CHAPTER lxxxviii.

An Act to constitute a body of Harbour Trustees for the management maintenance and regulation of the Harbour of Dumbarton and for other purposes. A.D. 1881.

[27th June 1881.]

WHEREAS Dumbarton is a royal burgh situate on the River Leven:

And whereas the Burgh Harbours (Scotland) Act 1853 has been adopted in and applied to the said burgh: 16 & 17 Vict. c. 93.

And whereas of recent years the trade and commerce of the said burgh have increased and the dimensions and tonnage of the individual vessels resorting to the Harbour of Dumbarton have largely increased and are likely still further to increase and it would be of public and local advantage if a body of Harbour Trustees were constituted in manner by this Act provided and if all the property and all the rights interests and privileges of the provost magistrates and town council of the said burgh in over or in relation to the Harbour of Dumbarton were transferred to and vested in the said Trustees and the said Trustees were empowered to maintain and improve the said Harbour of Dumbarton in manner by this Act provided and that from and after such transfer and vesting the Burgh Harbours (Scotland) Act 1853 should no longer apply to the said burgh:

And whereas it is expedient to confer upon the said Trustees powers for dredging scouring and deepening in manner by this Act provided the Harbour of Dumbarton and the River Leven between the said harbour and the deep water channel of the River Clyde:

And whereas it is expedient that for the purposes aforesaid the said Trustees should be empowered to charge rates and to borrow moneys subject to the limitations restrictions and conditions in this Act contained:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with

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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 (that is to say) :

Short title.

1. This Act may be cited for all purposes as the Dumbarton Harbour Act 1881.

Incorporation of general Acts.

2. The following Acts and provisions of Acts so far as they are applicable for the purposes of and are not inconsistent with this Act are hereby incorporated with this Act that is to say :

8 & 9 Vict. c. 19. 23 & 24 Vict. c. 106.

The Lands Clauses Consolidation (Scotland) Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 : Provided that this Act shall not authorize the purchase or taking of or entry upon any lands otherwise than by agreement ;

10 & 11 Vict. c. 16.

The Commissioners Clauses Act 1847 with the exception of the provisions thereof :

With respect to the qualification of commissioners ;

With respect to the election and rotation of the commissioners where the commissioners are to be elected by the ratepayers or other like class of electors ;

With respect to the meetings and other proceedings of the commissioners and their liabilities and

With respect to the mortgages to be executed by the commissioners and also with the exception of sections fifty-seven ninety-two ninety-three and ninety-four ;

and the expression "the commissioners" in the said Act shall mean the Trustees under this Act ; and

10 & 11 Vict. c. 27.

The Harbours Docks and Piers Clauses Act 1847 with the exceptions of the provisions thereof :

With respect to keeping a tide and weather gauge and sections twenty-five and twenty-six ;

and the expression "the undertakers" in the said Act shall mean the Trustees under this Act.

Limits of harbour.

3. The Harbour of Dumbarton shall subject to the provisions of this Act include the whole water-ways water-channels docks locks quays piers basins breakwaters and other works lands buildings wharves and erections situate and being within the limits following that is to say the portion of the River Leven lying between the line crossing the same and forming the northern boundary of the existing parliamentary burgh of Dumbarton and a line drawn across the said river at right angles to its general course and direction from the southernmost point of the rock on which Dumbarton Castle stands including all creeks inlets and waters communicating with the said harbour up to flood-water mark therein respectively and the bed shores and banks of the said harbour and all royalties rights and

ase ments in over or affecting the same and all rights of ferry within the limits aforesaid and including all such creeks inlets and waters communicating with the said harbour which immediately before the commencement of this Act belong to the corporation for behoof of the public. A.D. 1881.

4. In this Act— Interpretation of terms.

"The corporation" or "the council" shall mean the provost magistrates and town council of the burgh:

"The burgh" shall mean the parliamentary burgh of Dumbarton:

"The board" shall mean the Dumbarton Harbour Board incorporated by this Act:

"The treasurer" and "the clerk" respectively shall mean the treasurer and clerk for the time being of the Board:

"Pier" in this Act shall mean any jetty or landing-place projecting into the harbour but shall not include any quay embankment or breast.

The several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction.

5. The power and duty of carrying into effect the provisions of this Act preliminary and with respect to the first election of the elected Trustees shall until the first election of the elected Trustees is completed be vested in and performed by the council who until such event shall for the purposes aforesaid act as though they were the Board with all the duties powers rights and privileges conferred on the Board by this Act. Council to act until completion of first election.

Constitution Qualification and Election of the Board.

6. Six members of the council to be chosen as herein-after mentioned and five persons from time to time to be elected in manner herein-after mentioned and who are herein-after referred to as "the elected Trustees" shall be the Trustees and shall carry this Act into execution and the Trustees shall be a body corporate under the name and style of "the Dumbarton Harbour Board" with perpetual succession and a common seal and shall have power to sue and be sued and to purchase take hold lease and dispose of lands and other property for the purposes of this Act and shall have all the other powers and privileges of a body corporate and all deeds and instruments to be made and granted by the Board shall be valid and effectual if subscribed by any two of their number and sealed with their common seal. Harbour Trustees incorporated.

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Annual choice of Trustees by the council.

7. The council shall at an ordinary or special meeting to be held upon the third Wednesday of November in the year one thousand eight hundred and eighty-one and in every subsequent year choose six members of the council to be Trustees under this Act for the term of one year. Provided that any Trustee chosen by the council going out of office shall unless disqualified be capable of being again chosen.

Occasional vacancies among Trustees chosen by the council.

8. If any one of the Trustees so chosen by the council refuse to accept office die resign or become disqualified or incompetent to act or cease to be a Trustee from any other cause than that of going out of office in the regular course as aforesaid the council at the next ordinary or special meeting after notice that such Trustee has refused office died resigned become disqualified or incompetent to act or so ceased to be a Trustee as aforesaid shall choose a member of the council in his stead and the Trustee so substituted shall continue in office till the third Wednesday of November next after his appointment.

By whom elected Trustees to be elected.

9. The elected Trustees shall be elected by the persons qualified and registered as electors in the manner herein-after mentioned and who are herein-after called "the electors."

Elections and retirement of elected Trustees.

10. The elected Trustees shall be elected and retire from office at the times following:

(1.) The first election of the elected Trustees shall take place upon the third Wednesday of November one thousand eight hundred and eighty-one when five persons shall be elected as such:

(2.) Of the elected Trustees so elected the two who shall have received the smallest number of votes shall go out of office on the third Wednesday of November one thousand eight hundred and eighty-two the two who shall have received the next smallest number of votes shall go out of office on the third Wednesday of November one thousand eight hundred and eighty-three and the remaining Trustee so elected shall go out of office on the third Wednesday of November one thousand eight hundred and eighty-four and in case of equality in the number of votes the Board shall determine by lot which of the elected Trustees shall go out of office:

(3.) On the third Wednesday of November one thousand eight hundred and eighty-five and on the third Wednesday of November in each succeeding year the elected Trustees or Trustee who shall have been longest in office shall go out of office:

(4.) On the third Wednesday of November one thousand eight hundred and eighty-two and on the third Wednesday of

November in each succeeding year the electors shall elect the number of persons requisite to supply the place of the elected Trustees or Trustee then going out of office as aforesaid.

Provided that any elected Trustee going out of office shall unless disqualified be capable of re-election.

Qualification of electors.

11. Every person residing or having his place of business within the boundaries of the burgh or within five miles therefrom for the time being who shall have paid as principal (either directly or indirectly) or as agent for any person residing beyond such boundaries or partly as principal (either directly or indirectly) and partly as such agent during the year ending the thirty-first day of August immediately preceding the election five pounds or upwards of rates in respect of vessels or goods leviable by the council in the case of the election to take place on the third Wednesday in November one thousand eight hundred and eighty-one during such year and leviable by the Board in the case of all subsequent elections under the Schedules C. D. and E. to this Act annexed or any one or more of them shall be qualified to be one of the electors.

Register of electors to be made up annually.

12. On or before the tenth day of October one thousand eight hundred and eighty-one and on or before the tenth day of October in each succeeding year the Board shall cause a list specifying the names and designations of the electors to be made up and affixed in some place accessible to the public within the office of the Board or in some conspicuous place on the outside thereof and any person claiming to be an elector whose name shall have been omitted from the said list may at any time before the seventeenth day of the same month of October apply to the Board who shall thereupon if they find such person entitled to be an elector cause the name of such person to be added to the list and such list with the additions if any so made shall have the names therein respectively numbered and shall be certified by the clerk and shall be deemed to be the register of the electors under this Act. Provided that as regards the list to be made up in the year one thousand eight hundred and eighty-one no person claiming to be an elector shall be entitled to make such application who shall not have claimed to be an elector in manner herein-after provided.

Making up register of electors for 1881.

13. For the purpose of making up the register of the electors in the year one thousand eight hundred and eighty-one the Board shall by advertisement in at least one local newspaper published or circulated in Dumbarton in the first week of September one thousand eight hundred and eighty-one require all persons claiming to be entitled to be electors under this Act to send in their claims to the Board in writing on or before the twenty-seventh day of the same month of September and to specify in such claims the amount of

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the rates paid by them respectively during the year ending the thirty-first day of August immediately previous and the dates of the payment thereof and the Board shall thereupon consider such claims and shall enter in the list of the electors to be made up and affixed within or upon the office of the Board as aforesaid the names and designations of such of the claimants as appear to them to be entitled to be electors under this Act.

Register of electors to be kept up.

14. For the purpose of making up the register of the electors in the year one thousand eight hundred and eighty-two and in each succeeding year the Board shall cause to be entered in some book or books kept by them the name and designation of every such person and the total amount of the rates paid by such persons respectively for the year ending the thirty-first day of August immediately preceding the election which book or books shall be open to inspection at all times during the hours of business.

Copies of ships manifests &c. to be furnished to the Board.

15. To enable the Board to prepare and keep such book or books the owner agent or person in charge of every vessel arriving at or departing from the harbour shall within fourteen days after the arrival or departure of such vessel furnish to the treasurer a copy of the ship's manifest and such other documents as will show the names descriptions residences and places of business of all persons who have paid or who are liable in the payment of rates in respect of such vessel or of the goods therein under the said Schedules C. D. and E. to this Act annexed and the amount of rates payable by such persons respectively and every owner agent or person in charge of any such vessel who shall refuse or wilfully neglect to furnish a copy of the manifest of such ship or any other such document shall for every such offence be liable to a penalty not exceeding ten pounds to be recovered in the same manner as other penalties to be imposed under the provisions of this Act. Provided that nothing contained in this section shall in reference to this Act affect qualify or restrict sections thirty-seven thirty-eight and thirty-nine of the Harbours Docks and Piers Clauses Act 1847.

Qualification of elected Trustees.

16. Every person who shall at the time of the first or of any succeeding election be entered on the register of the electors shall be qualified to be elected one of the elected Trustees at the election for which the register in which he is so entered is made up or at the filling up thereafter of any vacancy previous to the annual election next following.

Qualification of partners of companies.

17. Where rates shall be paid by any partnership or company consisting of two or more partners having a place of business within the boundaries of the burgh or within five miles therefrom such partnership or company may within the first week of

September immediately preceding the election intimate in writing to the Board the name or names of any one or more not exceeding five in number of the partners on whose behalf such payment shall be deemed to have been made and such payment shall for the purposes of qualification be deemed to have been made by the partner or partners so named (if resident within the said boundaries) and each such partner so named shall be qualified to be an elector and to be elected one of the elected Trustees in respect thereof in the same manner as if such payment had been made by him as an individual provided the amount of rates paid by such partnership or company be sufficient to afford the qualification of five pounds to each of the partners so named.

Names of candidates to be intimated to clerk.

18. No person shall be elected to the office of an elected Trustee unless the name of such person shall have been intimated to the clerk of the Board in manner herein-after provided on or before four of the clock afternoon on the Wednesday immediately preceding the day of election and the clerk shall on or before the Friday immediately preceding the day of election cause public notice to be given as herein-after provided of the names of all persons so intimated to him and the intimation to the clerk shall be in the form in the Schedule (A.) annexed to this Act or as near thereto as circumstances admit and the notice by the clerk shall be in the form in Part I. of the Schedule (B.) annexed to this Act or as near thereto as circumstances admit and such notice shall be affixed to the doors of the principal office of the Board and advertised in one or more local newspapers published or circulated within the burgh and in the event of the clerk not receiving intimation as herein-before provided of the names of persons proposed for election sufficient to supply the vacancies or in the event of such vacancies not being supplied by reason of the requisite number of Trustees not being elected from any cause whatsoever then and in either of these events the same procedure shall be adopted as is appointed to be followed in the case of the failure of the electors to make a valid election. Provided that in such cases the intimation to the clerk of the name of the person or persons proposed for election shall be given on or before four of the clock afternoon of the Friday immediately preceding the day fixed for the election and the clerk shall forthwith give notice as is herein-before directed.

Election without poll where number of persons proposed does not exceed vacancies.

19. Where at any election of the elected Trustees the number of persons whose names have been intimated to the clerk under the provisions of the immediately preceding section as persons proposed for election as elected Trustees does not exceed the number of the vacancies to be supplied at the election the clerk shall in the public

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notice to be given by him as herein-before provided of the names of the persons so intimated to him notify that in respect the number of persons proposed for election does not exceed the number of vacancies to be supplied at the election there will be no poll and shall further declare that the persons so proposed will on the day of election be deemed to be elected as elected Trustees and such notification may be made by an addition in the terms set forth in Part II. of the Schedule (B.) to this Act annexed or in similar terms to the notice herein-before required and on the day of election the persons so proposed shall accordingly be deemed to be duly elected as elected Trustees in the same manner as if they had been elected under the provisions of this Act and every such election of elected Trustees under the provisions of this Act shall be in all respects valid and notice thereof shall be given to the persons elected in the manner and to the effect provided by this Act.

Mode of conducting election of elected Trustees.

20. The following rules shall be observed with respect to the election of the elected Trustees to take place in the month of November one thousand eight hundred and eighty-one and in the month of November in succeeding years :—

(1.) Eight days at least previous to each election the Board shall cause to be prepared and delivered to every elector applying for it a printed copy of the register of the electors made up in manner herein-before prescribed :

(2.) The Board shall fix the place of the election which shall be within the burgh :

(3.) The Board shall cause the day and place of the election to be advertised in at least one local newspaper published or circulated in Dumbarton not less than six days previous to the election :

(4.) The election shall be by open poll and votes shall be given personally :

(5.) The returning officer at the first election under this Act shall be the chief magistrate of the burgh and the returning officer at every subsequent election shall be the chairman of the Board or one of the Trustees to be appointed by such chairman and whom such chairman is hereby authorised to appoint and the returning officer shall preside at the polling place and the votes shall be given in his presence :

(6.) The returning officer shall appoint such number of poll clerks as he deems sufficient and cause proper polling books to be provided :

(7.) Each poll clerk shall have with him at the polling place a copy of the register of electors certified by the clerk and the votes shall be taken according to such register :

(8.) The poll shall be open at ten o'clock in the forenoon of the day of election and close at four o'clock in the afternoon of the same day :

(9.) The returning officer shall cause to be entered in the polling books the name and number of every voter as appearing in the register of electors and the name and designation of the person or persons for whom he votes :

(10.) No returning officer or poll clerk shall vote at any election at which he officiates :

(11.) At the close of the poll the returning officer shall sum up in the polling books the votes taken and shall thereafter sign the polling books and shall forthwith transmit them to the clerk :

(12.) The persons who being not more than the number of elected Trustees to be elected at any election shall be found to have the greatest number of valid votes at such election as appearing from the summation of the returning officer in the polling books which shall be conclusive evidence of the number of votes shall if duly qualified according to the provisions of this Act be deemed to be elected elected Trustees :

(13.) Provided that in case of an equality in the number of votes the Board at their first meeting to be held after such election shall if necessary to prevent an excess in the number of elected Trustees determine by lot which of the persons having such equality of votes shall be the Trustee or Trustees.

Persons not to give more than one vote nor to vote without being entitled under a penalty.

21. At each election of the elected Trustees each elector although qualified as an elector in his individual right and also as a partner of a company shall be entitled to give only one vote and if any person shall give more than one vote or shall vote without being entitled according to the provisions of this Act or falsely assume to act in the name or on the behalf of any person entitled to vote he shall for every such offence be liable to a penalty not exceeding twenty pounds.

In case of failure to elect elected Trustees.

22. In case of the failure at any time of the electors to make a valid election in accordance with the provisions of this Act of persons duly qualified to be elected Trustees the Board shall within six weeks after such failure has been ascertained cause an election of such persons according to the rules herein-before appointed to be observed with respect to the annual elections of the elected Trustees and the persons to be so elected shall in respect of continuance in office be on the same footing as if their election had taken place on the third Wednesday of November immediately preceding the date thereof.

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Elected Trustees may resign office.

23. Any elected Trustee may resign office at any time upon giving to the Board not less than three weeks written notice of such his intention.

Occasional vacancies.

24. If any one of the elected Trustees refuse to accept office or die or resign or become disqualified or incompetent to act or cease to be a Trustee from any other cause than that of going out of office by rotation or in regular course as aforesaid every such vacancy shall be filled up in manner following (that is to say) the other elected Trustees shall as soon as may be thereafter at a meeting of the Board elect a person duly qualified in his stead and in every case the Trustee so substituted shall continue in office for the same period that the person in whose place he is elected would in ordinary course have continued when he shall go out of office but shall be eligible for re-election. In case of an equality of votes at any such election by the elected Trustees the chairman of the Board for the time being shall have a second or casting vote.

Expenses of elections.

25. The expense of making up the several lists and the registers of the electors herein-before directed to be made up for the purposes of elections and the expense of advertising elections and printing lists and registers and all other expenses attending elections shall be defrayed out of the moneys to be raised by the rates by this Act authorised to be taken.

Disqualification of Trustees.

26. Every person who after his becoming or being elected or appointed one of the Trustees shall accept or hold any office or place of profit under the Board or participate in the profits of any work done by order of the Board or be concerned or participate in the profits of any contract entered into with the Board shall henceforth cease to be a Trustee and his office shall thereupon become vacant. Provided always that no Trustee shall vacate his office by reason of his being a shareholder or member of any joint stock company with which the Board may enter into any contract or by reason of his being interested in any loan of money to the Board and no such contract or loan shall be void or voidable by either of such reasons provided also that no Trustee shall be entitled to vote on any question relating to the execution of this Act or the affairs of the Board wherein such company of which he is a shareholder or member is interested or on any question connected therewith or on any question relating to any such loan or on any question in which he is personally concerned and if he shall so vote his vote shall not be counted and he shall be liable to a penalty not exceeding twenty pounds.

Trustees not disqualified from acting

27. No Trustee shall by reason of his holding such office be disqualified from acting as a magistrate sheriff justice of the peace

or a magistrate or judge of any police court with reference to the payment of any rate or levying of any penalty under this Act or in any matter relating to the execution of this Act. as magistrates.

28. Any person being incapacitated or not duly qualified to act or after having become disqualified who shall wilfully act as one of the Board shall for every such offence be liable to a penalty not exceeding fifty pounds and such penalty may be recovered by any person with full costs of suit in any competent court nevertheless all acts done by any person being incapacitated or not duly qualified as one of the Board previously to the recovery of the penalty shall be as valid as if such person had been duly qualified. Penalty on unqualified person acting as Trustee.

MEETINGS AND OTHER PROCEEDINGS AND ACCOUNTS OF THE BOARD.

29. The Board shall hold their first meeting on the Monday immediately following the first election of elected Trustees at twelve of noon at the meeting room of the corporation and proceed to put this Act into execution. First meeting of the Board.

30. Meetings of the Board shall after such first general meeting be held monthly or oftener as the Board shall see fit on such day and at such hour as they shall from time to time appoint and they shall hold an annual general meeting upon the second Monday of January one thousand eight hundred and eighty-two and upon the second Monday of January in each year thereafter. Monthly and annual meetings.

31. The Trustees may hold special meetings and any five or more of the Trustees may require a special meeting to be held and may direct the clerk to call such meeting but no meeting shall be held unless twenty-four hours previous notice thereof be given and such notice shall specify the objects for which such meeting is called. Special meetings.

32. All notices of any meeting of the Board shall be in writing or in print or partly in writing and partly in print and shall be delivered at or transmitted through the post office addressed to the usual place of abode or place of business of each of the Trustees and every notice shall specify the time and place of the meeting. Notices of meetings.

33. At the said first meeting of the Board as well as at the first meeting after every subsequent election of the Board which meeting shall be held on the Monday immediately following the election they shall choose one of their number to be chairman and another to be deputy chairman during their term of office and in the event of the chairman and deputy chairman so chosen being both absent from any meeting one of the other Trustees shall be chosen to be chairman of the meeting and at all meetings the presiding chairman Election of chairman.

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shall in case of equality of votes have a deliberative as well as a casting vote.

Quorum of Board.

34. At all meetings of the Board five shall be a quorum and all powers vested in the Board may be exercised by such quorum.

No business to be transacted without a quorum.

35. No business shall be transacted at any meeting of the Board unless the quorum herein-before specified in each case be present.

Places of meetings.

36. The first meeting of the Board shall be held within the meeting room of the corporation and their subsequent meetings shall be held at such places and times as they may from time to time appoint.

Adjournment of meetings.

37. The Trustees (whether more or less than a quorum) present at any meeting of the Board or the clerk if no Trustee be present may adjourn such meeting to another day at the same or any other convenient place within the burgh.

Notice to be given before altering &c. orders &c.

38. No order or resolution of the Board at any meeting shall be altered or revoked unless at some meeting called for that special purpose and notice of the intention to propose such alteration or revocation shall be given on the card or circular calling such meeting.

Board may appoint committees.

39. The Board may at any meeting from time to time appoint committees for carrying into effect any of the purposes or provisions of this Act and the Board may appoint the chairman of any such committee and may fix the quorum thereof and may continue alter or discontinue such committee and the Board may delegate to any such committee and such committee may exercise and perform such of the powers and duties competent to or incumbent on the Board in virtue of this Act as the Board think fit.

Meetings of committees.

40. Every committee so appointed may meet from time to time and may adjourn from place to place as they may think proper for carrying into effect the purposes of their appointment and at all meetings of the committee the chairman appointed by the Board and in his absence or if no chairman has been appointed one of the members present to be appointed by the meeting shall preside and if there be an equality of votes in the election of the chairman the meeting shall decide by lot which of the Trustees having an equal number of votes shall be chairman and preside and all questions shall be determined by a majority of the votes of the members present and in case of equality of votes the chairman shall have a casting vote in addition to his vote as member of the committee.

Quorum of committees.

41. No business shall be transacted at any meeting of any committee appointed by the Board unless the quorum of members (if

any) fixed by the Board or if no quorum be fixed three members be present. A.D. 1881.

Vacancies not to invalidate proceedings.

42. No proceeding of the Board or of any committee shall be invalidated or be illegal by reason of any deficiency at the time of such proceeding in the number of the Trustees occasioned by any failure to elect the elected Trustees or any of their number or by reason of the fact of a vacancy from any other cause in the number of Trustees or members of committees at the time of such proceeding.

Informalities in choice or election not to invalidate proceedings.

43. All proceedings of the Board or of any committee or of any person acting as one of the Trustees shall notwithstanding it be afterwards discovered that there was some defect in the choice or election of any of the Trustees or of such person acting as aforesaid or that they or any of them were disqualified be as valid as if every such person had been duly chosen or elected and was qualified to be one of the Trustees as the case may be.

Minutes of proceedings to be kept and when signed to be evidence.

44. The Board shall cause records to be kept by the clerk under their superintendence of all the proceedings of the Board and of every committee appointed by them with the names of the Trustees attending each meeting and the record of every such proceeding shall be signed by the chairman of the meeting at which the proceeding took place and the record or minute of such meeting so signed or an extract thereof certified by the clerk shall be received as evidence in all courts and before all judges justices and others without proof of such meeting having been duly convened or held or of the persons attending such meeting having been or being Trustees or members of committees respectively or of the signature of the chairman or of the fact of his having been chairman all of which last-mentioned matters shall be presumed until the contrary is proved and such records shall at all reasonable times be open to the inspection of any of the Trustees and of any creditor on the security of the rates or property of the Board.

Penalty for obstructing works.

45. Every person who shall at any time obstruct the Board or any person employed by them in the performance of any work or thing which they are respectively empowered or required to do by this Act or any of the Acts incorporated herewith or by any byelaw in force or to be made in virtue of such Acts or any of them shall for every such offence be liable to a penalty not exceeding five pounds.

Officers may be suspended &c.

46. The Board may at any time suspend any officer in their employment and may appoint another person temporarily to fill his office or temporarily to fill any office under them which may be vacant from any cause.

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Auditor to be appointed.

47. The Board shall annually appoint an auditor (not being one of the Trustees or holding other office under them) to audit and docket the accounts of the Board and they may suitably remunerate such auditor.

Accounts to be audited.

48. The Board shall within six weeks after the first day of September in the year one thousand eight hundred and eighty-two and in every subsequent year lay before such auditor their accounts with the statement and account directed to be prepared by section 90 of the Commissioners Clauses Act 1847 accompanied with proper vouchers in support of the same and all books papers and writings in their custody or power relating thereto and such auditor shall within four weeks after receiving the same examine such accounts statement and account and vouchers and may either make a special report on such accounts or simply confirm the same and such report or confirmation shall be printed along with such statement and account and be produced therewith at the annual general meeting of the Board and such accounts if confirmed by the auditor and allowed by the Board and certified accordingly by a certificate annexed to such statement and account or a printed copy thereof under the hand of the chairman of the meeting at which such accounts are so allowed shall be final in regard to all persons whomsoever.

Transfer of Harbour.

Vesting of harbour undertaking in Board.

49. When the first election of the elected Trustees is completed the harbour undertaking and the whole harbour works within the harbour which may belong to the corporation for behoof of the public and the whole undertaking lands tenements works property and effects heritable and movable feu duties excepted and all rights interests and privileges heretofore possessed used or enjoyed by the corporation therein subject to the existing debts liabilities incumbrances contracts and engagements affecting the same shall be and the same are hereby transferred to and vested in the Board and may be lawfully held used and enforced by the Board for the purposes of this Act. And from and after such transfer and vesting the provisions herein-after contained with respect to the harbour shall take effect.

Debts and claims of corporation.

50. Except as otherwise provided in this Act all debts and moneys due from the corporation or any persons on their behalf in relation to the harbour at the time at which under the provisions of this Act the harbour becomes vested in the Board including all moneys borrowed by the corporation under the powers of the Burgh Harbours (Scotland) Act 1853 and then remaining unpaid and the interest due thereon shall be payable and be paid by the Board and

all tolls rates and duties due or payable to the corporation by virtue of the last-mentioned Act shall be due and payable to the Board and all such debts moneys tolls rates and duties shall be recoverable from or by the Board by the same ways and means and subject to the same conditions as the same would or might have been recoverable from or by the corporation if this Act had not been passed.

Board to complete matters originated by corporation in relation to harbour.

51. All matters to be done continued or completed or which but for the transfer of the harbour to the Board would might or could be done continued or completed by the corporation under or by virtue of the Burgh Harbours (Scotland) Act 1853 shall or may be done continued or completed by the Board their officers and servants as the case may be.

Causes and rights of action reserved. Actions not to abate.

52. All causes and rights of action accrued before the time of transfer of the harbour to the Board and then in any manner enforceable by for or against the corporation in relation to the harbour shall be and remain as good valid and effectual for or against the Board as they would or might have been for or against the corporation if this Act had not been passed and nothing in this Act contained shall cause the abatement discontinuance or determination of or in any wise prejudicially affect any action or other proceeding at law or in equity commenced by or against the corporation in relation to the harbour but the same may be continued prosecuted or enforced by or against the Board.

Saving rights of owners &c. of private piers.

53. Nothing contained in this Act shall authorise the Board to exercise the powers conferred on them by this Act over any private pier existing at the passing of this Act or to levy any higher rates or dues on or in respect of any vessels coming to any such pier than the rates or dues to which such vessels but for the passing of this Act would be liable but every such private pier shall remain unaffected by this Act and the owners lessees and occupiers thereof shall have and exercise all the powers rights and privileges heretofore belonging to or exercised by them as freely and fully as if this Act had not been passed.

Defining undertaking of Board.

54. Subject to the provisions of this Act the undertaking of the Board shall consist of the improving deepening and cleansing of the harbour or of such portions thereof as the Board may in their discretion think fit and in the improvement maintenance and repair of the existing harbour works at Dumbarton and the construction maintenance and repair within the harbour of new works for the purposes aforesaid and of all necessary bulwarks embankments walls quays piers docks jetties wharves roads sheds approaches stairs cranes moorings buoys lights and other works

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and conveniences at and connected with such works and with the harbour.

16 & 17 Vict. c. 93. not to apply to Dumbarton.

55. The Burgh Harbours (Scotland) Act 1853 shall cease to apply to the burgh and harbour of Dumbarton.

Removal of obstructions to navigation of harbour and approaches.

56. The Board may from time to time apply any money under their control in or towards the removal of any banks shoals and other impediments and obstructions within the harbour which may interfere with the free navigation of the harbour and also between the harbour and the deep water channel of the River Clyde whether such impediments or obstructions arise from ordinary extraordinary natural or accidental causes and the Board may subject to the provisions of this Act remove and authorise the removal of any such banks shoals impediments or obstructions and otherwise improve such navigation and for such purpose may from time to time dredge scour and deepen the harbour and the approaches to the harbour from the said deep water channel of the River Clyde. Provided always that with respect to all operations to be executed by the board under the authority of this section to the south of the southern limit of the harbour the following provisions shall be applicable:—

(1.) Before commencing any such operations the Board shall deliver to the secretary of the trustees of the Clyde Navigation (herein-after called the Trustees) a plan and section with a statement of the particulars of the proposed operations:

(2.) If within seven days after receiving such plan section and statement of particulars the Clyde Trustees intimate to the Board that they object to the proposed operations the question (failing agreement between the Clyde Trustees and the Board) shall be referred to an engineer to be appointed by the Board of Trade on the application of either party who shall have power to determine the same and also to award the costs of such reference and his decision shall be final:

(3.) If any question shall arise between the Board and the Clyde Trustees as to any injury to the deep water channel of the River Clyde which may be occasioned by the operations of the Board such question shall (failing agreement as aforesaid) be also referred to an engineer to be appointed by the Board of Trade on the application of either party who shall have power to determine the same and to issue such order for remedying the injury complained of and for removing the cause thereof within such time and subject to such penalty as he may determine and such engineer shall also have power to award the costs of the reference and his decisions in the matters aforesaid shall be final.

Power to purchase lands by agreement and sell lands not required.

57. The Board may from time to time by agreement purchase and use such lands as they may require for the purposes of this Act and they may from time to time sell demise or otherwise dispose of any lands vested in them or which they may acquire and which they may not require for such purposes. Provided that they shall not at any time hold more than fifty acres of land.

Lighthouses flags and beacons to be maintained. 17 & 18 Vict. c. 104. 25 & 26 Vict. c. 63.

58. Subject to the provisions of the Harbours Docks and Piers Clauses Act 1847 the Merchant Shipping Act 1854 and the Merchant Shipping Act Amendment Act 1862 the Board shall keep up and maintain in proper order and repair the lighthouses leading lights and other lights beacons flags and signals heretofore established or maintained by the corporation or establish or maintain others in lieu thereof or in addition thereto and may appoint keepers of such lighthouses leading lights other lights beacons flags and signals as they may think fit. Provided that no additional light or night signal visible from the deepened channel of the River Clyde shall be established or maintained by the Board without the concurrence of the Clyde Trustees being first obtained and in the event of any difference of opinion between the parties as to the nature and position of such light or night signal the matter shall be referred to the engineer for the time being of the Commissioners of Northern Lighthouses whose decision shall be final and such light or night signal shall only be established and maintained as he may order and direct. Provided also that all expenses connected with any application to the said engineer including his charges shall be paid by the Board.

Lights on works.

59. The Board shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time requires or approves and (notwithstanding the enactments for the time being in force respecting lighthouses) shall also on or near the works when completed always maintain exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) for the guidance of ships as the Board of Trade from time to time requires or approves. If the Board fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Expenses of survey by Board of Trade.

60. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Board on in over through or across tidal lands or tidal water or of the intended site of any such work the Board shall

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defray the expense of the survey and examination and the amount thereof shall be a debt due from the Board to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Board.

Abatement of work abandoned or decayed.

61. If a work constructed by the Board on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Board and the amount of such expense shall be a debt due from the Board to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Board.

Power to provide dredgers and other plant.

62. The Board may for the purposes of this Act from time to time purchase lease provide or hire such steam or other dredgers hopper barges steam or other engines steam or other vessels diving bells ballast lighters rubbish lighters fire engines tools plant or other materials as they think fit and may from time to time as they think fit sell and dispose of or let such dredgers hopper barges engines vessels diving bells lighters tools plant and materials aforesaid.

Penalty for damaging works.

63. Every person who shall do or cause to be done any damage to the works of the Board or to any article or thing belonging to them therewith connected shall be liable to repair and make good such damage and to pay to the Board the sum expended by them in repairing and making good the same and shall also be liable to a penalty not exceeding ten pounds for every such offence.

Goods timber &c. not to be laid down on quays &c. of harbour.

64. No person without the permission of the harbour master first had and obtained shall bring to or lay down at or on the docks quays or piers of the harbour any goods intended for shipment or land lay down or leave upon the quays piers inches grounds or roads of the harbour any timber logs floats or rafts of timber and any person bringing to or laying down at or on such docks quays or piers any goods intended for shipment or landing laying down or leaving timber logs floats or rafts of timber upon such quays piers inches grounds or roads without such permission shall for every such offence be liable to a penalty of forty shillings and the Board or any of their officers may cause to be removed all such goods timber logs floats or rafts of timber from such docks quays piers inches grounds or roads and detain the same till payment of such penalty and the costs of removal and if such penalty and costs shall not be paid within four days after such removal and detention the Board or any of their officers may by virtue of this Act and without any further warrant or authority cause to be sold by public

roup such goods timber logs or floats or rafts of timber for payment of such penalty and costs besides the expenses of sale they returning the surplus if any be to the owner provided always that the said penalties costs and expenses shall be recoverable either by the sale of the goods timber logs or floats or rafts of timber in manner aforesaid or in the same manner as penalties for offences against the provisions of this Act may be recovered.

Powers as to bridges over the Leven reserved to corporation. 41 & 42 Vict. c. 51.

65. Notwithstanding the transfer of the harbour by this Act authorised the corporation when and so soon as the Roads and Bridges (Scotland) Act 1878 shall commence to have effect in the county of Dumbarton shall be entitled under the powers and in accordance with the provisions of the said Act to maintain repair alter or remove the existing bridge at Dumbarton by which the public road is carried across the Riven Leven (commonly called the West Bridge) and to rebuild the said bridge or to build another bridge in lieu thereof as also to build maintain and repair alter or remove any additional bridge or bridges across the said river above the site of the said existing bridge and to the southward of the existing boundary of the existing parliamentary burgh which the corporation may from time to time think necessary for the convenience of the inhabitants of the burgh and the public and for those purposes to enter upon take use and interfere with the solum and waterway of the harbour without making any compensation to the Board for the same or so far as regards the Board for any interruption or obstruction to the traffic upon the harbour or river caused by the works of the corporation in connexion with the maintenance repair alteration removal or building of any such bridge or bridges.

Reserving to corporation right to a certain rent for dues on horses &c. passing across the River Leven.

66. Nothing in this Act contained shall be held to affect an agreement made between the Caledonian and Dumbartonshire Junction Railway Company and the provost magistrates and town council of Dumbarton dated the twenty-fourth and twenty-eighth days of May one thousand eight hundred and forty-nine or to transfer to the Board any right to or to receive the rent payable under that agreement to the said provost magistrates and town council in respect of the lease (referred to in the third article of that agreement) of the right of the said provost magistrates and town council to levy certain customs or dues in respect of the passing of horses cattle and sheep across the River Leven.

Saving rights of owners of lands adjoining harbour.

67. Nothing in this Act contained shall be deemed or construed to limit or extend prejudice or affect any right of property or title belonging to or any rights privileges or powers vested in any owner of lands abutting upon the foreshores of the harbour or to which such owner is entitled in or in respect of the said foreshores or in or

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in respect of access from or to the said lands over the said foreshores to or from the navigable channel of the said harbour at all times of tide for all purposes whatsoever. Provided always that no such right title privilege or power shall be exercised by such owner to the injury of the navigation of the harbour.

Protection of North British Railway bridge at Dumbarton.

68. The Board shall not in the exercise of the powers conferred by this Act interfere with or do anything to affect injure or endanger the stability of the bridge which carries the North British Railway Company's Caledonian and Dumbartonshire Junction Railway over the River Leven and in the event of any injury being caused to the said bridge by or in consequence of the exercise of such powers the Board shall make full compensation to the North British Railway Company for such injury and for any loss or damage they may sustain in consequence of such injury from any interruption impediment or inconvenience thereby occasioned to the traffic on their railway.

Penalty on persons putting rubbish into the River Leven.

69. Every person who puts or causes to be put or to fall or knowingly permits to be put or to fall or to be carried into any part of the harbour or of the River Leven the solid refuse of any manufactory manufacturing process or quarry or any rubbish or cinders or any solid matter shall be deemed to commit an offence against this Act and for every such offence shall forfeit a sum not exceeding ten pounds. Provided that for the purposes of this enactment the term "solid matter" shall not include particles of matter in suspension in water.

RATES.

Rates on vessels.

70. The Board may levy demand and take for every vessel coming into or going out of the harbour or passing through the same any sums not exceeding the rates specified in the Schedule C. to this Act annexed and such rates shall be payable on such vessel entering or before its leaving the harbour as the case may be and shall include all rates dues and duties of every kind heretofore leviable on vessels by the council within the harbour in virtue of any royal charter grant or otherwise. Provided that no vessel shall be subject or liable to the payment of such rates or any of them more than once for the same voyage both out and home.

Rates on goods.

71. The Board may levy demand and take for all goods shipped or unshipped in any part of the harbour any sums not exceeding the rates specified in the Schedule D. to this Act annexed and such rates if such goods are to be shipped shall be payable before the shipment or if such goods are to be unshipped shall be payable before the same are unshipped and shall include all rates dues and duties of every kind leviable on goods by the council within the harbour in virtue of any royal charter grant or otherwise.

Rates to be charged equally.

72. The rates specified in Schedules C. and D. to this Act annexed shall at all times be charged equally to all persons in respect of the same class or description of vessel and the same description of goods.

Rates by whom to be paid.

73. The several rates herein-before authorised to be levied for vessels coming into or going out of the harbour or any part thereof shall be paid by the owners agents masters managers or other persons having charge of such vessels respectively and the rates herein-before authorised to be levied for goods shipped or unshipped in any part of the harbour shall be paid by the owners of such goods respectively.

Fractional parts of a penny.

74. In levying and collecting the amount of any rate payable under the authority of this Act any fractional part of a penny shall be reckoned one penny.

Rates for shear poles or large cranes.

75. The Board may levy demand and take for the use of shear poles or large cranes for lifting and putting in or taking out of vessels old or new machinery boilers stones or other articles and for masting and dismasting vessels any sums not exceeding the rates specified in the Schedule E. to this Act annexed and such rates shall be paid by the owner or person in charge of such machinery boilers stones or other articles or by the owner agent master manager or other person having charge of such vessels and may be recovered by the Commissioners as other rates in respect of vessels are by this Act recoverable.

Rates for warehouses sheds &c.

76. The Board may levy demand and take such rates as the Board shall from time to time fix for the use of their warehouses sheds timber ponds cranes weighing machines conveniences weights and measures but not exceeding as regards the respective conveniencies specified in Schedule E. to this Act the rates in that schedule specified in connexion therewith respectively of and from the owner or person having the charge of any goods articles or things deposited or placed in such warehouses sheds or timber ponds or shipped or unshipped loaded or unloaded weighed or measured by means of such cranes weighing machines conveniences weights or measures or from the owner agent master manager or other person in charge of the vessel using such cranes weighing machines conveniences weights or measures and such rates may be recovered by the Board as other rates in respect of vessels or of goods are by this Act recoverable.

Rates for graving docks &c.

77. The Board may levy demand and take from the owner agent master manager or other person in charge of any vessel taken into or upon or using any graving dock or inclined plane or slip provided by or belonging to the Board for the purposes of this Act

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and also subject to the provisions of this Act from every person using any lines of rails sidings or turntables provided by or belonging to them for such purposes such rates as the Board shall from time to time fix and which rates may be recovered by the Board as other rates in respect of vessels or of goods are by this Act recoverable.

Master of vessel to report arrival.

78. Within twenty-four hours after the arrival within the limits of the harbour of any vessel liable to rates the master of such vessel shall report such arrival to the collector of rates and if he fail to make such report within the time aforesaid he shall be liable to a penalty not exceeding ten pounds.

Sailing of vessels prevented when rates not paid.

79. The harbour-master may prevent the removal or sailing out of the harbour of any vessel in respect of which any rate shall have been payable until evidence shall have been produced to him of the payment of such rates to the treasurer or the collector of rates.

Ballast.

Board may dispose of materials dredged &c.

80. Subject to the provisions of this Act the Board may use or sell or dispose of in such manner as they think proper the rock stones gravel sand clay soil and other materials dug or dredged by them within the harbour but no portion thereof shall be laid down or deposited upon the foreshores of the River or Firth of Clyde.

Power to acquire lands for deposit &c. of ballast.

81. The Board may from time to time by agreement purchase feu or take on lease for the deposit or obtaining of ballast any lands and any servitudes rights and interests in over or affecting the same.

Supply &c. of ballast and rates therefor.

82. The Board shall have the sole supplying and immediate superintendence direction and management of the ballasting of all the vessels within the harbour and they may levy demand and take such reasonable rates therefor as from time to time they shall deem expedient.

Supply of ballast when Board cannot meet demand.

83. In case the Board cannot by the lighters or vessels employed by them supply any demand for ballast in sufficient time for the accommodation of the shipping the harbour-master may permit the master or owner of any vessel to lift and convey ballast from such place as the harbour-master shall from time to time direct on payment to the Board of such rates as shall from time to time be fixed by them.

Penalty for receiving ballast not supplied by Board &c.

84. The master of any vessel within the harbour who shall receive into such vessel any ballast which shall not be supplied by the Board or which shall have been brought from any place without the permission and direction of the harbour-master shall for every such offence be liable to a penalty not exceeding five pounds.

No ballast or rubbish to be thrown on quays without permission.

85. Subject to the provisions of this Act no ballast or rubbish shall be thrown out of any vessel upon the quays of the harbour except by permission of the Board or the harbour-master and every master or other person who shall throw out any ballast or rubbish from any vessel on such quays without such permission and every master owner agent or manager of any vessel who shall fail immediately to remove from such quays any ballast or rubbish thrown out of such vessel to such place as the Board or the harbour-master may direct shall be liable to a penalty not exceeding five pounds for every such offence.

Owners or masters may require Board to remove ballast.

86. The owner or master of any vessel instead of throwing out any ballast from such vessel on the quays of the harbour and removing such ballast from such quays may require the Board by means of the lighters or vessels employed by the Board and on payment to them of such reasonable rates in name of lighterage as shall from time to time be fixed by them to remove such ballast and to dispose thereof and in such case the owner or master shall be at the expense of heaving such ballast.

Recovery of ballast rates.

87. The rates for the supply and removal of ballast payable in virtue of this Act to the Board as herein-before provided shall be paid by the owner master agent manager or other person in charge of every vessel which is supplied with or discharges any ballast within the harbour in respect of the vessel to or out of which such ballast is supplied or discharged and shall be recoverable by the Board as other rates in respect of vessels are by this Act recoverable.

Penalty on others than Board selling ballast but transfer of ballast permissible.

88. Every person not being the Board or employed by them for the purpose who shall sell or dispose of any ballast from any vessel within the harbour shall be liable to a penalty not exceeding five pounds for every such offence provided that the master of any vessel may with the permission of the Board or the harbour-master receive ballast into such vessel out of any other vessel and in such case the owner master agent manager or other person in charge of the vessel discharging the ballast shall be at the expense of heaving the same and the owner master agent manager or other person in charge of the vessel receiving such ballast shall pay to the Board in respect thereof such rates as they shall from time to time fix.

Penalty for delaying ballast lighters carts &c.

89. If the master or crew of any vessel neglect (so as to occasion any unnecessary or unreasonable delay therein) to take in or cast out the ballast or rubbish of or for such vessel from or to any cart waggon truck or other apparatus or ballast lighter employed to receive or supply ballast or rubbish from or to such vessel the master of such vessel shall for every such offence forfeit any sum not exceeding five shillings for every hour during which such cart waggon

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truck or other apparatus or ballast lighter is by or in consequence of such neglect so delayed.

Penalty for taking ballast out of harbour without leave.

90. If any person shall dig or take away any ballast shingle stones or other things from within the harbour without leave of the Board in writing for that purpose first had and obtained he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty on masters of lighters improperly discharging &c. ballast.

91. If any master of any ballast lighter employed to receive or take ballast from any vessel or to remove or discharge any ballast or to take up or dredge for ballast in the harbour discharge or deposit the ballast at or take up any ballast in or from any other part of the harbour than such part thereof as the Board from time to time lawfully direct every such master shall for every such offence be liable to a penalty not exceeding ten pounds.

Penalty for casting ballast &c. without a portsail.

92. If any person cast or unload into or out of any vessel in the harbour or if any person having the command of any vessel in the harbour knowingly permit to be cast or unloaded into or out of the same any ballast or rubbish and such respective person have not a wooden stage or portsail sufficiently large and properly fastened (during the whole time of such casting or unloading) from the vessel into or out of which such ballast or rubbish is to be cast or unloaded to the upper edge or highest part of the wharf or quay or to the other vessel into from or upon which such ballast or rubbish is to be cast or unloaded and so as to prevent any such ballast or rubbish from falling into the harbour every such person so offending shall for every such offence forfeit any sum not exceeding forty shillings for the first offence and not exceeding ten pounds for every subsequent like offence.

Penalty for casting ballast &c. within harbour.

93. If any officer of the Board or any other person under any pretence whatsoever and without the authority or direction of the Board save in the execution of works properly authorised and save also so far as is proper for the execution of such works or for the purposes herein-after provided shall cast or unload any ballast or rubbish within the harbour every person so offending shall for every such offence be liable to a penalty not exceeding five pounds.

Board to supply to corporation materials dredged from harbour for improvement of the Broad Meadow.

94. Notwithstanding anything in this Act contained the Board may and they are hereby required whenever and at all times when their dredgers are at work and when they shall be required by the corporation so to do to deliver to the corporation (free of any charge or consideration whatever) at the existing or any future landing-stage in the College Burn or at any other place which may be agreed upon between the Board and the corporation or failing agreement as may be fixed by the sheriff (whose decision shall be final) on the application of either party all or such portion as the corporation

may require for the purposes of the reclamation and improvement of the Broad Meadow or common lands of the burgh only of the rock sand gravel clay soil or other materials dredged by the Board and of which the corporation can take deliver and dispose with reasonable expedition and without unduly retarding the work of the Board except so much thereof as is actually used for supplying ballast to vessels using the harbour and paying to the Board the rates by this Act authorised for the supply of ballast and the corporation may use and dispose of the rock sand gravel clay soil and other materials so delivered to them for the purposes aforesaid. Provided that it shall not be lawful for the corporation to cause or permit any portion of the said rock sand gravel clay soil or other materials to fall or be thrown into the harbour.

Meters and Weighers.

Power to appoint meters and weighers.

95. The Board may appoint and license a sufficient number of persons to be meters and weighers within the harbour.

Weighing and measuring rates.

96. The rates or other remuneration to be paid for the weighing and measuring of goods at the harbour shall in the option of the Board be paid either directly to the meters and weighers themselves or to the treasurer for the purpose of forming a fund out of which the Board shall pay to the meters and weighers weekly or other wages for their services of such amount as the Board shall from time to time fix and determine as also retiring or superannuation allowances in the case of old age or other infirmity and the other necessary and proper charges and expenses connected with the meting and weighing department.

Warehouses.

Power to lease warehouses &c.

97. The Board may let on lease for any period not exceeding five years any warehouses buildings sheds cranes and weighing or other machines or conveniences provided by them at such rents and upon such terms and conditions as shall be agreed upon between the Board and the persons taking using or occupying the same.

Board may act as warehousemen &c.

98. The Board may within the harbour act as warehousemen wharfingers and storekeepers and render such services as are usually rendered by dock companies on payment by the owners of the goods warehoused or deposited or the person in charge of such goods of such rents or charges as may from time to time be fixed by the Board.

Payment of rates on goods warehoused.

99. The owner or person having the charge of any goods warehoused stored or yarded within the harbour shall before the removal of such goods from the warehouses stores or yards of the Board and at such date or dates as shall from time to time be fixed

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by the Board pay such rates and charges as shall be then due and payable on such goods and in case such owner or person shall fail or neglect so to do the Board or such officers as shall be appointed by them may at their own hand cause all such goods to be publicly sold and the produce of such sale shall be applied first in discharge of all such duties of customs and excise as may be due in respect of such goods next in payment of the rates and charges imposed by or payable under this Act or of any other sums which may be owing to the Board or for which they may be liable or have undertaken liability and the overplus arising from such sale shall be paid to such owner or person. Provided that the said goods shall not be sold until the Board shall have given one month's previous notice in writing to such owner or person and shall have inserted such notice twice at least in a local newspaper published or circulated in Dumbarton and have affixed the same in a conspicuous place in the office of the Board.

Warehouses may be used as bonding warehouses.

100. The Board may at their discretion use as a bonding warehouse any of their warehouses or any part thereof which may be duly approved by the Commissioners of Customs or of Inland Revenue when such are intended for the deposit of goods liable to the duties of customs or excise.

Board may give security for duties on goods warehoused.

101. The Board may if required give to the Commissioners of Customs or of Inland Revenue general security by bond under their common seal for payment of duties on or for the due exportation of goods deposited in their warehouses and yards.

Board may give securities for bonding warehouses &c.

102. The Board may give such bonds or securities under their common seal as may be required by the laws for the time being in force relating to bonding warehouses and bonding yards.

Warehouses to be secured.

103. All warehouses belonging to the Board in which goods prohibited to be used for home consumption or liable to the duties of customs or excise may be deposited shall be secured by the Board in such manner as shall be approved by the Commissioners of Customs or of Inland Revenue.

BYELAWS.

Byelaws.

104. In addition to the powers of making byelaws contained in the Harbours Docks and Piers Clauses Act 1847 the Board may subject to the provisions of this Act from time to time make such byelaws as they think fit for all or any of the following purposes (that is to say) :—

For preventing and removing obstructions or impediments within the harbour and at or in or on the docks basins piers quays and other works and roads and other land accesses of the harbour :

For berthing or removing vessels lying in any part of the harbour regulating the wages conduct and behaviour of boatmen lumpers jobbers stevedores and others resorting to the harbour docks basins piers quays or other works and for prohibiting persons from acting as such within the harbour without previously obtaining a license to that effect from the Board:

For regulating the management and superintendence of the harbour and of the works connected therewith and of the harbour lighthouses leading lights and other lights and the palls and landfasts placed thereon:

For regulating the use of the rails sidings and turntables in and along the docks quays and piers and other works of the Board and the moving of carriages waggons and trucks along the same:

For regulating the conduct of the owners masters and crews of vessels propelled by steam with regard to the rate of speed at which they may proceed within the harbour the mode of navigating such vessels the keeping the advertised times of sailing and the taking on board and landing or putting out passengers:

For regulating the towing of vessels at the harbour the size and number of vessels towed at one time in one train the order and manner in which the towage shall be given and the duties and conduct of all persons employed on the steam tugs or other power used at the harbour for towing vessels with regard to the rate of speed at which they may proceed within the harbour or with regard to any other matter or thing:

For regulating the conduct of boatmen and others in landing passengers from and putting them on board of all vessels including vessels propelled by steam and the sufficiency of the boats employed for that purpose:

For regulating within the burgh the conveyance to and the laying down at or on the docks piers or quays of the harbour of all goods intended for shipment:

For regulating the landing laying down discharge and removal of timber logs floats or rafts of timber within the harbour:

For regulating the ballasting of vessels within the harbour and the order and manner in which they shall be supplied with ballast and the discharging removal or disposal of ballast.

And the byelaws to be so made by the Board shall unless relating solely to the Board or their officers or servants be confirmed and shall be published in the manner prescribed by the said Harbours Docks and Piers Clauses Act 1847 and shall be observed under penalties not exceeding the sum of five pounds for each offence besides such damages as the case may infer.

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Police Arrangements within the Harbour.

Power to enter into arrangements as to police purposes.

105. The Board on the one hand and the corporation on the other may and they are hereby empowered from time to time to enter into all agreements or arrangements which may be found necessary or convenient with respect to the following matters and things that is to say the paving lighting cleansing and watching or other police purposes of the harbour and the harbour works.

Transient offenders.

106. Any officer acting under the authority of this Act and all persons called by him to his assistance may seize and detain any person who shall be found committing any offence against the provisions of this Act or any Act incorporated herewith or any byelaw in force or to be made in pursuance of such Acts or any of them and whose name and residence shall be unknown to such officer and convey him with all convenient despatch before the sheriff or a justice or a magistrate or magistrate or judge of police of the burgh without any warrant or other authority than this Act and such sheriff justice magistrate or magistrate or judge of police shall proceed with all convenient despatch in the matter of the complaint against such offender.

Borrowing Powers.

Power to borrow.

107. The Board may from time to time borrow at interest on the credit of the rates by this Act granted and the other revenues of the Board or on all or any such securities any sums of money not exceeding in the whole forty thousand pounds sterling and in the event of any part of such sum of forty thousand pounds sterling being repaid by the Board except by means of the sinking fund herein-after provided they may again borrow the same and so from time to time and the Board may grant to the persons advancing or lending the money so to be borrowed bonds therefor containing an assignment of the said rates and revenues or any part thereof to such persons as a security for the payment of the money so to be borrowed with the interest thereof.

Form of bonds.

108. Every bond and assignation in security of the rates and revenues to be granted by the Board shall be by deed duly stamped in which the consideration shall be truly stated and all such bonds and assignations in security may be partly written and partly printed or engraved and shall be subscribed by any two of the Board and by the treasurer and be sealed with the seal of the Board and such bonds and assignations in security may be according to the form in the Schedule F. to this Act annexed or to the like effect.

Board &c. not to be personally liable.

109. The Board and the treasurer shall not be personally liable by reason of having signed such bonds and assignations in security for the repayment of the money borrowed or interest thereon.

Register of bonds to be kept open to inspection.

110. A register of such bonds and assignations in security shall be kept by the treasurer and within twenty-one days after the date of any such bond and assignation in security an entry or memorial of the number date and amount thereof and of the names of the parties thereto with their proper designations shall be made in such register and every such register may be perused at all reasonable times by any person interested in any such bond and assignation in security without fee or reward.

Transfer of bonds.

111. Any party entitled to any such bond and assignation in security may transfer his right and interest therein to any other person by deed duly stamped wherein the consideration shall be truly stated and such transfer may be according to the form in the Schedule G. to this Act annexed or to the like effect.

Register of transfers to be kept.

112. Within twenty-one days after the date of every such transfer it shall be produced to the treasurer who shall thereupon cause an entry or memorial thereof to be made in the same manner as in the case of the original bond and assignation in security and for such entry the treasurer may demand a sum not exceeding five shillings and after such entry every such transfer shall entitle the transferee his executors administrators or assignees to the full benefit of the original bond and assignation in security in all respects and no party having made such transfer shall have power to make void release or discharge the bond and assignation in security so transferred or any money thereby secured and such transferee may in like manner transfer the same toties quoties.

Transmission of bonds &c. otherwise than by transfer.

113. If the sum contained in any bond and assignation in security to be granted as aforesaid for money borrowed by the Board become transmitted in consequence of the death bankruptcy or insolvency of any creditor or in consequence of the marriage of a female creditor or by any other means than by a transfer according to the provisions of this Act such transmission shall be authenticated by a declaration which may be partly written and partly printed in the form or as near as may be in the form of the Schedule H. to this Act annexed and every such declaration shall state the manner in which and the party to whom such bond or assignation shall have been so transmitted and shall be made and signed by some credible person before a sheriff or justice of the peace and such declaration shall be left with the treasurer who shall thereupon enter the name of the person entitled to such bond or assignation under such transmission in the register of transfers and for every such entry the treasurer may demand any sum not exceeding two shillings and sixpence and until such transmission has been so authenticated and left with the treasurer no person claiming by virtue of any such transmission

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shall be entitled to receive any portion of the sum contained in any such bond or assignation.

Transmission of bonds &c. by marriage and by testamentary instruments.

114. If such transmission be by the marriage of a female creditor such declaration shall contain a copy of the register of such marriage or other particulars of the celebration or effecting thereof and shall declare the identity of the wife with the holder of such bond and assignation and if such transmission have taken place by virtue of any testamentary instrument or by intestacy the probate of the will or the letters of administration or an official copy thereof obtained from any Probate Court if granted in England or a testament testamentar or testament dative if expede in Scotland or an official extract thereof shall together with such declaration be produced to the treasurer and upon such production in either of the cases aforesaid the treasurer shall make an entry of such declaration in the said register of transfers.

Terms for payment of interest.

115. The interest of the money borrowed or to be borrowed under the authority of this Act shall be paid at the terms or periods appointed in any bond or assignation and if no term or period be appointed shall be paid half-yearly to the several parties entitled thereto.

Interest warrants may be issued.

116. The Board may issue interest warrants in the form of the Schedule I. to this Act annexed or to the like effect signed by the treasurer for the periodical payment of the interest to become due on the principal sums contained in any bond or assignation during the period for which such bond or assignation is intended to subsist and the delivery to the Board or the treasurer or to any other person on their behalf of any such interest warrant duly stamped shall be a valid and sufficient discharge to the Board for the interest in respect of which the same was issued.

Repayment of money borrowed.

117. The Board may if they think proper fix a period for the repayment of all principal moneys to be borrowed by them with the interest thereof and in such case the Board shall cause such period to be inserted in the bond and assignation in security to be granted by them as aforesaid and upon the expiration of such period the principal sum together with all interest thereon shall on demand be paid to the party entitled to receive the same and if no other place of payment be inserted in such bond and assignation in security such principal sum and interest shall be payable at the office of the treasurer.

Repayment of money borrowed when no time has been agreed on.

118. If no time be fixed in the bond and assignation in security to be granted by the Board for the repayment of the money so borrowed the party entitled to receive such money may at the expiration or at any time being the twentieth day of June or the

twentieth day of December after the expiration of twelve months from the date of such bond and assignation in security and upon giving three months previous notice to the treasurer demand payment of the principal sum thereby secured with all interest due thereon and in the like case the Board may at any time pay off the money borrowed on giving the like notice and every such notice shall be in writing or in print or partly in both and if given by a creditor shall be delivered to the treasurer or left at his office and if given by the Board shall be either delivered personally to such creditor or left at or sent through the post office addressed to his residence or place of business or if such creditor be unknown to the Board or cannot be found after diligent inquiry such notice shall be given by advertisement inserted once in the Edinburgh Gazette and once in a local newspaper published or circulated in the burgh.

Interest to cease at expiration of notice to pay off bond.

119. If the Board have given notice as aforesaid of their intention to pay off any such bond and assignation in security at a time when the same may lawfully be paid off by them then at the expiration of such notice all further interest shall cease to be payable thereon unless on demand of payment made pursuant to such notice or at any time thereafter the Board shall fail to pay the principal sum and interest due on such bond and assignation in security at the expiration of such notice.

Discharge of bonds.

120. Any person entitled to any bond and assignation in security to be granted under the authority of this Act may discharge the same and the sum of money and interest therein contained and his right and interest therein in favour of the Board by a receipt which may be written thereon and which may be according to a form contained in the Schedule J. to this Act annexed or to the like effect and every such receipt when signed by the granter thereof shall be a valid and effectual discharge to all intents and purposes.

Board not bound to see to execution of trusts.

121. The Board shall not be bound to see to the execution of any trust whether express implied or constructive to which any bond or assignation in security or the money principal or interest thereby secured may be subject and the receipt of the person in whose name any such bond or assignation stands in the books of the Board shall be a sufficient discharge to the Board for any money payable in respect thereof notwithstanding any trust to which the same or the money thereby secured may then be subject and the Board shall not be bound to see to the application of the money paid upon such receipt.

Power to borrow on cash account.

122. The Board may from time to time accept and take from any bank or banking company credit on a cash account to be opened

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and kept with such bank or banking company in the name of the Board according to the usage of bankers in Scotland to the extent of the sum which the Board are by this Act authorised to borrow or any part thereof and they may from time to time by any bond and assignation in security signed and sealed in manner before provided assign the said rates and revenues as aforesaid in security for the money to be advanced on such cash account with interest for the same. Provided that the whole sum due and owing by the Board on such cash account and for any other money borrowed under the authority of this Act shall never when taken together exceed the sum of forty thousand pounds sterling.

Creditors to be entitled to payment from rates and revenues.

123. The respective creditors in or holders of bonds and assignations in security to be granted for money to be borrowed under the authority of this Act shall be entitled one with another to their respective proportions of the rates and revenues of the Board according to the respective principal sums contained in and due under such bonds and assignations in security and to be repaid such principal sums and the interest thereon without any preference one above another by reason of the priority of advancing such moneys or of the dates of any such bonds and assignations in security.

Bonds to be personal estate.

124. All bonds and assignations in security to be granted by the Board and all money to be advanced and lent on the security of the rates and revenues of the Board shall be moveable or personal estate and transmissible as such and shall not be of the nature of heritable or real estate.

SINKING FUND.

Sinking fund.

125. The Board shall in every year after the first day of October one thousand eight hundred and eighty-six set apart as a sinking fund out of the rates and revenues to be received by them a sum being not less than one pound per centum per annum on the money borrowed under the authority of this Act to be applied by the Board in paying off such borrowed moneys and such sinking fund shall be applied by the Board in paying off such borrowed moneys until the same be wholly paid off and to no other purpose whatsoever. Provided always that whenever any of such principal moneys have been so paid off the Board shall thenceforward until the whole of such principal moneys have been paid off pay into the sinking fund every year in addition to the other sums hereinbefore required to be set apart and appropriated a sum equal to the annual interest of the principal money so paid off.

Mode of investing sinking fund.

126. The Board shall annually invest the sums by this Act directed to be set apart as a sinking fund in the public funds or on

heritable security until such sinking fund shall be applied in manner herein-before provided. And whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of the principal moneys then due and outstanding the Board may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums herein-before required to be paid thereto.

Annual return to Board of Trade with respect to sinking fund.

127. The clerk to the Board shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act transmit to the Board of Trade a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund or any interest thereof has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Board of Trade by such return or otherwise that the Board have failed to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Board of Trade may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by decree of either division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

Application of moneys.

128. The money borrowed by the Board under this Act shall subject to the provisions thereof be applied as follows:—

(1.) In paying the expenses preliminary to and of applying for and obtaining and passing this Act and incidental thereto:

(2.) In paying off all moneys due and owing by the corporation on account of the harbour not exceeding five thousand pounds: and

(3.) In paying such sums as may be payable in respect of the purchase or acquisition of lands works machinery or other appliances and the construction of works necessary or expedient for carrying this Act into execution and generally for

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purposes to which capital is properly applicable including if the Board think fit a contribution towards the expense of removing the existing bridge carrying the public road over the River Leven at Dumbarton and of rebuilding the same not exceeding one third part of the cost of such removal and rebuilding.

Application of revenues.

129. The rates and revenues received by the Board under the authority of this Act shall be applied—

First. In paying the expenses of applying for and obtaining this Act and incidental thereto as herein-after provided:

Second. In payment of the establishment charges and the maintenance of the works of the Board under the provisions of this Act:

Third. In payment of the interest on moneys borrowed under the provisions of this Act:

Fourth. In providing the sum by this Act appointed to be set apart as a sinking fund: and

Lastly. In carrying into effect the other objects and purposes of this Act.

Saving rights of burgh.

130. Except as by this Act expressly provided nothing herein contained shall be held to extend diminish or otherwise affect the rights powers privileges and interests of the royal burgh of Dumbarton.

Saving rights of *Clyde* Trustees.

131. Except as herein specially provided nothing in this Act contained shall affect any of the powers rights privileges and bye-laws of the Clyde Trustees or the rights privileges and jurisdiction of the bailie of the River and Firth of Clyde.

Saving rights of Clyde Pilot Board.

132. Nothing in this Act contained shall extend or be construed to extend to repeal abridge or in any way affect any of the rights powers or privileges conferred on and enjoyed by the Clyde Pilot Board as a pilotage authority under any existing Act or Acts of Parliament or prejudice or affect any byelaws enacted by the said Pilot Board or the rights powers and privileges of pilots licensed by such Board.

Protection of West Ferry of Erskine.

133. Nothing contained in this Act shall affect or be construed to affect in any degree the established ferry between Erskine and Dumbarton known as the West Ferry of Erskine but the same shall be used and enjoyed in as ample and beneficial a manner as in time past without being subject to the payment of any of the rates granted by this Act and without being subject to any other jurisdiction than that to which the said ferry was subject previously to the passing of the recited Act and this Act.

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Saving rights of the Crown.

134. Nothing contained in this Act shall authorise the Board to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of her Crown and under the management of the Commissioners of Her Majesty's Woods Forests and Land Revenues or either of them without the consent in writing of the said Commissioners or one of them on behalf of Her Majesty first had and obtained for that purpose (which consent the said Commissioners are hereby respectively authorised to give) neither shall anything in the said Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Saving rights of the Crown in the foreshore.

135. Nothing contained in this Act shall authorise the Board to take use or in any manner interfere with any portion of the shore or bed of the sea or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of her Crown without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

Expenses of Act.

136. All costs charges and expenses of and incident to the applying for preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Board out of any moneys which shall come into their hands under this Act.

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The SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

DUMBARTON HARBOUR.

We *A.B.* [*here insert name and designation as in the register of electors*] and *B.C.* [*here insert name and designation as aforesaid*] hereby propose *C.D.* [*here insert name and designation as aforesaid*] for election as an elected Trustee at the next ensuing election of Dumbarton Harbour Trustees.

Given under our hands this [*insert date*].

A.B. _____

B.C. _____

To *E.F.*

Clerk to the Dumbarton Harbour Board.

SCHEDULE B.

PART I.

DUMBARTON HARBOUR.

In terms of the Dumbarton Harbour Act 1881 I hereby give notice that I have received intimation that the following persons are proposed for election as elected Trustees at the next ensuing election of Dumbarton Harbour Trustees on the day of 18 .

Name of Candidate.	Designation of Candidate.	Names of Proposer and Seconder.	Designation of Proposer and Seconder.

Given under my hand at [*specify place and date*].

E.F. _____

Clerk to the Dumbarton Harbour Board.

PART II. A.D. 1881.

And I further give notice in terms of the Dumbarton Harbour Act 1881 that in respect the number of persons proposed for election as elected Trustees does not exceed the number of vacancies to be supplied at the said election there will be no poll and I farther declare that the persons so proposed will on the day of election be deemed to be elected as elected Trustees.

SCHEDULE C.

RATES ON VESSELS ENTERING USING OR PASSING THROUGH THE HARBOUR.

								s.	d.
For every vessel under the burden of 15 tons (with the exceptions under specified), per ton								0	4
„	of the burden of 15 tons	and	under	200	tons	„	„	0	5
„	„	200	„	500	„	„	„	0	7
„	„	500	„	1,000	„	„	„	0	9
„	„	1,000	„	1,500	„	„	„	0	11
„	„	1,500	„	2,000	„	„	„	1	1
„	„	2,000	„	2,500	„	„	„	1	3
„	„	2,500	„	3,000	„	„	„	1	5
„	„	3,000	„	3,500	„	„	„	1	7
„	„	3,500	„	4,000	„	„	„	1	9
„	„	4,000	„	4,500	„	„	„	2	3
„	„	4,500	„	5,000	„	„	„	2	9
„	„	5,000 tons and upwards				„	„	3	0
„	for repairs under 2000 tons						„	0	2
„	„	of 2000 tons and upwards					„	0	6

All vessels to be charged according to nett register tonnage.

SCHEDULE D.

RATES ON GOODS SHIPPED OR UNSHIPPED AT THE HARBOUR.

		s.	d.
Ale	per 48 gallons	0	2
Ale, bottled	per barrel bulk	0	1
Anchors and chains	per ton	0	6
Bark	per ton	0	8
Barley	per ton	0	8
Baskets	per 3 doz.	0	1
Beef or pork	per ton	0	8
Blubber	per ton	0	6
Bone dust	per ton	0	4
Bones of cattle	per ton	0	4
Bottles	per gross	0	1

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		s.	d.
Bran	per ton	0	6
Brandy (in bottles)	per barrel bulk	0	2
Brandy	per 48 gallons	0	2
Brass	per ton	0	8
Bread	per ton	0	8
Bricks	per 1,000	0	4
Butter	per ton	0	8
Candles	per ton	0	8
Casks, empty, not being returned packages	each	0	0½
Castings	per ton	0	5
Cattle—			
Bulls, cows, and oxen	each	0	2
Lean ditto, imported	each	0	2
Calves	each	0	0½
Horses	each	0	4
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Cement	per ton	0	4
Chalk and whiting	per ton	0	2
Charcoal	per ton	0	1
Cheese	per ton	0	8
Chimney cans	per hundred	0	6
Clay, fire, manufactured	per ton	0	4
Clay, common	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	1
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	1
Copper	per ton	0	8
Corks	per barrel bulk	0	1
Corn, viz.—			
Wheat and Malt	per quarter	0	1
Barley, beans, peas, tares, oats, rye, buckwheat, and indian corn	per quarter	0	1
Cotton	per ton	0	1
Crystal	per barrel bulk	0	1
Dissolved bones and other artificial manures	per ton	0	4
Dogs, sporting only	each	0	2
Drugs	per barrel bulk	0	1
Earthenware	per barrel bulk	0	0½
Eggs	per barrel bulk	0	1
Felt	per ton	0	8
Files	per ton	0	8
Fish, dried and salted	per ton	0	8
Salmon Other fresh fish	per barrel bulk	0	1

		s.	*d.*
Flax - - - - - -	per ton	0	8
Flou - - - - - -	per ton	0	8
Fruit - - - - - -	per ton	0	8
Fruit - - - - - -	per barrel bulk	0	1
Glass - - - - - -	per barrel bulk	0	1
Grates - - - - - -	each	0	2
Grindstones - - - - -	each	0	2
Groceries, viz.—			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like - -	per barrel bulk	0	1
Guano - - - - - -	per ton	0	6
Gunpowder - - - - - -	per cwt.	0	1
Hams - - - - - -	per ton	0	8
Hardware - - - - - -	per barrel bulk	0	1
Hares and rabbits - - - -	per doz.	0	2
Do. - - - -	any less quantity	0	1
Hay - - - - - - -	per ton	0	4
Hemp - - - - - -	per ton	0	8
Herrings, cured - - - -	per barrel bulk	0	1
Hides—ox, cow, or horse—salted or dried - -	per ton	0	8
Calf skins - - - - -	per 120	0	6
Sheep or lamb skins - - - -	per 120	0	3
Hoops of wood - - - -	per 100	0	0½
Household furniture, new - - - -	per barrel bulk	0	1
Household furniture, belonging to parties changing their residence only - - - -	per barrel bulk	0	0½
Husbandry utensils - - - - -	per ton	0	1
Do. - - - - -	per barrel bulk	0	0½
Iron—plate, bar, bolt, and rod - - - -	per ton	0	5
Pig or old - - - - -	per ton	0	3
Jars - - - - -	each	0	0¼
Kelp - - - - -	per ton	0	4
Lard - - - - -	per ton	0	8
Lead, of all kinds - - - -	per ton	0	8
Lead, red and white - - - -	per ton	0	8
Leather, tanned and dressed - -	per ton	0	8
Lime - - - - - -	per ton	0	3
Limestone - - - - -	per ton	0	3
Loam or moulding sand - - -	per ton	0	2
Machinery - - - - -	per ton	0	8
Machinery - - - - -	per barrel bulk	0	2
Manure, street - - - - -	per ton	0	1
Marble - - - - - -	per ton	0	8
Meal - - - - - -	per ton	0	8
Metal, yellow - - - -	per ton	0	8

		s.	d.
Milk	per 12 gallons	0	0½
Musical instruments	per barrel bulk	0	3
Nuts	per barrel bulk	0	1
Oils — in casks	per ton	0	8
Oils — in cases	per barrel bulk	0	0½
Onions	per ton	0	8
Oranges	per barrel bulk	0	1
Ores—copper, iron, lead, and other ores	per ton	0	4
Paint	per ton	0	8
Passengers' luggage, not exceeding 4 barrels bulk			Free.
All above 4 barrels bulk	per barrel bulk	0	3
Peat	per ton	0	1
Pitch	per ton	0	6
Porter	per 48 gallons	0	2
Porter, bottled	per barrel bulk	0	1
Potatoes	per ton	0	4
Poultry, including pigeons, game, &c.	per dozen	0	1
Any less quantity		0	0½
Rags, linen	per ton	0	4
Other rags, old bones, and the like	per ton	0	4
Rape cakes	per ton	0	6
Resin	per ton	0	8
Rice	per ton	0	8
Rivet hearths	each	0	1
Ropes	per ton	0	8
Salt	per ton	0	4
Sand, common	per ton	0	1
Screws	per ton	0	8
Seeds—			
Flax	per ton	0	9
Rape	per ton	0	9
Clover	per cwt.	0	0½
Seeds, garden	per cwt.	0	0½
Hemp and canary	per cwt.	0	0½
Rye grass	per ton	0	8
Shovels	per dozen	0	0½
Skins, seal	per 120	0	6
Slates, under size	per 1,000	0	4
Sizeable	per 1,000	0	8
Over size	per 1,000	0	10
Soap	per ton	0	8
Soda	per ton	0	8
Spirits, foreign and British	per 56 gallons	0	2
Steel	per ton	0	5

		s.	d.
Stones—			
Rubble	per ton	0	1
Hewn ashlar freestone	per ton	0	2
Pavement	per ton	0	2
Scythe stones	per score	0	0½
Mill stones	each	0	6
Stucco	per ton	0	8
Sugar	per ton	0	8
Tallow	per ton	0	8
Tar	per ton	0	6
Tea	per barrel bulk	0	1
Thirds	per ton	0	6
Tiles, roofing	per 1,000	0	3
Tiles or pipes for draining	per 1,000	0	3
Tin, of all kinds	per ton	0	8
Tobacco	per cwt.	0	1
Smaller parcel	each	0	0½
Treenails, under 2 feet in length	per 1,000	0	2
Treenails, exceeding 2 feet in length	per 1,000	0	3
Turnips	per ton	0	4
Turpentine	per barrel bulk	0	1
Vegetables	per ton	0	6
Vinegar	per barrel bulk	0	1
Vitriol	per barrel bulk	0	1
Waste	per ton	0	8
Whalebone	per ton	0	8
Wine	per 52 gallons	0	4
Wine, bottled	per barrel bulk	0	2
Wire rigging	per ton	0	8
Wood—			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	0	4
Oak or wainscot	per load of 50 feet	0	4
Firewood	per fathom of 216 cubic feet	0	3
Laths and lathwood	per fathom of 216 cubic feet	0	6
Handspokes	per 120	0	3
Oars	per 120	0	6
Spars under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	1	0
Spars, 2½ inches in diameter and under	per 120	0	5
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	2	6
Spars of all lengths, above 4 and under 6 inches in diameter	per load of 50 feet	0	4
Spokes of wheels, not exceeding 2 feet in length	per 120	0	2
Exceeding 2 feet in length	per 120	0	3
Wedges	per 1,000	0	4

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		s.	d.
Wood—*cont.*			
Pipe staves, and others in proportion	per 120 pieces	0	4
Lignum-vitæ, fustic, logwood, mahogany, and rosewood	per ton	0	6
Wool	per cwt.	0	1
Yarn	per ton	0	8
Zinc	per ton	0	3

All other Goods not particularly enumerated in the above Table:—

		s.	d.
Light goods	per barrel bulk	0	1
Heavy goods	per ton	0	8

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel bulk.

SCHEDULE E.

Rates for the Use of Shear Poles, Cranes, Weighing Machines, and Sheds.

1. Rates of Craneage.

				s.	d.
All goods or packages, not exceeding 1 ton				0	3
Exceeding 1 ton, and not exceeding 2 tons				0	4
„	2 tons	„	3 tons	0	6
„	3 tons	„	4 tons	0	8
„	4 tons	„	5 tons	0	10
„	5 tons	„	6 tons	1	0
„	6 tons	„	7 tons	1	2
„	7 tons	„	8 tons	1	4
„	8 tons	„	9 tons	1	8
„	9 tons	„	10 tons	2	0
„	10 tons			3	0

2. Weighing Machines.

For goods weighed, one penny for each ton or part of a ton.

3. 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 twenty-four 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 twenty-four hours.

SCHEDULE F.

FORM OF BOND AND ASSIGNATION IN SECURITY.

Number . By virtue of the Dumbarton Harbour Act 1881 we the Dumbarton Harbour Board in consideration of the sum of [*state the sum in words*] instantly advanced and paid to us for the purposes of the said Act by *A.B.* do hereby bind us to pay to the said *A.B.* his executors or assignees the said sum of [*state the principal sum and the term of payment*] and also the interest thereof at the rate of [*state the rate of interest*] per centum per annum from the date hereof till payment payable half-yearly on the [*state the terms of payment*] and in the event of the said principal sum remaining with consent of us and the said *A.B.* or his foresaids unpaid at the said [*state the term of payment*] the same shall thereafter be payable at the like time and subject to the like provisions contained in the said Act as if it had been advanced without any time being fixed herein for the repayment thereof and we do hereby assign to the said *A.B.* and his foresaids the rates and revenues vested in us or arising in virtue of the said Act in security to the said *A.B.* and his foresaids of the said principal sum and interest thereof and until payment thereof and we consent to the registration hereof for preservation and execution. In witness whereof we *C.D.* and *E.F.* two members of the said Board and *G.H.* treasurer of the said Board have by their authority subscribed these presents [*insert testing clause in the form required by the law of Scotland*].

SCHEDULE G.

FORM OF TRANSFER.

I *A.B.* [*name and designation of grantor*], in consideration of the sum of paid to me by *C.D.* [*name and designation of transferee*], do hereby transfer to the said *C.D.*, his executors or assignees, a bond and assignation in security, Number dated the , granted by the Dumbarton Harbour Board to *A.B.* for the sum of , and the interest due thereon since and all my right and interest therein; and I consent to the registration hereof for preservation and execution. In witness whereof [*insert testing clause in usual form*].

SCHEDULE H.

FORM OF DECLARATION.

I *A.B.* [*name and designation*] do hereby solemnly and sincerely declare that the bond and assignation in security number dated granted by the Dumbarton Harbour Board in favour of *C.D.* [*name and designation of grantee*] [*and if there have been any*

A.D. 1881.

previous transferences here add "and which was afterwards transferred by the said *C.D.* to *E.F.* [*name and designation*] by transfer dated day of " *or as the case may be*] is now vested in and held by *I.K.* [*name and designation*]. And I further declare that the said bond and assignation in security has become vested in the said *I.K.* in manner following [*here state the mode in which the bond and assignation in security has been transmitted from the person whose name last appears in the books of the Board as creditor*]. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act passed in the sixth year of the Reign of His late Majesty King William the Fourth intituled "An "Act to repeal an Act of the present Session of Parliament, intituled 'An Act "'for the more effectual Abolition of Oaths and Affirmations taken and made in "'various Departments of the State, and to substitute Declarations in lieu "'thereof and for the more entire Suppression of voluntary and extra-judicial "'Oaths and Affidavits' and to make other provisions for the Abolition of un-"necessary Oaths."

Declared at this day of eighteen hundred and , before me *L.M.* sheriff [*sheriff substitute or justice of the peace as the case may be*] of the county of } *A.B.*

SCHEDULE I.

FORM OF INTEREST WARRANT.

Dumbarton Harbour.

INTEREST WARRANT, No.

Dumbarton, 18 .

For pounds shillings and pence being half year's interest on the said bond and assignation in security [*or other voucher of debt*] payable to on the day of 18

£ „ „

Entered

Treasurer to the Dumbarton Harbour Board.

This warrant will be paid on presentation at the Bank subject to deduction in respect of income tax.

If this warrant is not presented at the bank within thirty days after date of payment it can be paid only at the office of the harbour treasurer.

SCHEDULE J.

Form of Receipt.

Received from the Dumbarton Harbour Board the within sum of [*state the principal sum*].

Dated at the day of 18 .

[*Signature of grantor.*]

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1881.