ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. lx.

An Act for continuing the Term, and altering and enlarging the Powers of several Acts passed for rebuilding and repairing the Piers of *Bridlington* otherwise *Burlington*, in the East Riding of the County of *York*; and for granting further Powers for those Purposes. [20th *June* 1816.]

WHEREAS an Act was passed in the Eighth and Ninth Year of the Reign of His late Majesty King *William* the Third, intituled *An Act for the Repair of the Piers of* Bridlington *alias* Burlington, *in the East Riding of the County of* York: And whereas an Act was passed in the First Year of the Reign of His late Majesty King *George* the First, intituled *An Act to revive and continue an Act of the Eighth and Ninth Years of the Reign of His late Majesty King* William, *for Repair of the Piers of* Bridlington *alias* Burlington, *in the East Riding of the County of* York: And whereas an Act was passed in the Fifth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for enlarging the Time granted by Two Acts of Parliament, for Repairs of the Piers of* Bridlington *alias* Burlington, and for making the said Acts more effectual: And whereas an Act was passed in the Seventh Year of the Reign of His said late Majesty King *George* the First, intituled *An Act for the better preserving and keeping in Repair the Piers of the Town and Port of* Whitby, *in the County of* York; *and for explaining and making more effectual the several Acts passed for lengthening and repairing the Piers of* Bridlington *alias* Burlington, *in the said County*: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the

8 & 9 Wil. 3. c. 29.

1 G. 1. c. 49.

5 G. 1. c. 10.

7 G. 1. c. 16.

26 G. 2. c. 10. Second, intituled *An Act for enlarging the Time and continuing the Duties granted by ſeveral Acts of Parliament for Repairs of the Piers of* Bridlington *alias* Burlington, *in the County of* York; *and for making the ſaid Acts more effectual:* And whereas an Act was paſſed in the Twenty-ninth Year
29 G. 3. c. 23. of the Reign of His preſent Majeſty King *George* the Third, intituled *An Act for enlarging the Term and Powers of ſeveral Acts paſſed in the Eighth and Ninth Years of the Reign of King* William *the Third, and in the Firſt, Fifth, and Seventh Years of the Reign of King* George *the Firſt, and in the Twenty-ſixth Year of the Reign of His late Majeſty King* George *the Second, for rebuilding, repairing, and amending the Piers of* Bridlington *alias* Burlington, *in the County of* York: And whereas the Rates, Tolls, and Duties granted and continued by the ſaid recited Acts have been found inſufficient for the Purpoſes thereof, and of keeping the ſaid Piers and Harbour open, clear, and in good Repair, and to anſwer the Purpoſes by the ſaid Acts intended; it is therefore expedient that the Term granted and continued by the ſaid recited Acts, which is near expiring, ſhould be further continued, and the ſaid Rates, Tolls, and Duties increaſed; and it is alſo neceſſary and expedient for the Preſervation of the ſaid Piers and Harbour, that the Powers and Proviſions of the ſaid ſeveral Acts ſhould be amended, altered, enlarged, and rendered more effectual, and ſome further Powers granted for enlarging, altering, improving, and rendering more commodious the ſaid Piers and Harbour; but the beneficial Purpoſes aforeſaid cannot be effected without the Aid and 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 the ſaid ſeveral Acts paſſed in the Eighth and Ninth Years of the Reign of His late Majeſty King *William* the Third, the Firſt and Fifth Years of the Reign of His late Majeſty King *George* the Firſt, ſo much and ſuch Part or Parts of the ſaid Act of the Seventh Year of the Reign of His ſaid late Majeſty King *George* the Firſt, as relate to the ſaid Piers and Harbour of *Bridlington* otherwiſe *Burlington*, and alſo the ſaid Acts paſſed in the Twenty-ſixth Year of the Reign of His late Majeſty King *George* the Second, and the Twenty-ninth Year of the Reign of His ſaid preſent Majeſty King *George* the Third, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters, and Things therein reſpectively contained, and not varied, altered, or repealed, (ſave and except ſuch Parts of the ſaid Acts as relate to Exemptions from Stamp Duties) ſhall be and they are hereby declared to be in full Force and Effect for and during the Term hereinafter mentioned, as fully and effectually to all Intents, Purpoſes, and Conſtructions, as if the ſaid ſeveral Acts, and all the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters, and Things therein contained, were again expreſſed and particularly repeated and re-enacted in the Body of this Act; ſubject nevertheleſs to the Amendments, Alterations, Variations, and Additions in this Act contained, and which ſhall commence and take Effect upon the paſſing of this Act, and ſhall continue in force during the Term hereby granted; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on account of the ſaid recited Acts, and of ſuch other Sum or Sums of Money as ſhall be borrowed or become due and owing on the Credit thereof reſpectively and of this Act, and of the Intereſt due and to grow due for the ſame reſpectively.

The ſaid Acts further continued.

Trustees.

II. And be it further enacted, That Sir *Francis Boynton*, Sir *William Strickland*, Sir *Mark Masterman Sykes*, Baronets; *Richard Bethell*, the Reverend *Timothy Fish Foord Bowes*, the Honourable *Godfrey Bosville*, *Ralph Creyke*, *Ralph Creyke* the younger, the Reverend *Charles Constable*, *Robert Denniſon*, *John Robinſon Foulis*, *Thomas Grimſton*, *Charles Grimſton*, *John Grimſton*, the Reverend *John Gilby*, *John Greame*, *Yarborough Greame*, *Harrington Hudſon*, the Reverend *Nicholas Holme*, *Ralph Lutton*, the Reverend *Francis Lundy*, *Richard Langley*, *Arthur Maiſter*, *Humphrey Oſbaldeſton*, the Reverend *Chriſtopher Sykes*, the Reverend *Richard Sykes*, *Walter Strickland*, *George Strickland*, *Edward Topham*, the Reverend *Francis Wrangham*, and their reſpective Succeſſors, to be elected and appointed by virtue or in purſuance of the ſaid Acts and this Act, or any or either of them, ſhall be and they are hereby appointed Truſtees for putting the ſaid recited Acts and this Act in Execution.

Power to appoint Truſtees in the Room of thoſe who may die.

III. And be it further enacted, That if any of the Truſtees for executing the ſaid recited Acts and this Act ſhall die, reſign, or refuſe to act in the Truſt repoſed in them, it ſhall be lawful for the ſurviving or remaining Truſtees, or any Five or more of them, aſſembled at any Meeting, to elect, nominate, and appoint, by Writing under their Hands, ſuch other Perſon or Perſons to be a Truſtee or Truſtees in the Room of him or them ſo dying, reſigning, or refuſing to act, as the ſaid Truſtees, or the major Part of them then preſent at any ſuch Meeting, ſhall think fit; which ſaid Perſon or Perſons ſo to be elected, nominated, and appointed as aforeſaid, ſhall have ſuch and the ſame Powers and Authorities as the Truſtee or Truſtees in or to whoſe Place or Places he or they ſhall ſucceed, or as the remaining or continuing Truſtees was or were veſted with.

Meetings of Truſtees.

IV. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet at ſome convenient Houſe or Place in the Town of *Bridlington* otherwiſe *Burlington* aforeſaid, or *Bridlington Quay*, upon the Second *Monday* next after the paſſing of this Act, or as ſoon thereafter as conveniently may be, between the Hours of Eleven in the Forenoon and Four in the Afternoon of the ſame Day, and proceed to the Execution of the ſaid recited Acts and this Act; and ſhall then and from Time to Time afterwards adjourn the Meeting, and to meet at the Place aforeſaid, or at any other convenient Place within the Town of *Bridlington* otherwiſe *Burlington* or *Bridlington Quay*, as they or the major Part of them at ſuch Meeting ſhall appoint; and if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act and to adjourn to another Day (Two Truſtees being hereby declared to be ſufficient for the Purpoſe of Adjournment only) or if the Truſtees when met ſhall refuſe or neglect to adjourn, then and in ſuch Caſe their Clerk, or any Three or more of the ſaid Truſtees, ſhall and may call a Meeting at the Place where the laſt Meeting was appointed to be held, giving Notice thereof at leaſt Ten Days before ſuch Meeting, by cauſing ſuch Notice to be inſerted in ſome Public Newſpaper circulated in the Eaſt Riding of the ſaid County of *York*; and the ſaid Truſtees when met in purſuance of ſuch Notice, ſhall and may and they are hereby required to proceed and carry the ſaid ſeveral recited Acts and this Act into Execution, in the ſame and in as full and ample a Manner to all Intents and Purpoſes as they might or could have

have done if no ſuch Neglect had happened; and the ſaid Truſtees ſhall at all their Meetings bear and pay their own Charges and Expences; and at every Meeting of the ſaid Truſtees to be held by virtue of the ſaid recited Acts and this Act, one of the Truſtees to be choſen by the Truſtees then preſent at ſuch Meeting, or the major Part in Number of them, ſhall be Chairman, and ſuch Chairman ſhall not only have a Vote as a Truſtee, but in caſe of an equal Number of Votes upon any Queſtion, Matter, or Thing, ſhall have the deciſive and caſting Vote; and all ſuch Truſtees as are or ſhall be Juſtices of the Peace for the ſaid Eaſt Riding of the ſaid County, may act as Juſtices in all Matters relating to the Execution of this Act, notwithſtanding their being Truſtees, (except only in ſuch Caſes where they ſhall be immediately and perſonally intereſted); and in all Caſes where the Truſtees, or any Juſtice or Juſtices of the Peace are authorized to examine any Perſon or Perſons upon Oath or Affirmation, it ſhall be lawful for ſuch Truſtees, or any Five or more of them, or ſuch Juſtice or Juſtices, to adminiſter ſuch Oath or Affirmation.

Actions to be brought in the Name of the Clerk or Treaſurer, &c.

V. And be it further enacted, That the ſaid Truſtees ſhall and may ſue and be ſued in the Name of their Clerk or Treaſurer for the Time being; and that no Action, Suit, or other Proceedings at Law that may be brought or commenced by or againſt the ſaid Truſtees, or any of them, by virtue or on account of the ſaid recited Acts or this Act, or any of them, in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Removal, or Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees; but the Clerk or Treaſurer for the Time being to the ſaid Truſtees ſhall always be deemed Plaintiff or Defendant in ſuch Action or Suit as the Caſe may be: Provided always, that every ſuch Clerk or Treaſurer, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended, in purſuance of the ſaid recited Acts or this Act, or any of them, ſhall always be reimburſed and paid out of the Monies to ariſe by virtue of the ſaid recited Acts and this Act, or any of them, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put to or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant.

Truſtees may appoint Officers, and allow them Salaries.

VI. And be it further enacted, That the ſaid Truſtees ſhall and may, by Writing under their Hands, elect or appoint a Treaſurer and Clerk, a Collector or Collectors, a Surveyor or Surveyors, and ſuch Officers as they the ſaid Truſtees ſhall think proper; and may from Time to Time remove all or any of the ſaid Officers or Perſons at their Will and Pleaſure, and appoint others in the Room or Stead of ſuch of them as ſhall die or decline to act or be ſo removed; and that it ſhall be lawful for the ſaid Truſtees, out of the Money ariſing by virtue of the ſaid recited Acts and this Act, to appoint and pay ſuch Salaries or other Allowances to the ſaid Officers, or any other Perſon or Perſons employed in or about the Execution of the ſaid Acts and this Act, as they ſhall judge reaſonable and proper.

Truſtees to take Security from the Treaſurer.

VII. Provided always, and be it further enacted, That the ſaid Truſtees ſhall, and they are hereby required to take ſufficient Security from every Treaſurer to be appointed for the Purpoſes of the ſaid Acts and this Act, for

for the faithful Execution of his Office, and if they think fit, may alſo take ſuch Security from any other Officer or Officers to be appointed under or by virtue of this Act.

Truſtees to appoint a Harbour Maſter.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and required from Time to Time, as there ſhall ſeem to them to be Occaſion, to nominate and appoint ſome fit and proper Perſon or Perſons to be Harbour Maſter or Harbour Maſters of the ſaid Pier, Port, or Harbour, with ſuch Salary as they ſhall think reaſonable, notwithſtanding any Reſtriction in any or either of the ſaid recited Acts; and ſhall from Time to Time, as often as they ſhall ſee Cauſe, remove, ſuſpend, or diſmiſs any ſuch Harbour Maſter or Harbour Maſters; and each and every ſuch Harbour Maſter ſo from Time to Time appointed ſhall have full Power and Authority to direct the mooring, unmooring, placing, moving, or removing of all Ships and other Veſſels coming into, lying, or being in the ſaid Port or Harbour, or any Part thereof reſpectively, or being within the Diſtance of One hundred and fifty Yards of the Entrance or Mouth of the ſaid Pier, Port, or Harbour, or either of them; and to appoint and regulate the Time or Times, and Manner of their Entrance into (ſave and except in ſtormy or tempeſtuous Weather), lying in, or going out of or from ſuch Pier, Port, or Harbour, or either of them; and to regulate and determine the Poſition of ſuch Ships and other Veſſels, and their Manner of loading and diſcharging therein reſpectively; and in caſe the Owner, Maſter, or other Perſon having the Charge or Command of any ſuch Ship or other Veſſel, ſhall refuſe or neglect to moor, unmoor, place, move, or remove his Ship or Veſſel according to ſuch Direction, immediately after Notice to him or them ſhall be given, or left with any Perſon or Perſons on board of the ſaid Ship or Veſſel for that Purpoſe, every ſuch Owner, Maſter, or other Perſon having the Charge or Command of ſuch Ship or Veſſel, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Pounds; and it ſhall be lawful for the ſaid Harbour Maſter or Harbour Maſters, or his or their Aſſiſtants, and he and they is and are hereby required to moor, unmoor, place, move, or remove ſuch Ship or Veſſel; and the Charges and Expences thereof reſpectively ſhall be repaid by ſuch Owner, Maſter, or other Perſon having the Charge or Command of ſuch Ship or Veſſel, to the Clerk or Treaſurer for the Time being of the ſaid Truſtees; and in caſe of Nonpayment thereof on Demand, ſuch Charges and Expences may be levied and recovered by ſuch Ways and Means as any Penalties or Forfeitures may by this Act be levied and recovered, or by Action of Debt or on the Caſe, together with full Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, Wager of Law, or more than One Imparlance ſhall be allowed; and in caſe any Maſter, Commander, Mate, or Pilot, or other Perſon or Perſons taking the Charge or Command of any Ship or other Veſſel, or the Owner, Agent, Conſignee, or any other Perſon or Perſons whomſoever, ſhall obſtruct or hinder the mooring or unmooring, placing, moving, or removing of any other Ship or Veſſel lying or being within the Diſtance of One hundred and fifty Yards of the Entrance or Mouth of the ſaid Pier or Harbour or either of them, then and in every ſuch Caſe ſuch Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Pounds.

His Duty.

Penalty on Officers taking Fees, &c. and on Persons offering Fees to such Officers.

IX. And be it further enacted, That if any Person who shall be employed by the said Trustees as Treasurer, Clerk, Collector, Surveyor, or otherwise in putting the said recited Acts and this Act into Execution, shall exact, take, or accept, by any Ways or Means, any Fee or Reward whatsoever, other than such Salary, Payment, or Allowance as is, shall, or may be granted by virtue or under the Authority of the said recited Acts and this Act, or shall be appointed by the said Trustees; or if any Persons shall offer to such Treasurer, Clerk, Collector, Surveyor, or other Person so employed as aforesaid, any Fee, Reward, or other Recompence except as aforesaid, for or on account of any Thing done or to be done by virtue of the said recited Acts and this Act, or on any Account whatsoever relative to the putting the same respectively into Execution, every such Person so offending shall forfeit and pay the Sum of Twenty Pounds to any Person who will sue for the same, to be recovered by Action of Debt or on the Case, in any Court of Record at *Westminster* or elsewhere, within Six Calendar Months next after the Offence committed; and the Treasurer, or other Officer or Persons so employed, taking such Fee, Reward, or Recompence, shall moreover be incapable of ever again serving or being employed under the said recited Acts and this Act.

Repealing former Rates and Duties, and granting others.

X. And whereas the several Rates and Duties granted and continued by the said recited Acts, some or one of them, have been found very insufficient for effecting the several Purposes by the said Acts intended, and for the Improvement and future Support of the Piers and Harbour aforesaid, it is therefore expedient that the several Rates and Duties granted and continued by the said Acts should be increased; be it therefore further enacted, That from and after the Third *Monday* next after the passing of this Act, the several Rates and Duties granted and continued by the said several recited Acts, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and that instead thereof the following Rates and Duties shall be granted and allowed; (that is to say),

Duties.

For every Chaldron of Coals (*Newcastle* Measure, intended to be delivered to the Southward of the respective Ports at which they shall be shipped) that shall be loaden on board any Ship, Hoy, Bark, or other Vessel, at or in the Port of *Newcastle-upon-Tyne*, or at *Sunderland*, *Blythe*, *Seatton Sluice*, *Culler Coats*, or any other Port, Harbour, Colliery or Place that is or is reputed to be a Member of the said Port of *Newcastle-upon-Tyne* aforesaid, there shall be paid the Sum of One Farthing:

For every Quarter of Corn, Malt, or Grain, exported from the said Port or Harbour of *Bridlington* otherwise *Burlington*, the Sum of Three-pence:

For every One hundred of Fir Balks, imported into the said Port or Harbour, the Sum of Ten Shillings:

For every One hundred of Fir Deals, imported into the said Port or Harbour, the Sum of Six Shillings:

For every One hundred of Fir Spars, imported into the said Port or Harbour, the Sum of Two Shillings:

Which said last-mentioned Duties or Sums of Money shall be paid at the shipping or landing of such Goods and Merchandize, by the Exporters or Importers thereof respectively.

For

For every Ship or Veſſel entering the ſaid Port or Harbour, any Sum not exceeding Sixpence *per* Ton:

And for every Ship or other Veſſel lying within the ſaid Port or Harbour, and not belonging to the ſame Port or Harbour, any Sum not exceeding the Sum of One Halfpenny *per* Ton *per* Week, and ſo in Proportion for a leſs Time than a Week:

For every Ship or other Veſſel having Three Maſts, and being the Property of any Perſon or Perſons reſiding in the Pariſh of *Bridlington* otherwiſe *Burlington*, the Sum of Five Shillings for each Time ſuch Ship or other Veſſel ſhall enter the ſaid Port or Harbour:

For every ſuch Ship or Veſſel having Two Maſts, the Sum of Four Shillings and Four-pence: and for every Ship or Veſſel having One Maſt, the Sum of Three Shillings and Four-pence:

Which ſaid laſt-mentioned Duties ſhall be paid by the Perſon being the Owner, Maſter, or Commander of ſuch Ship or Veſſel.

Lands, &c. chargeable with Repairs of the Port to continue ſo.

XI. Provided always, and be it further enacted, That all and every Perſon and Perſons, Lands, Tenements, and Hereditaments, Tolls, Port Duties or other Duties, Sum and Sums of Money, heretofore chargeable with, or ſubject or liable to the building, rebuilding, repairing, maintaining, or upholding the ſaid Port, Pier or Piers aforeſaid, or the Walls, Jetties, Sluices, Lockers, Locks and other Works thereof, ſhall continue charged and be chargeable with, and ſubject and liable to the building, rebuilding, repairing, maintaining, and upholding the ſaid Port, Pier or Piers, and other neceſſary Works, after the ſame, or any or either of them, or any Part or Parts thereof, or any or either of them, ſhall be ſo lengthened, altered, built upon, or otherwiſe improved, in ſuch and the ſame Manner as he, they, and every of them reſpectively, were charged or chargeable with, or ſubject or liable to the building, rebuilding, repairing, maintaining, or upholding the ſame, before the ſaid Port, Pier or Piers, or any or either of them, or any Part or Parts thereof, or any or either of them, were ſo lengthened, altered, built upon, or otherwiſe improved, before the paſſing of this Act.

Rates on Eſtates towards Support of the Pier, &c.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby empowered and required, yearly and every Year during the Continuance of this Act, by Writing under their Hands, to apply to the Juſtices of the Peace for the Eaſt Riding of the ſaid County of *York*, at any General Quarter Seſſions of the Peace to be holden for the ſaid Riding, for an Aſſeſſment or Rate of not leſs Amount than Four Pier Rates to be laid upon and raiſed by the Proprietors of Hereditaments in *Bridlington* otherwiſe *Burlington* aforeſaid, liable to the Repairs of the ſaid Piers; and the ſaid Rates, when ſo fixed and laid by ſuch Juſtices as aforeſaid, ſhall be raiſed in ſuch and the ſame Manner, and ſhall be applied to ſuch Purpoſes, as are directed by the ſaid recited Act of the Twenty-ninth Year of the Reign of His preſent Majeſty.

Exemptions in Favour of Yarmouth Ships, &c.

XIII. And whereas the Inhabitants of the Town of *Great Yarmouth*, in the County of *Norfolk*, are conſtantly at a very great Charge and Expence for the repairing, maintaining, and clearing the Haven and Piers belonging to the ſaid Town, without the leaſt Aid or Contribution from any other Port or Place whatſoever; and it is expedient that the Ships and

and Veſſels belonging to the Inhabitants of the ſaid Town of *Great Yarmouth* ſhould be exempt as heretofore from the Payment of the Duties impoſed by this Act; be it therefore enacted, That all Ships and Veſſels made free and manned according to the Act of Navigation, belonging to the ſaid Town of *Great Yarmouth*, ſhall be exempted from all and every the Duties, Sum or Sums of Money charged and payable by this Act, any Thing herein contained to the contrary notwithſtanding; ſo as the Maſter of every ſuch Ship or Veſſel belonging to the ſaid Town of *Yarmouth*, or ſome other Mariner on his Behalf reſpectively, ſhall produce and ſhew to any Perſon lawfully authorized to demand the Duties impoſed by this Act, a Certificate made upon Oath before the Mayor of *Yarmouth* aforeſaid, (which Oath the Mayor is hereby empowered to adminiſter) and under the Seal of Office of Mayoralty, that ſuch Ship or Veſſel does belong to the ſaid Town of *Great Yarmouth*, and that the Inhabitants thereof are Owners of the Whole or major Part of every ſuch Ship or Veſſel.

Exempting Veſſels on His Majeſty's Service.

XIV. And be it further enacted, That nothing in this Act contained ſhall extend to charge His Majeſty, or any other Perſon on His Behalf, with the Payment of any of the Rates or Duties aforeſaid, or any of His Majeſty's Ships of War, or any other Ship, Tranſport, or Veſſel employed in or upon His Majeſty's Service, in the Conveyance of any Officers or Soldiers, or any Horſes, Arms, Ammunition, or Baggage to them or any of them belonging; nor to any Veſſel in the Service of the Cuſtoms or Exciſe; or any Veſſel or Boat under the Burthen of Fifty Tons, employed ſolely in fiſhing by any Perſon or Perſons whomſoever; or any Veſſel in the Service of His Majeſty's Poſtmaſter General.

Maſters of Veſſels to produce Regiſters, &c. when required.

XV. And be it further enacted, That every Maſter or Owner, or other Perſon having the Care, Charge, or Command at the Time of any Ship or Veſſel liable to pay any of the Duties hereby impoſed, ſhall, whenever required by the Receiver or Collector of the ſaid Duties, produce and ſhew, or cauſe to be produced and ſhewn to ſuch Receiver or Collector, the Regiſters and other Documents relating to the Appointment of ſuch Maſter or other Perſon, or to the Ownerſhip of ſuch Ship or Veſſel, and alſo every or any Manifeſt or other Paper in his Poſſeſſion relating to the Lading thereof; and in caſe ſuch Maſter, Owner, or other Perſon ſhall, upon ſuch Requiſition, refuſe to produce or ſhew to ſuch Receiver or Collector ſuch Regiſtry and other Documents as aforeſaid, he or they ſhall for every ſuch Refuſal forfeit and pay any Sum not exceeding Twenty Pounds, to be recovered in Manner herein-after mentioned.

Penalty on Perſons acting as Pilots without Authority.

XVI. And for the better Regulation of Pilots within the ſaid Port or Harbour of *Bridlington* otherwiſe *Burlington*, be it further enacted, That from and after the Third *Monday* next after the paſſing of this Act, if any Perſon ſhall take upon himſelf to act as a Pilot to any Ship or Veſſel entering into the ſaid Port or Harbour, without having Authority ſo to do by Warrant or Licence under the Seal of the Trinity Houſe of *Kingston-upon-Hull*, or the Sub-Commiſſioners of Pilotage appointed by them for the Regulation of the Pilots of the Port, Harbour, and Bay of *Bridlington*; every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

XVII. And

Persons eluding the Payment of Duties to continue chargeable with them.

XVII. And be it further enacted, That if any Master, Commander, or Owner or Part Owner of any Ship or other Vessel, shall at any Time from and after the passing of this Act elude or evade the Payment of the Rates and Duties hereby imposed, by any Method whatsoever, such Master, Commander, Owner or Part Owner of such Ship or Vessel shall stand charged with and be liable to the Payment of the same; and the said Rates and Duties shall be recovered, together with Double Costs of Suit, from such Master, Commander, Owner or Part Owner, in Manner hereinafter mentioned.

Receiver, &c. to have Access at the Custom House to the Registers, &c. of all Vessels reporting to the Port.

XVIII. And be it further enacted, That for more easily ascertaining the said Rates or Duties, the Receiver or Collector of the said Rates or Duties, or his Deputy, shall at proper and seasonable Times have, at the Custom House of the Port of *Bridlington* otherwise *Burlington*, free Access to and Inspection of the respective Registers, Cocquet and other Papers of all Ships and Vessels reporting to the said Port or Harbour, on or after the Entry or Clearance at the said Custom House, on paying to the Collector or other Chief Officer of the Customs at the said Port the Sum of One Shilling for every such Inspection.

Masters, &c. to pay the Duties before Departure of Vessels.

XIX And be it further enacted, That every Master or other Person having the Charge or Command, or any Owner of or Agent for any Ship or Vessel or the Cargo thereof, liable to pay any of the Duties hereby imposed, shall, before the Departure of such Ship or Vessel from the Port or Harbour of *Bridlington* otherwise *Burlington*, not only pay and discharge all such Sum and Sums of Money as shall be due for such Rates and Duties, but shall also, if required by the Receiver or Collector of the said Rates and Duties, give a true Note in Writing of the Names and Place or Places of Abode of the Merchants or others who shall lade or unlade, or cause to be laden or unladen any Goods, Wares, or Merchandizes within the said Port or Harbour of *Bridlington* otherwise *Burlington*, or shall be the Owner or Owners of such Goods, Wares, and Merchandizes; such Note, if of the Names and Place or Places of Abode of Merchants or others unlading such Goods, Wares, and Merchandizes, to bear Date from the Time of the Entry of the Ship or Vessel into the said Port or Harbour, and if of the Names and Place or Places of Abode of Merchants or others lading such Goods Wares, or Merchandizes, to bear Date from the Time of such lading; and each Note shall be subscribed by the Person giving the same with his own Name; and in case any such Master, Owner, or Agent, or other Person as aforesaid, shall refuse to give such Note, he shall forfeit and pay a Sum not exceeding Twenty Pounds; and upon Notice being given to the Collector of the Customs at the said Port or Harbour of *Bridlington* otherwise *Burlington* of such Refusal, no such Ship or Vessel shall be permitted to unlade, clear out, sail, or be discharged, until such Note be given in Writing, and the Penalty for such Refusal thereof be paid.

Officers may distrain for Duties.

XX. And be it further enacted, That it shall be lawful for the said Collector or Collectors, or the Deputy of any such Collector, (every such Collector being hereby authorized and empowered to appoint a Deputy to act in his Place) and to and for any other Person or Persons authorized and appointed by the said Trustees, or any Five or more of them, to go on board any Ship or other Vessel to demand, collect, and receive the said

Duties, Rates, and Payments by this Act due and payable; and for Non-payment thereof, to take and distrain every such Ship or Vessel, and all the Tackle, Apparel and Furniture thereunto belonging, or any Part thereof, and the same to detain and keep until he or they be satisfied and paid the said Duties, Rates, and Payments; and in case of any Neglect or Delay in the Payment of any of the said Duties, Rates, and Payments, for Five Days after the Distress or Distresses so taken as aforesaid, then it shall be lawful for the Collector or Collectors, Receiver or Receivers of the said Duties or Rates, to cause such Distress or Distresses to be appraised by Two or more sufficient Persons, to be nominated by any one Justice of the Peace for the said East Riding, and afterwards to sell the said Distress or Distresses so taken and appraised, and thereout to satisfy him or themselves, as well for and concerning the Duty so neglected or delayed to be paid, and for which a Distress shall be so taken as aforesaid, as also for his or their reasonable Charges in the taking and keeping such Distress, rendering to the Master or other Person having the Care, Charge, or Command of the Ship or Vessel in or from which such Distress shall be so taken the Overplus (if any there be) on Demand.

Penalty on Persons obstructing the Execution of this Act.

XXI. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the said Trustees, or any of their Officers or Servants, or any other Person whomsoever, who is, are, or shall be employed by virtue of the said recited Acts or this Act, in the Performance or Execution of their Duty, every such Person so offending shall, for the First Offence, forfeit a Sum not exceeding Forty Shillings, for the Second Offence, a Sum not exceeding Five Pounds, and for the Third and every other Offence, a Sum not exceeding Ten Pounds.

How the Duties are to be applied.

XXII. And be it enacted, That all the Monies to be raised by virtue or in pursuance of the said recited Acts and this Act shall be applied and disposed of, in the first Place, for and towards paying and defraying the Expences attending the obtaining and passing this Act; and in the next Place, for and towards the paying and discharging such Monies as have been advanced and lent under or by virtue of the said recited Acts, or any or either of them, and which shall or may be advanced or lent upon the Credit of the said Acts and this Act, and all Interest due and to grow due for the same; and in, for, and towards enlarging, repairing, opening, altering, cleansing, improving, and keeping in Repair the said Piers and Harbour of *Bridlington* otherwise *Burlington*, and the other Purposes of the said recited Acts and this Act; and shall be vested in the said Trustees for that Purpose.

Trustees may borrow Money on Mortgage of the Rates.

XXIII. And in order that the said recited Acts and this Act may be the more easily and effectually carried into Execution, be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time to borrow and take up at Interest, upon the Credit of the Rates granted and made payable as aforesaid, any Sum or Sums of Money as they shall think expedient; and by Writing under their Hands and Seals to assign all or any Part of the said Rates and Duties to such Person or Persons as shall lend or advance any Money thereon, as a Security for the Repayment of the Money so to be advanced, with Interest for the same; and all such Securities shall be in the Words following, or to the like Effect; (that is to say),

'BY virtue of an Act passed in the Fifty-sixth Year of His Majesty King *George* the Third, intituled *An Act* [*here set forth the Title of this Act*] We Trustees, in consideration of the Sum of to the Treasurer in Hand paid, do assign unto *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates and Duties to be assessed and raised by virtue of the said recited Acts and this Act, as the said Sum of shall or doth bear to the whole Sum due and owing on the Credit thereof; to be had and holden from this Day of until the said Sum of with Interest at the Rate of *per Centum per Annum* shall be paid and satisfied. In Witness whereof we have hereunto set our Hands and Seals, this Day of in the Year .' Form of Mortgage.

And Copies of such Securities shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees, within Fourteen Days next after such Securities shall have been made; and all and every Person or Persons to whom such Security or Securities shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, and Interest therein, and to the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Security, in the Presence of One credible Witness, the following Words, or Words to the like Effect; (that is to say), Copies of Securities to be entered in a Book.

'I do hereby transfer the within-written Assignment, with all my Right and Title to the Principal Money thereby secured, and to all the Interest now due upon the same, unto his [*or* her] Executors, Administrators, and Assigns. In Witness whereof I have set my Hand, this Day of

'Witness *C. D.*' Form of Transfer.

Which Transfer shall be produced and notified to the Clerk of the said Trustees, who shall, within Ten Days next after such Production, and Notification cause Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sum of Money, in a Book or Books to be kept for that Purpose, for which the said Clerk shall be paid such Sum as the said Trustees shall appoint, not exceeding Five Shillings; and after such Entry made, and not till then, such Assignment shall entitle such Assignee, his, her, or their Executors, Administrators and Assigns, to the Benefit thereof and Payment thereon; and every such Assignee may in like Manner from Time to Time assign again; and it shall not be in the Power of the Person or Persons making such Assignment to make void, release, or discharge, the same, or any Money thereby secured, or any Part thereof; and all Money so to be advanced and lent, and the Interest thereof, shall be and are hereby charged upon, and shall be paid and payable from Time to Time out of the Rates and Duties hereby granted and authorized or directed to be made as aforesaid; and all Persons who shall be possessed of the said Securities shall be Creditors of the said Rates, in equal Degree, without Preference in respect to the Priority of his, her, or their advancing the Money thereon. Entry to be made of such Transfer.

XXIV. And be it further enacted, That all Buildings and Erections and the Materials thereof, and all the Piers, Works, Docks, Cuts, Canals Quays, Wharfs, Walls, Breakwaters, Gates, Drains, Sluices, Matters and Buildings, Works, &c. vested in Trustees.

and Things, which have already been or which ſhall be at any Time during the Continuance of the ſaid recited Acts and this Act built, made, provided, or eſtabliſhed, by virtue or in purſuance of any of the ſaid recited Acts or this Act, ſhall be and the ſame are hereby veſted in the ſaid Truſtees during the Continuance of the ſaid recited Acts and this Act; and that it ſhall be lawful for them to lay any Materials which ſhall from Time to Time be provided for the Purpoſe of improving the ſaid Piers and Harbour of *Bridlington* otherwiſe *Burlington* upon any Part or Parts of the Shore, Quay, or Landing Places thereof; and they or any Five or more of them are hereby authorized and empowered to bring and proſecute or cauſe to be brought and proſecuted any Action or Actions, Suit or Suits, and to prefer or cauſe to be preferred any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall deſtroy, damage, deface, or injure, or cauſe to be deſtroyed, damaged, defaced or injured any of the ſaid Property hereby veſted in the ſaid Truſtees, or who ſhall injure or deſtroy any Works whilſt doing, or impede the doing thereof, or ſhall damage, ſteal, purloin, or wrongfully take away any Stones, Lead, Iron, Timber, Bricks or other Materials, Machines, Engines, or Utenſils, provided or to be provided from Time to Time, or were or intended to be uſed therein, or for any other Purpoſes of the ſaid recited Acts or this Act; and all the Damages which ſhall be recovered in any ſuch Actions or Suits as aforeſaid, ſhall (after deducting the Coſts thereof) be applied for and towards the Uſes and Purpoſes of the ſaid recited Acts and this Act.

Application of Compenſation Money if amounting to 200 l.

XXV. And be it further enacted, That if any Money ſhall be paid or agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or of this Act for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, 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 Truſtees for executing the ſaid recited Acts and this Act, to the Intent that ſuch Money ſhall be applied, 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 Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize the ſame to be paid, affecting the ſaid Lands, 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 and with the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, 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

Manner as the Lands, Tenements, or 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 ſaid Court, 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 Lands, Tenements, or Hereditaments, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation Money if leſs than 200l.

XXVI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging 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 amount to or 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 ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands to be paid into the Bank of *England*, 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 Truſtees for executing the ſaid recited Acts and this Act, (ſuch Nomination and Approbation to be ſignified in 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 Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Application of Compenſation Money if leſs than 20l.

XXVII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than the Sum of 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 Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts or this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Directions in Cases of not making out Titles.

XXVIII. 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 Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts or 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 Trustees, 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 Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, to order the same 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 High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said High Court of Chancery; which said Court, 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.

Where any Question shall arise touching the Title to Money to be paid, the Person in Possession of the Lands, &c. at the Time of Purchase shall be entitled thereto.

XXIX. 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 said High Court of Chancery, in pursuance of the said recited Acts or of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, 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 Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends and 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 Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reaſonable Expences to be paid by the Truſtees.

XXX. Provided alſo, and be it further enacted, That when by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the High Court of Chancery, and be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or this Act, or ſo much of ſuch Expences as to the ſaid Court ſhall ſeem reaſonable, to be paid by the ſaid Truſtees, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees may direct the mooring and ballaſting of Veſſels, and prevent Encroachments.

Penalty.

XXXI. And for the more orderly Government of the ſaid Port and Harbour of *Bridlington* otherwiſe *Burlington*, be it enacted, That the ſaid Truſtees, or any Five or more of them, or any Harbour Maſter or other Perſon or Perſons to be appointed by them, or any Five or more of them, as herein-before mentioned, ſhall and may and they are hereby authorized and empowered from Time to Time to order and require all and every or any Perſon or Perſons having the Charge, Command, or Rule of any Ship or Ships, Veſſel or Veſſels, entering into or lying, being or abiding in the ſaid Pier or Harbour, to lay, anchor, moor, or ballaſt the ſame in ſuch Place or Places of the ſaid Harbour as the ſaid Truſtees, or other Perſon or Perſons to be appointed by them as aforeſaid, ſhall from Time to Time order, direct, or appoint for theſe Purpoſes reſpectively; and that in caſe any Perſon or Perſons having the Charge, Command, or Rule of ſuch Ship or Ships, Veſſel or Veſſels, ſhall refuſe or neglect ſo to do, he, they, and each of them ſhall for every ſuch Neglect or Refuſal forfeit and pay a Sum not exceeding Five Pounds; and in caſe any of the Works belonging to the ſaid Port or Harbour ſhall be deſtroyed, defaced, or damaged by any Perſon or Perſons belonging to or being on board any Ship or Veſſel, the Perſon or Perſons then having the Charge, Command, or Rule of any ſuch Ship or Veſſel ſhall, upon the Conviction of the Offender or Offenders before One Juſtice of the Peace for the Eaſt Riding of the ſaid County, for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, over and above the actual Amount of the Damage which ſhall have been done or ſuſtained; which ſeveral Forfeitures ſhall, by Warrant under the Hand and Seal of any ſuch Juſtice, be levied by Diſtreſs and Sale of all or any Part of the Tackle, Apparel, or Furniture of every Ship or Veſſel which ſhall be anchored, moored, or laid contrary to ſuch Order, Direction, or Appointment as aforeſaid, or out of which any Stones, Rubbiſh, Duſt, Earth, Aſhes or Ballaſt ſhall be caſt, thrown, or emptied, or in which there ſhall be any Perſon or Perſons who ſhall ſo deſtroy, deface, or damage the ſaid Works, rendering the Overplus (if any) to the Maſter or Owner, if the ſame ſhall be lawfully demanded, the Charges of ſuch Diſtreſs and Sale being firſt deducted; and the Fine or Fines, when levied, ſhall be paid to the Treaſurer of the ſaid Truſtees for the Time being, and ſhall be applied to the Purpoſes of this Act.

Truſtees may remove Obſtructions.

XXXII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and their Agents and Officers, from Time to Time and at all Times after the paſſing of this Act, as Occaſion ſhall require, to take away and remove or cauſe to be taken away and

and removed, any Encroachment or Obſtruction which may be neceſſary to be taken away and removed, for the improving, maintaining, or regulating the ſaid Piers, Port, or Harbour, or for the better attaining the Purpoſes of this Act.

Penalty on throwing Ballaſt or Rubbiſh into the Harbour.

XXXIII. 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 of or from any Houſe, Warehouſe, or other Building, Quay, Yard, Garden, Place, or Ground, any Ballaſt, Sand, Stones, Chalk, Rubbiſh, Wreck, Filth, Gravel, Coal Aſhes, or any other groſs Subſtance whatſoever, into the ſaid Port or Harbour, or upon any of the Piers, Staiths, or Quays within or belonging to the ſaid Port or 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 Veſſel, or other Perſon or Perſons ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Owners or Maſters to be anſwerable for Damage done to the Piers, &c. by any of the Crew.

XXXIV. And be it further enacted, That the Owner or Maſter, or Perſon or Perſons having the Rule or Command of every Ship, Keel, Boat or other Veſſel, ſhall be and is hereby made anſwerable for any Damage or Miſchief, done by ſuch Ship, Keel, Boat, or other Veſſel, through any wilful Act, Default, or Neglect of any of the Crew, Keelmen, Boatmen, or Watermen belonging thereto, or by the ſaid Crew, Keelmen, Boatmen, or Watermen whilſt in the Service of the ſaid Ship, to any of the Piers, Quays, Wharfs, Jetties, or other Works made by virtue of the ſaid Acts and this Act, or which ſhall be made or maintained by virtue thereof and of this Act; or for any Damage or Miſchief ſo done to the Keels, Boats, Floats, or other Veſſels belonging to the ſaid Truſtees, and by them kept for the Purpoſe of carrying on the Works to be done in purſuance of the ſaid Acts and this Act; or to the Capſterns, Moorings, or Buoys, Meer Stones or Poſts, placed or to be placed in or near the ſaid Pier or Harbour, or to the Machines, Wood, Stones, Iron, Inſtruments, Workmen's Tools, or other Materials purchaſed or provided for the Purpoſe of making and carrying on ſuch Works; or for any Treſpaſs done to the Owner or Occupier of any Lands, Grounds, or Tenements adjoining to the ſaid Pier or Harbour, other than by hailing or towing as aforeſaid; and ſuch Owner, Maſter, Perſon or Perſons, having the Rule or Command of ſuch Ship, Keel, Boat, or other Veſſel, or any of them, ſhall or may be ſued for the ſame by the Order of the ſaid Truſtees, as if ſuch Damage or Treſpaſs had been done or committed by the ſaid Owner, or ſuch Maſter, or Perſon or Perſons having ſuch Rule or Command, himſelf or themſelves; and if upon ſuch Action the Defendant or Defendants therein ſhall be found guilty, or Judgment be given againſt him or them upon Demurrer or by Default, the Plaintiff or Plaintiffs ſhall not only recover his and their Damages thereby ſuſtained, but alſo Double Coſts of Suit.

Time of Annual Meeting of Truſtees, when an Account of Receipts, &c. to be ſtated.

XXXV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby required to meet at ſome convenient Houſe or Place at or within the Town of *Bridlington* otherwiſe *Burlington*, or *Bridlington Quay* aforeſaid, once at the leaſt in every Year, between the Firſt Day of *Auguſt* and the Firſt Day of *October*, public Notice whereof ſhall be given by the Clerk of the ſaid

Truſtees

Truſtees for the Time being in Manner before mentioned, Ten Days at the leaſt before ſuch Meeting; and then and there to ſtate one Caſh Account, containing an Abſtract of their own and of the ſeveral Accounts of all and every Perſon and Perſons employed as an Officer or Officers under them, of their whole Tranſactions, to the Intent that the Accounts ſo ſtated may be open to the general Inſpection and Examination of all Perſons intereſted therein who ſhall aſſemble themſelves at ſuch yearly Meeting; a Copy of ſuch Accounts ſo ſtated ſhall at every ſuch Yearly Meeting be ſigned by Five or more of the ſaid Truſtees, and be depoſited with the Clerk to the Truſtees for the Time being, who ſhall permit any Perſon or Perſons intereſted therein, or any Perſon or Perſons on his, her, or their Behalf, to inſpect the ſame between the Hours of Eleven of the Clock in the Forenoon and Four in the Afternoon, paying One Shilling for every ſuch Inſpection, and ſhall upon Demand forthwith give Copies of the ſame or any Part thereof to any ſuch Perſon or Perſons reſpectively; the Perſon or Perſons requiring ſuch Copies paying at the Rate of Twopence for every Seventy-two Words, and ſo in proportion for any greater or leſs Number of Words.

Truſtees may make Bye Laws.

XXXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby fully empowered, to make, conſtitute, ordain, and provide from Time to Time ſuch Bye Laws, Rules, and Orders as they ſhall think fit; and from Time to Time repeal, alter, and amend the ſame or any of them, and to aſcertain what Penalties or Forfeitures ſhall be incurred by Perſons breaking or evading the ſame or any of them, and to preſcribe ſuch Powers for the Offender or Offenders to be committed to the Houſe of Correction for the ſaid Eaſt Riding, in caſe of Non-payment of ſuch Penalties or Forfeitures as they the ſaid Truſtees or any Seven or more of them ſhall order, direct, or appoint; provided ſuch Bye Laws, Rules, and Orders be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or inconſiſtent with any of the Proviſions in this Act contained; and provided that no ſuch Penalty or Forfeiture exceed the Sum of Forty Shillings for any one Offence, nor any ſuch Impriſonment exceed the Space of Fourteen Days; and Copies of all ſuch Bye Laws, Rules, and Orders, fairly written or printed, and ſigned by Five or more of the ſaid Truſtees, ſhall be and remain affixed upon or hung up in ſome conſpicuous Parts of the Cuſtom Houſe at *Bridlington Quay*; and all ſuch Bye Laws, Rules, and Orders ſhall be ſubject to Appeal in Manner by this Act directed.

Recovery and Application of Penalties.

XXXVII. 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 provided), ſhall be recovered before any One Juſtice of the Peace for the Eaſt Riding of the ſaid County of *York*, upon Proof of the Offences reſpectively, either by Confeſſion of the Party or Parties, or by the Oath of One credible Witneſs, (which Oath the ſaid Juſtice is hereby empowered and required to adminiſter), be 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 of ſuch Juſtice of the Peace, which Warrant or Warrants any ſuch Juſtice is hereby empowered and required to grant; and the Overplus (after ſuch Fines, Penalties, and Forfeitures, and the Charges of ſuch Pro-

ſecution and Diſtreſs for the ſame, ſhall be paid and deducted) ſhall be returned on Demand to the Owner or Owners of ſuch Goods and Chattels; and the Fines, Penalties, and Forfeitures, when recovered and levied purſuant to this Act, ſhall from Time to Time be paid to the ſaid Truſtees or their Clerk or Treaſurer, and ſhall be applied (if not otherwiſe directed by this Act) for and towards the Uſes and Purpoſes of this Act; and in caſe ſufficient Diſtreſs cannot be found, and ſuch Fines, Penalties, and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any ſuch Juſtice, and he is hereby authorized and required by Warrant under his Hand and Seal, to cauſe ſuch Offender to be committed to the Houſe of Correction for the Eaſt Riding of the ſaid County of *York*, there to remain without Bail or Mainprize for ſuch Time as ſuch Juſtice ſhall direct, not exceeding Six Calendar Months, unleſs where ſome other Time is appointed by the ſaid recited Acts or this Act, and unleſs ſuch Fines and Penalties and Forfeitures, and all reaſonable Charges attending the ſame, ſhall be ſooner paid and ſatisfied.

XXXVIII. 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 ſuch Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn in the following Form of Words, or in any other Form of Words, as the Caſe ſhall happen;

Form of Conviction.

'To wit. } BE it remembered, That on the Day of in the Year is convicted 'before of His Majeſty's Juſtices of the Peace for 'the Eaſt Riding of the County of *York*, [*as the Caſe may be*] by virtue 'of an Act paſſed in the Fifty-ſixth Year of the Reign of King *George* the 'Third, intituled *An Act, &c.* [*here ſet forth the Title of the 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* 'under my Hand and Seal] the Day and Year aforeſaid.'

Appeal.

XXXIX. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think herſelf, himſelf, or themſelves aggrieved by any Act done by any Juſtice or Juſtices of the Peace in purſuance of the ſaid recited Acts or this Act, or by any Bye Law, Rule, or Order made in purſuance thereof, ſuch Perſon or Perſons may appeal to the next General Quarter Seſſions of the Peace to be holden in and for the Eaſt Riding of the ſaid County of *York*, ſuch Appellant firſt giving or cauſing to be given Ten Days Notice at the leaſt in Writing of his, her, or their Intention to bring ſuch Appeal, to the Clerk of the ſaid Truſtees; and the Juſtices at ſuch Quarter Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, ſhall hear and determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices at their Quarter Seſſions ſhall be final and concluſive to all Intents and Purpoſes whatſoever.

Truſtees may compound Penalties.

XL. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time to compound and agree with any Perſon or Perſons againſt whom any Action or Actions, Suit or Suits, ſhall be brought, commenced, or proſecuted, for or in reſpect

of any Contract or Contracts hereafter to be entered into, on account of any Breach of Nonperformance of any ſuch Contract or Contracts, for ſuch Sum or Sums of Money as they the ſaid Truſtees, or any Five or more of them, ſhall think proper; and alſo to mitigate, compound, or leſſen any of the Forfeitures incurred under this Act, ſo as the Sums ſo compounded and agreed for be not leſs than the Injury or Damage ſuſtained by the Breach or Nonperformance of any Clauſe comprized in this Act, or of ſuch Contract or Contracts, and all the Coſts, Charges, and Expences which ſhall be occaſioned thereby; and ſo as the Mitigation of the ſaid Forfeitures as aforeſaid do not extend to remit above one Moiety of the ſaid Forfeitures reſpectively.

Truſtees may reward Informers.

XLII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from Time to Time, if they ſhall ſee Cauſe, to pay and apply ſuch Part of the ſaid Penalties and Forfeitures, or any of them, as they ſhall think proper (not exceeding One Moiety of them or any of them), to and for the Uſe of the Informer or Informers, or any of them, any Thing herein contained to the contrary notwithſtanding.

Diſtreſs not unlawful for want of Form.

XLI. 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 the ſaid recited Acts or this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor ſhall the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceeding relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Trepaſſers *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 only in any Action on the Caſe.

Proceedings not to be quaſhed for want of Form.

XLIII. And be it further enacted, That no Proceeding touching any Order made, or any other Matter or Thing to be done or tranſacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, ſhall be quaſhed or vacated for want of Form only, or be removed into any of His Majeſty's Courts of Record at *Weſtminſter*, by *Certiorari* or any other Writ or Proceſs whatſoever, any Law, Statute, or Uſage to the contrary notwithſtanding.

Tender of Amends.

XLIV. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity, Treſpaſs, or other Proceeding, if Tender of ſufficient Amends ſhall be made by or on behalf of the Party or Parties who ſhall have committed or cauſed to be committed every or any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before the Iſſue joined, 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.

Limitation of Actions.

XLV. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Truſtee or Truſtees, or any other Perſon or Perſons acting

acting under them, for any Thing done in pursuance of this Act, until the Expiration of Twenty-one Days next after Notice thereof shall be given in Writing to the Person or Persons against whom such Action is intended to be brought, 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 County or Place where the Cause of Complaint shall arise, and not elsewhere; and the Defendant or Defendants, and every of them, in every such Action or Suit shall and may plead the General Issue, and give 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 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 next 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 in any other County or Place other than the County or Place where the Cause of Complaint shall arise, 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 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 Case by Law.

General Issue.

Treble Costs.

Saving the Rights of the Trinity House at Hull.

XLVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the taking away, abridging, defeating, impeaching, or interrupting of any Grants, Liberties, Franchises, or Privileges heretofore granted by any Charters or Acts of Parliament to the Corporation of the Trinity House of *Kingston-upon-Hull*.

Public Act.

XLVII. 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.

Term and Continuance of this Act.

XLVIII. And be it further enacted, That this Act shall commence and take place on the passing thereof, and shall, together with the said recited Acts (except such Parts thereof respectively as are by this Act repealed) continue and be in force for and during the Residue now to come and unexpired of the Term granted and continued by the said recited Acts, and for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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