ANNO DECIMO NONO & VICESIMO

VICTORIÆ REGINÆ.

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Cap. lxvii.

An Act for enlarging and improving the *Elgin and Lossiemouth* Harbour, for raising a further Sum of Money, and for other Purposes.

[30th *June* 1856.]

WHEREAS an Act was passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for constructing and maintaining a new Harbour at* Stotfield Point, *near to and in conjunction with the old Harbour of* Lossiemouth *in the County of* Elgin *and* Forres: And whereas the Company incorporated by the said Act were thereby authorized to purchase from the Magistrates and Town Council of the Burgh of *Elgin* the then existing Port and Harbour of *Lossiemouth*, with the Shore and Harbour Dues thereof, and to form a new and improved Harbour at *Stotfield Point*, near to and in conjunction with said Harbour of *Lossiemouth*: And whereas the said Company have, in pursuance of the Powers conferred upon them by the said Act, constructed a new Harbour at *Stotfield Point*, which has proved of great local and public Advantage: And whereas the Capital Stock of the Company was by the said Act fixed at a Sum not exceeding Twenty thousand Pounds, of which the Sum of Eighteen thousand eight hundred Pounds has been duly subscribed for and paid up: And whereas

4 & 5 W. 4, c. lxxxvi.

by the said Act the Directors of the Company were authorized to borrow on the Credit of the Rates and Duties leviable in virtue thereof a Sum not exceeding the Sum of Eight thousand Pounds, of which the Sum of Seven thousand five hundred Pounds has been borrowed accordingly, and the same is still due and owing on the Credit of the Rates and Duties: And whereas of the said Capital Sum of Twenty thousand Pounds, the Sum of Eighteen thousand eight hundred Pounds, and the said Sum of Seven thousand five hundred Pounds borrowed as aforesaid, have been expended in constructing the said new Harbour, and in thereafter enlarging and improving the same, as by the said Act authorized: And whereas it is expedient that the Capital of the Company be increased, and that further and additional Powers should be granted for still further deepening, extending, and improving the said Harbour, and for the better Regulation and Management thereof, and to that End that the said Act should be repealed, and certain of the Provisions thereof re-enacted, or other and further Powers and Provisions enacted in lieu thereof; but these Purposes cannot be effected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 the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, in manner following; (that is to say,)

Short Title.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Elgin and Lossiemouth* Harbour Act, 1856."

Recited Act repealed.

II. The herein-before recited Act shall, from and after the passing of this Act, be and the same is hereby repealed, and thereupon this Act shall commence and take effect.

8 & 9 Vict. cc. 17. and 19. incorporated.

III. "The Companies Clauses (*Scotland*) Act, 1845," and "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall, so far as not expressly varied by this Act, be incorporated with and form Part of this Act.

10 & 11 Vict. c. 27. incorporated.

IV. "The Harbours, Docks, and Piers Clauses Act, 1847," shall, in so far as not expressly varied by this Act, be incorporated with this Act: Provided always, that the Company shall not be bound to provide a Life Boat, Mortar, and Rockets, or a Tide or Weather Gauge and Barometer, until required to do so by Writing under the Hand of the Secretary of the Admiralty or the Secretary of the Board of Trade.

Interpretation of Terms.

V. The following Expressions in this Act contained shall have the Meanings hereby assigned to them, unless there be something in

in the Subject or Context repugnant to such Construction; (that is to say,)

The Expressions "the Undertaking," "the Works," and "the Harbour, Dock, or Pier," shall mean the *Elgin and Lossiemouth* Harbour as herein-after limited and described, and also the old Harbour of *Lossiemouth*; the Expression "the Harbour-master" shall include the Person or Persons in charge under the Company of the said Harbour and the Works thereof.

Company to remain incorporated.

VI. Notwithstanding such Repeal, the Company shall for the Purposes of this Act, and as from the Commencement of the said recited Act, remain incorporated as heretofore, but in place of the Name of "The *Stotfield and Lossiemouth* Harbour Company," the same shall remain and be incorporated by the Name of the "*Elgin and Lossiemouth* Harbour Company," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes, but subject to the Restrictions of this Act, and shall continue to be liable for all Acts, Matters, and Things, in the same Manner and to the same Extent as they would have been if this Act had not passed.

Vesting Property in Company.

VII. The Right and Property of and in the said Harbour, and the Lands, Heritages, Buildings, including Warehouses, Erections, and the Materials thereof, and of and in all the Works, Quays, Walks, Ways, Walls, Matters, and Things vested in the Company or Directors acting under the said recited Act, including the Lands, Houses, and other Property acquired by the Company from the now deceased Lieutenant Colonel *James Brander* of *Pitgaveny* and *Kinneddar*, and the Property excambed with him and numbered 8, 8ª, 8ᵇ, 9, 13, 13ª, 13ᵇ, 14, 15, 16, 17, 18, and 18ª, on the Plan and Book of Reference herein-after mentioned, shall belong to, be vested in, and are hereby vested in the Company under this Act; and all the Rates and Duties by this Act granted, and all Rents and other Monies which shall or may come into the Hands of the Company under or by virtue of this Act, shall be and the same are hereby made subject and liable to the Payment of all Sums of Money borrowed on Security, and now due and owing on the Credit of the said recited Act, and of all Interest due or that may become due thereon, as fully and effectually to all Intents and Purposes, as if such Money had been borrowed, or had become due and owing on the Credit of the Rates and Duties by this Act granted.

Officers and Persons under former Act to account and

VIII. All Persons who have been employed, or who shall have received any Rates, Dues, or other Monies by virtue or in pursuance of the said recited Act, or who shall have in their Possession or Custody

deliver over Papers, &c.

Custody any Books, Accounts, Papers, Writings, or Things relating to the said Harbour, or who were in any Way indebted to the Company under the said Act, shall account for, pay, and deliver over the same to the Company acting in the Execution of this Act.

Repeal of recited Act not to affect existing Rights.

IX. Notwithstanding the Repeal of the said recited Act, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done or suffered or confirmed under or by the said recited Act shall be as valid as if the recited Act was not repealed, and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the recited Act was not repealed and this Act were not passed, would be incident to or consequent on any and everything so done or suffered or confirmed; and with respect to all such Rights, Liabilities, Claims, and Demands, the Company, as continued by this Act, shall to all Intents and Purposes represent the Company as incorporated by the recited Act: Provided always, that the Generality of this Enactment shall not be confined or restricted by any special Provisions in this Act contained.

Actions, &c. not to abate.

X. Notwithstanding the Repeal of the said recited Act, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company or Directors thereof under the said recited Act before the Commencement of this Act, shall not abate or be discontinued or be prejudicially affected, but on the contrary the same shall continue and take effect, both in favour of and against the Company, under this Act, in like Manner in all respects as the same would have continued and taken effect in favour of or against the Company or Directors thereof under the said recited Act if this Act had not been passed; and all Offences against the Provisions of the said recited Act committed before the Commencement of this Act may be prosecuted, and all Penalties incurred by reason of such Offences recovered, in like Manner in all respects as if this Act had not been passed.

Liabilities of Company and Directors to attach to the Company under this Act.

XI. Notwithstanding the Repeal of the said recited Act, the Company under this Act shall, with reference to every Act done or left undone, and with respect to every Liability of what Nature or Kind soever incurred by the Company or Directors under the said recited Act before the Commencement of this Act, be considered as identical with such last-mentioned Company and Directors, in like Manner in all respects as if this Act had not been passed, and as if the Company under this Act and Directors thereof were the Company and Directors under the said recited Act.

XII. Not-

Debts to be paid to or by the Company under this Act.

XII. Notwithstanding the Repeal of the said recited Act, all Persons who before the Commencement of this Act owed any Sum of Money to the Company under the said recited Act, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue from the same, to the Company under this Act; and all Debts and Monies which before the passing of this Act were due or owing by or recoverable from the Company under the said recited Act, or for the Payment of which they were or but for the passing of this Act would have been liable, shall be paid, with all Interest (if any) due or to accrue thereon, by or be recoverable from the Company under this Act.

Books, &c. to remain Evidence.

XIII. Notwithstanding the Repeal of the said recited Act, all Books and other Documents by the said Act directed or authorized to be kept, and which if the same had not been repealed would have been receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers to continue.

XIV. Notwithstanding the Repeal of the said recited Act, every Officer and Servant appointed by virtue of or acting under the Authority of the said Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company under this Act, until he be removed from such Office and Employment; and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties in all respects whatsoever, as if he had been appointed under this Act.

Existing Byelaws, &c. to remain in force.

XV. Notwithstanding the Repeal of the said recited Act, all Byelaws, Rules, and Regulations which immediately before the Commencement of this Act were in force under or in reference to the said recited Act shall, after the Commencement of this Act, continue and be in full Force and Effect under and in reference to this Act for and during the Space of Six Months, subject, nevertheless, as the same may be repealed or altered by or under the Provisions of this Act or the Acts incorporated herewith.

Power to Company to raise further Monies by Creation of new Shares.

XVI. And whereas the additional Capital required by the Company for the Purposes of this Act is Eighteen thousand Pounds: It shall be lawful for the Company, in addition to the Capital of Twenty thousand Pounds by the said recited Act authorized to be raised, to raise by the Creation of new Shares by Subscription amongst themselves, or by the Admission of other Parties as Subscribers to the Undertaking, or in part by each of these Means, any further Sum of Money not exceeding the Sum of Eighteen thousand Pounds; and from

and after the passing of this Act the total Capital of the Company shall be Thirty-eight thousand Pounds, the same being the aggregate Amount of Capital by the said recited Act and this Act authorized to be raised.

Division of new Capital into Shares.

XVII. The Number of Shares into which the additional Capital by this Act authorized to be raised shall be divided shall be Nine hundred, and the Amount of each Share shall be Twenty Pounds.

Dividends on new Shares.

XVIII. No Proprietor of any new Share hereby authorized to be created shall be entitled to any further or greater Dividend thereon than in respect of and to the Extent of the Amount which may for the Time being have been paid upon such new Share, nor to any Dividend declared upon any Day prior to the Twenty-sixth Day of *May* One thousand eight hundred and fifty-six.

New Shares to be considered same as original Shares.

XIX. The Capital to be raised by the Creation of new Shares shall be considered as Part of the general Capital, and shall be subject to the same Provisions in all respects as if it had been Part of the original Capital of the Company.

Manner in which Shares to be issued.

XX. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Shareholders present, personally or by Proxy, at any General Meeting to be specially called for that Purpose, and of which due Notice shall have been given, to issue at Par any Portion of such new Shares, not exceeding in the whole the Sum of Twelve thousand Pounds, to any Person or Persons who may be willing to advance the Amount thereof, for such Period and for Payment of such Interest as may be agreed upon, not exceeding the Rate of Five Pounds *per Centum per Annum*, and to guarantee to the Person or Persons making such Advance the regular Payment of such Interest in Priority to the Payment of Dividends to the other Shareholders of the Company, but subject however to the Payment in the first place of the Interest due or to become due on all existing or future Mortgages of the Company: Provided always, that such Shares shall in the first place be offered to the Shareholders of the Company in such Way and Manner as the Company may think proper, and shall, whether held by Shareholders of the Company or by others, be redeemable by the Company at any Time upon giving the Holders thereof Twelve Months previous Notice to that Effect, and upon Payment to them of the Sums advanced and the Interest due thereon; and it shall be lawful for the Company to re-issue the said Shares or such Part thereof as may be redeemed as aforesaid in the same Way and under the same Conditions and Provisions as they were originally issued should the Company at any Time find it expedient so to do.

XXI. It

Calls on new Shares.

XXI. It shall be lawful for the Company from Time to Time to make Calls in respect of such additional Capital, and to fix the Amount of such Calls as the Company shall think fit.

Intervals of Calls.

XXII. The Calls on any such new Shares shall be made at no less Interval than Three Months, and the Amount of every Call shall not be more than One Fourth of the Amount of such Shares, and the total Amount of Calls in any One Year shall not exceed Three Fourths of the Amount of each Share.

Proprietors of Shares in the Company to retain the same Interest.

XXIII. Every Person who immediately before the passing of this Act was possessed of or entitled to One or more Share or Shares in the Capital of the Company under the recited Act shall, in respect thereof, be possessed of or entitled to a like Number of Shares of the same nominal Value in the Capital of the Company under this Act, and such Shares are respectively hereby vested in such Person accordingly.

Certificates of old Shares to be valid.

XXIV. The Certificates of the Shares created under the Powers of the recited Act, and which shall be subsisting and valid at the Time of the passing of this Act, shall respectively be the Certificates of the Shares to which they are entitled under this Act, and it shall not be necessary for or required of the Company to issue fresh Certificates in respect of the Shares to be created under this Act, except under the Provisions of "The Companies Clauses Consolidation (*Scotland*) Act, 1845," in Cases where such Certificates shall be worn out or damaged, or lost or destroyed.

New Shares to be subject to the same Trusts as the old.

XXV. All Persons in whom any Share or Shares in the Capital of the Company under this Act shall become vested under the Provisions aforesaid shall stand and be possessed of every such Share upon the same Trusts, and subject to the same Powers, Provisions, Declarations and Agreements, Charges and Encumbrances, upon and to which the original Share or Shares was or were subject and liable immediately before the passing of this Act, and so as to give effect to and not revoke or prejudicially affect any Deed, Will, or other Instrument disposing of or affecting such original Share or Shares respectively.

Unissued Shares under recited Act to remain vested in Company.

XXVI. Any Shares in the Capital of the Company under the recited Act remaining unissued shall, notwithstanding the Repeal thereof, remain vested in the Company, who may dispose of the same in such Manner, and to such Persons, and on such Conditions as they shall think fit.

Power to borrow on Mortgage of Rates, &c.

XXVII. It shall be lawful for the Company from Time to Time to borrow at Interest on Mortgage of the Rates and Duties to be levied under

under this Act, or any Part thereof, any Sum or Sums of Money not exceeding Four thousand six hundred and sixty-six Pounds in the whole, in addition to the said Sum of Eight thousand Pounds authorized to be borrowed under the said recited Act; and in the event of any Part of such Money being repaid, the Company may reborrow the same, and so *toties quoties*, but so that there shall not be owing, on the Security aforesaid, at any one and the same Time, a greater Sum than the said Sum of Twelve thousand six hundred and sixty-six Pounds; and for securing the Repayment of the Monies so borrowed, with Interest, the Company may mortgage the said Rates and Duties, or any Part thereof, to the Person who shall advance or lend such Money, as a Security for the Repayment of the Money to be so borrowed, together with Interest for the same: Provided always, that no further Sum of Money beyond the Sum of Eight thousand Pounds shall be borrowed until the whole of the said additional Capital Stock of Eighteen thousand Pounds shall have been subscribed for, and One Half thereof paid up.

Company may borrow on Cash Account.

XXVIII. It shall be lawful for the Company, after the whole of the additional Capital of Eighteen thousand Pounds shall have been subscribed, and One Half thereof paid up, to accept and take from any Bank or Banking Company in *Scotland* Credit on a Cash Account, to be opened and kept with such Bank or Banking Company, in the Name of the Company, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the Company are herein-before authorized to borrow, or any Part thereof, and to mortgage and assign the several Rates, Duties, and Rents by this Act granted in Security of the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon, in the Manner provided by "The Companies Clauses (*Scotland*) Act, 1845," with respect to the Mortgages to be executed by the Company: Provided always, that the whole Principal Sums due and owing by the Company at any One Time, under the Power by this Act granted, shall never, when taken together, exceed the said Sum of Twelve thousand six hundred and sixty-six Pounds.

How Mortgages, &c. to be subscribed.

XXIX. All Mortgages or Assignations in Security, and all Cash Credits or Cash Accounts, shall be signed by a Quorum of the Directors, and Drafts or Orders on such Cash Credits or Cash Accounts shall be signed by any Three or more of the Directors under this Act, who shall be authorized so to do at any of the Meetings of the Directors, and shall be countersigned by the Clerk of the Company as Evidence that such Authority has been given.

Arrears may be enforced by Appoint-

XXX. It shall be lawful for the Mortgagees or Assignees in Security of the Company, on giving Six Months previous Notice, to enforce the Payment

Payment of the Arrears of Principal and Interest due on their respective Mortgages or Assignations in Security by the Appointment of a Judicial Factor in the event of the Principal Monies and Interest due on such Mortgages or Assignations in Security not being duly paid, and the Amount owing to the Mortgagees or Assignees in Security, by whom Application for such Judicial Factor shall be made, shall not be less than Five thousand Pounds in the whole. ment of Judicial Factor.

XXXI. All Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages and Bonds to be granted by virtue of this Act. Priority of existing Mortgages.

XXXII. All the Monies raised in virtue of this Act, whether by the Creation of Shares or by borrowing, shall be applied to the Purposes by this Act authorized, and to no other Purpose whatever. Application of Monies.

XXXIII. The First Ordinary Meeting of the Company shall be held within Three Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held, at least once in each Year, on the Third *Saturday* of the Month of *June*, or on such other Day as the Directors shall appoint; and Fourteen Days at least before such First Ordinary Meeting, and Fourteen Days at least before any subsequent Ordinary Meeting, the Books of the Company shall be balanced and the Accounts made up for the preceding Year; and all Meetings, whether ordinary or extraordinary, shall be held at *Elgin*, or such other Place as the Directors of the Company shall from Time to Time direct. First and subsequent General Meetings.

XXXIV. The Quorum for every Meeting of the Company shall be Eleven Shareholders, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company. Quorum of Meeting.

XXXV. At every Meeting of the Company the Shareholders shall be entitled to vote according to the following Scale; *videlicet*, every Shareholder for One Share shall have One Vote, for Two Shares he shall have Two Votes, for Three Shares he shall have Three Votes, for Five Shares he shall have Four Votes, for Seven Shares he shall have Five Votes, for Ten Shares he shall have Six Votes, and for every Five Shares beyond Ten Shares he shall have Two Votes. Scale of voting by Shareholders.

XXXVI. The Number of Directors of the Company shall be Eleven, and the Qualification of every such Director shall be his holding in his own Right Shares in the Undertaking to the Amount Number and Qualification of Directors.

of One hundred Pounds, except in the Case of the Burgh or Corporation of *Elgin*, the Provost or Chief Magistrate of which shall for the Time be *ex-officio* a Director, with the same Privileges as belong to the other Directors of the Company.

First Election of Directors.

XXXVII. The several Persons who were Directors of the Company at the Time of the passing of this Act shall continue in Office until the First Ordinary Meeting, to be held within Three Months after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the said Directors, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the said Directors being eligible as Members of such new Body, if possessed of the Qualification required by this Act.

Future Directors.

XXXVIII. At the First Ordinary Meeting to be held in the Year One thousand eight hundred and fifty-six, and in every future Year, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation (*Scotland*) Act, 1845," contained, except in so far as these Provisions are varied by this Act; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others shall have been elected in their Stead in the Manner provided by the said Companies Clauses Consolidation Act.

Quorum of Directors.

XXXIX. The Quorum of a Meeting of Directiors shall be Five.

Committee of Directors.

XL. The Number of Directors of which Committees appointed by the Directors shall consist shall be Five, and the Quorum of such Committee shall be Three: Provided always, that no Resolution of such Committee involving more than Twenty Pounds of Outlay shall be valid or carried into effect until the same shall have received the Sanction of a Meeting of Directors.

Newspaper for Advertisements.

XLI. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be a Newspaper published in the County of *Elgin and Forres*.

Limits of Harbour.

XLII. This Act shall be put in force for improving the said Harbour within the Limits following; (that is to say,)

The Limits of Deviation for Works Seaward and Landward shall be bounded by a dotted Line coloured Red, and lettered a, b, c, d, e, f, p, a, as shown on a Plan deposited at the Admiralty, and signed

signed by the Secretary of the Admiralty; and the Company shall have an Extent of Harbour Jurisdiction bounded by a dotted Line coloured Green, and marked with the Letters G, H, L, M, N, O, G, on the said Plan, within which last-mentioned Limits only the Company may remove Shoals and Rocks, dredge Channels, lay down Buoys, erect Perches, exercise the Authority of Harbour-master, and take Dues for Pilotage:

And within the Limits first above mentioned it shall be lawful for the Company from Time to Time to cause the said Harbour to be extended, enlarged, cleansed, and deepened in such Manner and to such Extent as they shall deem expedient, and as the Lords Commissioners of the Admiralty shall, by Writing under the Hand of the Secretary of the Admiralty, assent to.

Power to improve Harbour according to deposited Plans.

XLIII. And whereas a Plan and Section of the Harbour and Works showing the Situation and Levels thereof respectively, and the Limits within which the same are to be constructed, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands upon or through which the same are intended to be made, have been deposited with the Principal Sheriff Clerk of the County of *Elgin and Forres*: Be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company to extend, enlarge, deepen, clean, and improve the said Harbour and Works in the Situation and upon the Lands delineated upon the said Plan and described in the said Book of Reference, or such Portion thereof as the said Company may determine, according to the Levels defined on the said Sections, and within the Limits aforesaid to make and maintain such Docks, Quays, Piers, Jetties, Landing Places, Slips, Approaches, and other Works and Conveniences as they may think necessary for the Purposes of the said Harbour, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Any Crown Land reclaimed by the Works not to be taken without the Consent of Commissioners of Woods, &c.

XLIV. If in the course or by means of the Execution of any of the said Works any Part of the Shores or Bed of the said Harbour, or of the Sea beyond the Mouth thereof, belonging to Her Majesty, shall be inned, gained, or reclaimed from the Water, the said Company shall not have or exercise any Right upon the same or in respect thereof, but such inning, gaining, or Reclamation of Land so belonging to Her Majesty shall enure absolutely for the Benefit of Her Majesty the Queen, Her Heirs and Successors, and it shall not at any Time afterwards be lawful for the said Company to take, enter upon, or interfere with the Lands so inned, gained, or reclaimed for any Purpose whatsoever without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

XLV. It

Power to deviate.

XLV. It shall be lawful for the Company, in constructing the Works by this Act authorized, to deviate from the Lines delineated on the said Plans deposited as aforesaid to the Extent of the Limits of Deviation defined on such Plans.

Power to alter Plan with Sanction of the Admiralty.

XLVI. It shall be lawful for the Company, within the Limits aforesaid, to make any Deviations from or Alterations in the Plans deposited as aforesaid of the Works authorized by this Act which to them may appear expedient: Provided always, that they shall, before adopting and carrying the same into execution, submit the Plans of such Deviation or Alterations to the Lords Commissioners of the Admiralty, and no such Deviation or Alteration shall be adopted or executed by the Company unless approved by the said Lords Commissioners of the Admiralty, signified in Writing under the Hand of the Secretary, or otherwise, as they may think proper.

Lands for extraordinary Purposes.

XLVII. The Lands to be taken by the Company for extraordinary Purposes shall not exceed Ten Acres.

Period for completing of Works.

XLVIII. The Works hereby authorized to be constructed shall be completed within Ten Years after the passing of this Act; and on the Expiration of such Period the Powers by this Act and the Acts incorporated herewith given to the Company for constructing the said Works shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Rates on Ships as in Schedule (B.)

XLIX. It shall be lawful for the Company to demand for every Vessel using or entering the said Harbour any Sum for every Ton Measurement of such Vessel, not exceeding the Rates mentioned in Schedule (A.) hereunto annexed; and from and after the Completion of any Wet Dock hereafter to be constructed, for every Vessel entering into the said Basin or Dock any additional Sum for every Ton Measurement of such Vessel not exceeding the Rates mentioned in Schedule (B.) hereunto annexed; and every such Rate shall be payable by the Master or Owner or Owners of such Vessel.

Further Tonnage Rates on Vessels remaining in Dock longer than Sixty Days.

L. If any Vessel using the Basin or Dock, whether the same shall previously have paid or been liable to pay Tonnage Rates and Duties or not, shall remain in the said Basin or Dock for any longer Space of Time than Sixty Days, the Company may demand for every such Vessel a further Rate of One Penny *per* Ton for every Month, and so in proportion for any Period less than a Month, during which any such Vessel shall remain in the said Basin or Dock beyond the said Period of Sixty Days, in addition to the Tonnage Rates and Duties payable by virtue of this Act: Provided always, that such additional Rates and Duties shall not be payable for any Vessel which shall

shall have been prevented leaving the said Basin or Dock by any Embargo or Stress of Weather.

Rates on Goods, as in Schedule (C.).

LI. It shall be lawful for the Company, subject to the Exemptions therein specified, to demand for all Goods mentioned in the Schedule (C.) hereunto annexed which shall be shipped or unshipped, received or delivered, within the Limits of the Harbour, any Sum not exceeding the several Rates and Duties in the said Schedule (C.) specified with respect to such Goods respectively; and as to all such Goods as shall not be specified in the said Schedule, the Company may demand a Rate equal to the Rate for the Time being payable in respect of Goods of a similar Nature, Package, and Quality.

Rates for Cranes, Weighing Machines, Sheds, &c., as in Schedule (D.).

LII. It shall be lawful for the Company to levy, demand, and receive from the Owner or Person in charge of all Goods shipped or unshipped or landed within the said Harbour for the Use of Cranes, Weighing Machines, Warehouses or Sheds, Hurries and Hawsers, Lights and Water, any Rates and Duties not exceeding the several and respective Rates and Duties set forth in the Schedule (D.) hereunto annexed.

Revision of Rates and Limits.

LIII. The Company shall once in every Twenty-one Years transmit to the Board of Trade a Statement of the maximum Rates and Duties intended to be levied and received by them under this Act, and of the Limits within or in respect of which the said Rates and Duties may be taken; and they shall give Notice that such Statement has been so transmitted, and that a Copy thereof lies at their Office for Inspection by Advertisements once a Week for Three Weeks in a Newspaper published or circulating in the County of *Elgin and Forres*; and any Creditor on the Rates and Duties, or any Person paying Rates and Duties, may within Fourteen Days after the last Insertion of the Notice as aforesaid state in Writing his Objections to the Board of Trade; and thereafter the said Board shall make such Investigation as to it shall seem just, and shall fix and determine the maximum Rates and Duties to be levied and received by the Company under this Act, and the Limits within or in respect of which such Rates and Duties shall be taken: Provided always, that the said Rates and Duties shall not be reduced below the Sums proposed by the Company unless it shall be made clearly to appear to the Board of Trade that the Rates and Duties as so reduced will be amply sufficient for all the Purposes of this Act.

Board of Trade may appoint an Auditor to examine Accounts.

LIV. If upon Complaint made to the Board of Trade by any Person interested, in Writing under his Hand, it shall appear to the said Board that there is reasonable Ground for believing that the Accounts of the Company have not been duly kept, or that any Tolls,

Rates, or Duties have been improperly or unfairly levied by them, or have not been applied in accordance with the Directions of this Act, the Board of Trade may appoint an Auditor to examine the Accounts of the Company, and examine into the Matters so complained of, and to report to them thereon, and the Company shall, upon Demand, produce to such Auditor all or any of their Accounts, Books, Deeds, Papers, Writings, and other Documents, and afford to him all reasonable Facilities for examining and comparing the same, and in case any Matter complained of shall be found to be true, the reasonable Expenses of such Auditor shall be paid by the Company out of the Monies coming to their Hands under this Act, and in case it shall not be so found, then by the Complainant, and in either Case such Expenses may be recovered in any Court of competent Jurisdiction as a Debt due to the Crown.

Power to Company to employ Steam Tugs.

LV. For enabling the Company to carry out more effectually the Purposes of this Act, it shall be lawful for them, if found expedient, to purchase or employ Tug Steamers or other Craft and Lighters for facilitating and securing the safe Shipment and Landing of Goods at the said Harbour, and for communicating with the opposite Shores of the *Moray Firth*, and to apply the Funds of the Company for such Purposes to an Extent not exceeding in the whole the Sum of Fifteen hundred Pounds for the Purchase or for aiding in the Purchase of such Steamers or Craft and Lighters, or to pay or aid in paying for the Charter of such Steamers or other Craft and Lighters to an Extent not exceeding Three hundred Pounds *per Annum*.

Sinking Fund to be established.

LVI. At the Expiration of Five Years from the passing of this Act the Company shall annually thereafter, out of the Revenue of the said Harbour, set apart for extraordinary Purposes, such as Reparation in the Case of sudden Damage to the Works or otherwise, a Sum not less than One hundred Pounds *per Annum*, the same to accumulate as a Sinking Fund, and to be available for such Purposes only; provided that the said Fund need not amount in the whole to a greater Sum than Five hundred Pounds, and in the event of the same being reduced by Payments for such Purposes, the said annual Sum not exceeding One hundred Pounds shall continue to be set apart, so that the said reserved Fund be kept up at the maximum Amount of Five hundred Pounds, and so *toties quoties*, according as the same may be reduced.

Power to license Pilots.

LVII. It shall be lawful for the said Company and they are hereby authorized to license, appoint, and regulate such Number of Persons, duly qualified, as they shall think fit, to act as Pilots for the said Harbour, and to fix reasonable Rates of Pilotage to be paid to the said Pilots, not exceeding the Rates to be specified in the Schedule (E.) to

to this Act annexed, and to appoint and displace such Pilots at pleasure; but no Person shall be appointed to act as such Pilot unless he shall have been at least Five Years regularly engaged as a Fisherman or Sailor at or frequenting the said Harbour, or any other Harbour on the East Coast of *Scotland* North of *Aberdeen*; and if any Person shall act as a Pilot within the Limits of the said Harbour without being licensed and appointed as aforesaid, every Person so offending shall forfeit for each Offence a Penalty not exceeding Twenty Pounds: Provided always, that the Master of every Vessel above Forty Tons entering or leaving the Harbour shall employ One or more of the Persons to be licensed as aforesaid to act as Pilot for and in respect of such Vessel: Provided further, that nothing herein contained shall affect or interfere with the Provisions of any General Act to be hereafter passed for regulating Pilots or Pilotage in *Scotland*.

Pilots to be employed.

LVIII. No Pilot shall be at liberty to pilot or convey any Vessel from the said Harbour, or the Precincts thereof, until the Harbour-master or other Officer appointed by the said Company shall have declared himself satisfied that the Rates and Duties payable in respect of such Vessel have been duly paid to the Collector appointed to receive the same; and every Pilot so offending shall forfeit a Sum not exceeding Ten Pounds, besides the Expense of suing for and recovering the same.

No Pilot to take out any Vessel till the Duties are paid.

LIX. Subject to the Approval of the Commissioners of Northern Lighthouses, it shall also be lawful for the Company to erect and maintain Lighthouses, Buoys, Moorings, and other Landmarks within the Limits of the said Harbour for the Purposes thereof.

Company may maintain Lighthouses, &c.

LX. Previously to commencing any new Works, or any Alteration or Extension of existing Works in the said Harbour, the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Works for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Works shall be constructed only in accordance with such Approval; and when any such Works shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Works shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore

New Works, &c. not to be made till Plan submitted to Admiralty.

the

the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Admiralty may order local Surveys at Expense of Company.

LXI. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Works abandoned, &c. affecting tidal Waters may be removed by Admiralty at Expense of Company.

LXII. If any Work constructed or to be constructed by the Company in, under, over, through, or across any tidal Water, or if any Portion of any Work affecting or which may affect any such Water or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit.

Saving the Rights of the Crown.

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

Saving Jurisdiction of Admiralty.

LXIV. Provided always, That nothing herein contained shall be held to limit or abridge or in any way affect the Powers, Privileges, and Jurisdictions of the Lord High Admiral of *Great Britain* and *Ireland*, or of the Lords Commissioners of the Admiralty, which are hereby saved and reserved entire.

LXV. Nothing

LXV. Nothing in this Act contained shall be deemed to exempt the Company from the Provisions of "The Merchant Shipping Act, 1854," "The Merchant Shipping Amendment Act, 1855," or of any General Act relating to Harbours or Dues upon Shipping, or on Goods carried in Ships, now in force or which shall be passed during the present or any future Session of Parliament, or from any future Revision and Alteration under the Authority of Parliament of the Dues or Rates authorized by this Act. Company not exempt from Provisions of Merchant Shipping Acts, 1854 and 1855.

LXVI. The Costs and Expenses of passing this Act, and preparatory and incident thereto, shall be paid by the Company. Expenses of Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

TONNAGE DUTIES.

	£	s.	d.
For all Vessels whatever entering to load or unload, per Register Ton	0	0	4
For all Vessels, Wind-bound or otherwise, and not loading or unloading, per Register Ton - - - - -	0	0	2
For ditto when laid up to Winter, for each Month or Commencement of a Month, per Register Ton - - - -	0	0	3

Vessels launched at the Port of Elgin and Lossiemouth to pay Half Dues on First Voyage if sailing in Ballast, but if loading to pay full Dues.

Vessels arriving and departing in Ballast to pay Half Dues.

BOATS.

All open Boats engaged in the Herring Fishery at the Port in full of Tonnage Duty for the Period of their Fishing Season -	0	12	0
All open Boats loading or discharging Herrings not engaged at the Port for the Season shall on each Occasion pay 1*s.* each, and when Wind-bound, 8*d.* each.			
Other Boats, each loading or discharging - - -	0	2	6
Ditto, Wind-bound - - - - -	0	1	0
Ditto, when above 15 Tons Register to be charged according to Tonnage Dues for Vessels as above.			
Each White Fishing Boat for the Season commencing 1st November, and payable annually in advance - - -	1	0	0

SCHEDULE B.

WET DOCK DUES.

A Vessel not exceeding 30 Tons, per Register Ton - -	0	0	2
Ditto, 30 Tons and upwards - - - - -	0	0	4

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SCHEDULE C.

RATES ON GOODS.

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Ale - - - - - -	per Barrel Bulk	0	0	4
Animals. *See* Cattle.				
Ballast - - - - -	per Ton - -	0	0	1
Bark, Oak - - - - -	do. - -	0	1	6
Quercitron - - - -	do. - -	0	1	6
Barrels, empty - - - -	per Barrel -	0	0	1
with White Fish, Beef, Pork, &c. -	per do. - -	0	0	4
Baskets under 12 Inches Diameter - -	per Dozen -	0	0	6
above 12 Inches Diameter - -	do. - -	0	1	0
Basket Rods - - - - -	per Barrel Bulk	0	0	4
Beer, all Kinds, except Black - - -	per do. -	0	0	4
Black - - - - -	per Keg of 4 Galls. - -	0	0	1
Blubber - - - - -	per Ton -	0	2	0
Bones of Cattle, &c. - - - -	per Ton -	0	1	0
Bones, crushed - - - -	per Quarter -	0	0	3
Bottles, Green or common, empty - -	per 6 Dozen Quarts and proportionally	0	0	4
Earthen or Stone, do. - -	per do. -	0	0	4
full, in Hampers - - -	per Barrel Bulk	0	0	4
Bran - - - - - -	per Quarter -	0	0	2
Brandy. *See* Spirits.				
Brass - - - - - -	per Cwt. -	0	0	2
Bricks - - - - -	per 1,000 -	0	1	0
Brooms, common - - - -	per Dozen -	0	0	1½
Bulls. *See* Cattle.				
Butter - - - - - -	per Cwt. -	0	0	2
Calves. *See* Cattle.				
Candles - - - - - -	per Barrel Bulk	0	0	4
Carboys - - - - - -	each - -	0	0	4
Carrots - - - - - -	per Ton -	0	0	8
Casks, Puncheons, empty - - -	each - -	0	0	6
Hogsheads, do. - - -	do. - -	0	0	3
Half Hogsheads, and under, empty -	do. - -	0	0	2
Cattle, viz.:—				
Bulls - - - - -	each - -	0	2	6
Cows, Oxen, or Queys - -	do. - -	0	2	0
Calves - - - - -	do. - -	0	1	0
Horses - - - - -	do. - -	0	3	0
Ponies under 12 Hands - -	do. - -	0	1	6
Asses or Mules - - -	do. - -	0	1	0
Pigs - - - - - -	do. - -	0	0	3
Sheep - - - - - -	do. - -	0	0	2
Lambs - - - - -	do. - -	0	0	2
Cattle and Horses from Orkney and Shetland	do. - -	0	0	8
all not enumerated - - -	do. - -	0	0	6

The Elgin and Lossiemouth Harbour Act, 1856.

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Cement	per Ton	0	2	6
Chalk	per Ton	0	1	0
Chemical Manure	do.	0	1	6
Chimney Tops	each	0	0	1
Cinders and Charcoal	per Ton	0	1	0
Clay, viz.:—				
China or Stone	do.	0	0	6
Pipe	do.	0	0	6
Clocks	each	0	1	0
Clothiery, Haberdashery, Silk Mercery, Hosiery, and all such Articles	per Barrel Bulk	0	0	4
Coals, Scotch and English	per Ton	0	0	10
Codilla	do.	0	3	0
Copper	do.	0	3	0
Copper, old	do.	0	2	0
Ore	do.	0	1	0
Cork	per Barrel Bulk of 70 lbs.	0	0	4
Corn and Meal, viz.:—				
Barley and Bigg	per Quarter	0	0	3
Do., shelled and Pearl	do.	0	0	3
Beans	do.	0	0	3
Do., French	do.	0	0	3
Indian Corn	do.	0	0	3
Meal of all Kinds	per 10 Stones	0	0	1½
Malt	per Quarter	0	0	4
Oats	do.	0	0	2
Pease	per Quarter	0	0	3
Do., split	do.	0	0	3
Rye	do.	0	0	3
Wheat	do.	0	0	4
Flour	per Sack	0	0	2½
Cotton, Wool	per 80 Imp. Pound	0	0	4
Dogs, sporting	each	0	0	8
Dogs, Sheep, &c.	each	0	0	4
Dung	per Ton	0	0	6
Feathers	per 80 Imp. Pounds	0	0	4
Fish, salted	per Barrel	0	0	4
dry	per Cwt.	0	0	2
Flax	per Ton	0	3	0
Fruit, of all Kinds	per Barrel Bulk	0	0	4
Gin. *See* Spirits.				
Grease	per Ton	0	2	8
Groceries of all Kinds	per Barrel Bulk	0	0	4
Guano	per Ton	0	1	6
Hair, baken	per Ton	0	3	0
Plasterer's	per Ton	0	2	0
Hay	per Ton	0	1	6
Hemp	per Ton	0	3	0
Herrings	per Barrel	0	0	3
Hoops of Wood, viz.:—				
Ware and Half Ware	per 1,200	0	0	6
Pink and Half Pink	per 1,200	0	0	4

The Elgin and Lossiemouth Harbour Act, 1856.

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
Iron, viz.:—				
Bar, Plate, Bolt, and Rod	per Ton	0	2	0
forged, including Rails	do.	0	2	0
made Work	do.	0	2	8
old	do.	0	1	0
Cast Iron Goods	do.	0	2	6
Pig	do.	0	1	0
Ore	do.	0	0	6
Kelp	do.	0	1	6
Kilne Pavement	do.	0	1	0
Lard	per Barrel Bulk	0	0	4
Lead	per Ton	0	2	0
Ore	do.	0	1	0
Shot	do.	0	3	6
Leather, tanned and dressed	per Cwt.	0	0	2
Lemons and Oranges	per Chest	0	0	4½
Lignum Vitæ. *See* Wood.				
Lime	per Imperial Quarter	0	0	1
Loam and common Clay	per Ton	0	0	6
Mahogany. *See* Wood.				
Manganese	do.	0	2	0
Ore	do.	0	0	6
Marble	do.	0	2	8
Mill Waste	do.	0	1	8
Oakum	do.	0	2	8
Oils of all Kinds	per Barrel Bulk	0	0	4
Oil Cake	per Ton	0	1	6
Paper	per Barrel Bulk	0	0	4
Passengers Luggage (if above Half Barrel Bulk)	per Barrel Bulk	0	0	6
Pelts	per Ton	0	2	0
Pewter	do.	0	2	0
old	do.	0	1	0
Pitch	per Barrel	0	0	3
Plaster of Paris	per Ton	0	2	8
Plate, Silver	per Barrel Bulk	0	1	0
Porter	per Barrel Bulk	0	0	4
Potatoes	per Ton	0	1	4
Poultry	per Barrel Bulk	0	0	4
Rags	per Ton	0	2	0
Ropes and Cordage of all Descriptions	per Barrel Bulk	0	0	4
Salt	per Ton	0	1	0
Salmon	per Ton	0	5	0
Seed of all Sorts	per Brl. Bulk of 2½ Cwt.	0	0	4
Slates	per 1,000	0	2	0
Spades or Shovels	per 2 Dozen	0	0	4
Spirits of all Kinds	per Barrel Bulk	0	0	4
Steel	per Ton	0	2	0
Straw	per Ton	0	1	6
Stones, viz.:—				
rubbled, Freestone	per Ton	0	0	2
hewn Ashlar, do.	do.	0	0	3
rough Ashlar, do.	do.	0	0	3
Rubble Causeway	do.	0	0	2
Causeway, dressed	do.	0	0	3

The Elgin and Lossiemouth Harbour Act, 1856.

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Stones, viz. (*cont.*):—				
Pavement, dressed	per Ton	0	0	6
Building	do.	0	0	2
Curb	do.	0	0	3
Grave Stones, foreign	each	0	2	0
Do., home	do.	0	1	0
Scythe Stones	per 250	0	0	4
Grindstones	each	0	0	6
Millstones	each	0	2	6
all not mentioned	per Ton	0	0	6
Stucco	per Ton	0	2	8
Sugar of all Kinds	per Barrel Bulk	0	0	4
Tallow	per Ton	0	2	8
Tanners Waste	do.	0	1	0
Tar	per Barrel	0	0	4
Teas	per Barrel Bulk	0	0	4
Tiles	per Ton	0	1	0
Tin of all Kind	per Ton	0	2	0
Tobacco	per Barrel Bulk	0	0	4
Tow	per Ton	0	2	0
Turnips	per Ton	0	0	3
Whalebone or Whalefins	per Ton	0	2	6
Wheels, Coach or Cart	per Pair	0	0	9
Whitening	per Ton	0	1	0
Wine	per Barrel Bulk	0	0	4
Wood, Mahogany, Lignum Vitæ, and other Fancy Wood	per Ton	0	3	4
Do., plain Foreign Wood	per Load of 50 Feet, Calliper Measure	0	2	0
Do., British or Home-grown Timber, unmanufactured	per Load of 50 Feet, Calliper Measure	0	1	6
Do., Sleepers, Props, and sawn Wood	per One Pound Value at the Port	0	0	6
Wool, raw, of all Kinds	per Cwt.	0	0	4
combed	per Cwt.	0	0	4
Woad or Wald	per Ton	0	2	8
Yarn of all Kinds	per Barrel Bulk	0	0	4

For all Articles, Merchandise, Goods, Wares, or Commodities not enumerated in the foregoing Schedule, per Ton 2*s.* 8*d.*, or per Barrel Bulk 4*d.*

Small Packages under 56 lbs. shall be reckoned One Fourth of a Barrel Bulk.

The Barrel Bulk of all Articles not otherwise rated to be Five Cubic Feet, excepting when the said Measure shall exceed Two and a Half Hundredweight, in which Case Two and a Half Hundredweight is to be rated a Barrel Bulk.

Shore Dues at the above Rates to be paid on all Articles, &c., loaded or unloaded, or otherwise arriving at or leaving the Port.

EXEMPTIONS

EXEMPTIONS FROM THE ABOVE DUTIES.

1. All empty Herring Barrels, and all returned empty Boxes, Barrels, Casks, Sacks, and Packages, are exempted from Duties.
2. All Goods landed from any Vessel and re-shipped in the same Vessel in the original Packages, and without being transferred from the Lander, or if the said Goods have been put into other Packages from the original Packages having been destroyed or damaged, shall only pay Duties on landing, and may be re-shipped in the same Vessel upon her Departure Outward without paying Duties again.
3. All Goods landed from One Vessel and re-shipped in the original Packages by another Vessel shall, on landing, pay One Rate of Duties only.
4. All Goods transferred from One Ship to another in the original Packages without being landed shall pay One Half Duties only.
5. In case any Goods having paid Shore Dues when loaded shall from any Accident or otherwise be unloaded, the same shall not be chargeable with a Second Payment on being reloaded.
6. The Furniture and Luggage of Fishermen coming to or returning from the Herring Fishery at the Commencement or End of the Season.
7. Stones, Timber, Tools, Machinery, or other Materials for the Use of the Piers, Harbour, and Works.
8. Foreign Wood landed at the Port, or having paid full Dues, and re-shipped unmanufactured, shall be charged Half Dues only on such Re-shipment.

SCHEDULE D.

Rates for the Use of Cranes, Weighing Machines, Warehouses, or Sheds, Hurries, and Hawsers, Lights and Water.

I.—RATES FOR CRANAGE.

For all Goods or Packages,—	£	s.	d.
Not exceeding 1 Ton	0	0	3
Exceeding 1 Ton and not exceeding 2 Tons	0	0	4
„ 2 Tons „ 3 Tons	0	0	6
„ 3 Tons „ 4 Tons	0	0	8
„ 4 Tons „ 5 Tons	0	0	10
„ 5 Tons „ 6 Tons	0	1	0
„ 6 Tons „ 7 Tons	0	1	2
„ 7 Tons „ 8 Tons	0	1	4
„ 8 Tons „ 9 Tons	0	1	8
„ 9 Tons „ 10 Tons	0	2	0
„ 10 Tons	0	3	0

II.—DUES FOR WEIGHING MACHINES.

For Potatoes and Coals, each Ton or Part of a Ton	0	0	4
For other Goods, ditto ditto	0	0	6

III.—WAREHOUSE OR SHED DUES.

For each Ton of Goods of 8 Barrels Bulk, or for each Ton of Goods of 20 Cwts., which shall remain in the Warehouse or Sheds, or on the Quays of the Harbour, for a longer Time than 24 Hours, and less than 48 Hours, the Sum of 3*d.*; and the Sum of 1½*d.* per Ton for each Day during which such Goods shall remain after the First 48 Hours.

IV.—DUES

IV.—DUES FOR HURRIES.

For each Ton of Goods of 20 Cwt. shipped by means of the Hurries, $\frac{1}{2}d.$ per Ton.

V.—HAWSER DUES.

For every Vessel under the Burden of 100 Tons using any Hawser the Property of the Company, 6*d.* per Vessel; for every Vessel of the Burden of 100 Tons or upwards, 1*s.* per Vessel.

VI.—PIER HEAD LIGHTS.

	£	s.	d.
Vessels of 30 to 60 Tons, each Voyage - - - - -	0	0	6
Ditto 60 to 80 „ „ - - - - - -	0	0	9
Ditto 80 to 100 „ „ - - - - - -	0	1	0
Ditto 100 to 120 „ „ - - - - - -	0	1	6
Ditto 120 and upwards - - - - - - -	0	2	6
Herring Boats, for the Fishing Season - - - - -	0	5	0

VII.—WATER MONEY.

Water supplied to Vessels, per 50 Gallons - - - - -	0	2	0
Ditto Herring Boats for the Fishing Season - -	0	7	6

SCHEDULE E.

PILOT DUES.

	£	s.	d.
For every Vessel above 20 Tons entering and leaving the Harbour, per registered Ton - - - - - - - - - -	0	0	3
For each Tide of Four Hours Work within the said Harbour, for each Man - - - - - - - - - -	0	1	0
For laying out Kedge and Warp to assist Vessels to Sea - -	0	5	0
For each Man employed in hauling a Warp on board a Vessel hanging by a Kedge - - - - - - - - -	0	1	0

EXEMPTIONS.

Vessels which have sailed from the Harbour and are put back by Stress of Weather or from any other Cause, without having accomplished their Voyage, not liable in additional Dues.

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