of any Debt or Liability due from the Estate of the deceased, upon such Notice and Terms and Conditions (if any) as to the said Court or Judge shall seem just; and the Judge, in taking an Account of Debts and Liabilities pursuant to any such Order, shall, on the Application of the Executors or Administrators, be at liberty to direct that the Particulars only of any Claim or Claims which may be brought in pursuance to any such Order shall be certified by his Chief Clerk, without any Adjudication thereon; and any Notices for Creditors to come in which may be published in pursuance of any such Order shall have the same Force and Effect as if such Notices had been given by the Executors or Administrators in pursuance of the Twenty-ninth Section of the Act of the Twenty-second and Twenty-third Years of *Victoria*, Chapter Thirty-five.

XV. This Act is not to extend to *Scotland*, nor are any of the Clauses, except Clause Six and the subsequent Clauses, to extend to *Ireland*. Act not to extend to Scotland, &c.

## CAP. XXXIX.

An Act for the Construction of a new Harbour, and the Improvement of the existing Harbour, at *Anstruther Easter* in the County of *Fife*.

[23d *July* 1860.]

'WHEREAS it would be of great Advantage to the Public if a safe and convenient 'Harbour were constructed at *Anstruther Easter* in the County of *Fife*, for the 'Accommodation of Fishing Boats and Vessels resorting thereto: And whereas the 'Magistrates and Council of the Burgh of *Anstruther Easter* are willing to transfer to 'the Commissioners to be appointed by this Act all their Right and Title to the existing 'Harbour; and it is expedient that the said Harbour should be deepened and improved, 'and a new Harbour, with additional Piers and Quays, constructed in connexion therewith, 'and that Funds should be provided for the Execution of the said Works in the Manner 'after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "The *Anstruther Union* Harbour Act, 1860." Short Title.

II. The following Words and Expressions shall in reference to this Act have the several Meanings hereby assigned to them; that is to say, Interpretation of Terms.

The Word "Commissioners" in "The Commissioners Clauses Act, 1847," and this Act, shall mean the Commissioners appointed and incorporated by this Act:

The Word "Harbour" in "The Harbours, Docks, and Piers Clauses Act, 1847," and this Act, shall mean the *Anstruther Union* Harbour within the Limits herein-after defined, and shall include the existing Harbour of *Anstruther Easter* and the new Harbour to be constructed under the Authority of this Act.

III. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," "The Commissioners Clauses Act, 1847," with the Exception of Section Eighty-four, and "The Harbours, Docks, and Piers Clauses Act, 1847," with the Exception of Sections Sixteen to Nineteen, both inclusive, and Sections Twenty-five and Twenty-six, are hereby incorporated with this Act, and shall apply to the existing Harbour of *Anstruther Easter*, and to the new Harbour to be constructed under the Authority of this Act, and the Works, Lands, and Property connected therewith respectively, and to the whole Undertaking of the Commissioners: Provided that Sections Sixteen and Seventeen of the said Harbours, Docks, and Piers Clauses Act may come into force at any Time after Five Years from the passing of this Act, on Six Months Notice to that Effect being given to the Commissioners by Writing under the Hand of the Secretary of the Admiralty. 8 & 9 Vict. c. 19. and 10 & 11 Vict. cc. 16. and 27. incorporated.

IV. The

Appointment of Commissioners.

IV. The Provost of the Burgh of *Anstruther Easter* for the Time being, the Chief Manager of the Burgh of *Kilrenny* for the Time being, the Chief Manager of the Burgh of *Anstruther Wester* for the Time being, and Five Persons resident within the Parliamentary Limits of the Burgh of *Anstruther Easter*, Three Persons resident within the Parliamentary Limits of the Burgh of *Kilrenny*, and One Person resident within the Parliamentary Limits of the Burgh of *Anstruther Wester*, qualified and to be elected as herein provided, shall be and they are hereby appointed Commissioners for executing and carrying into effect the Purposes of this Act: Provided always, that the surviving and acting Manager who is first named in the Decree or Order of the Court of Session in *Scotland* appointing the Managers for the Time being of each of the said Burghs of *Kilrenny* and *Anstruther Wester* shall, for the Purposes of this Act, be held to be the Chief Manager of each of the said Burghs respectively: Provided also, that in the event of the Power to elect Magistrates and Councillors being at any Time hereafter restored to the said Burghs of *Kilrenny* and *Anstruther Wester*, the Provosts or Chief Magistrates of the said Burghs shall *ex officiis* be Commissioners under this Act in lieu of the Chief Managers of the said Burghs.

Incorporation of Commissioners.

V. The Commissioners appointed by this Act, and their Successors in Office, are hereby united and incorporated as a Body Politic and Corporate, by the Name of "The Commissioners of *Anstruther Union* Harbour," with perpetual Succession and a Common Seal, and may by that Name sue and be sued, take and hold Lands, and exercise all other Privileges of a Body Corporate.

Chairman and Returning Officer.

VI. The Provost of the Burgh of *Anstruther Easter* for the Time being shall *ex officio* be Chairman of the Commissioners, and shall be the Returning Officer at all Elections under this Act.

Election of Commissioners.

VII. On the Fourth *Tuesday* of *September* after the passing of this Act the Persons qualified for the Time being to vote in the Election of a Member of Parliament for the Burghs of *Anstruther Easter*, *Kilrenny*, and *Anstruther Wester*, or the District of Burghs in which the same are included, and who are duly registered in the Roll of Voters of the said Burghs respectively, by the Act Second and Third *William* the Fourth, Chapter Sixty-five, or by any other Act in force for the Time being, appointed to be made up and kept for or with respect to the Election of a Member of Parliament, shall meet in the Town House of the Burgh of *Anstruther Easter*, or other convenient Place, at Nine o'Clock in the Forenoon, of which Meeting, and the Time and Place for holding the same, Intimation shall be given by Advertisement signed by the Provost or acting Chief Magistrate of the said Burgh, printed Copies of which shall be affixed on the Doors of the Town Houses, and on other public Places in the said Burghs, at least Eight Days previous to the Day appointed for holding such Meeting, and then and there shall proceed to elect, by the Majority of the Votes of the Electors present at such Meeting, Five Persons for the Burgh of *Anstruther Easter*, qualified to vote in the Election of a Member of Parliament as aforesaid, and resident within the Parliamentary Limits of that Burgh, Three Persons for the Burgh of *Kilrenny* qualified as aforesaid, and resident within the Parliamentary Limits of that Burgh, and One Person for the Burgh of *Anstruther Wester* qualified as aforesaid, and resident within the Parliamentary Limits of that Burgh, to be Commissioners for executing the Purposes of this Act; and all Votes at Elections of Commissioners shall be given personally, and each Elector shall be entitled to give only One Vote for each Commissioner to be elected.

Notice to be given to Persons elected.

VIII. The Returning Officer shall, within Twenty-four Hours after any Meeting for the Election of Commissioners, give or cause to be given Notice in Writing to the several Persons elected of their Election as Commissioners for the said Burghs respectively, and call upon them severally to declare within Four Days after such Notice whether they accept or decline to accept the Office of Commissioner; and if any Person so elected shall not intimate his Acceptance of the said Office within Four Days after the Date of such Notice, he shall be held as having declined to accept, and the Returning Officer shall immediately appoint a new Election of a Commissioner or Commissioners in Place of the Person or Persons declining or not intimating Acceptance at the Distance of not more than Four nor less than Two Days, and shall give Notice of the Time and Place appointed for such

such Election by Advertisement, signed by the Returning Officer, printed Copies of which shall be affixed as aforesaid; and such Election shall be proceeded with in the same Manner as is herein-before provided with respect to the First Election of Commissioners, until the Number of Commissioners appointed to be elected in and for the said Burghs respectively shall be completed.

Commissioners to retire from Office by Rotation.

IX. On the Third *Tuesday* of *November* One thousand eight hundred and sixty-one, and on the Third *Tuesday* of *November* in every succeeding Year (except as after mentioned) the elected Commissioners shall retire from Office in the following Rotation:

Two Commissioners from the Burgh of *Anstruther Easter* shall annually retire from Office:

One Commissioner for the Burgh of *Kilrenny* shall annually retire from Office:

The Commissioner for the Burgh of *Anstruther Wester* shall retire from Office every Third Year:

In the Burghs of *Anstruther Easter* and *Kilrenny*, the Commissioners or Commissioner respectively who had the smallest Number of Votes at the First Election shall retire on the Third *Tuesday* of *November* One thousand eight hundred and sixty-one, and in succeeding Years the Commissioners or Commissioner respectively who have or has been longest in Office shall retire:

In the event of any Question arising as to who shall be the retiring Commissioners or Commissioner in either of the said Burghs, such Question shall be determined in the Manner prescribed by the said Commissioners Clauses Act:

The Commissioner first elected for the Burgh of *Anstruther Wester* shall retire on the Third *Tuesday* of *November* One thousand eight hundred and sixty-three.

Annual Election of Commissioners.

X. A Meeting for the Election of Commissioners to succeed the Commissioners retiring from Office by Rotation shall be held in the Town House of *Anstruther Easter* on the Third *Tuesday* of *November* in every Year, and a Commissioner or Commissioners for the respective Burghs, qualified as aforesaid and resident within the Parliamentary Limits of the said Burghs respectively, shall be elected by the Majority of the Votes of the Electors qualified to vote as aforesaid in the Room of the Commissioner or Commissioners so retiring from Office; and every such Election shall be proceeded with in the same Manner as is herein-before provided with respect to the First Election of Commissioners; and Notice of every such Meeting shall be given by the Returning Officer, as herein-before provided, at least Eight Days previous to the Day appointed for holding such Meeting.

Times and Place of Meetings of Commissioners.

XI. The Commissioners shall hold their First General Meeting in the Town House of *Anstruther Easter* on the Second *Tuesday* of *October* after the passing of this Act, or as soon thereafter as conveniently may be, and shall proceed to put this Act into execution; and the Commissioners shall hold an Annual General Meeting in the said Town House on the Fourth *Tuesday* of *September* in every Year thereafter, and shall also hold monthly Meetings for the Transaction of General Business at the said Town House on the Second *Tuesday* of every Month, or at such other convenient Time and Place as the Commissioners shall from Time to Time appoint; and at all Meetings of the Commissioners the Chairman, if present, shall preside; and if at any Meeting of the Commissioners the Chairman is not present, One of the Commissioners present shall be elected Chairman of such Meeting by the Majority of the Votes of the Commissioners present at such Meeting.

After 11th November 1860 the existing Harbour of Anstruther Easter, &c. to be transferred to the Commissioners.

XII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty, all the Rights and Privileges of the Magistrates and Council of the Burgh of *Anstruther Easter* in and to the existing Harbour of *Anstruther Easter*, and in and to the Quays, Piers, and Works connected therewith, and the Lands, Buildings, and Property described in the Schedule (A.) to this Act annexed, and the Right to levy Rates and Dues at the said Harbour, and all Right, Title, Interest, Powers, and Privileges of the Magistrates and Council of the Burgh of *Anstruther Easter*, or of the Burgesses and Community thereof, in and with respect to the said Harbour, Quays, Piers, Works, Lands, Buildings, and Property, shall be and are hereby (subject to the annual Payment herein-after provided for) transferred from the said Magistrates and Council and the said Burgh to and vested in the Commissioners

appointed by this Act, and shall thereafter be held, used, and enjoyed by the Commissioners for the Purposes and subject to the Provisions of this Act.

Annual Payment by Commissioners to Magistrates and Council of Anstruther Easter for Municipal Purposes.

XIII. The Commissioners shall, out of the Rates, Duties, and Revenues levied and received by them under the Authority of this Act, pay annually to the Magistrates and Council of the Burgh of *Anstruther Easter* the Sum of Fifty Pounds, to be applied for the Municipal Purposes of the said Burgh; which annual Sum shall and is hereby declared to be a Burden on the said Rates, Duties, and Revenues preferable to any Security to be granted by the Commissioners under the Authority of this Act; and such Payments shall be made on the Eleventh Day of *November* in every Year, with Interest from the Date of Payment till paid, beginning the First Payment on the Eleventh Day of *November* One thousand eight hundred and sixty-one, for the Year preceding; and the Receipt of the Treasurer of the said Burgh for the Time being shall be a sufficient Discharge to the Commissioners for every such Payment.

Power to borrow Money on Security of Rates, &c.

XIV. It shall be lawful for the Commissioners to borrow any Sums of Money not exceeding in the whole the Sum of Twenty-three thousand Pounds, and to make and grant Mortgages and Assignations in Security of the said existing Harbour of *Anstruther Easter* and the said new Harbour and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, in Security for the Payment of the Money so borrowed, and of the Interest thereon; and if, after having borrowed the said Sums or any Part thereof, the Commissioners pay off the same otherwise than by means of the Sinking Fund herein-after provided for, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; and the Mortgages and Assignations to be made and granted by the Commissioners may be in Writing or printed, or partly in Writing and partly printed, and shall be sealed with the Common Seal of the Commissioners, and subscribed by at least Two Commissioners, at and in Presence of a Meeting of the Commissioners.

Power to Public Works Loan Commissioners to lend Money to Comsioners under this Act.

XV. It shall be lawful for the Public Works Loan Commissioners, if they in their Discretion shall think fit, to advance and lend to the Commissioners appointed by this Act the Sum of Sixteen thousand five hundred Pounds, and in Security for the Payment thereof and of the Interest thereon to accept and take from the Commissioners appointed by this Act Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, to and in favour of the Secretary for the Time being of the said Public Works Loan Commissioners, or otherwise as they shall direct, on such Terms and Conditions, and with such Provisions for the Repayment of the Principal Sum, and the Interest thereon, as have been or may be agreed upon by and between the said Public Works Loan Commissioners, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners appointed by this Act; and the Mortgages and Assignations in Security to be granted to the said Public Works Loan Commissioners or their Secretary for the Time being shall have Priority and Preference on the said Harbours, Works, Lands, and Property, and Rates, Duties, and Revenues, over any other Mortgage and Assignation in Security to be granted by the Commissioners appointed by this Act: Provided that any Sums to be advanced and lent by the said Public Works Loan Commissioners shall, subject to the Sanction and Approval of the Commissioners of Her Majesty's Treasury, be paid over to the Commissioners for the *British* White Herring Fishery, to be held and applied by them for the Purposes of this Act, as herein provided.

Power to Commissioners for the British White Herring Fishery to grant and also lend Money to Commissioners under this Act.

XVI. It shall be lawful for the Commissioners for the *British* White Herring Fishery, from Time to Time as they may think fit, to grant and appropriate, out of any Monies voted to them by Parliament, the Sum of Twelve thousand Pounds towards defraying the Expense of acquiring the Lands and constructing the new Harbour and other Works by this Act authorized to be acquired and constructed; and, in addition to the said Sum of Twelve thousand Pounds, it shall be lawful for the said Commissioners, from Time to Time as

as they may think fit, out of any Monies voted to them by Parliament, to advance and lend to the Commissioners appointed by this Act any Sum not exceeding Six thousand five hundred Pounds, and in Security for the Payment thereof and of the Interest thereon to accept and take from the Commissioners appointed by this Act Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, to and in favour of the Secretary for the Time being of the said Commissioners for the *British* White Herring Fishery, or otherwise as they shall direct; and such Grant and Loan shall be made upon such Terms and Conditions and under such Regulations, and shall be paid and applied in such Manner and at such Periods, as shall be fixed and agreed upon by the said Commissioners for the *British* White Herring Fishery, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury: Provided always, that the Mortgages and Assignations in Security for the said Sum of Six thousand five hundred Pounds, or any Part thereof, shall be postponed to the Mortgages and Assignations in Security to be granted to the said Public Works Loan Commissioners, but shall be preferable to any other Mortgage and Assignation in Security to be granted by the Commissioners appointed by this Act; and no Interest shall be payable or be accumulated on the said Sum of Six thousand five hundred Pounds, or any Part thereof, until the Debt to the said Public Works Loan Commissioners shall be paid off and discharged, and thereafter Interest at the Rate of Four Pounds *per Centum per Annum* shall be payable to the said Commissioners for the *British* White Herring Fishery on the said Sum or such Part thereof as may be lent and may remain unpaid: Provided also, that no Part of such Sums shall be granted by the said Commissioners for the *British* White Herring Fishery until a Sum not less than One Fourth Part of the Sums so granted has been advanced and paid by the Commissioners, or by the said Public Works Loan Commissioners, to the said Commissioners for the *British* White Herring Fishery.

Power to borrow from Bank on Cash Credit.

XVII. It shall be lawful for the Commissioners appointed by this Act to accept and take from any Bank or Banking Company Credit on a Cash Account to be opened and kept with such Bank or Banking Company in the Name of the Commissioners, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the Commissioners are authorized to borrow as aforesaid, or any Part thereof, and, if required, to make and grant Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, in Security for the Payment of the Amount of such Credit or of the Sums advanced from Time to Time on such Cash Account, and of the Interest thereon: Provided that the whole Sums due and owing by the Commissioners for Money borrowed by them from the said Public Works Loan Commissioners, or from the said Commissioners for the *British* White Herring Fishery, or on such Cash Account, or on Mortgages and Assignations in Security of the said Harbours, Works, Lands, Property, Rates, Duties, and Revenues, or any Part thereof, shall not, when taken together, exceed the said Sum of Twenty-three thousand Pounds by this Act authorized to be borrowed.

Application of Money granted and borrowed.

XVIII. The Money to be granted and appropriated by the said Commissioners for the *British* White Herring Fishery as aforesaid, and any Money to be advanced and lent to or borrowed by the Commissioners appointed by this Act, shall be applied by the said Commissioners for the *British* White Herring Fishery in and for the Purchase of the Lands and the Construction of the Works by this Act authorized to be acquired and constructed, and in carrying into execution the several Purposes of this Act, and to no other Purpose whatsoever.

Auditor to be appointed.

XIX. The Sheriff of the County of *Fife* shall, on Application made to him by the Commissioners, annually appoint an Auditor (being a Person well skilled in Accounts, and not being One of the Commissioners, or holding Office under them,) to audit and docquet the Accounts of the Commissioners; and in case the Office of such Auditor shall before such Accounts have been audited by him become vacant by Death or from any other

Cause, the said Sheriff shall from Time to Time appoint an Auditor to supply such Vacancy.

Sinking Fund to be established.

XX. The Commissioners shall every Year appropriate and set apart the surplus Revenue of the Harbour which may remain after paying the said annual Sum of Fifty Pounds to the Magistrates and Council of *Anstruther Easter*, the Interest of the Money borrowed by the Commissioners under the Authority of this Act, and the Sums which may be payable to Account of the Principal thereof, and the Expenditure on Maintenance, Management, Repairs, and Improvements, as a Sinking Fund, to be applied in paying off the Principal Sums of Money so borrowed, and shall from Time to Time cause such Sinking Fund to be deposited in any Joint Stock Bank of Issue in *Scotland*, and to be increased by Accumulation in the Way of Compound Interest, or otherwise, until the same shall be of sufficient Amount to pay off the said Principal Sums, or some Part thereof which the Commissioners think ought to be paid off, at which Time such Sinking Fund shall be applied in paying off the said Principal Sums, and the Sums so paid off by means of such Sinking Fund shall not be re-borrowed: Provided always, that the Commissioners shall not allow any Sum exceeding One thousand Pounds to remain deposited as aforesaid for a longer Period than Six Months without applying the same as before specified: Provided also, that the said Sinking Fund shall in the first instance be applied by the Commissioners in paying off the Principal Sum of the Debt owing to the said Public Works Loan Commissioners, in so far as such Principal Sum may not previously have been paid off and extinguished.

Payment of Arrears of Principal and Interest may be enforced by Appointment of Judicial Factor.

XXI. The said Commissioners for the *British* White Herring Fishery, or the Mortgagees and Assignees, may, subject to the Preference and Priority of Securities herein-before mentioned, enforce Payment of the Arrears of Interest or the Arrears of Principal and Interest due to them or any of them under or by virtue of any Mortgages and Assignations in Security granted by the Commissioners under the Authority of this Act, by the Appointment of a Judicial Factor or Receiver, in the Manner provided by the said Commissioners Clauses Act, provided that the Application for the Appointment of such Judicial Factor or Receiver shall be made by the said Commissioners for the *British* White Herring Fishery, or by a Mortgagee and Assignee holding a Mortgage and Assignation in Security granted by the Commissioners on which the Sum of at least Four thousand Pounds of Principal shall be due and owing, or by Two or more Mortgagees or Assignees holding Mortgages and Assignations in Security granted by the Commissioners on which the aggregate Amount of at least Four thousand Pounds of Principal shall be due and owing.

Limits of Harbour.

XXII. The Limits of *Anstruther Union* Harbour shall and are hereby declared to be a straight Line drawn Seaward to the Distance of Four hundred and sixty Yards from High-water Mark of Spring Tides at the East Side of the Mouth of the *Cellardyke* or *Caldies Burn*, on the Northern Shore of the *Firth of Forth*, being the Eastern Parliamentary Boundary of the Burgh of *Anstruther Easter*, and another straight Line drawn from the Seaward Extremity of the Line first mentioned, in a South-westerly Direction, to High-water Mark of Spring Tides at the furthest projecting Point of Land on the said Shore at *Billowness* in the Burgh of *Anstruther Wester*; and the Harbour shall extend to and include the whole Space within the said Lines and Limits.

Improvement of existing Harbour.

XXIII. It shall be lawful for the Commissioners appointed by this Act from Time to Time to improve, repair, maintain, deepen, and cleanse the existing Harbour of *Anstruther Easter*, and to make and maintain additional Piers, Quays, and Wharfs, and all other Buildings and Conveniences connected therewith which may be necessary for the Reception and Accommodation of Vessels entering or using the Harbour, and to make, widen, and improve all necessary Roads and Accesses to the Harbour.

Power to construct new Harbour.

XXIV. 'And whereas a Plan and Sections of the existing Harbour and Works, and 'of the intended new Harbour and Works connected therewith, showing the Situation and 'Levels thereof respectively, and a Book of Reference containing the Names of the Owners, 'Lessees, and Occupiers of the Lands in, upon, or through which the same are intended to 'be made, have been deposited with the Sheriff Clerk of the County of *Fife*:' It shall be lawful for the said Commissioners for the *British* White Herring Fishery, with the Powers

Powers and subject to the Provisions contained in this Act and the Acts incorporated herewith, to enlarge the said existing Harbour, and to make and construct the said intended new Harbour, and the Piers, Quays, and other Works connected therewith, in the Situation and upon the Lands delineated on the said Plan and described in the said Book of Reference, and to make and construct such Breakwaters, Quays, Wharfs, Piers, Jetties, Landing Places, Approaches, and other Works and Conveniences as may be deemed necessary for the Purposes of the said Harbours, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid, and to enter into Contracts for the Execution of the Works by this Act authorized.

Powers for compulsory Purchases limited.

XXV. The Powers granted by this Act and the Acts incorporated herewith for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Plans of Works to be deposited at the Admiralty Office.

XXVI. Before commencing any of the Works hereby authorized, Plans and Sections of the Works proposed to be constructed shall be deposited at the Admiralty Office, *Whitehall*, for the Approval of the Lords of the Admiralty; and no Part of the said Works shall be commenced until the same shall be approved of by the Lords of the Admiralty, such Approval to be signified by Writing under the Hand of the Secretary of the Admiralty.

Local Survey may be made.

XXVII. If, after Working Drawings of the Works hereby authorized shall have been submitted to the Lords of the Admiralty, it shall be deemed expedient by them to order a local Survey and Examination of such Works, or of the intended Site thereof, the said Commissioners for the *British* White Herring Fishery shall defray the Costs of such local Survey and Examination, out of the Money received or appropriated by them under the Provisions of this Act.

Power to alter Plans with Sanction of the Admiralty.

XXVIII. It shall be lawful for the said Commissioners for the *British* White Herring Fishery to make any Deviations from or Alterations of the Works described on the said deposited Plans which to them may appear expedient; provided that before adopting and carrying the same into execution the said Commissioners shall submit the Plans of such deviated or altered Works to the Lords of the Admiralty; and no such Works shall be adopted or executed by the said Commissioners unless approved by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and such Works shall only be executed in conformity with the Plans so approved; and such deviated or altered Works, when so executed, shall be deemed to be Part of the Works authorized by this Act.

New Harbour and Works to be vested in Commissioners appointed by this Act.

XXIX. All Lands purchased or acquired under the Provisions and for the Purposes of this Act, and all Piers, Quays, Wharfs, Approaches, and other Works and Conveniences constructed thereon under the Authority of this Act, shall, on the Completion of the said new Harbour and Works, and from and after the Date of a Minute of the said Commissioners for the *British* White Herring Fishery, certifying such Completion, be vested in the Commissioners appointed by this Act, and shall thereafter belong to and be managed, maintained, and kept in repair by them under the Authority of this Act and the Acts incorporated herewith: Provided that all Mortgages and Assignations in Security granted by the Commissioners appointed by this Act, under the Authority thereof, previous to the Date of the said Minute, shall be as valid and effectual with respect to the said new Harbour, and the Works, Lands, and Property constructed or acquired under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received at and in respect of the said new Harbour, as if such Mortgages and Assignations in Security had been granted after the Date of the said Minute.

Works abandoned may be removed by Admiralty.

XXX. If any Work to be constructed under the Authority of this Act within the Limits of the Harbour, or any Portion of such Work, shall be abandoned or suffered to fall into Disuse or Decay by the Commissioners, it shall be lawful for the Lords of the Admiralty to abate and remove the same, or any Part or Parts thereof, as they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly.

XXXI. From

Rates on Vessels as in Sched. (B.)

XXXI. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy for every Vessel using or entering the Harbour or within the Limits thereof, any Sum for every Ton Measurement of such Vessel not exceeding the Rates specified in the Schedule (B.) to this Act annexed; and all such Rates shall be payable by the Master of such Vessel.

Rates on Goods as in Sched. (C.)

XXXII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy, for all Goods specified in the Schedule (C.) to this Act annexed, which shall be shipped or unshipped, received or delivered within the Limits of the Harbour, or at any Pier or other Work connected with the Harbour, any Sums not exceeding the Rates in the said Schedule (C.) specified with respect to such Goods respectively; and all such Rates shall be payable by the Owners of such Goods.

Rates for Cranes, Weighing Machines, and Sheds, as in Sched. (D.)

XXXIII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy, for the Use of any of the Cranes, Weighing Machines, and Sheds which may be provided or erected at the Harbour, of and from the Owner or Person having the Charge of any Goods deposited therein, or loaded, unloaded, or weighed by means thereof, any Sums not exceeding the Rates specified in the Schedule (D.) to this Act annexed.

Meters and Weighers may be licensed.

XXXIV. It shall be lawful for the Commissioners to appoint and license a sufficient Number of Persons to be Meters and Weighers at and within the Harbour.

Pilots may be licensed.

XXXV. It shall be lawful for the Commissioners and they are hereby authorized to license, appoint, and regulate a sufficient Number of Pilots for conducting Vessels out of and into the Harbour, and to remove and displace them at pleasure, and to fix the Rate of Pilotage to be paid to such Pilots, not exceeding the Rates specified in the Schedule (E.) to this Act annexed; and such Pilots shall, before being licensed, be examined as to their Fitness and Capacity to be such Pilots by Three competent Persons, being Ship Masters, well acquainted with the Coast, and shall be certified by such Persons to be fully qualified; and every Person who acts as a Pilot within the Limits of the Harbour without having obtained such Certificate, or without being licensed and appointed, shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds; and it shall be lawful for the Pilots appointed by the Commissioners to conduct Vessels out of and into the *Firth of Forth*, if so required by the Masters of such Vessels, but not otherwise: Provided that nothing herein contained shall be deemed or construed to exempt the Harbour from the Provisions of any General Act relating to Pilots now in force, or which may hereafter pass during the present or any future Session of Parliament.

Commissioners deemed "Pilotage and Local Authorities."

XXXVI. For the Purposes of this Act, the Commissioners shall be deemed "a Pilotage Authority" and "a Local Authority" within the Meaning of "The Merchant Shipping Act, 1854;" and all the Powers by that Act conferred on "Pilotage Authorities" and on "Local Authorities" shall be vested in the Commissioners for the Purposes of this Act.

Responsibility of Pilots.

XXXVII. The Commissioners shall not be liable or responsible for any Accident, Loss, or Damage which may arise to any Vessel, or to the Cargo thereof, in consequence of the Employment of any Pilot licensed by the Commissioners, but the Pilots so employed shall be answerable for any wilful or culpable Neglect and Mismanagement.

Power to lease Rates.

XXXVIII. It shall be lawful for the Commissioners to let on lease by Private Contract or Agreement, or by Public Roup or Sale, as they may deem most expedient, all or any of the Rates and Duties by this Act authorized to be levied, for any Period not exceeding Three Years; and in case of all or any of such Rates and Duties being so let, the Lessees thereof shall have the same Powers and Privileges as to levying, collecting, and recovering the same as are conferred on the Commissioners by this Act and the Acts incorporated herewith.

Application of Monies received by Commissioners.

XXXIX. All Monies which shall come into the Hands of the Commissioners from the said existing and new Harbours, or the Lands and Property connected therewith, or the Rates

Rates, Duties, and Revenues to be levied and received by them under the Authority of this Act, shall be applied for the Purposes herein-after specified, and for no other Purpose whatsoever; that is to say,

First, in Payment of the said Sum of Fifty Pounds *per Annum* to the Magistrates and Council of *Anstruther Easter:*

Second, in Payment of the Interest of any Money borrowed from the said Public Works Loan Commissioners under the Authority of this Act, and of the Sums which may be payable to Account of the Principal thereof:

Third, in Payment of the ordinary Expenditure on Management, Maintenance, and Repairs of the said existing and new Harbours, and the Works and Property connected therewith:

Fourth, in Payment of the Interest of the other Monies borrowed under the Authority of this Act:

Fifth, in Payment of the Expense of deepening and improving the said existing Harbour, and of improving and extending the Quays, Piers, Wharfs, and other Works connected with the said existing and new Harbours:

And lastly, the Surplus of such Monies which may remain after providing for the Purposes before specified shall be appropriated and set apart as a Sinking Fund, as herein-before provided.

Form of Proceedings against Offenders.

XL. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against for any Offence under the Provisions of this Act or the Acts incorporated herewith, and the Sentence or Conviction thereon, may be in the Form of the Schedule (F.) hereunto annexed, or as near as may be; and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justices, at the Hearing of the Complaint, shall cause or allow the Procedure or Evidence to be taken down in Writing, or shall themselves take Notes of the same.

Reservation of Merchant Shipping Acts.

XLI. Nothing in this Act contained shall be deemed to exempt the Harbour or the Commissioners from the Provisions of "The Merchant Shipping Act, 1854," or "The Merchant Shipping Act Amendment Act, 1855," or of any General Act relating to Harbours, or Dues on Shipping, or on Goods carried in Ships, now in force, or which shall be passed during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates authorized by this Act.

Saving Rights of the Crown.

XLII. Nothing contained in this Act or the Acts incorporated herewith shall extend to authorize the Commissioners to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in Right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such last-mentioned Commissioners or any One of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Any Land reclaimed by the Works not to be taken without Consent of the Commissioners of Woods, &c.

XLIII. If in the course or by means of the Execution of any of the said Works any Part of the Shores or Bed of the said Harbour, or of the Sea beyond the Mouth thereof, belonging to Her Majesty, shall be inned, gained, or reclaimed from the Water, the Commissioners shall not have or exercise any Right upon the same or in respect thereof, but such Inning, Gaining, or Reclamation shall enure absolutely for the Benefit of Her Majesty the Queen, Her Heirs and Successors; and it shall not at any Time afterwards be lawful for the Commissioners to take, enter upon, or interfere with the Lands so inned, gained, or reclaimed for any Purpose whatsoever, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Savings Rights of Public Works Loan Commissioners.

XLIV. Nothing in this Act contained shall prejudice, alter, or affect the Powers, Rights, and Privileges of the said Public Works Loan Commissioners under the several Acts relating to

to the said Commissioners; and all such Powers, Rights, and Privileges are hereby saved and reserved.

Saving Rights of Burgesses of Anstruther Wester.

XLV. Nothing in this Act contained shall prejudice or affect any Rights or Privileges to which the Burgesses or Inhabitants of the Royal Burgh of *Anstruther Wester* may be lawfully entitled, and which may not be inconsistent with the Provisions of this Act.

## SCHEDULES referred to in this Act.

### SCHEDULE (A.)

The following Lands, Works, and Buildings described on the Plans and in the Book of Reference referred to in this Act as deposited with the Sheriff Clerk of the County of Fife, at his Office in Cupar, and distinguished by the Numbers herein-after specified:—

| Numbers on Plans. | |
|---|---|
| 3, 3, 3, 3. | Piers, Quays, Slips, Crane, Lights, Stairs, Roadways, Area of Harbour. |
| 5, 6. | Curing Ground. |
| 7. | Steelyard. |
| 8. | Shore Street, Sea and Harbour Wall, Stair. |
| 8*a*. | Access to Harbour. |
| 8*b*, 8*b*, 8*b*. | Brae Road and Accesses to East Quay. |
| 10. | Curing Ground and Harbour and Enclosure Walls. |
| 10*a*. | Curing Ground. |
| 11. | Curing Ground. |
| 12, 12, 12. | Woodyard, Sawpit, Boatbuilding Shed. |
| 13. | Access to Beach. |
| 17. | Dwelling House. |
| 18. | Dwelling House. |
| 22. | Lane. |
| 34. | East Green Street. |

### SCHEDULE (B.)

RATES ON VESSELS.

| | Per Ton. £ | s. | d. |
|---|---|---|---|
| For every Vessel under the Burden of Fifteen Tons | 0 | 0 | 4 |
| For every Vessel of the Burden of Fifteen Tons and under Fifty Tons | 0 | 0 | 6 |
| For every Vessel of the Burden of Fifty Tons and under One hundred Tons | 0 | 0 | 8 |
| For every Vessel of the Burden of One hundred Tons and under One hundred and fifty Tons | 0 | 0 | 10 |
| For every Vessel of the Burden of One hundred and fifty Tons and upwards | 0 | 1 | 0 |
| All Lighters from any Vessel in the Roads shall be exempted from Rates, but if the Vessel do not enter the Harbour every Lighter shall pay for each Trip | 0 | 0 | 2 |

| | £ | s. | d. |
|---|---|---|---|
| All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each | 0 | 0 | 6 |
| All Fishing Boats under the Length over-all of Thirty Feet entering the Harbour or within the Limits thereof, each | 0 | 0 | 3 |
| All Fishing Boats of the Length over-all of Thirty Feet and upwards entering the Harbour or within the Limits thereof, each | 0 | 0 | 6 |

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## SCHEDULE (C.)

### Rates on Goods.

| | | s. | d. |
|---|---|---|---|
| Ale | per Hogshead | 0 | 6 |
| Ale, bottled | per Barrel Bulk | 0 | 3 |
| Bark | per Ton | 1 | 0 |
| Beef or Pork | per Ton | 1 | 0 |
| Beef or Pork | per Barrel | 0 | 4 |
| Blubber | per Tun of 252 Gallons | 1 | 0 |
| Bone Dust | per Ton | 0 | 8 |
| Bones of Cattle | per Ton | 0 | 6 |
| Bottles | per Gross | 0 | 2 |
| Bricks | per 1,000 | 0 | 8 |
| Casks, empty, not being returned Packages | per Puncheon | 0 | 3 |
| Other Casks in proportion | | | |
| Cattle: | | | |
| Bulls | each | 0 | 3 |
| Cows and Oxen | each | 0 | 2 |
| Calves | each | 0 | 0½ |
| Horses | each | 0 | 2 |
| Pigs | each | 0 | 0½ |
| Sheep | per Score | 0 | 6 |
| Lambs | per Score | 0 | 3 |
| Chalk | per Ton | 0 | 8 |
| Chimney Cans | per 100 | 1 | 4 |
| Clay, Fire, manufactured | per Ton | 0 | 6 |
| Clay, common | per Ton | 0 | 2 |
| Cloth, Haberdashery, &c. | per Barrel Bulk | 0 | 2 |
| Coaches: | | | |
| Chaises and other Four-wheeled Carriages | each | 0 | 8 |
| Gigs, Carts, and other Two-wheeled Carriages | each | 0 | 6 |
| Coals, Scotch, English, Smithy, and Culm | per Ton | 0 | 3 |
| Copper | per Ton | 1 | 4 |
| Corks | per Barrel Bulk | 0 | 2 |
| Corn, viz. | | | |
| Wheat and Malt | per Quarter | 0 | 3 |
| Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn, | per Quarter | 0 | 2 |
| Crystal | per Barrel Bulk | 0 | 2 |
| Dissolved Bones and other artificial Manures | per Ton | 0 | 8 |
| Dogs, Sporting only | each | 0 | 2 |
| Drugs | per Barrel Bulk | 0 | 3 |
| Earthenware | per Crate | 0 | 8 |
| Eggs | per Barrel Bulk | 0 | 2 |
| Fish, dried and salted | per Ton | 1 | 4 |
| Haddocks, Cod, Salmon, and all fresh Fish not enumerated, | per Barrel Bulk | 0 | 2 |
| Flax | per Ton | 1 | 4 |
| Flour | per Sack | 0 | 2 |
| Ditto | per Barrel | 0 | 1½ |

| | | s. | d. |
|---|---|---|---|
| Glass | per Barrel Bulk | 0 | 3 |
| Groceries, viz. | | | |
| Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like | per Barrel Bulk | 0 | 3 |
| Guano | per Ton | 0 | 8 |
| Gunpowder | per Barrel | 0 | 3 |
| Hardware | per Barrel Bulk | 0 | 3 |
| Hares and Rabbits | per Dozen | 0 | 2 |
| Any less Quantity | | 0 | 1 |
| Hay | per Ton | 0 | 8 |
| Hemp | per Ton | 1 | 4 |
| Herrings, fresh | per Cran | 0 | 1 |
| Ditto, cured | per Barrel | 0 | 3 |
| Hides:—Ox, Cow, or Horse, salted or dried | per Ton | 1 | 4 |
| Calf Skins | per 120 | 0 | 10 |
| Sheep Skins | per 120 | 0 | 10 |
| Lamb Skins | per 120 | 0 | 5 |
| Hoops of Wood | per 1,500 | 1 | 0 |
| Household Furniture, new | per Barrel Bulk | 0 | 1 |
| Household Furniture belonging to Parties changing their Residence only, | per 10 Barrels Bulk | 0 | 6 |
| Husbandry Utensils | per Ton | 1 | 4 |
| Ditto | per Barrel Bulk | 0 | 2 |
| Iron:—Bar, Bolt, and Rod | per Ton | 1 | 4 |
| Pig or Old | per Ton | 0 | 8 |
| Kelp | per Ton | 0 | 8 |
| Lead, all Kinds | per Ton | 1 | 4 |
| Leather, tanned and dressed | per Ton | 1 | 4 |
| Lime | per Chaldron of 16 Bolls | 1 | 4 |
| Limestone | per Ton | 0 | 3 |
| Loam or Moulding Sand | per Ton | 0 | 3 |
| Machinery | per Ton | 1 | 4 |
| Machinery | per Barrel Bulk | 0 | 3 |
| Manure, Street | per Ton | 0 | 2 |
| Meal | per Bag of 280 lbs. | 0 | 2 |
| Milk | per Three large Pitchers | 0 | 0½ |
| Musical Instruments | per Barrel Bulk | 0 | 3 |
| Oils | per Tun | 1 | 0 |
| Ores:—Copper, Iron, Lead, and other Ores | per Ton | 0 | 8 |
| Passengers Luggage, not exceeding 4 Barrels Bulk, free. | | | |
| All above 4 Barrels Bulk | per Barrel Bulk | 0 | 3 |
| Peats | per Ton | 0 | 3 |
| Pitch | per Barrel | 0 | 3 |
| Porter | per Hogshead | 0 | 4 |
| Porter, bottled | per Barrel Bulk | 0 | 2 |
| Potatoes | per Ton | 0 | 6 |
| Poultry, including Pigeons, Game, &c. | per Dozen | 0 | 1 |
| Any less Quantity | | 0 | 0½ |
| Rags, Linen | per Ton | 1 | 4 |
| Other Rags, Old Ropes, and the like | per Ton | 0 | 10 |
| Rape Cakes | per Ton | 0 | 8 |

| | | s. | d. |
|---|---|---|---|
| Salt | per Ton | 0 | 10 |
| Seeds, Flax and Rape | per Hogshead | 0 | 6 |
| Flax | per Barrel | 0 | 3 |
| Flax in Bulk | per Quarter | 0 | 2 |
| Clover | per Ton | 1 | 4 |
| Garden | per Ton | 1 | 4 |
| Hemp and Canary | per Ton | 1 | 4 |
| Rye Grass | per 8 Bushels | 0 | 2 |
| Skins, Seal | per 120 | 0 | 8 |
| Slates, under Size | per 1,000 | 0 | 6 |
| Sizeable | per 1,000 | 0 | 10 |
| Over Size | per 1,000 | 1 | 4 |
| Spirits, Foreign and British | per Hogshead of 56 Gallons | 0 | 8 |
| Stones, Rubble | per Ton of 16 Cubic Feet | 0 | 2 |
| Hewn Ashlar Freestone | per Ton of 16 Cubic Feet | 0 | 4 |
| Rough Ashlar Freestone | per Ton of 16 Cubic Feet | 0 | 3 |
| Pavement not exceeding 3 Inches thick | per 70 Feet | 0 | 4 |
| Pavement above 3 Inches thick | per 16 Cubic Feet | 0 | 4 |
| Scythe Stones | per Score | 0 | 1 |
| Mill Stones | each | 0 | 8 |
| Steel | per Ton | 1 | 4 |
| Sugar | per Ton | 1 | 4 |
| Tallow | per Ton | 1 | 4 |
| Tar | per Barrel | 0 | 2 |
| Tea | per Chest | 0 | 3 |
| Tiles, roofing | per 1,000 | 0 | 9 |
| Tiles, or Pipes for draining | per 1,000 | 0 | 8 |
| Tin of all Kinds | per Ton | 1 | 4 |
| Tobacco | per Ton | 2 | 6 |
| Treenails under 2 Feet in Length | per 1,000 | 0 | 6 |
| Treenails exceeding 2 Feet in Length | per 1,000 | 1 | 0 |
| Turnips | per Ton | 0 | 6 |
| Turpentine | per Hogshead | 0 | 8 |
| Vegetables | per Cartload | 0 | 2 |
| Vinegar | per Hogshead | 0 | 6 |
| Vitriol | per Carboy | 0 | 2 |
| Whalebone | per Ton | 2 | 0 |
| Wine | per Hogshead | 0 | 8 |
| Wine, bottled | per Barrel Bulk | 0 | 4 |
| Wood: | | | |
| Fir, Pine, and other Descriptions not enumerated | per Load of 50 Feet | 0 | 10 |
| Oak or Wainscoat | per Load of 50 Feet | 1 | 0 |
| Firewood | per Fathom | 0 | 6 |
| Laths and Lathwood | per Fathom of 216 Cubic Feet | 2 | 6 |
| Handspokes | per 120 | 0 | 10 |
| Oars | per 120 | 2 | 6 |
| Spars under 22 Feet in Length, above 2½ and under 4 Inches Diameter. | per 120 | 2 | 6 |
| Spars 2½ Inches in Diameter and under | per 120 | 1 | 4 |
| Spars 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter | per 120 | 6 | 6 |
| Spars of all Lengths above 4 and under 6 Inches in Diameter | per 120 | 12 | 0 |

| | s. | d. |
|---|---|---|
| Wood: | | |
| Spokes of Wheels, not exceeding 2 Feet in Length - - per 120 | 0 | 4 |
| Exceeding 2 Feet in Length - - - - - per 120 | 0 | 6 |
| Wedges - - - - - - - per 1,000 | 1 | 0 |
| Pipe Staves, and others in proportion - - - per Standard Hundred | 1 | 0 |
| Lignum Vitæ, Fustic, Logwood, Mahogany, and Rosewood - per Ton | 1 | 4 |
| Wool - - - - - - - - - per Cwt. | 0 | 2 |
| Yarn - - - - - - - - - - per Ton | 1 | 4 |
| Zinc - - - - - - - - - - per Ton | 1 | 4 |
| All other GOODS not particularly enumerated in the above TABLE. | | |
| Light Goods - - - - - - - - - per Barrel Bulk | 0 | 2 |
| Heavy Goods - - - - - - - - per Ton | 1 | 4 |

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

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

## SCHEDULE (D.)

### RATES for the USE of CRANES, WEIGHING MACHINES, and SHEDS.

#### 1st. RATES OF CRANEAGE.

| | s. | d. |
|---|---|---|
| All Goods or Packages, not exceeding One Ton - - - - - | 0 | 3 |
| Exceeding One Ton and not exceeding Two Tons - - - | 0 | 4 |
| „ Two Tons „ Three Tons - - - | 0 | 6 |
| „ Three Tons „ Four Tons - - - - | 0 | 8 |
| „ Four Tons „ Five Tons - - - | 0 | 10 |
| „ Five Tons „ Six Tons - - - - | 1 | 0 |
| „ Six Tons „ Seven Tons - - - - | 1 | 2 |
| „ Seven Tons „ Eight Tons - - - - | 1 | 4 |
| „ Eight Tons „ Nine Tons - - - - | 1 | 8 |
| „ Nine Tons „ Ten Tons - - - - | 2 | 0 |
| „ Ten Tons - - - - - - - - - | 3 | 0 |

#### 2d. WEIGHING MACHINES.

For Goods weighed, One Penny for each Ton or Part of a Ton.

#### 3d. SHED DUES.

For each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Cwt., which shall remain in the Sheds, or on the Quays of the Harbour, for a longer Time than Forty-eight Hours, the Sum of Threepence, and the Sum of One Penny Halfpenny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

## SCHEDULE (E.)

### PILOT DUES.

| | £ | s. | d. |
|---|---|---|---|
| For every Vessel above Twenty Tons entering and leaving the Harbour, per Ton Register - - - - - - - - - - - | 0 | 0 | 4 |
| For each Tide's Work within the Harbour - - - - - - | 0 | 7 | 6 |
| For laying out Kedge or Warp to assist Vessels - - - - | 0 | 5 | 0 |

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## SCHEDULE (F.)

### FORMS of PROCEEDINGS.

#### COMPLAINT.

Unto the Honourable the Sheriff of [*or* Her Majesty's Justices of the Peace for] the County of Fife.

The Complaint of *A.B.*

Humbly showeth,

That *C.D.* has been guilty of a Contravention of "The Anstruther Union Harbour Act, 1860," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or One or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*] whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of , provided by the Section of the said "Anstruther Union Harbour Act" [*or* the said "Harbours, Docks, and Piers Clauses Act"].

May it therefore please your to grant Warrant to summon the said *C.D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts, or One or other of them.

According to Justice, &c.

[*Signed by Complainer or Informer.*]

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#### WARRANT.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrant to summon the said *C.D.* complained of to appear before [*Magistrate, and Place and Time*], and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance; and also grants Warrant for citing Witnesses at the instance of both Parties, to attend at the same Place and Time.

[*Sheriff or Justice of Peace.*]

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#### SENTENCE.

[*Place and Date.*]

The [*Magistrate*], in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D.*, [*as the Case may be*], convicts the said *C.D.* of the Offence charged, and decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session, or Collector of the Funds for the Poor of the Parish of Anstruther Easter; and failing Payment by the said *C.D.* forthwith* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects, and summary Sale thereof on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of until such Return be reported.

*[*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of Magistrate, say here,* "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants Warrants to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns."]

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WARRANT

WARRANT OF IMPRISONMENT.

*To be granted in case of a Return being made that no sufficient Goods and Effects could be found.*

[*Place and Date.*]

The [*Magistrate*], in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Magistrate*], in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C.D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be*], grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C.D.*, and decerns.

## CAP. XL.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [23d *July* 1860.]

'WHEREAS divers Persons who, on account of their Offices, Places, Employments, or 'Professions, or any other Cause or Occasion, ought to have qualified themselves
1 G. 1. st. 2. c. 13. 'according to an Act of the First Year of King *George* the First, Statute Two, Chapter 'Thirteen; or according to an Act of the Thirteenth Year of King *Charles* the Second,
13 C. 2. st. 2. c. 1. 'Statute Two, Chapter One; or according to an Act of the Twenty-fifth Year of King
25 C. 2. c. 2. '*Charles* the Second, Chapter Two; or according to an Act of the Thirtieth Year of King
30 C. 2. st. 2. '*Charles* the Second, Statute Two; or according to an Act of the Eighth Year of King
8 G. 1. c. 6. '*George* the First, Chapter Six; or according to an Act of the Ninth Year of King *George*
9 G. 2. c. 26. 'the Second, Chapter Twenty-six; or according to an Act of the Eighteenth Year of
18 G. 2. c. 20. 'King *George* the Second, Chapter Twenty; or according to an Act of the Sixth Year of
6 G. 3. c. 53. 'King *George* the Third, Chapter Fifty-three; or according to an Act of the Ninth Year
9 G. 4. c. 17. 'of King *George* the Fourth, Chapter Seventeen; or according to an Act of the Tenth Year
10 G. 4. c. 7. 'of King *George* the Fourth, Chapter Seven, so far only as the said Act relates to any 'Civil or Military Offices, or Places of Trust, or Places of Profit, or Corporate Offices; or
21 & 22 Vict. c. 48. 'according to an Act of the Session holden in the Twenty-first and Twenty-second Years 'of Her Majesty, Chapter Forty-eight, have, through Ignorance of the Law, Absence, or 'some unavoidable Accident, omitted to qualify themselves, within such Time and in such 'Manner as in and by the said Acts respectively is required, whereby they have incurred, 'or may be in danger of incurring, divers Penalties and Disabilities:' For quieting the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions, be it enacted by the Queen's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

I. Every Person who, at or before the passing of this Act, hath omitted to take or make and subscribe any Oath, Assurance, or Declaration, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts or any of them is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath taken and subscribed the Oaths or Oath and Assurance

or