Ton.
Lemons	0	0	6	Per Chest.
Limes	0	0	6	Per Cask.
Lintseed. See Seed. Oil. See Oil.				
Lime	0	0	6	Per Ton.
Madder	0	2	8	Per Ton.
Roots	0	2	0	Per Ton.
Malt. See Corn.				
Manganese	0	1	4	Per Ton.
Marble	0	1	4	Per Ton.
Matts, Bass	0	0	6	Per Barrel Bulk.
Meal, Indian. See Corn.				
Medicines	0	1	0	Per Barrel Bulk.
Mill Waste	0	0	4	Per Ton.
Mohair Yarn	0	0	3	Per Cwt.
Molasses	0	0	6	Per Puncheon.
Morels	0	0	6	Per Cwt.
Moss, Rock	0	2	0	Per Ton.
Mum	0	2	8	Per Ton.
Manure	0	0	2	Per Ton.
Meal. See Corn.				
Machinery	0	0	3	Per Barrel Bulk.
Musical Instruments	0	0	8	Per Barrel Bulk.
Nuts	0	0	3	Per Barrel Bulk.
Nutmegs	0	1	4	Per Cwt.
Oakum	0	1	4	Per Ton.
Oats. See Corn.				
Oatmeal. See Corn.				
Oil, Lintseed	0	2	8	Per Tun.
Palm	0	2	8	Per Tun.
Rape	0	2	8	Per Tun.
Turpentine	0	2	8	Per Tun.
Sperm	0	3	4	Per Tun.
Vitriol	0	0	3	Per Bottle.
Whale or Train	0	2	0	Per Tun.
Cake	0	1	8	Per Ton.
Ochre	0	2	8	Per Ton.
Onions	0	0	1	Per Bushel.
Oranges	0	0	6	Per Chest.
Orchilla Weed	0	2	8	Per Ton.
Ore of Iron. See Iron.				
Ore of Lead. See Lead.				

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Paper; viz ^t .				
Writing and Printing - - -	0	0	8	Per Barrel Bulk.
Packing - - - - -	0	0	4	Per Barrel Bulk.
Pearl Barley. See Corn.				
Pease. See Corn.				
Pelts - - - - -	0	2	8	Per Ton.
Pepper. See Groceries.				
Perry - - - - -	0	0	3	Per Barrel Bulk.
Pig Iron. See Iron.				
Pigs. See Cattle.				
Pigheads - - - - -	0	0	4	Per Barrel Bulk.
Pimento. See Groceries.				
Pitch - - - - -	0	0	3	Per Barrel Bulk.
Plaster of Paris - - - - -	0	1	4	Per Ton.
Plums. See Groceries.				
Pumice Stones - - - - -	0	1	4	Per Ton.
Pork. See Beef.				
Porter - - - - -	0	0	6	Per Hogshead.
Potatoes - - - - -	0	0	6	Per Ton of 4 Bolls.
Powder of Lead. See Lead.				
Prunelloes - - - - -	0	0	8	Per Barrel Bulk.
Prunes. See Groceries.				
Peats - - - - -	0	0	1½	Per Ton.
Quercitron Bark. See Bark.				
Quills - - - - -	0	1	0	Per Barrel Bulk.
Rags, Linen - - - - -	0	0	8	Per Ton.
other Rags, Old Ropes, and Old Leather	0	0	4	Per Ton.
Raisins. See Groceries.				
Rape Cake - - - - -	0	1	8	Per Ton.
Rape Seed. See Seeds.				
Red Lead. See Lead.				
Rice - - - - -	0	0	6	Per Barrel Bulk.
Rock Moss. See Moss.				
Rosin - - - - -	0	0	3	Per Barrel.
Rum. See Spirits.				
Rye. See Corn.				
Salt - - - - -	0	1	0	Per Ton.
Rock - - - - -	0	0	8	Per Ton.
Petre - - - - -	0	0	6	Per Barrel Bulk.
Seed; viz ^t .				
Flax and Rapeseed - - - - -	0	0	8	Per Hogshead.
Ditto ditto - - - - -	0	0	4	Per Barrel.
Ditto ditto in Bulk - - - - -	0	0	5	Per Quarter.
Ditto ditto in Bags - - - - -	0	0	6	Per Quarter.
Clover - - - - -	0	0	8	Per Bag.
Rye Grass - - - - -	0	0	4	Per Quarter.
Sheep. See Cattle.				
Shumack - - - - -	0	2	0	Per Ton.
Skins; viz ^t .				
Calf - - - - -	0	0	4	Per Score.
Sheep - - - - -	0	0	4	Per Score.

[Local.]

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Skins, Deer	0	0	4	Per Score.
Kid	0	0	4	Per Score.
Lamb	0	0	4	Per Score.
Seal	0	0	4	Per Score.
Slates	0	2	0	Per 1,200.
Slate Pencil and Slates	0	0	6	Per Barrel Bulk.
Smelts	0	0	3	Per Cwt.
Snuff	0	0	8	Per Barrel Bulk.
Soap	0	2	0	Per Ton.
Soapers Waste	0	0	4	Per Ton.
Spermacetti	0	2	8	Per Ton.
Stones ; viz.				
Ruble Freestone	0	0	0½	Per Ton.
Hewn Ashlar Freestone	0	0	1½	Per Ton.
Rough Ashlar Freestone	0	0	1	Per Ton.
Ruble Causeway	0	0	0½	Per Ton.
Causeway, dressed	0	0	1	Per Ton.
Pavement	0	0	1	Per Ton.
Curb	0	0	1	Per Ton.
Foreign Grave Stones	0	6	8	Each.
Home Grave Stones	0	3	4	Each.
Scythe Stones	0	0	1	Per Score.
Grind Stones	0	0	2	Each.
Mill Stones	0	1	4	Each.
Spirits, Foreign	0	0	8	Per Barrel Bulk.
British	0	0	6	Per Barrel Bulk.
Starch	0	0	4	Per Barrel Bulk.
Steel	0	2	0	Per Ton.
Sugar, Raw and Refined, in Barrels	0	1	6	Per Hogshead.
Refined, Loose	0	2	8	Per Ton.
Soda	0	1	8	Per Ton.
Stucco	0	0	8	Per Ton.
Smalts	0	0	6	Per Barrel Bulk.
Salmon	0	0	3	Per Box.
Tallow	0	2	0	Per Ton.
Tamarinds	0	0	4	Per Cwt.
Tanners Waste	0	0	4	Per Ton.
Tar	0	0	3	Per Barrel.
Tea	0	0	8	Per Chest.
Thread	0	0	6	Per Barrel Bulk.
Tin of all Kinds	0	2	8	Per Ton.
Tobacco	0	0	8	Per Barrel Bulk.
Tongues, Smoaked	0	0	2	Per Dozen.
Pickled	0	0	6	Per Barrel.
Tortoiseshell	0	0	8	Per Cwt.
Tow	0	1	4	Per Ton.
Toys	0	0	6	Per Barrel Bulk.
Treenails	0	0	8	Per 1,200.
Turmeric	0	0	6	Per Barrel Bulk.
Twine	0	0	3	Per Cwt.
Tiles	0	1	4	Per 1,200.
Turnips	0	0	6	Per Ton.
Valonia	0	2	8	Per Ton.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Vases or Sculptured Marble - - - - -	0	1	0	Per Barrel Bulk.
Verdigrease - - - - -	0	2	8	Per Ton.
Vermillion - - - - -	0	0	8	Per Cwt.
Vinegar - - - - -	0	0	6	Per Barrel Bulk.
Vitriol. See Oil.				
Willow Reeds - - - - -	0	0	1	Per Bundle.
Wine - - - - -	0	0	8	Per Barrel Bulk.
Whalebone, dressed and undressed - - -	0	2	0	Per Ton.
Wood, Foreign; viz ^t .				
Batons - - - - -	0	1	0	Per Load of 50 Cubic Feet.
Boards, Oak or Wainscot - - - - -	0	1	4	Per Load of 50 Cubic Feet.
Boards, Paling - - - - -	0	0	5½	Per 120.
Deals - - - - -	0	1	0	Per Load of 50 Cubic Feet.
Deal Ends - - - - -	0	1	0	Per Load of 50 Cubic Feet.
Fire Wood - - - - -	0	0	5½	Per Fathom.
Handspikes - - - - -	0	0	4	Per 120.
Laths - - - - -	0	0	8	Per Fathom.
Masts, Yards, or Bowsprits; viz ^t .				
Six Inches Diameter, and under				
Eight Inches - - - - -	0	0	8	Per Load of Fifty Cubic Feet.
Eight Inches Diameter, and under				
Twelve Inches - - - - -	0	1	0	Per Load of Fifty Cubic Feet.
Twelve Inches Diameter, and upwards	0	1	4	Per Load of Fifty Cubic Feet.
Oak Planks - - - - -	0	1	4	Per Load of Fifty Cubic Feet.
Oars and Oar Rafters - - - - -	0	1	0	Per 120.
Rickers, Boat-hooks, and Hooks - - -	0	1	0	Per 120.
Spars - - - - -	0	1	0	Per Load of Fifty Cubic Feet.
Cart Wheel Spokes - - - - -	0	0	3	Per 60 Pieces.
Staves, Pipe, from any Port in Europe,				
above Fifty Inches long - - - - -	0	1	1	Per 120.
Fifty Inches long and under - - -	0	0	8	Per 120.
Ditto from United States of America,				
above Fifty Inches long - - - - -	0	0	4	Per 120.
Ditto Hogshead, Fifty Inches long and	0	0	4	Per 120.
under - - - - -				
Ditto Barrel, and all under Fifty Inches	0	0	1½	Per 120.
long - - - - -				
Ditto Pipe, from any of the British				
Plantations, above Fifty Inches long	0	0	11	Per 120.
Fifty Inches long and under - - -	0	0	7	Per 120.
Fir - - - - -	0	1	0	Per Load of Fifty Cubic Feet.
Oak - - - - -	0	1	4	Per Load of Fifty Cubic Feet.
Pine - - - - -	0	1	0	Per Load of Fifty Cubic Feet.
Hardwood - - - - -	0	1	4	Per Load of Fifty Cubic Feet.
Ufers - - - - -	0	1	0	Per Load of Fifty Cubic Feet.
Wainscot Logs - - - - -	0	1	4	Per Load of Fifty Cubic Feet.
Delivered by Weight; viz.				
Barwood - - - - -	0	2	0	Per Ton.
Boxwood - - - - -	0	2	0	Per Ton.
Brazil Wood - - - - -	0	2	8	Per Ton.
Cam Wood - - - - -	0	2	8	Per Ton.
Ebony - - - - -	0	2	0	Per Ton.
Fustic - - - - -	0	2	0	Per Ton.
Lignum Vitæ - - - - -	0	2	0	Per Ton.

	Rates and Duties.			Per Weight or Measure.
	£	s.	d.	
Wood, Logwood - - - -	0	2	0	Per Ton.
Mahogany - - - -	0	2	0	Per Ton.
Nicaragua Wood - - - -	0	2	8	Per Ton.
Red Wood - - - -	0	2	0	Per Ton.
Sassafras - - - -	0	2	0	Per Ton.
Wood, Home; viz ^t .				
Fir - - - -	0	0	6	Per Load of Fifty Cubic Feet.
Hardwood - - - -	0	0	9	Per Load of Fifty Cubic Feet.
Fir, Planks and Deals - - - -	0	0	6	Per Load of Fifty Cubic Feet.
Hardwood, Planks and Deals - - - -	0	0	9	Per Load of Fifty Cubic Feet.
Cartwheel Spokes - - - -	0	0	1½	Per Sixty Pieces.
Hogshead Staves - - - -	0	0	3	Per 120.
Barrel Staves - - - -	0	0	1½	Per 120.
Wool, other than Cotton Wool - - - -	0	0	2	Per Hundred Weight.
Worsted Yarn. (See Yarn.)				
Whitening - - - -	0	0	8	Per Ton.
Yarn; viz ^t .				
Lint - - - -	0	2	0	Per Ton.
Cotton - - - -	0	1	6	Per Ton.
Tow - - - -	0	1	3	Per Ton.
Hemp - - - -	0	1	3	Per Ton.
Worsted - - - -	0	0	3	Per Hundred Weight.
Yeast - - - -	0	0	9	Per Puncheon.

All Goods not specified in the above Schedule to be chargeable in proportion to other Goods of similar Bulk and Value above enumerated.

All Wood discharged from Vessels at Newburgh, and floated up the River, to be charged only One Half of the respective Dues on Wood stated in the foregoing Schedule.

All Passengers Luggage accompanying the Owners in Steam Vessels employed in the River Tay are exempted from Dues.

All Linen and Cotton Cloth imported solely for the Purpose of being bleached and exported to be chargeable only with Three-pence per Barrel Bulk at Import, and the like Rate at Export.

All Goods having paid Dues outward are exempt from Dues when brought inwards, if they be returned Goods to the original Shipper, and in the original State.

All returned empty Boxes, Barrels, Bags, Sacks, Packages, and Pack Sheets are exempted from Dues.

Five Cubic Feet not exceeding Two and One Half Hundred Weight to be rated a Barrel Bulk, but when the Weight of Five Cubic Feet is greater than Two and One Half Hundred Weight, then Two and One Half Hundred Weight to be rated a Barrel Bulk.

In weighing or measuring Goods the Weight or Measurement of the Packages is to be included.

All Goods shipped overside to pay Half Dues only.

Salmon imported from Fishings in the Tay to be exempted from Payment of any Dues on Import.