ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

Cap. clxxiii.

An Act for deepening, regulating, and otherwise improving *Falmouth* Harbour in the County of *Cornwall*, and for forming Basins, Docks, and other Works in *Penryn Creek* in the aforesaid Harbour; and for other Purposes.

[31st *July* 1845.]

WHEREAS it would be of great public Advantage if Powers were granted for deepening, regulating, and otherwise improving *Falmouth* Harbour in the County of *Cornwall*, and for forming Basins and a Dock or Docks in *Penryn Creek*, running out of and forming Part of *Falmouth* Harbour aforesaid, and for penning up the Waters within the said Creek, and for such last-mentioned Purposes to construct an Embankment at or near the Entrance to the said Creek, together with all necessary Cuts, Sluices, Drains, Wharfs, Quays, Warehouses, Roads, Approaches, and other Works adjoining thereto or connected therewith; but such Objects 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 this present Parliament assembled, and by the Authority of the same, That Sir *Charles Lemon* of *Carclew*, Baronet, *Edward William Wynne Pendarves* Esquire, *James Hanway Plumridge* Esquire, Captain in the Royal Navy, the Mayor and Two senior Aldermen for the Time being of the Borough

Appointment of perpetual Commissioners.

of *Falmouth*, the Mayor and Two senior Aldermen for the Time being of the Borough of *Penryn*, *Philip Vyvyan Robinson* Esquire, or other the Steward for the Time being of the Manor of *Penwerris* in the County of *Cornwall*, *John Smith* Esquire, or other the Steward for the Time being of the Manor of *Tregrew* in the said County, *John Pollard* Esquire, or other the Steward for the Time being of the Manor of *Arwenack* in the said County, and *Ralph Barnes* of *Exeter* in the County of *Devon*, Esquire, or other the Secretary for the Time being of the Bishop of *Exeter* for the Time being, shall be and they are hereby appointed perpetual Commissioners for carrying this Act into execution.

For supplying Vacancies in perpetual Commissioners.

II. And be it enacted, That in case they the said Sir *Charles Lemon*, *Edward William Wynne Pendarves*, and *James Hanway Plumridge*, or either of them, shall die, or become desirous of being discharged from or incapable of acting as such Commissioners as aforesaid, it shall be lawful for the Lord Lieutenant of the County of *Cornwall* for the Time being, by Writing under his Hand, to nominate and appoint some fit and proper Person or Persons in the lieu or stead of them the said Sir *Charles Lemon*, *Edward William Wynne Pendarves*, and *James Hanway Plumridge*, or any of them, and so *toties quoties* as often as any Persons or Person so nominated and appointed in their or his Stead shall die, or become desirous of being discharged or incapable of acting as a Commissioner under this Act.

Power to Companies advancing Money to appoint Commissioners.

III. And be it enacted, That in case any public Company acting under the Authority of an Act of Parliament or a Royal Charter shall advance or lend the Sum of Two hundred and twenty thousand Pounds, or such Sum of Money as may be required for the Purposes of this Act, upon the Security of the Rates and Duties authorized by the same, it shall be lawful for such Company to nominate and appoint Six of the Directors of such Company to be Commissioners under this Act so long as the said Sum of Two hundred and twenty thousand Pounds, or such Sums as may be advanced by such Company, or any Part thereof, shall be due and owing upon the Security aforesaid; and that such Six Directors, when so appointed as aforesaid, shall act in the same Manner, and be entitled to the same Rights and Privileges, as any other Commissioner appointed under this Act.

For supplying Vacancies in Commissioners appointed by Company.

IV. And be it enacted, That in case of the Death or Incapacity of such Six Commissioners so nominated by the said Company as aforesaid, or any of them, it shall be lawful for such Company to appoint others or another of their Directors to be Commissioners in the Room or Stead of the Commissioners so dying or becoming incapacitated as aforesaid, and so *toties quoties* as often as such Vacancy shall happen.

Commissioners appointed by Company to cease to act on Debt being paid off.

V. And be it enacted, That so soon as the said Debt or Sum of Two hundred and twenty thousand Pounds, or such Sum as may be advanced as aforesaid, and all Interest due and owing for the same, shall be paid off and satisfied, such Commissioners so appointed by such Company as aforesaid shall cease to act, and all the Powers and Provisions herein-before contained with respect to the Nomination or Appointment of the same shall cease and determine.

VI. And

First elective Commissioners.

VI. And be it enacted, That *Alfred Fox* of *Falmouth* aforesaid, *Robert Richards Broad* of the same Place, *Edward Clifton Carne* of the same Place, *Thomas Rogers* of the same Place, *William Crouch* the younger, of the same Place, and *Richard John Head* of the same Place, Esquire, a Commander in the Royal Navy, as representing the Interests of the Borough and Parish of *Falmouth* in the said County; *Richard Wise* of the Borough of *Penryn* aforesaid, *James Bird Read* of the same Place, *William Banks* of the same Place, *Samuel Dunstan* of the same Place, *William Corfield* of the same Place, and *Richard Sowell* of the same Place, as representing the Interests of the Borough of *Penryn* aforesaid; *Richard Taylor* of *Penmere* in the Parish of *Budock* in the said County, *Wentworth P. Croke* of the same Parish, and *George Glasson* of the same Parish, as representing the Interests of the Parish of *Budock* aforesaid; *Thomas Williams Reed* of *Trevissome* in the Parish of *Mylor* in the said County, *Thomas Ball Sulivan* of the same Parish, C. B., Captain in the Royal Navy, and *Stephen Doble* of the same Parish, as representing the Interests of the Parish of *Mylor* aforesaid, shall be and they are hereby appointed the first elective Commissioners for carrying this Act into execution.

Qualification of such Commissioners.

VII. And be it enacted, That every elective Commissioner under this Act shall be a resident Inhabitant of the said Borough and Parish of *Falmouth*, or of the said Borough of *Penryn*, or the aforesaid Parishes of *Budock* and *Mylor* in the said County, or One of them, and shall either be rated to the Rate made for the Relief of the Poor of One of the said Boroughs or Parishes in the annual Sum of Fifteen Pounds, or be possessed of Personal or Real Estate of not less than the Value of Five hundred Pounds beyond what will satisfy his Debts.

Bankrupts, &c. disqualified.

VIII. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing an elective Commissioner.

No Person holding Office, &c. to be a Commissioner.

IX. And be it enacted, That if any Commissioner shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

Shareholders in Joint Stock Companies not disqualified by Contracts.

X. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioners, being a Member of such Company, shall vote on any Question relating to the Execution of this Act in which such Company may be interested.

Commissioner may act as Justice.

XI. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

XII. And

Declaration by elective Commissioners.

XII. And be it enacted, That no Person shall be capable of acting as an elective Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed before One of the Commissioners a Declaration to the Effect following:

'I *A. B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled [*here insert the Title of this Act*], and also that I am a resident Inhabitant of and am rated to the Rates made for the Relief of the Poor of the Borough or Parish of *Falmouth*, or of the Borough of *Penryn*, or of the Parishes of *Budock* and *Mylor*, or One of them, in the annual Sum of Fifteen Pounds [*or* that I am seised or possessed of Real or Personal Estate of not less than Five hundred Pounds Value beyond what will satisfy all my Debts]."

False Declaration a Misdemeanor.

XIII. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor.

Declaration to be made at the first Meeting.

XIV. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as One of such Commissioners such Person shall make and subscribe the Declaration herein required; and it shall be lawful for any of the said permanent Commissioners, or for any Person attending as One of such elective Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration.

Penalty on Commissioners not being qualified acting.

XV. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds; and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Elective Commissioners neglecting to act.

XVI. And be it enacted, That if any elective Commissioner fail to act in the Execution of this Act for One Year, such Commissioner shall be deemed to have refused to act, and thereupon shall cease to be a Commissioner until he shall be re-elected as herein-after mentioned.

Period of Service and Time of

XVII. And be it enacted, That the elective Commissioners appointed by this Act shall go out of Office by Rotation as follows; (that is to say,)

say,) in the Month of *July* in the Year One thousand eight hundred and forty-six One Third of the elective Commissioners shall go out of Office, and at the same Time in the following Year One Third of the remaining elective Commissioners shall go out of Office, and at the same Time in the following Year the Remainder of the elective Commissioners shall go out of Office, and at the same Time in every subsequent Year One Third of the elective Commissioners, being those who have been longest in Office, shall go out of Office; and in each Instance the Places of the retiring elective Commissioners shall be supplied by the Election of a similar Number of Commissioners, as herein-after provided.

going out of elective Commissioners.

XVIII. And be it enacted, That every elective Commissioner going out of Office may be re-elected, and after such Re-election shall, with reference to going out by Rotation, be considered as a new Commissioner.

Elective Commissioners re-eligible.

XIX. And in order to determine the Rotation by which the elective Commissioners are required to go out of Office, be it enacted, That within Three Months after the passing of this Act the Commissioners shall meet at *Falmouth*, or some other convenient Place within Five Miles thereof, for the Purpose of forming a Rotation List of the elective Commissioners, and at such Meeting the Clerk to the Commissioners, or some other Person to be at such Meeting or previously appointed by the Commissioners for that Purpose, shall write the Names of all the then elective Commissioners for each of the said Boroughs and Parishes on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put the Slips for the respective Boroughs and Parishes in Four Boxes, and shall draw out such Slips in succession from each Box; and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so respectively drawn, and such Lists shall be kept by such Clerk for the Purposes of the Act, and the Names in each of such List shall be numbered consecutively, and the Commissioners for the said Boroughs and Parishes shall respectively retire from Office in the Order in which their Names appear on such respective Lists, according to the Proportion herein-before mentioned.

Rotation of elective Commissioners.

XX. And be it enacted, That for the Purpose of electing Commissioners for the said Borough and Parish of *Falmouth* and Parish of *Budock* a Meeting of the Persons entitled to vote as herein-after mentioned shall be held at *Falmouth* on the Third *Thursday* in *July* in each Year, between the Hours of Ten of the Clock in the Morning and Four of the Clock in the Afternoon, and for the Purpose of electing Commissioners for the Borough of *Penryn* and the Parish of *Mylor* a Meeting of the Persons entitled to vote as herein-after mentioned shall be held at *Penryn* on the Third *Friday* in *July* in each Year, between the Hours last before mentioned; and between the Hours aforesaid the Persons by whom such respective Elections are to be made shall respectively deliver to the Clerk of the said Commissioners, or in his unavoidable Absence to some Person authorized for that Purpose by the Commissioners, separate Papers respectively containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners for each of the several Boroughs and Parishes aforesaid,

Manner of Election for supplying periodical Vacancies.

aforesaid, and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meeting for each of the said Boroughs and Parishes, having the Majority of Votes at such Election, shall be Commissioners for the Purpose of carrying this Act into execution; and if at any such Election there be an Equality of Votes for Two or more Persons, the Clerk to the said Commissioners, or such Person as aforesaid, shall, if necessary to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

Qualification of Electors.

XXI. And be it enacted, That every Person who shall be rated to the Relief of the Poor in the Sum of Ten Pounds in either of the said Boroughs or Parishes respectively shall be entitled to vote in the Election of Commissioners for the respective Borough or Parish in which every such Person shall be so rated, to supply the Places of those retiring by Rotation.

Notice of Meetings for Election of Commissioners.

XXII. And be it enacted, That the Clerk to the Commissioners shall give public Notice of the annual Election of the Commissioners in some Newspaper circulated in the County of *Cornwall* for Two successive Weeks immediately preceding the Days of Election, and shall also affix or cause to be affixed a Notice on the Church Doors of each of the said Boroughs and Parishes on Two successive *Sundays* preceding the respective Days of Election; and such Notice shall be in the Form contained in Schedule (A.) to this Act, or to the like Effect.

List of Electors to be made out.

XXIII. And be it enacted, That for the Purpose of declaring the several Persons who are entitled to vote at the said Elections the respective Overseers of the Poor of the said Boroughs and Parishes shall make out and deliver at the principal Office of the Commissioners, or personally to their Clerk for the Time being, on or before the First Day of *July* in every Year, an alphabetical List of all Persons respectively rated to the then last Rate made for the Relief of the Poor in the said Boroughs and Parishes in the annual Sum of Ten Pounds and upwards, in the Form set forth in Schedule (B.) to this Act, or to the like Effect; and on Receipt of the said several Lists the said Clerk shall pay to the Overseers of the said Boroughs and Parishes respectively a Fee of Ten Shillings for each such List; and the said Overseers shall deliver Copies of the said Lists to any Person who shall require the same, on Payment of a Fee not exceeding One Shilling; and such List shall be conclusive as to the Right to vote of every Person whose Name shall be entered therein; provided that where more than One Person stands rated for the same Property such Persons respectively shall only be entitled to be entered on the said List and to vote if the total Amount of rating divided by the Number of Persons rated shall give Ten Pounds for each Person.

Mode of supplying occasional Vacancies.

XXIV. And be it enacted, That if any of the elective Commissioners die or resign, or be disqualified, or cease to be a Commissioner from any other Cause than that of going out of Office by Rotation, it shall be lawful for the remaining Commissioners of the Borough or Parish for which such Commissioner was originally appointed, if they think fit, to elect another Commissioner in his Place; and every Commissioner so elected shall continue in Office only so long as the Person in whose Place

Place he shall be elected would have been entitled to continue had he remained in Office.

First and other Meetings.

XXV. And be it enacted, That the Commissioners for executing this Act shall hold their First General Meeting at some convenient Place within the Boroughs of *Falmouth* or *Penryn*, or Five Miles thereof, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a yearly General Meeting of the Commissioners shall be held on the Third *Thursday* in *July* at one of the Places and between the Hours aforesaid, unless some other Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the Borough of *Falmouth* or *Penryn* aforesaid, or within Five Miles thereof; and if at any such Meeting there shall not be Five Commissioners present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner if only One be present, to adjourn such Meeting to another Day; and if the Meeting shall not be adjourned then it shall be lawful for any Two of the Commissioners, or the Clerk, to appoint a Meeting to be held at any convenient Place within the said Boroughs of *Falmouth* or *Penryn* aforesaid, or Five Miles thereof; and not less than Seven Days Notice shall be given of such intended Meeting.

Special Meetings.

XXVI. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Three or more of the Commissioners, may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Power to vary the Times of Elections and annual Meetings.

XXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to fix any Days in the Months of *July* or *August*, not exceeding Ten Days before or Ten Days after the Days herein-before respectively appointed, for proceeding to the Election of Commissioners, and for holding the annual Meetings required by this Act, in lieu of the Periods herein-before appointed for such Purposes.

Quorum of Commissioners.

XXVIII. And be it enacted, That all Powers of this Act may be exercised by any Five or more of the Commissioners present at any Meeting holden in pursuance of this Act; and no Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

How Notices of Meetings are to be given.

XXIX. And be it enacted, That all Notices of any Meeting of Commissioners to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode or Place of Business of each of the Commissioners Three Days at least previous to such Meeting, and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

XXX. And

Expences at Meetings.

XXX. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held.

General Meeting may appoint Committees.

Duration of Committees.

XXXI. And be it enacted, That it shall be lawful for the Commissioners at any General Meeting to appoint a Committee consisting of not more than Seven nor less than Five of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee; but no such Committee shall be appointed to act for a longer Term than until the annual General Meeting of the Commissioners next following its Appointment.

Quorum of Committee.

XXXII. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee be present.

Order of Business at Meetings of Commissioners and Committee.

XXXIII. And be it enacted, That at every Meeting of the Commissioners or Committee One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present, and if there be an equal Division of Votes, the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, that One of the Commissioners having an equal Number of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

No Resolution of Commissioners to be revoked at a subsequent Meeting, unless under certain Circumstances.

XXXIV. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation by Notice given Fourteen Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

For what Contracts may be made.

XXXV. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Person for the Execution of any Works directed or authorized by this Act to be done by the Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done, and the Materials to be furnished, and a Copy thereof shall be entered in a Book to be kept by the Clerk of the Commissioners for that Purpose.

XXXVI. And

Who to sign Contracts.

XXXVI. And be it enacted, That every such Contract shall be signed by any Three of the Commissioners and the other Parties thereto; and such Contract shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the Commissioners or the other Parties failing in the Execution thereof.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXXVII. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury, by Indictment, as herein-after mentioned, be held to be the Property of the Commissioners.

Indictments how to be preferred.

XXXVIII. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take or carry away, deface or injure, any Property, Article, or Thing belonging to the Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members of the Commission.

Actions or Suits to be brought in the Name of any Two Commissioners, or their Clerk.

XXXIX. And be it enacted, That in all Actions, Suits, or Proceedings in respect of any Matter or Thing relating to the Execution of this Act, to be brought or preferred by or against the Commissioners, it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff, Prosecutor, or Defendant, representing the Commissioners in any such Action, Suit, or Proceeding; and no such Action, Suit, or Proceeding shall abate or be discontinued by the Death or Resignation of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions against Goods of Commissioners.

XL. And be it enacted, That Execution upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Commissioners not to be personally liable.

XLI. And be it enacted, That nothing in any Deed, Contract, Order, or Proceeding by this Act authorized to be made by or on the Behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioners

incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Indemnity to Commissioners and Clerk.

XLII. And be it enacted, That every Commissioner or Clerk in whose Name any legal Proceedings shall be carried on, either as Plaintiff, Prosecutor, or Defendant, on behalf of the Commissioners, shall be reimbursed out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put or with which he may become chargeable by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same, unless such Action or Suit has arisen in consequence of his own wilful Neglect or Default, or unless, if such Action has been brought by the Clerk, or Two Commissioners, or more, as aforesaid, it has been so brought without the Order or Direction of the Commissioners.

Proceedings to be entered in a Book, and to be opened for Inspection.

XLIII. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed, and such Entry so signed shall be received as Evidence in all Courts, before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners and all other Parties interested therein.

Power to appoint Treasurer and other Officers.

XLIV. And be it enacted, That the Commissioners shall from Time to Time appoint a Treasurer, and Clerk, Collector, and such other Officers as they shall think fit, with such Salaries and Allowances as they shall think reasonable, and may remove such Treasurer, Clerk, Collector, and Officers, and appoint others in their Stead.

Office of Clerk and Treasurer to be separate.

XLV. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer, and that neither the Person who shall be the Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Office of Clerk and Treasurer:

If any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer,

Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of the Clerk, or in any Manner officiate for the Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer (as the Case may be):

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts of Record at *Westminster*, and shall on Recovery thereof be entitled to full Costs of Suit.

Officer taking Fees to lose his Office, and forfeit 50*l.*

XLVI. And be it enacted, That if any such Treasurer, Clerk, Collector, or other Officer employed by the Commissioners exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Reward, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Commissioners to take Security from all Officers intrusted with Money.

XLVII. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing, from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to account.

XLVIII. And be enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Commissioners; and such Account shall state how and to whom and for what Purpose such Monies have been disposed of, and together with such Account such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Account.

Remedy against Officers failing to account.

XLIX. And be it enacted, That if any such Officer fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance

Balance thereof when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to a Justice, such Justice shall summon such Officer to appear before Two or more Justices at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or, in his Absence, upon Proof that such Summons was personally served upon him, or a Copy thereof left at his last known Place of Abode, such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices may order such Officer to pay the same; and if he fail to pay the Amount it shall be lawful for such Justices to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months.

Officers refusing to deliver up Documents, &c. to be imprisoned.

L. And be it enacted, That if any such Officer refuse or fail to make out such Account in Writing, or to produce and deliver to the Justices the several Vouchers and Receipts relating thereto, or to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Commissioners, such Justices may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody without Bail until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts (if any) relating thereto in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things (if any) in his Possession or Power.

Where Officer about to abscond, Warrant may be issued in the first instance.

LI. Provided always, and be it enacted, That if any Commissioner or other Person acting on behalf of the Commissioners shall make Oath that he has good Reason to believe, upon Grounds to be stated in his Deposition, and does believe, that it is the Intention of any such Officer as aforesaid to abscond, it shall be lawful for the Justice before whom the Complaint is made, instead of issuing his Summons, to issue his Warrant for the bringing such Officer before such Two Justices as aforesaid, but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without bringing him before Two Justices to answer to the Charge, as herein-before directed.

Commitment not to discharge Sureties.

LII. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against such Officer or any Surety of such Officer.

Books of Account to be kept, and

LIII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause

cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rates, Tolls, and Duties by this Act authorized to be made or levied, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners or Creditors, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Commissioners or Creditors to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

to be open to Inspection.

LIV. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the annual Meeting of the Commissioners which shall take place in the Month of *July* in every Year, or at some Adjournment thereof, and the Accounts shall be examined and settled by the Commissioners; and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting.

Accounts to be settled and examined at the annual Meeting.

LV. And be it enacted, That within One Month after the Meeting so to be held for examining and passing the Accounts of the Commissioners the Commissioners shall apply to Two Justices to nominate Two or more Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners; and the said Commissioners shall pay out of the said Rates and Tolls a reasonable Remuneration to the said Auditors for the Time and Trouble and the Expences they may incur in the Execution of their Duty.

Auditors may be appointed.

LVI. And be it enacted, That the Auditors so nominated shall meet as soon after their Appointment as conveniently may be at the Office of the Commissioners, or at some other convenient Place to be appointed by the Commissioners, and from Time to Time shall, in the Presence of the Clerk to the Commissioners in case he should desire to be present, proceed to audit the Accounts of the Commissioners for the Year preceding the Appointment of such Auditors; and the Commissioners shall by their Clerk produce and lay before such Auditors at every such Meeting the Statement and Account herein-before mentioned, accompanied with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and if such Auditors think there is just Cause to disapprove of any Part of the said Accounts it shall be lawful for such Auditors, or any other Person interested in the said Accounts, to appeal against any such Parts of the said Accounts as shall be so disapproved of to One of the Two next General Quarter Sessions of the Peace for the County of *Cornwall*, Notice in Writing of such Appeal, with the Grounds thereof, being given to the Clerk of the Commissioners Fourteen Days at least prior to the hearing of such Appeal.

Auditors to inspect Accounts, and to appeal, if they think fit.

LVII. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total

Annual Account to be trans-

mitted to the Clerk of the Peace.

Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirtieth Day of *June* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Cornwall*, on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Clerk to the Commissioners shall omit to prepare and transmit such Account as aforesaid he shall forfeit for every such Omission the Sum of Twenty Pounds.

An annual Account to be laid before Parliament.

LVIII. And be it enacted, That the said Commissioners for executing this Act shall yearly lay or cause to be laid before each House of Parliament a true Account of the Receipt and Application of all Monies which shall be received by the said Commissioners by virtue of this Act, and in every such Account shall be set forth what Alteration, if any, shall have been made in any of the Tolls, Rates, or Duties made payable by this Act; and the said Commissioners shall also at the same Time lay before each House of Parliament a Report of the Progress which shall have been made by the said Commissioners in forming the said Basins, and in constructing and building the Docks and other Works authorized by this Act to be built and constructed, and what Sums of Money shall have been yearly expended thereon, distinguishing the Expences of constructing the said Embankment from the Expences of the other Works authorized by this Act.

Power to borrow on Mortgage.

LIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to borrow at Interest on the Credit of the several Rates and Tolls by this Act granted, and of any Property which may be vested in the Commissioners by virtue of this Act, any Sum of Money which shall not exceed the Sum of Two hundred and twenty thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Two hundred and twenty thousand Pounds in the whole at any One Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Rates, Tolls, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Form of Mortgage.

LX. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Three of the Commissioners, and may be according to the Form in Schedule (C.) to this Act annexed, or to the like Effect.

Mortgages to be with-

LXI. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby

thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates, Tolls, or Property equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments respectively. Without Preference.

LXII. And be it enacted, That the Expences of every Assignment or Mortgage shall from Time to Time be defrayed by the Commissioners out of the Money raised by virtue of this Act. Expences of Mortgages.

LXIII. And be it enacted, That a Register of such Mortgages or Assignments shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward. Register of Mortgages to be kept, and to be open to Inspection.

LXIV. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (D.) to this Act annexed, or to the like Effect. Assignment of Mortgages.

LXV. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Assignment so transferred, or any Money thereby secured. Register of Transfers to be kept.

LXVI. And be it enacted, That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto. Interest on Mortgages to be paid half-yearly.

LXVII. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money at a lower Rate of Interest than any Securities given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates, Tolls, and Property, or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage. Power to take up Money at a less Rate of Interest.

LXVIII. And,

Mode of paying off Mortgages.

LXVIII. And, in order that no undue Preference may be given in paying off any Mortgages or Assignments, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Five or more of the Commissioners, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot; and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid on demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable on demand.

Application of Money borrowed.

LXIX. And be it enacted, That the Money so to be borrowed as aforesaid shall be applied by the Commissioners in manner following; (that is to say,) in the first place in paying and discharging all the Costs, Charges, and Expences incurred previous and incident to the preparing, obtaining, and passing of this Act; and in the next place in paying and discharging the Costs and Expences of forming the Basins, and constructing the Docks, Embankment, Cuts, Sluices, Wharfs, Roads, Approaches, and other Works and Conveniences by this Act authorized to be made.

Commissioners may make Bye Laws to govern themselves and their Servants.

LXX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Three or more of the Commissioners.

Fines for Breach of such Bye Laws.

LXXI. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the whole or a Part only of such to be paid.

LXXII. And

Service of Notices, &c. on Commissioners.

LXXII. And be it enacted, That any Summons, Notice, Writ, or Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the Commissioners, or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate at the Place of Abode of such Commissioner, resident in the Borough or Parish of *Falmouth*, the Borough of *Penryn*, the Parish of *Budock*, the Parish of *Saint Gluvias*, or the Parish of *Mylor*.

Authentication of such Notices, &c.

LXXIII. And be it enacted, That every Summons, Demand, Notice, or other such Document under this Act may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Commissioners, the Signature thereof by One Commissioner or by the Clerk of the Commissioners shall be a sufficient Authentication.

Releases to Witnesses.

LXXIV. And be it enacted, That in all legal Proceedings under this Act general or other Releases, for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness, may be granted by any Two or more of the Commissioners; and every such Release or Discharge under the Hand and Seal of Two of the Commissioners shall be as effectual for the Purpose aforesaid as if made under the Common Seal of the Commissioners.

Tender of Amends.

LXXV. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if before Action brought any Party, having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make Tender of sufficient Amends to the Party injured, such Party shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Proof of Debts in Bankruptcy.

LXXVI. And be it enacted, That if any Person against whom the Commissioners shall have any Claim or Demand become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Clerk or Treasurer of the Commissioners, in all Proceedings against the Estate of such Bankrupt or Insolvent, or under any Fiat, Sequestration, or Act of Insolvency against such Bankrupt or Insolvent, to represent the Commissioners, and act in their Behalf in all respects as if such Claim or Demand had been the Claim or Demand of such Clerk or Treasurer, and not of the Commissioners.

Power to take Lands under Provisions of 8 & 9 Vict. c. 18.

LXXVII. And whereas Plans and Sections of the proposed Work, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands, Messuages, and Hereditaments proposed to be taken or used for the

the Purposes of the same, have been deposited with the Clerk of the Peace for the County of *Cornwall*; be it enacted, That it shall be lawful for the said Commissioners to take and use all or any Part of the said Lands, Messuages, and Hereditaments described in the said Books of Reference, and in the Schedule (H.) to this Act annexed, by, with, under, and subject to the Powers and Provisions of an Act made and passed in the present Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature*, herein-after called "The Lands Clauses Consolidation Act, 1845," and which shall be taken and considered as incorporated with this Act for all or any of the Purposes aforesaid, except so far as the same may be hereby altered or varied.

Limiting Time for compulsory Purchase.

LXXVIII. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Lands for the Purposes aforesaid shall not be exercised after the Expiration of Five Years from the passing of this Act.

Power to construct Works.

LXXIX. And be it enacted, That (subject to the Provisions of this Act) it shall be lawful for the Commissioners, according to the Plan and Section deposited with the Clerk of the Peace for the County of *Cornwall*, as aforesaid, and upon the Lands delineated upon the said Plan, and described in the Book of Reference thereto, to construct an Embankment across *Penryn Creek* aforesaid, running out of and forming Part of the said Harbour of *Falmouth*, for the Purpose of penning up the tidal and other Waters in the said Creek or River, and from Time to Time to repair and maintain the same, together with a Carriageway and Footpath across or along the said Embankment, with all convenient Roads and Approaches thereto, and also to lay out, build, make, alter, repair, and maintain, and dredge, deepen, scour, and cleanse a Basin or Harbour within the said Embankment, together with all Docks, Jetties, Floodgates, Locks, Sluices, Drains, Culverts, Embankments, Quays, Wharfs, Warehouses, Slips and Stairs, Workshops, Manufactories, and other Works and Conveniences connected therewith, and also to add to or lengthen a Pier or Quay at *New Quay*, and also to add to or lengthen the Pier or Quay called *Green Bank Quay*, as the same are respectively described and delineated on the said Plan, and to form and from Time to Time to maintain, dredge, deepen, scour, and cleanse a Basin or Harbour between *Green Bank Quay* and *Flushing Quay* and the said Embankment, and also to cleanse, deepen, scour, or form a Cut or Channel from the said last-mentioned Harbour or Basin to *Carrick Roads*, as shown in the Plan and Section, and terminating at an imaginary Line drawn from a Stone or Beacon to be erected as hereinafter provided on *Mylor Point* to a corresponding Stone or Beacon to be erected on *Bar Point*, and which imaginary Line shall be taken and considered as the Limits of the said Harbour for the Purposes of this Act.

Commissioners to purchase Lands of which Thomas Symons is Lessee.

LXXX. And be it enacted, That the said Commissioners shall and they are hereby required, before they shall commence the Construction of the Embankment across *Penryn Creek* or River, to purchase the several Messuages, Lands, and Hereditaments of which *Thomas Symons* is, in Schedule (H.) to this Act annexed, stated to be the Lessee.

LXXXI. And

Commissioners to make Flights of Steps in certain Places.

LXXXI. And be it enacted, That the Commissioners for executing this Act shall make in or near the said Tidal or outer Basin, in some convenient Places near *Green Bank Quay* and *Flushing Quay* aforesaid, and also in the said Dock or inner Basin, in some convenient Places near the said Embankment, Slips or Flights of Stairs on the *Budock* Side of the said Creek, and Slips or Flights of Stairs on the *Mylor* Side thereof, all which said Slips and Stairs shall be landing and embarking Places for the Accommodation of the Public, and shall respectively be not less than Six Feet wide and of easy Ascent; and all Persons being Passengers within the Meaning of this Act shall upon Payment of the several Tolls and Duties payable under this Act, and all Persons not being such Passengers, and all Persons specially exempted from Tolls and Duties under this Act, shall, without any Payment whatsoever, have free Access thereto and therefrom, and free Right of Way and Passage over the same, and over the Works and Lands of the said Commissioners situate between such Slips and Stairs and the public Highways adjacent thereto respectively, but so that such Persons shall not remain upon the said Works and Lands longer than may be reasonably necessary for passing over the same.

Power to Commissioners to erect Stones or Beacons on Mylor and Bar Points.

LXXXII. And be it enacted, That for defining the Limits of this Act it shall be lawful for the Commissioners, with the Consent and under the Superintendence 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, or their Surveyor, to erect and set up upon the Extremity of *Mylor Point* aforesaid a Stone Beacon or other conspicuous Mark, and to erect and set up another and corresponding Stone Beacon or other conspicuous Mark on the Extremity of *Bar Point* aforesaid, and that such Stone Beacons and Marks, when so set up, shall vest in and be the Property of the said Commissioners, and shall be maintained, repaired, or removed by them, as Occasion shall require.

Harbour to be deepened.

LXXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Harbour of *Falmouth*, within the Limits aforesaid, to be improved, dredged, cleansed, and deepened in such Manner and to such Extent as they shall deem expedient.

Providing for Compensation for Injury to Lands in Penryn Creek.

LXXXIV. And be it enacted, That it shall and may be lawful to and for the Owner, Lessee, and Occupier of any Lands in or adjoining to *Penryn Creek* aforesaid, and which may not be taken or required for the Purposes of this Act, to claim Compensation from the said Commissioners for or in respect of any Damage or Injury which may be occasioned to such Lands, or to any Oyster Grounds or Oyster Fishery within the said Creek or Harbour of *Falmouth*, or to any Quays, Wharfs, Erections, or other Buildings thereon, under the Powers and Provisions of this Act, by the Execution of the Works hereby authorized, or any of them, and that such Compensation shall be determined and settled, and the Money awarded in respect thereof shall be paid or payable, subject to the same Powers and Provisions and in like Manner as is herein-before, or in the said Lands Clauses Consolidation

Consolidation Act, 1845, provided with respect to Lands which may be taken or used for the Purposes of this Act: Provided further, and it is hereby declared, that the said Commissioners shall at their Expence remove any Accumulation of Mud or other Deposit or Obstruction that may arise or be created or occasioned by reason or in consequence of the Exercise of any of the Powers of this Act, at or near any of the Quays, Wharfs, or Warehouses within *Penryn Creek* aforesaid, or in the Channel or Approaches thereto, whereby the free Access to the same Quays, Wharfs, or Warehouses, or any of them, may be in any way impeded or prevented.

Providing Compensation for Lord Clinton in respect of certain Dues.

LXXXV. And whereas the said Lord *Clinton* is or claims to be entitled to certain Dues, Rights, and Tolls upon or in respect of Vessels discharging or receiving Cargo, and upon or in respect of Water, Ballast, Merchandize, and Goods landed at or shipped from all or any of the Quays or Wharfs on the *Mylor* Side of *Penryn Creek;* be it enacted, That it shall be lawful for the said Lord *Clinton*, at any Time after the passing of this Act and the Commencement of the said Works, to require the said Commissioners to purchase such Dues, Rights, and Tolls, and the said Commissioners shall thereupon, and immediately after they shall be so required, purchase the same accordingly; and the Purchase Money or Compensation for the same shall be determined and settled, and the Money awarded in respect thereof shall be paid and payable, subject to the same Powers and Provisions and in like Manner as if the same had been an Interest arising out of Lands taken by the said Commissioners for the Purposes of this Act: Provided always, that until the Payment of such Purchase or Compensation Money the said Lord *Clinton* shall be entitled to and shall receive and enjoy all the said Dues, Rights, and Tolls to which he is so entitled as aforesaid, as fully and entirely as before the passing of this Act.

Warehouses and other Works.

LXXXVI. And be it enacted, That it shall be lawful for the Commissioners, upon the said Lands, and according to the Provisions herein contained, to make, build, alter, and maintain such Warehouses, Storehouses, and other Buildings and Works as they may deem necessary for the Security and Accommodation of any Goods, Merchandize, or Things shipped or unshipped within the said Harbour, or any of the Docks, Quays, or other Works made under the Authority of this Act.

Docks, &c., may be inclosed.

LXXXVII. And be it enacted, That it shall be lawful for the Commissioners, if they shall think fit, to enclose all or any of the Basins, Docks, Quays, Wharfs, and other Works hereby authorized, in such Manner as they shall deem necessary and proper: Provided also, that

Limitation of Buildings upon certain Lands in Mylor.

the said Commissioners shall not build or erect upon such of the Lands to be taken under the Authority of this Act as are situate between *New Quay* and the Embankment, both inclusive, in the aforesaid Parish of *Mylor*, any Warehouse or other Building which shall intercept or interfere with the View from any of the Houses in *Flushing* towards *Penryn Creek*, without the Consent in Writing of the said Lord *Clinton*, or other the Owner for the Time being of the Manor of *Tregrew*, first obtained for that Purpose.

LXXXVIII. And

Power to make Tramroads or Railways and Turntables on the Quays.

LXXXVIII. And be it enacted, That it shall be lawful for the Commissioners, in case they shall deem it expedient so to do, to lay, make, construct, and maintain Railways or Tramroads and Turntables on the Quays, for facilitating the Carriage and Removal of Goods along the said Quays, and, with the Consent of the Surveyors of Highways, or such other Persons as may have the Control and Management thereof, to cause such Railways or Tramroads and Turntables to be carried over or across any Road, Street, or Highway; and it shall be lawful for the Commissioners from Time to Time, as they shall think fit, to remove all or any of such Railways or Tramroads and Turntables, or, with the Consent of the said Surveyors or other Person as aforesaid, to alter and vary the same, provided that if at any Time such Railways or Tramroads and Turntables, or any Part thereof, shall be wholly or partially removed, the Road, Street, or Highway shall on every such Occasion be reinstated in its former Condition by and at the Expence of the Commissioners: Provided always, that where the said Railways or Tramroads and Turntables shall cross any public Highway on a Level therewith the Edges or Flanches of such Railways or Tramroads and Turntables, for the Purpose of guiding the Wheels of the Carriages thereupon, shall not rise above nor sink below the Level of such Road more than One Inch.

For preventing Obstruction to such Tramroads, &c.

LXXXIX. And be it enacted, That no Goods shall be allowed or permitted to remain upon nor shall any Obstruction be caused to any of such Railroads, Tramroads, or Turntables; and if any Obstruction shall be caused to such Railroads, Tramroads, or Turntables, or either of them, it shall be lawful for the Commissioners or any of their Servants to remove the Goods or other Matters causing such Obstruction, and to detain the same until the Charges of Removal and Detention shall be paid by the Owner or Person having Charge of such Goods or other Matters; and if such Charges be not paid by such Owner or Person as aforesaid within Three Days after Demand made, or if no such Owner or Person can be found, such Goods may be sold by the Commissioners, and the Charges and Expences of such Removal, Detention, and Sale be deducted out of the Proceeds of such Sale.

Legal Quays.

XC. And be it enacted, That the Quays of the Docks constructed by virtue of this Act shall, when the same shall have been approved of by the Lords of the Treasury for that Purpose, be deemed to be legal Quays for the shipping and unshipping of Goods, and the Use thereof shall be subject to the same Rules, Regulations, and Restrictions as legal or lawful Quays are or may be by Law subject.

Power to erect Cranes, Weighing Machines, &c.

XCI. And be it enacted, That it shall be lawful for the Commissioners to erect or provide such Cranes, weighing and other Machines, Conveniences, Weights, and Measures, upon the Embankment, Piers, Quays, or Docks made under this Act, as they may think necessary, for loading, unloading, measuring, and weighing any Goods, Articles, or Things exported from or imported into the said Harbour, Basin, or Docks.

No Works below High-water Mark without the

XCII. Provided always, and be it enacted, That nothing in this Act contained shall authorize the Commissioners to make or maintain any Works below the ordinary High-water Mark at Spring Tides, without the previous

Consent of the Admiralty.

previous Consent of the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom for the Time being, signified in Writing under the Hand of the Secretary of the Admiralty for the Time being.

Commissioners to light the Docks and Works.

XCIII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, from Time to Time to cause such and so many Lamp Irons or Lamp Posts to be put up or affixed in, upon, or along any Part or Parts of the said Embankment, Docks, and Works, and on the Approaches thereto, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed or put up, together with such Lamp Iron and Lamp Posts as they shall think necessary, for lighting the said Embankment, Docks, and Works, and every or any Part thereof, and the Approaches thereto, and cause the said Lamps to be lighted as and when they shall think proper.

Power to contract for lighting with Gas or otherwise.

XCIV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to light, or otherwise to contract and agree with any Company of Proprietors or with any other Person to light, the said Embankment, Docks, and Works, with Gas, Oil, or otherwise, as they shall think necessary and proper.

Streets broken up to be reinstated without Delay.

XCV. And be it enacted, That if the Pavement or Soil of any Street or Highway, or any Sewer or Drain, shall be opened or broken up by the Commissioners, or Company with whom they may contract, they shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced and guarded, and shall set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night that such Pavement shall be continued open or broken up.

Penalty for Delay in reinstating the Street.

XCVI. And be it enacted, That if the Commissioners or Company shall open or break up any Street, Highway, Sewer, or Drain, or if they shall make any Delay in completing any such Work, or in filling in the Ground or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Forty Shillings for every Day that any such Delay as aforesaid shall continue after the Expiration of Twenty-four Hours from the Time that such Delay shall have commenced.

Service Pipes to be kept fully charged with Gas.

XCVII. And be it enacted, That every Branch or Service Pipe which shall be used for lighting with Gas the said Docks or Works shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any such Branch or Service Pipe being filled with Gas during the Time the same shall be lighted.

XCVIII. And

Penalty for damaging Pipes, &c.

XCVIII. And be it enacted, That if any Person shall wilfully or maliciously take away, destroy, or injure any or any Part of any Pipe, Plug, Post, or other Apparatus, Article, Matter, or Thing belonging to the said Commissioners, every Person so offending shall forfeit to the said Commissioners any Sum not exceeding Five Pounds, and the Amount of the Damage done or occasioned by such Conduct.

Penalties on Gas Makers for corrupting Water within the Limits of this Act.

XCIX. And be it enacted, That if any Person making or supplying any Gas within the Limits of this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water, within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in such Stream, Reservoir, Aqueduct, Pond, or Place for Water whereby the Water therein shall be fouled or corrupted, then such Person as aforesaid shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty for such Offence to be sued for in Superior Courts within Twelve Months.

C. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recovered unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Penalty during the Continuance of the Offence.

CI. And be it enacted, That, in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not), the Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds, to be recovered in like Manner, for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during Escape of Gas after Notice.

CII. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by any Person making or supplying any Gas within the Limits of this Act, such Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then such Person shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

CIII. And

Penalty on Gas Makers if Water contaminated.

CIII. And be enacted, That whenever any Water within the Limits of this Act shall be contaminated by the Gas of any Person making or supplying Gas within the Limits of this Act, such Person shall forfeit for every such Offence a Sum not exceeding Twenty Pounds to the Person whose Water shall be so contaminated or affected.

Daily Penalty during the Continuance of the Contamination after Notice.

CIV. And be it enacted, That if the Person so making or supplying Gas shall not within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected, served on him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be so contaminated or affected, a Sum not exceeding Ten Pounds for every Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

For ascertaining if the Water is contaminated.

CV. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of any Person making or supplying Gas within the Limits of this Act; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Person making or supplying Gas, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Person making or supplying such Gas, of the Time at which such digging and Examination are intended to take place.

The Expences to abide the Result of the Examination.

CVI. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Person, the Expences of digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Person any Injury which may be occasioned to the Works of the said Person in and by such Examination.

The Amount of Expences to be ascertained and recovered as other Damages.

CVII. And be it enacted, That the Amount of the Expences of every such Examination and Repair, and of any Injury done to the Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is made by this Act are hereby directed to be ascertained and recovered.

Persons supplying

CVIII. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person making or supplying Gas within the

the Limits of this Act from an Indictment for any Nuisance or any other legal Proceedings to which he may be liable in consequence of the making or supplying Gas.

Gas liable to be indicted.

CIX. And be it enacted, That if any Person shall wilfully break, throw down, take away, or damage any Lamp, or any Part thereof, within the Limits of this Act, or any of the Posts, Irons, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, every Person so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty for wilfully damaging Lamps.

CX. And be it enacted, That in case any Person shall carelessly, negligently, or accidentally break or otherwise damage any of the Lamps, or the Irons, Posts, or Furniture thereof, and shall not immediately upon demand make Satisfaction to the said Commissioners or to any other Owner thereof (as the Case may be) for the Damage done thereto, it shall be lawful for any Justice to award any Sum of Money as a Satisfaction for such Damage as such Justice shall think reasonable, not exceeding the Value of the Lamp or other Article so injured or damaged, and the Costs and Charges of repairing and replacing the same respectively.

Persons carelessly damaging Lamps to make good the same.

CXI. And be it enacted, That it shall be lawful for the said Commissioners, if they shall think proper, to purchase or provide Fire Engines, Pipes, and other necessary Apparatus for extinguishing Fires, and to hire such Horses for the Use of the same as they the said Commissioners shall think fit, and to erect, hire, or rent a proper Place or Places for keeping such Engines, and to employ during Pleasure a proper Number of Persons as Firemen to attend the same, and with such Wages or Salaries, and also to give such Firemen or other Persons such Rewards for their Exertions in case of Fire, and to make such Rules and Orders for the Regulation of such Firemen, for working such Engines occasionally, and keeping the same in order, as the said Commissioners shall think fit.

Commissioners may provide Fire Engines.

CXII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to lay down any Pipe or Pipes for the Conveyance of Water in, over, under, or through the Land or Ground which shall be purchased by or vested in them under the Authority of this Act, or any Part thereof, and to make any Reservoir in any such Lands, and to divert, use, or apply any Water running or flowing in, through, or under the same in any way they shall think fit for the Use of the Vessels or Ships, and their Crews, which shall enter or use the said Basins or Docks and Works, and otherwise for the Use and Benefit of the said Commissioners.

Power to lay down Pipes for conveying Water to Shipping.

CXIII. And be it enacted, That the Commissioners shall, during and simultaneously with the Construction of the said Embankment across the said Creek or River, make, dredge, scour, and cleanse the Tidal Basin outside of and between the said intended Embankment and *New Quay* and *Green Bank Quays* aforesaid, to the Extent shown on the said Plan, for the Accommodation of the coasting Trade of the said Port, and shall keep and maintain the same, by dredging or otherwise,

As to the Basin outside the intended Embankment.

at a Depth of Thirteen Feet at Low Water, and shall gradually slope the Beach on the North Side thereof for the Space or Area shown on the said Plan, and maintain the same as and for a Beaching Ground.

Commissioners to purchase the Ferry between Green Bank Quay and Flushing Quay.

CXIV. And be it enacted, That the said Commissioners shall and they are hereby required, before the said Embankment across *Penryn Creek* shall have been opened for the Passage of Passengers, Animals, Carts, or Carriages, to purchase of the Right Honourable the Lord *Wodehouse* or other the Owner for the Time being of the same, the Ferry between *Green Bank Quay* and *Flushing Quay* aforesaid; and such Purchase shall be effected, and the Purchase Money estimated and paid, under the Powers and Provisions and in like Manner as hereinbefore, and in the said Lands Clauses Consolidation Bill, 1845, are or is provided with respect to the Purchase of Lands required for the Purposes of this Act.

Ferry to become vested in Commissioners.

CXV. And be it enacted, That on the Completion of such Purchase the said Ferry, together with all Tolls, Rates, and Duties, Rights, Privileges, and Appurtenances to the said Ferry belonging or appertaining, shall absolutely vest in and belong to the said Commissioners, and shall be held, used, exercised, and enjoyed by them in as full, free, ample, and beneficial a Manner as the same might have been held, used, exercised, or enjoyed by the said Right Honourable Lord *Wodehouse* and his Heirs in case such Purchase had not been made.

Tolls of the Ferry to be applied as other Tolls under Act.

CXVI. And be it enacted, That all Tolls, Rates, and Duties received by the said Commissioners in respect of such Ferry shall be applied to the same Purposes as the other Tolls, Rates, and Duties receivable under this Act.

Rates upon Goods, Wares, and Merchandize.

CXVII. And be it enacted, That the said Commissioners shall or may take or receive, for and upon all Goods, Wares, Merchandize, and Commodities whatsoever which shall be imported into or landed or deposited within or on or shipped or exported from or through the said Basins, Embankment, Docks, or Wharfs constructed under or by virtue of this Act, or to or from any of the Piers, Wharfs, Slips, or Quays of the said Commissioners adjoining thereto or connected therewith, the several Rates and Duties particularly specified and set forth in the Schedule marked (E.) hereunto annexed, as far as such Goods, Wares, Merchandize, and Commodities which shall or may be imported or exported as aforesaid are particularized in the said Schedule, and on all such Goods, Wares, Merchandize, and Commodities as may not be particularized and set forth in the said Schedule a Rate or Duty equal to the Rate and Duty rated or affixed on Goods, Wares, and Merchandize of a similar Nature, Package, Value, and Quality in and by the said Schedule of Rates; and all such Rates and Sums shall be and the same are hereby vested in the said Commissioners for the Purposes of this Act: Provided always, that such Tolls and Duties shall not become payable until a Sum of Seventy thousand Pounds shall have been expended upon the Works by this Act authorized.

Exemption of Goods in Vessels from

CXVIII. Provided always, and be it enacted, That no Goods, Wares, or Merchandize shipped or unshipped out of or into any Vessels, Barges, or

or Boats, from or upon any of the existing or accustomed Quays, Wharfs, or Warehouses in *Penryn Creek* or River aforesaid, or from or upon any Wharfs, Quays, or Warehouses now or hereafter to be constructed or built within the said Creek or River, other than and except the Quays, Wharfs, or Warehouses built under or by virtue of this Act, shall be liable to Payment of Tolls or Duties under this Act. Penryn Creek.

CXIX. And be it enacted, That the several Tolls or Dues mentioned and enumerated in the Schedule to this Act annexed marked (F.), or such Tolls or Dues not exceeding the same as the said Commissioners for the Time being shall from Time to Time appoint, shall be received and taken for every Passenger who shall be landed within the Tidal Basin, or on any of the Piers, Quays, or Wharfs of the said Commissioners adjoining thereto or connected therewith, or within or on the said Embankment or Docks, or who shall embark from or within the said Tidal Basin, Embankment, or Docks, or any of the said Piers, Quays, or Wharfs, before any Passenger shall be allowed to land on or embark from the same, and before any Trunk, Portmanteau, Box, Parcel, or other Package falling under the Denomination of Luggage shall be shipped on board or landed from any Boat or Vessel at any Part of the said Docks: Provided always, that such Tolls and Duties shall not become payable until a Sum of Seventy thousand Pounds shall have been expended upon the Works by this Act authorized. Power to take Tolls for Passengers and their Luggage.

CXX. Provided always, and be it enacted, That all Passengers, Animals, Goods, Wares, Merchandize, Articles, or Things shipped or unshipped into or out of any Vessel lying within the said Tidal Basin, Embankment, or Docks, or alongside any Quays or Wharfs adjoining thereto or connected therewith, or making fast to such Embankment, or Docks, Wharfs, or Quays, shall be subject and liable to the same Rates or Tolls as if such Passengers, Animals, Goods, Wares, Merchandize, Articles, or Things were shipped or unshipped from or upon the said Quays, Docks, or Wharfs, although the same may be shipped or unshipped into or out of other Vessels, Boats, or Barges, or by any other Means whatsoever. Passengers and Cargo of Vessels lying alongside Quays to be subject to Tolls.

CXXI. And be it enacted, That as soon as the said Embankment shall have been constructed, and the said Basins and Dock shall have been completed and made fit for the Reception of Vessels, it shall be lawful for the Commissioners to demand and receive for any and every Vessel using or entering either of the Basins or Docks (except as hereinafter mentioned), any Sums not exceeding the Rates following; (that is to say,) Rates to be taken for Basins and Dock.

For every Vessel to or from any Port or Place in the United Kingdom of *Great Britain* and *Ireland*, the Sum of Sixpence for each Ton thereof:

For every Vessel to and from any Port or Place, the Sum of One Shilling and Sixpence for each Ton thereof:

For every Vessel which shall remain within either of the said Basins or Docks for a longer Period than Six Months, a further Sum equal to Half of the Rates which shall have been paid in respect of such Vessel, and so on for every further Period of Six Months.

CXXII. Pro-

Exemption for Vessels returning from Stress of Weather, &c.

CXXII. Provided always, and be it enacted, That if any Vessel for which the Rates herein-before mentioned shall have been paid shall, after leaving the said Basins or Docks, be obliged from Stress of Weather or other Cause to return with the same Cargo, the Rates so paid shall not again be payable in respect of such Vessel.

Certificate of Chairman of Quarter Session to be Evidence that Docks are complete, &c.

CXXIII. And be it enacted, That a Certificate under the Hand of any Chairman of the Quarter Sessions of the Peace for the County of *Cornwall* shall be conclusive Evidence that the Docks are completed and fit for the Reception of Vessels; and any such Chairman shall sign such Certificate, on proper Proof being adduced to him that the Docks are in the State herein-before mentioned.

Rates for Vessels entering for Shelter.

CXXIV. Provided also, and be it enacted, That all outward or inward bound Vessels (except as herein mentioned) which shall enter the said Tidal Basin for Shelter only, and not for loading or unloading, shall pay a Sum not exceeding Sixpence for each Ton thereof.

Vessels to pass through Gates after having paid Rates.

CXXV. And be it enacted, That all Vessels which shall have entered the said outer or Tidal Basin, and become liable to the Payment of the Rates herein-before mentioned, shall be at liberty, without further Charge, to pass through the Gates or Locks in the said Embankment into the said inner Basin and Dock at such Times during every Tide as shall from Time to Time be fixed by the said Commissioners; and if the said Commissioners shall refuse to permit any such Vessel to pass through such Locks or Gates as aforesaid, they shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Rates to be charged equally.

CXXVI. Provided always, and be it enacted, That the several Rates authorized to be taken by this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Vessel and Goods.

No Rates for certain Vessels entering Tidal Basin;

CXXVII. And be it enacted, That no Sum shall be paid or payable for any coasting Steam Vessel conveying Passengers to or from any of the Piers, Quays, or Wharfs in or adjoining to the said Tidal Basin, and which Vessel shall not enter within the said Locks or Gates, or for any Steamer or other Vessel that shall come into the said Tidal Basin, or to any of the Piers, Quays, or Wharfs adjoining thereto or connected therewith, for the Purpose of taking in Coals or Water only, and not for loading or unloading, or for any Vessel of less than One hundred and fifty Tons which shall enter the said Tidal Basin for Shelter only, and not for loading or unloading; provided that if such Steam or other Vessel shall take in or discharge Goods or Passengers within the said Port or Harbour of *Falmouth*, then that such Steam or other Vessel shall become liable to the Tolls or Duties payable under this Act.

but not to remain in Basin free of Charge.

CXXVIII. Provided always, and be it enacted, That nothing in this Act contained shall authorize any coasting, Steam, or other Vessel which shall come into the said Tidal Basin, or to any of the Piers, Quays, or Wharfs adjoining thereto or connected therewith, for the Purpose of landing or embarking Passengers, or for the Purpose of taking

taking in Coals or Water only, or for any Vessel of less than One hundred and fifty Tons which shall enter the said Tidal Basin for Shelter only, to remain in the said Tidal Basin free of Charge longer than may be necessary for any of the aforesaid Purposes.

Exemption in favour of Vessels of certain Tonnage conveying Goods to be put on board within the Limits of Penryn Creek or River.

CXXIX. Provided always, and be it enacted, That this Act shall not extend to charge with any Rates and Duties any Barges, Lighters, or other Vessels (not being Steam Vessels) of less than One hundred and fifty Tons, conveying Goods and Merchandize to any of the existing or accustomed Wharfs or Quays within *Penryn Creek* or River, or to any Wharfs, Quays, or Warehouses now or hereafter to be erected above the East Point of *Penryn Town Quay*, or conveying Goods and Merchandize which shall have been put on board the same from any such Wharfs, Quays, or Warehouses within the said Creek or River, and that all such Barges, Lighters, or other Vessels shall be permitted to pass free of Charge through the Gates, Locks, and Openings in the said Embankment hereby authorized to be constructed, at all Times when the said Gates and Locks are opened for the Passage of Vessels; and further, that the said Locks shall be opened free of Charge for the Passage of such Barges, Lighters, and other Vessels at all such Times as other Vessels liable to Rates shall be entitled to pass through the same.

Exemption of Steam Towing Vessels from Toll;

CXXX. And be it enacted, That nothing in this Act contained shall render any Steam Boats which shall be used for the Purpose of towing only, and not for the Conveyance of Cargo or Passengers, liable to the Payment of any Rates under this Act for at reasonable Times entering, passing, and re-passing through the said Tidal Basin and the Gates of the said Embankment, but that the said Steam Boats shall be at liberty without any Charge to pass and re-pass through the said Tidal Basin and the Gates of the said Embankment at all Times when any other Vessel shall be at liberty to pass through the said Gates.

but not to remain in Basin free of Charge.

CXXXI. Provided always, and be it enacted, That nothing in this Act contained shall authorize the said Steam Boats to remain in the said Tidal Basin or Docks free of Charge.

Power to Commissioners to compound for Rates and Duties.

CXXXII. And be it enacted, That it shall be lawful for the said Commissioners, from Time to Time as they shall see convenient, to compound and agree, for any Period not exceeding One Year, with the Owners, Consignees, Agents, or other Persons having the Charge or Management of any Steam or other Vessels to or from the said Port and Harbour of *Falmouth*, for the Payment of such Sum or Sums of Money as they may think sufficient and proper, for and in lieu and in full Discharge of the Tonnage Rate or Duty which would be payable on such Vessels under this Act, and that such Composition Money shall be paid in advance, and shall, when received, be applied in the same Manner as the Rates and Duties under this Act.

Exemption of Vessels with Manure to Mylor.

CXXXIII. Provided also, and be it enacted, That every Vessel substantially freighted with any Kind of Manure, to be spread or used upon any Lands in the said Parish of *Mylor*, and which shall discharge

discharge her Cargo on the outer Side of the said proposed Embankment, shall be and is hereby exempted from the Payment of any Tolls or Dues under or by virtue of this Act, and all such Manure may be landed or unshipped upon some One of the Wharfs, Quays, or Piers, fit for that Purpose, in the said outer or Tidal Basin, to be from Time to Time appointed by the said Commissioners, free from all the Rates and Dues enumerated in the Schedule to this Act annexed marked (E.), and from all other Tolls and Dues under this Act: Provided always, that such Manure shall not in any Case lie more than Six Hours on the said Wharfs, Quays, or Piers.

Owner or Occupier of Boyer's Cellars may ship 2,000 Tons annually, free of Rates and Duties.

CXXXIV. Provided also, and be it enacted, That the Owner or Occupier for the Time being of *Boyer*'s Cellars, situate within *Penryn Creek* or River aforesaid, shall and may from Time to Time and at all Times hereafter, in addition to the Exemption herein-before contained, be at liberty to import and export, land or ship, upon and to and from the Wharfs or Quays there, free of all Rates and Duties under this Act, any Goods or Merchandize in Vessels of any Tonnage exceeding One hundred and fifty Tons, so that the whole registered Tonnage of such Vessels shall not in any One Year in the whole exceed Two thousand Tons: Provided always, that if the whole registered Tonnage of Vessels above One hundred and fifty Tons in which any such Goods shall be imported exceeds Two thousand Tons, then such Vessels beyond the Amount of Two thousand Tons registered Tonnage shall be liable to the Duties imposed by this Act.

Rates on Foreign Vessels to be reduced to the Rates on British Ships, where Reciprocity Treaties shall be entered into with Foreign Countries.

CXXXV. Provided always, and be it enacted, That any Duties, Rates, or Charges chargeable by this Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported in such Vessels, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity have been concluded or may hereafter be concluded, so long as such Treaties shall continue in force, or to the Goods imported or exported therein, but the same Duties, Rates, or Charges shall be levied upon the Vessels of such Countries during such Period as aforesaid, and upon the Goods imported or exported therein, as may be from Time to Time payable by this Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels.

Tonnage of British registered Vessels to be ascertained by the Register, that of any other Vessels by Measurement, according to 5 & 6 W. 4. c. 56.

CXXXVI. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register, and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*, or any Law for the Time being regulating such Admeasurement.

Rates for warehousing, &c.

CXXXVII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to levy, receive,

receive, and take, for and in respect of warehousing any Goods, Wares, and Merchandize which shall be landed or deposited within or shipped from the said Basins, Dock, Quays, Wharfs, or Premises, and for and in respect of coopering, sampling, painting, marking, and other Work to be performed and Materials to be supplied in respect of such Goods, Wares, and Merchandize, such Rates, Rents, and Sums of Money as may be from Time to Time agreed upon between the Owners or Consignees of the said Goods, Wares, and Merchandize and the said Commissioners.

Rates for Cranes and Weighing Machines.

CXXXVIII. And be it enacted, That it shall be lawful for the Commissioners to demand and take, for the Use of any Cranes and Weighing Machines erected by the Commissioners, of and from the Owner or Person having the Charge of any Goods, Articles, or Things loaded or unloaded, weighed or measured by means of the same, such reasonable Rates as the Commissioners shall from Time to Time appoint.

Masters to report Arrival of Vessels within the Harbour.

CXXXIX. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates shall, within Six Hours after the Arrival of such Vessel within the Dock, outer or Tidal Basin, report to the Harbour Master for the Time being the Arrival of such Vessel and the Place from whence it came; and any Master or Commander of any such Vessel who shall fail to make such Report within the Time aforesaid shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Masters of Vessels to produce Certificate of Registry. Penalty.

CXL. And be it enacted, That the Master or Commander of every registered Vessel shall, on demand, produce the Certificate of the Registry of such Vessel to any Person authorized by the Commissioners to collect the Rate in respect of such Vessel; and if any such Master or Commander shall refuse or neglect to produce such Certificate to any such Person on demand, he shall forfeit any Sum not exceeding Five Pounds.

Recovery of Rates by Distress of Ship and Tackle.

CXLI. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates shall be payable to the Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Commissioners to collect such Rates to go on board of such Vessel, and demand such Rates, and on Nonpayment thereof or any Part thereof to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates shall be paid; and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates so unpaid, and all the Expence of taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon demand.

Masters of Vessels to give Ac-

CXLII. And be it enacted, That when the Cargo of any Vessel arriving within the Limits of the said Harbour, or any Part of such Cargo,

counts of Goods intended to be unshipped within the Harbour,&c.

Cargo, shall be intended to be unshipped on any of the Works constructed under or by virtue of this Act, the Master or Commander of such Vessel shall, within Twenty-four Hours after the Arrival of such Vessel within the Limits of the said Harbour, deliver to such Person for the Time being appointed to collect the last-mentioned Rates mentioned in the Schedule the following Particulars; (that is to say,)

The Name of the Consignee of the Cargo or Part of the Cargo of such Vessel intended to be unshipped on the said Works:

And if the whole Cargo of such Vessel shall be intended to be unshipped on the said Works, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel:

Or, if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped:

And every such Master or Commander shall, if required by the Person appointed to collect the Rates aforesaid, give to such Person Two Hours Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped.

Penalty on Masters giving no Account, or a false Account.

CXLIII. And be it enacted, That any Master or Commander of any Vessel the Cargo or Part of the Cargo of which shall be intended to be unshipped on the said Works, who shall fail to deliver or give any of the Particulars or the Notice herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particular or Notice, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Master of Vessel to give an Account of Goods intended to be shipped.

Penalty.

CXLIV. And be it enacted, That the Master or Commander of any Vessel within the Limits of the said Harbour on board of which any Goods, Articles, or Things shall be shipped from the said Docks or Works, shall give to the Person for the Time being appointed by the Commissioners to collect the last-mentioned Rates a true Account, signed by the Consignor, of the Kinds, Quantities, and Weights of such Goods, Articles, or Things, before the same shall be shipped in such Vessel; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor who shall sign a false Account of any such Goods, Articles, or Things, shall respectively for every such Offence be liable to a Penalty not exceeding Ten Pounds.

In case of Dispute, Goods to be weighed or measured.

CXLV. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Commissioners to collect the last-mentioned Rates and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable by this Act, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured, as the Case may require, and if necessary to detain the Vessel in which such Goods, Articles, or Things may be until the same shall have been weighed or measured.

Expences of weighing or

CXLVI. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown

shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the Commissioners or their Collector, and shall be recovered by the Commissioners or their Collector by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; but if such Goods, Articles, and Things shall be of the same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the Commissioners shall pay all the Expences of such weighing or measuring, and shall also pay to the Master or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

measuring Goods.

CXLVII. And be it enacted, That the Rates payable to the Commissioners in respect of any Goods, Articles, or Things shipped or unshipped on any of the said Docks or Works shall be paid as follows; (that is to say,) if such Goods, Articles, or Things shall be shipped, such Rates shall be paid by the Owner or Consignor of such Goods, Articles, or Things previous to the Shipment of the same, or if such Goods, Articles, or Things shall be unshipped, such Rates shall be paid by the Owner or Consignee of such Goods either before the Expiration of Two Calendar Months next after the same shall have been unshipped, or previous to the Removal of the same from the Premises of the Commissioners, which shall first happen.

Rates on Goods by whom and when payable.

CXLVIII. And be it enacted, That if Default be made in Payment of any Rates payable under this Act in respect of any Animals, Goods, Articles, or Things, it shall be lawful for the Person for the Time being appointed by the Commissioners to collect such Rates to distrain any such Animals, Goods, Articles, or Things, or if the same shall be removed without the Limits of the Harbour or Docks and Premises of the Commissioners, to distrain any other Animals, Goods, Articles, or Things within the Limits of the Harbour or Docks or Premises of the Commissioners belonging to the Person liable to pay such Rates, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Rates due to the Commissioners, or it shall be lawful for the Commissioners to recover such Rates by Action in any of the Superior Courts; provided that the Person collecting any such Rates shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Animals, Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

Recovery of Rates on Goods.

CXLIX. And to the end that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Persons, into any Vessel within the Limits of the said Harbour or Docks, and to ascertain the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Collector of Rates may enter Vessels.

Penalty on evading Payment of Rates.

CL. And be it enacted, That if any Master or Commander of any Vessel shall evade the Payment of any Rates payable to the Commissioners, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered from such Master or Commander in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any of the Superior Courts.

Collector of Customs may withhold a Discharge to any Vessel until Rates are paid.

CLI. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Cocquet, Discharge, or Clearance for any Vessel liable to the Rates imposed by this Act, until the Master or Commander of such Vessel shall produce to the Collector or Officer a Certificate, under the Hand of the Person appointed by the Commissioners to collect such Rates, that the Rates payable under this Act in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel, have been paid.

Disputes concerning Rates, and Distress, to be settled by a Justice.

CLII. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates due, or the Charges of such Distress, (as the Case may be,) shall be ascertained by some Justice of the Peace, who, upon Application made to him for that Purpose, shall determine the Amount of the Rates due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable; and such Costs, if not paid on demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Lists of Rates to be set up.

CLIII. And be it enacted, That the Commissioners shall from Time to Time cause to be painted on Boards, in large and legible Characters, and affixed in the Front of the principal Office of Business of the Commissioners, and some conspicuous Part of the Quays of or belonging to the said Tidal Basin or Docks, a List of the several Rates which shall be from Time to Time payable in respect of the said Basin and Docks, and no Toll shall be payable in respect of the said Basin or Docks during such Time as such Lists shall not continue so affixed, or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be destroyed, injured, or obliterated, the Rates shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such Lists had continued affixed and in the State required by this Act.

Tolls to be charged equally.

CLIV. Provided always, and be it enacted, That the said Rates or Tolls shall at all Times be charged equally on all Persons, and no Reduction or Advance therein shall, either directly or indirectly, be made partially or in favour of or against any particular Person.

Application of Tolls, &c.

CLV. And be it enacted, That all Sums of Money which shall be received by the Commissioners from the Rates and Tolls granted by this

this Act, and all Sums arising from the Sale of any Lands, or the Rents thereof, shall be applied by the Commissioners in defraying the Costs, Charges, and Expences of keeping in repair, and from Time to Time deepening, cleansing, improving, and maintaining the Harbour within the aforesaid Limits, Basins, Dock, Embankment, Roads, Cuts, Drains, Culverts, Wharfs, Quays, Piers, Warehouses, and other Works which may be formed, erected, or made under the Authority hereof, and of paying the Officers and Servants employed by the Commissioners in and about and concerning the same, and otherwise carrying this Act into execution, and for paying the Interest and repaying the Principal of any Sum of Money which shall be borrowed by the Commissioners under this Act, under such Regulations and Conditions as the Commissioners may from Time to Time think reasonable.

Power to fix Tolls, and from Time to Time to vary them.

CLVI. And be it enacted, That it shall be lawful for the Commissioners to fix and determine the Rates or Tolls to be taken by virtue of this Act, but so nevertheless as not to exceed the respective Sums herein-before authorized to be received; and it shall also be lawful for the Commissioners from Time to Time to lower, reduce, or alter all or any of the said Tolls, and again to raise the same to such Amount as they shall think proper, not exceeding the respective Sums by this Act authorized to be received.

Tolls for crossing Embankment.

CLVII. And be it enacted, That it shall be lawful for the Commissioners to erect a Toll Bar or Toll Bars upon the said intended Embankment across *Penryn Creek* aforesaid, and to demand and take at such Toll Bar or Toll Bars such Tolls as the Commissioners shall from Time to Time appoint, for or in respect of all Persons, Carriages, Cattle, Animals, Articles, and Things passing through or being carried over the same, not exceeding the following; (that is to say,)

For every Person who shall pass over the same, the Sum of One Halfpenny:

For every Horse, Mule, Ass, or other Beast not drawing, laden or unladen, the Sum of One Penny:

For every Horse, Mule, Ass, or other Beast drawing any Carriage, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Sixpence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Four-pence *per* Score, and so in proportion for any greater or less Number:

For every Trunk, Box, Parcel, or other Package falling within the Description of Luggage, and for every Barrow and Truck, the Sum of a Halfpenny:

Which said Tolls shall be taken for each Time of passing and each Time of repassing through such Toll Bars or any of them, and shall be taken before any Person, Horse, Carriage, Mule, Ass, Beast, or other Cattle, Article, or Thing whatsoever shall be permitted to pass through or be carried over the same: Provided always, that no Toll shall be taken from any Person in respect of any Horse or Beast passing through the said Toll Bar or Toll Bars upon any Duty or Service of Customs.

CLVIII. Pro-

Carriages drawn by Steam, &c. not to pass without Consent of Commissioners, and also a Certificate, &c.

CLVIII. Provided always, and be it enacted, That no Carriage drawn or propelled by Steam or other Power than Animal Power shall be permitted to pass over or upon the said Embankment without the Consent of the Commissioners, and a Certificate from the Surveyor or some Engineer to be appointed by the Board of Trade or Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the United Kingdom for the Time being, that such passing can be effected without Injury to the Trade of the said Port and Harbour, and consistently with the Safety of the Public, first obtained for that Purpose, and Payment of such reasonable Toll as shall be agreed upon between the Commissioners and the Owner of such Carriage.

Tolls may be let.

CLIX. And be it enacted, That it shall be lawful for the Commissioners to let the Tolls to be collected by virtue of this Act upon the said Embankment for any Period not exceeding Seven Years.

Lessees or Persons appointed by them may collect the Tolls.

CLX. And be it enacted, That during such Time as the said Tolls shall be leased it shall be lawful for the Lessee, or such Person as he shall by Writing under his Hand authorize or appoint, to demand and take the Tolls so leased, with the like Powers for the Recovery thereof, to all Intents and Purposes, as the Commissioners or any Collector of the said Tolls appointed by them are or is hereby authorized and empowered to demand, take, and recover the same; and such Lessee or other Person as aforesaid shall be subject to the like Penalties and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the Commissioners is subject or liable to.

Weights allowed to be carried over the Embankment.

CLXI. And be it enacted, That no Waggon, Cart, or other Carriage shall be allowed to come upon the said Embankment with a greater Weight than Five Tons, over and above the Weight of such Waggon, Cart, or other Carriage, under the Penalty of Two Pounds, to be forfeited and paid by the Owner of such Waggon, Cart, or other Carriage to the Commissioners for every Time such Waggon, Cart, or other Carriage shall come upon the said Embankment with a greater Weight than Five Tons over and above the Weight of such Waggon, Cart, or other Carriage.

Power to erect Weighing Machines.

CLXII. And be it enacted, That it shall be lawful for the said Commissioners, if they think proper, to erect at or near the said Embankment any Weighing Machine for weighing Waggons, Carts, and other Carriages.

Toll Keeper may weigh Carriages, &c.

CLXIII. And be it enacted, That the Keeper of the said Weighing Machine, or any Person to be appointed by the Commissioners or by their Lessee, may require any Waggon, Cart, or other Carriage which shall come upon the said Embankment to be weighed at such Weighing Machine; and if any Driver or Person having the Charge of such Waggon, Cart, or other Carriage shall refuse to allow the same to be weighed, every such Driver or other Person shall forfeit a Sum not exceeding Forty Shillings.

CLXIV. Pro-

Exemptions from Tolls.

CLXIV. Provided always, and be it enacted, That no Toll shall be demanded or taken for any Person, Horse, Beast, Cattle, or Carriage in the Service of or belonging to Her Majesty, or attending any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of any Description, or any Officer or Person, in Her Majesty's Royal Navy or Marines on Duty; or of any Person employed in conveying or guarding Mails or Letters and Expresses under the Authority of Her Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or in returning from conveying or guarding the same; or for any Soldiers upon their March or on Duty; or for any Horse, Beast, Cattle, or Carriage attending Soldiers upon their March or upon Duty with Arms and Baggage, or returning after having been so employed; or for any Horse, Beast, or Cattle drawing any Waggon, Wain, Cart, or other Carriage which shall be employed in conveying any Ordnance, Commissariat, or other public Stores of or belonging to Her Majesty, or to or for the Use of Her Majesty's Forces; or for any Horse, Beast, or Cattle furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them; or for any Yeomanry Cavalry Man or Volunteer Infantry Man in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons be drest in the Uniforms of their respective Corps, and have their Arms and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; or for any Horse, Beast or Cattle, Person or Carriage, conveying Vagrants sent by legal Passes, or Prisoners sent by any legal Warrant, or returning having been so employed, or for any such Vagrants or Prisoners; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings.

Exemption of Lord Clinton from certain Tolls.

CLXV. Provided always, and be it enacted, That the said Lord *Clinton*, and the Owner or Owners and Occupier or Occupiers of *Trefusis Castle* in the said County of *Cornwall* for the Time being, and his or their Servants, going to or returning from *Trefusis Castle* aforesaid, shall be and they and every of them are and is hereby expressly exempted from the Payment of the several Tolls and Dues mentioned and enumerated in the Schedule of this Act annexed marked (F.), and of any Tolls and Dues in lieu thereof.

Exemption of Goods for use in Trefusis Castle.

CLXVI. Provided always, and be it enacted, That no Goods, Wares, or Commodities whatsoever shipped or unshipped from or upon any of the said Quays, Docks, Wharfs, or Works, for Use or Consumption in *Trefusis Castle* aforesaid, or the Gardens and Pleasure Grounds adjoining thereto, or sent from thence, nor any Vessel which shall be substantially freighted with Goods for Use or Consumption at *Trefusis Castle*, or the Gardens or Pleasure Grounds aforesaid, or sent from thence, and which Vessel shall not enter the said Dock or inner Basin, shall be liable to the Payment of the Tolls under this Act.

Exemption of agricultural Pro-

CLXVII. Provided always, and be it enacted, That all Corn, Grain, Vegetables, and all other Articles of agricultural Produce actually grown

duce from Flushing to Falmouth.

grown or produced within the said Parish of *Mylor*, shall and may be shipped and exported by Water from *Flushing Quay* to any Part of the Borough of *Falmouth* free from all the Tolls and Rates enumerated in the said Schedule marked (E.), and from all other Tolls and Rates under this Act, save as herein-after mentioned; and that all Articles of household Use or Consumption, except Coals, and also Food or Clothing, and all Implements and Articles for agricultural Purposes, *bonâ fide* intended for Use or Consumption within the said Parish of *Mylor*, and not for Sale, shall and may be conveyed by Water from any Part of the said Borough of *Falmouth*, and landed upon *Flushing Quay* aforesaid, or such other Quay or Quays fit for the Purpose as the Commissioners shall from Time to Time appoint, free from all the Tolls and Rates in the said Schedule marked (E.), and from all other Tolls and Rates under this Act, subject nevertheless as to all the said Articles, Matters, and Things carried to and from *Flushing Quay* to the Right of Ferry of the said Lord *Wodehouse* and his Heirs, or other the Owner or Owners of the Ferry between *Green Bank Quay* and *Flushing Quay*, and the Tolls, Rates, and Duties payable in respect of the same.

Exemption of 1,500 Tons of Goods annually to Flushing.

CLXVIII. Provided always, and be it enacted, That the said Commissioners shall in every Year allow such Goods, Wares, and Merchandize, not exceeding in the whole One thousand five hundred Tons yearly, for the Benefit of the Inhabitants of *Flushing* (in addition to the Articles hereby specially exempted), as the Magistrates acting in Petty Sessions for the District in which the Parish of *Mylor* is situate shall by Writing under their Hands from Time to Time direct to be imported into or landed or deposited on all or any of the Wharfs and Quays to be constructed under this Act on the *Flushing* Side of the said outer or Tidal Basin, without Payment of any of the Rates or Duties made payable under this Act, either in respect of such Goods or the Tonnage of the Vessels conveying the same.

Penalty on Persons falsely claiming Exemptions.

CLXIX. And be it enacted, That if any Person shall claim and take the Benefit of any of the Exemptions herein-before enacted, not being entitled to the same, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings.

Persons may be stopped for refusing to pay Toll.

CLXX. And be it enacted, That if any Person subject to the Payment of any of the said Tolls shall, after Demand thereof made by any Collector or other Person to be appointed to receive the same, neglect or refuse to pay the same or any Part thereof, it shall be lawful for the Person authorized or appointed to collect such Tolls, by himself, or taking such Assistance as he shall think necessary, to stop and prevent the Passage of any Person so refusing, or of any Horse, Beast, or Cattle, or Carriage, Article, or Thing of or in respect of which any such Toll ought to be or to have been paid, and to seize and detain the same until such Payment shall be made, and to seize and detain any Horse, Beast, Cattle, Carriage, Article, or other Thing upon or in respect of which any such Toll shall be imposed, together with their respective Bridles, Saddles, Gears, Harness, and other Accoutrements, (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast,) or any Carriage, in respect of the Horses or Cattle drawing the Carriage on which such Toll is imposed, or any of the

the Goods or Chattels of the Persons so neglecting or refusing to pay, other than as aforesaid; and if the Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within Four Days next after such Seizure and Distress made, the Person so seizing and distraining may sell the Horse, Beast, or Cattle, Carriage, Article, or Things seized or distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale, if any, and so much of such Carriage or Things as shall remain unsold, upon demand, to the Owner thereof, after such Toll, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

Power to appoint Harbour Master and Dock Master.

CLXXI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to appoint such Harbour Masters and Dock Masters as they shall think necessary, and at pleasure to remove such Harbour Masters and Dock Masters.

Powers of Harbour Master.

CLXXII. And be it enacted, That it shall be lawful for the Harbour Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Time and Manner in which any Vessel shall enter into, go out of, or lie in the Limits of the said Harbour, and the Position, mooring or unmooring, placing or removing of any Vessel within the said Limits:

For regulating the Manner in which any Vessel shall take in or discharge its Cargo or any Part thereof, or shall take in or deliver Ballast within the Limits of the said Harbour:

For regulating the Government of any Vessel within the said Limits:

Provided always, that it shall not be lawful for such Harbour Master to direct that any Vessel shall lie or be within the said Docks, or within One hundred Yards of any Entrance to the same.

Powers of Dock Master.

CLXXIII. And be it enacted, That it shall be lawful for the Dock Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the mooring, unmooring, placing, or removing, within the said Docks or within Two hundred Yards of the Centre of the Entrance thereof, of any Vessels entering into, lying in, or going out of the said Docks:

For regulating the Time and Manner of any Vessel coming into or going out of the said Docks, and of their Position while loading or discharging Cargoes therein:

For regulating the Manner in which any Vessel entering the said Docks shall be dismantled, for Safety of such Vessel, and for preventing Injury to other Vessels and to the said Docks and Moorings:

For regulating the Quantity of Ballast or dead Weight in the Hold each Vessel shall have during the Delivery of her Cargo in the said Docks, or when discharged therein.

Penalty on Harbour Master, &c. unduly exercising Powers.

CLXXIV. And be it enacted, That in case any Harbour Master or Dock Master appointed under this Act shall, without reasonable Cause, exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

CLXXV. And

Penalty on not complying with Directions of the Harbour Master.

CLXXV. And be it enacted, That the Master or Commander of every Vessel within any Part of the Limits of the said Harbour, except the said Docks, or within Two hundred Yards of any Entrance to the same, shall regulate such Vessel according to the Directions of the Harbour Master for the Time being made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice in Writing signed by the said Harbour Master of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Ten Pounds.

Power of Harbour Master to remove Vessels.

CLXXVI. And be it enacted, That if the Master or Commander of any Vessel within any Part of the Limits of the said Harbour, except as aforesaid, shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Harbour Master for the Time being, in Writing given to the said Master or Commander, it shall be lawful for any such Harbour Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose, and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master or Commander, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damage for the ascertaining and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered.

Penalty on Master or Commander for obstructing Harbour Master.

CLXXVII. And be it enacted, That if any Master or Commander of any Vessel within the Limits of the said Harbour, except as aforesaid, or any Person on board the same, shall hinder the said Harbour Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Harbour Master may cut Ropes.

CLXXVIII. And be it enacted, That if any Master or Commander or other Person on board any Vessel which shall be moored or fastened within the Limits of the said Harbour, except as aforesaid, shall not, upon demand of the said Harbour Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored as aforesaid it shall be lawful for the said Harbour Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Harbour Master may remove Wrecks, &c.

CLXXIX. And be it enacted, That it shall be lawful for the said Harbour Master for the Time being to remove any Wreck and other Obstruction to the said Harbour within the Limits aforesaid, and also any

any floating Timber which may impede the Navigation thereof; and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same.

Powers of Harbour Master not to extend to Vessels lying within 100 Yards of Quays, &c. not constructed under Act.

CLXXX. Provided always, and be it enacted, That the several Powers and Authorities hereby given to the Harbour Master appointed under this Act for the Government, Regulation, and Management of all Vessels entering or lying within the Limits of the said Harbour, with respect to the Position, mooring or unmooring, placing or Removal of such Vessels, and the taking in and discharging their Cargoes, or otherwise howsoever, shall not extend or be construed or deemed to extend to or affect any Vessel lying within One hundred Yards of any Quay, Slip, Wharf, Yard, Cellar, Warehouse, Work, or other Place of Trade or Business within the said Harbour that shall not be constructed under or by virtue of this Act, or to any Vessel taking in or discharging Cargo or Ballast at any such Quays, Wharf, Slip, Yard, Cellar, Warehouse, Work, or other Place of Trade or Business; and further, that the said Harbour Master shall not, under or in pursuance or exercise of any of the Powers or Authorities vested in him by this Act, interfere with or prevent any Vessel entering or lying within the said Harbour from going to, returning from, or remaining at any of the said Quays, Wharfs, Slips, Yards, Cellars, Warehouses, Works, or other Places of Trade or Business.

Penalty on Masters not complying with Directions of Dock Master.

CLXXXI. And be it enacted, That the Master or Commander of every Vessel within the Docks or Two hundred Yards of any Entrance to the same shall regulate such Vessel according to the Directions of the Dock Master for the Time being made in pursuance of this Act; and every such Master or Commander who, after Notice of any such Direction, signed by such Dock Master for the Time being, shall have been served upon him, shall not regulate such Vessel according to the Directions aforesaid, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Dock Master may remove Vessels within Docks, or within 200 Yards of the Entrance.

CLXXXII. And be it enacted, That if any Master or Commander of any Vessel within the said Docks or within Two hundred Yards thereof shall not moor, unmoor, place, or remove the same according to the Directions of the Dock Master for the Time being appointed under this Act, after Notice in Writing of such Directions, signed by such Dock Master, shall be served on him, or if there shall be no Person on board of any such Vessel it shall be lawful for such Dock Master to cause such Vessel to be moored, unmoored, placed, or removed, as he shall think fit, within the said Docks or within Two hundred Yards thereof; and the Expences attending the mooring, unmooring, placing, or removing such Vessel shall be paid to the said Dock Master by the Master or Commander of the same.

Dock Master may cut Ropes.

CLXXXIII. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened within the said Docks or Two hundred Yards of any Entrance to the same shall not, on demand of the said Dock Master, unloose or slacken the Rope or Chain by which such Vessel shall be fastened, or if there be no Person on board of any such Vessel so moored or

fastened, it shall be lawful for the Dock Master to cut the Rope or slacken the Chain by which such Vessel shall be moored or fastened: Provided also, that before the Dock Master shall cut the Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Vessels entering Docks to be dismantled as Dock Master shall direct.

CLXXXIV. And be it enacted, That no Vessel shall enter the said Docks except the same shall be dismantled as shall be directed by the Dock Master for the Time appointed under this Act; and if any Vessel shall enter the said Docks without being dismantled in the Manner required by such Dock Master, after Notice in Writing signed by such Dock Master shall have been served on the Master or Commander of such Vessel to dismantle the same in the Manner aforesaid, such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels to have Hawsers, &c. fixed to Moorings.

CLXXXV. And be it enacted, That every Vessel in the said Basin or Docks shall have substantial Hawsers, Towlines, and Fasts fixed to the Dolphins, Moorings, Booms, Buoys, or Mooring Posts, when required by the said Dock Master; and if any Vessel shall be in the said Basin or Docks without such substantial Hawsers, Towlines, or Fasts fixed as aforesaid, after Notice in Writing from the said Dock Master to the Master or Commander of such Vessel to furnish or fix the same, such Master or Commander shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Dock Master to regulate Equipment &c. of Vessels in Dock.

CLXXXVI. And be it enacted, That it shall be lawful for the Dock Master for the Time being appointed under this Act to regulate the Equipment, rigging, and lading of all Vessels in the said Basin or Docks as he shall think proper; and if he shall judge any Act or Proceeding in the Equipment, rigging, or lading of any Vessel entering or departing from the said Basin or Docks unsafe for such Vessel, or likely to produce Injury to other Vessels or to the said Basin or Docks, it shall be lawful for him to give Notice in Writing, signed by him, to the Master or the Commander of such Ship, to discontinue or alter the same; and if such Master or Commander shall not, according to such Notice, discontinue or alter such Act or Proceeding immediately after such Notice shall have been served on him or some Person on board the said Vessel, every such Master or Commander shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Penalty.

No Vessel to lie within 100 Yards of Entrance of Docks.

CLXXXVII. And be it enacted, That as soon as the said intended Basins or Dock are so far completed as to admit Ships to enter therein no Vessel shall lie within One hundred Yards from the Centre of the Entrance of the said Docks, unless for the Purpose of coming in or going out of the said Basin or Docks, so that at all Times the Entrance may be kept clear and without Obstruction.

Penalty on suffering Vessel to

CLXXXVIII. And be it enacted, That if the Master or Commander of any Vessel shall place any Vessel or suffer the same to remain within

within Two hundred Yards from the Centre of the Entrance of the said Basins or Docks, and shall not, immediately on being required by the said Dock Master for the Time being, remove such Vessel, every such Master or Commander so offending shall for every such Offence forfeit a Sum not exceeding Twenty Shillings for every Hour that such Vessel shall remain within the Distance aforesaid after reasonable Time for removing the same shall have expired after the Service of such Notice.

Vessels to remain within 200 Yards of Entrance to Docks.

CLXXXIX. And be it enacted, That before any Vessel shall enter into the said inner Basin or Docks such Vessel shall have her Sails lowered or furled; and in case any Master or Commander of any Vessel shall navigate the same under Sail into or out of the said inner Basin or Docks, every such Master or other Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Vessels to have their Sails lowered when entering and navigating Docks.

CXC. And be it enacted, That every Vessel, having a Cargo on board thereof intended to be unshipped on any of the Works constructed under or by virtue of this Act, which shall go into the said inner Basin or Docks, shall be discharged of her Cargo as soon as conveniently may be after entering therein, and after the Delivery of such Cargo such Vessel shall without Loss of Time be removed into such Part of the said Basins or Docks as shall be set apart for light Vessels; and the said Dock Master for the Time being shall cause to be removed all light Vessels accordingly; and if the Master or Commander of any such Vessels shall not remove the same into such Part of the said Docks as shall be set apart for light Vessels within Twenty-four Hours afte Notice in Writing, signed by the Dock Master, shall have been served on him, then he shall forfeit a Sum not exceeding Ten Pounds; and it shall be lawful for the said Dock Master to cause such Vessel to remove into a Part of the said Basins or Docks set apart for light Vessels, and the Expences of removing the same shall be paid to such Dock Master by the Master or Commander of such Vessel.

Delivery of Cargoes in Basins or Docks, and placing of discharged Vessels.

CXCI. Provided always, and be it enacted, That the Powers and Authorities herein-before given to the Dock Master for the Government, Regulation, and Management of Vessels within the said Docks, and for the loading and unloading the same, shall not extend to or affect any Vessel lying near or adjoining to any Quay, Wharf, or Warehouse within *Penryn Creek* aforesaid that shall not be constructed under or by virtue of this Act, or to any Vessel loading or unloading at any such Quay, Wharf, or Warehouse.

Exemption of Vessels lying at present Quays and Wharfs from Powers of Dock Master.

CXCII. And be it enacted, That if any Wharfinger or Servant of the Commissioners shall give any undue Preference or show any Partiality in loading or unloading any Goods or other Things at any Wharf, Quay, Warehouse, Landing Place, Crane, or Machine belonging to the Commissioners, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Penalty on Wharfingers giving undue Preference.

CXCIII. And be it enacted, That it shall be lawful for the Commissioners to lease or grant the Use or Occupation of any Quays, Wharfs, Houses, Warehouses, Landing Places, Buildings, Cranes, Machines,

Power to lease Wharfs.

Machines, and other Conveniences provided by them for the Purposes of this Act, at such Rents, Terms, and Conditions as shall be agreed upon between the Commissioners and the Persons taking, using, or occupying the same, provided that no such Lease shall be granted for a longer Term than Seven Years.

Combustible Matter on Quays, &c. to be removed.

CXCIV. And be it enacted, That if any Tar, Pitch, Rosin, spirituous Liquors, Turpentine, Oil, or combustible Thing, being on any Quay, Dock, or Wharf belonging to the Commissioners, or on the Deck of any Vessel within the Limits of the said Basins or Docks, shall not be removed from the Place where the same may be to a Place of Safety, within Two Hours after Notice in Writing for that Purpose, signed by the said Harbour Master or Dock Master for the Time being, shall have been served on the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Penalty.

Combustibles to be guarded during the Night.

CXCV. And be it enacted, That if any such combustible Thing as aforesaid shall remain on any of the said Quays, Wharfs, or Works, or on the Deck of any Vessel within the Limits of the said Basins or Docks, after Daylight, the Owner or Person having Charge of the same, or in his Default the Commissioners, at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from Half an Hour before Sunset to Half an Hour after Sunrise, and such Expence, if not paid to the Commissioners on demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by this Act directed to be ascertained and recovered.

Penalties against Fire.

CXCVI. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds; (that is to say,)

Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter in any Vessel lying in the Limits of the said Basins, Docks, or other Works, or in any Place within the same, except in such Place and in such Manner as shall be specially appointed by the Commissioners for that Purpose:

Every Person who shall have or cause to be had any Fire or lighted Candle or Lamp in any Vessel within the Limits of the said Basins, Docks, or Works, except with the Permission of the Commissioners:

Every Person who shall have or cause to be had any Fire, Candle, or Lamp lighted within any of the said Basins or Docks, or the Works belonging to the same, except such Fires or lighted Candles or Lamps as shall be necessary to be used in repairing or improving the same, or at such Times as shall be permitted by the Bye Laws of the Commissioners:

Every Person who shall bring any loaded Gun on the Wharfs, Quays, or Works, or into the said Basins or Docks, or the Works of the same, or shall have or suffer to remain any loaded Gun in any Vessel

Vessel in the said Basins or Docks, or within Two hundred Yards of the said Wharfs, Quays, or Works:

Every Person who shall, without the Permission of the Commissioners, bring or suffer to remain any Gunpowder on the said Wharfs, Quays, or Works, or within the said Basins or Docks, or in any Vessel within the said Basins or Docks:

Penalty for throwing Ballast, &c. into Harbour.

CXCVII. And be it enacted, That if any Person shall throw or put any Ballast, Earth, Dust, Ashes, Stones, or other Thing into the said Harbour within the Limits aforesaid, or either of the said Basins or Docks, or into or upon any of the said Works, to the Injury or Prejudice thereof, or do any other Injury to the same, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

As to Deposit of Mud, &c.

CXCVIII. Provided always, and be it enacted, That, notwithstanding any thing in this Act contained, it shall not be lawful for the said Commissioners, or any Person or Persons whomsoever, to cast or throw into the said Harbour or the said Creek or River any Mud, Sand, Stone, or other Materials dredged or dug up from the said Harbour, Basins, Dock, or other Works now or by virtue of this Act or otherwise hereafter to be constructed, but all such Mud, Sand, Stone, or other Materials so dredged or dug up shall be deposited on the Sides of the said Creek or River where the said Commissioners are by this Act authorized to erect Quays, Wharfs, and other Works, or on some Lands belonging to the said Commissioners, or where they shall have obtained Leave to deposit the same, or be sold by the said Commissioners, and the Money arising from the Sale be applied by them for the Purposes of this Act; and every Person who shall cast or throw into the said Harbour, Creek, or River any such Mud, Sand, Stone, or other Materials shall for every Offence forfeit a Sum not less than One Pound and not exceeding One hundred Pounds.

Penalty for cutting Ropes.

CXCIX. And be it enacted, That if any Person, other than the Harbour Master or Dock Master in execution of the Powers of this Act, shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Harbour, Basins, Docks, or Works shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

Remedies for Damage to Quay, &c.

CC. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Harbour, or to the Quays, Basins, Docks, Wharfs, Machinery, or other Works or Property of the Commissioners by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Fifty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained by this Act are hereby directed to be recovered; and in addition to the Remedies hereby provided for the Recovery of the same it shall be lawful for the Justice before whom the same is recovered to cause the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained, and detained until the Amount of Damage and

Costs awarded by him shall be paid, and if the same shall not be paid within Seven Days after the taking of such Distress, to cause the Property so distrained, or any Part thereof, to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justice, and all the Charges incurred by the Distress, Detention, and Sale of Property.

Owner or Master of Vessel answerable for Servants.

CCI. And be it enacted, That the Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the Commissioners for any Damage done by such Vessel or Float of Timber, or any Person employed about the same, to the said Harbour, or any Basins, Quays, Docks, Wharfs, Machinery, or other Works or Property of the Commissioners; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Fifty Pounds, shall be ascertained by and be recovered before any Justice; and it shall be lawful for the Harbour Master or Dock Master for the Time being appointed under this Act to detain any such Vessel until sufficient Security shall have been given for the Amount of Damage done by the same, or by any Person employed therein.

Masters may recover from Servants.

CCII. And be it enacted, That if the Owner, Master, or Commander of any Vessel shall make satisfaction for any such Damage as aforesaid done by any Person employed by such Vessel, the Person doing such Damage shall repay to the said Owner, Master, or Commander the Amount of the Damage so paid, together with the Costs (if any) incurred by him in respect of such Damage; and the Amount of such Damage, together with the Costs, shall, if such Damage does not exceed Fifty Pounds, be ascertained and recovered before any Justice.

Harbour and Dock Police.

CCIII. And be it enacted, That it shall be lawful for any Two or more Justices to appoint such Persons as shall be nominated for that Purpose by the Commissioners to be Special Constables within the Limits of the said Harbour, Basins, Docks, and Premises of the Commissioners; and every Person so appointed shall be sworn in by any such Justices duly to execute the Office of a Constable within the Limits aforesaid, and when so sworn in shall have the same Powers, Protections, and Privileges within the Limits aforesaid, and shall be subject to the same Liabilities, as Constables have or are subject to by the Common Law of *England*.

Power of Justices to dismiss Constables.

CCIV. And be it enacted, That it shall be lawful for any Two or more Justices to dismiss or suspend any such Constable for Neglect of Duty, and no Person so dismissed or suspended shall be re-appointed, except with the Consent of Two Justices; and when any Person shall be so dismissed or suspended all Powers vested in him as a Constable shall cease.

Penalty for assaulting Constables.

CCV. And be it enacted, That any Person who shall assault or resist any Constable, or obstruct him in the Execution of any Duty which he is authorized by this Act to perform, or shall aid or incite any Person so to assault or resist, shall for every such Offence forfeit a Sum not exceeding Five Pounds, or, in the Discretion of the Justice before whom he is convicted, may be imprisoned for any Term not exceeding One Month.

CCVI. And

Penalty for obstructing Constables from entering Vessels

CCVI. And be it enacted, That any Person who shall obstruct or aid in obstructing any Constables or other Person having Instructions from the Commissioners, or their Harbour Master or Dock Master, from entering into or being in any Vessel within the said Harbour, Basins, or Docks, for the Purpose of discovering any Theft or Embezzlement suspected to have been committed therein, or of quelling any Disturbance, or for any Purpose authorized by this Act, or any Bye Law made in pursuance thereof, shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Powers to appoint Meters and Weighers.

CCVII. And be it enacted, That it shall be lawful for the Commissioners to appoint and license a sufficient Number of Persons to be Meters and Weighers in the said Basins and Docks, and to remove any such Persons at their Pleasure, and to make Regulations for their Government, and to fix reasonable Rates to be paid to such Meters and Weighers for weighing and measuring any Goods, Articles, or Things.

Penalty on other than a licensed Weigher or Meter weighing or measuring Goods.

CCVIII. And be it enacted, That if any Person, other than a Meter or Weigher licensed by the Commissioners, or a Meter or Weigher appointed by the Commissioners of Her Majesty's Customs, shall weigh or measure any Goods, Articles, or Things shipped, unshipped, or delivered within the Limits of the said Basins or Docks, he shall forfeit for every such Offence a Sum not exceeding Five Pounds; and the weighing or Measurement of any such Goods, Articles, or Things by any such Person shall be deemed illegal.

Penalty on Masters of Vessels, &c. employing other than licensed Meters and Weighers.

CCIX. And be it enacted, That if any Master or Commander of any Vessel importing or exporting, or any Owner, Consignor, Consignee, or Person having the Charge of any Goods, Articles, or Things requiring to be weighed or measured within the Limits of the said Basins or Docks, shall employ any Person other than a Weigher or Meter licensed by the Commissioners or appointed by the Commissioners of Her Majesty's Customs to weigh or measure the same, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Power to establish Life Boats, &c.;

CCX. And be it enacted, That it shall be lawful for the said Commissioners to provide such and so many Life Boats or other Vessels or Craft to be used and established for the Purpose of rendering Assistance to Vessels on the Coast, or within or adjoining to the said Harbour of *Falmouth*, as they may from Time to Time think necessary or expedient, and to defray the Expence of manning, establishing, and using the same out of the Rates and Duties by this Act authorized to collected and levied.

and to make Bye Laws for the Government of their Crews.

CCXI. And be it enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to make, ordain, constitute, and appoint such Rules, Orders, Regulations, and Bye Laws, for the Regulation and Government of the Crews of such Life Boats, and other Persons employed by them in the Management and Use thereof, and to alter and vary the same as Occasion may require: Provided always, that nothing herein contained shall alter, abridge, or take away any Right which the Crews of such Life Boats, or any Persons employed therein, may have to Salvage or other Remuneration for Services rendered

rendered to any Ship or Vessel in Distress, or for the saving of any Lives or Property.

Power to provide Steam Tugs or Boats for towing any Vessel into or out of the said Basins or Dock.

CCXII. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to build, purchase, or hire any Steam Tugs or Steam Boats for the Purpose of towing any Vessels into or out of the said Harbour, Basins, or Dock, and for conveying Persons to such Vessels, and to defray the Expences of building, purchasing, hiring, repairing, and maintaining the same out of the Rates and Sums hereby authorized to be received and taken; and it is hereby further declared, that the said Commissioners shall and may take or receive such reasonable Rates for the Use of the same as they shall from Time to Time appoint.

Power to erect Lighthouse and Beacons, and place Buoys.

CCXIII. And be it enacted, That it shall be lawful for the Commissioners to erect any Lighthouse on the Piers, Embankment, Quays, Wharfs, or other Works hereby authorized to be made, or any of them, and to exhibit a Light therein, and to erect other Beacons for the Guidance of Vessels, and also to lay down Buoys and Moorings, of such Description and in such Situations within the Limits of the said Harbour as they shall from Time to Time think proper and necessary.

Lighthouse, &c. not to be erected or altered, nor any Light exhibited, without the Sanction of the Trinity House.

CCXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize or empower the said Commissioners to erect any such Lighthouse, or exhibit any such Light, or erect any such Beacon as aforesaid, or change, alter, or remove any such Lighthouse, Light, or Beacon, without having from Time to Time first obtained the Sanction in Writing of the Masters, Wardens, and Assistants of the Corporation of *Trinity House* of *Deptford Strond*, as to the Character and Situation of such Lighthouse and Beacon, and the Description and Power of such Light, and the Mode of exhibiting the same.

Saving the Rights of the Trinity House.

CCXV. And be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from the Jurisdiction or Authority or any of the Rights or Privileges of the said Corporation of *Trinity House* of *Deptford Strond*.

Power to make Bye Laws.

CCXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws as they shall think fit for all or any of the following Purposes; (that is to say,)

For governing or regulating the Use of the Basins, Docks, Quays, Wharfs, and other Works hereby authorized to be made:

For regulating the placing and removing of Vessels entering in, lying in, or going out of the said Harbour within the Limits aforesaid, or Basins or Docks, and for the good Order and Government of all such Vessels:

For regulating the Exercise of the several Powers hereby vested in the Harbour Master and Dock Master to be appointed by the Commissioners:

For regulating the Admission of Vessels into the said Basins and Docks, and their Removal out of the same:

For regulating, with the Consent of the Commissioners of Her Majesty's

jesty's Customs, the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things from, in, or on the Basins, Docks, Quays, Wharfs, or Warehouses of the Commissioners:

For regulating, with Consent of the Commissioners of Her Majesty's Customs, the Hours which the Gates or Entrance to the said Docks and the Premises belonging thereto shall be open:

For regulating the Duties and Conduct of all Persons, as well the Servants of the Commissioners as others, who shall be employed in the Basins, Docks, Quays, Wharfs, Works, and Premises of the Commissioners:

For regulating the Use of Fires, Candles, and Lamps within the said Basins, Docks, and the Premises belonging thereto, and within any Vessel being within the said Basins or Docks:

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the Commissioners:

For regulating the Police appointed under this Act, and the Times and Manner in which the Police Officers shall perform their Duties:

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the Commissioners, and the Duties and Conduct of all Weighers and Meters appointed by them:

For regulating the Duties and Conduct of the Carriers employed on the Premises of the Commissioners, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

And it shall be lawful for the Commissioners, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of *England* or the Provisions of this Act, and be reduced into Writing, and signed by any Three of the Commissioners, and, if affecting other Persons than the Officers or Servants of the Commissioners, be printed and published as herein provided.

Penalties may be imposed for the better enforcing Bye Laws.

CCXVII. And be it enacted, That it shall be lawful for the Commissioners by the Bye Laws so to be made by them to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid.

Bye Laws to be confirmed.

CCXVIII. And be it enacted, That no Bye Law which shall be made by the Commissioners under the Authority of this Act, except such as may relate solely to the Commissioners, or their Officers or Servants, shall be valid or binding, unless the same shall be allowed by some Judge of One of the Superior Courts, or by the Justices assembled at some General or Quarter Sessions of the Peace for the County of *Cornwall*; and it shall be incumbent on such Justices, on the Request of the Commissioners, to inquire into any Bye Laws which may be tendered to them for that Purpose, and to allow or disallow of the same as they shall think meet: Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more News-

papers of the County of *Cornwall* One Month at least before the hearing of such Application; and any Person aggrieved by such Bye Law, on giving Notice of the Nature of his Objection to the Commissioners Ten Days before the hearing of such Application, may, by himself, or his Counsel, Attorney, or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Matter of Objection.

A Copy of proposed Bye Laws to be opened to Inspection.

CCXIX. Provided always, and be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office of the Commissioners; and it shall be lawful for all Persons, at all seasonable Times, to inspect such Copy, without Fee or Reward, and to be furnished by the Commissioners with a Copy thereof or of any Part thereof, on Payment of Sixpence for every One hundred Words.

Publication of Bye Laws.

CCXX. And be it enacted, That such Bye Laws, when confirmed, shall be printed on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the principal Office of the Commissioners, and also on some conspicuous Part of the Works of the said Harbour, Basins, or Docks, according as such Bye Laws may relate to the Harbour, Basins, or Docks; and such Boards shall be from Time to Time renewed as often as the same or any Part thereof may be obliterated or destroyed.

Bye Laws to be binding on all Parties.

CCXXI. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of Bye Laws.

CCXXII. And be it enacted, That the Production of a written or printed Bye Laws of the Commissioners, authenticated by the Signatures of Three of the Commissioners or their Clerk, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof it shall be sufficient that painted Boards, containing a Copy thereof, were affixed or continued in the Manner by this Act directed, and in case of any such Boards being afterwards destroyed or obliterated, it shall be sufficient to prove that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that Boards were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards.

CCXXIII. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on the Premises of the Commissioners, on which any Bye Law of the Commissioners, or any Rate to be taken under this Act, shall be painted, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Provision for Damages not otherwise provided for.

CCXXIV. And for the Purpose of providing for the Recovery of any Compensation for any Land, or for any Injury to any Land or other Property or Person, or for any Expences, Charges, or Damages which shall be payable under this Act, and for the Recovery of which no

no Method is herein provided, be it enacted, That in all such Cases the Amount of the Compensation, Charges, or Damages by this Act directed or authorized to be paid shall, in case of Nonpayment thereof, or of any Dispute about the same, be ascertained and determined by Two or more Justices, and the same shall be levied by Distress.

For ascertaining Compensation.

CCXXV. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice of the Peace may summon any Person liable to pay the same to appear before any Two or more Justices at a Time mentioned in such Summons, and at such Time, either on the Appearance or Default of the Party summoned to appear, such Justice shall inquire into any such Compensation, Expences, Charges, or Damages, and shall determine the same.

Recovery of Money from Commissioners.

CCXXVI. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners, for which no other Mode of Proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners; but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer, or left at his usual Place of Abode.

Reimbursement of the Treasurer.

CCXXVII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid it shall be lawful for him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or to sue the Commissioners for the same in the same Manner as other Parties are by this Act enabled to sue the said Commissioners.

Penalties to be summarily recovered before Justices.

CCXXVIII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding upon Complaint made before any Justice; and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person, or by leaving the same, or a Copy thereof, with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending it shall be lawful for any Two or more Justices to proceed on the hearing of the Complaint, and upon Proof of the Offence, either by Confession of the Party complained against, or upon the Oath of One credible Witness or more, to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well

well as such Costs attending the Conviction as such Justices shall think fit.

Damages to be ascertained with Penalty.

CCXXIX. And be it enacted, That where any Damages or Charges are directed by this Act to be paid, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Non-payment thereof, or of any Dispute concerning the same, shall be determined by the Justices before whom the Offender shall be convicted of such Offence, and shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Penalties to be levied by Distress.

CCXXX. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Justice shall issue his Warrant of Distress accordingly.

Imprisonment in default of Distress.

CCXXXI. And be it enacted, That it shall be lawful for the Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice, for his Appearance before him on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had within his Jurisdiction whereon to levy such Penalty or Forfeiture and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to any Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application of Penalties.

CCXXXII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justice or Justices by whom any such Penalty or Forfeiture shall be imposed shall award One Half thereof to the Informer, and the other Half to the said Commissioners, to be by them applied for the Purposes of this Act; provided that if the Penalty or Forfeiture shall be imposed on the Commissioners, the same shall be awarded, one Half to the Informer, and the other Half to the Overseers of the Poor of the Boroughs of *Falmouth* and *Penryn*, in equal Proportions, in aid of the Rates for the Relief of the Poor in the said Boroughs.

Penalties to be sued for within Six Months.

CCXXXIII. And be enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such

such Justice within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

CCXXXIV. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this Act, shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient Offenders.

CCXXXV. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name or Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and Determination of the Complaint against such Offender.

Form of Conviction.

CCXXXVI. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (G.) to this Act annexed.

Proceedings not to be quashed for Want of Form.

CCXXXVII. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress how to be levied.

CCXXXVIII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expences of the Distress and Sale, shall be returned, on demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

CCXXXIX. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or a Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser

ab initio on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may appeal to Quarter Sessions, on giving Security.

CCXL. And be it enacted, That if any Person shall think himself aggrieved by any Order, Determination, or Adjudication of any Justice under the Authority of this Act, or of the Commissioners under the Provisions of this Act, he may appeal to the General or Quarter Sessions, but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Order, Determination, or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CCXLI. And be it enacted, That at the General or Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Order, Determination, or Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Order, Determination, or Adjudication, and of the Appeal, as they may think reasonable.

Saving the Rights of the Crown.

CCXLII. And be it enacted, That nothing in this Act contained shall extend to authorize the said Commissioners to take or use any Land or Soil 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, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, 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 the Rights of the Duchy of Cornwall.

CCXLIII. And be it enacted, That neither this Act nor any thing herein contained shall extend to authorized the said Commissioners to take or use any Land or Soil belonging to His Royal Highness the Duke of *Cornwall* in right of the Duchy of *Cornwall*, without his Consent or Authority, nor to do any Act to affect, alter, take away, destroy, lessen, or prejudice the Rights or Interests of His said Royal Highness and his Successors in right or in respect of the said Duchy of *Cornwall*, or of other the Personage for the Time being entitled to the Possessions and Revenues thereof, nor at any Time or Times be admitted in any Court of Law or Equity or otherwise considered as Evidence upon any Occasion prejudicially to affect in any Manner such Rights of His said Royal Highness and His Successors, Dukes of *Cornwall*, or such other Personage as aforesaid, but that all such Rights shall

shall remain of the same Force and Effect as if this Act had not been passed, any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of Her Majesty's Navy and the Trinity House.

CCXLIV. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in the Service of Her Majesty, or of the Ordnance, Customs, or Excise, or to prejudice or derogate from any of the Rights or Privileges, Jurisdiction or Authority, of the Corporation of the *Trinity House* of *Deptford Strond*.

Saving the Rights of the Bishop of Exeter as to Tolls, &c. in Falmouth Harbour:

CCXLV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, alter, or destroy, abridge, prejudice, or affect any Duties or Advantages of Admeasurage or Bushellage, or of Anchorage, Keelage, or Groundage, or any other Tolls, Dues, Duties, Franchises, Powers, Privileges, Advantages, Exemptions, Rights, or Authorities which the Lord Bishop of *Exeter*, as Lord of the Manor of *Penryn Forryn* and *Minster*, and of the Borough of *Penryn*, or otherwise, or any Corporation or Person claiming under him or any of his Predecessors, have, receive, take, exercise, or enjoy, or are entitled or claim to have, receive, take, exercise, or enjoy within the Port and Harbour of *Falmouth* or elsewhere, but that all such Tolls, Dues, Duties, Franchises, Powers, Privileges, Advantages, Exemptions, Rights, and Authorities shall and may be had, received, taken, exercised, and enjoyed by the said Bishop and his Successors, and all Corporations and Persons claiming under him and them, or the Predecessors of the said Bishop, in and throughout the said Port and Harbour of *Falmouth* and elsewhere, and in and throughout the Basins, Docks, and other Works to be formed under this Act within the said Port and Harbour, in as full, ample, and beneficial a Manner as if this Act had not been made and passed.

Saving his Rights and those of the Council of Penryn.

CCXLVI. And be it enacted, That nothing in this Act contained shall be construed to affect the Right of the Lord Bishop of *Exeter* for the Time being as Lord of the Manor of *Penryn Forryn* and *Penryn* Borough, or his Successors, or the Right of the Council for the Time being of the said Borough of *Penryn*, or their Successors, to any Keelage, Wharfage, Tolls, Dues, the Payments to which they are respectively entitled.

Saving Rights of Lord Clinton, Lady Basset, and Lord Wodehouse.

CCXLVII. And be it enacted, That nothing in this Act shall extend or be construed to extend to take away, alter, abridge, prejudice, lessen, or affect any Rights, Franchises, Claims, Tolls, Duties, Powers, Privileges, Exemptions, or Authorities whatsoever vested in or enjoyed by the said Lord *Clinton*, as Lord of the Manor of *Tregew*, or by the Right Honourable Lady *Basset*, as Lady of the Manor of *Penwerris*, or the Right Honourable Lord *Wodehouse*, as Lord of the Manor of *Arwenack*, or any or either of them, or any Corporation, Body Politic, or Person or Persons whomsoever claiming under them respectively, or any of their Ancestors, but that the same Rights, Claims, Franchises, Tolls, Dues, Duties, Powers, Privileges, Exemptions, and Authorities shall be taken, held, exercised, and enjoyed by them and every of them, and all Persons rightfully claiming under them

them and every of them, in as full, ample, and beneficial a Manner as they or any or either of them could or might have held or enjoyed the same if this Act had not been passed, excepting so far as is by this Act enacted and declared.

Interpretation of Act. CCXLVIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Passenger" shall mean any Person proceeding from the Port or Harbour of *Falmouth* to any other Port, and *vice versâ:*

The Word "Month" shall mean Calendar Month:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster:*

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath:

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Justices" shall mean Justices of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter:

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting in the Execution of this Act:

The Expression "the Clerk" shall mean the Clerk of the said Commissioners:

The Word "Vessel" shall include Ship, Lighter, Vessel, Barge, and Boat:

The Word "Tonnage" shall mean registered Tonnage.

Public Act. CCXLIX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

NOTICE is hereby given, That Elections for Commissioners in the Room of those who retire from Office by Rotation will take place, as appointed by Law, at the several Places herein-after mentioned; (that is to say,)

On Thursday the Day of next, at
in Falmouth, at o'Clock.

For Commissioners representing the Borough and Parish of Falmouth, in the Room of *A.B.* and *C.D.*

For a Commissioner representing the Parish of Budock, in the Room of *E.F.* And

On Friday the Day of next, at
in Penryn, at o'Clock.

For Commissioners representing the Borough of Penryn, in the Room of *G.H* and *I.J.*

For a Commissioner representing the Parish of Saint Gluvias, in the Room of *K.L.*, and

For a Commissioner representing the Parish of Mylor, in the Room of *M.N.*

The several Commissioners above named are re-eligible.

Every Person rated to the Relief of the Poor in any One or more of the said Boroughs or Parishes in the annual Sum of Ten Pounds and upwards is entitled to vote at the said Election in respect of the said Borough or Parish or Parishes within which he may be so rated as aforesaid.

A Copy of so much of the Poor's Rates for the said Boroughs and Parishes as may be sufficient to prove the Right of all Parties claiming to vote will be produced at the said Elections.

By Order of the Commissioners,

O.P., Clerk.

SCHEDULE (B.)

THE List of Persons entitled to vote in the Election of a Commissioner or Commissioners for the Improvement of the Harbour of Falmouth in respect of Property rated to the Relief of the Poor of the Borough [*or* Parish] of in the Sum of Ten Pounds and upwards.

Christian and Surname of each Voter at Length.	Place of Abode.	Name of Property rated.	Amount of Rating.
			£ s. d.
Williams, John - -	- -	Penmere - -	20 0 0
John, William, and Thomas, Henry.	- -	House, Cellars, &c. -	30 0 0

Signed *A. B.* } Overseers of the said Borough
C. D. } [*or* Parish].

SCHEDULE (C.)

Form of Mortgage Deed.

BY virtue of an Act passed, *&c.*, intituled, *&c.*, we, Three of the Commissioners appointed by [*or* by virtue of] the said Act, in consideration of the Sum of Pounds paid to us by *A. B.* of for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates, Tolls, and Duties arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates, Tolls, and Duties, to hold to the said *A. B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied. In witness whereof we have hereunto set our Hands and Seals, this Day of One thousand eight hundred and

SCHEDULE (D.)

Form of Transfer of Mortgage.

I *A. B.* of in consideration of the Sum of Pounds paid to me by *C. D.* of do hereby transfer to the said *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number made by the Commissioners for executing the [*Title of the Act*], to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Endorsement,* the within Security,] and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Tolls, Money, and Property thereby assigned. in witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and

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SCHEDULE (E.)

RATES to be paid on all Goods, Wares, and Merchandize imported or exported.

		£	s.	d.
Acorns	per Ton, 40 Bushels	0	1	0
Agates	per Package	0	0	6
Ale, Porter, or Beer	per Butt or Puncheon	0	0	6
— —	per Hogshead	0	0	3
— —	per Barrel	0	0	2
— —	per small Cask	0	0	1
Ale, Bottled in Packages:	per Dozen Quarts	0	0	$0\frac{1}{2}$
—	per Dozen Pints	0	0	$0\frac{1}{4}$
Alabaster	per Ton	0	0	6
Alkali	per Ton	0	0	9
Alkanet Root	per Cwt.	0	0	1
Almonds	per Tierce	0	0	4
—	per Barrel	0	0	2
—	per Bag or Box	0	0	1
Aloes	per Cwt.	0	0	1
Alum	per Ton	0	0	8
Alva Marina, or Sea Grass	per Ton	0	0	10
Amber and Beads	per Package	0	0	6
— rough	per Ton	0	0	10
Ambergris	per Package	0	0	2
Amethysts. *See* Agates.				
Anchors. *See* Iron.				
Anchovies	per Keg	0	0	1
Angelica Root	per Cwt.	0	0	$0\frac{1}{2}$
Animals, stuffed	each	0	0	3
Anacardium, or Cashew Nuts	per Bushel	0	0	2
Annatto, in Casks	per Cwt.	0	0	1
— in Boxes or Baskets	per Cwt.	0	0	2
Anniseed	per Ton	0	1	0
Antimony	per Ton	0	0	10
— Ore	per Ton	0	0	8
Apples	per Hogshead	0	0	4
—	per Tierce	0	0	2
—	per Barrel, Box, or Basket	0	0	1
—	per Sieve or Half Basket	0	0	$0\frac{1}{2}$
— loose	per Quarter	0	0	2
Argol	per Ton	0	0	8
Arrow Root	per Cwt.	0	0	1
Arsenic	per Cwt.	0	0	1
Assafœtida	per Cwt.	0	0	1
Ashes	per Ton	0	0	8
Asphaltum	per Ton	0	0	6
Bacon	per Hogshead	0	0	4
—	per Tierce	0	0	2
—	per Bale	0	0	2
— loose	per Ton	0	0	8
Baggage:				
For every Box, Parcel, Trunk, Bundle, Chest, or other Package, not exceeding 28 lbs.		0	0	3
Above 28 lbs. and not exceeding 56 lbs.		0	0	5
Above 56 lbs. and not exceeding 112 lbs.		0	0	8
For every additional 112 lbs.		0	0	6
And so in proportion.				
Bagging	per Piece	0	0	1

		£	s.	d.
Bags, empty	per Score	0	0	1
— of Goods not enumerated	per Bag	0	0	1
Ballast, Sand, Gravel, &c.	per Ton	0	0	6
Bales, Cases, Casks, Trusses, or other Packages of Cottons, Linens, or Woollens, not exceeding 8 Feet	per Package	0	0	1½
— upwards of 8 Feet to 25 Feet inclusive	per Package	0	0	3
— upwards of 25 Feet to 55 Feet inclusive	per Package	0	0	4½
— upwards of 55 Feet	per Package	0	0	6
Balsam	per Cwt.	0	0	2
Bamboos. *See* Canes, Ground Rattans.				
Barilla	per Ton	0	0	8
Bark, Medicinal	per Cwt.	0	0	2
— Tanners	per Ton	0	1	0
Barley in Bulk. *See* Grain.				
Barley, Pearl	per Tierce	0	0	2
—	per Barrel	0	0	1
—	per Bag or Keg	0	0	0½
Baskets	per large Bale or Case	0	0	8
—	per middle ditto, ditto	0	0	6
—	per small ditto or Bundle	0	0	3
Baskets of Goods not enumerated:				
Large	each	0	0	1½
Middle	each	0	0	1
Small or empty	each	0	0	0½
Rods	per Thousand	0	0	1
Beads. *See* Bugles.				
Beans in Bulk. *See* Grain.				
Bedsteads	each	0	0	2
Beef and Pork	per Tierce	0	0	2½
—	per Barrel	0	0	1½
—	per Tub or Kit	0	0	0½
Beer. *See* Ale and Beer.				
— Spruce	per Keg	0	0	0½
Bees Wax	per Ton	0	0	10
Bellows, Smiths, large	per Pair	0	0	10
— — middle	per Pair	0	0	6
Benjamin. *See* Gum.				
Berries	per Ton	0	1	0
Betel Nuts	per Ton	0	0	10
Biscuits	per Ton	0	0	8
Blacking. *See* Cases and Casks.				
Black Lead. *See* Lead.				
Black Jack	per Ton	0	0	2
Blue	per Cwt.	0	0	1
Bones, Shank	per Ton	0	0	10
— Old	per Ton	0	0	6
— Whale Jaw	per Pair	0	0	6
Bone Dust	per Quarter	0	0	1
Books	per Cwt.	0	0	2
Boots and Shoes	per Hogshead	0	0	4
— —	per Case or Tierce	0	0	2
— —	per Box	0	0	1
Boracic Acid	per Ton	0	1	0
Borax	per Ton	0	1	0
Bottles, empty, loose, Glass or Stone:				
Pints and Quarts	per Gross	0	0	3
One to Five Gallons	each	0	0	0½
Five to Ten Gallons	each	0	0	1
Hamper or Crate	each	0	0	2

		£	s.	d.
Bowls of Wood	per Dozen	0	0	1
Boxes, empty	each	0	0	0½
Bran	per Sack	0	0	1
Brandy. *See* Spirits.				
Brass	per Ton	0	0	10
Bricks, common	per 1,000	0	0	10
— Bath and Fire	per 1,000	0	0	9
— large, for Flues and Floors	per 1,000	0	1	3
Brimstone	per Ton	0	0	8
Bristles	per Ton	0	1	3
Bronze. *See* Brass.				
Brooms, Hair	per Bale	0	0	1
— Birch	per Dozen	0	0	0½
Broom and Brush Handles	per Gross	0	0	2
Brushes	per Bundle	0	0	1½
Brush Heads and Stocks	per 100	0	0	1
Bugles, 20 Feet and under	per Package	0	0	4
— 21 Feet and upwards	per Package	0	0	6
Bullion, Specie or Treasure	per Package	0	0	6
Bulrushes	per Load of 63 Bunches	0	0	8
Bundles of Goods not enumerated:				
Large	each	0	0	2
Middle	each	0	0	1
Small	each	0	0	0½
Buoys	per Ton	0	0	8
Butter	per Firkin	0	0	0½
— in large Casks	per Ton	0	1	3
— Grease	per Ton	0	0	10
Cables, Hempen or Coir	per Ton	0	1	0
Cable Yarn	per Ton	0	0	1
Calamine	per Cwt.	0	0	0½
Camels Hair	per Cwt.	0	0	3
Camphor	per Cwt.	0	0	1
Candles	per Chest	0	0	2
— Wax	per Cwt.	0	0	4
Cane Juice. *See* Molasses.				
Canella Alba	per Cwt.	0	0	1
Canes, common Rattan	per 1,000	0	0	3
— Ground Rattan or Walking Sticks	per 1,000	0	0	9
Cannons. *See* Iron.				
Cantharides	per Cwt.	0	0	2
Canvas	per Bolt	0	0	0¼
Caoutchouc. *See* India Rubber				
Capers	per Cwt.	0	0	1
Cardamoms	per Cwt.	0	0	1
Carraway Seeds	per Cwt.	0	0	1
Carriages or Coaches	Four Wheels each	0	2	6
— —	Two Wheels each	0	1	6
Carrots	per Ton	0	0	8
Carts, small	each	0	0	6
— large	each	0	1	0
Cart Wheels. *See* Wheels.				
Cases of Cotton Goods. *See* Bales.				
Cases or Casks of Goods not enumerated:				
Butt or Case 81 Feet and upwards		0	0	9
Hogshead or Case, 56 to 80 Feet		0	0	6
Puncheon or Case, 21 to 55 Feet		0	0	4
Tierce or Case, 20 Feet and under		0	0	3

		£	s.	d.
Cases or Casks of Goods not enumerated—*continued.*				
Per Barrel	-	0	0	2
Per Box	-	0	0	1
Per Keg	-	0	0	0½
Cases, empty, 20 Feet and under	each	0	0	1
— 21 to 55 Feet	each	0	0	2
— 56 to 80 Feet	each	0	0	3
— 81 Feet and upwards	each	0	0	4
Casks, empty, Pipe, Butt, or Puncheon	each	0	0	1
Smaller Casks	each	0	0	0½
Cassia	per Cwt.	0	0	1
Castor Beans	per Cwt.	0	0	1
Catlings. *See* Cases and Casks.				
Cattle:				
Horses	each	0	2	0
Oxen and Cows	each	0	1	6
Ponies, Mules, and Asses	each	0	1	0
Calves	each	0	0	4
Deer	each	0	0	8
Lambs, Sheep, or Goats	each	0	0	2
Pigs, large	each	0	0	2
— small	each	0	0	1
Caviare	per Cwt.	0	0	1
Cement	per Barrel	0	0	1½
Chain under ¾ Inch	per Ton	0	0	8
— ¾ Inch and upwards	per Ton	0	0	8
Chairs, Mahogany	per Dozen	0	0	6
— Cane, Garden, or Camp Stools	per Dozen	0	0	3
Cement	per Barrel or Bag	0	0	1
Chaff Cutters	each	0	0	6
Chalk, common	per Ton	0	0	6
— French	per Ton	0	1	0
Charcoal	per Sack	0	0	1
—	per Hhd.	0	0	6
Chassum	per Cwt.	0	0	1
Cheese	per Ton	0	1	0
Chesnuts	per Bushel	0	0	0½
Chests of Goods not enumerated. *See* Cases.				
Cherries. *See* Apples.				
Chicoree Root	per Ton	0	0	10
Chilies	per Cwt.	0	0	1
China Root	per Cwt.	0	0	1
China Ware	per Case or Crate	0	0	6
—	per Box	0	0	4
Clay	-	0	0	4
Chiranga Root	per Cwt.	0	0	2
Chirayita	per Cwt.	0	0	2
Chocolate	per Cwt.	0	0	3
Cinnabar	per Cwt.	0	0	6
Cinders and Culm	per Chaldron	0	0	6
Cigars	per Cwt.	0	0	4
Cinnamon. *See* Cassia.				
Citron in Salt	per Pipe	0	0	6
— —	per Hhd.	0	0	4
— Preserves	per Cwt.	0	0	1
Clinkers. *See* Bricks, common.				
Clocks, Wooden. *See* Toys.				
Clog Soles	per Gross	0	0	2
Cloves. *See* Cassia.				

		£	s.	d.
Coal	per Ton	0	0	6
Cobalt	per Box	0	0	2
Cobbles	per Ton	0	0	6
Cochineal	per Cwt.	0	0	2
Cocoa	per Ton	0	1	0
Cocoa Nuts	per 100	0	0	3
Cocque de Perle	per Chest	0	0	3
Coculus Indicus	per Cwt.	0	0	1
Coffee	per Ton	0	1	0
Coin	per Package	0	0	6
Coir, rough, Press packed	per Ton	0	0	6
— Yarn	per Ton	0	1	0
— Rope, under Six Inches	per Ton	0	1	0
Coloquintida	per Cwt.	0	0	3
Colours, Printers	per Cwt.	0	0	1
Columbo Root	per Cwt.	0	0	1
Copper, Nails and Sheets	per Ton	0	0	10
— Ore	per Ton	0	0	6
Coppers and Stills	per Ton	0	1	0
Copperas	per Ton	0	0	8
Coquilla Nuts	per 1,000	0	0	4
Cordage. *See* Rope.				
Cordials. *See* Spirits.				
Coriander Seed	per Ton	0	0	10
Cork	per Ton	0	3	4
Cornelians. *See* Agates.				
Corn. *See* Grain.				
Cotton Wool	per Ton	0	0	8
Conhage	per Cwt.	0	0	1½
Cowries	per Cwt.	0	0	1
Cranberries	per Pipe or Puncheon	0	0	6
—	per Hhd.	0	0	3
—	per Barrel or Anker	0	0	1
—	per Keg or Half Anker	0	0	0½
Cream of Tartar	per Ton	0	0	8
Crease	per Dozen	0	0	0¼
Crystal, rough	per Ton	0	0	10
Cubebs	per Cwt.	0	0	1½
Cubic Nitre. *See* Saltpetre.				
Culm	per Ton	0	0	2
Cummin Seed	per Cwt.	0	0	1½
Currants	per Ton	0	1	0
— Red, White, &c. *See* Apples.				
Cyder. *See* Spirits.				
Dates	per Cwt.	0	0	1
Deals. *See* Wood.				
Diamonds	per Package	0	0	6
Divi divi	per Ton	0	0	10
Dogs	each	0	0	2
Dragon's Blood	per Cwt.	0	0	1½
Dripstones	each	0	0	3
Drugs not enumerated	per Cwt.	0	0	2
Dyewood	per Cwt.	0	0	1
Earthenware	per Hhd. or large Crate	0	0	3
—	Tierce or Small Crate	0	0	2
Earths	per Ton	0	0	8
Eau de Cologne	per Case	0	0	4
—	per Box	0	0	2

		£	s.	d.
Eggs	per Crate	0	0	3
—	per Tierce or Box	0	0	2
Elephants Teeth	per Cwt.	0	0	2
Emery Stone. *See* Stone.				
Engines, Steam. *See* Iron.				
— Fire. *See* Carriages.				
Epsom Salts	per Cwt.	0	0	2
Essences	per Package	0	0	6
Essential Oils	per Cwt.	0	0	6
Extract of Oak Bark	per Cwt.	0	0	1
— Medicinal	per Cwt.	0	0	2
Fans	per Case or Box	0	0	4
Feathers, Bed	per Cwt.	0	0	2
— Ostrich, &c.	per Package	0	0	4
Felt	per Ton	0	0	8
Figs. *See* Raisins.				
Fire-arms	per Chest	0	0	4
—	per Case	0	0	3
Fish, Cod, &c.	per Basket	0	0	1
— loose	per Score	0	0	1
— dried	per Ton	0	0	10
— in Cases, &c. *See* Cases and Casks.				
— Herrings	per Barrel	0	0	1
— in Hogsheads	-	0	0	2
— fresh	per Cwt.	0	0	$0\frac{1}{2}$
Flax	per Ton	0	0	8
— Cadilla, or Tow	per Ton	0	0	8
Floor Cloth	per Bale	0	0	2
Flour	per Bag or Sack	0	0	$0\frac{1}{2}$
Frankincense	per Cwt.	0	0	1
Fruit, green or dried	per Cwt.	0	0	$0\frac{1}{2}$
Furniture, in Packages. *See* Toys.				
Furs. *See* Skins.				
Galangal	per Cwt.	0	0	1
Galbanum	per Cwt.	0	0	1
Galls	per Cwt.	0	0	1
Gamboge	per Cwt.	0	0	1
Geneva. *See* Spirits.				
Gentian Root	per Cwt.	0	0	1
Gigs. *See* Carriages.				
Ginger	per Ton	0	1	0
Ginseng Root	per Cwt.	0	0	1
Glass	per Hhd., Chest, Tierce, or Crate	0	0	3
—	per small Package	0	0	2
Glue	per Ton	0	0	10
Goats Hair. *See* Wool.				
Grain and Seed	per Quarter	0	0	2
Granilla	per Cwt.	0	0	2
Grapes	per Box or Jar	0	0	1
Grass, Foreign	per Cwt.	0	0	1
— Sea	per Ton	0	0	10
Grates and Stoves—				
— large	each	0	0	6
— middle	each	0	0	4
— small	each	0	0	2
Gravel or Sand	per Ton	0	0	6
Grease	per Ton	0	0	10
Grindstones	every 12 In. in Diameter	0	0	1

		£	s.	d.
Greaves	per Ton	0	1	0
Grits	per Firkin	0	0	0½
Guano	per Ton	0	1	0
Guinea Grains	per Cwt.	0	0	1
Gunpowder	per Cwt.	0	0	2
Gum	per Ton	0	1	0
Guns. *See* Iron.				
Haberdashery and Hosiery	per Bale or Box	0	0	2
Hardware. *See* Iron Manufactures.				
Hair	per Ton	0	1	0
Hampers of Liquids	per Dozen Quarts	0	0	¾
Hams, loose	per Score	0	0	3
— in Packages. *See* Bacon.				
Hardware	per Cwt.	0	0	½
Hartall	per Ton	0	1	0
Hats. *See* Cases and Casks.				
Hay or Grass	per Ton	0	2	0
Hemp	per Ton	0	0	8
— Codilla, or Tow	per Ton	0	0	8
Herrings. *See* Fish.				
Hides, Calf and Sheep Skins, dried or salted	per Ton	0	0	10
Hones	per Cwt.	0	0	1
Honey	per Cwt.	0	0	1
Hoofs	per Ton	0	0	6
Hooks, Reaping	per Dozen	0	0	½
Hoops, Wooden	per Bundle	0	0	¼
— Iron. *See* Iron.				
Hops	per Cwt.	0	0	2
Horns, Tips or Plates	per Ton	0	0	10
Hurdles	per Dozen	0	0	2
India Rubber, loose	per Cwt.	0	0	2
— in Packages	per Cwt.	0	0	1
Indigo	per Cwt.	0	0	1
Ink, China	per Cwt.	0	0	4
Inkle	per Cwt.	0	0	2
Ipecacuanha	per Cwt.	0	0	2
Iron in Bars, Shot, Pigs, Packages, or loose	per Ton	0	0	8
— Hoops	per Ton	0	0	8
— Manufactures or Machinery in Packages of 20 Cwt. and not exceeding 5 Tons each	per Ton	0	1	0
Iron: LL Case, under 20 Cwt.	each	0	1	0
— L Case or Hogshead, under 20 Cwt.	each	0	0	9
— M Case or Tierce, under 20 Cwt.	each	0	0	6
— S Case or Barrel, under 20 Cwt.	each	0	0	3
— Box or Keg	-	0	0	2
— Anchors, Boilers, Castings, Engines, Guns, &c. under 20 Cwts. each	per Ton	0	1	0
— — 20 Cwt. and not exceeding 5 Tons each	per Ton	0	1	0
— — exceeding 5 Tons each	per Ton	0	1	0
— Anvils, Vices, &c., as Iron Castings, Saws, large, per Bundle, about 4 Cwt.	each	0	0	3
Iron Plates, tinned	per Box	0	0	1
Isinglass	per Cwt.	0	0	2
Ivory	per Cwt.	0	0	2
Jalap	per Cwt.	0	0	2
Junk or old Rope	per Ton	0	0	8
Jute, Press-packed	per Ton	0	0	8
Juice, Lemon, Lime, and Orange	per Ton	0	2	0

		£	s.	d.
Juice or Syrup. *See* Molasses.				
Kelp	per Ton	0	0	8
Kips	per Ton	0	0	10
Lac Dye	per Chest	0	0	2
Lace	Case or Box	0	0	4
Lacquered Ware. *See* Toys.				
Lard in Bladders	per Score	0	0	3
— in Casks. *See* Bacon.				
Laths. *See* Wood.				
Lavender Flowers	per Cwt.	0	0	2
Lead, Pig or Sheet	per Ton	0	0	8
— Black or White	per Ton	0	0	8
— Shot	per Ton	0	0	8
— Ore	per Ton	0	0	3
Leather under 1 Cwt.	per Package	0	0	1
— 1 to 3 Cwt.	per Package	0	0	2
— 3 to 5 Cwt.	per Package	0	0	4
Leeches	per Package	0	0	2
Lemons. *See* Oranges.				
Lime	per Chaldron	0	1	0
Limes	per Barrel	0	0	2
Lime Juice. *See* Spirits.				
Linen or Woollen Rags	per Cwt.	0	0	0½
Lines. *See* Bales and Cases.				
Linseed. *See* Grain.				
Linseed Cake. *See* Oil Cake.				
Liquorice, or Suecus Liquoritæ	per Ton	0	1	6
— Root, Bundles or loose	per Ton	0	1	1
Locomotive Engines. *See* Iron.				
Macaroni. *See* Vermicelli.				
Mace	per Cwt.	0	0	2
Machinery. *See* Iron Manufactures.				
Madder	per Hogshead	0	0	4
— Root	per Ton	0	0	8
Malt	per Quarter	0	0	2
Manganese	per Ton	0	0	8
Mangles	each	0	1	0
Manna	per Cwt.	0	0	2
Marble Baths	each	0	2	0
— Mortars	per Ton	0	1	0
— Slabs	per Cwt.	0	0	2
— rough, in Packages	per Cwt.	0	0	1
— Blocks	per Ton of 12 Cubic Feet	0	0	10
Marbles	per Barrel	0	0	1
Marmalade	per Cwt.	0	0	6
Mastic Gum. *See* Gum.				
Matting	per Roll	0	0	1
Mats, Petersburg	per 144	0	0	4
— Archangel	per 120	0	0	4
— Indian	Chest or Bundle	0	0	4
Maunds	per 100	0	0	2
Meal. *See* Flour.				
Melons	per Basket	0	0	1
Melting Pots	per Hogshead	0	0	6
Millinery	per Box	0	0	2
Mohair Yarn	per Cwt.	0	0	1
Molasses	per Ton	0	0	8
Mops	per Dozen	0	0	0½

		£	s.	d.
Moss, Rock or Iceland	per Cwt.	0	0	1
Mother of Pearl Shells	per Cwt.	0	0	1
Mother of Pearl Wares. *See* Toys.				
Mules. *See* Cattle.				
Munjest. *See* Madder Root.				
Mundic, Mundic Ore	per Ton	0	0	1
Muriate of Lime, Potash, Soda	each per Cwt.	0	0	1
Musical Instruments	per Case	0	1	0
— —	per Box	0	0	4
Muskets	per Dozen	0	0	3
Mustard	per Barrel	0	0	1½
—	per Keg or Box	0	0	1
— under 20 lbs.	per Package	0	0	0½
Myrabolans	per Cwt.	0	0	1
Myrrh	per Cwt.	0	0	1
Nails, One Cwt. and upwards	per Package	0	0	1
— under One Cwt.	per Package	0	0	0½
Nanari	per Cwt.	0	0	2
Nankeen	per Chest	0	0	2
Natron	per Ton	0	1	0
Nickel	per Ton	0	1	0
Nitrate of Soda	per Ton	0	0	8
Nutmegs	per Cwt.	0	0	2
Nuts	per Bag	0	0	1
Nux Vomica	per Cwt.	0	0	1
Oakum	per Ton	0	0	8
Oatmeal	per Ton	0	0	10
Ochre	per Ton	0	0	8
Oil, Castor	per Cwt.	0	0	1
— Chemical. *See* Essences.				
— Fish, Olive, Seed, Palm, and Nut	per Ton of 252 Gals.	0	1	0
— Chests, Jars, Canisters, &c.	per Cwt.	0	0	1
Oil Cake	per Ton	0	0	8
Old Rope. *See* Junk.				
Olibanum. *See* Gum.				
Olives	per Barrel	0	0	1
—	per Keg	0	0	0½
—	per Jar of Two Quarts	0	0	0½
Onions	per Bushel	0	0	0½
Opium	per Cwt.	0	0	1
Oranges and Lemons	per Chest	0	0	2
— —	per Box	0	0	1
— — Peel	per Cwt.	0	0	1
Orchella Weed	per Cwt.	0	0	1
Orpiment	per Cwt.	0	0	1
Orrice Root	per Cwt.	0	0	1
Orsiden	per Package	0	0	3
Ostrich Feathers	per Package	0	0	4
Otto of Roses. *See* Essences.				
Ox Bows	per Dozen Bundles	0	0	1
Oxen. *See* Cattle.				
Packs or Shakes. *See* Casks, empty.				
Paddy. *See* Grain.				
Paint	per Cwt.	0	0	1
Paintings, Pictures, and Pier Glasses	per Foot	0	0	2
Paper	per Ton	0	0	10
— Hanging	per Case	0	0	3

		£	s.	d.
Peas	per Tierce	0	0	2
—	per Barrel	0	0	1
—	per Bag	0	0	0½
— in Bulk. *See* Grain.				
Pellitory Root	per Cwt.	0	0	1
Pepper	per Ton	0	0	10
Pianofortes	each	0	1	0
Piassara	per Cwt.	0	0	1
Pickles in Jars or Kegs	each	0	0	1
Pictures. *See* Cases of Goods.				
Piece Goods. *See* Bales.				
Pigs. *See* Cattle.				
Pill Boxes in Vats	large Vat	0	1	6
— —	small Packages	0	0	8
Pimento	per Ton	0	1	0
Pink Root	per Cwt.	0	0	1
Pipeclay	per Ton	0	0	8
Pipes, Tobacco. *See* Earthenware.				
Pitch	per Barrel	0	0	2
— Burgundy	per Ton	0	1	0
Plants and Trees, above Five Cwt.	per Package	0	0	4
— — Two to Five Cwt.	per Package	0	0	2
— — under Two Cwt.	per Package	0	0	1
Plaster of Paris	per Ton	0	0	8
Ploughs	each	0	0	2
Plums. *See* Raisins.				
— Green. *See* Apples.				
Pomegranate Peel	per Cwt.	0	0	1
Porcelain. *See* Chinaware.				
Pork. *See* Beef and Pork.				
Potatoes	per Five Quarters or Ton	0	0	8
Potash	per Ton	0	0	10
Pots, Chimney	per Dozen	0	0	3
Poultry, Fowls, &c.	per Dozen	0	0	1
— Geese, &c.	per Dozen	0	0	2
Preserves. *See* Succades.				
Prunes. *See* Raisins.				
Prussiate of Potash	per Ton	0	0	10
Pozzalana	per Ton	0	0	8
Pumice Stone	per Ton	0	0	6
Pyrolignate of Lead	per Ton	0	0	10
Quassia in Packages	per Cwt.	0	0	1
Quicksilver	per Bottle	0	0	1
Quills	per Vat	0	1	0
—	per Hogshead or Case	0	0	6
—	per Tierce, Bale, or Barrel	0	0	2
Quinine	per Case	0	0	2
Rabbits	per Score	0	0	1
Radix Contrayeryæ	per Cwt.	0	0	2
Rags	per Ton	0	0	8
Raisins, in Casks	per Ton	0	0	10
— in Boxes under 28 lbs. each	per Score	0	0	4
— 28 to 56 lbs. each	per Score	0	0	6
— 57 to 84 lbs.	per Score	0	0	8
— 85 to 112 lbs. each	per Score	0	0	10
— Frails or Baskets	per Score	0	0	5
— in Half or Quarter Drums	per Score	0	0	3

		£	s.	d.
Rape Cake. *See* Oil Cake.				
Rhataina Root - - - - -	per Cwt.		—	
— Extract. *See* Extract, Medicinal.				
Rhubarb - - - - - -	per Cwt.	0	0	2
Rice - - - - - -	per Ton	0	0	8
Roots, Flower. *See* Cases and Casks.				
Rope, old. *See* Junk.				
— new, 6 Inches and under - - -	per Ton	0	1	0
— above 6 Inches. *See* Cables.				
Rosin - - - - - -	per Barrel	0	0	0½
Rum. *See* Spirits.				
Rushes - - - -	per Load of 63 Bunches	0	0	8
Sacks of Goods not enumerated - - - -	each	0	0	1
Sac Saturin - - - - -	per Cwt.	0	0	1
Safflower - - - - - -	per Ton	0	1	0
Saffron - - - - - -	per Cwt.	0	0	2
Sago - - - - - -	per Ton	0	0	10
Sails and Sailcloth - - - - -	per Cwt.	0	0	1
Sal Ammoniac - - - - -	per Ton	0	1	0
Salmon - - - - -	per Tierce or Chest	0	0	2
— - - - - - -	per Kit	0	0	0½
Saltpetre - - - - - -	per Ton	0	0	8
Salt - - - - - -	per Ton	0	0	3
Sand - - - - -	per Ton	0	0	6
Sarsaparilla - - - - -	per Cwt.	0	0	2
Sassafras - - - - -	per Cwt.	0	0	2
Scammony - - - - -	per Cwt.	0	0	4
Scythe Blades - - - - -	per Dozen	0	0	0½
Seahorse Teeth. *See* Ivory.				
Seed Lac - - - - - -	per Ton	0	1	0
Seed, Forest and Rye Grass - - -	per Bag	0	0	1
— — — - - -	per Sack or Quarter	0	0	2
Seeds; viz. Clover and other agricultural, in Packages -	per Ton	0	0	9
— Linseed, Rape Seed, Hemp Seed, &c. *See* Grain.				
Senna - - - - - -	per Cwt.	0	0	1
Shellac - - - - -	per Ton.	0	1	0
Shoddy. *See* Wool.				
Shot, Lead. *See* Lead.				
— Iron, loose. *See* Iron.				
Shrub. *See* Spirits.				
Shumac - - - - - -	per Ton	0	0	8
Silk - - - - - -	per Cwt.	0	4	0
— Waste - - - - -	per Cwt.	0	2	0
Skins, dried or salted, loose or in Packages - -	per Cwt.	0	0	1
Salt - - - - - -	per Ton	0	0	6
— petre - - - - - -	per Ton	0	0	10
Slate - - - - - -	per Ton	0	0	1½
Slates in Frames. *See* Cases and Casks.				
Smalts - - - - - -	per Ton	0	0	10
Snuff - - - - - -	per Cwt.	0	0	1
Soap - - - - -	per Hogshead	0	0	8
— - - - - - -	per Chest	0	0	2
— - - - - -	per Firkin or Box	0	0	1
Soda - - - - - -	per Ton	0	0	8
Sofas - - - - - -	each	0	0	6
Spades, Shovels, Scythes, Sickles, &c. - -	per Dozen	0	0	1
Spelter - - - - - -	per Ton	0	0	8

	£	s.	d.
Spermaceti - - - - - - per Cwt.	0	0	2
Spetches - - - - per Ton	0	0	10
Spirits and Wine - - per Butt above 150 Gallons	0	0	10
— — - - - per Pipe or Puncheon	0	0	8
— — - - - - per Hogshead	0	0	4
— — - - - per Barrel or Quarter Cask	0	0	2
— — - - - per Keg or Demijohn	0	0	1
— — in Cases - - - per Dozen Quarts	0	0	$0\frac{3}{4}$
— — Ditto - - - per Dozen Pints	0	0	$0\frac{1}{2}$
Sponge - - - - - - per Cwt.	0	0	2
Spruce Beer - - - - - - per Keg	0	0	$0\frac{1}{2}$
Squills - - - - - - per Ton	0	0	10
Starch - - - - - - per Ton	0	0	10
Steel, loose or in Bundles - - - - per Ton	0	0	9
— in Packages. *See* Hardware.			
Stick Lac. *See* Seed Lac.			
Stockfish. *See* Fish, Cod.			
Stone, Blocks - - - per Ton of 16 Cubic Feet	0	0	6
— Flag of Paving - - per Ton of 12 Superficial Yards	0	0	6
— Mill or Grave - - per Ton of 16 Cubic Feet	0	0	8
— Burr - - - - - - per Score	0	0	4
— Buoy - - - - - - per Ton	0	0	10
— Grinding - - - every 12 Inches in Diameter	0	0	1
— Emery, Lithographic, Turkey, and Pumice - per Ton	0	1	0
— Emery, in Bulk - - - - - per Ton	0	0	10
— Jars and Bottles. *See* Bottles.			
Stoves and Grates. *See* Grates.			
Straw - - - - - - per Ton	0	2	0
Succades under 28lbs. - - - - - per Package	0	0	1
— 28 lbs. to 56 lbs. - - - - per Package	0	0	1
— 57 lbs. to 112 lbs. - - - - per Package	0	0	1
— above 1 Cwt. - - - - - per Package	0	0	2
Sugar - - - - - - - per Ton	0	0	9
— in Loaves - - - - - - per Score	0	0	6
Sunn. *See* Jute.			
Sweepwasher's Dirt - - - - - - per Ton	0	0	8
Talc - - - - - - - per Cwt.	0	0	2
Tallow - - - - - - - per Ton	0	0	8
Tamarinds. *See* Succades.			
Tanner's Waste. *See* Speches.			
Tapioca - - - - - - - per Cwt.	0	0	1
Tar - - - - - - - per Barrel	0	0	2
Tares. *See* Grain.			
Tarras - - - - - - - per Ton	0	0	8
Tea, 20 lbs. and under - - - per Package or Box	0	0	$0\frac{1}{2}$
— 21 to 45 lbs. - - per Package or Quarter Chest	0	0	1
— 46 to 84 lbs. - - per Package or Half Chest	0	0	$1\frac{1}{2}$
— 84 to 140 lbs. - - - per Package or Chest	0	0	2
— 141 lbs. and upwards - - per Package or Chest	0	0	3
Teazles, 30 Feet and under - - per Package	0	0	2
— 31 to 50 Feet - - - per Package	0	0	3
— 51 to 80 Feet - - - - per Package	0	0	6
— 81 Feet and upwards - - - per Package	0	0	8
Terra Japonica, Sienna and Verde - - - per Ton	0	0	9
Tiles - - - - - - per 1,000	0	0	9
Tin - - - - - - - per Ton	0	0	8
— Ore - - - - - - per Ton	0	0	6

		£	s.	d.
Tin Plates	per Box	0	0	2
— Ware	per Cwt.	0	0	1
Tincal	per Ton	0	1	0
Tobacco	per Hogshead	0	0	8
—	per Tierce	0	0	4
—	per Barrel	0	0	2
Tobacco Pipes. *See* Earthenware.				
Tongues, loose	per Dozen	0	0	0½
— in Packages. *See* Beef and Pork.				
Tonquin Beans	per Cwt.	0	0	2
Tortoiseshell	per Cwt.	0	0	2
Tow	per Ton	0	0	8
Toys, 20 Feet and under	per Package	0	0	2
— 21 to 40 Feet	per Package	0	0	3
— 41 to 80 Feet	per Package	0	0	6
— 81 to 160 Feet	per Package	0	1	0
— 161 Feet and upwards	per Package	0	2	0
Treenails. *See* Wood.				
Trunks. *See* Cases.				
Turmeric	per Ton	0	0	10
Turnips	per Ton	0	0	8
Turpentine	per Barrel	0	0	0½
Turf	per Ton	0	0	4
Twine	per Cwt.	0	0	1
Types	per Cwt.	0	0	2
Valonia	per Ton	0	0	10
Varnish	per Cwt.	0	0	1
Vanellas. *See* Succades.				
Venice Turpentine	per Cwt.	0	0	1
Verdigris	per Ton	0	0	10
Vermicelli	per Cwt.	0	0	1
Vermilion	per Cwt.	0	0	2
Vinegar. *See* Spirits.				
Vitriol	per Carboy	0	0	3
Waggons	each	0	2	0
Walnuts	per Bushel	0	0	0½
Water, Mineral. *See* Spirits and Wine, in Cases.				
Wax	per Cwt.	0	0	1
Wax, Sealing	per Cwt.	0	0	1
Weights, Iron. *See* Iron Castings.				
Weld or Woad	per 60 Bunches	0	0	4
Whalebone	per Cwt.	0	0	2
Whale Fins	per Ton	0	1	0
Wheelbarrows	each	0	0	0½
Wheels, Iron. *See* Iron Castings.				
— Wood, small	per Pair	0	0	1
— — large	per Pair	0	0	2
Whisk Brooms, loose	per 1,000	0	0	9
— in Bales. *See* Bales.				
Whiskey. *See* Spirits.				
Whiting	per Ton	0	0	8
Wine. *See* Spirits.				
Winnowing Machines. *See* Carts.				
Wire, Iron, loose or in Bundles	per Cwt.	0	0	0½
— — in Casks. *See* Hardware.				
— plated, Gilt and Copper, in Bundles	per Cwt.	0	0	1

	£	s.	d.
Wood, Dyers, &c., viz. Bar, Box, Brazil, Braziletto, Cam, Cocus, Ebony, Fustic, Lignum Vitæ, Logwood, Nicaragua, Quassia, Sandal, Sandars, Sapan, Sassafras - - - per Ton	0	0	10
Furniture; viz. Cedar, Mahogany, Rose, Satin, &c. - - - - - per Ton	0	0	10
Deals, Battens, Ends, and Boards, per Load of 50 Cubic Feet - - - - - -	0	0	2¾
Firewood - - per Fathom of 216 Cubic Feet	0	1	0
Gun Stocks - - - - - per 120	0	0	6
Handspikes, not exceeding Seven Feet long - per 120	0	0	8
— exceeding Seven Feet long - per 120	0	1	0
Knees, under Five Inches square - - per 120	0	0	10
— Five and under Eight Inches square - per 120	0	1	3
Lathwood - - per Fathom of 216 Cubic Feet	0	1	6
Laths - - - per Fathom of 216 Cubic Feet	0	1	6
Oars, under 24 Feet long - - - per 120	0	0	9
— 24 Feet and under 32 Feet long - per 120	0	1	0
— 32 Feet and upwards - per 120 Scoops, per 120	0	0	10
Spars, under Four Inches Diameter - - per 120	0	2	0
— Four and under Six Inches Diameter - per 120	0	3	0
— Six Inches and upwards, as Timber 40 Feet to a Load.			
Spokes not exceeding Two Feet long - - per 1,000	0	1	3
— exceeding Two Feet long - - per 1,000	0	1	9
Staves - - - per Load of 50 Cubic Feet	0	0	5
Staves in Packs. *See* Casks, empty.			
Timber and Planks; viz. Fir, square - per Load of 50 Feet	0	0	5
— round - - - per Load of 40 Feet	0	0	4
— Ash, Beech, Birch, and Elm - per Load of 40 Feet	0	0	6
— Oak, Teak, Wainscot, and other hard Wood - per Load of 40 Feet	0	0	8
Treenails under Two Feet long - - per 1,200	0	1	0
— Two Feet and upwards - - per 1,200	0	1	6
Wool, Sheep's - - - - - per Ton	0	0	8
— Cotton. *See* Cotton.			
— Shoddy, Press-packed - - - per Ton	0	0	8
— not Press-packed - - - - per Ton	0	0	10
Yams - - - - - - per Cwt.	0	0	1
Yarn, loose or in Bundles - - - - per Ton	0	0	9
Zaffres - - - - - - per Ton	0	0	10
Zinc - - - - - - per Ton	0	0	8
— Sulphate of - - - - - per Ton	0	0	10

SCHEDULE (F.)

	£	s.	d.
For every Passenger who shall land from any Steam Boat or other Vessel in or upon the Quay or Quays, Wharf or Wharfs, or other Works to be built and erected under the Powers of the said Act or any Part thereof, or embark therefrom on board any Steam Boat or other Vessel - - - - -	0	0	2

	£	s.	d.
For all and every Trunk, Portmanteau, Box, Parcel, or other Package falling within the Description of Luggage that shall be shipped from or landed at the said Quay or Quays, Wharf or Wharfs, or other Works to be built and erected under the Powers of the said Act, not exceeding the Weight of Twenty-eight Pounds each - - - - - -	0	0	2
If exceeding Twenty-eight Pounds and not exceeding Eighty-four Pounds, each - - - - -	0	0	4
If exceeding Eighty-four Pounds and not exceeding One hundred and twelve Pounds, each - - -	0	0	5
If exceeding One hundred and twelve Pounds and not exceeding One hundred and forty Pounds, each - -	0	0	6
If exceeding One hundred and forty Pounds and not exceeding One hundred and ninety-six Pounds, each -	0	0	7
If exceeding One hundred and ninety-six Pounds and not exceeding Two Hundred Weight, each - - -	0	0	8
If amounting to or exceeding Two Hundred Weight, for every Hundred Weight - - - - -	0	0	4
And for every Twenty Pounds Weight in addition - -	0	0	1
But if the same shall be placed on a Barrow, then for any Quantity of Luggage belonging to One Person, and contained in any One Barrow, and not exceeding the Weight of One hundred and forty Pounds - - - - -	0	1	0
The Person chargeable to have the Option of paying by Tale or by the Barrow.			

SCHEDULE (G.)

Form of Conviction.

to wit. } Be it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before of Her Majesty's Justices of the Peace for the County of [*here describe the Offence generally, and the Time and Place when and where committed*], contrary to an Act [*here insert the Title of this Act*]. Given under my Hand and Seal, the Day and Year first above written.

C. D.

SCHEDULE (H.)

SCHEDULE of Land and Premises intended to be taken.

No. on Plan.	Owner.	Lessee.	Occupier.	Description.
		Parish of Budock.		
1	The Right Honourable Lady Basset.	- - -	- - -	Green Bank Quay, Landing Places, and Beach.
2	The Right Honourable Lord Wodehouse.	Philip Renfree Richards.	Philip Renfree Richards	Ferry from Green Bank Quay to Flushing in the Parish of Mylor.
4	Lady Basset -	- - -	Lady Basset - -	Plantation and Wastrel.
5	Ditto - -	- - -	John Symonds -	Close of Land.
6	Ditto - -	- - -	Lady Basset - -	Plantation and Land.
7	Ditto - -	Jacob Olver and Thomas Olver.	Benjamin Chalwell Rowe	Close of Land.
8	Ditto - -	Ditto - -	Ditto - -	Ditto.
9	Ditto - -	Ditto - -	Olver and Sons -	Quay, Road, Wastrel, and Limekiln.
10	Ditto - -	Ditto - -	William Hicks and John Bishop.	Three Cottages and Garden.
11	Ditto - -	- - -	George Croker Fox and Robert Were Fox and Company.	Dwelling House, Warehouses, Yards, Cellars, Quay, Road, and Wastrel.
12	Ditto - -	- - -	Ditto - -	Three Plots of Land.
13	Ditto -	- - -	Lady Basset, John Pearce, Olver and Sons, Benjamin Chalwell Rowe, Henry Rowe, Thomas Dash, John Odgers, John James, Richard Waters, Jonathan Mayn, John Whitford, William Vincent, Thomas Davies, William Stephens Brewer, John Baragwanna, Francis Rashleigh, John C. Carpenter, John Yeoman, John Tripp, James Rollin, John Francis, John Thomas, Thomas Bennett, Thomas Polwin, and John Tripp.	Oyster Ground, or Place for Deposit of Oysters, and Beach.
14	Ditto - -	- - -	Lady Basset, George Croker Fox, and Robert Were Fox and Company, and Olver and Sons.	Turnpike, Creek, and Beach.
		Parish of Mylor.		
7	Bishop of Exeter -	Thomas Williams Reed.	Thomas Williams Reed	Plantation.
8	Ditto - -	Ditto - -	Ditto - -	Lawn and Plantations.
9	Ditto - -	Ditto - -	Ditto - -	Close of Land and Stream.

No. on Plan.	Owner.	Lessee.	Occupier.	Description.
10	Bishop of Exeter -	Thomas Williams Reed.	Thomas Williams Reed	Bridge and Road and Stream.
11	Ditto - -	Ditto -	Ditto - -	Close of Land and Stream.
12	Ditto - -	Ditto - -	Ditto - -	Ditto.
13	Ditto - -	Ditto -	Ditto - -	Wood and Wastrel and Stream.
14	Ditto - -	Ditto - -	Ditto - -	Close of Land.
75	Ditto - -	Ditto -	Jonathan Mayn - -	Oyster Ground, or Place for Deposit of Oysters, and Beach.
15	The Right Honourable Lord Clinton.	William Carvosso -	William Carvosso -	Close of Land and Stream.
16	Ditto - -	Ditto - -	Ditto - -	Ditto.
17	Ditto - -	John Sarvis, Charles Sarvis, Mrs. Braimer, and Mrs. Louttit.	John Sarvis - -	Ditto.
18	Ditto - -	- - -	- - -	Land (public Road and Bridge.)
19	Ditto - -	Ditto - -	Ditto - -	Close of Land.
20	Ditto - -	John Rowe -	John Rowe - -	Ditto.
21	Ditto - -	Thomas Symons -	Thomas Symons -	Ditto.
22	Ditto - -	Ditto - -	Ditto - -	Ditto.
23	Ditto - -	Ditto -	Ditto - -	Garden Plot and old Lime-kiln.
25	Ditto - -	Ditto - -	Ditto - -	Close of Land and Garden.
26	Ditto - -	Ditto - -	Ditto - -	Private Road.
27	Ditto - -	Ditto - -	Ditto - -	Dry Dock and Wastrel.
28	Ditto - -	Ditto - -	Ditto - -	Patent Slip, Quays, and Workshops.
29	Ditto - -	Ditto - -	Thomas Symons and Lander Prescott.	Shipwright's Yard, Buildings, and Dwelling House.
30	Ditto - -	Ditto - -	Mrs. Elizabeth Symons and Thomas Symons.	Dwelling House, Lawn, and Workshops.
31	Ditto - -	Ditto - -	Thomas Symons -	Gardens and Plantation.
32	Ditto -	Ditto - -	Ditto - -	Dwelling House and Lawn.
33	Ditto - -	Ditto - -	Ditto - -	Wharf, Dock-yard, and Dwelling House.
34	Ditto - -	Ditto - -	Ditto - -	Land and Plantation.
69	Ditto -	- - -	- - -	Quay and Landing Places.
71	Ditto - -	- - -	- - -	Quay, Landing Places, and Beach.
73	Ditto - -	- - -	Lord Clinton - -	Land and Quarry.
74	Ditto -	- - -	Thomas Behenna, Richard Baker Stephens, Michael Cuttance, Robert Parkins, —— Perry, John Carpenter, John Brewer, William Stephens Brewer, James Odgers, and Jonathan Mayn.	Oyster Ground, or Place for Deposit of Oysters, and Beach.

No. on Plan.	Owner.	Lessee.	Occupier.	Description.
		Parishes of Budock and Mylor.		
101	The Right Honourable Lady Basset, theRepresentatives of the late William Glasson deceased, the Lord Bishop of Exeter, and the Right Honourable LordClinton, being the Owners of the Lands adjoining the said Creek or River, or the Duke of Cornwall, or the Crown.	The Representatives of the late William Glasson deceased, and Thomas Williams Reed, Lessees under the Bishop of Exeter, and Thomas Symons and John Rowe, Lessees under Lord Clinton.	- - -	Part of Penryn Creek or River, and Beach.

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