ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lxxviii.

An Act for erecting and maintaining a Pier or Harbour at *Gourock* in the County of *Renfrew*.

[21st *July* 1835.]

WHEREAS the Pier or Harbour of the Town of *Gourock*, erected many Years ago, has fallen into great Disrepair, and it would be advantageous to the said Town and the adjacent Country, and to the Navigation of the *Clyde*, and to Commerce in general, if a Pier or Harbour were constructed and maintained contiguous to the present Pier, at or adjacent to the said Town, more adequate to the Accommodation and Safety of Vessels resorting thereto, and to the increasing Trade and Population of the Place: And whereas the several Persons hereinafter named, being desirous, at their own Costs and Charges, to make and maintain a Pier or Harbour and other necessary Works at *Gourock*, it is expedient and necessary that Harbour Rates and Duties should be granted for properly maintaining the same, and for paying and discharging the Debts and Expences to be incurred in the said Undertaking; but as these Purposes cannot be accomplished without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Lieutenant General *Duncan Darroch* of *Gourock*, Captain *Duncan Darroch*, *Andrew Clason*, *Archibald Baine*, *David Crawford*, and *John Paterson*, and all and every other Person or Persons,

Proprietors incorporated.

Persons, and Body or Bodies Politic, Corporate, or Collegiate, as have already become Subscribers, or from Time to Time shall subscribe and be duly admitted a Proprietor or Proprietors and a Member or Members of the Company herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate by the Name of "The *Gourock* Harbour Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued.

Company authorized to erect a Pier or Harbour.

II. And be it enacted, That it shall be lawful for the said Company and they are hereby authorized and empowered to make and complete a Pier or Harbour and other necessary Works therewith connected at *Gourock* in the Parish of *Innerkip* and County of *Renfrew*, and from Time to Time to repair, maintain, extend, and improve the same, in such Manner as the said Company shall judge fit.

Not to deviate from Plan without Consent of Owners.

III. And whereas a Map or Plan describing the said Pier or Harbour and the intended Works therewith connected, and the Land or Ground upon which the same are intended to be erected, has been lodged in the Office of the Clerk of the Parliaments; be it therefore enacted, That the said Company shall not deviate more than One hundred Yards from the Line described in the said Map or Plan; and the said Map or Plan shall remain in the Custody of the Clerk of the Parliaments, and the same, or any Copy or Copies thereof certified by the Clerk of the Parliaments to be a true Copy or true Copies thereof, shall be and is and are hereby declared to be good Evidence in all Courts of Law, and shall be admitted as such by and before all Judges, Justices, and others: Provided nevertheless, that the said Company shall have Power and Liberty and they are hereby authorized and empowered to turn the Pier Heads from South to North, or to make them to point out in both Directions, in case the said Company may consider it expedient so to do.

Proviso.

Works to be erected in Five Years.

IV. Provided always, and be it enacted, That in case the said Company shall not erect and complete such Pier or Harbour and Works within the Space of Five Years from and after the passing of this Act, then all the Powers hereby granted shall cease and determine, save and except with the Consent of the Proprietor or Proprietrix of the Estate and Barony of *Gourock* for the Time being.

Boundaries and Name of Harbour.

V. And be it enacted, That the Boundaries and Extent of the said Harbour of *Gourock* for the Purposes of this Act shall be deemed and taken and are hereby declared to be along the Shore at High-water Mark One hundred Yards North-westward, and One hundred Yards South-eastward from the Root of the said intended Pier, and seaward One hundred Yards from every Part of the said intended Pier; and the Harbour so bounded shall be called *Gourock Harbour*.

Whole estimated Expence to be subscribed before Exe-

VI. And whereas the probable Expence of constructing the Works hereby authorized, as delineated on the foresaid Plan, according to an Estimate made thereof, will not exceed the Sum of Three thousand Pounds, and Four Fifths of the Amount of such Expences have been already

already subscribed for defraying the same, under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; be it enacted, That the whole of the said Sum of Three thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force. Execution of the Act.

VII. And be it enacted, That the several Persons who have subscribed or who shall hereafter subscribe any Money for or towards making and maintaining, extending and improving the said Pier or Harbour and other Works hereby authorized to be made, are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Portions thereof as shall from Time to Time be called for by the said Company by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company or their Committee, in manner herein mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in the Manner appointed for that Purpose it shall be lawful for the said Company to sue for and recover the same in the Court of Session in *Scotland*, or any other competent Court, together with Interest on such Sum or Sums of Money at the Rate of Five *per Centum per Annum* from the Time when the same was directed to be paid by the said Company or their Committee as aforesaid; and all such Suits shall be entitled to the Privilege of summary Procedure. To compel Payment of Subscriptions.

VIII. And be it enacted, That it shall be lawful for the said Company, in order to enable them to construct the said Pier or Harbour and necessary Works as delineated on the said Plan, and for the other Purposes herein specified, to raise and contribute amongst themselves, in such Proportions as they shall think fit, any Sum or Sums of Money not exceeding in the whole the said Sum of Three thousand Pounds, which Sum of Three thousand Pounds shall be divided into Shares of Twenty-five Pounds each; and such Shares shall be and they are hereby vested in the several Persons, and Bodies Politic, Corporate, or Collegiate, so raising and contributing the same, and their several and respective Successors, Executors, Administrators, and Assigns. Company to raise the Money required.

IX. And be it enacted, That such Persons, or Body or Bodies Politic or Corporate, so becoming Proprietors of Shares as aforesaid, and their several and respective Successors, Executors, Administrators, or Assigns, shall be entitled to and receive, after the said Pier or Harbour and Works shall have been completed, and at such Time or Times as the said Company shall, at a General or Special Meeting to be convened for that Purpose in manner herein-after directed, direct and appoint, an annual Dividend not exceeding in any One Year Six and a Half *per Centum per Annum* on the Money or Stock so by them respectively paid or contributed, from the Profits and Advantages which may arise to the said Company, or be raised, recovered, and received by them, by or under the Authority of this Act; and any Surplus that may remain after Payment of the said Dividends and the Interest actually paid for such Debts as are incurred by virtue of this Act shall be appropriated by the said Company to the Maintenance of the said Pier or Harbour and the Company to be entitled to the Profits.

Liquidation

Liquidation of the Debt; and every Body Politic, Corporate, and Collegiate, and Person or Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportional Sum towards carrying on the same, in manner herein directed and appointed;

Stock to be Personal Property.

and the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and of all and every other Person or Persons whatsoever, of and in the said Pier or Harbour and Works, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and transmissible as such.

Proprietors not to be liable beyond the Amount of their Shares.

X. Provided always, and be it enacted, That nothing herein contained shall extend to charge or make liable any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall be a Proprietor or Proprietors of the Stock of the said Company, or his, her, or their Real or Personal Estate, for any Debt or Demand whatsoever due or to become due from the said Company, beyond the Extent of his, her, or their Share or Shares in the Stock of the said Company; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Proprietors to have a Vote for each Share;

XI. And be it enacted, That every Body Politic, Corporate, or Collegiate, and every Person, who shall have subscribed or undertaken for One Share in the said Undertaking, their, his, or her respective Successors, Executors, Administrators, and Assigns, present at the stated General and Special Meetings to be held as herein-after appointed, shall have a Vote for every such Share, but not exceeding Five Votes in the whole for any One Proprietor, although possessed of more than Five Shares of the said Undertaking;

and may vote by Proxy.

and every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed for One Share in the said Undertaking, their, his, or her respective Successors, Executors, Administrators, and Assigns, who cannot attend such stated and General and Special Meetings, shall have a Vote for every such Share, but not exceeding Five Votes in the whole, by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or under the Hand of such Person or Persons as shall be duly authorized, or, in Cases of Infancy or Lunacy or other legal Incapacity, under the Hand or Hands of the Tutors or Curators or other Guardian or Guardians of the Property of such Infant or Lunatic or other Person legally incapacitate, every such Proxy being a Proprietor in the said Undertaking: Provided nevertheless, that no Person shall be Proxy for more than Five absent Members.

Shares possessed jointly, how voted on.

XII. And be it enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to One or more Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as a Proprietor of such Share or Shares; and it shall be lawful to any Body Politic, Corporate, or Collegiate to give their Votes by their Treasurer or Secretary, or any One of their Officers specially appointed by them for that Purpose; and no Subscriber or Proprietor to or for this Undertaking shall have a Vote at any Meeting, General or Special, either of the Company or of the Committee of Management after mentioned,

upon

upon any Question or Questions relating to the Concerns of the said Company in which the said Subscriber or Proprietor shall have a separate or personal Interest.

First and other Meetings, how to be called.

XIII. And be it enacted, That the First General Meeting of the said Company for putting this Act into execution shall be held at *Gourock* on the Third *Wednesday* from the Date of the passing of this Act, at the Hour of Twelve Noon, and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held at *Gourock*, or such other Place in *Scotland* as shall from Time to Time be fixed by a Quorum of the Committee of Management after mentioned, on the Third *Wednesday* of *October* in every Year, and at the Hour above mentioned; of all which General Meetings, excepting the First, Ten Days previous Notice at the least shall be given by public Advertisement in any Newspaper usually published in *Greenock* or *Glasgow*, to be named by the Committee of Management after specified; and at all Meetings whatsoever of the said Company, or of the Committee of Management herein-after authorized to be appointed, the Persons comprising the same shall pay their own Expences, the Hire of the Office or the Place in which the Meetings shall be held only excepted.

Proprietors to pay their own Expences.

Special General Meetings may be called.

XIV. And be it enacted, That all Meetings, other than those before mentioned, which appear necessary for the more effectually putting this Act into execution, shall be called by the Clerk of the said Company (on being required so to do by any Three or more of the said Proprietors who may be collectively possessed of Six Shares of the Capital Stock of the Company for the Time, or any Two of the Committee of Management herein-after mentioned), and that by giving at least Ten Days Notice thereof by public Advertisement as aforesaid, specifying in such Notice the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the same shall be holden; and at all such General and Special General Meetings of the said Company the Chairman, or in his Absence the Deputy Chairman of the Committee of Management to be named as herein-after mentioned, and in the Absence of both the Director present highest on the List, shall be Chairman of such Meeting; and such Chairman shall not only have, in the first place, a deliberative Voice as a Proprietor, but in case of an Equality of Votes shall have a decisive or casting Vote; and all Questions which shall be proposed or considered at such General or Special General Meetings shall be decided and determined by the Majority of Votes of the Proprietors then present and of the Proxies for such as shall be absent.

No Business to be done at Meetings not to be held, unless there are Proprietors present holding Twelve Shares.

XV. Provided always, and be it enacted, That if at such First or any General, Special, or Adjourned Meeting there shall not be Five Persons present, as Principals and Proxies, who shall be entitled to Twelve Shares in the said Undertaking, no Business shall be done at any such Meeting, but the same shall be adjourned, and there shall be another General Meeting of the said Company upon that Day Three Weeks thereafter, and so from Time to Time until there be Persons present at such General Meeting having as Principals and Proxies such Number of Shares; and of every such Adjourned General Meeting Ten Days Notice shall be given by Advertisement as aforesaid.

Committee of Management.

XVI. And be it enacted, That Lieutenant-General *Duncan Darroch* of *Gourock*, Captain *Duncan Darroch* younger, of *Gourock*, *Andrew Clason*, Writer to the Signet, *Edinburgh*, *Archibald Baine*, Merchant in *Greenock*, and *Charles Murray*, Merchant in *Greenock*, shall be Directors, and shall constitute a Committee for the Management of the Concerns of the said Company until the General Meeting to be holden on the Third *Wednesday* following the passing of this Act as aforesaid, when Two of the said Committee (to be determined by Ballot or otherwise) shall go out of the Direction, and Two other Proprietors shall be chosen Directors in their Room; and thereafter upon the Third *Wednesday* in the Month of *October* in every Year Two of the said Directors so chosen shall go out by Rotation, and Two others shall be chosen in their Room; the Two Directors chosen on the First General Meeting following the passing of this Act first going out, and so Two others successively in each Year thereafter; provided that any such Director so going out may be re-elected; and such Persons so chosen shall be Directors or a Committee for the Management of the Concerns of the said Company; but no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being such Director or one of the said Committee during the Time of his Continuance in such Place, Office, or Employment, or holding such Contract; nor shall any Person be capable of entering into any such Contract during the Time he shall be such Director: Provided always, that it shall be lawful for the said Company, at any Special General Meeting to be convened in manner herein directed, to remove any Member of the said Committee, and to nominate any Person qualified as aforesaid in the Room and Stead of every Member of the said Committee who shall die, be so removed, refuse to act, or shall hold any Place, Office, Employment, or Contract under the said Company, or shall cease to be a Proprieter in the said Undertaking, or shall become bankrupt; and every Person so nominated by the said Special Meeting shall have the like Power and Authority as if he had been nominated by the said Annual Meeting; but every Person so elected at such Special Meeting shall go out of the Direction at the same Period at which the Person in whose Room he was elected would have gone out.

Persons holding any Place or Employment not eligible.

Meetings of Committee.

XVII. And be it enacted, That the said Committee of Management so chosen on the Third *Wednesday* after the passing of this Act shall hold their First Meeting in the said Town of *Gourock* on the same Day, and shall then and there proceed to carry this Act into execution; and it shall be lawful for the said Committee and they are hereby authorized and required, at their First Meeting, and also to the Committee of Management of the said Company at their First Meeting after the Annual Election on the Third *Wednesday* of *October*, and after each Annual Election thereafter, to elect a Chairman and a Vice Chairman; and at all Meetings of the Committee the Chairman, and in his Absence the Vice Chairman, and in the Absence of both the Director present highest on the List, shall preside; and in case of Equality the Chairman shall, besides his deliberative Vote, have a casting Vote; and the said Committee may adjourn their Meetings from Time to Time as they shall think proper.

Election of Directors in

XVIII. And be it enacted, That in case of the Death or Resignation of any One or more of the said Five Directors it shall and may be lawful

lawful to the Remainder of the Directors, and they are hereby authorized and empowered, at any Meeting of the Committee of Management called for that Purpose, to name another Director or Directors in the Room or Place of the said Director or Directors so deceased or declining to act. case of Death.

XIX. And be it enacted, That it shall be lawful for the said Committee of Management for the Time being from Time to Time to assemble at any Place in or near the Town of *Gourock* for the Direction of the Affairs of the said Company; and any Three or more Members of such Committee of Management, but not less, shall be a sufficient Number or Quorum to constitute a Meeting for the Purpose of exercising all the Powers and Authorities vested in such Committee; and all Questions which shall be proposed or considered by the said Committee of Management shall be determined by the Majority of Members then present: Provided always, that if on the Day appointed for any Meeting of the Committee of Management there shall not attend so many Members as are required to constitute a Meeting, then, when the same shall happen, the Meeting shall be adjourned to any future Day to be fixed by the Member or Members or the Majority of them then present, or if no Member shall be present, by the Clerk to the said Company: Provided always, that it shall be lawful for the said Committee of Management to appoint any of their Number as a Sub-Committee for particular Purposes, for the better attending to the Business of the said Company, subject to the Approbation of the said Committee of Management or their Quorum; and provided also, that Notice of each Meeting of the Committee, in Writing or in Print, signed by the Clerk, shall be given to each Member thereof at least Ten Days before it is to take place; and that the Clerk shall at all Times have it in his Power to call Meetings of the Committees, on receiving a Requisition to that Effect from Two Members of the Committee. Meetings of Directors. Three or more to be a Quorum. Sub-Committees may be appointed.

XX. And be it enacted, That it shall be lawful for the said Committee of Management and they are hereby required from Time to Time to nominate and appoint a Treasurer, Clerk, Collector, and such other Officers as they shall judge necessary to be employed under them for carrying this Act into execution, and from Time to Time to remove such Officers or any of them, and to appoint others in their Stead, and to settle such reasonable Remuneration for them as to the said Committee shall appear just and proper; and the Collectors, Treasurers, or Persons to be appointed to receive the said Rates and Duties shall give sufficient Security to the Committee of Management for the due accounting for the Monies which shall be by them respectively collected or received, and for the Discharge of the Trust reposed in them; and the said Committee are hereby required to balance or cause to be balanced the Books of the said Company annually in the Month of *September*, and the same, being so balanced, shall be examined and signed by a Quorum of the Committee, and produced at the Annual General Meeting to be held on the Third *Wednesday* of *October*, so that any of the Proprietors attending the said Meeting may have an Opportunity of inspecting the same; and an Abstract of the said Balance, shewing the State of the Affairs of the said Company, shall be published annually in One *Glasgow* and One *Greenock* Newspaper; and the Books of the said Company shall be Appointment of Officers. Security Books to be balanced.

patent

patent and open for the Inspection of all the Proprietors and of all concerned.

Committee not answerable for Officers.

XXI. Provided always, and be it enacted, That the said Committee shall not be answerable for Mistakes or Omissions, nor for the Sufficiency or Responsibility of any Security or Securities to be taken under the Authority of this Act, nor for Receipts, Acts, or Omissions of the Treasurer, Clerk, or other Officers of the said Company, nor any One of the said Committee for the others, but each of them for his own Acts and Intromissions only.

Clerk and Treasurer not to be the same Person.

XXII. And be it enacted, That it shall not be lawful for the said Company to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Company for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in the same Manner as any of the Penalties by this Act imposed may be sued for and recovered.

Committee may contract for Lands, &c.

XXIII. And be it enacted, That the said Committee of Management or Quorum aforesaid shall have full Power and Authority to contract for and purchase, or take in feu or in lease, Lands, Tenements, and Heritages, and again dispose thereof, if they shall see Cause, and all Materials and such other Things as shall or may be wanted for the said Pier or Harbour and the Works hereby authorized to be made, and to agree with all and every Person or Persons, Bodies Politic, Corporate, or Collegiate whomsoever, touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given, and to enter into such Agreements with any Contractors or other Persons for carrying on the said Undertaking or any Part thereof as shall be thought expedient, and to enter into all such Contracts whatever in anywise concerning the said Undertaking as they shall think proper, and to direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all the Affairs of the Company, and execute all Things which the Company are by this Act authorized to do, save such only as

are

are hereby expressly directed to be done by the Proprietors at large at any Meeting or Meetings to be held as herein directed.

Incapacitated Persons authorized to sell.

XXIV. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, furious or fatuous Persons, and married Women, and to and for every other Person or Persons whomsoever, though under any legal Disability or Incapacity of any Kind whatever, who are or shall be seised or possessed of or interested in any of the said Lands or other Heritages, whether held in Fee Simple or under Entail, to contract and agree for, sell and convey to the said Company all or any of such Lands or other Heritages, or any Part thereof, for the Purposes of this Act; and all such Contracts, Agreements, Sales, and Conveyances shall be valid and effectual in Law to all Intents and Purposes, any Law, Statute, Usage, or any Matter or Thing to the contrary notwithstanding; and all and every such Body or Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators, married Women, and other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Sellers to grant Conveyances.

XXV. And be it enacted, That it shall and may be lawful to and for all and every Person or Persons, Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors and Curators for Infants, Minors, furious or fatuous Persons, and married Women, and to and for every other Person or Persons whomsoever, though under any legal Disability or Incapacity of any Kind whatever, selling any Lands or Heritages to the said Company, to grant and they are hereby required to grant the Conveyance or Conveyances to such Lands or other Heritages in the following Words, or other Words to the like Effect:

Form of Conveyance.

'IN pursuance of an Act passed in the Year of the Reign
' of His Majesty King *William* the Fourth, intituled [*here set forth the*
' *Title of this Act*], I [*or* we] , in consideration of the
' Sum of to me [*or* us] paid by the *Gourock* Harbour
' Company, incorporated by the said Act [*or other Consideration, as the*
' *Case may be*], do hereby assign, dispone, and convey to and in favour
' of the said Company all and whole [*here describe the Subjects conveyed*];
' together with all my [*or* our] Right, Title, and Interest in and to the
' said Subjects above conveyed, and every Part, Pertinent, and Portion
' thereof, to be holden by the said Company from the
' Day of , and from thenceforth for ever in all Time
' thereafter [*here insert the Conditions of Sale, if any be, and a Clause of*
' *Warrandice and Registration*]. In witness whereof these Presents,
' written upon this and the preceding Pages by are
' subscribed by me [*or* us], at the Day of
' in the Year One thousand eight hundred and , before
' these Witnesses and .'

Conveyance to be recorded.

And every such Conveyance to the said Company, being registered in the Particular Register of Sasines, Reversions, &c. kept in and for the said County of *Renfrew* (and the Keeper of such Register is hereby authorized and required to record the same,) shall have and receive the same Effect, and be as valid and effectual, to all Intents and Purposes, as if a formal, absolute,

solute, and irredeemable Disposition or other Deed of Conveyance known in Law had been granted and executed, and the same followed by Infeftment and Sasine thereon, duly recorded according to the Law and Practice of *Scotland*; any Law, Custom, or Usage to the contrary notwithstanding.

Upon legal Tender of Payment, Works not to be impeded.

XXVI. And be it enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties for the Purchase of any Lands or Heritages to be taken for the Purposes of this Act, or as a Compensation for Damages, as herein mentioned, within One Calendar Month after the same shall have been contracted or agreed for as aforesaid, to the Proprietor or Proprietors of such Lands or Heritages, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively; or if the Person or Persons so entitled or interested, or any of them, shall not be able to make a good Title thereto to the Satisfaction of the said Company, or cannot be found, or shall refuse to receive the same, or execute such Conveyance, then upon the Payment of the said Sum or Sums of Money, within One Calendar Month after the same shall have been contracted for as aforesaid, into the Bank of *Scotland*, the Royal Bank of *Scotland*, Bank of the *British* Linen Company, the Commercial Bank of *Scotland*, or the National Bank of *Scotland* respectively, as the Case may be, for the Use of such Person or Persons so interested or entitled as aforesaid; then and in all or any of the said Cases, as often as the same shall happen, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter, or, if they have entered, to continue upon such Lands or Heritages respectively; and then and thereupon such Lands or Heritages, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company and their Successors, to and for the Purposes of this Act, for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons entitled to or interested in such Lands or other Heritages, but shall also extend to and be deemed and construed to bar the Courtesy of the Husband and the Terce of the Wife of every such Person, and all Estate Tail, and other Estates of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, or Deposit shall have been made as aforesaid, it shall not be lawful for the said Company, or any Person acting under their Authority, to enter, dig, or cut the Lands or Heritages of the Person or Persons entitled to such Payment, for the Purpose of making the said Pier or Harbour or other Works, without the Consent in Writing of such Person or Persons respectively.

Application of Compensation Money when exceeding 200*l*.

XXVII. And be it enacted, That if any Monies shall be agreed to be paid for any Lands or Heritages purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or as a Recompence for Damages caused thereby, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Scotland*, the Royal Bank of *Scotland*, Bank of the *British* Linen Company, the

the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, respectively, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the Court of Session, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Heritages, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Heritages, or affecting other Lands or Heritages standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchases shall be made the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Heritages so hereby directed to be purchased in case such Purchase or Settlement were made.

Application where less than 200*l.* and not less than 20*l.*

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

Application where less than 20*l.*

XXIX. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Company shall think fit, or, in case of Infancy or Lunacy, then to his or their Guardian

or

or Guardians, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, the Court shall order Payment of Expences.

XXX. And be it enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be payable as aforesaid shall refuse to accept the same, or shall not be able to make good a Title to the Premises to the Satisfaction of the said Company, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so payable as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company or any Two or more of them to pay the Sum and Sums of Money so payable as aforesaid into the Bank of *Scotland*, or Royal Bank of *Scotland*, Bank of the *British* Linen Company, the Commercial Bank of *Scotland*, or the National Bank of *Scotland* respectively, as the Case may be, to the Credit of the Parties interested in the said Lands or Heritages, describing them, if they are known, and if they are not known then generally to the Credit of the Parties interested in the said Lands or Heritages, without any Description of them, subject to the Order, Controul, and Disposition of the said Court of Session; which said Court, or either of the Divisions thereof, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and are hereby empowered, in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, Royal Bank of *Scotland*, Bank of the *British* Linen Company, the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, respectively, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into such Bank or Banks as aforesaid.

Where Questions arise touching the title to any Money.

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

The Court may order reasonable Expences of

XXXII. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of any Party entitled to any Lands or Heritages to be taken or used, or in respect of which any Satisfaction, Recompence,

or

or Compensation shall be payable under the Authority of this Act, the Purchase Money for the same, or the Money paid for such Compensation, shall be required to be paid into any of the said Banks, to be applied in the Purchase of other Lands or Heritages to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the reasonable Expences of all such Purchases, and of the Reinvestment of the Purchase Money in Land, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, to be paid by the said Company out of the Monies to be received by virtue of this Act, and the said Company shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Purchases to be paid by the Company.

XXXIII. And be it enacted, That, in order to prevent any Deficiency in the Assessment of the Land Tax in consequence of the Execution of the Works to be effected in pursuance of this Act, the said Company shall, from and after the Time that they shall become possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good out of the Monies to arise by virtue of this Act all such Sum and Sums of Money as shall be deficient in the said Assessment by reason of using for the Purposes of this Act any Lands or Heritages liable to such Assessment, according to the Rental at which the same are valued or rated at the Time of passing this Act; and the said Company are hereby required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax.

Provision for Deficiencies of Land Tax.

XXXIV. And be it enacted, That the said Committee shall direct a Book to be kept by their Treasurer in which such Treasurer shall enter regular Accounts of all Sums of Money received and expended on account of the said Undertaking, and of the several Things for which Sums of Money shall have been disbursed, and which Book shall at all seasonable Times be open to the Inspection of the several Members of the Company or any Creditor on the Rates taken at the said Harbour, and the said Company and Creditors or any of them may take Copies of the said Book or any Part thereof without paying any thing for the same; and in case the said Treasurer shall not permit or shall refuse to permit any Member of the said Company or Creditor to inspect any such Book, or to take such Copies as aforesaid, or in case such Treasurer shall refuse or neglect to produce such Book at any Meeting of the said Company, when required, such Treasurer shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are hereby directed to be recovered and applied.

Books to be kept.

XXXV. And be it enacted, That every Person who shall be appointed by virtue of this Act shall from Time to Time, when required by the Company or their Committee of Management, by Notice in Writing to him or them respectively given, or left at his or their usual Place of Abode, or within Seven Days next afterwards, make out and deliver to the said Company or Committee, or to such Person or Persons as they shall appoint

Officers to account.

appoint to inspect and examine the same, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her collected or received, and how the same and every Part thereof had been disposed of, together with the Vouchers and Receipts for such Payments; and every such Person shall pay all such Monies as upon the Balance of such Accounts shall appear to be owing from him or her to the said Company to such Person or Persons as the said Company or Committee shall appoint to receive the same; and if any Person shall neglect or refuse to render such Account, or to deliver up the Vouchers relating to the same, or to pay the Balance thereof, when required, within the Time aforesaid, or shall neglect or refuse on such Requisition to deliver up to the said Company or Committee, or to such Person or Persons as they shall appoint, all Books or any other Things in his, her, or their Custody and Power relating to the Execution of this Act, or which they shall have disposed of without the Consent of the said Company or Committee, then in every such Case, Complaint being made by the said Company or Committee where such Neglect or Refusal shall happen, or by any other Person or Persons on their Behalf, of any Neglect or Refusal, to any Justice of the Peace for the County where the Person so neglecting or refusing shall reside, such Justice is hereby authorized and required, by Warrant under his Hand, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Company or Committee might have done; and if upon the Confession of the Person against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, or upon the said Account, if produced, it shall appear to such Justice that any of the Monies which shall have been collected shall be owing from such Person to the said Company, the said Justice may and he is hereby authorized, upon Nonpayment thereof within such Time as such Justice shall direct, by Warrant under his Hand to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Person respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking, making, keeping, and selling such Distress, or if such Person shall not appear (without having sufficient Excuse) before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to the said Justice such Account in Writing, or to produce and deliver up to the said Justice the several Vouchers relating to such Account, or to deliver up to him all Books, Papers, Writings, and Things as aforesaid, to be by him delivered over to the said Company, then and in any of the Cases aforesaid the said Justice is hereby authorized and required, by Warrant under his Hand, to commit such Person to the Common Gaol or House of Correction for the County or Place where he or she shall reside, there to remain, without Bail, until he or she shall have delivered in and settled such Account as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Monies that shall appear to be owing from him or her to the said Company, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Company for such Money and Charges, and pay the Composition Money to the said Company, or to such Person or Persons as they shall

appoint to receive the same, (and which Composition the said Company are hereby empowered to make,) and shall have delivered up as aforesaid such Books and Things as aforesaid, or have given to the Company Satisfaction in respect thereof: Provided always, that no Person committed for Want of sufficient Distress only shall be detained in Prison for any longer Time than Six Calendar Months.

Power to make Bye Laws, which shall be painted on Boards and affixed in conspicuous Places.

XXXVI. And be it enacted, That it shall be lawful to the said Committee of Management to establish such Rules, Orders, and Bye Laws as they shall think fit for the good Government of the said Pier or Harbour and Persons frequenting the same or employed therein, and piloting of the Vessels going out of and coming into the said Harbour, and for the better executing the other Purposes of this Act, and also from Time to Time as Occasion may require to repeal and to amend or alter such Rules, Orders, and Bye Laws, as to them shall seem most fitting, and to appoint reasonable pecuniary Penalties, not exceeding Five Pounds Sterling, for the Non-observance or Breach of all or any of such Rules, Orders, or Bye Laws, or any Part of them, to be recovered and applied in such Manner as the Fines and Penalties imposed by the Act are ordered to be recovered, levied, and applied: Provided always, that all such Bye Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and shall be subscribed by a Majority of the Committee of Management of the said Company, and Copies thereof, painted in legible Characters upon Boards, and put up and affixed in One or more accessible and conspicuous Place or Places on or adjoining to the said Pier or Harbour, for the Inspection and Information of all Persons interested therein; and such Boards and Paintings shall be renewed from Time to Time by the said Company when destroyed, obliterated, or defaced; and all such Bye Laws, Rules, Orders, and Regulations shall thenceforth be equally binding and authoritative with any of the Provisions of this Act; and that such Bye Laws, Rules, Orders, and Regulations, and the Fines and Penalties for the Breach or Non-performance thereof, as the same shall from Time to Time be made, altered, or varied, shall not be repugnant to the Law of *Scotland*, or to the Provisions and Directions in this Act contained: Provided always, that all such Bye Laws, Rules, Orders, and Regulations shall be submitted to the First General Meeting of said Company, or Special General Meeting thereof, and shall be either approved of or modified and altered as such Meeting shall deem expedient; but all such Bye Laws, Rules, Orders, and Regulations so made by the Committee shall be binding from the Time of making the same until so approved, varied, or altered, to all Intents and Purposes; and the same, as approved of, varied, and altered, shall thenceforward be equally authoritative as the Provisions of this Act.

Penalty on Persons defacing Boards.

XXXVII. And be it enacted, That if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon any Bye Law, Rule, Order, or Regulation shall be painted, such Person or Persons shall upon Conviction for each Offence forfeit and pay a Sum not exceeding Five Pounds, besides the Damage done.

Commissioners appointed.

XXXVIII. And be it enacted, That the Proprietor of the Estate of *Gourock* for the Time being, Two Persons to be appointed by such of the Feuars

Feuars of *Gourock* as are qualified to vote for a Member of Parliament to represent the County of *Renfrew*, One Person to be appointed by the Corporation of *Greenock*, and Three Persons resident in *Glasgow* to be appointed by the Trustees of the River *Clyde*, all annually in the First Week of the Month of *September*, shall be and are hereby appointed Commissioners for the Purpose herein-after mentioned; and such Commissioners are hereby authorized and required to assemble and meet together at the Place appointed for the Management of the Affairs of the said Company in *Gourock* as often as they shall be called together by the Clerk of the said Company, or by any Two or more of their own Number; and any Four or more of such Commissioners, but not less, shall be a sufficient Number or Quorum to constitute a Meeting for the Purpose of doing all the Acts, Matters, and Things, and exercising all the Powers and Authority vested in them; and the Members present shall choose their own Chairman, who, besides his own Vote, shall in case of Equality have a casting or decisive Vote.

Meetings of Commissioners, their Powers and Duties.

XXXIX. Provided always, and be it enacted, That the said Commissioners shall annually hold a Meeting on the First *Monday* in *October*, to examine the Books of the said Company, and to ascertain whether the Rates or Duties collected during the Year previous to the First Day of *September* preceding have been laid out and expended in paying the Interest of any Sum or Sums that may have been borrowed under the Authority of this Act, in constructing and keeping in repair the Works belonging to the said Company, or in defraying the necessary Expences of Management, such as Allowances to the Collector of Duties, Clerk, Harbour Master, and Rent of Office, to such an Amount as the said Commissioners may consider reasonable, or in paying to the Proprietors of the Stock of the said Company the Profits to which they are entitled by virtue of this Act; and in the Event of any Surplus remaining after the said Payments are made such Surplus shall be applied in the first place in liquidation of the Debt authorized to be contracted by the said Company, and in the second place in liquidation of the aforesaid Capital Stock of the said Company: Provided always, that when and as soon as the said Debt and Capital Stock are liquidated and discharged the Duties hereby authorized to be levied shall cease and determine; and it shall not be lawful for the said Company or Committee of Management to take Credit in their annual Account of any Articles which shall not be allowed by the said Commissioners.

When Debt and Capital are paid, the Duties hereby authorized to cease.

Providing for Resumption of Duties in case of Repairs being required.

XL. Provided always, and be it enacted, That in the Event of the Cessation of the Duties as aforesaid, and if Repairs should thereafter be required on the said Harbour, Pier, and Quays, the said Commissioners are and shall be authorized from Time to Time to order such Repairs to be extended, and shall be and are hereby empowered to resume the Collection of the full Duties hereby granted, or so much thereof as they shall think fit, till such Time as the Sum which may have been expended in making such Repairs shall be repaid, when a Cessation shall again take place as aforesaid.

Committee may make Calls.

XLI. And be it enacted, That the Committee of Management shall have full Power and Authority, from Time to Time, at any of their Meetings aforesaid, to make such Call or Calls for Money from the several Subscribers

scribers to and Proprietors of the said Undertaking, in proportion to the several Sums subscribed by them respectively, in order to defray the Expences of or for carrying on the same, as they shall from Time to Time find necessary for the Purposes of this Act, until the Sums subscribed are fully paid, so that no such Call shall exceed at one Time the Sum of Twenty Pounds *per Centum* on the Amount of each Share, and so that no such Calls be made but at the Distance of Two Months at least from each other, and so that Three Weeks Notice at least shall be given of every such Call by a Circular Letter addressed to each Proprietor or to his or her known Agent; all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company, to be issued, paid, and applied for carrying on the said Undertaking in such Manner as the said Committee of Management shall from Time to Time order and direct.

Remedy in case of Neglect of Payment of Calls.

XLII. And be it further enacted, That the Proprietor of every Share or Shares in the said Undertaking shall from Time to Time pay his or her Proportion of the Money so to be called for as herein-before mentioned into the Hands of the Treasurer of the said Company, at such Time and Place in the Town of *Gourock* as shall be appointed for that Purpose by the Committee of Management making such Call, and of which Notice shall be given as herein-before directed; and if any Person or Persons shall neglect or refuse to pay his, her, or their proportional Part of the Money so to be called for as aforesaid at the Time and Place which shall be so appointed it shall be lawful for the said Committee of Management to sue for and recover the same, with Interest at the Rate of Five Pounds *per Centum per Annum* from the Time appointed for the Payment thereof, in any competent Court in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, as the Case may be; and in case any such Person or Persons shall neglect or refuse to pay his, her, or their proportional Part of the Money so first to be called for as aforesaid for the Space of Three Calendar Months after the Time to be appointed for the Payment of the said First Call as aforesaid, and the same shall not have been sued for by the said Company as aforesaid, or if sued for shall not have been recovered by them, then and in such Case the Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof; and all Shares that shall or may be so forfeited shall be vested in the said Company in Trust for and for the Benefit of all the rest of the said Proprietors in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the said Company or Committee of Management, be sold by public Auction for the most Money that can be got for the same; and in the Event that any Person or Persons paying any such First Call as aforesaid shall neglect or refuse to pay his, her, or their proportional Part or Parts of the Money to be thereafter called for as aforesaid, and for the Space of Six Calendar Months after the Time to be appointed for the Payment thereof as aforesaid, and the same shall not be sued for by the said Company as aforesaid, or if sued for shall not be recovered by them, then and in such Case the Share or Shares shall and may be sold by the said Company or their Committee of Management by public Auction for the highest or best Price or Prices that can be got for the same, every such Sale being advertised once

a Week at least for Three Weeks successively in some One or more of the Newspapers published in *Glasgow* and *Greenock*, and the said Company or the said Committee of Management rendering an Account of every such Sale or Sales to every such Person or Persons when demanded, and paying to every such Person any Overplus of any such Price or Prices, after deducting all such Charges, and such farther proportional Sum or Sums of Money which may remain due upon such Share or Shares by such Person or Persons to the said Company; but no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Undertaking as aforesaid unless the same shall be declared at some General or Special Meeting of the said Company or Committee of Management which shall be held not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

Procedure in Actions for Calls.

XLIII. And be it enacted, That in any Actions or Suits brought by the said Company against any Owner or Owners of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defender or Defenders, Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defender or Defenders, Defendant or Defendants, (as the Case may happen to be,) whereby a Right of Action or Suit hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and in such Action or Suit it shall only be necessary to prove that the Defender or Defenders, Defendant or Defendants, at the Time of making such Call or Calls, was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or other Matter whatsoever; and the said Company shall thereupon be entitled to recover the Call or Calls which shall appear to be due, and the legal Interest that may be due thereon, and the Expences that may be incurred in prosecuting for and recovering the same.

Calls to be paid before Shares are transferred, otherwise both Seller and Pur-

XLIV. And be it enacted, That after a Call of such Money shall have been made by such Committee every Person and all Persons selling or transferring any Share or Shares which he, she, or they shall possess in the said Undertaking shall, as well as the Person or Persons to whom such Share or Shares shall be sold, be liable in the Payment of every such Call in the Manner directed by this Act, unless such Person or Persons so

so selling or transferring shall at the Time of such Sale or Transfer have paid to the Treasurer of the said Company the whole and entire Sum of Money which shall have been previously called for upon each Share so sold or transferred. Purchaser to be liable.

XLV. And be it enacted, That it shall be lawful to the said Company or their Committee of Management to take up in Loan at or below legal Interest any Sum or Sums of Money for completing the said Pier or Harbour as delineated on the said Plan and other Works, not exceeding Three thousand Pounds Sterling, and to execute and deliver to the Lenders a Deed or Deeds acknowledging such Loan, and transferring and binding the Property of the said Company, and the Rates hereby authorized to be levied, in security of such Loans. Company may borrow Money.

XLVI. And be it enacted, That the Property of the said Company and the Rates hereby authorized to be levied shall be effectually transferred to the Lenders of such Monies, in security of their Loans, by a simple Deed acknowledging the Loan, and declaring the Property of the Company and Rates hereby authorized to be levied liable in security thereof, without the Necessity of more formal Clauses, any Law or Practice to the contrary notwithstanding; and the Deeds so granted by the Company or their Committee shall be transferable by such Lenders; and the Treasurer of the said Company shall keep a Book wherein a short Abstract of all such Securities, and Assignments or Transfers thereof, shall be entered; and no Assignment or Transfer of any such Security shall be recognized or be effectual against the Company until entered in such Book; and all original Securities shall be so entered in the said Book; and such original Securities, and all Transmissions thereof, shall be preferable among the Lenders themselves, and those deriving Right from them, and their Creditors, according to the Priority of the Dates of such Entries. Nature of Deeds for Money borrowed. Entry in Books of Company.

XLVII. And be it enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyances of which Shares may be in the Form or to the Effect following; *videlicet*, Proprietors may sell.

Form of Conveyance.

‘ I *A. B.* of , in consideration of
‘ paid to me by *C. D.* of , do hereby convey, sell,
‘ assign, and transfer to the said *C. D.* the Sum of
‘ Capital Stock of and in the *Gourock* Harbour Company, being One
‘ Share [*or so many Shares, as the Case may be,*] in the said Undertaking,
‘ to hold to the said *C. D.*, and his *or* her Successors, Executors, Administrators, and Assigns, subject to the same Rules, Orders, and
‘ Restrictions, and on the same Conditions, that I held the same immediately before the Execution hereof; and I the said *C. D.* do hereby
‘ agree to take and accept the said Capital Stock or Share, subject to the
‘ same Rules, Orders, Restrictions, and Conditions. In witness whereof
‘ we have subscribed these Presents, written by at
‘ the Day of , before these
‘ Witnesses and .’

And

Conveyances to be recorded.

And on every such Sale the said Assignment or Deed of Conveyance (being executed by the Seller or Sellers and Purchaser or Purchasers of such Shares) shall be indorsed by any Two of the said Committee of Management, and shall be kept by the said Purchaser or Purchasers for his or their Security, after the Clerk to the said Company shall have entered into a proper Book or Books to be kept for that Purpose a Memorial or Specification of such Transfer and Sale, for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale and Transfer, for which Entry no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial immediately; and until such Deed of Sale, Indorsement, and Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Right to draw any Part or Share of the Profits of the said Undertaking, nor to any Vote as a Proprietor or Proprietors of the said Undertaking.

Shares to be numbered and registered, and Certificate delivered to the Proprietor.

XLVIII. And be it enacted, That the said Committee of Management shall and they are hereby required to cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by their Clerk, and after such Entry to cause the same to be signed by their Chairman; and they shall also cause the Certificate, so signed by the Chairman and Clerk, to be delivered to every Proprietor, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his, her, or their Successors, Executors, Administrators, and Assigns, to the Share or Shares therein specified.

Registered Shareholders liable in Calls.

XLIX. And be it enacted, That all and every Person or Persons, Body Politic, Corporate, or Collegiate, whose Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as Subscribers, or as Successors, Executors, Administrators, or Assigns of Subscribers, shall be deemed and taken to be Proprietors of the several Share or Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which original Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and all Payments of Interest and Dividends due and to grow due on such Shares shall be made to such Person or Persons as by the said Book of the Company shall so appear to be Proprietor thereof; and no Assignment or Sale of any Share or Shares, or other Instrument giving Title to any Share or Shares, which shall not have been inrolled or registered as directed by this Act, shall be admitted as Evidence, either to defeat any Action or Suit brought or to be brought by the said Company to recover the said Calls, or to enable any Person to recover any Share or Shares forfeited to the said Company, or to make the said Company liable to the Payment of the Dividends to any other Person or Persons than

than such as appear upon the said Book to be Proprietors of the said Shares, but that in all Cases the said Book shall be considered as Evidence of the Proprietorship of the said Share or Shares.

Power to take Tonnage Duties.

L. And be it enacted, That as soon as the said intended Pier or Harbour is open and fit for the Use of the Public it shall and may be lawful for the said Company, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered, from Time to Time and at all Times after the same is open to the Public as aforesaid, to ask, demand, take, receive, collect, recover, and levy, for the Use of the said Company, upon all and every of the Vessels and Boats of whatsoever Description which shall come into or use the said Pier or Harbour, or shall land or take on board Passengers or Cargoes or Commodities of any Description from the said Pier or Harbour, or the Shore within One hundred Yards of the said Pier, or shall come within One hundred Yards of the said Pier for any Purpose whatsoever, any Sums not exceeding the several Rates and Duties specified in the Schedule (A.) hereunto annexed, under certain Exemptions, as herein-after mentioned.

Exemptions in favour of Deep-sea Steam Boats, and Vessels laden outward bound.

LI. Provided always, and be it enacted, That all Deep-sea Steam Boats coming from or going to a Point outside of the Craig of *Ailsa*, in the Event of coming within the Boundaries of the said Harbour, shall not be liable for any of the said Rates, unless they hold Communication with the said Pier or Shore, and in the Event of their holding such Communication for the Purpose of landing or taking on board Passengers, they shall be only liable to pay to the said Company Sixpence for every Passenger landing or going on board; and all other Vessels, whether outward or inward bound, not loading or discharging their Cargoes at *Gourock*, but riding at anchor or lying to within the Bounds of the said Harbour, by reason of contrary Winds, or for the Purpose of taking on board or landing any of the Crew or Passengers, or any Stores or Parcels or Packages of Goods, or for any other Purpose for which Vessels have heretofore been accustomed to call or anchor in the Bay of *Gourock*, shall not be liable for any Tonnage Duties, or for any Dues on Ships Stores, or on the Crew or Passengers, or Luggage of the Crew or Passengers shipped or landed; but the said Company shall nevertheless be entitled to levy and collect for any Goods which may be shipped in or landed from such Vessels at the said Pier or Shore within the declared Bounds of the said Harbour the same Rates and Duties as are herein-after prescribed by Schedule (B.) for Goods of the same Description landed or shipped at the said Harbour: Provided always, that if such Vessels shall draw up to the said Pier they shall be liable to the same Rates as are herein-before imposed: Provided also, that all Boats or Vessels, with such Crew, Passengers, Ships Stores, or Luggage as aforesaid, sailing to or from and touching at the said Pier, or taking the Use and Benefit thereof, shall pay the Rates imposed on the same by Schedule (A.) hereunto annexed.

Exemption in favour of Fishing Boats, &c.

LII. Provided always, and be it enacted, That nothing in this Act nor in the said Schedule contained shall be construed to extend to any Vessel or Boat merely employed in Fishing or Pilotage, belonging to or kept by any Fisherman or Pilot residing in the Town of *Gourock*, which shall

enter the said Harbour, and shall not occupy a Berth at the Piers thereof for a longer Period than Twelve Hours, and shall not have landed or taken on board Passengers or Goods to or from any other Vessel, Bark, or Lighter; but provided nevertheless, that such Vessel or Boat which shall be brought within the Works of the said Harbour, and shall remain there or moored to any of the Piers, Breasts, or Jetties for a longer Period than Twelve Hours, or shall land or take on board Passengers or Goods to or from any other Vessel, Bark, or Lighter, shall be chargeable with the Rates and Duties contained in the said Schedule.

Tonnage Duty not exigible oftener than once for the same Voyage.

LIII. Provided always, and be it enacted, That no Vessel or Boat to whomsoever belonging, for which the Tonnage Duty exigible by this Act shall have been once paid, shall be liable or obliged to pay the same in case of such Vessel being put back or returning into the said Pier or Harbour through Stress of Weather or Accident, or necessary Cause, before having completed the Voyage for which the Tonnage Duty was paid.

Rates on Goods.

LIV. And be it enacted, That over and above the Tonnage Duty herein-before authorized to be taken on Vessels or Boats there shall be paid to the said Company on all Merchandize or other Commodities which shall be landed or shipped within the Limits of the Harbour of *Gourock*, bounded as herein-before described, or be there exported or imported in such Vessels or Boats, the several Rates specified in the Schedule (B.) hereunto annexed, under certain Exemptions as herein-after mentioned.

Passengers Luggage exempted.

LV. Provided always, and be it enacted, That nothing in this Act or in the said Schedule contained shall be construed to extend to any Portmanteaus or any other Packages or Commodities which shall be carried by the Owner or Master of any Vessel or Boat without Hire, Freight, or Gratuity of any Kind, as the Luggage of any Passenger or Passengers landing or embarking within the Limits of said Harbour, provided such Luggage shall not exceed Two Barrels Bulk or Two Hundred Weight; and that no Person shall be entitled to claim Exemption for Luggage exceeding Two Barrels Bulk; and that for all Luggage exceeding Two Barrels Bulk the Rates herein provided for shall be leviable and paid.

Company may fix Rates on Articles not enumerated in the Schedule.

LVI. And be it enacted, That it shall be lawful for the said Company to fix such reasonable Rates upon Commodities not specified in the said Schedule (B.) as they shall think fit, provided such Rates shall not exceed Three-pence *per* Barrel Bulk on measurable Goods, or Two Shillings *per* Ton of Twenty Hundred Weight on Goods chargeable by Weight.

Rates may be compounded for.

LVII. Provided always, and be it enacted, That for the Relief of the Masters and Owners of all Vessels or Boats which shall be employed as regular Packets, Passage Boats, or Ferry Boats, it shall be lawful to the said Company, or such Person or Persons as they shall appoint, to compound with the Masters and Owners of all such Vessels or Boats for the said Rates and Duties hereby granted, by the Year or Trip, at such lesser Rates

Rates or Duties as to the said Company, or to the Person or Persons appointed by them, shall from Time to Time appear expedient.

Masters of Passage Boats may compel Company to compound.

LVIII. And be it enacted, That the Masters and Owners of all Vessels or Boats which shall be employed as regular Package or Passage Boats, who shall desire to compound with the said Company for the said Rates and Duties payable by them for landing Goods and Passengers within the Bounds of the said Harbour, and shall be unable so to compound for a less Sum than Twenty Pounds *per Annum* for each Vessel or Boat, shall be hereby entitled to compel the Company to compound with him or them for the Sum of Twenty Pounds a Year for each Vessel or Boat, whatever shall be her Tonnage, or the Number of Times she shall call at the Harbour: Provided always, that the said Company, when they shall compound, shall be obliged to compound with all such Owners and Masters on the like and equal Terms.

Rates may be altered.

LIX. And be it enacted, That it shall be lawful for the said Company to reduce and lessen the Rates and Duties to be levied under this Act, and again to raise and extend the same from Time to Time, provided that the same do not at any Time exceed the Maximum of Rates and Duties by this Act authorized.

Rates and Duties may be let.

LX. And be it enacted, That the said Company shall be and they are hereby authorized and empowered to let by public Auction the Rates and Duties hereby granted, in whole or in Parts or Shares, from Time to Time, by Lease or otherwise, for any Term not exceeding Five Years, for the highest Rent or Rents they can get for the same, after Three Weeks previous Notice shall have been given by Three several Advertisements in any One Newspaper published in *Greenock*; and in the Event of the same remaining unlet notwithstanding of such Advertisement and public Roup, then and in that Case the Company are hereby authorized to let the same by private Agreement, if they shall think fit: Provided always, that no less Rent shall be taken for the said Rates and Duties by private Agreement than the upset Price at which the same were exposed by public Roup.

Power reserved to His Majesty and Lords of the Treasury to reduce Duties on Foreign Ships and Goods.

LXI. Provided always, and be it enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time, and at all Times when He and they shall deem fit so to do, in and by His or their Order in Writing, to reduce the Duties hereby made payable on all or on so many of the Foreign Ships or Vessels, and on all or so many of the Goods or Merchandizes imported or exported in Foreign Bottoms, as He or they in their Judgment shall deem expedient, to the same and like Duties as are hereby made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandizes imported or exported in or by the same.

Masters and Owners of British Ships to produce Registers.

LXII. And be it enacted, That the Masters and Owners of all *British* Vessels and Boats trading to and from the said Pier or Harbour, and liable to the Payment of the Rates by this Act imposed, shall and they are hereby required to produce to the Harbour Master or other Officer

to

to be appointed as aforesaid the Registers of their respective Vessels or Boats, in order to ascertain the Tonnage thereof, or otherwise they shall permit and suffer such Vessels or Boats to be measured by the said Company, or by such Person or Persons as they shall from Time to Time appoint for that Purpose, and shall pay the Rates and Duties according to such registered Tonnage and Measurement, besides the Expence of the Measurement in the Manner herein mentioned; and every Owner or Master aforesaid who shall refuse to produce the Register of his or their Vessel or Boat, or to allow the same to be measured as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds Sterling, over and above the Tonnage or other Duties with which such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, may be chargeable, in Terms of this Act, to be recovered and applied in manner herein mentioned.

Foreign Vessels may be measured.

LXIII. And be it enacted, That the said Company shall and they are hereby authorized to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Vessels or Boats, and of all other Vessels or Boats having no Registers, which shall enter the said Harbour, in order to a due Collection of the Duties payable by such Vessels or Boats; and such Person and Persons is and are hereby empowered and required to measure the same according to the Directions of an Act passed in the Sixth Year of the Reign of His late Majesty, 6 G. 4. c. 116. intituled *An Act for the registering of* British *Vessels*, or of any other Act that may hereafter be passed for the same Purpose; and the Owners or Masters of all such Vessels or Boats shall pay the Expence of such Measurement, besides the Rates and Duties to which they are liable in Terms of this Act.

Master to produce Account of Cargo on board.

LXIV. And be it enacted, That the Master or Person having the Command or Charge of any Vessel or Boat which may enter the said Harbour for the Purpose of landing all or any Part of her Cargo or Merchandize, and be liable to the Payment of any of the Rates by this Act granted, shall give a true Account of the Lading of such Vessels or Boats to such Person or Persons as the said Company shall from Time to Time appoint to require and receive such Rates and Duties; and every Master or other Person who shall refuse to give an Account, or shall give a false Account of the Lading of the Vessel or Boat under his Command or Charge, when thereunto required, shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

For erecting Warehouses, Cranes, and Weighing Machines.

LXV. And be it enacted, That it shall be lawful to the said Company, out of any of the Rates and Duties aforesaid, and otherwise, to provide convenient Warehouses and Yards or other Places for the receiving and safe-keeping of such Goods and other Things as shall happen to be removed off the Quays and other Places in manner after mentioned, and also to erect so many Cranes and Weighing Machines upon the said Pier or Harbour and Grounds adjacent (having either bargained for such Grounds as herein-before provided, or having obtained the Consent of the Proprietors thereof,) as may appear to be requisite for the loading, unloading, and weighing of such Goods as may be imported into or exported from the said Harbour, and also to provide all such Weights and

and Measures as may be necessary for weighing and measuring the said Goods and other Things.

Further Allowance for Goods remaining upon Wharfs above a certain Time.

LXVI. And be it enacted, That if any Commodities shall remain upon any Wharf or Pier or other Place belonging to the said Harbour for a longer Period than Forty-eight Hours from the Time such Commodities shall have been placed upon the said Wharfs, Piers, or other Places, then it shall be lawful for the said Company, or their Collector or Collectors, or Lessee or Lessees, to levy a Sum not exceeding the Amount of the Rates and Duties by this Act imposed upon the said Commodities, and that over and above the said Rates and Duties; and it shall be lawful to exact the said additional Rates and Duties for each successive Period of Twenty-four Hours after the said first Forty-eight Hours during which the said Commodities shall remain on the said Wharfs, Piers, or other Places; or the said Company, or their Harbour Master, Collector, or other Officer, may exact and they are hereby authorized and empowered to exact such other Rent or Wharfage Dues less than what is before mentioned as they shall see fit: Provided always, that no Commodities shall be at any Time laid down so as to encroach on the Streets of the said Town of *Gourock*, or within Sixteen Feet of the Face of the Quays, Wharfs, or Piers, except at the Time of such Goods and other Commodities being loaded or unloaded.

Goods may be removed from the Quays, &c.

LXVII. Provided always, and be it enacted, That the said Company shall have Power, if they shall see Cause, either by themselves or the Officers and Servants employed under them, to cause to be removed all such Commodities as shall be allowed to remain upon the said Quays, Wharfs, Piers, and other Places beyond the Space of Six lawful Days, and to be carried to any Warehouse or other Place of Safety to be provided by the said Company, and there to detain the same till Payment of the Charges incurred by such Removal and Detention, and of such Consideration besides to the said Officers and Servants authorized as aforesaid for their Trouble in and about the same, as any of the Justices of the Peace for the County of *Renfrew* shall think reasonable, together with the Sum authorized to be levied had such Commodities been allowed to remain on the Quays, Piers, Wharfs, and other Places, for each additional and successive Period of Twenty-four Hours during which such Commodities shall remain in the said Warehouse or other Place of Safety.

If Goods remain Six Months in Warehouse, they may be sold.

LXVIII. And be it enacted, That if any Goods, Wares, or Merchandize, of whatever Denomination, shall be allowed to remain in any Warehouses or other Places to be provided by the said Company under the Authority of this Act for any longer Period than Six Months, it shall be lawful to the Justices of the Peace for the County of *Renfrew*, or any One of them, upon an Application made to him or them by the said Company, or any Person authorized by them, to order a Description of such Goods, Wares, and Merchandize to be inserted once in some of the Newspapers circulated in the County of *Renfrew*, requiring the Owner or Owners thereof to remove the same, and to pay the several Duties and Charges incurred thereon within a reasonable Period to be fixed by the said Justice or Justices; and if such Goods, Wares, and

Merchandize are not claimed and removed, and the whole Duties and Charges thereon satisfied and paid within the Period to be fixed as aforesaid, it shall be lawful to the said Justice or Justices to grant Warrants to levy the said Duties and Charges by Distress and Sale of such Goods, Wares, and Merchandize, the Overplus (if any be), after Deduction of the said Duties, and Charges of taking, detaining, and making the Sale, to be rendered to the Owner or Owners of such Goods, Wares, and Merchandize, whenever the same shall be demanded.

Penalty on evading Rates.

LXIX. And be it enacted, That if any Person liable in the Payment of any of the Rates and Duties by this Act imposed shall at any Time wilfully elude or evade Payment of the said Rates and Duties by any Means whatsoever, every such Person shall for every such Offence forfeit and pay a Sum not exceeding One Pound Sterling, over and above the Payment of the said Rates and Duties.

In Cases of Difference concerning the Weight, Collector may weigh Goods.

LXX. And be it enacted, That if any Difference shall arise between any Collector of the said Rates and Duties, and the Master or any other Person having the Care of any Vessel or Boat entering or leaving the said Harbour, or the Owner, Factor, Consignor or Consignee of any Goods, Wares, Merchandize, or other Things therein embarked, concerning the Weight or Quantities of the Goods or other Things embarked therein, it shall be lawful for any such Collector to stop and detain any Vessel or Boat, and to weigh or gauge, or cause to be weighed or gauged, the same and all such Goods or other Things as shall be therein embarked; and in case the same shall upon such weighing or gauging appear to be of greater Weight or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Vessel or Boat, then it shall be lawful to the said Company, or their Collector or Collectors, to charge for such Goods and Things according to the Weight thereof found upon such weighing, or declared by the Gauge of such Vessel or Boat; and the Master, Owner, or other Person giving in such Account shall pay the Charges of such weighing and gauging; which Charges, upon Refusal of Payment on Demand, shall and may be recovered and levied in the same Manner as the said Rates and Duties are hereby appointed to be recovered and levied; but if such Goods or other Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Company or their Collector, as the Case may be, shall pay the Charges of such weighing or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods or other Things, such Damages as shall have arisen from such Detention; and in default of Payment thereof the same shall be recovered by Distress and Sale of the Effects of the Collector or Collectors for the Time being, or of the Effects of the said Company, under a Warrant to be issued for that Purpose under the Hands of any Two or more Justices of the Peace for the County of *Renfrew;* and in case any Overplus shall remain after Payment of such Sum or Sums of Money and the Costs of such Distress and Sale, then such Overplus shall be returned to the said Company, or to their Collector or Collectors for the Time being, as the Case may be: Provided always, that it shall be lawful for such Collector or Collectors to retain out of the Monies which he or they shall have received or shall receive on account of the said Company all

such

such Damages and Expences as he shall have sustained or be put unto by virtue of any Warrant as aforesaid.

Act not to extend to Ships in His Majesty's Service.

LXXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship, Vessel, or Boat belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service or Employ of the Customs, Excise, Ordnance, or Post Office; provided always such Ships, Vessels, or Boats shall only be thus exempted when they are exclusively hired for the sole Purpose of any of the said Services.

Power to demand Register and recover Rates.

LXXII. And be it enacted, That it shall be lawful for such Person or Persons as shall be authorized and appointed by the said Company for that Purpose to go on board any Vessel or Boat in the said Harbour, and to demand to see the Register thereof, and to take the Dimensions of such Vessel or Boat, and to demand and receive from the Owner, Master, or other Person having the Charge of such Vessel or Boat the Rates and Duties by this Act imposed and made payable, and in case of Delay or Refusal of Payment to seize any of the Goods or the Tackle belonging to any such Vessel or Boat, and to detain the same until the said Rates and Duties are paid; and in case of Neglect or Delay in such Payment for the Space of Six Days after such seizing as aforesaid it shall be lawful for the said Company, or any Person or Persons authorized by them, to cause the same to be appraised by Two or more sufficient Persons, and afterwards to sell and dispose of the Goods or other Effects taken and appraised, and therewith to satisfy the Rates and Duties so neglected or delayed to be paid, together with the Charges incurred, as the same shall be ascertained by the Sellers upon Oath; the said Company, or others authorized as aforesaid, rendering to the Master or Owners of such Ship, Vessel, or Boat, or to the Owners of such Goods, the Overplus, if any be, on Demand.

Vessels not to be cleared till Duty paid.

LXXIII. And for the more effectually preventing any Delay or Evasion in the Payment of the Rates and Duties aforesaid, be it enacted, That it shall be lawful for the Collector or other Officer of His Majesty's Customs at the said Harbour to refuse to clear any Vessel or Boat, outward or inward, or indorse any Clearance or Warrant, until there shall have been produced and shewn to him, either a sufficient Voucher of the Payment of the Rates and Duties, or a Certificate under the Hand of the Collector of the Rates and Duties hereby granted, that the Sum demanded on that Account has been consigned and lodged in his Hands, with sufficient Security for the Payment of all Damages and Expences which may be sustained or incurred by any Person or Persons by reason of the Delay or Refusal of Payment, according as the same shall be ascertained and determined by any One or more of His Majesty's Justices of the Peace for the County of *Renfrew*; and that such Collector or other principal Officers of His Majesty's Customs shall obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs in relation thereto: Provided always, that in case it shall be found by the said Justice or Justices of the Peace, after hearing both Parties, that the Collector of the said Rates and Duties has made a higher Demand than what is authorized by this Act, such Collector shall be liable and be decreed to pay to the Party complaining

plaining such a Sum in name of Damages, not exceeding Five Pounds Sterling, as shall be judged adequate by the Justice or Justices, who are hereby authorized and empowered to hear and decide upon all such Questions and Disputes as shall be brought before them relative to these Matters in a summary Way.

Company may prevent Vessels from obstructing the Access to the Harbour.

LXXIV. And be it enacted, That it shall be lawful for the said Company to prevent any Vessel or Boat from anchoring or lying in the direct or usual Track or Course of Vessels approaching the said Pier or Harbour, in the Event of the said Vessels proving an Obstruction to the free Ingress or Egress to or from the same, and to make such Rules, Orders, and Regulations as may appear to be requisite for preserving the free and uninterrupted Access to and Egress from the said Pier or Harbour; and in case any Vessel or Boat shall so anchor or lie, and shall not be removed forthwith after the Harbour Master or other Officer appointed by the said Company, or such other Officer as shall be appointed by the said Commissioners after the said Duties shall have ceased as herein provided, shall require the Master or Person in Charge of such Vessel or Boat to remove the same, which he is hereby empowered to do, and the Owner or Owners thereof shall be liable in the Payment of a Penalty not exceeding Five Pounds; and it shall be lawful to the Harbour Master or other Officer duly authorized to remove such Vessels or Boat within One Hour after such Master or Person in Charge shall have been so required.

For laying down mooring Buoys.

LXXV. And be it enacted, That it shall be lawful to the said Company, out of any of the Rates and Duties aforesaid, and otherwise, to lay down Mooring Buoys within the Bounds of the said Harbour, and within a Distance of Five hundred Yards in any Direction from the Extremities of the said Pier, for the better securing or enabling Vessels to ride with greater Safety, either when waiting to enter or departing from the said Harbour or Bay of *Gourock*: Provided always, that the said Mooring Buoys shall not interfere with the general Navigation.

For regulating mooring of Vessels.

LXXVI. And be it enacted, That the said Company, or such Person or Persons as they shall authorize and appoint, may from Time to Time order and require all Persons having the Command of any Vessel or Boat entering into the said Harbour to station, place, anchor, and moor such Vessel or Boat in such Place and at such Quay, previously approved of by the proper Officer or Officers of the Customs, as the said Company or Persons so authorized and empowered by them shall direct; and, with Consent of the said Officers of the Customs, as often as they judge necessary, remove or cause to be removed any Vessel or Boat lying in the Entrance of the said Harbour, or at any Quay, Pier, or Breast to be built thereat, or in any other Part of the said Harbour, from the Berth or Lying Place at which such Vessels or Boats respectively may happen to be moored or lying at the Time, to any other Berth or Lying Place in the said Harbour; and in case the Master or other Person having the Command of such Vessel or Boat shall neglect or refuse to remove or cause to be removed, as soon after such Requisition as the State of the Tide will permit, such Vessel or Boat from her said Berth or Mooring Place to such other Place as shall have been appointed, then the said Company, or any Person authorized by them, are hereby empowered to

to remove or cause to be removed such Vessel or Boat; and the Master, Owner, or Consignee of such Vessel or Boat so removed shall be obliged to pay to the said Company, or any Person or Persons appointed by them to receive the same, all the Charges that shall have been reasonably incurred in accomplishing such Removal; and every Master or other Person in the Command of any Vessel or Boat, or any other Person or Persons, who shall obstruct the Removal as aforesaid, shall for every such Offence forfeit and pay to the said Company, or any Person appointed by them to receive the same, a Sum not exceeding One Pound Sterling.

Preference to Ships in Distress.

LXXVII. And be it enacted, That in case any Vessel or Boat shall come into the said Harbour in Distress, or meet with any Misfortune in the said Harbour, it shall be lawful for the Berth Master or other Officer appointed to that Effect to give a Preference to such Vessel or Boat being in Distress as aforesaid, both as to the Berths at the Piers and Quays, and as to the Course of discharging or repairing, to any other Vessel or Boat that shall have arrived before in the said Harbour.

Ballast not to be thrown into the Harbour, or taken but at Places appointed.

LXXVIII. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever, upon any Pretence whatsoever, to throw or empty any Ballast, Rubbish, or any other Thing into any Part of the said Harbour, or to dig or take away Ballast, Shingle, Stones, or other Thing from the same, in any other Place than such as shall be pointed out by the said Company, or by some Person authorized by them, under a Penalty not exceeding Five Pounds for every such Offence, over and above the Expence of repairing the Damage done thereby.

No Combustibles to remain on the Quays.

LXXIX. And be it enacted, That no Gunpowder, Tar, Pitch, Rosin, Flax, Faggots, Furze, spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other Combustibles shall be suffered to remain on the Quays, Wharfs, and Piers within the said Harbour or any Part thereof, or upon the Deck of any Vessel or Boat, or in any open Boat lying therein, after being passed by the Officers of the Customs; and in case such Goods and Articles of Trade cannot be removed by Daylight, then the Owners of such Goods and Articles shall be obliged to set and maintain a sufficient Number of sober and careful Persons to watch over the same, for so many Hours, according to the Season of the Year, as the said Company, or the Person or Persons authorized by them as aforesaid, shall direct; and in case the Owner or Owners of such Goods or other Articles, or the Master or Masters of such Vessels, shall not obey the Directions so given, it shall be in the Power of the said Company, or the Person or Persons authorized by them, to cause the same to be removed or watched at the Owner's Expence; and every such Owner or Owners, Master or Masters, shall for every such Default forfeit and pay a Sum not exceeding Five Pounds, besides the said Expence, and any Damage occasioned by their not removing or watching such Goods and Combustibles.

Gunpowder not to remain on board Vessels in the

LXXX. And be it enacted, That no Gunpowder exceeding in Quantity the Number of Four Pounds Avoirdupois shall be suffered to be or remain on board any Vessel or Boat for any longer Period than Twelve Hours after the Arrival of such Vessel or Boat in the said Harbour, upon pain that

Harbour, and may be landed on a Sunday.

that every Master or Owner of such Vessel shall forfeit for every such Offence the Sum of Five Pounds, besides the Damage occasioned by his Default; and in case any Vessel in which any Gunpowder exceeding the Quantity foresaid shall happen to be shall arrive in the said Harbour on a *Sunday* or any Custom House Holiday, it shall be lawful for the Master of any such Vessel to land the same without a Sufferance from the Officers of His Majesty's Customs at the said Harbour for so doing, provided the same be done in the Presence of a Tide Surveyor or Coast Waiter.

Pitch not to be heated or boiled on board Vessels.

LXXXI. And be it enacted, That in case any Person or Persons having the Command of any Vessel or Boat lying or being in the said Harbour shall heat or boil, or suffer or permit to be heated or boiled, any Pitch, Tar, or Rosin, or any Composition of that Nature, on board of his or their respective Vessels or Boats, otherwise than with an Iron Instrument commonly called a Loggerhead, he and they shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds Sterling.

Punishing of Persons injuring the Works.

LXXXII. And be it enacted, That if any Person or Persons shall, after the passing of this Act, maliciously or wantonly demolish, destroy, break down, or set on fire any of the Quays, Wharfs, Piers, or other Works constructed or to be constructed in or belonging to the said Harbour, every such Person or Persons so offending shall be adjudged to be guilty of Felony, and the Court or Courts by or before whom such Person or Persons shall be indicted, tried, and convicted shall be and are hereby empowered to punish such Person or Persons by Fine or Imprisonment, and to cause such Felon or Felons to be transported beyond the Sea for such a Term of Years and in such Manner as other Felons are directed to be transported by the Statutes of the Realm.

Penalty on Persons destroying the Ropes of Vessels, &c.

LXXXIII. And be it enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Vessel or Boat lying in the said Harbour shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds Sterling, besides the Damage thereby occasioned.

Masters and Owners to be answerable for Damages done by their Crews.

LXXXIV. And be it enacted, That the Master or Owner of every Vessel or Boat lying or trading in the said Harbour shall be and he is hereby made answerable to the said Company for the Amount or Value of any Damage or Mischief that shall be done by any of the Seamen or other Persons employed at or on board the same to any of the Quays, Wharfs, Piers, or other Works in or about the said Harbour, either by the loading or unloading of any Vessel or Boat, or any other Means whatsoever; and the Master or Owner of every such Vessel or Boat shall for every such Damage or Mischief, upon Conviction before any Justice of the Peace for the County of *Renfrew*, on the Oath of any credible Witness or Witnesses, or on the Confession of the Party or Parties offending, forfeit and pay to the Party or Parties injured such Damages as shall be determined by such Justice, provided that such Damages shall not exceed the Sum of Twenty-five Pounds Sterling; but in case such Damages shall exceed the Sum of Twenty-five Pounds Sterling, then the said Master or Owner of such Vessel or Boat may be sued for such Damages in the

Court of Session, if the Defender shall reside in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster*, if the Defendant shall reside in *England*, or in the Court of King's Bench or Common Pleas at *Dublin*, if the Defendant shall reside in *Ireland*; and if a Verdict or Judgment shall be given against him or her, either on Proof made or by Default, or upon Demand, the Pursuer or Plaintiff in every such Case shall recover the Damages thereby sustained, with full Costs.

Masters to recover Damages from their Servants.

LXXXV. And be it enacted, That in case the Master or Masters, Owner or Owners of any Vessel or Boat shall be compelled to pay any Penalty or to make Satisfaction for any Damage done by his, her, or their Mariners, Boatmen, Servants, or other Persons employed by him, her, or them, such Mariners or other Persons shall be liable to pay such Penalty or Damages, with the Costs thereof, to such Master or Masters, Owner or Owners.

Idlers may be detained, and all Ropes, &c. found in their Custody confiscated.

LXXXVI. And be it enacted, That it shall be lawful to the Officers to be appointed by the said Company, and to any Messenger at Arms, Sheriff's Officer, Peace Officer, Town Officer, or other Person, to apprehend and detain, till they can be regularly conveyed before any One or more of His Majesty's Justices of the Peace for the County of *Renfrew*, or the Sheriff of said County or his Substitute, every Vagrant, Idler, or disorderly Person who may haunt about the Harbour or Places connected therewith, without lawful Business; and they are hereby also empowered to seize and detain, till such Seizure can be regularly reported to any of the said Justices, or to the Sheriff or his Substitute, all Articles of Marine Stores, and all Goods, Wares, and Merchandize which may be found in the Custody of such Vagrant, Idler, or disorderly Person; and if it shall appear that any of the said Articles have not been fairly come by, it shall be lawful for any One or more of the said Justices, or the said Sheriff or his Substitute, to order the said Goods to be restored to the proper Owner or Owners thereof, and in case such Owner or Owners cannot be found to confiscate the same in aid of the Rates and Duties leviable by this Act, and punish the Person in whose Custody the same may have been found by Imprisonment and hard Labour in some legal Place of Confinement within the said Town of *Gourock* or the County of *Renfrew* for any Time not exceeding One Calendar Month.

Idlers may be committed.

LXXXVII. And be it enacted, That it shall be lawful to any One or more of the said Justices, or the said Sheriff or his Substitute, to detain such Vagrants, Idlers, and disorderly Persons in any Watch-house or other Place of Security, therein to be detained for Examination for any Space not exceeding Forty-eight Hours; or, as a Punishment, to commit the said Offenders to any such Watch-house, Gaol, Bridewell, or other Place of Security for any Space not exceeding Three Days.

Power to apprehend transient Offenders.

LXXXVIII. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Persons acting under the Authority of this Act; be it enacted, That it shall be lawful to the Harbour Masters, Collectors of Duties, and other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more of the said Justices, or Sheriff or his Substitute, without any other Warrant than this

this Act for so doing; and such Justice or Justices or Sheriff is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders in a summary Way.

Penalty on obstructing the Works.

LXXXIX. And be it enacted, That if any Person or Persons shall at any Time obstruct or molest the Engineers, Berthing Masters, or other Person or Persons who shall be employed in performance of their Duty under this Act, every Person so offending shall forfeit any Sum not exceeding One Pound Sterling, and for the second Offence any Sum not exceeding Five Pounds Sterling, and for the third and every other Offence any Sum not exceeding Ten Pounds Sterling.

Sums ordered for Compensation or Costs may be recovered from the Treasurer by Distress.

XC. And be it enacted, That when and as often as any Sum or Sums of Money shall be ordered or directed to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Company to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the Clerk to the said Company, or the Treasurer to be appointed under this Act, in which Demand the Order of the Judge or Judges making the same shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall or may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of the Treasurer for the Time being, under a Warrant to be issued for that Purpose by any such Judge or Judges, under his or their Hand or Hands, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to the Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of the Monies which he shall have received or shall receive in pursuance of this Act all such Damages, Costs, Charges, and Expences as he shall have sustained or be put to by virtue of any such Warrant as aforesaid.

Mode of recovering Penalties.

XCI. And be it enacted, That it shall be lawful for the said Company, or for the Collector or Collectors or other Officers to be appointed by them, to prosecute for and recover the several Fines, Penalties, Forfeitures, and Damages (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) by Action, Bill, Complaint, or Information raised or exhibited, within Six Months after such Offence committed, before any One or more of His Majesty's Justices of the Peace, or any other Judges competent, within whose Jurisdiction the Offender or Offenders shall reside or be apprehended; and the Justice, Justices, or other Judges aforesaid are hereby required to proceed to the Trial of such Offender or Offenders in a summary Way, and upon Conviction

viction of the Offender or Offenders, by their own Confession, or by the Oath of One or more credible Witness or Witnesses, to award and give such Orders and Decrees as to them shall seem most agreeable to the true Intent and Meaning of this Act; and in default of Payment which shall be so awarded the Person or Persons who shall be convicted of any of the Offences before described shall and may, by Warrant under the Hand of any such Justice, Justices, or Judge, be committed to any legal Place of Confinement in the County of *Renfrew*, or to the Common Gaol or House of Correction of any other County or Place where the Matter of Complaint may arise or the Offender or Offenders may have been convicted, and there be kept in Confinement for such Time as such Justice, Justices, or Judges shall direct, not exceeding Three Months, unless the Sum so awarded against him, her, or them shall be sooner paid and discharged.

Application of Penalties.

XCII. And be it enacted, That all the Fines and Penalties to be recovered under or by virtue of this Act, the Application whereof is not otherwise hereby directed, shall be applied to and for the Purposes of this Act.

Proceedings not to be quashed for Want of Form.

XCIII. And be it enacted, That no Order, Judgment, or other Proceeding concerning any of the Matters aforesaid, or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable, by Advocation, Suspension, Reduction, or by any other Process whatsoever, to the Court of Session; any Law or Statute to the contrary notwithstanding.

For compelling Witnesses to attend.

XCIV. And be it enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice or Justices of the Peace, or other Judge or Judges, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without a reasonable Cause for Refusal or Neglect, or appearing shall refuse to be examined on Oath (or in case of a Quaker or Quakers on solemn Affirmation), and to give Evidence before such Justice or Justices of the Peace, or Judges, then and in any of the said Cases every Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Testimony of Officers.

XCV. And be it enacted, That no Person or Persons shall be deemed incompetent to give Evidence in any Causes and Matters which shall be heard and determined relative to this Act by reason only or on account that such Person or Persons shall act officially under the Appointment of the said Company, or their Committee of Management, or the Baillies of the Ward.

Appeal.

XCVI. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, Order, or Regulation made in pursuance of this Act, or by any other Matter or

Thing done under or in pursuance of this Act, then and in every such Case it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the General Quarterly Sessions of the Peace to be holden for the County or Place where the Cause of Complaint shall have arisen within Two Calendar Months next after such Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, unto the Person or Persons appealed against, and within Six Days after such Notice entering into a Recognizance or Bond of Caution before some Justice of the Peace for the said County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide by the Order of and to pay such Costs as shall be awarded by the Justices at such Sessions; and upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance or Bond, the Justices at such Sessions shall hear and determine the Cause and Matter of such Appeal, and may order any Money to be returned which may have been levied in pursuance of any such Bye Law, Rule, Order, or Regulation, and award such Costs to the Party appealing or appealed against, and may also award such further Satisfaction to the Party injured, as they shall think proper; and the Determination of the Justices shall be final, binding, and conclusive to all Parties, and shall not be subject to review by Advocation, Suspension, Reduction, or by any Process, any Law or Statute to the contrary notwithstanding.

"Vessel" or "Boat" descriptive of all Vessels.

XCVII. And be it enacted, That the Words "Vessel" and "Boat" in this Act shall be deemed to include all Steam Vessels and Steam Boats, and all Ships, Vessels, and Boats of every Description.

Saving the Rights of the Clyde Trustees.

XCVIII. Provided always, and be it enacted, That the Powers and Provisions contained in this Act shall not be held to prejudice or affect the Powers and Provisions vested in the said Trustees for improving the Navigation of the River *Clyde* under the Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and seventeen, and the Acts therein recited, and shall not abridge or diminish any Rights, Privileges, Jurisdictions, or Powers which now belong to and are enjoyed by the Magistrates and Town Council of *Glasgow* or any of them, or by the Baillie of the River and Firth of *Clyde*, or any other Ports thereof appointed by the Magistrates and Town Council in virtue of former Acts of Parliament or Royal Charter.

Saving the Rights of the Proprietor of the Estate of Gourock;

XCIX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, abridge, or diminish any Rights, Customs, Duties, Immunities, Privileges, Jurisdictions, or Powers which now belong to the Proprietor of the Barony of *Gourock*, otherwise than as the same are by this Act expressly taken away, repealed, varied, altered, or restricted.

and of the Feuars thereof.

C. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away or diminish any Rights, Immunities, or Privileges which now belong to and are enjoyed by the Feuars

on the Barony and Estate of *Gourock*, by or through their original Feu Charters, otherwise than as the same are by this Act expressly taken away, repealed, varied, altered, or restricted.

Expences of Act how to be paid.

CI. And be it enacted, That the Charges of obtaining and passing this Act shall be paid out of the Sum to be subscribed towards defraying the Expences of the same, and the Rates and Assessments to be levied for the said Pier or Harbour by virtue of this Act.

Sheriffs, &c. to assist in Execution of this Act.

CII. And be it enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all Executors of the Law whatever, are hereby required to be aiding and assisting in putting this Act into due and lawful Execution.

Public Act.

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

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SCHEDULES to which this Act refers.

SCHEDULE (A.)

CLASS FIRST.

For every Ship, Brig, Sloop, Bark, Lighter, Yacht, Steam Vessel, Steam Boat, or other Vessel or Boat whatever, entering or arriving at the Harbour of Gourock for the Purpose of landing or taking on board any Goods, Passenger or Passengers, or touching at or taking the Advantage or Benefit of any of the Piers or Quays of the said Harbour, from any Port or Place in the United Kingdom of Great Britain and Ireland, or from the Islands of Guernsey, Jersey, Alderney, Sark, or the Isle of Man, the following Sums; *videlicet*,

First. Each such Ship, Brig, Sloop, Bark, Lighter, Yacht, or other Vessel or Boat, excepting Steam Vessels and Steam Boats, if of the Measurement of Twenty Tons or upwards, Four-pence Sterling for each and every Ton the same shall measure:

Second. Each such Steam Vessel or Steam Boat, if of the Measurement of Twenty Tons or upwards, One Farthing Sterling for each and every Ton the same shall measure, and which Steam Vessel or Steam Boat shall be entitled to land the Luggage of Passengers without Payment of any further Dues than the said Farthing per Ton:

Third. Each such Ship, Bark, Sloop, Lighter, Yacht, Steam Boat, Steam Vessel, or other Boat or Vessel, if of or above the Measurement of Five Tons but under Twenty Tons, One Shilling Sterling:

Fourth. Each Boat or Vessel under Five Tons, Sixpence Sterling:

For Exemption in favour of Deep-sea Steam Boats, Vessels outward bound, and Fishing and Pilot Boats belonging to Gourock, see Sections of this Act.

CLASS SECOND.

For every Ship, Brig, Sloop, Bark, Lighter, Yacht, Steam Vessel, Steam Boat, or other Vessel or Boat whatever, entering or arriving at the Harbour of Gourock for the Purpose of landing or taking on board any Goods, Passenger or Passengers, or touching at or taking the Advantage or Benefit of any of the Piers or Quays of the said Harbour, from any Country, Island, or Place whatever not before named in this Schedule, Eight-pence Sterling for each and every Ton the same shall measure.

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SCHEDULE (B.)

	£	s.	d.
Ale and Porter, and all Liquids not otherwise enumerated in this Schedule, per Hogshead	0	0	4
And so in proportion for larger or smaller Casks.			
Apples, Pears, and Nuts, per Bushel	0	0	1
Bricks, per One thousand two hundred	0	0	1
Cattle; *videlicet*,			
Bulls, Cows, and Oxen, each	0	0	3
Calves, Highland Ponies, Mules, and Asses, each	0	0	2
Horses, each	0	0	4
Sheep and Pigs in Droves, per Score	0	1	0
under a Score, each	0	0	1
Lambs in Droves, per Two Score	0	1	0
under Two Score, each	0	0	$0\frac{1}{2}$
Corn and Meal; *videlicet*,			
Barley, Beans, Indian Corn and Meal, Oats, Pease and Rye, per Quarter	0	0	$1\frac{1}{2}$
Malt and Wheat, per Quarter	0	0	2
Oatmeal, per Boll	0	0	$1\frac{1}{2}$
Flour, per Ton	0	2	0
Cork, Feathers, Gunpowder, Ivory, Indigo, and Vermilion, per Hundred Weight	0	0	3
Coals, Scotch, per Ton	0	0	3
English, per Ton	0	0	6
Culm, Cinders, Chalk, Clay, Flint Stones, and Manure, per Ton	0	0	3
Carrots, Potatoes, Turnips, Hay, Rags, Mill Waste, Salt, Stucco, Lime, and Whiting, per Ton	0	0	6
Grindstones, each	0	0	1
Hoops, Wooden, per One thousand two hundred	0	1	0
Hops, per Pocket	0	0	6
Hides, per Hundred	0	2	0
Peats, per Hundred	0	0	1
Seed in Bulk, per Quarter	0	0	2
Skins, Calf, Sheep, Deer, Kid, Lamb, and Seal, per Score	0	0	3
Slates and Tiles, per One thousand two hundred	0	1	0
Stones, Freestone and Pavement, per Ton	0	0	1
Spirits and Wines, per Pipe, Puncheon, or Piece	0	1	0
And so in proportion for larger or smaller Casks.			
Treenails, per One thousand two hundred	0	0	6
Wood, Foreign, for every Fifty Cubic Feet (a Peterburgh Standard Hundred of Deals being reckoned equal to Three Loads of Fifty Cubic Feet each)	0	1	0
Wood delivered by Weight, such as Boxwood, Brazil Wood, Barwood, Camwood, Ebony, Fustic, Lignumvitæ, Logwood, Mahogany, Nicaragua Wood, Red Wood, Sassafras, per Ton	0	2	0

	£	s.	d.
Wood, Oars, Rickers, and Boat Hooks, per One hundred and twenty	0	1	0
Lathwood, per Fathom	0	1	0
Firewood, per Fathom	0	0	6
Handspikes and Paling Boards, per One hundred and twenty	0	0	6
Staves, Pipe, per One hundred and twenty	0	0	6
Hogshead, and under, per One hundred and twenty	0	0	3
Home Wood, for every Fifty Cubic Feet	0	1	0
Staves and Spokes, per One hundred and twenty	0	0	2
Wheels, Coach, Carriage, and Cart, per Pair	0	0	3

The Rates leviable within the Limits of the Harbour of Gourock on all other Goods or Articles not specified above shall be charged either by Weight or Measurement, according to the Nature of said Goods or Articles; but in no Case shall the Rates exceed Three-pence per Barrel Bulk on measureable Goods, or Two Shillings per Ton of Twenty Hundred Weight on Goods chargeable by Weight.

Such Goods as the following to pay per Barrel Bulk:

Bottled Ales, Wines, and Liquors; Biscuit; Books, Paper, Carriages, Gigs, &c.; Carpets, Leather, Hats; Crystal, Glass, China, Earthenware, and Hardware; Cloth, Clothiery, Haberdashery, and Hosiery; Drysaltery, and Grocery Goods; Furniture; Machinery, Husbandry Utensils, Musical Instruments; Herrings, Salmon; Pitch and Tar; Medicines and Drugs; Oranges and Lemons.

Such Goods as the following to pay per Ton:

Bark, Bones, Valonia, Shumac, Saltpetre, Brass, Copper, Lead, Iron, Steel, Tin, Brimstone, Cement, Marble, Ochre, Coffee, Cocoa, Cheese, Rice, Sugar, Soap, Soda, Tallow, Tobacco, Dried Fish, Lard, Flax, Hemp, Tow, Manure, Lime, Potatoes, &c.

All Goods shipped over Side to pay Half Dues only.

All Goods having paid Shore Dues Inwards are exempted from Dues when shipped Outwards, if they be in the original State.

All Goods having paid Shore Dues Outwards are exempted from Dues when brought Inwards, if they be returned to the original Shipper in the original State.

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

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

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

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