ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

****

Cap. 104.

An Act for rebuilding the Pier and for improving the Harbour of *Berwick-upon-Tweed*.

[18th *June* 1808.]

WHEREAS the Harbour of *Berwick* is a Place of considerable and increasing Resort for Ships and Vessels trading to and from the same: And whereas the Pier formerly built to shelter the Harbour from Storms, and to keep the River *Tweed* within its Channel, is of late Years gone to decay, no Funds having been provided for keeping it in repair, by which Means the Harbour is now much exposed to Storms, and the Navigation at the Entrance thereof is much narrowed and impeded by Sand Banks and other Obstructions, and in danger of becoming altogether unfit for the Purposes of Trade; and it is therefore become necessary that the said Pier should be rebuilt, and that other Works should be erected for the Preservation and Improvement of the said Harbour: And whereas also several of the present Duties or Rates on Goods and Ships are not exactly ascertained, and it is expedient that the same should be fixed, and that they should be vested in Commissioners to be appointed by this Act, instead of the Mayor, Bailiffs, and Burgesses of the Borough of *Berwick-upon-Tweed*, as heretofore, to be by them applied for the Purposes of this Act: And whereas also the said Rates or Duties will not be sufficient for the Purposes of this Act, and it is therefore necessary that other Monies should be raised by a Tonnage Duty on Shipping; but as the same 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 the Authority of the same, That *John Clunie*, *David Stow*, *William Pattison*, Esquires; *Richard Dodd*, *Richard Reavely*, *James Graham*, *Mark Riddell*, *William Berry*, *Stephen Sanderson*, *Rice Pamph*, *John Pattison*, *George Nicholson*, *Thomas Gilchrist*, *Ralph Brady*, *John Robertson*, *George Riddell*, *James Forster*, and *Anthony Forster*, Gentlemen, shall be and they are hereby appointed Commissioners for rebuilding and maintaining the said Pier, and for erecting such other Works as to them shall seem most proper and expedient for the Preservation and Improvement of the said Harbour, and for putting in execution all the Powers in and by this Act given and granted, according to the several Ways and Methods hereinafter described; and it shall and may be lawful to and for the said Commissioners, or any Three or more of them (except where some other Number is appointed and required by this Act), to do and order and direct all Matters and Things to be done, from Time to Time, which shall be necessary for the carrying, completing, maintaining, and preserving the said Pier, and for the Preservation and Improvement of the said Harbour, and for carrying all the Purposes of this Act into execution, according to the true Intent and Meaning of this Act.

Quorum of Commissioners in ordinary Cases.

II. And be it further enacted, That no Person shall be qualified or capable to act as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation hereinafter mentioned) unless he shall be an Inhabitant of the Parish of *Berwick-upon-Tweed*, or the Chapelry of *Tweedmouth* in the County of *Durham*, and shall be, in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Messuages, Lands, Tenements, and Hereditaments, Freehold or Copyhold, of the clear yearly Value of Forty Pounds above Reprizes, or shall be possessed of a Personal Estate to the Amount of Eight hundred Pounds, or shall be in the Receipt or Enjoyment of a clear annual Income, arising from Possession, Trade, Office, or otherwise, amounting to One hundred Pounds; and unless he shall, before he act as a Commissioner, take and subscribe the Oath or Affirmation following, before any Two or more of the said Commissioners (who are hereby empowered to administer the same), in the Words or to the Effect following; (that is to say,)

Qualification of Commissioners.

Oath.

'I *A.B.* do swear, [*or*, *being one of the People called Quakers*, do solemnly affirm,] That I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife] in the actual Possession and Enjoyment [*or* Receipt] of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of Forty Pounds above Reprizes [*or* possessed of a Personal Estate to the Amount or Value of Eight hundred Pounds, *or* in the Receipt or Enjoyment of a clear annual Income amounting to One hundred Pounds, *as the Case may be*], and that I will truly and faithfully execute the Trusts reposed in me by an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled [*here insert the Title of this Act*], to the best of my Skill and Knowledge, without Favour or Affection to any Person whatsoever. So help me GOD.'

And

And if any such Person, not being qualified as aforesaid, shall act as a Commissioner for putting this Act or any of the Powers herein contained into Execution, or being qualified, shall by previous to his acting as a Commissioner, neglect or refuse to take such Oath or make such Affirmation as aforesaid, contrary to the true Intent and Meaning thereof, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered by any Person who will sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person had acted as a Commissioner in the Execution of this Act; and the Money so to be recovered shall, after Payment of the extra Costs and Expences attending the Recovery thereof, be applied as follows; (that is to say,) one Moiety thereof to the Plaintiff, Informer, or Prosecutor, and the other Moiety to the Purposes of this Act into execution, according to the true Intent and Meaning of

Penalty for acting, not being qualified.

Quorum of Commissioners in ordinary Cases.

III. And be it further enacted, That when any of the Commissioners herein named or hereafter to be elected shall die, or cease to reside in the said Parish of *Berwick* or the said Chapelry of *Tweedmouth*, or shall at any Time during the Space of Six Months together refuse or neglect to act (such Death, Removal, Refusal, or Neglect to act being declared at a public Meeting), or when any of the said Commissioners shall declare in Writing, or at a Meeting in Person, that he does not intend to act in future as a Commissioner, that then it shall and may be lawful for the surviving Commissioners, or any Five or more of them, from Time to Time, and they are hereby required, to elect and appoint One or more proper Person or Persons residing in the said Parish of *Berwick* or the said Chapelry of *Tweedmouth*, to be a Commissioner or Commissioners in the Place or Stead of him or them so dying, removing, refusing, neglecting, or declaring as aforesaid; Ten Days public Notice of the Time and Place of Meeting for every such Election being given in Writing, signed by the Chairman or by the Clerk to the said Commissioners, or by any Two or more of the said Commissioners, affixed on the Doors of the Church and Town Hall of *Berwick-upon-Tweed* aforesaid; (and every Person so to be elected shall from the Time of his Election have the same Power and Authority for putting this Act into execution as if he had been expressly named and appointed a Commissioner in and by this Act.

On Death, Refusal, Removal, or Resignation of Commissioners, new ones to be appointed.

IV. And be it further enacted, That the said Commissioners, or any Three or more of them, shall meet together at the Town Hall in *Berwick-upon-Tweed* aforesaid, on the Third *Tuesday* next after the passing of this Act, between the Hours of Ten and Two, and proceed to put this Act into execution; and a General Annual Meeting of the said Commissioners shall be held on the First *Tuesday* in the Month of *June* in every Year for the future, at such Hours as the said Commissioners may appoint; and that the said Commissioners shall and may at such Annual Meetings, and from Time to Time afterwards, adjourn themselves to meet at such Time and Place within the said Parish of *Berwick* as they the said Commissioners shall think proper; and if it shall happen that Three Commissioners

Commissioners First Meeting and Power to adjourn.

missioners shall not appear at any Meeting, then the Chairman (if present), or, if he be not present, any Two of the said Commissioners, shall and may adjourn the Meeting to any other Day; and in case neither the Chairman nor Two other Commissioners shall attend at any such Meeting, or in case the said Commissioners at any Time assembled shall omit or neglect to adjourn themselves, then and in every such Case the Clerk to the said Commissioners shall, by Writing, to be affixed on the Doors of the Church and Town Hall of the Borough of *Berwick-upon-Tweed* at least Seven Days before the next Meeting, appoint the Commissioners to meet at the House or Place where the last Meeting was held or was appointed to be held, or some other convenient House or Place within the said Parish of *Berwick*, on some convenient Day for that Purpose; and the said Commissioners shall at their Meetings defray their own Expences; and all Orders and Determinations of the said Commissioners shall be made at the Meetings to be held in pursuance of this Act, and not otherwise.

Commissioners who are Justices of the Peace may act as such.

Proceedings to be entered in Books.

Meetings on Emergencies.

V. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Chairman or any Two Commissioners may appoint such Meeting, giving or causing to be given to the said Commissioners Notice thereof, either verbally in Person, or in Writing to be left at their respective Houses, at least Twenty-four Hours before such Meeting, and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Commissioners at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments.

Chairman to be chosen annually.

VI. And be it further enacted, That the said Commissioners shall at their said First Meeting, and afterwards annually at their Annual General Meetings, or at the first Adjournment thereof, elect a Chairman to preside at such Meetings, who shall continue in his Office for the Space of One Year, and he shall not be disqualified from being re-elected; and in case of the Death or Resignation of such Chairman before the regular Determination of his Office, the said Commissioners at their next Meeting after such Death or Resignation shall elect or choose another Commissioner to be Chairman, who shall continue Chairman for so long as his Predecessor would otherwise have been entitled to continue in Office; and no Meeting shall be held without the Chairman (except as herein-after mentioned); and the said Chairman shall have no Vote except in Cases where the other Commissioners present shall be equally divided, in which Cases he shall have a casting or deciding Vote: Provided nevertheless, that in case the Chairman shall be disabled by Sickness or otherwise from attending, or shall neglect or refuse to attend any Meeting held according to Adjournment or Appointment made by himself or in his Presence, or at any Meeting held according to Adjournment or Appointment of other Commissioners, or the Clerk, as herein-before mentioned (provided the said Chairman shall have had Notice of such Meeting held by Adjournment or Appointment of other Commissioners or the Clerk Twenty-four Hours at least before such Meeting, either personally or by Writing left at his Dwelling House), then and in such Case the Commissioners present may proceed to the Election and Appointment of another Chairman for

If Chairman does not attend Meetings, another to be appointed.

that Meeting only, and after such Election and Appointment shall and may proceed to do all and every the Matters and Things by this Act provided and authorized to be done.

Commissioners who are Justices of the Peace may act as such.

VII. And be it further enacted, That all such Commissioners as are Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Commissioners (except in Cases where they may be personally interested); and in all Cases where the Commissioners are authorized to examine any Person or Persons on Oath, it shall be lawful for such Commissioners to administer such Oath.

Proceedings to be entered in Books.

VIII. And be it further enacted, That all Orders and Proceedings of the Commissioners at their several Meetings shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered shall be signed by the Chairman of the Meeting; which Book or Books, and also the Book herein-after directed to be kept for registering the Mortgages and Assignments, shall be admitted as Evidence of the Acts, Matters, and Things therein contained in all Courts whatsoever touching any thing done in pursuance of this Act: Provided always, that no Mortgagee, or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any Rates or Duties granted by this Act, or receiving Interest thereout for the same, shall be deemed unqualified or disabled from acting as a Commissioner in the Execution of this Act by reason of his being such Mortgagee or Assignee.

Meetings on Mortgagees or Assignees not disqualified to act as Commissioners.

Commissioners may appoint Officers.

IX. And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby empowered, by Writing under their Hands or Hands and Seals, to appoint and employ a Treasurer, Clerk, Collector, Engineer, Harbour Master, and any other Officer or Officers, or other Person or Persons whomsoever, that shall be necessary for the Purposes herein expressed, and for carrying this Act into execution, and to allow such Treasurer, Clerk, Engineer, Collector, and Harbour Master, or other Officer or Person, such Salaries, Wages, or Recompence as the said Commissioners or any Five or more of them shall, by Writing under their Hands or Hands and Seals, order or direct; which said Treasurer, Clerk, Collector, Engineer, Harbour Master, and other Officer or Officers, Person or Persons, so to be appointed and employed as aforesaid, shall from Time to Time and at all Times whatsoever be removable by the said Commissioners or any Seven or more of them, the said Person or Persons having Notice at least Twenty Days before the Time of voting for his or their Removal; and the said Commissioners, or any Five or more of them, shall have Power and Authority to appoint any other or others in his and their Place and Places.

Chairman to be chosen annually.

If Chairman does not attend Meeting Commissioners to chuse another.

X. And be it further enacted, That no Commissioner appointed or to be appointed in or by virtue of this Act, nor any Person in Trust for him, shall be capable of being appointed or employed or of acting as a Treasurer, Clerk, Collector, Engineer, or Harbour Master, or other Officer under the said Commissioners, or of entering into or being concerned or interested in any Contract, or being employed in any Work to be done under this Act, or of having any Benefit, Profit, or Advantage from any such Office, Contract, or Work respectively; and any Commissioner

Commissioners not to hold any Office of Profit, or enter into any Contract, &c.

missioner offending against this Clause shall forfeit any Sum not exceeding Fifty Pounds.

Officers to give Security and to account.

IX. And be it further enacted, That the Treasurer, Clerk, Collector, Engineer, and Harbour Master, or other Officers or Persons so appointed, shall, before they or any of them enter upon their respective Offices, give such good and sufficient Security for the Performance of the Duties of their respective Offices, and for the answering and paying of all and every Sum and Sums of Money that shall be by them respectively received in virtue of their Offices, unto such Person or Persons, and in such Manner and Form, as the said Commissioners, or any Five or more of them, shall order, direct, and appoint; and that all such Officers and Persons shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by them respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Sums of Money as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint, and the said Officers and Persons so accounting shall upon Oath (if thereunto required by the said Commissioners) verify the said Accounts; and if any such Officer and Person shall not make and render, or shall neglect or refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing, signed by the said Commissioners or their Clerk, and given to or left at the last usual Place of Abode of such Officer or Person, all Books, Papers and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, then the said Commissioners are hereby authorized and empowered to cause an Action to be brought against the Officer or Person neglecting or refusing, in order for the Recovery of the Monies which shall be in his Hands, with Costs of Suit, or to make Complaint of any such Refusal or Neglect to any Justice of the Peace for *Berwick* aforesaid, or of such County, City, Town, or Place where such Officer or Person shall be or reside, upon which Complaint such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and on his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if the Goods and Chattels of such Officer or Person cannot be found sufficient to answer and satisfy the said Money and the Charges of such Distress and Sale, or if it shall in manner afore-

said

said appear to such Justice that any such Officer or Person shall refuse or neglect to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of any such Officer or Person, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit every such Offender to the Common Gaol of *Berwick* aforesaid, or of such County, City, Town, or Place where such Officer or Person shall be or reside, there to remain without Bail or Mainprize until he or they shall make and give a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said Commissioners respecting the same, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he or they shall deliver up all such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners as aforesaid; but no such Officer or Person who shall be committed on account of his not having sufficient Goods and Chattels as aforesaid shall be detained in Prison for any longer Time than Six Calendar Months.

Officers to give Security and to account.

Property in Pier, Ground, &c. vested in Treasurer or Clerk, who may bring Accounts, &c.

XII. And be it further enacted, That from and after the passing of this Act the Right and Property of and in the said old Pier, and all the Materials thereof, and of and in all the Ground and Rock on which the same was heretofore built or founded, and which has heretofore been deemed to belong to the said Pier, and of all Rock and Stone now situate and being between the Place commonly called *the Meadow Haven* and the Bed of the River *Tweed*, and the Property of the loading and delivering Births at the present Quays and Wharfs in the said Harbour, and of all and every the Works to be erected in pursuance of this Act, and of all Materials, Implements, and other Things which shall be purchased for the Purposes of this Act, shall belong to and the same are hereby vested in the Treasurer or Clerk of the said Commissioners for the Time being, who is hereby authorized and empowered, with the Consent of the said Commissioners, to cause any Action or Actions to be brought, or any Bill or Bills of Indictment to be preferred, or other Prosecutions commenced (as the Case shall require), against any Person or Persons who shall steal, take, or carry away, spoil, demolish, or break down, or injure any Part or Parts thereof.

Commissioners may sue and be sued in the Name of their Chairman, Treasurer, or Clerk, and that no Action which may be brought or commenced or Indictment that may be preferred or prosecuted by or against the said Commissioners or any of them by virtue of this Act, in the Name of their Chairman, Treasurer, or Clerk, shall abate or be discontinued by the Death or Removal of such Chairman, Treasurer, or Clerk, or by the Election of any other Person to be Chairman, Treasurer, or Clerk, or by the Act of such Chairman, Treasurer, or Clerk, without the Consent of the said Commissioners, but the Chairman, Treasurer, or Clerk for the Time being shall always be deemed Plaintiff, Prosecutor, or Defendant in such Action or Indictment (as the Case shall be, except as herein-before is provided): Provided always, that all Costs and Expences which shall be

To be reimbursed their Law Expences.

incurred by or on behalf of the said Commissioners, or any of the Persons employed by them, in prosecuting or defending any Action or Suit, or Prosecution, touching the Execution of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act; they the said Commissioners, and the other Persons hereby em-

Persons destroying the Pier, &c. to be transported for Seven Years.

XIV. And be it further enacted, That if any Person or Persons whomsoever shall after the passing of this Act maliciously, wilfully, or wantonly demolish, destroy, or break down the, or steal, take, or carry away any of the Works made or provided by virtue of this Act, or any of the Materials thereof or provided for the same, or shall break down or carry away any Part of the said old Pier, or any of the Stones or Materials formerly Part thereof and now lying near the same, or any of the Rocks or Stones lying between the *Meddyg Hawell* and the Bed of the said River *Tawed*, or any of the Materials of the present or future Quays or Wharfs in and to the said Harbour, every such Person or Persons so offending in any of the Cases aforesaid shall be adjudged guilty of Felony; and the Court and Justices before whom such Person and Persons shall be convicted shall hereby have Power and Authority to adjudge such Felon and Felons to be transported for the Space of Seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, for inferior Punishments in the said Courts may pass such Sentence as the Law directs in Cases of Petit Larceny.

Materials may be taken out of Wastes.

Powers for improving the Navigation.

XV. And be it further enacted, That the said Commissioners, or any Person or Persons acting by any Writing or Writings under their Hands nominate and appoint, and their Agents, Officers, Workmen, and Servants, shall be and they are hereby authorized and empowered to deepen, cleanse, and scour the said Harbour, and for that Purpose to dig, take up, remove, and carry away any Fishing Batts, Stands, Rocks, Stone, Sand, Gravel, Rubbish, or any other Obstructions or Impediments whatsoever which shall in any wise prevent, prejudice, or hinder the free Navigation of the said Harbour; and also to build, erect, set up, and make, within the said Harbour or upon the Lands adjoining or near to the same, such Jetties, Buildings, Capsterns, Mooring Anchors, or Dolphins, and other Engines and Posts, for the Purpose of carrying on, completing, or preserving the Navigation, and rendering the said Harbour more safe and commodious, and for other Works and Conveniences necessary and requisite for those Purposes, as and where the said Commissioners shall think fit; and from Time to Time, as often as they shall think proper and convenient, to alter, repair, increase, enlarge, and amend the same, and also to build, sink, and make all such Quays, Wharfs, and Docks, or to repair, rebuild, or alter or remove any of the present or future Quays, Wharfs, and Docks, in such Way as to them shall appear necessary or expedient for the better Accommodation of the Shipping and the Trade of the Port, and also to make, amend, widen, turn, alter, or enlarge any Roads, Ways, Lanes, Passages, or Bridges from the said Pier, Quays, Wharfs, or Docks, and other Parts of the said Harbour, and also to carry and convey all Sorts of Materials in, over, and upon any Lands or Grounds adjoining thereto, in order to the making, carrying on, perfecting, improving, and finishing of the said Works and Navigation, and for altering, repairing, and maintaining the same, and also to lay, work, and manufacture the said Materials upon the Ground near to the Place or Places where the said Works or any of them shall be, or are intended to be made, erected, or done,

and also to do and perform all other Works, Matters, and Things which the said Commissioners shall adjudge necessary and proper for the rendering of the said Harbour more safe and commodious, and for the Improvement of the Navigation thereof, and for executing the Purposes of this Act, they the said Commissioners, and the other Persons hereby empowered to perform the said Works and Things, making such Satisfaction to the Owners and Occupiers of and Persons interested in any Lands, Tenements, Fisheries, or Hereditaments respectively, for any Damage that may happen to or be occasioned to such Lands, Tenements, Fisheries, or Hereditaments by any of the Acts, Matters, or Things last aforesaid, and in such Manner as is herein-after directed.

Making Satisfaction for Damages.

XVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or their Agents, Officers, and Servants, and other Persons authorized by them, to open Stone Quarries, and Sand, Clay, and Gravel Pits, and to dig, take, gather, and carry away from such Quarries and Pits any Stone, Sand, Gravel, Clay, and other Materials in and out of any Waste or Common Ground lying within Six Miles of the said Harbour of *Berwick*, for carrying on, erecting, and repairing the several Piers, Jetties, Quays, Wharfs, Docks, and other Works authorized to be built by virtue of this Act, without paying any thing for such Waste and Common Ground so entered upon as aforesaid, the said Commissioners being obliged, at their own Expence and Charge, to fill up and level all such Holes and Pits as shall be made in such Common or Waste Grounds by quarrying, digging, and carrying away Stone, Sand, Gravel, Clay, and other Materials, as soon as they shall have no further or immediate Use for the same.

Materials may be taken out of Wastes.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to treat and agree with the Owners and Occupiers of and all Persons interested in any Messuages, Lands, Fisheries, Tenements, or Hereditaments which the said Commissioners for the Time being shall think necessary to be purchased, either for the building, making, or improving of the said Piers, Jetties, Quays, Wharfs, Docks, or other Works, or the improving of the said Harbour, or for the making or altering of any Road or Roads to or from the same; and it shall also be lawful to and for all Persons whomsoever, Bodies Politic, Corporate, or Sole, Trustees or Feoffees in Trust, Guardians and Committees for Lunatics and Idiots, Executors or Administrators, and Guardians, not only in behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestui que Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons whomsoever, who is, are, or shall be seised or possessed of or interested in any Messuages, Lands, Fisheries, Tenements, or Hereditaments which shall be necessary to be purchased for the Purposes of this Act, to contract for, sell, convey, or surrender to the said Commissioners and their Successors all such Messuages, Lands, Fisheries, Tenements, or Hereditaments, or any Part thereof, or any Term of Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances which shall be so made as aforesaid, shall be good and valid in Law to all Intents and Purposes whatsoever; not only to convey the Estate of the Person or Persons so conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatso-

Power to purchase.

ever of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and all claiming by, from, or under them, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

On Parties not agreeing, the Value to be settled by a Jury.

XVIII. And be it further enacted, That if it shall happen that any Person or Persons, Bodies Politic or Corporate, or other Person or Persons whomsoever, who is or are hereby enabled to convey for the Purposes aforesaid, shall refuse to treat with the said Commissioners or their Successors, or in case the said Commissioners, or any Person or Persons, Body or Bodies as aforesaid, shall not come to any Agreement respecting the same, or in case the said Commissioners, or any Person or Persons, Body or Bodies, with whom they may treat for the Sale of any such Messuages, Lands, Fisheries, Tenements, or Hereditaments, shall choose to have the Value thereof ascertained by a Jury, or if, by reason of the Absence or distant Residence of such Person or Persons or Bodies as aforesaid from the said Borough or the Liberties thereof, he or they cannot conveniently be treated with for that Purpose, then and in either of the said Cases it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, on Request of the Party interested in Writing, or without such Request, to issue a Warrant under their Hands to the Sheriff of the County or his Deputy, or the Coroner of the Borough, in which or in the Liberties of which such Messuages, Lands, Fisheries, Tenements, or Hereditaments shall lie or be situate, directing him to summon a Jury for the Purpose of assessing the Value of the said Lands, Fisheries, Tenements, or Hereditaments, which he the said Sheriff or his Deputy, or the said Coroner respectively, shall do in manner hereinafter particularly mentioned; and the said Sheriff or his Deputy, or the said Coroner respectively, upon the assembling and meeting of the said Jury, is hereby authorized and required to charge the said Jury well and truly upon their Oaths to assess the Value of the said Messuages, Lands, Fisheries, Tenements, or Hereditaments, and the Damages and Recompence to be given for the same to the respective Owner or Owners thereof and others interested therein, according to their respective Interests therein (which Oath the said Sheriff, Deputy, or Coroner respectively is hereby required to administer to such Jury); and the said Jury, being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given, concerning the Nature, Quality, or Value of the said Messuages, Lands, Fisheries, Tenements, or Hereditaments so to be sold and conveyed as aforesaid, shall by their Verdict assess the Damages and Recompence to be given for the same to the respective Owner or Owners thereof, and others interested, according to their respective Interests therein; and the said Sheriff, Deputy, or Coroner respectively shall give his Judgment on the said Verdict in Writing under his Hand and Seal; which Verdict of the said Jury, and the Judgment of the said Sheriff, Deputy, or Coroner respectively upon the same, shall be finally binding and conclusive to the said Commissioners, and to all Persons and Parties interested in the said Messuages, Lands, Fisheries, Tenements, and Hereditaments; and such Verdict, and the Judgment of the said Sheriff, Deputy, or Coroner respectively upon the same, shall be fairly entered and kept among the Records of the General Sessions for the said County or Borough respectively, and the same or true Copies thereof shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever,

Verdict of the Jury to be final.

and

and all Persons may have recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for a greater or less Number of Words.

On Payment of Purchase Money, Commissioners to enter upon Lands, &c.

XIX. And be it further enacted, That upon Payment by the said Commissioners of such Sum or Sums of Money as shall be so assessed to the Parties concerned, or Tender thereof made at his, her or their Dwelling House within the said Parish of *Berwick* or Chapelry of *Tweedmouth*, and if they have no Dwelling House therein, then at the Dwelling House of the Tenant or Occupier of the Messuages, Lands, Fisheries, Tenements or Hereditaments before mentioned, or on Payment of such Sum or Sums of Money into the Bank of *England* in manner by this Act directed, as the Case may be, for the Use of the Parties interested therein, then and not before it shall be lawful for the said Commissioners, their Agents, Servants, or Workmen in that Behalf to be appointed, to enter upon, take, use, apply and appropriate the said Messuages, Lands, Fisheries, Tenements, or Hereditaments, or any Part thereof, for which Satisfaction shall be assessed as aforesaid, for the Purpose of making and amending the said Pier, or making or extending the said Quays, Wharfs, Docks, and other Works, or of laying Soil, Rubbish, Utensils, and Materials for the making or repairing the same, or for other the Purposes of this Act, according to the Tenor and true Meaning hereof; and the said Commissioners, their Agents, and all Persons whatsoever employed or authorized by them as aforesaid, shall be fully and effectually indemnified against the Owners and Occupiers of and all Persons interested in the said Messuages, Lands, Fisheries, Tenements, or Hereditaments, or any Part thereof; and if, after the said Pier, Jetties, Quays, Wharfs, Docks, Roads, or other Works for which any such Messuages, Lands, Fisheries, Tenements, or Hereditaments shall have been purchased shall be finished, there shall remain any Messuages, Lands, Fisheries, Tenements, or Hereditaments that shall not be used, or thereafter be wanted for the Purposes of this Act, the same shall be and are hereby vested in the said Commissioners and their Successors, and they are hereby fully empowered to sell and convey the same for the best Price that can be had or gotten; and the Money arising by such Sale shall be applied to the Purposes of this Act.

Land, &c. not used in Works may be sold.

Purchase Monies, or Compensations due to Corporate Bodies, Minors, &c. to be laid out to the same Uses, &c.

XX. And be it further enacted, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, or Persons acting as Guardians, Committees, or other Trustees for, or on behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, for the Purchase or Exchange of the Damage to be done to any Messuages, Lands, Fisheries, Tenements, or Hereditaments by virtue of the Powers herein contained, shall be paid and applied in manner following; (that is to say,) in case the same shall amount to or exceed the Sum of Two hundred Pounds it shall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Commissioners, as the said Commissioners or any Three of them shall by Writing signed by them direct and appoint; to the Intent that such Money shall be applied,

and

plied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuages, Lands, Fisheries, Tenements, or Hereditaments, in the Redemption and Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the said Messuages, Lands, Fisheries, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Fisheries, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Lands, Fisheries, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Lands, Fisheries, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase and Settlement were made.

Application where the Compensation Money does not exceed 200*l*. and above 20*l*.

XXI. Provided always, and be it further enacted, That in case the Money so payable to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such as aforesaid, to be signified by Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXII. And

Application where less than 20*l.*

XXII. And be it further enacted, That in case the Money payable to such Corporation, or to any Person under Disability or Incapacity as aforesaid, shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments in respect whereof the same shall be paid, in such Manner as the said Commissioners or any Three or more of them shall think fit, or in case of Infancy or Lunacy then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Commissioners shall direct the same to be paid shall be sufficient Discharges for the same.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank of England, subject to the Order of the Court of Chancery, on Motion or Petition.

XXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Messuages, Lands, Fisheries, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners or any Three or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Messuages, Lands, Fisheries, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Messuages, Lands, Fisheries, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Application where Compensation Money does not exceed 20*l.* and where less than 20*l.*

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in possession of the Lands, &c. at

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Messuages, Lands, Tenements, Fisheries, or Hereditaments, or of any Estate, Right, or Interest in any Messuages, Lands, Tenements, Fisheries, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or

the Time of the Purchase shall be deemed entitled thereto according to such Possession, unless, &c.

Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Messuages, Lands, Tenements, Fisheries, or Hereditaments in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Messuages, Lands, Tenements, Fisheries, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Messuages, Lands, Tenements, Fisheries, or Hereditaments, or to some Estate or Interest therein.

No Satisfaction to be made unless Complaint be made within Six Months

XXV. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, Fisheries, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, Fisheries, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners or any Three or more of them, who shall from Time to Time pay such Sum of Money for such Purposes as the said Court shall direct

The Court may order reasonable Expences of Purchases to be paid by the Commissioners

If Persons sustain Damages by Neglect or Default, Commissioners may settle the Recompence; but if such Persons be dissatisfied, a Jury to be summoned.

XXVI. And be it further enacted, That if any Person or Persons shall at any Time or Times sustain any Damage in his, her, or their Messuages, Lands, Fisheries, Tenements, or Hereditaments by the Execution of any of the Powers of this Act, or by any Act, Neglect or Default of the said Commissioners, or of the Workmen employed therein, in every such Case the said Commissioners shall have full Power from Time to Time and at all Times to settle and agree upon such Recompence and Satisfaction to be made for the same to the Person or Persons injured or aggrieved as they shall judge fit and reasonable, to be paid out of the Monies arising or to be raised in pursuance or by virtue of this Act; but if it shall happen that the Person or Persons sustaining such Losses or Damages shall be dissatisfied with such Recompence and Satisfaction, in every such Case it shall be lawful for the said Commissioners, and they are hereby required and empowered, from Time to Time upon Application in Writing to be made or given to them by such Person or Persons injured or aggrieved as aforesaid, to issue their Warrant or Warrants under their Hands to the Sheriff of the County or his Deputy, or the Coroner of the Borough in which or in the Liberties of which the Lands or Grounds so damaged shall lie or be situated, requiring him to impannel, summon, and return a Jury of such Number and in such Manner as is herein-after mentioned, and give such like Notices to the respective Parties as is also herein-after directed; which Jury upon their Oaths, to be administered by the said Sheriff,

A Jury to be summoned to enquire, &c.

duly

Sheriff's Deputy, or Coroner respectively (which Oaths, and also proper Oaths to such Person or Persons as shall be called upon to give Evidence as a Witness or Witnesses before the said Sheriff, Deputy, or Coroner respectively, the said Sheriff, Deputy, or Coroner respectively is hereby empowered to administer) shall enquire how far the said Commissioners, or their Agents or Servants, have any wise occasioned such Damage, and if any shall appear such Jury shall assess the Value of such Damage, and the said Sheriff, Deputy, or Coroner respectively shall give Judgment thereon, and the said Commissioners shall pay to the Party or Parties so injured or aggrieved the Money so assessed; and the Verdict of the said Jury, and Judgment of the said Sheriff, Deputy, or Coroner respectively upon the same, shall be finally binding and conclusive to the said Commissioners and to all Persons and Parties interested: Provided always, that no Person or Persons whosoever shall be entitled to Satisfaction for any Damages, nor shall the said Commissioners, or any of them, be obliged or authorized to take any Notice of any Application in relation thereto, unless the Complaint of such Damages shall have been made in Writing to them or their Chairman or Clerk within the Space of Six Calendar Months next after such Damages shall have been occasioned.

the Time of the Purchase shall be deemed entitled thereto according to such Possession, unless &c.

No Satisfaction to be made unless Complaint be made within Six Months.

XXVI. And be it further enacted, That from and after the passing of this Act, if any Person or Persons, upon any Pretence whatsoever, shall unload or cast out of any Ship, Boat, or other Vessel, or from any Carriage whatsoever, or off or from any Quay, Yard, Place, or Ground, any Ballast, Sand, Stones, Rubbish, Wreck, Filth, Gravel, Coal Ashes, or any other gross Substance whatsoever, into the said Harbour, that then and in every such Case the Captain, Master, or Person or Persons having the Command or Rule of any such Ship, Boat, or other Vessel, or other Person or Persons so offending, shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds, for such Purposes as the said Court

To prevent Ballast being cast into the Harbour.

XXVII. And to the Intent that all Abuses, Impediments, Obstructions, and Annoyances in and to the said Harbour or the Navigation thereof, occasioned or to be occasioned by the unlawful making, building, enlarging, or extending any Jetties, Bars, Walls, or other Erections, and all other Nuisances in the said Harbour, may be effectually removed, remedied, and prevented, be it further enacted, That upon Complaint made to the said Commissioners at any of their Meetings of any such Impediments, Obstructions, or Annoyances, it shall be lawful for the said Commissioners, and they are hereby authorized, by Writing under their Hands, to summon the Party or Parties so complained of to appear before the said Commissioners at their next or any other Meeting to make Answer to such Matters as shall be mentioned or recited in the Body of such Summons as shall be objected against them, and also, if Occasion require, to issue their Warrant or Warrants under their Hands and Seals, directed to the Sheriff of the County or his Deputy, or the Coroner of the Borough in which or in the Liberties of which any such Abuse, Impediment, Obstruction, or Annoyance shall happen, requiring him to impannel, summon, and return a Jury in the Manner herein-after mentioned; and the said Jury, having heard the Evidence of the Witnesses, and what shall be said by the Parties offending or accused, or any other Person or Persons on their Behalfs, or without hearing the Parties offending or accused (in case he, she, or they shall not appear, without sufficient Excuse, being duly

To prevent Obstructions, &c. to the Navigation. Defaults, Commissioners may settle the Recompence; but if such Persons be dissatisfied, a Jury to be summoned.

A Jury to be summoned to enquire, &c.

Sheriff,

duly summoned) shall give in to the said Sheriff or his Deputy or Coroner respectively their Verdict or Inquisition on the said Articles, Matters and Things given them in charge; and the said Sheriff or his Deputy or Coroner respectively shall give Judgment on the said Verdict or Inquisition, and make his Order and Decree in Writing under his Hand and Seal of and concerning the same, and may thereby order and decree that such Person or Persons through whose Act or Default it shall be found by such Verdict or Inquisition that any Abuses, Impediments, Annoyances, or Obstructions were made or occasioned, or are continued, shall within Two Calendar Months then next following remove the said Abuses, Impediments, Annoyances, or Obstructions, and in default thereof to order and decree the said Party or Parties offending to forfeit and pay such Sum of Money as the said Commissioners shall think fit, not exceeding the Sum of Ten Pounds for every Month during which the Abuses, Impediments, Obstructions, or Annoyances so found shall not be remedied or removed; and the Adjudications, Decrees, Orders, and Determinations to be made by virtue of this Act, or true Copies thereof, shall be taken, adjudged, and deemed good and sufficient Evidence in any Court whatsoever.

Times for removing Obstructions, &c.

Mode of summoning a Jury by the Sheriff, &c. for the Purposes of the Act.

XXIX. And be it further enacted, That when and so often as the Sheriff of such County or his Deputy, or the Coroner of such Borough, as herein-before mentioned, shall be respectively required to summon a Jury for the Purposes of this Act, or any of them, by Warrant from the said Commissioners as aforesaid, he the said Sheriff or his Deputy, or Coroner respectively, shall, within Seven Days next after the Delivery of such Warrant to him or at his Dwelling House, make out a List or Panel of Forty-eight good and lawful Men of his County or Borough respectively, and give Notice in Writing to the said Commissioners, or their Treasurer or Clerk, and also to the other Parties interested or their known Agent or Solicitor, if he, she, or they can be met with within the said Borough or Liberties or the said Chapelry of *Tweedmouth*, and if he, she, or they cannot be so met with, then to the Tenant of the Premises to be purchased or supposed to be injured, or on which any unlawful Obstruction shall be made, or if no such Tenant, then on the Doors of the Church and Town Hall of *Berwick* aforesaid and the Church of *Tweedmouth* aforesaid, that he the said Sheriff or his Deputy, or Coroner respectively, will attend at the Place and on a Day and Time in such Notice to be mentioned (not less than Four Days from such Notice) with the said List and the said Commissioners, or their Treasurer or Clerk, and also the other Parties interested, and their respective Solicitors or Agents shall and may attend at the Time so mentioned, and the said Commissioners or their Treasurer, Clerk, Solicitor, or Agents may thereupon strike out Twelve of the Names contained in the said List or Panel, and the other Party or Parties interested, or his or their respective Solicitors or Agents may also strike out other Twelve of the said Names; and the said Sheriff or his Deputy or Coroner respectively shall in the Presence of all the said Parties, or their Solicitors or Agents, who shall then attend make and appoint a Time and Place at which he will attend again for the Purposes of this Act, which Time shall not be less than Three Days nor more than Ten Days from the above-mentioned Day, and then the said Sheriff or his Deputy, or Coroner respectively, shall summon or cause to be summoned the Twenty-four Men whose Names shall remain on his List to

appear at the Time and Place so appointed by him; and the said Commissioners and other Parties, or their Solicitors or Agents, shall each choose Six Men out of the said Twenty-four Men, and the Twelve Men so chosen shall be a Jury for the Purposes of this Act; and the said Sheriff or Deputy, or Coroner respectively, shall also by Writing under his Hand summon all such Persons as the said Commissioners or other Parties, or their Solicitors or Agents, shall in Writing request him to summon, to be present and give Evidence at the same Time and Place; and if any Juryman or Witness shall not appear according to such Summons, he shall forfeit and pay a Penalty of Forty Shillings, to be levied, together with all Expences, by Distress and Sale of his Goods and Chattels by Warrant from the said Sheriff or Deputy, or Coroner respectively, to be applied to the Purposes of this Act.

Witnesses to be summoned.

Juryman or Witness making default to forfeit and pay a Penalty of 40*s.* by Distress, &c.

XXX. And be it further enacted, That in case any Jury shall give and deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right and Interest of any Person or Persons in any Lands or Hereditaments, or for any Loss or Damage to be by them sustained, than shall have been agreed to and offered by the said Commissioners before the summoning and returning the said Jury, or if the said Sheriff or his Deputy, or Coroner, upon the Verdict of any Jury summoned for the Purposes of enquiring concerning any Abuses, Impediments, Obstructions, or Annoyances in the said Harbour, shall not order the Persons complained of to remove the same, then and in such Case the Costs and Expences of summoning and returning the said Jury and Witnesses, and all other Expences attending the same, shall be borne and paid by the said Commissioners out of any Money arising by virtue of this Act; and if such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to or offered by the said Commissioners before the summoning and returning of the said Jury, as a Recompence or Satisfaction for any such Right and Interest, or Loss or Damage as aforesaid, or if the said Sheriff or Deputy or Coroner shall, on the Verdict of any Jury, order that any Person or Persons shall remove any Abuses, Obstructions, Impediments, or Annoyances complained of as aforesaid, then the Costs and Expences of summoning and returning the said Jury and Witnesses, and all other Expences attending the same, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by any Justice of the Peace for the said County or Borough respectively (not interested in the Matter in question), who is hereby required to examine and settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose, shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Person or Persons to whom any such Money is to be paid, and the Payment or Tender of the Remainder of such Purchase Money shall be deemed and taken to all Intents and Purposes to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after being so ascertained and settled as aforesaid, may be recovered by the Treasurer or Clerk of the said Commissioners by such Ways and Means as herein provided for recovering of Penalties and Forfeitures: Provided always, that in all Cases where any

Mode of summoning a Jury by the Sheriff, &c. for the Purposes of the Act.

Costs and Expences of summoning Jury and Witnesses to be paid.

Person

Person shall by reason of Absence have been prevented from treating, such Costs and Expences shall be borne and paid by the Commissioners out of the Money to be raised or received under or by virtue of this Act.

Commissioners to make Regulations for the Harbour.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners at any Time or Times hereafter to make, ordain, and establish Orders, Rules, Bye Laws, and Regulations for the better ordering and regulating the said Harbour and the Navigation thereof, and of all Vessels resorting to the same, and also the Loading and delivering of Goods, and the Births for those Purposes, and such Parts of the Quays, Wharfs, and Docks as are by this Act vested under their Authority, and the laying of Goods thereon, and also from Time to Time as Occasion shall require, to repeal, add to, amend, and alter such Orders, Rules, Bye Laws, and Regulations, and to make, ordain, and establish others in lieu of such as shall be so repealed, added to, amended, or altered, and to fix and appoint reasonable pecuniary Penalties, not exceeding Five Pounds, for Nonobservance, Nonperformance, or other Breach of all or any of such Orders, Rules, Bye Laws, or Regulations, or any Part of them, to be recovered by such Ways and Means as herein directed; which Orders, Rules, Bye Laws, or Regulations shall not be repugnant to the Laws of that Part of the United Kingdom called *England*, or any thing in this Act contained.

Bye Laws, &c. to be printed.

XXXII. And be it further enacted, That the said Commissioners shall and they are hereby required to cause the said Orders, Rules, Bye Laws, and Regulations, or any Alteration thereof, to be from Time to Time printed and distributed, and to cause a printed Copy thereof to be hung up in some conspicuous Place within the said Borough of *Berwick upon Tweed*, and to pay the Expences thereof out of the Money to be collected and received by virtue of this Act; which Orders, Rules, Bye Laws, and Regulations shall be subject to Appeal in manner herein-after mentioned.

Old Duties to cease and new ones to be paid.

XXXIII. And be it further enacted, That from and after the Fourth *Tuesday* next after the passing of this Act, all Harbour Duties, Shore Duties, and all Rates or Duties or Monies heretofore collected or payable from or by any Vessel or for any Goods, Wares, or Merchandizes, or Ballast imported into or exported from the said Harbour (except the Duty of Four-pence payable to the Lords of the Manor of *Tweedmouth* and *Spittle* for each Vessel anchoring within the said Manor) shall cease and be no longer paid or payable; and that in lieu thereof the several Rates or Duties on Goods and on Ballast imported into or exported from the said Harbour, and also the several Rates or Duties of Tonnage respectively mentioned and set forth in the Schedules A. and B. to this Act annexed, shall be demanded, collected, and received by the said Commissioners, and such Person or Persons as they shall appoint.

Ships and Vessels to be measured, and if the Owner, &c. refuse, to forfeit 5*l*.

XXXIV. And be it further enacted, That the Masters and Owners of all Ships and Vessels trading to and from the said Harbour, and liable to the Payment of the Rates and Duties of Tonnage by this Act imposed, shall permit and suffer the said Ships and Vessels to be measured by the said Commissioners, or by such Person or Persons as they shall from Time

to

aforesaid shall for every such Offence respectively forfeit and pay to the said Commissioners the Sum of Five Pounds of lawful Money of *Great Britain*, over and above the said Rates and Duties.

Commissioners to make Regulations how Tonnage Rates may be recovered from Persons refusing to pay.

XXXI. And be it further enacted, That the said Duties and Rates imposed by this Act may be more effectually collected, be it further enacted, That in case any Owner or Master or other Person having the Command or Rule of any Ship or Vessel charged or chargeable with the Rates or Duties of Tonnage granted by this Act shall refuse to pay the same, then and in such Case it shall and may be lawful to and for the said Commissioners, or such Person or Persons as they shall appoint to be their Collector or Collectors aforesaid, or any or either of them, from Time to Time to go on board such Ship or Vessel, to demand, collect, and receive the same, and on Non-payment thereof to take and distrain every such Ship or Vessel, and all her Tackle, Apparel, and Furniture, or any Part thereof, either on board or on Shore, and the same to detain until he or they be satisfied and paid the said Rates and Duties; and in case of any Neglect or Delay in Payment of the said Rates and Duties, that then it shall and may be lawful for the said Commissioners and their Successors, and such Person or Persons as they shall appoint as aforesaid their Collector or Collectors, Receiver or Receivers, to cause the same to be appraised by Two or more sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress and Distresses, and therewith to satisfy him or themselves, as well for and concerning the said Rates and Duties of Tonnage so neglected or delayed to be paid, and for which such Distress and Distresses shall be taken as aforesaid, as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master or other Person having the Rule or Command of the said Ship or Vessel in, to, or from which such Distress shall be so taken or being, the Overplus (if any there shall be); and that if any Owner, Consignor, or Consignee respectively of any Goods, Wares, or Merchandizes chargeable with any of the Duties mentioned in the Schedule A to this Act annexed shall neglect or refuse to pay the said Duties before such Goods, Wares, or Merchandizes shall be shipped or removed from the Place where the same shall be landed (as the Case may be), then it shall and may be lawful for the said Commissioners, or their Collector or Collectors, to detain the said Goods, Wares, or Merchandizes till the said Duties, together with the reasonable Charges of keeping the said Goods, shall be paid and satisfied; and in case such Goods, Wares, or Merchandizes shall happen to be removed before the Duties payable for the same shall be fully paid, then it shall be lawful for the said Commissioners, or their said Collector or Collectors, to take and distrain any Goods or Chattels of the Owner, Consignor, or Consignee respectively, and to detain and sell the same in manner before mentioned, or the said Commissioners shall and may prosecute any Action or Actions at Law for the said Duties.

By Laws, &c. to be printed.

How Duties on Goods may be recovered when they cease and new ones to be paid.

XXXII. And be it further enacted, That the Masters and Owners of Ships and Vessels shall be personally answerable for the Payment of the Duties of Tonnage by this Act charged, and shall not include or avoid the same by any Method whatsoever, such Master, Commander, chargeable.

Commander, or Owner of such Ship or Vessel shall stand charged with and be liable to the Payment of the same; and the same shall be recovered from such Master or Owner by the same Method by which Fines and Penalties imposed by this Act are herein directed to be levied and recovered, or by any Action or Actions at Law.

No Vessels to be cleared till the Tonnage Duties be paid.

XXXVII. And to the Intent the said Rates and Duties of Tonnage may be duly answered and paid, be it further enacted, That no Collector, Customer, Comptroller, Receiver of Entries, Ship's Surveyor, or Searcher, Waiter, or other Officer of the Customs belonging to the Port of *Berwick* aforesaid, shall at any Time after the passing of this Act give or make out any Cocket or other Discharge, or take any Report outwards for any Ship or Vessel, or permit any Ship or Vessel to go out of the said Harbour, until the Master or Owner or other Person or Persons having the Rule or Command thereof shall produce a Certificate from the Collector or Collectors to be appointed in pursuance of this Act that the Rates and Duties of Tonnage by this Act granted have been paid or secured to be paid, which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward; and that any Collector, Customer, Comptroller, Receiver of Entries, or Ship's Surveyor, or Searcher, Waiter, or other Officer of the Customs, making default in any of the Premises enjoined by this Act, shall forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; one Moiety of such Forfeiture to be to the Use of the Person or Persons who shall prosecute, sue for, and recover the same, and the other Moiety thereof to be paid into the Hands of the said Commissioners or to such Person or Persons as they shall direct, to be applied to the Purposes of this Act: Provided always, that nothing in this Act contained shall extend or be construed to extend to charge any of the Ships or Vessels belonging to His present Majesty, His Heirs or Successors, or employed in the Service of His said Majesty, His Heirs or Successors, or of the Customs or Excise, with any of the Duties of Tonnage granted by this Act; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Twenty Pounds Penalty on Collectors, &c. making default.

King's Vessels exempted from Tonnage Duty.

Power to reduce and again raise the Tonnage Duties.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Six or more of them, with the Consent of the Persons entitled to One Half Part of the Money which for the Time being shall be due and owing upon the Credit of the said Duties by this Act granted, to reduce and lessen the said Duties of Tonnage for such Time and Times as they shall think proper, and at any Time or Times afterwards to advance and raise the said Duties of Tonnage again to any Sum or Sums of Money not exceeding the Sums mentioned and set forth in the Schedule B to this Act annexed; and any such Collector aforesaid shall have the like Power of levying and recovering the said Duties of Tonnage so reduced and lessened, or advanced again, or any of them, or any Part thereof, as is herein before given for levying and recovering the said Duties of Tonnage herein before granted, but no Alteration shall at any Time be made in the said Duties of Tonnage unless Twenty-one Days Notice thereof shall be given in One Newspaper circulated in *Berwick* or the Neighbourhood.

XXXIX. And

Directing how the Money shall be applied.

XXXIX. And be it further enacted, That out of the first Money which shall be collected by virtue of this Act, or out of such Money as shall be borrowed on the Credit of the Rates or Duties by this Act imposed, all the Expences and Charges incident to and attending the obtaining and passing this Act shall, in the first place, be satisfied and discharged, and that afterwards all the Money arising by the said several Rates or Duties, and which shall be borrowed on the Credit thereof, shall be applied in defraying the Expences of erecting the said Pier and supporting and maintaining the same, and maintaining and keeping in repair, altering or rebuilding, the present Quays and Wharfs, and in erecting, making, and repairing all such other Quays and Wharfs, and also such Docks and other Works as the said Commissioners shall think it necessary or expedient to erect or make for rendering the said Harbour more safe and commodious, and for the better Accommodation of the Trade thereof, and in paying the Interest of the Money to be borrowed, and also the said Money to be so borrowed, or any Part thereof, if the said Commissioners shall find it convenient, and for the several other Purposes of this Act.

Commissioners may borrow Money.

XL. And forasmuch as the Money to be raised by virtue of this Act will not be sufficient for the speedy effecting the Works aforesaid, and it will be necessary for the said Commissioners to borrow and take up at Interest Money for the more effectual and speedy carrying on, completing, and finishing the same; be it therefore further enacted, That the said Commissioners, or any Five or more of them, shall and may and they are hereby authorized and empowered from Time to Time, by Writing under their respective Hands and Seals, to grant, assign, make over, and charge the Duties hereby granted or made payable, or any Part or Parts thereof (the Costs and Charges of making and assigning of which to be paid out of the Duties aforesaid), as a Security for the Sum or Sums of Money to be by them borrowed for the Uses and Purposes herein mentioned, to such Person or Persons, or his or their Trustee or Trustees, who shall advance and lend the same, to secure the Repayment thereof, with Interest for the same, not exceeding the Interest allowed to be taken on Money borrowed.

Form of Assignment.

XLI. And be it further enacted, That the Form of every Assignment of the Duties arising by virtue of this Act, as a Security for any Sum or Sums of Money to be borrowed on the Credit of the said Duties, may be in the Words following, or in any other Words to that Purpose; (*videlicet*)

Power to reduce and again raise the Tonnage Duties.

BY virtue of an Act passed in the the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled [*here insert the Title of this Act*], we, *C. D. E. F.* and *G.*, Five of the Commissioners appointed by and in pursuance of the said Act, do, in consideration of the Sum of [illegible] advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, hereby grant, bargain, sell, and demise unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportions of the Duties arising by virtue of the same Act as the said Sum of [illegible] doth or shall bear to the whole Sum due and owing on the Credit thereof, to have, hold, and enjoy the same from henceforth as a Security for and until the said Sum of [illegible] with Interest after the Rate of [illegible] *per Centum per Annum* shall be repaid.

No Preference in Securities.

And all and every Person or Persons to whom any such Assignment or Assignments shall be made by the said Commissioners, or any Five or more of them, shall be equally entitled to his or their Proportion of the said Duties according to their respective Sums in such Assignments mentioned, to be advanced to secure the Repayment thereof with such Interest as therein specified, without any Preference by reason of Priority of Assignment, or on any other Account whatsoever; and Entries and Memorandums of every such Assignment, containing the Dates, Names of the Parties, and Sums borrowed, shall be made in a Book or Books to be kept for that Purpose by the Clerk or Treasurer, and shall and may be inspected at all reasonable Times by all Persons whomsoever without Fee or Reward; and all and every Person or Persons to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer and assign over his, her, or their Right, Title, and Interest to the Principal and Interest Money thereby secured, to any Person or Persons whomsoever, by Indorsements on the Back of such Security, or other Writing to be annexed thereto, or otherwise signed before One or more credible Witness or Witnesses, in the Words following or to the like Effect:

Form of Transfer.

'I Do transfer this [*or* the annexed] Assignment, with all my Right 'and Title to the Principal Money hereby [*or* thereby] secured, and 'all the Interest now due thereon, to *C. D.*, his Executors, Administrators, 'and Assigns. Dated this Day of *A. B.*

'Witness, *E. F.*

Which said Transfer or Assignment shall be produced and notified to the Clerk or Treasurer for the Time being, who shall register or enter the same in the Book or Books to be kept for entering the same original Assignment, for doing whereof he shall be paid Five Shillings by the Person requesting the same; and after such Entry thereof made and not till then, every such Transfer shall entitle the Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon, and such Assignee or Assignees may in like Manner again transfer and assign the same, and so *toties quoties*, such Transfer being entered and paid for as aforesaid; and it shall not be in the Power of such Person or Persons who shall have made such Assignment or Transfer to make void, release, or discharge the same or any Money due thereon.

Commissioners may let the Duties.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners present at any Meeting of the said Commissioners, after Ten Days public Notice shall have been given on the Doors of the Church or Town Hall within the said Borough and also in One of the public Newspapers circulated in the said Borough or Neighbourhood, from Time to Time, by any Writing under their Hands or Hands and Seals, to demise, lease, and to farm let, or agree to demise, lease, and to farm let, the several Rates and Duties by this Act granted, or any Part thereof, to any Person or Persons who shall be willing to take to farm the same from Year to Year, or for any Term not exceeding Seven Years, for the best Price such Commissioners can get, payable to the said Commissioners, or to such Person or Persons as they shall appoint, at such Times and under such Covenants as the said Commissioners shall think fit; which Money so to be paid shall be applied or disposed of as

the

the Rates or Duties granted by this Act are directed to be applied and disposed of, and to no other Use or Purpose whatsoever; and such Lease or Leases and Agreements to be made as aforesaid, or Memorials thereof, shall be entered in a Book or Books to be kept by the said Commissioners or their Clerk or Clerks for that Purpose.

XLIII. And whereas it has heretofore been the Practice for the Mayor and Justices of the Peace for the said Borough of *Berwick-upon-Tweed* to grant Tickets or Licences to Persons using the Profession of a Pilot within the said Harbour; and it has been found by Experience that by reason of the limited and uncertain Controul of the said Mayor and Justices over such Persons the said Practice is attended with much Inconvenience, and that it will be expedient and attended with much Advantage to all concerned in the Shipping and Navigation of the said Harbour if the said Practice were discontinued, and all Tickets and Licences heretofore granted were annulled and rendered void, and if Powers were granted to the said Commissioners for putting this Act in execution to grant fresh Licences to such Persons as they may think duly qualified, and to make Regulations and Orders for the Government of all Pilots in the said Harbour; be it therefore enacted, That, at the End of Three Calendar Months from and after the passing of this Act, all Tickets or Licences heretofore given or granted to any Person or Persons whomsoever, appointing him or them or authorizing him or them to act as a Pilot or Pilots in the said Harbour, shall be and be deemed to be void and of no Effect, and the Person or Persons to whom the same were so given or granted shall not continue after the above-mentioned Time to act as a Pilot or Pilots in the said Harbour without such Licence as is herein-after mentioned.

Former Licences to Pilots to be void.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required, to examine and enquire into the Skill and Ability of any Person who shall tender or offer himself to be admitted as a Pilot for the said Harbour of *Berwick*, as well by Examination of Witnesses upon Oath (which the said Commissioners or any Two of them are hereby empowered to administer) as by such other Ways and Means as to them shall seem proper; and if upon such Examination and Enquiry the Person so offering himself as a Pilot shall be approved of by the said Commissioners, they the said Commissioners may, at any Meeting within Three Calendar Months after the passing of this Act, and annually thereafter at the Annual General Meeting herein-before directed to be held, or at the said first Adjournment thereof, grant a Licence or Warrant, certifying that such Person is duly qualified to act as a Pilot to conduct Vessels into and out of the said Harbour of *Berwick*, which Licence or Warrant shall be subscribed with the Handwriting of Three or more of the said Commissioners, and from thenceforth such Person shall be deemed qualified to exercise the Occupation of Pilot within the Harbour of *Berwick* aforesaid.

Commissioners to examine and grant Licences to Pilots.

XLV. And be it further enacted, That every Person who shall upon his first Admission as a Pilot after the passing of this Act receive such Licence or Warrant shall for his first Licence or Warrant pay to the Clerk of the said Commissioners the Sum of Five Shillings, and for every subsequent Licence or Warrant the Sum of Two Shillings and Sixpence, and shall be subject to the several Clauses, Regulations, and Provisions in this

Pilots to pay for their first Licences 5*s*. and afterwards 2*s*. 6*d*. and the Licence to be in force for One

Year, and to be subject to Orders of Commissioners.

this Act contained, and to such Orders, Rules, and Bye Laws as shall be made in pursuance hereof; and every such Licence or Warrant shall continue in force until the next following General Annual Meeting, or the first Adjournment thereof, and no longer.

Persons acting without Licences to forfeit 20*l.* or be imprisoned Six Calendar Months.

XLVI. And be it further enacted, That if any Person shall, from and after the Expiration of Three Calendar Months from the passing of this Act, take upon himself to conduct or pilot any Ship or Vessel into or out of the said Harbour of *Berwick* before he shall be first examined, approved, and admitted as a Pilot by the said Commissioners, and shall have received such Licence or Warrant as aforesaid for that Purpose, or shall, after the Expiration of such Licence or Warrant, continue to act as a Pilot without Renewal of the same, every Person shall for each and every such Offence forfeit the Sum of Twenty Pounds, or be imprisoned for any Time not exceeding Six Calendar Months, at the Discretion of the Justice or Justices before whom such Person shall be thereof convicted.

Masters of Vessels misbehaving to have Licences recalled who offer, to pay full Pilotage.

XLVII. And be it further enacted, That in case any such Pilot who shall receive a Licence or Warrant as aforesaid shall refuse to take the Charge or Conduct of any of His Majesty's Ships, or any Ship or Vessel in the Merchant Service, upon a proper Signal being made, or a Gun or Guns fired, by any Ship or Vessel inward bound, or upon the Application of the Master, Commander, Owner, Agent, or Consignee of any Ship or Vessel outward bound, or of any One Commissioner, or shall refuse, on such Signal or such Application, to lead the Way of any Vessel which cannot be boarded without imminent Danger, or shall refuse to assist any Vessel in Distress, or in case it shall appear to the said Commissioners that such Pilot hath misbehaved himself in the Conduct of any Ship or Vessel, or in the Execution of any Part of his Duty as a Pilot, or if any such Pilot shall refuse to obey any Summons of such Commissioners requiring his Appearance before the said Commissioners, or shall refuse to obey such Order as the said Commissioners shall make, or shall in anywise offend against this Act, then the said Commissioners, upon Examination and Proof thereof, are hereby required to recall the Licence granted to such Pilot, and to declare the same to be thenceforth utterly void; and if any such Person so offending shall, after such Declaration and Notice thereof given to him in Person or left at his usual Place of Abode, act as a Pilot in the conducting any Ship or Vessel into or out of the said Harbour of *Berwick*, he shall be subject to all the Penalties and Punishments inflicted by this Act on Persons acting as Pilots without Licence or Warrant.

Rewards for Pilots assisting Ships in Distress to be settled by Commissioners.

Commissioners may make Regulations for Pilots;

Rates of Pilotage.

XLVIII. And be it further enacted, That from and after the Expiration of Three Calendar Months from the passing of this Act, all Pilots licensed by the said Commissioners shall be entitled to the Rates of Pilotage (for a Boat and Four Men besides the Pilot) hereinafter mentioned until the same shall be altered by the said Commissioners; (that is to say,)

For every Foot of the Draught of Water of any Ship or Vessel from the First Day of *April* to the First Day of *October*, One Shilling and Three-pence:

For every Foot of the Draught of Water of any Ship or Vessel from the First Day of *October* in one Year to the First Day of *April* in the next ensuing Year, One Shilling and Sixpence;

For

For every Foot of the Draught of Water of any Foreign Ship or Vessel, from the First Day of *April* to the First Day of *October*, One Shilling and Eight-pence:

For every Foot of the Draught of Water of any Foreign Ship or Vessel, from the First Day of *October* in One Year to the Fifth Day of *April* in the next ensuing Year, Two Shillings.

And for each Tides work within the said Harbour, Seven Shillings and Sixpence.

Persons acting without Licence to forfeit 20*l.* or be imprisoned Six Calendar Months.

And be it further enacted, That the said Commissioners shall have full Power and Authority, at their Discretion, to vary and alter, fix and determine all the said Rates of Pilotage, and also the Compensation to be made for extraordinary Attendances or Labour at any Ship or Vessel: Provided always, that any Increase of the said Rates do not exceed One Half of the Rates before mentioned.

Commissioners to fix Rates of Pilotage and Compensation for extra Attendances or Labour.

And be it further enacted, That in case the Master or Commander of any Ship or Vessel inward bound shall refuse to take on board and employ any Pilot so to be licensed as aforesaid who shall offer his Service, such Master or Commander shall pay or cause to be paid to the Pilot who first or who only shall offer his Service as aforesaid, and shall demand the full Pilotage, according to the different Rates and Prices so to be settled by the said Commissioners, to be paid as if the said Pilot had been received and employed in conducting or piloting such Ship or Vessel into the said Harbour of *Berwick*.

Masters of Vessels inward bound refusing to take Pilots who offer, to pay full Pilotage.

Provided always, and be it further enacted, That in case any Ship or Vessel shall be met with in Distress by any Pilot or Pilots so to be licensed as aforesaid, and shall stand in need of any extraordinary Assistance of the Crew or Boat, that then the Compensation to be made to the said Pilot and Crew shall be settled and determined upon according to the Circumstances of the Case by the said Commissioners, at their next Meeting; and that if any Agreement or Agreements for such extraordinary Assistance shall at any Time be made by the Master or Commander of such Vessel, and the Pilot or Pilots, such Agreement or Agreements shall be void and of no Effect.

Rewards for Pilots assisting Ships in Distress to be settled by Commissioners.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any Time or Times hereafter, to make, ordain, and establish Orders, Rules, and Bye Laws for the better Government and Regulation of the said Pilots so to be appointed or licensed as aforesaid, and also from Time to Time as Occasion shall require to repeal, add to, amend and alter such Rules, Orders, and Bye Laws as to them shall seem meet and convenient, and to make, ordain, and establish other Orders, Rules, and Bye Laws in lieu of such as shall be repealed, added to, amended, or altered, and to fix and appoint reasonable pecuniary Penalties, not exceeding Five Pounds, for Non-observance, Non-performance, or other Breach of all or any of such Rules, Orders, and Bye Laws, or any Part of them, to be recovered by such Ways and Means as are herein directed; which Rules, Orders, and Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom called *England*, or any thing in this Act contained; and it shall be lawful for the said Commissioners to suspend or deprive of the Use of his Licence any Pilot for

Commissioners may make Regulations for Pilots;

for breaking such Rules, Orders, or Bye Laws, or omitting any thing required by the same, or for acting in anywise contrary to such Rules, Orders, or Bye Laws; and if any Pilot so suspended or deprived of the Use of his Licence, during the Time of his Suspension or Deprivation, shall take upon himself to pilot any Ship or Vessel into or out of the said Harbour, such Pilot shall be liable to all such Pains and Penalties as are provided by this Act against such Person as shall pilot and conduct Ships and Vessels into or out of the said Harbour without being first licensed by the said Commissioners.

which shall be printed.

LIII. And be it further enacted, That the said Commissioners shall cause the said Orders, Rules, and Bye Laws, and also a List of the Pilots so to be licensed as aforesaid, to be from Time to Time printed and distributed, and likewise to be hung up at such conspicuous Places as they shall think fit, and to pay the Expences thereof out of the Money to be collected and raised by virtue of this Act; which Bye Laws shall be subject to Appeal in manner herein-after mentioned.

Penalties to be recovered before a Justice.

LIV. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act imposed or inflicted (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall, upon Proof of the Offences respectively before One or more Justice or Justices of the Peace for *Berwick* aforesaid, either by Confession of the Party or Parties or by Oath of One credible Witness (which Oath the said Justice or Justices is or are hereby empowered and required to administer), be recovered and levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant or Warrants any such Justice or Justices is or are hereby empowered and required to grant), and the Overplus (after the Fines, Penalties, and Forfeitures, and the Charges of such Prosecution for the same, shall be paid and deducted) shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels; and in case sufficient Distress cannot be found, and such Fines, Penalties, and Forfeitures shall not be forthwith paid, it shall and may be lawful for any such Justice or Justices, and he or they is or are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offenders to be committed to the Common Gaol of *Berwick* aforesaid, there to remain without Bail or Mainprize for such Time as such Justice or Justices shall direct, not exceeding Three Calendar Months (unless where some other Time is appointed by this Act), unless such Fines, Penalties, and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and in case such Offender, or his Goods or Chattels, cannot be found within the Liberties of the said Borough, then the Warrant or Warrants for apprehending or committing him or them, or for levying such Penalties or Forfeitures, shall be indorsed by some Justice of any County, City, Town, or Place, on Proof of the Handwriting of the Justice or Justices who shall have granted the same.

LV. And for the more easy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence

against

against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words, as the Case shall happen:

Form of Conviction.

'Borough of Berwick-upon-Tweed. } BE it remembered, That on the Day of in the Year is convicted before of His Majesty's Justices of the Peace for the said Borough, by virtue of an Act of Parliament made in the Forty-eighth Year of the Reign of King *George* the Third, '[*here set forth the Title of this Act, specifying the Offence, and the Time* '*and Place when and where the same was committed, as the Case shall be*]. 'Given under our Hands and Seals [*or my Hand and Seal*] the Day 'and Year first aforesaid.'

Power to mitigate Penalties to One Fourth.

LVI. Provided always, and be it further enacted, That it shall be lawful for the Justice or Justices of the Peace by whom any Judgment, Sentence, or Determination shall be given, pronounced, or made, from Time to Time where he or they shall see Cause, to mitigate, compound, or lessen any of the Penalties or Forfeitures as aforesaid as he or they in his or their Discretion shall think fit, so as such Mitigation or Composition do not extend to remit above Three-fourth Parts of the Penalty inflicted or directed to be levied by this Act; and that every such Mitigation or Composition shall be a sufficient Discharge for the Persons offending respectively for so much of the said Penalties and Forfeitures as shall be so mitigated, lessened, or remitted.

Forfeitures how to be applied.

LVII. And be it further enacted, That all Penalties and Forfeitures by this Act recoverable, when recovered, shall (when not otherwise directed by this Act) be paid and applied as follows; (that is to say,) one Moiety thereof to the Informer, and the other Moiety thereof into the Hands of the Treasurer, to be laid out and applied to and for the Purposes of this Act.

Persons aggrieved may appeal to the Quarter Sessions.

LVIII. And be it further enacted, That all Persons who shall think themselves aggrieved by the Order and Judgment of any Justice or Justices of the Peace upon account of any Offence or Offences committed or supposed to be committed against this Act, or by any Rule, Order, or Bye Law for the Government and Regulation of Pilots to be made by virtue of this Act, may appeal to the Justices of the Peace for the County or Place where the Cause of Appeal shall have arisen, at any General or Quarter Sessions of the Peace to be held within the Space of Six Calendar Months next after such Cause of Appeal shall happen, the Person or Persons so appealing first giving Security to the Satisfaction of the said Justice or Justices to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said General or Quarter Sessions, in case such Orders or Judgments shall be affirmed; and the Justices at such General or Quarter Sessions are hereby authorized and required to hear and determine such Appeal, and to make such Order therein and to award such Costs as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed or removable by any Writ of Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere; and that no Order or Proceeding to be had or made by or before any Justice or Justices

relating

relating to the Execution of this Act shall be quashed or vacated for Want of Form only.

Distress not unlawful for Want of Form.

LIX. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in any Action on the Case: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed every or any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant or Defendants in any Action, by Leave of the Court where such Action shall depend, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceeding or Order and Judgment shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Tender of Amends.

Limitation of Actions.

LX. And be it further enacted, That no Action or Suit shall be commenced against any Commissioner or Commissioners, or any other Person or Persons acting under them, for any thing done in pursuance of this Act, until after the Expiration of Twenty-one Days next after Notice thereof shall be given in Writing to the Clerk of the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be brought; and every such Suit shall be brought, laid, and tried in the Borough of *Berwick-upon-Tweed*, and not elsewhere; and the same, or any Judgment thereon, shall not be removed or removable by Certiorari, Writ of Error, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or any other Court or Courts whatsoever; and that the Defendant or Defendants, and every of them, in every such Action and Suit, shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial or Trials to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit shall have been brought before the Expiration of Twenty-one Days after Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if such Action or Suit was not commenced within the Time before limited for that Purpose, or shall be laid or brought to be tried in any County or Place other than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Suit shall become nonsuited, or suffer a Discontinuance

General Issue.

of such Action or Suit, or if upon any Demurrer in any such Action or Suit Judgment shall be given for the Defendant or Defendants, then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law. Treble Costs.

Limits of the Harbour.

LXI. And be it further enacted, That for the Purposes of this Act the said Harbour shall be deemed to extend and shall extend from the Bridge over the River *Tweed* down the said River and both Shores thereof to the Sea, and also from the East End of the Pier Two Miles in every Direction along the Coast and into the Sea.

Commissioners to lay Accounts before Mayor, &c. of Berwick.

LXII. And be it further enacted, That the said Commissioners shall at the Head Guild to be holden by the Mayor, Bailiffs, and Burgesses of the Borough of *Berwick-upon-Tweed* aforesaid next after *Midsummer* One thousand eight hundred and nine, or at the First Adjournment thereof, produce and shew forth to such Guild a Statement of the Accounts relating to the said Trust from the Commencement thereof, and so annually thereafter at the said Head Guild next after *Midsummer*, or at the First Adjournment thereof, a like Statement of the Accounts for the preceding Year.

Public Act.

LXIII. 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, without being specially pleaded.

SCHEDULE (A).

		£	s.	d.
Acorns	per Bushel			1
Alabaster	per Cwt.			4
Allum	per Ton		10	0
Allum, Roche	per Ditto		1	0
Almonds	per Cwt.		2	0
Annatto	per Ditto		16	0
Aquafortis	per Corboy			4
Aloes	per Cwt.			4
Anchovies	per 20 small Barrels			10
Antimony	per Cwt.			4
Apples	per Chest of 4 Bushels			4
———	per Bushel			1
Archilia	per Cwt.			4
Argol	per Ditto			4
Arms	per Chest			6
Arsenic	per lb.			½
Ashes, Pot or Pearl	per Cwt.			2
——— Soap	per Ditto			2
——— Fern or Wood	per Ditto			½
Bacon	per Ditto			4
Barilla	per Ton		1	0
Bark, Oak	per Ditto			1
——— Jesuits	per lb.			½
Barrel Staves. See Staves.				
Barley	per Quarter			4
——— Pearl or Pot	per 20 Stones			4
Baskets, Hand	per Dozen			3
Battens. See Wood.				
Beans	per Quarter		1	0
Beef	per Cwt.		1	0
Beer or Porter, Mum, Cyder, Perry, or Vinegar	per Butt		1	0
———	per Hhd.			6
———	per Barrel			4
———	per Half Hhd.			3
———	per Kilderkin			2
Bees Wax	per Cwt.			3
Bell Metal	per Ditto			1
Bells	per Ton		2	0
Bellows	per Barrel Bulk			2
Blankets	per Barrel Bulk			4
Blubber	per every Ton of Oil produced by it			6

SCHEDULE (A.)—continued.

		£	s.	d.
Bones	per Ton	0	1	0
Books, bound and unbound	per Barrel Bulk	0	0	4
Bottles, Glass	per Gross	0	0	4
—— Stone	per Dozen	0	0	1
Bran	per Quarter	0	0	0½
Brandy	per Tun	0	6	0
Brass	per Cwt.	0	0	2
Bread	per Ditto	0	0	1
Bricks	per 1000	0	0	2
—— Stock or Fire	per 120	0	0	0½
Brimstone	per Cwt.	0	0	2
Brooms	per Doz.	0	0	1
Brushes, Hand	per Barrel Bulk	0	0	2
Bullrushes	per Ditto	0	0	1
Butter	per Firkin	0	1	0
Cabbages	per Ton	0	0	6
Cages, Bird	per Dozen	0	0	2
Calicoes and other Cotton Goods	per Barrel Bulk	0	0	4
Calves	per Head	0	0	3
Candles	per Doz. lbs.	0	0	6
—— Wax	per Barrel Bulk	0	0	3
Canvass or Sail Cloth	per Bolt	0	1	0
Canes or Walking Sticks	per Barrel Bulk	0	0	2
Carpets	per Ditto	0	0	4
Carriage or Cart, Two Wheels		2	6	
—— —— Four Wheels		5	0	
Carrots	per Ton	0	0	6
Casks, (new) empty	a Pipe	0	0	0½
—— smaller	in proportion			
Cheese	per Cwt.	0	0	2
Chesnuts	per Barrel Bulk	0	0	2
Cinders	per Chaldron	0	0	3
Cinnamon	per Cwt.	0	0	2
Clay	per Ton	0	0	3
Chalk	per Ton	0	0	3
Cloth, Hair	per Barrel Bulk	0	0	2
—— Linen	per Ditto	0	0	4
—— Sack	per 12 Pieces	0	0	1
—— Sail or Canvass	per Bolt	0	0	1
—— Woollen, and other Woollen Goods	per Barrel Bulk	0	0	4
Coals	per Chaldron	0	0	3
Coffee	per Cwt.	0	0	2
Copper, wrought or unwrought	per Cwt.	0	0	2
—— Ore	per Ditto	0	0	¾
Copperas	per Ton	0	1	0
Cordage, Twine and Netting	per Cwt.	0	0	2
Cork and Corks	per Ditto	0	0	2
	per Barrel Bulk			
	per every Ton of Oil produced by it	0	0	6

SCHEDULE (A.)—continued.

		£	s.	d.
Corn and Grain	per Quarter			
Corpses	each	0	5	0
Cotton	per Cwt.			
Cows	each			
Cream of Tartar	per Cwt.	0		
Currants	per Ditto			
Cyder. See Beer.				
Dates or Figs	per Cwt.	0		
Deals. See Wood.				
Dimities	per Barrel Bulk	0		
Drugs	per			
Dusters	per Doz.	0		
Dyeing Stuffs, not otherwise charged	per Cwt.			
Earthenware	per Hundred	0		
	per Crate	0		
Eggs	per Chest of 1600	0		
Elephants Teeth	per Cwt.			
Feathers	per Ditto	0	0	2
Figs or Dates	per Ditto	0		
Fish:				
Salmon, salted	per Barrel			
—— fresh, exported	per Cwt.			
—— pickled	per Kit			
Fish, dried	per Cwt.			
—— all salted, except Salmon	per Barrel			
—— Herrings, Red	per Ditto			
Flax, dressed or undressed	per Ton			
Flocks	per Ditto			
Flour or Meal	per 20 Stones	0		
Fullers Earth	per Cwt.	0		
Geneva, Foreign	per Tun	0	6	0
Ginger	per Cwt.	0		
Glass, Window	per Crate			
—— broken	per Barrel Bulk	0	0	1
Glasses, Decanters, and other White Glass	per Ditto			
Glue	per Cwt.	0		
Goats	each	0		
Graves or Groves	per Ton			
Groceries, not otherwise charged	per Cwt.			
Gum	per Ditto			
Gun Carriages	each			
—— Powder				
—— Stocks	per Doz.	0		

SCHEDULE (A.)—continued.

		£ s. d.
Gun Flints	per Quarter	0 5 0
	each	
Haberdashery and Millenery Goods	per Barrel Bulk	0 6 0
Hair, Horse or Cattle	per Ditto	0 6 0
Hams	per Cwt.	1 0 0
Handscoops	per Ditto	0 0 6
Handspikes, dressed	per Ditto	See Deals.
Hats	per Barrel Bulk	0 0 9
Hay	per Cwt.	0 0 6
Herrings.	See Fish.	
Hemp	per Ton	3 0 0
Hogs or Pigs	each	0 2 6
Hides	per Cwt.	0 2 0
Hogsland	per Ditto	0 0 6
Horses	each	0 1 0
Hoops	per 12 Bundles	0 3 0
Hops	per Bag	0 1 0
	per Pocket	0 0 6
Horns or Horn Tips	per Cwt.	1 0 0
Household Furniture	per Barrel Bulk	0 0 6
Husbandry Implements	per Ditto	0 0 3
		Feathers
Indigo	per Cwt.	4 0 0
Iron, Pig	per Ton	0 2 6
Cast	per Ditto	0 0 12
Wrought	per Ditto	0 2 0
Broken or Bushel	per Ditto	0 0 6
Bar	per Ditto	0 0 8
Shot	per Ditto	0 1 0
Ironmongers Goods	per Cwt.	1 0 0
Isinglass	per Ditto	0 0 4
Juniper Berries	per Barrel Bulk	0 0 4
Ivory	per 20 Stones	4 0 0
Junk	per Cwt.	0 0 1
Ivory Black	per Ditto	0 0 1
	per Tun	0 6 0
Kelp	per Cwt.	0 0 6
Kits (new), empty	per 20	0 1 0
	per Barrel Bulk	0 0 1
Lamp Black	per Cwt.	2 0 0
Laths	per 12 Bundles	0 0 6½
Lead	per Ton	0 0 8
Ore	per Ditto	0 0 3
White, Red, or Black	per Cwt.	0 0 1
Shot	per Ditto	0 0 2
Leather	each	0 0 2
Lemons or Oranges	per Chest	0 0 6
Lime	per Chaldron	0 2 0
Liquorice	per Cwt.	0 0 2

SCHEDULE (A.)—continued.

		£ s. d.
Malt	per Quarter	0 0 8
Manure	per Ton	0 0 2
Marble	per Ton	0 2 0
Mats	per 120	0 0 6
Medicines and Drugs	per lb.	0 0 ½
Millenery and Haberdashery Goods	per Barrel Bulk	0 0 4
Molasses	per Cwt.	0 1 8
Mules	each	0 0 6
Mum. See Beer.		
Musical Instruments	per Barrel Bulk	0 0 8
Mustard	per Cwt.	0 0 8
Nuts	per Barrel Bulk	0 0 8
Oak. See Wood.		
Oaker	per Cwt.	0 0 2
Oakum	per Cwt.	0 0 ½
Oil	per Tun	0 2 0
— Cakes	per Cwt.	0 0 ½
Oats	per Quarter	0 1 0
Oats, Sheeland or Groats	per 20 Stones	0 1 0
Onions	per Bushel	0 0 1
Oranges and Lemons	per Chest	0 0 6
Paints, mixed or unmixed	per Cwt.	0 0 8
Paper	per Cwt.	0 0 8
Pelts. See Skins.		
Pears	per Chest of 4 Bushels	0 0 4
—	per Bushel	0 0 1
Perry. See Beer.		
Pepper	per Cwt.	0 0 2
Pewter	per Ton	0 1 8
Pimento	per Cwt.	0 0 2
Pipes, Tobacco	per Chest	0 0 3
Pitch	per Barrel	0 0 4
Plaster of Paris	per Cwt.	0 0 1
Pork	per Cwt.	0 0 1
Porter. See Beer.		
Potatoes	per Ton	0 0 6
Pigs or Hogs	each	0 0 2
Prunes	per Cwt.	0 0 2
Quicks or Twigs	per Barrel Bulk	0 0 2
Quills	per Barrel Bulk	0 0 4
Rags	per Ton	0 1 0
Raisins	per Cwt.	0 0 2
Rakes or Hows, Garden	per Dozen	0 0 1
Rattans	per Barrel Bulk	0 0 2

	£	s.	d.
Beads or Canes	per Quantity	-	-
Resin	per Cwt.	-	-
Rotten Stone	per Cwt.	-	-
Rugs	per Barrel Bulk	-	-
Rum	per Gallon	-	-
Rye	per Barrel Bulk	-	-
Rice	per Cwt.	-	-
Saddle Trees	per Dozen	-	-
Sails	per Square Yard	-	-
Salt	per Bushel	-	-
Salts, Glauber	per Cwt.	-	-
Saltpetre	per Barrel Bulk	-	-
Sarsa Parilla	per Cwt.	-	-
Sassafras	per Cwt.	-	-
Seeds, Canary	per Bushel	-	-
Clover	per Bushel	-	-
Hemp	per Bushel	-	-
Lint or Flax	per Bushel	-	-
Mustard	per Quarter	-	-
Rape	per Bushel	-	-
Rye Grass	per Quarter	-	-
Turnip	per Bushel	-	-
Garden, and all others not before mentioned	per Cwt.	-	-
Scythe or Wheat Stones	per 120	-	-
Sheep	each	-	-
Shoes and Boots	per Barrel Bulk	-	-
Shrub	per Tun	-	-
Shruff or Soapers Wash	per Ton	-	-
Sickles	per Barrel Bulk	-	-
Sieves	per Barrel Bulk	-	-
Silk, wrought or unwrought	per Barrel Bulk	-	-
Skins or Pelts	per Cwt.	-	-
Slates	per 1000	-	-
Smalts	per Cwt.	-	-
Snuff	per Cwt.	-	-
Soap	per Cwt.	-	-
Soot	per Ton	-	-
Spades and Shovels	per Dozen	-	-
Spirits, Foreign	per Tun	-	-
British	per Tun	-	-
Spokes, Carriage, Waggon, or Cart	per 120	-	-

SCHEDULE (A.)—continued.

		£	s.	d.
Starch	per Cwt.	0	2	8
Stationery Goods	per Barrel Bulk	0	4	0
Staves, Barrel	per 120	0	14	0
— Hhd.	per 120	0	9	4
— Pipe	per 120	0	12	0
Steel	per Cwt.	0	2	8
Stockings	per Barrel Bulk	0	4	0
Stone, Burrs	per Ton	0	2	0
— Free	per Cwt.	0	0	3
— Filtering	per Ton	0	6	0
— Grind	per Dozen	0	0	6
— Mill	each	0	2	6
Straw	per Ton	0	0	6
Sugar and Sugar Candy	per Barrel Bulk	0	4	0
Sulphur	per Cwt.	0	0	2
Tallow	per Cask	0	0	1½
Tar	per Barrel	0	2	0
Tarras	per Ton	0	6	0
Tea	per Barrel Bulk	0	3	0
—	per Quarter Bulk	0	1	6
—	per Double Chest	0	6	0
Tiles, Pan	per 1000	0	5	0
— Malsters	per 1000	0	10	0
Timber. See Wood,				
Tin Plates	per Box	0	2	0
Tobacco, unmanufactured	per Cwt.	0	3	0
— manufactured	per Cwt.	0	4	0
Tobacco Pipes	per Chest	0	3	0
Tow	per Cwt.	0	0	2
Toys	per Barrel Bulk	0	2	0
Treenails or Trunnels	per 1000	0	0	2
Trees, young	per Barrel Bulk	0	0	2
Tripe	per Cwt.	0	0	1
Turnips	per Ton	0	0	6
Turpentine	per Cwt.	0	0	2
Twiggs or Quicks	per Barrel Bulk	0	0	2
Varnish	per Cwt.	0	0	1
Verdigrease	per Cwt.	0	0	1
Vinegar. See Beer.				
Vitriol	per Corboy	0	0	2
Walking Stick or Canes	per Barrel Bulk	0	0	2

[Local & Priv.] [Local & Priv.]

SCHEDULE (A.)—continued.

	£	s.	d.
Wax, Bees	0	0	1 per Cwt.
Wearing Apparel	-	-	per Barrel Bulk
Wheat	0	0	1 per Load of 40 Feet
Whalebone	0	1	per Cwt.
Wheels, Carriage or Cart	0	1	per Pair
Wheelbarrows and Hand Ditto	-	-	per each
Whitening	0	0	1 per Cwt.
Willows	-	-	per Barrel Bulk
Wine	0	1	per Ton
Wire, Iron	0	0	1 per Cwt.
Woad	0	0	1½ per Cwt.
Wood, Ash or Plank	-	-	per Load of 40 Feet
Cedar	1	0	per Ton
Elm	0	6	per Load of 40 Feet
Fir	0	6	per Load of 40 Feet
Lignum Vitæ	0	3	per Ton
Mahogany	1	0	per Load of 40 Feet
Pitch Pine	0	6	per Load of 40 Feet
Staves, Red	1	0	per Load of 50 Feet
Staves, Old	0	3	per 12 Bundles
Wainscot	1	0	per Load of 40 Feet
Oak Timber or Plank	0	9	per Barrel Bulk
Shingles	0	1	per Load of 40 Feet
Sawn and Split Deals	0	1	per Load of 40 Feet
Wainscot Tree and other Hard Woods, not otherwise enumerated	-	-	per Cwt.
Sulphur	1	0	per Barrel Bulk
Tallow	0	0	4 per Pack
Tar	0	1	per Cwt.
Tea	0	3	per Barrel Bulk
Teasels	0	3	per Barrel Bulk
Thread	0	3	per Barrel Bulk
Twine or Packthread	0	3	per Barrel Bulk
Tiles, Plain	0	3	per Thousand
Timber	0	0	3 per Load
Tin	0	0	3 per Barrel Bulk
Tobacco Pipes	-	-	per Gross
Tobacco, manufactured	1	0	per lb.
Tow	0	0	1 per Cwt.
Toys	0	4	per Package
Treasure or Bullion	-	-	per Barrel Bulk
Trees, Young	0	0	3 per 1000
Trunks	0	0	6 per Barrel Bulk
Turpentine	0	0	3 per Cwt.
Twigs or Sticks	0	0	3 per Barrel Bulk
Vitriol	-	-	per Carboy
Walking Stick or Canes	-	-	per Barrel Bulk

[*Loc. & Per.*] 23 G—H SCHE-

Every Article, however small, not specified

Goods imported and shifted to another Vessel for Exportation, and not landed, to pay only single Duty.

Ballast inward, whether landed or shifted into another Vessel, to pay only

Duties outward, whether taken out of another Vessel, or from the Quay or Shore

SCHEDULE (B.)

FOR every Ship or Vessel trading between the said Port of Berwick and any Place between Sunderland (including that Port) and Fifeness, for every Ton, Four-pence:

For every Ship or Vessel trading between the said Harbour of Berwick and any Place between the Humber and Aberdeen (including that Port), for every Ton, Sixpence:

For every Ship or Vessel trading between the said Harbour of Berwick and any Place between the North Foreland and Shetland, for every Ton, Eight-pence:

For every Ship or Vessel trading betwen the said Harbour of Berwick and any other Place in Great Britain not before described, or any Place in Ireland, or any Place on the Coast of Europe between Dunkirk and the North Cape, for every Ton, One Shilling:

For every Ship or Vessel trading between the said Harbour of Berwick and any Place in the Baltick Seas, or on the Coast of Europe, between Dunkirk and the Straits of Gibraltar, for every Ton, One Shilling and Two-pence:

For every Ship or Vessel trading between the said Harbour of Berwick and any Place in the White Sea or the Mediterranean Sea, the West Indies, America, Greenland, or any other Foreign Port or Place not before mentioned, for every Ton, One Shilling and Sixpence:

For every Ship or Vessel coming into the said Harbour for Shelter, laden and not breaking Bulk, for every Ton, Three-pence:

For every Ship or Vessel coming into the said Harbour for Shelter, in Ballast and going away in Ballast, for every Ton, Two-pence:

For every Ship or Vessel not belonging to any of His Majesty's Subjects, Double the above-mentioned Rates and Duties:

For every Ship or Vessel coming into the said Harbour, Three Shillings and Four-pence, over and above the before-mentioned Rates and Duties.

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