SCHEDULE referred to in the foregoing Act.

| Counties to be united. | Title of Sheriffdom. | Title of Sheriff. |
|---|---|---|
| 1. The County of Sutherland and the County of Caithness. | Sutherland and Caithness - | The Sheriff of Sutherland and Caithness. |
| 2. The County of Banff and the Counties of Elgin and Nairn. | Banff, Elgin, and Nairn - | The Sheriff of Banff, Elgin, and Nairn. |
| 3. The County of Linlithgow and the Counties of Clackmannan and Kinross. | Linlithgow, Clackmannan, and Kinross. | The Sheriff of Linlithgow, Clackmannan, and Kinross. |
| 4. The County of Dumbarton and the County of Bute. | Dumbarton and Bute - - | The Sheriff of Dumbarton and Bute. |
| 5. The County of Haddington and the County of Berwick. | Haddington and Berwick - | The Sheriff of Haddington and Berwick. |
| 6. The County of Roxburgh and the County of Selkirk. | Roxburgh and Selkirk - | The Sheriff of Roxburgh and Selkirk. |
| 7. The County of Wigton and the Stewartry of Kirkcudbright. | Wigton and Kirkcudbright | The Sheriff of Wigton and Kirkcudbright. |

## CAP. XCIII.

An Act to enable Burghs in *Scotland* to maintain and improve their Harbours. [20th *August* 1853.]

'WHEREAS the Harbour and other Dues leviable at the Harbours belonging to many of the Royal Burghs in *Scotland* have, by reason of the Change in the Value of Money and other Causes, become inadequate for the Maintenance of such Harbours, and it is expedient that further Provision should be made for the Extension, Improvement, and Regulation of such Harbours, and for the Increase of the Rates and Duties leviable thereat:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act may be adopted in Burghs having Harbours not under Local Acts.

I. This Act may be adopted and applied in manner herein-after provided in any Royal Burgh in *Scotland* possessing a Harbour which at the Time of passing this Act is not under the Regulation of any Local Act of Parliament.

Interpretation of Terms.

II. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say:

The Word "Burgh" shall mean any Royal Burgh in *Scotland* possessing a Harbour which is not under the Regulations of any Local Act of Parliament:

The Word "Harbour" shall mean the Harbour of any such Burgh, and shall extend to and include the whole Limits assigned to such Harbour by the Charter of such Burgh, or by any Law, Statute, or Usage, and all Docks, Piers, Quays, Yards, Works, Buildings, Creeks, and Anchorages within such Limits:

The Expression "Town Council" shall mean the Provost, Magistrates, and Councillors, or the Magistrates and Councillors, as the Case may be, of any such Burgh for the Time being:

The Words "Treasurer" and "Town Clerk" shall mean the Treasurer and Town Clerk respectively of any such Burgh for the Time being:

The Expression "Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations:

The Expression "Improvement" shall mean deepening, lighting, buoying, or any other Work approved by the Lords of the Admiralty.

Short Title.

III. In citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The Burgh Harbours (*Scotland*) Act, 1853."

8 & 9 Vict. c. 19. incorporated with this Act.

IV. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Lands Clauses Consolidation Act, or in this Act, contained shall authorize any Town Council to purchase or take Lands for the Purposes of this Act otherwise than by Agreement.

10 & 11 Vict. c. 27. incorporated with this Act.

V. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Harbours, Docks, and Piers Clauses Act contained shall extend or be construed to extend to compel any Town Council to erect and keep any Watch-house, Boathouse, Hut, or Weighing Materials for the Use of the Officers of Revenue, or to provide or keep a Life Boat, Mortar, or Rockets, or a Tide or Weather Gauge and Barometer, until they shall be required so to do by the Lords of the Admiralty, in Writing under the Hand of the Secretary of the Admiralty; and upon such Requisition being made, the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall, as regards this Act, come into and be in full Force.

Interpretation of Expressions in the Acts incorporated herewith.

VI. The Expression "the Special Act," used in the said Lands Clauses Consolidation Act, and in the said Harbours, Docks, and Piers Clauses Act, shall be construed to mean and include this Act; and the Expression "the Promoters of the Undertaking," used in the said Lands Clauses Consolidation Act, and the Expression "the Undertakers," used in the said Harbours, Docks, and Piers Clauses Act, shall severally mean the Town Council of any Burgh in which this Act is adopted as herein-after provided.

Town Council may resolve that this Act shall be adopted, and cause such Resolution to be published.

VII. It shall be lawful for the Town Council of any Burgh, by a Majority of the Members of the Council who are present at a Meeting specially called for that Purpose, to resolve that this Act shall be adopted in and applied to the Burgh, and to appoint a Day, not earlier than the Third and not later than the Thirtieth lawful Day after the Completion of the then next ensuing annual Election of Councillors for the Burgh, for holding a Second Special Meeting of the Town Council to resume Consideration of such Resolution; and a Copy of the Minute of the Town Council, containing such Resolution and Appointment, shall be inserted once in each Newspaper published in the Burgh One Month at least before such next annual Election; and if there be no Newspaper published therein a Copy of such Minute shall be delivered or transmitted through the Post Office to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated, and shall be inserted once in a Newspaper published in such County, or in an adjoining County, One Month at least before such next annual Election.

If Resolution approved of, this Act to be adopted, and Minute to be registered in Sheriff Court Books.

VIII. It shall be lawful for the Town Council, at such Second Special Meeting, or at any adjourned Special Meeting (of which adjourned Meeting Four Days Notice in Writing shall be given to each Member of the Council), on resuming Consideration of such Resolution, either to approve or disapprove of the same; and if such Resolution shall be approved of by a Majority of Two Thirds at least of the Members of the Council who are present at such Second Special Meeting or at such adjourned Meeting, this Act shall thereupon be held as adopted in the Burgh; and a Copy of the Minute of the Meeting at which such Resolution shall be so approved of shall, within Fourteen Days thereafter, or within Fourteen Days after the Dismissal of the Appeal against the said Resolution, herein-after provided for, be registered in the Sheriff Court Books of the County in which the Burgh is situated, and another Copy of the said Minute shall be within the like Period of Fourteen Days

Days transmitted to the Office of the Secretary to the Admiralty; and the Provisions of this Act shall be in force in respect to the Burgh and the Harbour thereof from and after such Registration and Transmission, the Date of which or of the last of which shall be held as the Date of the Adoption of this Act.

Appeal to the Board of Trade.

IX. It shall be lawful for any Five or more Municipal Electors, Shipowners, or Traders within such Burgh, or for any Ten or more registered Electors of the County within which such Burgh is situated, who may be dissatisfied with the said Second Resolution of the Town Council resolving that this Act shall be adopted in and applied to the Burgh, to appeal to the Board of Trade against the said Resolution; and the Board of Trade shall, as soon as conveniently may be, after making such Investigation as to the Board shall seem fit, determine whether this Act shall be adopted in and applied to the said Burgh or not; provided that Notice of said Appeal, signed by the said Appellants, shall be lodged with the Town Clerk of said Burgh within Seven Days after the Resolution of the said Town Council.

The Act may be adopted earlier than before provided in certain Cases.

X. 'And whereas in certain Cases it may be expedient that this Act should be adopted 'at an earlier Period in the Year One thousand eight hundred and fifty-three than would be 'competent under the Provisions herein-before contained:' Be it enacted, That in case the Town Council of any Burgh shall think it expedient that this Act should be adopted at an earlier Period than the annual Election of Councillors in the Year One thousand eight hundred and fifty-three, it shall be lawful for such Town Council to resolve accordingly, by a Majority of at least Two Thirds of the Members present at a Special Meeting called for the Purpose; and the Council shall thereupon convene a public Meeting of the Municipal Electors of the Burgh, by public Advertisement on Fourteen Days Notice, to consider such Resolution; and in case such Resolution of the Town Council shall be approved of by a Majority of the Municipal Electors present at such public Meeting, the said Resolution shall have the like Force and Effect as if the same had been approved of by a Second Meeting of Council held after the annual Election in manner herein-before provided.

If Act not adopted, Two Years to elapse before Consideration again had.

XI. If at such Second Special Meeting or adjourned Meeting of Council, or at such public Meeting of Municipal Electors, the Resolution to adopt this Act shall not be approved of, the Town Council may, after the Expiration of Two Years from the Date of such First Special Meeting, but not sooner, by such and the like Meetings, Notices, and Proceedings as are herein-before mentioned, again take this Act into consideration, and adopt or determine not to adopt the same, and so on from Time to Time thereafter.

Schedule of Rates to be prepared and published.

XII. The Town Council shall, within One Month after the Date of the Adoption of this Act, prepare a Schedule of the Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed) which they may think reasonable and proper to be levied at the Harbour of the Burgh, in lieu of the Rates or Dues then leviable thereat, and shall insert the said Schedule once in each Newspaper published in the Burgh, and, if there be no Newspaper published therein, once in each of Two successive Weeks in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, and shall also cause a printed Copy of such Schedule to be delivered or transmitted to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated; and it shall be competent to any Municipal Elector, or to any Shipowner or Trader within the Burgh, or to any registered Elector or Landowner in the County in which the Burgh is situated, or in any adjoining County, who may be dissatisfied with such Schedule to lodge Objections thereto in Writing with the Town Clerk within Fourteen Days after the First Insertion of such Schedule in any Newspaper as aforesaid, or within Fourteen Days of the Transmission of a printed Copy of the said Schedule to the Sheriff Clerk and Clerk of the Peace as aforesaid; and the Town Council shall, on resuming Consideration of such Schedule, and of any Objections thereto which may have been lodged with the Town Clerk, dispose of such Objections (if any), and adjust such Schedule, as to them shall seem expedient.

A Copy of the Schedule and a Statement as

XIII. A Copy of such adjusted Schedule, certified by the Town Clerk, with Copies of any Objections thereto which may have been lodged as aforesaid, and a Statement signed by

to the Harbour to be sent to the Admiralty and the Board of Trade.

by the Provost or acting Chief Magistrate of the Burgh, showing the State of the Harbour, the existing Rates or Dues leviable thereat, the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule, shall, within Fourteen Days after such Schedule has been adjusted as aforesaid, be transmitted by such Provost or Acting Chief Magistrate to the Lords of the Admiralty and to the Board of Trade respectively.

Board of Trade to consider and finally adjust the Schedule.

XIV. The Board of Trade shall, as soon as conveniently may be after the Receipt of such Schedule and Statement, take the same into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth as they may deem expedient, and shall either approve or disapprove of such Schedule, or modify the same in such Manner and in such Particulars as in the special Circumstances of each Case they shall think fit, and shall finally adjust such Schedule, and certify the same under the Hand of One of their Secretaries or Assistant Secretaries as containing the maximum Rates to be levied at the Harbour of the Burgh in which this Act has been adopted as aforesaid, and from and after the Date of such Certificate it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates specified in such Schedule: Provided always, that the Rates in such Schedule shall not in any Case exceed the Rates specified in the Schedule (A.) hereunto annexed.

Exclusive Privileges of Burgesses abolished, and Rates to be charged equally.

XV. From and after the Adoption of this Act in any Burgh, all exclusive Rights or Privileges possessed or claimed by the Freemen or Burgesses of such Burgh, of Exemption from Payment of Harbour Rates or Dues, or of paying a lower Rate of Harbour Dues than Persons not Freemen or Burgesses, shall cease and determine, and the Rates by this Act authorized to be levied shall be at all Times charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods.

Accounts and Statement of the Revenue of the Harbour to be sent to the Sheriff Clerk annually.

XVI. The annual Account in Abstract required by the said Harbours, Docks, and Piers Clauses Act to be prepared and sent to the Sheriff Clerk shall be made up for the Year ending on the Fifteenth Day of *October*, and in addition to such annual Account in Abstract the Town Council shall annually cause a Statement to be prepared showing the total Revenue of the Harbour for the Year ending on the said Fifteenth Day of *October*, and shall on or before the Expiration of One Month from that Day transmit such annual Account in Abstract, and such Statement, duly audited and certified by the Town Clerk, to the Sheriff Clerk of the County in which the Burgh is situated; and along with the First Statement so transmitted the Town Council shall also send a Copy, certified by the Town Clerk, of the Statement of the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, transmitted to the Lords of the Admiralty and the Board of Trade, as herein-before directed; and such Statements and certified Copies of Statements shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Town Council omit to prepare and send such annual Accounts or Statements, or certified Copies of Statements, as aforesaid, they shall for every such Omission forfeit the Sum of Twenty Pounds.

Increase of Revenue to be applied in extending and improving the Harbour.

XVII. From and after the Adoption of this Act in any Burgh, the whole future Revenue of the Harbour shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the Harbour, and in no other Way and for no other Purpose whatsoever: Provided always, that a Sum equal to the average annual Revenue of the Harbour for the Three Years preceding the Adoption of this Act shall be applicable and may be applied in Payment of the Principal and Interest of the existing Debt, if any, incurred in the Maintenance, Improvement, and Extension of the said Harbour prior to the passing of this Act, and after the same shall have been extinguished and paid off then the whole Sums raised in virtue of this Act shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the said Harbour, and in no other Way and for no other Purpose whatever.

Town Council may borrow Money on the Security of the Rates.

XVIII. It shall be lawful for the Town Council from Time to Time to borrow, for the Purposes of extending or improving the Harbour, such Sum or Sums as they shall deem expedient, or to accept and take from any Bank or Banking Company Credit to such Amount

Amount as they shall deem expedient on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of the Town Council, according to the Usage of Bankers in *Scotland*, and to assign the Rates by this Act authorized to be levied in security of the Repayment of the Sum so borrowed, or of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon respectively: Provided always, that Intimation shall be given by the Town Council of their Intention to borrow Money or to take a Cash Credit, by the Insertion of a Notice to that Effect, and stating the Sum proposed to be borrowed, or the Amount of the Credit proposed to be taken, once in a Newspaper published in the Burgh, or if there be no Newspaper published therein, once in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, One Month at least before the Meeting of the Town Council at which it is intended to authorize the borrowing of such Sum or the taking of such Cash Credit: Provided also, that the Resolution to borrow any Sum of Money or to take any Cash Credit shall be approved of by at least Two Thirds of the Members of the Council who are present at such Meeting; and that the whole Sums so borrowed or advanced shall be applied and expended in the Extension and Improvement of the Harbour, and in no other Way and for no other Purpose whatsoever.

Bonds and Assignations may be granted for Sums borrowed or advanced.

XIX. The Bonds and Assignations to be granted for securing the Repayment of the Sums to be borrowed or advanced as aforesaid shall be in the Form of the Schedule (B.) hereunto annexed, or as near as may be, and shall be signed by the Provost or acting Chief Magistrate of the Burgh, and by the Treasurer and Town Clerk at an open Meeting of the Town Council, and Two of the Councillors present shall sign as Witnesses thereto; and such Bonds and Assignations shall be recorded in the Minute Books of the Town Council, and a Certificate of such Registration shall be indorsed on such Bonds and Assignations, and signed by the Town Clerk; and in case of Competition such Bonds and Assignations shall have Priority and Preference according to the Dates of such Registration; and until Repayment of the Sums so borrowed or advanced, and Interest thereon, such Sums, and the Bonds and Assignations granted therefor respectively, shall form a Lien on the Rates by this Act authorized to be levied preferable to all other Debts and Claims against the Burgh, and the Creditors in right of such Sums shall be entitled to receive the same from the Town Council and their Officers out of the first and readiest of such Rates.

Bonds and Assignations may be transferred by Indorsation.

XX. Such Bonds and Assignations may be transferred by Indorsation in the Form of the Schedule (C.) hereunto annexed, or as near as may be; and every Transfer shall be produced to the Town Clerk, who shall forthwith enter in the Minute Book of the Town Council a Memorandum of the Date of such Transfer, the Names of the Parties thereto, and the Amount, Number, and Date of the Bond and Assignation so transferred; and a Certificate of such Entry shall be indorsed on such Bond and Assignation, and signed by the Treasurer and Town Clerk, and thereupon the Person to whom the same has been so transferred, and his Heirs, Executors, or Assignees, shall have full Right thereto, and to the whole Sums, Principal and Interest, therein contained.

Town Council may apply for a further Increase of Rates.

XXI. If it shall at any Time appear to the Town Council that the Revenue of the Harbour arising from Rates specified in a Schedule certified by the Board of Trade as before mentioned is not adequate to the necessary Extension and Improvement of the Harbour, it shall be lawful for the Town Council to prepare an amended Schedule of Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed), and on the like Notices being given, and the like Procedure in all respects being adopted, as is herein-before provided in regard to the Adjustment of the Schedule of Rates prepared by the Town Council on the Adoption of this Act, to transmit such amended Schedule, with Copies of any Objections thereto, and a Statement showing the several Particulars herein-before mentioned, to the Lords of the Admiralty and the Board of Trade in the Manner herein-before directed, and on such amended Schedule being adjusted and certified by the Board of Trade under the Hand of their Secretary as aforesaid it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates therein specified: Provided always, that the Schedule of Rates to be levied at any Harbour shall not be altered until the Expiration of at least Five Years from the Date of each Adjustment and Certification thereof by the Board of Trade.

XXII. It

Board of Trade may inquire into and regulate Rates.

XXII. It shall be lawful for any Five or more of the said Municipal Electors, Shipowners, Traders, Landowners, or registered County Electors, after the Expiration of the said Five Years, to apply to the Board of Trade to reduce or alter and vary the said Rates; and they shall thereupon make such Inquiries and obtain such Information in reference thereto as they may deem expedient, and shall thereafter make such Order thereon as in the special Circumstances of the Case they shall see fit.

Town Council may extend and improve the Harbour.

XXIII. Subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the Town Council to purchase and acquire such Lands contiguous to the Harbour as may be required for the Extension and Improvement thereof, and by themselves, or their Officers and Servants or others employed by them, to extend, enlarge, and improve the Harbour, to repair, deepen, and cleanse the same, and to make and maintain additional Piers, Quays, and Docks, and all other Works and Buildings connected therewith which may be necessary for the Reception and Accommodation of Ships and Vessels resorting to the Harbour, and for the Protection and Storage of Goods, and to make, widen, and maintain all necessary Roads and Accesses to the Harbour and Works.

Plans and Working Drawings of the Works to be deposited at the Admiralty Office for Approval.

XXIV. Previous to extending or improving the Harbour or constructing any Works connected therewith, the Town Council shall deposit at the Admiralty Office, *Whitehall*, Plans and Working Drawings of the Harbour and the proposed Works connected therewith, for the Approval of the Lords of the Admiralty; and, notwithstanding anything in this Act contained, the Harbour and Works connected therewith shall be extended and improved only according to such Plan as shall be previously approved of by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any Works shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Town Council, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Forms of Proceedings against Offenders.

XXV. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against, for any Offence under the Provisions of this Act, or the Acts incorporated herewith, may be raised and prosecuted at the Instance of the Procurator Fiscal of the Burgh, or of the Collector of the Harbour Rates, or of any other Officer or Person thereto authorized by any General or Special Order of the Town Council; and such Complaint and Proceedings, and the Sentence or Conviction thereon, may be in the Form of the Schedule (D.) hereunto annexed, or as near as may be; and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justice or Justices at the Hearing of the Complaint shall cause or allow the Procedure or Evidence to be taken down in Writing.

Transient Offenders may be apprehended and taken before the Sheriff or a Justice of the Peace.

XXVI. It shall be lawful for the Officers or Persons appointed and acting under the Authority of this Act to seize and detain any transient Persons unknown to them who shall commit any Offence against the Provisions of this Act or the Acts incorporated herewith, and to convey such Persons before the Sheriff or any Justice, without any other Warrant than this Act for so doing, and such Sheriff and Justice respectively are hereby empowered to proceed, with all convenient Despatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the Rights of the Crown.

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

## SCHEDULES to which this Act refers.

### SCHEDULE (A.)

#### I. Rates on Vessels entering or using the Harbours.

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

| | £ | s. | d. |
|---|---|---|---|
| All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each | 0 | 0 | 6 |
| All drave or large Boats entering the Harbour or Precincts thereof with fresh Fish, each | 0 | 0 | 4 |

#### II. Rates on Goods shipped or unshipped at the Harbour.

| | | s. | d. |
|---|---|---|---|
| Ale | per Hogshead | 0 | 6 |
| Ale, bottled | per Barrel Bulk | 0 | 3 |
| Bark | per Ton | 1 | 0 |
| Beef or Pork | per Ton | 1 | 4 |
| Beef or Pork | per Barrel | 0 | 2 |
| Blubber | per Tun of 252 Gallons | 1 | 0 |
| Bone Dust | per Ton | 0 | 8 |
| Bones of Cattle | per Ton | 0 | 6 |
| Bottles | per Gross | 0 | 2 |
| Bricks | per 1,000 | 0 | 8 |
| Casks, empty, not being returned Packages | per Puncheon | 0 | 3 |
| Other Casks in proportion. | | | |
| Cattle: | | | |
| Bulls | each | 0 | 3 |
| Cows and Oxen | each | 0 | 2 |
| Calves | each | 0 | 0½ |
| Horses | each | 0 | 2 |
| Pigs | each | 0 | 0½ |
| Sheep | per Score | 0 | 6 |
| Lambs | per Score | 0 | 3 |
| Chalk | per Ton | 0 | 8 |
| Chimney Cans | per 100 | 1 | 4 |
| Clay, Fire, manufactured | per Ton | 0 | 6 |
| Clay, common | per Ton | 0 | 2 |
| Cloth, Haberdashery, &c. | per Barrel Bulk | 0 | 2 |
| Coaches: | | | |
| Chaises and other Four-wheeled Carriages | each | 0 | 8 |
| Gigs, Carts, and other Two-wheeled Carriages | each | 0 | 6 |
| Coals, Scotch, English, Smithy, and Culm | per Ton | 0 | 3 |
| Copper | per Ton | 1 | 4 |
| Corks | per Barrel Bulk | 0 | 2 |

| | | s. | d. |
|---|---|---|---|
| Corn, viz. | | | |
| Wheat and Malt | per Quarter | 0 | 3 |
| Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn, | per Quarter | 0 | 2 |
| Crystal | per Barrel Bulk | 0 | 2 |
| Dissolved Bones and other artificial Manures | per Ton | 0 | 8 |
| Dogs, Sporting only | each | 0 | 2 |
| Drugs | per Barrel Bulk | 0 | 3 |
| Earthenware | per Crate | 0 | 8 |
| Eggs | per Barrel Bulk | 0 | 2 |
| Fish, dried and salted | per Ton | 1 | 4 |
| Haddocks, Cod, Salmon, and all fresh Fish, not enumerated | per Barrel Bulk | 0 | 2 |
| Flax | per Ton | 1 | 4 |
| Flour | per Sack | 0 | 2 |
| Ditto | per Barrel | 0 | 1½ |
| Glass | per Barrel Bulk | 0 | 3 |
| Groceries, viz. | | | |
| Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like | per Barrel Bulk | 0 | 3 |
| Guano | per Ton | 0 | 8 |
| Gunpowder | per Barrel | 0 | 3 |
| Hardware | per Barrel Bulk | 0 | 3 |
| Hares and Rabbits | per Dozen | 0 | 2 |
| Any less Quantity | | 0 | 1 |
| Hay | per Ton | 0 | 8 |
| Hemp | per Ton | 1 | 4 |
| Herrings, fresh | per Cran | 0 | 1 |
| Ditto, cured | per Barrel | 0 | 3 |
| Hides:—Ox, Cow, or Horse, salted or dried | per Ton | 1 | 4 |
| Calf Skins | per 120 | 0 | 10 |
| Sheep Skins | per 120 | 0 | 10 |
| Lamb Skins | per 120 | 0 | 5 |
| Hoops of Wood | per 1,500 | 1 | 0 |
| Household Furniture, new | per Barrel Bulk | 0 | 1 |
| Household Furniture belonging to Parties changing their Residence only, | per 10 Barrels Bulk | 0 | 6 |
| Husbandry Utensils | per Ton | 1 | 4 |
| Ditto | per Barrel Bulk | 0 | 2 |
| Iron:—Bar, Bolt, and Rod | per Ton | 1 | 4 |
| Pig or Old | per Ton | 0 | 8 |
| Kelp | per Ton | 0 | 8 |
| Lead, all Kinds | per Ton | 1 | 4 |
| Leather, tanned and dressed | per Ton | 1 | 4 |
| Lime | per Chaldron of 16 Bolls | 1 | 4 |
| Limestone | per Ton | 0 | 3 |
| Loam or moulding Sand | per Ton | 0 | 3 |
| Machinery | per Ton | 1 | 4 |
| Machinery | per Barrel Bulk | 0 | 3 |
| Manure, Street | per Ton | 0 | 2 |
| Meal | per Bag of 280 lbs. | 0 | 2 |
| Milk | per Three large Pitchers | 0 | 0½ |
| Musical Instruments | per Barrel Bulk | 0 | 3 |
| Oils | per Tun | 1 | 0 |
| Ores:—Copper, Iron, Lead, and other Ores | per Ton | 0 | 8 |
| Passengers Luggage, not exceeding 4 Barrels Bulk, free. | | | |
| All above 4 Barrels Bulk | per Barrel Bulk | 0 | 3 |

| | | s. | d. |
|---|---|---|---|
| Peats | per Ton | 0 | 3 |
| Pitch | per Barrel | 0 | 3 |
| Porter | per Hogshead | 0 | 4 |
| Porter, bottled | per Barrel Bulk | 0 | 2 |
| Potatoes | per Ton | 0 | 6 |
| Poultry, including Pigeons, Game, &c. | per Dozen | 0 | 1 |
| Any less Quantity | | 0 | 0½ |
| Rags, Linen | per Ton | 1 | 4 |
| Other Rags, Old Ropes, and the like | per Ton | 0 | 10 |
| Rape Cakes | per Ton | 0 | 8 |
| Salt | per Ton | 0 | 10 |
| Seeds, Flax and Rape | per Hogshead | 0 | 6 |
| Flax | per Barrel | 0 | 3 |
| Flax in Bulk | per Quarter | 0 | 2 |
| Clover | per Ton | 1 | 4 |
| Seeds, Garden | per Ton | 1 | 4 |
| Hemp and Canary | per Ton | 1 | 4 |
| Rye Grass | per 8 Bushels | 0 | 2 |
| Skins, Seal | per 120 | 0 | 8 |
| Slates, under Size | per 1,000 | 0 | 6 |
| Sizeable | per 1,000 | 0 | 10 |
| over Size | per 1,000 | 1 | 4 |
| Spirits, Foreign and British | per Hogshead of 56 Gallons | 0 | 8 |
| Stones, Rubble | per Ton of 16 Cubic Feet | 0 | 2 |
| Hewn Ashlar Freestone | per Ton of 16 Cubic Feet | 0 | 4 |
| Rough Ashlar Freestone | per Ton of 16 Cubic Feet | 0 | 3 |
| Pavement, not exceeding 3 Inches thick | per 70 Feet | 0 | 4 |
| Pavement, above 3 Inches thick | per 16 Cubic Feet | 0 | 4 |
| Scythe Stones | per Score | 0 | 1 |
| Mill Stones | each | 0 | 8 |
| Steel | per Ton | 1 | 4 |
| Sugar | per Ton | 1 | 4 |
| Tallow | per Ton | 1 | 4 |
| Tar | per Barrel | 0 | 2 |
| Tea | per Chest | 0 | 3 |
| Tiles, roofing | per 1,000 | 0 | 9 |
| Tiles or Pipes for draining | per 1,000 | 0 | 8 |
| Tin of all Kinds | per Ton | 1 | 4 |
| Tobacco | per Ton | 2 | 6 |
| Treenails, under 2 Feet in Length | per 1,000 | 0 | 6 |
| Treenails, exceeding 2 Feet in Length | per 1,000 | 1 | 0 |
| Turnips | per Ton | 0 | 6 |
| Turpentine | per Hogshead | 0 | 8 |
| Vegetables | per Cartload | 0 | 2 |
| Vinegar | per Hogshead | 0 | 6 |
| Vitriol | per Carboy | 0 | 2 |
| Whalebone | per Ton | 2 | 6 |
| Wine | per Hogshead | 0 | 8 |
| Wine, bottled | per Barrel Bulk | 0 | 4 |
| Wood: | | | |
| Fir, Pine, and other Descriptions not enumerated | per Load of 50 Feet | 0 | 10 |
| Oak or Wainscoat | per Load of 50 Feet | 1 | 0 |
| Firewood | per Fathom | 0 | 6 |
| Laths and Lathwood | per Fathom of 216 Cubic Feet | 2 | 6 |
| Handspokes | per 120 | 0 | 10 |
| Oars | per 120 | 2 | 6 |

| | | | |
|---|---|---|---|
| Wood—*continued.* | | *s.* | *d.* |
| Spars, under 22 Feet in Length, above 2½ and under 4 Inches Diameter, | per 120 | 2 | 6 |
| Spars, 2½ Inches in Diameter and under | per 120 | 1 | 4 |
| Spars, 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter | per 120 | 6 | 6 |
| Spars, of all Lengths, above 4 and under 6 Inches in Diameter | per 120 | 12 | 0 |
| Spokes of Wheels, not exceeding 2 Feet in Length | per 120 | 0 | 4 |
| Exceeding 2 Feet in Length | per 120 | 0 | 6 |
| Wedges | per 1,000 | 1 | 0 |
| Pipe Staves, and others in proportion | per Standard Hundred | 1 | 0 |
| Lignum Vitæ, Fustic, Logwood, Mahogany, and Rosewood | per Ton | 1 | 4 |
| Wool | per Cwt. | 0 | 2 |
| Yarn | per Ton | 1 | 4 |
| Zinc | per Ton | 1 | 4 |

All other Goods not particularly enumerated in the above Table.

| | | | |
|---|---|---|---|
| Light Goods | per Barrel Bulk | 0 | 2 |
| Heavy Goods | per Ton | 1 | 4 |

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

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

### III. Rates for the Use of Cranes, Weighing Machines, and Sheds.

#### 1st. Rates of Craneage.

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

#### 2d. Weighing Machines.

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

#### 3d. Shed Dues.

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

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## SCHEDULE (B.)

### Form of Bond and Assignation.

The Royal Burgh of has this Day borrowed the Sum of from *A.B.* [*or* has this Day obtained a Cash Credit to the Extent of Pounds with the [*insert Name of Bank*] ] for the Extension and Improvement of the Harbour of the said Burgh, which Sum [*in the Case of a Cash Account add*, or such Part thereof as may from Time to Time be drawn out by Cheques or Orders signed by the Treasurer and Town Clerk of the said Burgh] we hereby bind the said Burgh to pay to the said *A.B.*, his Heirs, Executors, and Assignees, [*or* to the said Bank,] at the Term of next, with Interest thereof at the Rate of . per Centum per Annum from the Date hereof, payable half-yearly at the Terms of Whitsunday and Martinmas in each Year until paid [*or* periodically from the Date of Advance until repaid, *as the Case may be*]; and we hereby assign to the said *A.B.* and his foresaids [*or* to the said Bank] the Rates authorized to be levied at the said Harbour by the Act [*specify this Act*] in security of the Repayment of the foresaid Sums, Principal and Interest, which are hereby declared a Lien on the said Rates; and we consent, *&c.* [*Registration and Testing Clause according to the Form of the Law of Scotland.*]

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## SCHEDULE (C.)

### Form of Transfer.

I *A.B.* do hereby transfer the Sum of with Interest thereof from and after the Term of next, contained in and due by the within written Bond and Assignation, and all Right and Interest which I have under the same, to *C.D.*, his Heirs, Executors, and Assignees. In witness whereof [*insert Testing Clause according to the Form of the Law of Scotland.*]

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## SCHEDULE (D.)

### Form of Complaint.

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

The Petition and Complaint of *A.B.*

Humbly sheweth,

That *C.D.* has been guilty of a Contravention of "The Burgh Harbours (Scotland) Act, 1853," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or One or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of the said "Burgh Harbours Scotland Act" [*or* of the said "Harbours, Docks, and Piers Clauses Act"].

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

According to Justice, *&c.*

[*To be signed by Complainer.*]

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FORM OF WARRANT.

[*Place and Date.*]

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

[*Signed by Sheriff or Justice of the Peace.*]

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FORM OF SENTENCE.

[*Place and Date.*]

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

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

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WARRANT of IMPRISONMENT to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

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

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WARRANT OF LIBERATION.

[*Place and Date.*]

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