ANNO SEXTO

GULIELMI IV. REGIS.

Cap. lxi.

An Act to alter, amend, and extend the Powers of an Act passed in the Eleventh Year of the Reign of His late Majesty, for more effectually maintaining, improving, and extending the Harbour of *Dundee* in the County of *Forfar*.

[7th *June* 1836.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually maintaining, improving, and extending the Harbour of* Dundee *in the County of* Forfar, whereby the Trustees to be appointed as therein provided were authorized to make and construct the Works required for the Improvement of the said Harbour according to the Plan therein mentioned: And whereas considerable Progress has been made in the Execution of the said Works; but in consequence of the Increase of the Trade to the said Harbour, and of the Works and Improvements going on and contemplated in the Vicinity thereof, it will be advantageous to alter and extend the Works authorized by the said Act, and to construct additional Works within the Precincts of the said Harbour, for the Accommodation of the Shipping and the Convenience of the Trade thereof, for which Purposes a further Sum of Money will be required: And whereas some of the Rates and Duties leviable by the said Act have been found to be unequal in their Operation, and it is necessary in other respects to alter and amend the

11 G.4.c.119.

the Powers and Provisions of the said Act, and to grant other Powers for the proper Management and Regulation of the said Harbour; but these Purposes cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Trustees acting under the said Act and this Act, and they are hereby empowered, to make, construct, and complete the Works authorized to be constructed under the said Act, as altered and extended, according to the Map or Plan herein-after mentioned, with the additional Works for the Improvement of the said Harbour delineated and laid down on the said Map or Plan, and to maintain the said Works in good Order and Repair in all Time thereafter; and for these Purposes the said Trustees shall have the same Powers and Authorities which are given to them by the said Act for making and maintaining the Works thereby authorized to be made and maintained; and the whole Clauses and Provisions of the said Act, so far as not repealed or altered by this Act, shall have full Force and Effect with respect to the Works by this Act authorized to be made and maintained, so far as the same may be applicable thereto.

Trustees empowered to construct Works required for the Improvement of the Harbour.

II. And whereas a Map or Plan, describing the whole Works constructed and to be constructed for the Improvement of the said Harbour, made out and signed by *James Leslie* Esquire, Civil Engineer, has been deposited with the Clerk of the Parliaments; be it enacted, That the said Map or Plan shall remain with the said Clerk of the Parliaments, and a Copy thereof shall be duly certified by him, and deposited with the Clerk of the Peace of the County of *Forfar*, with whom it shall remain for the Inspection of all concerned, and all Persons shall have Liberty to inspect the same, and to make Copies thereof or of any Part thereof, at all seasonable Hours, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection; and it shall not be lawful for the said Trustees to deviate from the said Plan to the Northward of the Street laid down thereon to be called *Dock Street*, but the said Trustees shall have Power to deviate into the River *Tay* to the South, but not in so far as regards the Works already constructed opposite to the Dock called *Earl Grey's Dock*.

Plan deposited with Clerk of the Parliaments to remain, and a certified Copy to be deposited with the Clerk of the Peace for Inspection.

Limiting Deviations from Plan.

III. And be it enacted, That it shall be lawful for the said Trustees, and for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, furious or fatuous Persons, Married Women, or any other Person or Persons under any legal Disability or Incapacity whatsoever, and for all other Persons, and they are hereby empowered, to treat and agree for the Purchase and Acquisition by them the said Trustees of any Property required for the Works which they the said Trustees are by this and the said Act empowered to construct and complete, or for the Compensation to be made for the same, or for any Damage to their Property by the Operations thereby authorized; and all the Powers and Authorities,

Compensation to be made for Damage done.

Clauses

Clauses and Provisions of the said Act, relative to the Purchase and Acquisition by the said Trustees of any Property required for the Works thereby authorized to be made and maintained, and the Conveyance thereof to them, or for the Settlement of any Compensation to be made to any Person or Persons, Bodies Politic, Corporate, or Collegiate, or others, shall be available for and apply to the Purchase and Acquisition by the said Trustees of any Property required by them for the Works which by this Act they are authorized to construct and complete, and the Settlement of any Compensation to be made therefor, or for any Damage done by their Operations.

New Accesses to Harbour to be made.

IV. And whereas it would be a great Improvement to the said Harbour if new and more convenient Accesses were opened to the same, and the present Accesses widened and improved; be it enacted, That it shall be lawful to the said Trustees, and for all Bodies Politic, Corporate or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, furious or fatuous Persons, Married Women, or any other Person or Persons under any legal Disability or Incapacity whatsoever, and for all other Persons, to treat and agree for the Purchase and Acquisition by them the said Trustees of any Property situated on the South of the Line of the *Nethergate*, *High-Street*, *Seagate*, *Black's Croft*, and *Ferry Road* required for the Purposes of such Accesses; and the new Streets and Ways so to be opened as Accesses to the said Harbour shall, when so opened, be paved with square Stones, and finished with Curb Stones and Water Channels, in a good and sufficient Manner, by the said Trustees, and the Expence thereof shall be defrayed out of the Funds provided by this Act.

Trustees may erect Low-water Pier.

V. And be it enacted, That it shall and may be lawful for the said Trustees and they are hereby authorized, when they see fit, to erect a Chain Pier from the Outer or Protection Wall to *Fowler's Rock* or to the *Beacon Rock*, and to erect a Low-water Pier at either of those Rocks, as represented in the said Plan, and to exact the same Rates and Duties on Ships and Goods which shall be landed or embarked thereat as at any of the Works of the said Harbour.

Trustees may set apart Ground for Bathing Places.

VI. And whereas, in consequence of the Harbour Works already made and constructed, and the Extension thereof hereby authorized, all that Portion of the Beach of the River *Tay* to which the Inhabitants of *Dundee* in Time past resorted for the Purpose of bathing will be occupied and used for the Purposes of this and the before-recited Acts, thereby depriving the said Inhabitants of any Place suitable for bathing within a convenient Distance, as formerly, and it would conduce to the Cleanliness, Health, and Comfort of the Place that Public Baths were provided to supply the Want of the said former Bathing Place; be it enacted, That the said Trustees shall have Power and they are hereby authorized to set apart that vacant Piece of Ground situate immediately on the North Side of the Quay which is on the North Side of the Lock of Earl *Grey*'s Dock, or so much thereof as may be necessary, for the Construction of Public Baths for the Use of the said Inhabitants, subject to such Rules and Regulations as the said Trustees shall make in regard thereto.

VII. And

Purchase Money for Lands taken from Corporations, &c. for this Act, above 200*l.* to be paid into Banks;

VII. And be it enacted, That the Purchase Money for any Lands or Heritages purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, Married Woman, Infant, Lunatic, or Person under any other Disability or Incapacity, or the Recompence to be paid for Damages caused thereby, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Scotland*, the Royal Bank of *Scotland*, the *British* Linen Company, the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, to the Intent that the same shall be applied, under the Direction of the Court of Session, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands or Heritages, in the Purchase of the Land Tax, or towards the Discharge of any Debt or other Incumbrance, or Part thereof, as the Court shall authorize to be paid, affecting the same Lands or Heritages, or affecting other Lands or Heritages standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied then the same shall be laid out and invested, under the like Direction of the said Court, in the Purchase of other Lands or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes as the Lands or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchases shall be made the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands or Heritages so hereby directed to be purchased in case such Purchases or Settlement were made.

if under 200*l.* and more than 20*l.*,

VIII. And be it enacted, That if such Purchase Money or Recompence shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used, or his Guardian, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands) be paid into any of the said Banks, and shall be ordered to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option, and approved of by the said Trustees of the Harbour of *Dundee*, such Nomination and Approbation to be signified in Writing by the nominating and approving Parties, in order that such Principal Money, and the Interest arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction of the said Court.

if under 20*l.*

IX. And be it enacted, That where such Purchase Money or Recompence shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person, for his own Use, who would

would for the Time being have been entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used for the Purposes of this Act; or in case of Infancy or Lunacy, then to his Guardian, for the Use of such Infant or Lunatic.

In case of not making out Titles the Court shall order the Price or Compensation to be deposited.

X. And be it enacted, That in case the Person to whom any Sum of Money shall be awarded as aforesaid shall refuse to accept the same, or shall not be able to make good a Title to the Lands or Heritages required for the Purposes of this Act, to the Satisfaction of the said Trustees, or in case the Person to whom any such Sum of Money shall be so awarded as aforesaid cannot be found, or if the Person entitled to such Lands or Heritages be not known or cannot be discovered, then and in every such Case it shall and may be lawful to and for the said Company to pay the Sum of Money so awarded as aforesaid into any of the said Banks, to the Credit of the Parties interested in the said Lands or Heritages, (describing them, if they are known, and if they are not known then generally to the Credit of the Parties interested in the said Lands or Heritages; without any Description of them), subject to the Order, Control, and Disposition of the said Court of Session; which said Court, on the Application of any Person making claim to such Sum of Money or any Part thereof, by Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to make such other Order in the Matter as to the said Court shall seem just and reasonable; and the Cashiers of the said Banks who shall receive such Sum of Money are hereby required to give a Receipt for the same, specifying for what and for whose Use the same is received, to such Person as shall pay any such Sum of Money into any such Bank.

In case of Question as to Title.

XI. And be it enacted, That where any Question shall arise touching the Title or Interest of any Person to or in any Money to be paid into any such Bank as aforesaid, for the Purchase of any Lands or Heritages, or of any Right or Interest therein, or to any Interest of such Money, the Person who shall have been in Possession of the Lands or Heritages at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Lands or Heritages according to such Possession till the contrary shall be shown to the Satisfaction of the said Court of Session; and the Interest of such Money, and also the Principal Sums, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful one, and that some other Person was lawfully entitled to such Lands or Heritages, or to some Right or Interest therein.

Court may order Payment of Expences of Purchases.

XII. And be it enacted, That where, by reason of any Disability or Incapacity of the Person entitled to any Lands or Heritages to be taken or used for the Purposes of this Act, the Purchase Money for the same shall be required to be paid into any of the said Banks, or to be applied in the Purchase of other Lands or Heritages, in pursuance of this Act, it shall be lawful for the said Court of Session to order the Costs, Charges, and Expences of all Purchases from

from Time to Time to be made in pursuance of this Act, or which may be incurred in consequence thereof, and of the Payment into the said Banks of the said Purchase or Compensation Money, and of the Reinvestment of the said Purchase or Compensation Money in Land, or other Disposition of the same, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders for such Purposes, and of the Payment of the Interest of such Purchase or Compensation Money, and of the Payment of the Principal of the same, out of the said Banks, to be paid by the said Trustees, who shall accordingly from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct.

Compensation Clause.

XIII. And be it enacted, That the said Trustees shall make Compensation to the Magistrates and Council of *Dundee* for any Loss or Damage which may arise to any Salmon or other Fishings, or any other Property belonging to them the said Magistrates and Council, in consequence of the Works to be erected under the Authority of this Act, and that it shall be lawful to and for the said Magistrates and Council, and to and for the said Trustees, to treat and agree for the Compensation to be made to them the said Magistrates and Council for all such Loss and Damage; and in case the Parties shall not agree as to the Amount of such Compensation the same shall be fixed and assessed and paid in the Way and Manner provided in the said Act with respect to Compensation to be made for any Damage done or Property taken for the Purposes thereof.

Trustees may borrow Money.

XIV. And whereas the Sum of One hundred and eighty thousand Pounds, authorized to be borrowed by the said Trustees by the said Act, will not be sufficient for the Completion of the Works authorized to be made or erected by this and the said Act; be it enacted, That the said Trustees shall have Power and they are hereby authorized, over and above the Sum which by the said Act they were empowered to take up in Loan, to borrow, on the Credit of the Rates and Duties and other Revenue of the said Harbour and Works, any Sum or Sums of Money which may be required for the Purposes of this or the said Act not exceeding in the whole the Sum of Fifty thousand Pounds: Provided always, that it shall be in the Power of the said Trustees, so often as any Part of the Debt so contracted as aforesaid shall be repaid to the Creditor or Creditors having Right thereto, and demanding the same, to borrow such Sum or Sums as may be necessary to replace the Sum or Sums so repaid, but so that the total Sum due and owing by the said Trustees under this and the said Act shall at no Time exceed the Sum of Two hundred and thirty thousand Pounds, for all which Sums so to be borrowed the said Trustees shall grant Assignments in the Form hereinafter prescribed; and the Persons lending Money under this Act shall be entitled to rank *pari passu* with the Creditors under the said Act, and shall have the same Privileges of transferring their Assignments as the Persons who have lent Money under the said Act.

Cash Account may be opened.

XV. And be it enacted, That in case any Person or Banking Company shall agree to allow the said Trustees a Credit to the Extent of

of the Sum which they are authorized to borrow as aforesaid, or any Part thereof, on a Cash Account, according to the Usage of Bankers in *Scotland*, it shall be lawful for the said Trustees to accept of such Credit, and act upon the same, for such Sum or any Part thereof; and the said Trustees are hereby authorized and empowered to assign the Rates and Duties or other Revenues of the said Harbour and Works, in Security of such Cash Account, to such Person or Banking Company who shall agree to allow the same, but so that the whole Sum due and owing by the said Trustees upon such Cash Account, and for Money borrowed as aforesaid under this and the said Act, shall never, when taken together, exceed the Sum of Two hundred and thirty thousand Pounds.

Sinking Fund regulated.

XVI. And be it enacted, That so much of the said Act as directs the Formation of a Sinking Fund shall be and the same is hereby repealed; and the Account kept in the Books of the said Trustees of the Sums of Money which up to the Time of the passing of this Act have been set apart as a Sinking Fund, but applied by the said Turstees in constructing the Works authorized to be made by the said Act, shall be cancelled; and from and after the Thirty-first Day of *May* One thousand eight hundred and forty-three, but not sooner, a Sum of Money equal to Two and a Half *per Centum* of the Monies which shall then be due and owing of the Monies borrowed under the Powers given by the said Act and this Act, shall be, out of the Rates and Duties to be received by the said Trustees, set apart yearly by the said Trustees as a Sinking Fund, to be applied in the Repayment of the Sums of Money borrowed and due and owing by the said Trustees as aforesaid.

Rates and Duties.

XVII. And be it enacted, That from and after the passing of this Act the several Rates and Duties authorized to be levied by the said Act shall cease and determine, and in place thereof it shall be lawful to and for the said Trustees to levy, receive, collect, and take, for the Purposes of the said Act and of this Act, of and from the Owners and Proprietors of all Goods, Wares, Merchandize, or Commodities whatever which shall be imported into or exported from the said Harbour of *Dundee* and the Precincts thereof, except as herein otherwise provided, in any Ship, Vessel, Bark, Boat, or Lighter, the Rates and Duties specified in the Schedule (A.) annexed to this Act, and of and from the Owner of every Ship, Vessel, Bark, Boat, or Lighter coming into or going out of the said Harbour and the Precincts thereof, or from the Agents or Managers of such Owners, the Rates and Duties specified in the Schedule (B.) annexed to this Act: Provided always, that the Owners and Proprietors of all Lime and Coal imported or exported in any Ship, Vessel, Bark, Boat, or Lighter, at those Places which are situate within the Precincts of the said Harbour to the Eastward of the *Rood Yards* and the Westward of the *Magdalen Yard*, and at all Places at a greater Distance from the said Harbour than the *Rood Yards* and *Magdalen Yard*, shall be liable to pay, and the said Trustees shall be entitled to levy from them, for or on account of such Lime and Coal, One Half only of the Rates and Duties specified in the said Schedules (A.) and (B.), until the Works hereby authorized to be constructed at or near *Broughty Ferry*

Ferry shall be completed, from and after which Time the Owners and Proprietors of all Lime and Coals imported into or exported from any Place within the Precincts of the said Harbour, not being farther West than the *Hare Craigs* nor farther East than *Broughty Castle*, and the Owners or Agents of the Vessels in which same were imported or exported, shall pay the full Rates and Duties specified in the Schedules (A.) and (B.) annexed to this Act; and in case the Rates and Duties mentioned in the said Schedules (A.) and (B.), together with the Graving Dock Dues, Shed Dues, and Crane Dues leviable by the said Trustees under the Authority of the said Act, and the Slip Dues leviable by this Act, and the annual Rents and Feu Duties of Property belonging to the said Trustees, shall be found to produce a free annual Revenue more than sufficient, after appropriating a Sum for a Sinking Fund as herein provided, and paying the Collectors, Treasurers, and Clerks, Berthing Masters, and other Officers employed by the said Trustees, and the general and ordinary Expences of managing the said Harbour and the Revenues thereof, to pay the Interest of the Money borrowed and due and owing at the Time under the said Act and this Act, it shall be lawful for the said Trustees and they are hereby required, from Time to Time, to lessen the said Rates and Duties in the said Schedules (A.) and (B.) to the Extent adequate to produce as nearly as practicable a Revenue sufficient, after appropriating a Sum for a Sinking Fund as herein provided, and making the other Payments aforesaid, for the Payment of the Interest on the Money borrowed under the said Act and this Act; and in case the said Rates and Duties and other Revenue do not produce a Sum sufficient for the said Purposes, the Trustees shall have Power from Time to Time to increase, but never higher than One Third above the Amounts specified in the said Schedules (A.) and (B.) to this Act annexed, the Rates and Duties to be levied under the Authority of this Act, to such an Amount as will produce the requisite Sum for the said Purposes: Provided always, that it shall not be lawful for the said Trustees to reduce the said Rates and Duties or any of them until after the Thirty-first Day of *May* One thousand eight hundred and forty-three; and for the Purpose of defraying the Expence of building and maintaining the Works hereby authorized to be constructed at *Broughty Ferry*, and after the same shall have been completed, the said Trustees shall have Power and they are hereby authorized to levy, collect, receive, and take, of and from the Owners and Proprietors of all Goods, Merchandize, Wares, or Commodities whatever which shall be landed on or shipped at or from any Place within the Precincts of the said Harbour of *Dundee*, not being farther West than the *Hare Craigs* nor farther East than *Broughty Castle*, the Rates and Duties specified in the Schedule (A.) annexed to this Act, and of and from the Owner or Owners of every Ship, Vessel, Bark, Boat, or Lighter coming into or going out of any Place within the Limits last described the Rates and Duties specified in the Schedule (B.) annexed to this Act, and of and from every Steam Vessel, Fishing Boat, and Ferry Boat going into or out of any Place within the said Limits, and of and from every Passenger landing or embarking thereat, the Rates and Duties specified in the Schedule (C.) annexed to this Act: Provided always, that after the Works hereby authorized

authorized to be constructed at *Broughty Ferry* as aforesaid shall be completed the Rates and Duties specified in the said Schedules shall be reduced or raised in the same Manner as the other Rates and Duties leviable by this Act; and saving and reserving always the Rights vested in the Trustees for improving the Ferries across the River *Tay* by an Act passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, and by another Act passed in the Third Year of the Reign of His late Majesty, or any other Act or Acts for maintaining the said Ferries; and also saving and reserving any Rights vested in the Proprietor or Proprietors of *Ferry Port on Craigs*, which Rights shall in no ways be affected by any thing herein contained: Provided always, that any Increase or Diminution of the said Rates or Duties shall be made on all Articles proportionally, and so as not to operate directly or indirectly in favour of or against any particular Person or Company, but so as to extend equally to all Persons whomsoever liable therein in respect of the same Description of Articles.

Trustees may compound for Rates.

XVIII. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized, as they shall see convenient, to compound, for any Time not exceeding One Year, to and with the Owner, Consignee, or Agent, or other Person having the Charge of any Steam or other Vessel plying to and from the said Harbour of *Dundee* and the Precincts thereof, and any Port or Place in the United Kingdom of *Great Britain* and *Ireland*, which shall make more than One Trip *per* Week, for the Payment of such Sum of Money as they the said Trustees shall think proper, in lieu of the Tonnage, Anchorage, and Beaconage Dues and Plank Money which would be payable on such Vessels, provided such Composition Money be paid in advance at such Periods as the said Trustees shall fix: Provided always, that all Compositions made by the Trustees under this Act shall at all Times be made equally and impartially towards all Persons and Companies, and not in favour of or against any particular Person or Company; and all Persons and Companies whomsoever shall be entitled so to compound with the said Trustees on the same Terms as any similar Compositions which the said Trustees may have at the Time agreed to with any other Person or Company shall have been granted.

Trustees to make Rules as to the Use of the Slips.

XIX. And whereas in the Course of improving the said Harbour the said Trustees may have Occasion to make or erect One or more Slips or Railways for the repairing of Vessels; be it enacted, That the said Trustees shall have Power and they are hereby authorized from Time to Time to let the said Slips or Railways at such Rates or Dues, and to make such Rules and Regulations for the Government of Persons using the said Slips or Railways, as to them the said Trustees shall from Time to Time seem fit and proper.

Trustees may lay down Rails.

XX. And be it enacted, That it shall and may be lawful to and for the said Trustees to lay down, complete, and maintain One or more Lines of Rails on or over the Works erected or to be erected by them, and to charge and receive and recover, from all such Persons as

shall use the said Rails, either such Rates or Duties as shall be agreed upon between them and the said Trustees for the Use of such Rails, or such Rates or Duties as shall from Time to Time be fixed and declared by the said Trustees as the Rates and Duties to be paid by the Persons using the said Rails.

Trustees to make Rules as to the Use of the Rails.

XXI. And be it enacted, That the said Trustees shall have Power and they are hereby authorized from Time to Time to make such Rules and Regulations as to them shall seem requisite or necessary for the Government of Persons using the said Rails, and to fix such Fine or Fines, not exceeding the Sum of Five Pounds for any One Offence, to be recovered by the said Trustees from the Person or Persons who shall not obey or conform to any such Rule or Regulation, and that all such Fines shall be applied and recovered in the same Manner as any other Fines imposed by the said Act.

Trustees may recover Rates.

XXII. And be it enacted, That all the Powers and Remedies given to the said Trustees by the said Act to enable them to receive and recover the Rates and Duties thereby granted shall extend to and include the Rates and Duties granted to them the said Trustees by this Act, so as to enable them to receive and recover the Rates and Duties granted to them by this Act, in like Manner as if such Rates and Duties had been granted to them the said Trustees by the said Act.

Orders and Bye Laws to be put up.

XXIII. And whereas it is provided by the said Act that the Orders and Bye Laws to be made by the said Trustees shall be painted on Boards affixed on Two or more of the most conspicuous Places at and near the said Harbour, and which Boards shall from Time to Time be renewed by the said Trustees when in any way defaced or destroyed: And whereas the said Provision has been found to be expensive and unnecessary; be it enacted, That from and after the passing of this Act so much of the said Act as requires the said Orders and Bye Laws to be painted on Boards affixed on Two or more of the most conspicuous Places at and near the said Harbour, and the Renewal of the said Boards, shall be and the same is hereby repealed, and in place thereof the said Trustees shall fix up printed Copies of the said Orders and Bye Laws in some conspicuous Place upon the said Works, and whenever the said printed Copies shall become illegible fresh Copies shall be fixed up as aforesaid.

Regulation as to clearing Vessels.

XXIV. And be it enacted, That the Berthing Master, or Assistant Berthing Masters, to be appointed by the said Trustees shall be and he and they is and are hereby authorized and required to refuse to allow any Ship, Vessel, Bark, Boat, or Lighter to go out of any of the Works of the said Harbour constructed or to be constructed until he or they shall receive a Permit under the Hands of the Collector of Shore Dues, or his Deputy or Deputies, duly authorized, stating that the Tonnage, Anchorage, Beaconage Dues, and Plank Money for such Ship, Vessel, Bark, Boat, or Lighter, and the Dues on all Goods imported or exported in such Ship, Vessel, Bark, Boat, or Lighter, have been paid.

XXV. And

Trustees may let Property on Lease.

XXV. And whereas the Notice required to be given by the said recited Act of the Eleventh Year of the Reign of His late Majesty, of the letting or the Property belonging to the said Trustees, has been found to be inconveniently long; be it enacted (any thing in the said Act to the contrary notwithstanding), That the said Trustees shall have Power and they are hereby authorized, from and after the passing of this Act, to let on Lease such Part or Parts of the embanked Ground and other Heritable Property belonging to them as it shall not be necessary to retain for the proper Purposes of a Harbour, by public Auction, at such fair and reasonable upset Prices or Rents as they the said Trustees shall fix and determine, the Day or Days of such public Auctions being previously advertized by Handbills properly circulated through the Burgh of *Dundee*, and in some Newspaper printed and circulated in the said Burgh, Fourteen Days at least before the same shall take place: Provided always, that in case no sufficient Offer, in the Opinion of the said Trustees, shall be made for the same or for any Part thereof, then it shall be in the Power of the said Trustees to adjourn such Auction from Time to Time, as to the Whole or as to the Part or Parts not let, for such Period as they may deem proper: Provided always, that such adjourned Days of Auction be advertized by Handbills, and in some Newspaper as aforesaid, at least Eight Days before any such adjourned Auction shall take place.

Trustees to sell Land not wanted in Fifteen Years.

XXVI. And be it enacted, That if by means of the Purchases which the said Trustees shall make in virtue of this Act they shall happen to be possessed of more Lands than are required for the Purposes of the said Harbour or the Approaches thereto, or any other of the Purposes of this Act, the said Trustees shall, as soon as the same can be advantageously sold or disposed of, and within Fifteen Years from and after the passing of this Act, sell and dispose of the same or so much thereof as can be sold with Advantage to the Trust Funds under their Management.

Application of Money.

XXVII. And be it enacted, That from and after the passing of this Act the Whole of the Rates and Duties and other Monies levied or received, or leviable or receivable, under the Authority of the said Act and of this Act, shall be applied by the said Trustees in manner following; (that is to say,) in the first place, towards Payment of the Expence of the said Plan and the other Expences connected with the preparing, procuring, and passing of this Act; in the second place, towards Payment of the Interest of the Monies already borrowed and due and owing by the said Trustees under the said Act, and to be afterwards borrowed under the Authority of this Act, for the Purposes thereof, on the Credit of the foresaid Rates and Duties, and other Monies leviable or receivable under the Authority of this Act; in the third place, towards the Formation of a Sinking Fund, to be established as herein provided, and applied towards the Repayment of the Money borrowed and due and owing under the said Act and this Act; in the fourth place, towards the keeping and maintaining in good Order and

Repair

Repair the Works of the said Harbour, so far as the same shall have been already made, and towards the Payment of the Expence incident to the Execution of this Act, including the Salaries to the Collectors, Clerks, Treasurers, Berthing Masters, Superintendents of Works, and other Officers and Servants to be appointed by the said Trustees; and lastly, towards the Expence of enlarging, improving, and deepening the aforesaid Harbour and other Works connected therewith, and of carrying through, finishing, and maintaining the other Improvements to be executed by the Trustees under the said Act and this Act, in virtue of the Powers hereby committed to them, and of keeping and maintaining in good Order and sufficient Repair, and paving, watching, lighting, and cleansing, the Works already executed, and such other Works as shall be hereafter constructed by the said Trustees, and to no other Purpose whatever.

XXVIII. And be it enacted, That from and after the passing of this Act the Assignments to be granted for all Monies borrowed by the said Trustees shall be in the Words or to the Effect following; (that is to say,)

Terms of Assignments.

'BY virtue of an Act of Parliament made in the Eleventh Year of the Reign of King *George* the Fourth, intituled *An Act for more effectually maintaining, improving, and extending the Harbour of* Dundee *in the County of* Forfar, and of an Act passed in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], We,

' of the Trustees of the Harbour of *Dundee*, in consideration of the Sum of advanced and paid by , do hereby sell, assign, and make over to the said , his [*or* her] Heirs, Executors, Administrators, and Assigns, the Harbour and Works erected and to be erected pursuant thereto, and all and sundry the Rates and Duties and other Monies payable to us in virtue thereof, and all our Right, Title, and Interest of, in, and to the same, to be held by the said and his [*or* her] aforesaid, until the said Sum of , together with Interest for the same after the Rate of *per Centum per Annum*, shall be fully satisfied and paid. In witness whereof we have subscribed these Presents, written by at the Day of , before these Witnesses, .'

And the said Assignments shall be transferable by an Instrument in Writing, and with the Transfers thereof shall be recorded in the Manner prescribed by the said Act.

XXIX. And

Obstructions to be removed.

XXIX. And be it enacted, That it shall and may be lawful to and for the said Trustees, or to and for such Person or Persons as they shall appoint, to remove any Wrecks of Ships or Vessels, or any Ship or Vessel that may be sunk in the Precincts of the said Harbour, or any Stone, Timber, Anchor, or other Thing causing any Obstruction or Impediment whatever that may be found or arise therein; and in case the Owner or Owners of any such Ship or Vessel or other Thing, or the Agent or Agents for such Owner or Owners, shall refuse or neglect to pay the Charge of removing the same for the Space of Eight Days after Demand thereof made in Writing by the Clerk of the said Trustees, or in case such Owner or Owners or Agent cannot be found, it shall be lawful for the said Trustees, or any Person or Persons authorized by them, to sell and dispose of the said Ship or Vessel or other Thing, and, after paying all Costs, Charges, and Expences, to return the Overplus (if any) to the Owner or Owners, or Agent for the Owner or Owners; and if the net Proceeds of such Sale shall not be sufficient to defray the said Costs, Charges, and Expences, then it shall be lawful for the said Trustees to prosecute in any competent Court such Owner or Owners for the Deficiency.

Trustees to embank and continue Dock Street.

XXX. And be it enacted, That after a Railway between *Dundee* and *Arbroath* shall be made passable for Carriages and Waggons from *Arbroath* to the Point at which the Works to be erected by the said Trustees, as delineated on the said Plan, terminate, the said Trustees shall be bound, within Two Years after being required so to do by any of the Proprietors of the Land abutting on the North the proposed Continuation of the Street called *Dock Street*, as laid down on the said Plan, to make the Embankment which is to form the Continuation of the said Street called *Dock Street* from the Point to which the said Act authorized the Works of the said Harbour to be carried Eastward to the easternmost Point to which the Improvements are by this Act authorized to be extended: Provided always, that if before the Expiry of the said Two Years any of the said Proprietors shall, to the Satisfaction of the said Trustees, make the Embankment or any Part thereof which is to form the said Street and Continuation opposite to his Property, the said Trustees shall at the Expiry of the said Two Years, or if after the Expiry of the said Two Years any of the said Proprietors shall, on the Failure of the said Trustees to construct the same, make the said Embankment, the said Trustees shall be bound to treat and agree with such Proprietors for the Expence thereby incurred; and in case such Proprietors and the said Trustees cannot agree, then the Sum to be paid by the said Trustees to such Proprietors shall be fixed and determined in the Manner provided for by the said Act with respect to any Compensation to be made for any Damage done or Property taken under the Authority thereof.

Provisions for Parties disabled.

XXXI. And whereas, in the Course of the Execution of the Works authorized by the said Act some of the Workmen and other Persons employed in their Construction have sustained, and the Workmen and other Persons to be in future employed in the Construction of the

remaining Works may sustain, such severe bodily Injuries as to be unable for a Time or for Life to earn their Livelihoods; be it enacted, That the said Trustees shall have Power and they are hereby authorized to allot to such Workmen or Persons, during the Time they shall be unable to earn their Livelihoods, such Assistance as shall in the Circumstances of the Case appear to be proper, provided such Allotments shall not in any Case exceed the Amount which they were earning at the Time they received such Injury.

Time of Election of Trustees for Town Council, Guildry, and Trades regulated.

XXXII. And be it enacted, That from and after the passing of this Act the Day for the Election of the Trustee to be chosen as required by the said Act by the Town Council of *Dundee* shall be the Day on which the Magistrates are appointed to be elected by an Act passed in the Third and Fourth Years of the Reign of His present Majesty; and that from and after the passing of this Act the Elections of the Trustees to be chosen as required by the said Act by the Guildry Incorporation of *Dundee*, the Nine Trades of *Dundee*, and the Three United Trades of *Dundee*, shall be regulated as follows; that is to say, at One o'Clock Afternoon on the First *Wednesday* of *November* One thousand eight hundred and thirty-six, and at the same Hour upon the First *Wednesday* of *November* annually thereafter, the said Guildry Incorporation, Nine Trades, and Three United Trades shall, after Fourteen Days previous public Advertisement by the Chairman of each Incorporation respectively, meet in their respective Halls, or such other Places as they shall at any Time respectively fix, and shall then and there respectively nominate such Number of Persons, Members of their respective Incorporations, as they shall think proper, to be Candidates for the Office of Trustees on behalf of the said Incorporations for the then ensuing Year; and in case only Five Candidates for the Guildry, Three Candidates for the Nine Trades, or One Candidate for the Three United Trades respectively shall be nominated, the Persons so nominated shall be declared by the Chairman of the Meeting to be Trustees for the then ensuing Year; but in case, by any of the said Incorporations, more than the Number to be elected shall be nominated, the said Incorporation or Incorporations shall again assemble in the Hall or Halls of the said Incorporation or Incorporations, or in such other Place as they shall respectively fix, at Eleven o'Clock Forenoon on the First *Saturday* thereafter, and shall then and there elect by Ballot, from among the Candidates proposed at the former Meeting, in such Manner and under such Regulations as they shall respectively fix and determine, the Number of Trustees prescribed to be elected by the said Incorporations; and the Persons so elected shall be Trustees of the said Harbour for the then ensuing Year: Provided always, that the Provost, Bailies, and Dean of Guild, the Trustee for the Magistrates and Town Council, the Five Trustees for the Guildry Incorporation, the Three Trustees for the Nine Trades, the Trustee for the Three United Trades, and the Trustees for the Seamen's Fraternity, in Office at the passing of this Act, shall be Trustees under this Act, and shall continue in Office respectively until the First Election of Trustees shall take place in manner herein directed.

XXXIII. And

Restriction of recited Act as to Trustees repealed.

XXXIII. And be it enacted, That so much of the said recited Act of the Eleventh Year of the Reign of His late Majesty as enacts that no Member of the Nine incorporated Trades of *Dundee* who shall be a Member of the Town Council of *Dundee* shall be eligible as a Trades Trustee under the said Act shall be and the same is hereby repealed.

Provision as to the Payment of the Person appointed to audit the Accounts.

XXXIV. And be it enacted, That from and after the passing of this Act the Sum to be paid by the said Trustees to the Person appointed by the Sheriff of the County of *Forfar* to audit and docquet their Accounts shall be such a reasonable Sum as the said Sheriff shall, with the Concurrence of the said Trustees, fix and determine, any thing in the said Act to the contrary notwithstanding.

Trustees to supply Water.

XXXV. And be it enacted, That the said Trustees shall be and they are hereby authorized to treat and agree with any Person or Persons, or Body Corporate or Company, for the necessary supply of soft fresh Water for the Use of the Shipping resorting to the said Harbour, and to give Authority to such Person or Persons, Body or Company, to open the Quays and Ways of the said Harbour, for the Purpose of laying Pipes along the said Quays and Ways, and of making and constructing Wells or Fountains for supplying the Shipping frequenting the said Harbour, and to make Rules and Regulations for the Guidance of all Vessels requiring to use said Water, and to regulate and collect Water Dues from all such Vessels.

Power to appoint Superintendent and Officers for regulating the Police of the Harbour.

XXXVI. And whereas in consequence of the Extension of the Harbour of *Dundee*, and the increased Value of Property loaded and unloaded thereat, it may be expedient to establish proper Regulations for the Protection of the same; be it enacted, That the said Trustees shall have the Power and they are hereby authorized to appoint, during Pleasure, a Superintendent for the said Harbour, and from Time to Time to fix the Number of inferior Officers and Watchmen to be appointed by the said Superintendent, and to make such Rules and Regulations for the Conduct of the said Superintendent, Officers, and Watchmen, and the Police of the said Harbour, as they the said Trustees shall think expedient; and all such Salaries and Allowances as the said Trustees shall from Time to Time agree to pay or give to the said Superintendent, Officers, and Watchmen shall be paid out of the Monies to be received by the said Trustees by virtue of the said Act and of this Act.

Their Duties.

XXXVII. And be it enacted, That it shall be the Duty of the said Superintendent and of the said inferior Officers and Watchmen to guard, patrol, and watch the Piers, Quays, Jetties, and other Works of the said Harbour, erected and to be erected, and the Goods, Wares, and Merchandize lying thereon or therein, and the Vessels of all Descriptions lying at the said Piers, Quays, or Jetties, and the Goods, Wares, and Merchandize with which the said Vessels may be loaded, and to enforce the Rules and Regulations of Police made or to be made by the said Trustees, to be observed by all Persons within the Precincts of the said Harbour, and to apprehend and bring before the

the Sheriff Substitute resident at *Dundee*, or any other Person to be appointed by the Sheriff of the County of *Forfar* as Judge of the Harbour Police, as after provided, all Persons committing or charged with committing a Breach of any of the Rules or Regulations, or committing or charged with committing any criminal, riotous, or disorderly Act within the Precincts of the said Harbour; and it shall also be the Duty of the said Superintendent to afford at all Times to the said Trustees, and the Officers appointed by them, his best Aid and Assistance relative to the Preservation of Peace and good Order, the Suppression of Nuisances, and the Removal of Obstructions from the Piers, Quays, and Jetties of the said Harbour; to appoint the requisite Number of efficient and proper Persons to act as inferior Officers and Watchmen, and to dismiss them when he shall see Cause, and in general to aid and assist in the Prevention of Breaches of the said Rules and Regulations, and bringing Offenders to Punishment; to attend to the proper lighting, watching, and cleansing of the said Harbour, and the Piers, Quays, and Jetties thereof: Provided always, that the said Trustees shall have Power and they are hereby authorized to dismiss or order to be dismissed any of the Officers or Watchmen appointed by the said Superintendent at any Time when they shall find it necessary or proper to do so; and any Person so dismissed shall not be again employed in or about the Harbour unless with the written Approbation of the said Trustees.

Penalty on Watchman retiring from his Duty, and on Persons entertaining him during the Hours of Duty.

XXXVIII. And be it enacted, That if any Person employed as One of the said Officers or Watchmen shall retire from his Duty during the Time he ought to have been on Duty, or if any Person shall entertain or permit or suffer to be entertained in his or her House any such Person during his Hour of Duty, or shall furnish or supply any such Person employed as aforesaid, or any Person for his Use, with spirituous Liquors, during his Hour of Duty, every such Person shall, upon being convicted before the said Sheriff Substitute or the Judge to be appointed as after provided, forfeit a Sum not exceeding Five Pounds Sterling for each Offence, to be recovered in manner herein-after directed.

Anchors, Cables, &c. found in the River to be deposited in the appointed Place.

XXXIX. And be it enacted, That every Fisherman, Boatman, Pilot, or other Person who shall pick up or obtain Possession of any Anchor or Cable, or any Boat, Rope, or Tackle of any Vessel, or any Log or Logs of Timber, or any other Article or Thing whatever in the River *Tay*, opposite to and within the Precincts of the said Harbour of *Dundee*, shall, within Twenty-four Hours thereafter, give Notice thereof at the Berthing Master's Office, and shall deposit the same in such Place within such Time as the Berthing Master may direct; and any Fisherman, Boatman, Pilot, or other Person who shall fail to give such Notice and deposit such Articles as aforesaid shall be liable in a Penalty not exceeding Five Pounds; and the said Trustees shall have Power to fix the Amount of Salvage to be paid to Fishermen, Boatmen, Pilots, or other Persons picking up any of the said Articles or Things.

XL. And

Bail may be taken in certain Cases.

XL. And be it enacted, That upon the Apprehension of any Person charged with an Offence of a bailable Nature, or with a Breach of the said Rules and Regulations, it shall be lawful to the said Superintendent and he is hereby empowered to accept of sufficient Bail, by Bond or Pledge, and to liberate the Person so apprehended upon Bail being found; it being expressly declared that the Refusal of the said Superintendent to accept of such Bail, and the detaining of the Person so apprehended until he or they can be brought before the said Sheriff Substitute or the Judge to be appointed as after provided, shall not subject such Superintendent or Watchman to any Claim of Damage whatever.

Persons taken into Custody to be taken before the Sheriff Substitute or Judge.

XLI. And be it enacted, That all Persons taken into Custody, and who shall be detained in Custody, shall be, in the Course of the Day of or the first lawful Day after their Apprehension, taken before the said Sheriff Substitute, or the Judge to be appointed as after provided, to be dealt with according to such Order or Sentence as the said Sheriff Substitute or the Judge to be appointed as after provided may judge it expedient to make or pronounce in such Matter.

Person charged with an Offence may be detained for Examination.

XLII. And be it enacted, That it shall be lawful for the said Sheriff Substitute, or the Judge to be appointed as after provided, to order any Person charged with an Offence under this Act to be detained for affording Time to find Caution or for further Examination, such Examination always taking place without any necessary Delay, and never being longer than

Provision in case Bail has been forfeited.

XLIII. And be it enacted, That where any Person or Persons shall have been liberated on Bail and shall fail to appear it shall be competent for the said Sheriff Substitute, or the Judge to be appointed as after provided, where such Bail has been by Pledge, to declare the same to be forfeited; and in Cases where the Bail shall have been by Bond of Caution, and in Cases where Offenders shall have found Caution for good Behaviour or for keeping the Peace, and shall forfeit the Bond, it shall be competent for the said Sheriff Substitute, or the Judge to be appointed as after provided, to order the Cautioner or Cautioners to be cited to make Payment of the Sum or Sums contained in the Bond or Bonds within the Space of Twenty-four Hours; and in default of such Payment after the Lapse of the said Space of Time the Sum or Sums specified in such Bond or Bonds shall thereupon be recoverable at the Instance of the said Superintendent, by a Precept issued by the said Sheriff Substitute or the Judge to be appointed as after provided, upon a Charge of Three Days; and upon Failure of Payment Warrant may be granted by the said Sheriff Substitute or the Judge to be appointed as after provided for entering the Ship, House, Shop, Warehouse, Manufactory, or other Place of the Defaulter, and seizing and carrying away and afterwards selling so much of the Defaulter's Goods and Effects as may appear sufficient for the Payment of the Sum or Sums forfeited, and the Expences of seizing and Sale, as shall be fixed and determined by the said Sheriff Substitute or the Judge

to be appointed as after provided; and upon Certification by the seizing Officer of there not being a Sufficiency of such Goods and Effects attachable within the Jurisdiction of the said Sheriff Substitute it shall and may be lawful to and for the Sheriff of the County of *Forfar* or his Substitute to interpose his Authority for doing the like within their Jurisdiction; and in case of a Sufficiency of such Goods and Effects attachable not being found within the Jurisdiction of the said Sheriff, it shall be lawful for the said Sheriff or his Substitute to grant a Warrant for imprisoning the Cautioner or Cautioners in the Tolbooths or Bridewell of *Dundee* for a Space not exceeding Seven Days; and after such Imprisonment no further Procedure on the Bond shall be competent.

As to Articles pledged as Bail.

XLIV. And be it enacted, That a Book shall be kept by the said Superintendent wherein all Pledges, and the Order regarding and the Manner of disposing of them, shall be entered; and that any Article pledged shall be redeemable within such Time and on such Terms as the said Trustees shall fix, and if not redeemed at the Time and in the Manner prescribed the same shall be sold or disposed of in such Manner as the said Trustees shall direct, and the Proceeds of such Sales shall be applied towards the Purposes of this Act.

Proceedings for Breach of the Rules of Police.

XLV. And whereas it is expedient that in all Cases of Breach of the Rules and Regulations made or to be made by the said Trustees, and of other petty Offences, the Proceedings under the Authority of this Act shall be attended with as little Delay as possible; be it enacted, That the said Sheriff Substitute, or the Judge to be appointed as after provided, shall be and he is hereby required from Time to Time to adapt the Forms of Proceedings so as to despatch the Business which may come before the said Sheriff Substitute, or the Judge to be appointed as after provided, in the easiest and most expeditious Manner: Provided always, that a Record shall be kept of the Charge and of the Judgment or Sentence pronounced by either of them respectively, and in all Cases a Copy of the Charge and Judgment or Sentence pronounced by either of them respectively, certified by the said Sheriff Substitute or the Judge to be appointed as after provided, shall be a sufficient Warrant to all and every Person for carrying such Sentence into execution.

Provision as to Damages to private Party.

XLVI. And be it enacted, That it shall be competent to the said Sheriff Substitute, or the Judge to be appointed as after provided, to decern for Damages to any private Party not exceeding Five Pounds; and in case the Loss sustained by the private Party shall exceed Five Pounds the said Sheriff Substitute, or the Judge to be appointed as after provided, shall and may decern for the said Sum of Five Pounds, reserving to the private Party his Right to insist before another Court for any further Claim.

Offenders may be bound to find Caution

XLVII. And be it enacted, That it shall and may be lawful for the said Sheriff Substitute, or the Judge to be appointed as after provided, in lieu of or in addition to any Punishment, to ordain any Offender or

Offenders

Offenders to find Caution for good Behaviour or keeping the Peace for any Period not exceeding Six Calendar Months, under a Penalty not exceeding Twenty Pounds, and to confine such Offender or Offenders until Caution be found; but such Confinement shall not exceed in any One Case the Period of Seven Days. for good Behaviour.

XLVIII. And be it enacted, That it shall be lawful for all Magistrates of Boroughs, Sheriffs of Counties, and Justices of the Peace to grant their Concurrence to the Execution of the Warrants to be granted under the Authority of this Act for searching for or apprehending Offenders, for citing Witnesses, or for any other lawful Purpose; and on such Concurrence being granted it shall be lawful for the said Superintendent and the said Officers and Watchmen, and all other Officers of the Law, to put such Warrant in execution within the Borough, County, or Place subject to the Authority of such concurring Magistrate or Sheriff. Magistrates and Sheriffs may concur in the Execution of Warrants.

XLIX. And be it enacted, That in all Cases the said Sheriff Substitute, or the Judge to be appointed as after provided, may decern for Expences of Process over and above the Amount of any Penalty or Sum of Money awarded as or for Damages against Offenders, or against any private Complainant, in case the Person complained against shall be acquitted. Expences of Process.

L. And be it enacted, That no Appeal, except to the Sheriff of the County of *Forfar*, shall be competent from any Sentence to be pronounced in virtue of the Provisions of this Act by the said Sheriff Substitute or Judge to be appointed as after provided, and such Appeal shall only be competent upon Consignation in the Hands of the said Superintendent of the Amount of the Penalty and Expences decerned for; and the Decision of the Sheriff shall be final and conclusive, and not subject to Review or Question by Advocation, Suspension, or otherwise. No Appeal except to Sheriff Depute.

LI. And be it enacted, That no Complaint arising out of any Breach of the Rules and Regulations to be made by the said Trustees shall be received or entertained as a Matter provided for by this Act, unless the same be presented within Six Calendar Months after the Offence or Offences complained of shall have been committed, except in Cases where it can be shown that the Offender or Offenders sailed from the Port of *Dundee* within Twenty-four Hours after the Offence was committed or the Cause of Action occurred, and then Actions may be brought within Twelve Months after the Offence has been committed. Limitation within which Offenders may be punished under this Act.

LII. And be it enacted, That where the said Sheriff Substitute, or the Judge to be appointed as after provided, shall think the Case of any Offender brought before them respectively, under the Provisions of this Act, deserving of a higher Punishment or Fine than is authorized by this Act, such Offender may be proceeded against according to Law, and as if this Act had not been passed. Offender may be proceeded against as if this Act had not been passed.

LIII. And

Sheriff may name a Judge.

LIII. And be it enacted, That upon being required by the said Trustees so to do, it shall be lawful for the Sheriff of the County of *Forfar*, if he shall be of opinion that the same would be of public Advantage, specially to nominate and appoint a fit and proper Person, being an Advocate, a Writer to the Signet, a Solicitor at Law before the Supreme Courts, or a Procurator before the Sheriff Court of the County of *Forfar*, of Seven Years standing at the least, before whom all Offenders against the Rules and Regulations of the Police of the said Harbour, and all Persons charged with the Committal of Crime at the said Harbour, shall be brought; and the said Trustees shall pay to the said Judge such Sum, not exceeding Twenty-five Pounds *per Annum*, as the said Sheriff shall determine; and the Person so appointed shall have the same Power and Authorities which the said Sheriff Substitute had in virtue of this Act in dealing with all and every such Offenders and Persons, and shall appoint a Clerk of Court, who shall be paid such Fees as the Sheriff of the said County shall, with the Concurrence of the said Trustees, fix and determine.

Provisions of the said Act not hereby repealed to remain in force.

LIV. And be it enacted, That the said Act of the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are varied, altered, or repealed by this Act, shall be as good, valid, and effectual for carrying into effect the Powers, Provisions, Exemptions, Penalties, Forfeitures, Remedies, Matters, and Things contained in this Act and in the said Act, so far as the same is not varied, altered, or repealed by this Act, as if the same had been repeated and re-enacted in the Body of this Act.

Recovery of Penalties.

LV. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Bye Law, Rule, or Order made in pursuance thereof (the Manner of levying and recovering whereof is not otherwise particularly directed), may, in case of Nonpayment thereof, be recovered in the Manner provided by the said recited Act of the Eleventh Year of the Reign of His late Majesty, or in a summary Way by the Order and Adjudication of the Sheriff of the said County of *Forfar* or the Judge to be appointed in virtue of this Act, on Complaint to him for that Purpose made, and afterwards be levied (as well as the Costs, if any, of such Proceedings on Nonpayment) by Poinding and Sale of the Goods and Effects of the respective Offenders or Persons liable to pay the same, by Warrant of the said Sheriff or Judge; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Effects shall be so poinded; all which Penalties and Forfeitures not directed to be otherwise applied shall be paid to the Treasurer of the said Trustees for the Purposes of this Act; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for the said Sheriff or Judge and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Poinding, unless such Offender shall give sufficient Security to the Satisfaction of such Sheriff or Judge for his

his Appearance before the said Sheriff or Judge at such Time as shall be appointed for the Return of such Warrant (such Time not being more than Ten Days from the taking of such Security), and which Security the said Sheriff or Judge is hereby empowered to take; but if upon Return of such Warrant it shall appear that no sufficient Goods and Effects could be had whereupon to levy the said Penalties or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Sheriff or Judge, upon Confession of the Offender or otherwise, that he hath not sufficient Goods and Effects whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant should be issued, such Sheriff or Judge shall not be required to issue such Warrant, but in such Cases it shall be lawful for such Sheriff or Judge and he is hereby required, by Warrant under his Hand, to commit such Offender to the Common Gaol or House of Correction for the County or Place within his Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be paid and satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, as the same shall be ascertained by such Sheriff or Judge, or until such Offender shall be otherwise discharged by due Course of Law.

Provision for Deficiencies in the Land Tax.

LVI. And be it enacted, That if, by reason of the Exercise of the Powers by this Act granted, there shall arise any Deficiencies in the Assessments for Land Tax in the several Parishes in which the several Works hereby authorized may be situate, the said Trustees shall, from and after they shall have become possessed by virtue of this Act of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, unless the said Trustees shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax, be subject and liable from Time to Time to pay and make good, to or in aid of such several Parishes as aforesaid, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes by reason of taking down or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer or Collector or Receiver to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments.

Reserving the Rights of Magistrates and Town Council of Dundee.

LVII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to transfer to or vest in the said Trustees, or confer any Right or Claim on the said Trustees to, or alter, diminish, or affect, any Rights, Titles, Dues, Duties, Payments, Powers, Privileges, Jurisdictions, or Authorities of the Magistrates and Town Council of *Dundee* or of the Magistrates of *Dundee*, granted to them in behalf of the Community of the said Burgh, or to which they have Right by the Rights and Charters of the said Burgh, and particularly by the Charter under the Great Seal

granted by King *Charles* the First, bearing Date the Fourteenth Day of *September* One thousand six hundred and forty-one, or any other Rights, Titles, Dues, Duties, or Payments, Powers, Privileges, Jurisdictions, or Authorities in any way belonging to them the said Magistrates and Council, except only in relation to any such Rights, Titles, Dues, Duties, Payments, Powers, Privileges, Jurisdictions, or Authorities, or Claims of Right, which the said Magistrates and Council, as authorized by the said recited Act, may have renounced or transferred to the said Trustees by Discharge and Renunciation dated the Third Day of *November* One thousand eight hundred and thirty-one, or in any other Manner whatever.

Public Act. LVIII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHE-

SCHEDULE (A.) to which this Act refers.

Articles of Import and Export.	Rates.			Per Weight or Measure.
Acorns	0	0	3	per Quarter.
Alabaster	0	2	0	per Ton.
Ale, Strong	0	0	2	per Barrel Bulk.
Almonds. See Grocery.				
Alum, Rock	0	1	0	per Ton.
Apples	0	0	1	per Bushel.
Argol	0	2	0	per Ton.
Ashes, Pot or Pearl	0	1	6	Ditto.
Weed and Wood	0	1	6	Ditto.
Bacon or Hams	0	0	3	per Barrel Bulk.
Barilla	0	1	6	per Ton.
Bar Iron. See Iron.				
Bark, Oak	0	1	6	per Ton.
—— Quercitron	0	2	0	Ditto.
Barley. See Corn.				
Shelled or Pearl Ditto	0	0	1	per Cwt.
Basket Rods	0	0	1	per Bundle.
Baskets, videlicet,				
under Twelve Inches in Diameter	0	0	1	per Dozen.
above Twelve Inches in Diameter	0	0	2	Ditto.
Bay Berries. See Berries.				
Beans. See Corn.				
Beef or Pork	0	0	3	per Barrel Bulk.
Beer, Spruce	0	0	2	Ditto.
Berries, videlicet,				
Bay	0	0	6	per Barrel Bulk.
Juniper	0	0	6	Ditto.
Yellow	0	0	6	Ditto.
Cran	0	0	6	Ditto.
Biscuit	0	1	0	per Ton.
Blacking	0	0	4	per Barrel Bulk.
Black Lead. See Lead.				
Bleaching Powder	0	1	6	per Ton.
Bones of Cattle	0	0	3	Ditto.
Bone Dust	0	0	6	per Ton of Forty Bushels.
Books	0	0	6	per Barrel Bulk.
Bottles, of Green or Common Glass, not less than Pints	0	0	2	per Gross.
Bottles, broken	0	0	3	per Ton.
Bran	0	0	8	per Chaldron.
Brandy. See Spirits.				
Brass	0	0	2	per Cwt.
Bricks	0	1	0	per 1,200.
Brimstone	0	1	6	per Ton.
Bristles	0	0	6	per Cwt.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Bulrushes - - -	0 1 0	per Load.
Bulls. See Cattle.		
Butter - - - - -	0 0 4	per Barrel Bulk.
Blubber - - - -	0 1 0	per 252 Imperial Gallons.
Barrels, empty Herring - -	0 0 3	per Dozen.
Calves Velves - - -	0 0 2	per Cwt.
Candles - - -	0 0 4	per Barrel Bulk.
Cane Reeds - - - -	0 0 6	per 1,200.
Carpets. See Cloth.		
Casks, empty, not being returned Packages other Casks in proportion. -	0 0 3	per Puncheon.
Cattle, viz.		
Bulls - - - -	0 0 6	each.
Cows and Oxen - -	0 0 6	Ditto.
Calves - - - -	0 0 3	Ditto.
Horses - - - -	0 1 0	Ditto.
Pigs - - -	0 0 2	Ditto.
Sheep - - - -	0 0 2	Ditto.
Lambs - - -	0 0 1	Ditto.
Caviare - - - - -	0 0 6	per Barrel Bulk.
Chalk - - - - -	0 0 3	per Ton.
Cheese - - - - - -	0 2 0	Ditto.
Chesnuts - - - - -	0 0 6	per Barrel Bulk.
Cider - - - - - -	0 0 2	Ditto.
Cinnamon. See Grocery.		
Clay, viz.		
China Clay or Stone Clay - -	0 0 6	per Ton.
Pipe Clay - - -	0 0 6	Ditto.
Cochineal - - - - -	0 1 0	per Cwt.
Cocoa - - - - -	0 3 0	per Ton.
Coffee - - - -	0 0 4	per Barrel Bulk.
Cocoa Nuts - - - -	0 0 3	per 100.
Copper - - - -	0 3 0	per Ton.
Old - - - -	0 1 6	Ditto.
Ore - - - -	0 0 6	Ditto.
Copperas - - - -	0 0 6	Ditto.
Coral - - - - -	0 0 6	per Cwt.
Cordage - - - -	0 1 6	per Ton.
Corks - - - - -	0 0 3	per Barrel Bulk.
Corkwood - - - -	0 2 0	per Ton.
Corn, viz.		
Barley - - - -	0 0 1½	per Quarter.
Beans - - - -	0 0 1½	Ditto.
Indian Corn - - -	0 0 1½	Ditto.
Malt - - - - -	0 0 2	Ditto.
Oats - - - -	0 0 1½	Ditto.
Pease - - - -	0 0 1	Ditto.
Rye - - - -	0 0 1½	Ditto.
Wheat - - - -	0 0 2	Ditto.
Carrots - - - - -	0 0 4	per Ton.
Cow, Ox, or Bull Hair. See Hair.		
Cows. See Cattle.		
Cranberries. See Berries.		

Articles of Import and Export.	Rates.	Per Weight or Measure.
Crystal	0 0 6	per Barrel Bulk.
Culm	0 0 4	per Ton.
Currants. See Grocery.		
Coals, Scots, English, and Smithy	0 0 $2\frac{3}{4}$	per Ton.
Cinders	0 0 8	per Chaldron.
Codilla	0 1 0	per Ton.
Cloth, Brown or Bleached Linens, viz.		
Osnaburgs	0 0 1	per Piece.
Sheeting	0 0 1	Ditto.
Dowlas	0 0 1	Ditto.
Ducks	0 0 1	Ditto.
Ravenducks	0 0 1	Ditto.
Ticklenburgs	0 0 1	Ditto.
Drillings	0 0 1	Ditto.
Shirtings	0 0 1	Ditto.
Silesias	0 0 1	Ditto.
Hessians, or Wrappering, 40 Inches, and under	0 0 1	Ditto.
Hessians, or Wrappering, for every 10 Inches above 40	0 0 $0\frac{1}{4}$	Ditto.
Sailcloth	0 0 $0\frac{1}{2}$	Ditto.
Bagging and Sacking of all Kinds, under 34 Inches	0 0 $0\frac{1}{2}$	Ditto.
Above 34 Inches, and under 44 Inches	0 0 $0\frac{3}{4}$	Ditto.
Pimento Bagging	0 0 $0\frac{3}{4}$	Ditto.
Tarpaulings	0 0 $0\frac{3}{4}$	Ditto.
Browns	0 0 $0\frac{3}{4}$	Ditto.
Linen Cloth, when cut down into shorter Lengths, to pay according as the original Piece would have been rated.		
Sacks, made	0 0 $0\frac{1}{2}$	per 25.
All Linen Cloth, imported for the Purpose of being bleached	0 0 2	per Barrel Bulk.
Carpetting, Jute	0 0 1	per Piece.
Rugs	0 0 6	per Barrel Bulk.
Canvass, broad	0 0 2	Ditto.
Clothiery	0 0 6	Ditto.
Haberdashery, comprehending Cotton and Silk Goods	0 0 6	Ditto.
Hosiery	0 0 6	Ditto.
Cement	0 1 0	per Ton.
Coaches, Chaises, Gigs, and other similar Carriages	0 0 4	per Barrel Bulk.
Chimney Cans	0 1 0	per 100.
China Ware	0 1 0	per Hhd.
Cotton Wool	0 1 6	per Ton.
Dogs, Sporting only	0 0 6	each.
Drugs, and all Merchandize for Druggists	0 0 6	per Barrel Bulk.
Earthenware	0 0 6	per Crate.
Ditto in Bulk	0 2 6	per 100 Dozen.
Eggs	0 0 3	per Barrel Bulk.
Elephants Teeth	0 0 6	per Cwt.
Emery Stones	0 0 1	Ditto.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Feathers - - - - -	0 0 6	per Cwt.
Figs. See Grocery.		
Fish Oil. See Oil.		
Flint Stones - - - -	0 0 4	per Ton.
Flower Roots - - - -	0 0 3	per Barrel Bulk.
Furrier's Waste - - - -	0 0 3	per Ton.
Flax - - - - -	0 1 6	Ditto.
Flour - - - - -	0 0 2	per Sack.
Fish, salted dry - - - -	0 5 0	per Boat.
Ditto - - - - -	0 1 0	per Ton.
Garden Seeds. See Seeds.		
Geneva. See Spirits.		
Ginger - - - - - -	0 0 6	per Barrel Bulk.
Preserved - - - -	0 0 3	per Cwt.
Glass - - - - -	0 0 6	per Crate.
Broken - - - -	0 0 4	per Ton.
Glue - - - - -	0 0 3	per Barrel Bulk.
Goats Hair. See Hair.		
Grapes - - - - -	0 0 1	per Jar.
Grease - - - - -	0 1 0	per Ton.
Grocery, viz.		
Almonds - - - -	0 0 6	per Barrel Bulk.
Cinnamon - - - -	0 0 6	Ditto.
Currants - - - -	0 0 6	Ditto.
Figs - - - - -	0 0 6	Ditto.
Pepper - - - - -	0 0 6	Ditto.
Pimento - - - -	0 0 6	Ditto.
Plums - - - -	0 0 6	Ditto.
Prunes - - - -	0 0 6	Ditto.
Raisins - - - -	0 0 6	Ditto.
Gunpowder - - - -	0 0 3	per Cwt.
Ginseng - - - - -	0 0 6	Ditto.
Hair, viz.		
Cow, Ox, or Bull - - -	0 0 2	Ditto.
Goats Hair, or Wool - - -	0 0 2	Ditto.
Horse - - - -	0 0 2	Ditto.
Hair Powder - - - -	0 0 6	Ditto.
Hardware - - - - -	0 0 4	per Barrel Bulk.
Hats - - - - -	0 0 4	per Barrel Bulk.
Hay - - - - - -	0 1 0	per Ton.
Hemp, rough - - - -	0 1 6	Ditto.
Herrings - - - - -	0 0 1½	per Barrel.
Hides - - - - -	0 2 0	per 100.
Honey - - - - -	0 0 2	per Cwt.
Hoops of Wood, all of the Size of Puncheon Hoops, and under - - -	0 0 9	per 1,200.
All above - - -	0 1 0	Ditto.
Iron - - - - -	0 1 0	per Ton.
Hops - - - - -	0 0 4	per Cwt.
Horns, Slugs, and Tips - - -	0 2 6	per Ton.
Horse. See Cattle.		
Household Furniture - - -	0 0 2	per Barrel Bulk.
Husbandry Utensils - - -	0 0 2	Ditto.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Indian Corn. See Corn.		
Indigo - - - - -	0 1 0	per Barrel Bulk.
Iron, viz.		
Bar, Bolt, and Rod - - -	0 0 6	per Ton.
Plate, Sheet, and Forged - - -	0 1 0	Ditto.
Made Work - - - -	0 1 6	Ditto.
Hoops. See Hoops.		
Old Iron - - - - -	0 0 6	Ditto.
Cast Iron Goods - - -	0 0 9	Ditto.
Ditto, commonly called Ironmongery -	0 1 6	Ditto.
Old or Broken Cast Iron - - -	0 0 4	Ditto.
Pig - - - - -	0 0 4	Ditto.
Ink - - - - -	0 0 2	per Barrel Bulk.
Ivory - - - - -	0 0 6	per Cwt.
Juniper Berries. See Berries.		
Junk, Old - - - - -	0 0 6	per Ton.
Kelp - - - - -	0 0 6	Ditto.
Lard - - - - -	0 2 0	Ditto.
Latten Black - - - -	0 2 0	Ditto.
Lead - - - - -	0 0 9	Ditto.
Black - - - - -	0 2 0	Ditto.
Ore - - - - -	0 1 0	Ditto.
Red and White - - - -	0 2 0	Ditto.
Shot - - - - - -	0 1 0	Ditto.
Leather, tanned and dressed - - -	0 2 0	Ditto.
Lemons - - - - -	0 0 3	per Chest.
Limes - - - - -	0 0 3	per Cask.
Linseed. See Seed.		
Oil. See Oil.		
Lime - - - - -	0 0 6	per Chaldron.
Loam - - - - -	0 0 1	per Ton.
Machinery - - - -	0 0 2	per Barrel Bulk.
Madder - - - - -	0 2 0	per Ton.
Madder Roots - - - -	0 1 6	Ditto.
Malt. See Corn.		
Manganese - - - - -	0 1 0	Ditto.
Marble - - - - -	0 1 0	Ditto.
Matts, Bass - - - -	0 0 3	per 120.
Medicines. See Drugs. - - -		
Mill Waste - - - - -	0 0 3	per Ton.
Mohair Yarn - - - -	0 0 2	per Cwt.
Molasses - - - - - -	0 0 9	per Ton.
Morels - - - -	0 0 4	per Cwt.
Moss, Rock - - - -	0 1 6	per Ton.
Mum - - - -	0 2 0	Ditto.
Manure - - - -	0 0 1	Ditto.
Meal - - - - -	0 0 1½	per Boll.
Musical Instruments - - -	0 0 6	per Barrel Bulk.
Nuts - - - - -	0 0 4	Ditto.
Nutmegs - - - -	0 1 0	per Cwt.
Oakum - - - -	0 1 0	per Ton.
Oats. See Corn.		

Articles of Import and Export.	Rates.	Per Weight or Measure.
Oils,—Linseed, Palm, Rape, Turpentine, and Sperm	0 0 3	per Barrel Bulk.
Whale or Train	0 1 6	per Tun of 252 Gallons.
Ochre	0 1 0	per Ton.
Onions	0 0 1	per Bushel.
Oranges	0 0 3	per Chest.
Orchella Weed	0 2 0	per Ton.
Ore of Iron. See Iron.		
Ore of Lead. See Lead.		
Paper, viz.		
Writing and printing Paper	0 0 6	per Barrel Bulk.
Packing Paper	0 0 2	Ditto.
Pease. See Corn.		
Pelts	0 2 0	per Ton.
Pepper. See Grocery.		
Perry	0 0 2	per Barrel Bulk.
Pig Iron. See Iron.		
Pigs. See Cattle.		
Pigs Heads	0 0 3	per Barrel Bulk.
Pimento. See Grocery.		
Pitch	0 0 2	per Barrel.
Plants of Trees or Shrubs	0 0 1½	per Barrel Bulk.
Plaster of Paris	0 1 0	per Ton.
Plums. See Grocery.		
Pumice Stones	0 1 0	per Ton.
Pork. See Beef.		
Porter, in Casks	0 0 2	per Barrel Bulk.
Porter, in Bottles	0 0 1	Ditto.
Potatoes	0 0 4	per Ton.
Powder of Lead. See Lead.		
Prunelloes	0 0 6	per Barrel Bulk.
Prunes. See Grocery.		
Peats	0 0 1	per 100.
Passengers Luggage, if under 2 Barrel Bulk free; all above	0 0 6	per Barrel Bulk.
Quercitron Bark. See Bark.		
Quills, undressed	0 0 1	per 1,000.
Rags, viz.		
Linen	0 0 6	per Ton.
Other Rags, Old Ropes, and Old Leather	0 0 3	Ditto.
Raisins. See Grocery.		
Rape Cakes	0 1 6	Ditto.
Rape Seeds. See Seed.		
Red Lead. See Lead.		
Rice	0 2 0	Ditto.
Rock Moss. See Moss.		
Rosin	0 0 2	per Barrel Bulk.
Rum. See Spirits.		
Rye. See Corn.		
Salt	0 0 8	per Ton of 40 Bushels.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Salt, Rock, in Lump - - -	0 0 6	per Ton.
Saltpetre - - - -	0 2 6	Ditto.
Seed, viz.		
Flax and Rape - - -	0 0 6	per Hogshead.
Ditto - - - -	0 0 3	per Barrel.
Ditto, in Bulk - - -	0 0 2	Ditto.
Clover - - - -	0 0 6	per Bag of 3 Cwt.
Garden Seeds - - -	0 0 6	per Barrel Bulk.
Hemp and Canary - - -	0 0 3	Ditto.
Rye Grass - - - -	0 0 3	per 8 Bushels.
Sheep. See Cattle.		
Shumach - - - -	0 1 6	per Ton.
Skins, viz.		
Calf - - - -	0 0 3	per Score.
Sheep - - - -	0 0 3	Ditto.
Deer - - - -	0 0 3	Ditto.
Kid - - - - -	0 0 3	Ditto.
Lamb - - - -	0 0 3	Ditto.
Seal - - - - -	0 0 3	Ditto.
Sheep, dressed - - -	0 0 3	per Barrel Bulk.
Hare and Rabbit - - -	0 0 1	per Score.
Slates,—under size - - -	0 0 8	per 1200.
Sizeable - - - -	0 1 3	Ditto.
Oversize - - - -	0 2 0	Ditto.
Slate Pencils and Slates -	0 0 4	per Barrel Bulk.
Smelts - - - - -	0 0 2	per Cwt.
Snuff - - - - -	0 0 6	per Barrel Bulk.
Soap - - - - -	0 1 6	per Ton.
Soapers Waste - - -	0 0 3	Ditto.
Salts - - -	0 0 6	Ditto.
Spermaceti - - - -	0 2 0	Ditto.
Stones, viz.		
Rubble Freestone - -	0 0 0¼	per Ton.
Hewn Ashlar Freestone - -	0 0 1	Ditto.
Rough Ashlar Freestone - -	0 0 0½	Ditto.
Rubble Causeway - -	0 0 0¼	Ditto.
Causeway Stones, dressed - -	0 0 0½	Ditto.
Pavement - - -	0 0 0½	Ditto.
Curb - - - -	0 0 0½	Ditto.
Foreign Grave Stones - -	0 5 0	each.
Home ditto - - -	0 2 6	Ditto.
Sithe Stones - - -	0 0 0½	per Score.
Grind Stones - - -	0 0 1	each.
Millstones - - -	0 1 0	Ditto.
Spirits, viz.		
Foreign - - - -	0 0 6	per Barrel Bulk.
British - - - -	0 0 4	Ditto.
Starch - - - - -	0 0 3	Ditto.
Steel - - - - -	0 1 6	per Ton.
Sugar, raw - - -	0 1 6	Ditto.
Sugar, refined - - - -	0 2 0	Ditto.
Soda - - -	0 1 6	per Ton.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Stucco - - - - -	0 0 6	per Ton.
Smalts - - - - -	0 2 6	Ditto.
Salmon - - - -	0 0 3	per Box of 4 Kitts.
Sugar Moulds - - - -	0 0 9	per 100.
Tallow - - - - -	0 1 6	per Ton.
Tamarinds - - - -	0 0 3	per Cwt.
Tanners Waste - - - -	0 0 3	per Ton.
Tar - - - - -	0 0 2	per Barrel.
Tares - - - - -	0 0 2	per Quarter.
Tea - - - - -	0 0 8	per Barrel Bulk.
Thread - - - - -	0 0 4	Ditto.
Tin of all Kinds - - - -	0 2 0	per Ton.
Tobacco - - - -	0 0 6	per Barrel Bulk.
Tongues, Smoked - - - -	0 0 1	per Dozen.
Tongues, Pickled - - - -	0 0 3	per Barrel.
Tortoise-shell - - - -	0 0 6	per Cwt.
Tow - - - - -	0 1 3	per Ton.
Toys - - - - -	0 0 3	per Barrel Bulk.
Tree Nails - - - - -	0 0 6	per 1,200.
Turmeric - - - - -	0 0 1	per Cwt.
Twine and Twisted Yarn - - -	0 2 6	per Ton.
Tiles - - - - -	0 1 0	per 1,200.
Turnips - - - - -	0 0 4	per Ton.
Valonia - - - -	0 2 0	Ditto.
Vases or Sculptured Marble - - -	0 0 6	per Barrel Bulk.
Verdigris - - - - -	0 2 0	per Ton.
Vermillion - - - -	0 0 6	per Cwt.
Vinegar - - - -	0 0 2	per Barrel Bulk.
Vitriol - - - - -	0 0 2	per Bottle.
Water, Soda - - - -	0 0 2	per Barrel Bulk.
Willow Reeds - - - -	0 0 $0\frac{1}{2}$	per Bundle.
Wine, in Casks - - - -	0 0 6	per Barrel Bulk.
in Bottles - - - -	0 0 3	Ditto.
Whalebone, dressed or undressed - -	0 1 6	per Ton.
Wood, Foreign (Calliper Measure), viz.		
Batons - - - -	0 0 9	per 50 c. Feet.
Boards, Oak or Wainscot - -	0 1 0	Ditto.
Boards, Paling - - - -	0 0 4	per 120.
Deals - - - - -	0 0 9	per 50 c. Feet.
Deal Ends - - - - -	0 0 9	Ditto.
Firewood - - - - -	0 0 4	per Fathom.
Handspikes - - - -	0 0 3	per 120.
Laths - - - - -	0 0 6	per Fathom.
Masts, Yards, or Bowsprit Wood, viz.		
6 Inches in Diameter and under 8 Inches - - -	0 0 6	per 50 c. Feet.
8 Inches and under 12 Inches -	0 0 9	Ditto.
12 Inches and upwards - -	0 1 0	Ditto.
Oak Planks - - - -	0 1 0	Ditto.
Oars and Oar Rafters - - -	0 1 0	per 120.
Rickers, Boat Hooks, and Hoops -	0 0 9	Ditto.
Spars - - - - -	0 0 9	per 50 c. Feet.

Articles of Import and Export.	Rates.	Per Weight or Measure.
Wood, Foreign (Calliper Measure),—*continued.*		
Cart-Wheel Spokes - - -	0 0 2	per 60 Pieces.
Staves, Pipe, from any Port in Europe, or the United States of America, above 50 Inches long - - -	0 0 10	per 120.
Under 50 Inches long - -	0 0 6	Ditto.
Pipe, From any of the British Colonies or Plantations, above 50 Inches long	0 0 8	Ditto.
All under 50 Inches long - -	0 0 5	Ditto.
Fir - - - - -	0 0 9	per 50 c. Feet.
Oak - - -	0 1 0	Ditto.
Pine - - - - -	0 0 9	Ditto.
Hard Wood - - - -	0 1 0	Ditto.
Ufers - - - - -	0 0 9	Ditto.
Wainscot Logs - - -	0 1 6	Ditto.
Delivered by Weight, viz.		
Barwood - - - -	0 1 6	per Ton.
Boxwood - - - -	0 1 6	Ditto.
Brazilwood - - - - -	0 2 0	Ditto.
Camwood - - - -	0 2 0	Ditto.
Ebony - - - -	0 1 6	Ditto.
Fustic - - - - -	0 1 6	Ditto.
Lignumvitæ - - - -	0 1 6	Ditto.
Logwood - - - -	0 1 6	Ditto.
Mahogany - - - - -	0 1 6	Ditto.
Nicaragua Wood - - -	0 2 0	Ditto.
Red Wood - - - -	0 1 6	Ditto.
Sassafras - - - - -	0 1 6	Ditto.
Wood, Home, viz.		
Fir - - - - -	0 0 6	per 50 c. ft.
Hard Wood - - - -	0 0 8	Ditto.
Planks and Deals Fir - - -	0 0 6	Ditto.
Planks and Deals Hard Wood - - -	0 0 8	Ditto.
Cart Wheel Spokes - - -	0 0 1	per 60 Pieces.
Hogshead Staves - - -	0 0 2	per 120.
Barrel Staves - - -	0 0 1	Ditto.
Wool - - - - - -	0 0 2	per Cwt.
Worsted Yarn. See Yarn.		
Whitening - - - - -	0 0 6	per Ton.
Yarn, viz. Cotton, Tow or Hemp - -	0 1 6	Ditto.
Lint - - - - -	0 2 0	Ditto.
Worsted - - - - -	0 0 2	per Cwt.
Yeast - - - - - -	0 0 2	per Barrel Bulk.

All Goods shipped overside, or sent direct from one Vessel to another, for the Purpose of being exported, to pay One Half Dues only; but no Goods landed and deposited in the Sheds belonging to the Trustees, or remaining on the Quays over-night, shall be entitled to this Exemption.

All Goods having paid Shore Dues inwards shall be exempted from paying Shore Dues outwards if they be in the original State and in the original Packages; or if at the Time when the Goods are landed it be reported to

to the Collector that they are imported for the Purpose of being packed, press packed, or cylindered, they shall be allowed to be exported free of Dues within One Month from the Date of such Report.

All Goods having paid Shore Dues outwards are exempted from Dues when brought inwards if they be returned Goods to the original Shipper and in the original State.

All returned empty Boxes, Barrels, Bags, Sacks, and Pack Sheets are exempted from Dues.

All Goods not enumerated in the above Schedule to be charged by the Trustees in proportion to other Goods of similar Bulk and Value specified in the above Schedule.

All Goods, Merchandize, Wares, or Commodities whatsoever, and all Beasts, conveyed in licensed Passage Boats from any of the Ferries of Ferry-Port-on Craig, Newport, Woodhaven, or Balmerino, in the County of Fife, to the Ferry of Dundee, or from the Ferry of Dundee to any of those Ferries, are exempted from Payment of Shore Dues.

Lime and Coal landed within the Precincts of the Harbour to the Eastward of the Rood Yards or to the Westward of the Magdalen Yard to pay One Half of the Dues in the above Schedule.

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

In weighing and measuring Goods, for ascertaining the Shore Dues payable, the Weight or Measurement of the Packages is to be included.

All Stones, Wood, Coals, and other Articles whatsoever, brought into the Harbour or Precincts thereof, for the Use of the Harbour Works, Ferry Harbour Works, or the Steam or other Vessels navigating the said Ferry, or for the Use of the Police Works, or any of the public Works of the Town of Dundee, shall be exempted from Shore Dues, and Ferry Boats from Tonnage, Anchorage, and Beacon Dues, but the Vessels bringing all such Materials shall be liable to Tonnage Dues.

SCHE-

SCHEDULE (B.) referred to in the Act.

		£	s.	d.
I.	For all Vessels navigating to the Southward of the Tropic of Capricorn, per Register Ton - - -	0	1	6
II.	Between the Equator and the Tropic of Capricorn -	0	1	3
III.	Between the Tropic of Cancer and the Equator - -	0	1	0
IV.	To or from any Port in North America, Greenland, Davis Straits Fisheries, and all within the Straits of Gibraltar -	0	0	8
V.	To or from any Port to the North of Dronthiem in Norway, or from Azores, Madeira, or Teneriffe Islands -	0	0	7
VI.	To or from any Port between Gibraltar and Dunkirk, including Dunkirk, and from any Port in the Baltic -	0	0	5
VII.	To or from any Port in Great Britain or Ireland, including the Islands of Guernsey, Jersey, Alderney, Sark, Man, the Shetland Islands, and Orkneys - - -	0	0	3
VIII.	All Vessels loaded with Coals or Lime only, from any Port in Great Britain, &c. excepting Scotland - - -	0	0	2
IX.	All Vessels loaded with Coals or Lime only, from any Port in Scotland - - - - - -	0	0	1½
X.	All Vessels employed in the River Tay, carrying Goods and entering the Precincts of the Port or Harbour of Dundee, per Register Ton - - - -	0	0	1½
XI.	All Steam Vessels from any Port in Great Britain or Places enumerated in No. VII., carrying Passengers and their Luggage exclusively - - - -	0	0	2
XII.	All Steam Vessels employed in the River Tay, carrying Passengers and their Luggage exclusively, and Vessels trading from the Harbour or carrying Passengers to any Part within the Precincts - -- -	0	0	1
XIII.	All Steam Vessels carrying Goods and Passengers to pay the same Rates as Sailing Vessels.			

It shall be in the Option of the Trustees to charge either the Tonnage Dues on the Voyage inwards or on the Voyage outwards, at the Rates specified in the above Schedule, according to the Distance; and if the Charge be made on the Voyage outward there shall be deducted from it the Amount of the Dues that may have been previously paid on the Voyage inwards; but if such Vessels sail in Ballast they shall be charged with Dues on the inward Voyage only.

All Vessels leaving the Harbour of Dundee, or Precincts thereof, having paid Tonnage Dues on the Voyage inwards, and discharging Part of their Cargoes, or taking on board Goods at any other Port or Place in the River Tay, and returning to the Harbour of Dundee or Precincts thereof to complete their Cargoes, shall not be liable in Tonnage Dues for such Returns.

All Vessels launched at the Port of Dundee to pay Half Tonnage Dues on the Voyage outwards, according to the Distance of the Port to which such Vessels sail, provided they take Goods on board; but if they sail in Ballast no Dues shall be charged.

All Vessels with Cargoes to be permitted to enter the Harbour of Dundee, for Safety or Convenience, by Payment of One Half of the Tonnage Dues; but if they shall take Goods on board (Stores for their own Use excepted) or break Bulk they shall be liable in the full Tonnage Dues.

All Vessels remaining in Harbour to pay after Two Months One Penny per Register Ton per Month in advance.

Each Vessel entering the Harbour, and loading or unloading Goods or Ballast within the same, or performing both Operations before leaving the Harbour, to pay in Name of Plank Money (whether a Plank be used or not) as follows:—

			£	s.	d.
Vessels amounting to and not exceeding	20	Tons - -	0	1	0
exceeding 20	Tons and not exceeding 50	Tons -	0	1	6
50	100	- -	0	2	0
100	150	- -	0	2	6
150	200	- -	0	3	0
200	250	- -	0	3	6
250	300	- -	0	4	0
300	350	- -	0	4	6
350	400	- -	0	5	6
400 and upwards		- -	0	6	6

All Vessels loading or unloading Goods in the Precincts of the Harbour of Dundee shall be exempted from Payment of Plank Money.

All Vessels leaving the Harbour for the Purpose of taking on board Ballast in any Part of the River Tay, and returning to the said Harbour or Precincts thereof with Ballast, shall not be liable in Shore Dues for such Return.

All Vessels sailing from the Port of Dundee, and put back by Stress of Weather or any other Cause, without having accomplished her Voyage, shall not be liable in additional Dues for such Return.

All Vessels from any Part of the River Tay with Stones, and having no other Goods on board, and delivering their Cargoes in the Precincts of the said Harbour, to pay Two Shillings each Voyage in Name of Tonnage Dues.

All Vessels from any Part of the River Tay with Sand, and having no other Goods on board, to pay One Shilling for each Trip.

All Vessels arriving in Ballast, for the Purpose of being repaired in the Graving Dock, and departing in Ballast, shall be exempted from Shore Dues.

All Vessels loaded with Coals or Lime only, and discharging their Cargoes within the Precincts of the Harbour to the Eastward of the Rood Yards or to the Westward of the Magdalen Yard, to pay One Half of the Dues in the above Schedule.

SCHE-

SCHEDULE (C.) to which this Act refers.

All Goods, Coals, Lime, and other Materials, landed or shipped within the Limits of the Harbour at Broughty Ferry, to pay the same Rates of Shore Dues as in Schedule (A.)

Passengers landing from or going on board of any Steam Vessels, or other Vessels or Boats within the Limits of said Harbour, to pay One Halfpenny each. The Trustees shall have Power to compound with the Owners or Masters of Steam Vessels, or other Vessels or Boats, for the Dues on their Passengers by the Month.

All Vessels to or from Foreign Ports, and entering the Harbour at Broughty Ferry, to pay the same Rates of Dues as in Schedule (B.)

All Vessels coastwise, Ditto, Ditto.

All Ditto with Coals and Lime, Ditto, Ditto.

All Ditto from any Port in the Tay, Ditto, Ditto.

All Fishing Boats using the said Harbour at Broughty Ferry, to pay for each Trip Sixpence. It shall be in the Power of the Trustees to compound with Fishing Boats by the Month or Year.

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