ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

****

Cap. xlvii.

An Act to alter and amend an Act passed in the Thirteenth Year of the Reign of King *George* the Third, for the better Regulation of Pilots and Bridgemen, and for laying down Moorings, and preventing Mischief by Fire, in the Port of *King's Lynn*. [21st *June* 1841.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of King *George* the Third, intituled *An Act for the better Regulation and Government of Pilots conducting Ships or Vessels to and out of the Port of* King's Lynn, *and of the Bridgemen conducting Gangs of Lighters or Barges to and from the same, and for laying down Moorings in the Harbour of the said Port, and for preventing Mischiefs by Fire therein;* and by the said Act certain Commissioners were appointed for the several Purposes therein mentioned, with Provision for their Continuance; and the said Commissioners were by the said Act authorized, amongst other things, to lay down not less than Eighteen sufficient Moorings called Harbour Moorings, for the safe Riding of Ships and Vessels in the said Harbour, the Property and Right whereof, and of all Materials of which the same should consist, were vested by the said Act in the said Commissioners for ever; and they were fully authorized to demand and receive from the Master or Commander of every Vessel belonging

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belonging to His Majesty's Subjects arriving at the said Port, and laden with Coals, any Sum of Money not exceeding One Penny *per* Chaldron, *Lynn* Measure, for every Chaldron of Coals on board such Vessel, and also from the Master or Commander of every Vessel belonging to His Majesty's Subjects, as well those bound inward as outward, and laden with any other Kind of Goods, Wares, and Merchandizes, any Sum of Money not exceeding One Penny *per* Ton for each Ton of Goods, Wares, and Merchandizes on board such Ship or Vessel, and also from every Master or Commander of every Foreign Vessel any Sum not exceeding Double the Duty in the respective Cases before mentioned payable by Masters of Vessels belonging to His Majesty's Subjects; and the said Commissioners were by the said Act authorized to raise a Sum of Money, not exceeding the Sum of Five thousand Pounds, upon the Credit of the said Rates or Duties: And whereas the Commissioners acting under the said recited Act caused Mooring Chains or Harbour Moorings to be laid down in pursuance thereof; and in order to defray the Expence of laying down the same and keeping them in repair, they have since the passing of the said Act (except for a short Time) collected and received the full Amount of Rates and Duties authorized by the said Act to be collected and received by them as aforesaid, and have also borrowed and taken up in manner directed by the said Act the Sum of Five thousand Pounds on the Credit of the said Rates and Duties, and the same is a Debt still due and charged upon the said Rates and Duties: And whereas the said Harbour Moorings have been recently broken and otherwise greatly damaged by a strong Flood Tide, and by means of the Ice which had accumulated in the Harbour of the said Port, whereby great Damage was occasioned to the Shipping in the said Harbour; and it is expedient that the said Moorings should be restored, and that further Moorings should be provided by the said Commissioners, and that effectual Provision should be made against the Recurrence of like Accidents, and that for the Purposes aforesaid the said Commissioners should be authorized to raise a further Sum of Money in manner herein-after provided: And whereas it is expedient that several of the Powers, Provisions, and Enactments of the said recited Act should be altered, amended, and enlarged; but the several Purposes aforesaid cannot be carried into execution without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers of the Commissioners appointed pursuant to the said recited Act, and all other Powers, Provisions, Matters, and Things contained in the said recited Act, (except such of them, or such Part thereof respectively, as are by this Act repealed, altered, or otherwise provided for,) shall extend to this Act, and to the several Works and Things hereby authorized and required to be made and done, and shall be in force in respect of the said Commissioners acting under the said recited Act and this Act, and in respect of the Objects and Purposes of this Act, and of the said recited Act as altered by this Act, as effectually as if the same Powers, Provisions, Matters, and Things were re-enacted in this Act.

Powers of recited Act to extend to this Act, except as hereby altered.

II. And

Meetings of Commissioners to be held on Three Days Notice.

II. And whereas by the said recited Act it is amongst other things enacted, that Meetings of the said Commissioners shall be held, and it is directed that the same shall be upon public Notice to be given in manner therein mentioned Seven Days exclusive before such Meeting; and it is expedient that the Time of such Notice should be reduced; be it therefore enacted, That, notwithstanding any thing in the said recited Act contained to the contrary, a Notice of any intended Meeting of the said Commissioners, given in manner described by the said Act (except as to the Time of such Notice), may be given Three clear Days at the least before the said intended Meeting shall take place; and such Notice, and the Meeting held pursuant thereto, shall be as valid, to all Intents and Purposes whatsoever, as if the said Notice had been given Seven Days exclusive before such Meeting.

Mayor may appoint a Deputy to attend the Meetings; and if both of them neglect to attend a Meeting a Chairman may be chosen by the Commissioners present.

III. And whereas by the said recited Act it is enacted, that the Mayor of *King's Lynn*, or his Deputy, for the Time being, shall be one of the Commissioners present at the Meetings of Commissioners, subject to certain Provisions in the said Act contained in case the said Mayor or his Deputy for the Time being shall decline or refuse to attend a Meeting; and it is expedient that such Provisions should be extended to the Case of the said Mayor or his Deputy neglecting to attend such Meeting; be it therefore enacted, That it shall be lawful for the Mayor of the said Borough for the Time being to appoint from Time to Time, by any Writing under his Hand, any Commissioner to be his Deputy to act in his Behalf in attending Meetings of the Commissioners under the said recited Act or this Act, and such Appointment shall be entered in the Minute Book of the said Commissioners; and the Person so appointed shall continue to be such Deputy during the Mayoralty of the Mayor by whom he shall have been appointed, until some other Person shall be appointed in Writing by the said Mayor, and Notice thereof be given to the Clerk of the said Commissioners, and so often as any new Appointment of such Deputy shall be made; and in case the said Mayor, or his Deputy so appointed as aforesaid, shall neglect to attend any Meeting of the said Commissioners, the said Meeting shall proceed to elect their Chairman by a Majority of Votes, and such Chairman shall have all the Powers which, under the said recited Act or this Act, would be vested in the said Mayor or his Deputy for the Time being if present at such Meeting; and the Acts and Proceedings of every such Meeting of Commissioners shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the said Mayor or his Deputy were present thereat, any thing in the said recited Act contained to the contrary in anywise notwithstanding.

Powers of Commissioners to be exercised by the Majority present at every Meeting.

IV. And be it enacted, That all Powers vested by the said recited Act or this Act in the said Commissioners may be exercised by the Majority of the Commissioners present at any Meeting of Commissioners held pursuant to the Provisions of the said recited Act and this Act respectively, and if the Commissioners present shall be equally divided then the Chairman shall have a casting Vote.

V. And

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

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

Execution against Goods of Commissioners.

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

Indemnity to Commissioners and Clerk.

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

Power to borrow Money.

VIII. And be it enacted, That it shall be lawful for the Commissioners to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Commissioners, not exceeding in the whole the Sum of Fifteen thousand Pounds in addition to and over and above the Sum of Five thousand Pounds now due thereon, and, for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Rates and Duties granted by this Act, or give Bonds in manner herein-after mentioned.

Re-borrowing.

IX. And be it enacted, That if, after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond, the Commissioners pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; but such Power of re-borrowing shall not be exercised without the Authority of a General Meeting of the Commissioners, unless the Money be so re-borrowed in order to pay off any existing Mortgage or Bond.

Mortgages and Bonds.

X. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the Commissioners shall be by Deed, under the Hands and Seals of any Three or more of the Commissioners, duly

stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Form in the Schedule (A.) or (B.) to this Act annexed, or to the like Effect.

Rights of Mortgagees.

XI. And be it enacted, That the respective Mortgagees for any Part of the Sum of Fifteen thousand Pounds authorized by this Act to be borrowed shall be entitled one with another to their respective Proportions of the Rates and Duties comprised in such Mortgage, according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another, or above the Bond Creditors of the Commissioners, by reason of Priority of the Date of any such Mortgage, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Rights of Obligees.

XII. And be it enacted, That the respective Obligees in such Bonds authorized by this Act shall proportionally, according to the Amount of the Monies secured thereby, be entitled to be paid out of the said Rates or Duties the respective Sums in such Bonds mentioned, and thereby intended to be secured, without any Preference one above another, or above the Mortgagees of the Commissioners, by reason of Priority of Date of any such Bond, or of the Meeting at which the same was authorized, or otherwise howsoever.

Register of Mortgages and Bonds.

XIII. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Commissioners; and within Fourteen Days after the Date of any such Mortgage or Bond an Entry or Memorial, specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Mortgagee or Bond Creditor, or by any Person interested in any such Mortgage or Bond, without Fee or Reward.

Transfer of Mortgages and Bonds.

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

Entry of Transfers of Mortgages and Bonds.

XV. And be it enacted, That within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, it shall be produced to the Clerk, and thereupon the Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Mortgage; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mort-

gage or Bond in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Bond so transferred, or any Money thereby secured; and for such Entry the Commissioners may demand a Sum not exceeding the Amount of Two Shillings and Sixpence.

Payment of Interest.

XVI. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be payable and paid half-yearly to the several Parties entitled thereto.

Transfers of Interest to be stamped.

XVII. And be it enacted, That the Interest on any such Mortgage or Bond shall not be transferrable except by Deed duly stamped.

Repayment of Money borrowed at a Time fixed.

XVIII. And be it enacted, That the Commissioners may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed, with the Interest thereof, and in such Case the Commissioners shall cause such Period to be inserted in the Mortgage Deed or Bond; and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

XIX. And be it enacted, That if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and the Commissioners may at all Times pay off the Money borrowed, or any Part thereof, on giving the like Notice; and such Notice, if given by a Mortgagee or Bond Creditor, shall be by Writing delivered to the Clerk, and if given by the Commissioners shall be by Writing given either personally to such Mortgagee or Bond Creditor, or left at his last or usual Place of Abode, or if such Mortgagee or Bond Creditor be unknown or cannot be found, such Notice shall be given by Advertisement in the *London Gazette* and in some Newspaper circulated in the County of *Norfolk*; and at the Expiration of the said Notice, when given by the Commissioners, Interest shall cease to be payable on the Money secured by such Mortgage or Bond, unless, on Demand of such Money, the Commissioners fail to pay the same pursuant to such Notice.

For enforcing Payment of Interest.

XX. And in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any such Mortgage or Bond, at the respective Times at which such Interest, or such Principal and Interest, and Costs, become due, be it enacted, That if such Interest or any Part thereof shall, for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may sue for the Interest so in arrear by Action of Debt in any of the Superior Courts.

XXI. And

For Recovery of Principal and Interest.

XXI. And with respect to such Principal Money, Interest, and Costs, be it enacted, That if such Principal Money and Interest be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any of the Superior Courts of Law or Equity; or if his Debt amount to Three thousand Pounds he may alone, or if his Debt does not amount to the Sum of Three thousand Pounds he may, in conjunction with other Mortgagees or Bond Creditors whose Debts, being so in arrear after Demand as aforesaid, shall, together with his, amount to the Sum of Six thousand Pounds, require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Appointment of Receiver.

XXII. And be it enacted, That every such Application for a Receiver in the Cases aforesaid shall be made to Two or more Justices of the County of *Norfolk;* and on any such Application so made, and after hearing the Parties, it shall be lawful for such Justices, by Order in Writing, to appoint some Person to receive the Whole or a competent Part of the Rates and Duties liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Rates and Duties aforesaid, be fully paid; and upon such Appointment being made all such Rates and Duties as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Receiver shall cease.

Existing Securities to have Priority.

XXIII. And be it enacted, That all Securities heretofore granted by the said Commissioners shall have Priority, both in the Payment of Principal and Interest, over all Monies to be raised under the Powers of this Act.

Releases to Witnesses.

XXIV. And be it enacted, That in all legal Proceedings under the said recited Act or this Act it shall be lawful for any Three or more of the said Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Moorings to be laid down in the Harbour.

XXV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby required from Time to Time to lay down or cause to be laid down in the said Harbour or Port of *King's Lynn* a sufficient Number of proper Moorings for effectually mooring Ships or Vessels in the said Harbour: Provided always, that the said Moorings shall be so placed as to admit at all Times of a clear Waterway of One hundred Feet on the West Side of the said Harbour through the same at Low Water, and that it shall not be lawful to moor

moor or station any Ship or Vessel within the said Distance of One hundred Feet from the said Low-water Mark on the West Side of the said Harbour: Provided further, that if at any Time it shall appear to be necessary, in consequence of any Alteration in the Course of the Channel through the said Harbour, to vary the Line of the said Waterway, then it shall be lawful for the said Harbour Commissioners to alter and vary the same, with the Consent of the Governor, Bailiffs, and Conservators of the *Bedford Level* Corporation, such Consent, or a Refusal to give the same, to be testified by any Order under their Common Seal, to be made and delivered to the said Harbour Commissioners within Thirty Days after the Time of the Delivery of the Application for such Consent to the said Governor, Bailiffs, and Conservators, or to their Registrar; and in case any Difference of Opinion shall arise between the said Governor, Bailiffs, and Conservators, and the said Harbour Commissioners, touching the Propriety of the said Alteration, then the Matter in question shall be referred to the Decision of Two Civil Engineers, one to be named by the said Governor, Bailiffs, and Conservators, and the other by the said Harbour Commissioners, and to an Umpire to be appointed by the said Engineers; and the Decision of the said Engineers or their Umpire shall be final and conclusive.

Moorings to be vested in Commissioners.

XXVI. And be it enacted, That the Property and Materials of all Moorings so laid down or caused to be laid down, and of all Materials of which the same shall consist, are hereby vested in the Commissioners for the Time being for ever; and the said Moorings shall be from Time to Time maintained and kept in good and sufficient Repair by the said Commissioners by and out of the Monies to be raised by virtue of this Act.

Commissioners may enter into Contracts, &c.

XXVII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contracts for the Performance of any of the Works by this Act authorized to be done, or for furnishing any Materials, Implements, Labour, or other necessary Matters or Things for the Performance thereof, or for any other of the Purposes of this Act: Provided always, that no such Contract shall be made for a longer Term than Three Years from the making thereof; and before any such Contracts shall be entered into Ten Days public Notice at the least shall be given, in order that Persons willing to undertake the same may make Proposals to the said Commissioners at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when the said Works are to be completed, together with the Penalties to be incurred in the Case of Nonperformance thereof; and such Contracts shall be signed by the said Commissioners, or by any Three of them, or by their Clerk, and also by the Person contracting to perform such Works respectively, and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners.

Commissioners exempt from

XXVIII. And be it enacted, That nothing in this Act, or in any Contracts or other Instrument hereby authorized to be entered into

into or made by the said Commissioners, shall extend to charge the Person of any of the Commissioners executing such Contract or other Instrument, or the Heirs, Executors, or Administrators, or the separate or private Lands, Tenements, Goods, or Chattels of such Commissioners, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in any such Contract or other Instrument contained on the Part of such Commissioners, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit at Law or in Equity, against the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Contract or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall pay or be put to or which shall be occasioned by reason of such Contract, Agreement, or other Instrument, or any Action or Suit to be brought or prosecuted thereupon, shall respectively be paid and discharged by and out of such of the Monies to be raised by virtue of this Act as the said Commissioners shall think proper and direct.

personal Liability on Contracts.

XXIX. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person who shall have entered into any Contract with the said Commissioners, and shall not have performed or shall be unable to perform the same, or with the Surety or Sureties of any such Person, for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, for such Sum of Money or other Recompence as the said Commissioners shall think proper.

Composition for Breach of Contract.

XXX. And be it enacted, That after the passing of this Act there shall be paid to the said Commissioners or their Collector, or his Deputy, by the Master of every Vessel entitled to the Privileges of a *British*-built Ship, under or by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Encouragement of* British *Shipping and Navigation*, such Vessel arriving from Sea in the said Harbour of *King's Lynn*, or passing through from Sea or going outward to Sea, whether laden with Coals, or any other Goods, Wares, or Merchandize, any Sum of Money which shall from Time to Time be appointed by an Order of the said Commissioners, not exceeding the Sum of Two-pence *per* Ton for each and every Ton of such Coals, Goods, Wares, or Merchandize; and that Double the Amount or Sum so from Time to Time payable shall from and after the passing of this Act be payable to the said Commissioners, their Collector or his Deputy, by the Master of any Vessel not entitled to the Privileges of a *British*-built Ship by virtue of the said Act of His late Majesty King *William* the Fourth; and the Rates and Duties hereby required to be paid shall be in lieu of and substitution for the Rates and Duties payable to the said Commissioners under the said recited Act.

Duties on Vessels using the Harbour.

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

XXXI. And be it enacted, That it shall and may be lawful to and for Her Majesty in and by an Order in Council, or to and for the Lords Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times, when and so often as Her Majesty or they shall deem fit so to do, in and by Her or their Order in Writing, to reduce the Rates and Duties hereby made payable on all or on such or on so many of the Ships or Vessels not entitled to the Privilege of *British*-built Ships or Vessels, and on all or on such or on so many of the Goods and Merchandizes imported or exported in Vessels not entitled to such Privileges, as She or they in their Judgment shall deem expedient, to the same and like Duties as are hereby and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandizes imported or exported in or by them.

Vessels in the Queen's Service exempted from Duties.

XXXII. And be it enacted, That nothing in this Act shall extend to any of the Vessels of War belonging to Her Majesty, Her Heirs or Successors, or any Vessel employed in the Service of Her Majesty for the Conveyance of Officers or Soldiers, or their Horses, Arms, Ammunition, or Baggage, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, or Excise, or of Her Majesty's Postmaster General, or of the Corporation of *Trinity House* of *Deptford Strond*.

Rates and Duties may be varied.

XXXIII. And be it enacted, That it shall be lawful for the said Commissioners with the Consent of such Persons as shall have advanced Money on the Credit of the Rates or Duties by this Act granted, and which shall then remain unpaid, from Time to Time to reduce all or any of the said Rates or Duties by this Act granted, and again and as often as they shall think proper, either with or without such Consent as aforesaid, to raise the same to any Sum or Sums of Money not exceeding the respective Rates or Duties by this Act granted; and such advanced or lowered Rates and Duties may be collected, recovered, and applied in the same Manner as the Rates and Duties herein mentioned are directed to be collected, recovered, and applied.

Duties to be charged equally.

XXXIV. Provided always, and be it enacted, That the Rates and Duties to be taken by virtue of this Act shall at all Times be charged equally and after the same Rate in respect of all Vessels and Persons respectively, and no Reduction, Exemption, or Advance on the said Rates and Duties shall be made partially or in favour of or against any particular Person or Company.

Masters of Vessels to produce Registers, &c. to the Collector when required.

XXXV. And be it enacted, That the Master of any Vessel liable to the Payment of any of the Rates or Duties by this Act granted shall, whenever required by the Receiver or Collector of such Rates or Duties, produce and show to such Receiver or Collector the Register of such Vessel, and other Documents relating to the Appointment of such Master or to the Ownership of such Vessel; and in case such Master shall upon such Requisition refuse or neglect to produce or show to such Receiver or Collector such Register and other Documents as aforesaid he shall forfeit any Sum not exceeding Ten Pounds for every such Refusal or Neglect.

XXXVI. And

Penalty upon Masters of Vessels giving false Statements.

XXXVI. And be it enacted, That if the Master of any Vessel which shall arrive in the said Harbour shall wilfully give a false Statement, or do any other Act whereby the Payment of the said Rates or Duties may be avoided, he shall for such Offence forfeit any Sum not exceeding Ten Pounds, over and above the Amount of the Rates or Duties payable for or in respect of such Vessel.

Officers of Customs may refuse to give a Cocket for Clearance until the Harbour Dues are paid.

XXXVII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Permission of the Commissioners of Her Majesty's Customs, to refuse to give or make any Cocket or other Discharge or Clearance for any Vessel subject to the Payment of any of the Rates or Duties by this Act granted, until such Rates or Duties shall have been paid to the Collector or other Person appointed by the said Commissioners to receive the same, and until a Receipt under the Hand of such Collector or other Person shall have been produced to the Collector or other proper Officer of Her Majesty's Customs.

Persons eluding Payment of Duties to continue chargeable with them, and subject to a Fine.

XXXVIII. And be it enacted, That if the Master of any such Vessel shall depart from the said Harbour without having first paid the Rates and Duties payable in respect of such Vessel, or shall elude the Payment thereof by any Means whatsoever, every such Master shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, over and above the Amount of the Rates or Duties which shall be payable in respect of such Vessel, to be recovered and applied in like Manner as any Penalty is to be recovered and applied under or by virtue of the said recited Act.

Commissioners may examine Persons liable to the Rates.

XXXIX. And be it enacted, That it shall be lawful for the said Commissioners, or any Two of them, by Writing under their Hands, whenever they shall see Occasion, to summon before a Board of such Commissioners, at any Time or Place within the said Borough of *King's Lynn*, any Person being the Master of any Vessel liable to the Payment of any of the Rates or Duties by this Act granted, and to examine him of and concerning such Vessel, and from whence she came; and in case any Person so summoned before the said Commissioners shall not appear at the Time and Place in such Summons mentioned, or appearing shall refuse to give such Answer and discover what he knows or believes concerning the Matters examined or inquired into, he shall forfeit to the said Commissioners for every such Offence any Sum not exceeding Ten Pounds.

Recovery of Rates by Distress of Ship and Tackle.

XL. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates or Duties shall be payable to the Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Commissioners to collect such Rates or Duties, with such Assistance as he shall think necessary, to go on board of such Vessel and demand such Rates or Duties, and on Nonpayment thereof, or any Part thereof, to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates or Duties shall be paid; and in case

case any of the said Rates or Duties shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates or Duties so unpaid, and all the Expences of taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

Collector of Rates may enter Vessel to ascertain the Rates payable.

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

Penalty on evading Payment of Rates.

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

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

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

Power to direct the placing of Vessels in the Harbour.

XLIV. And be it enacted, That it shall be lawful for the Person appointed by the Town Council of the Borough of *King's Lynn* aforesaid to act as Harbour Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

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

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

For regulating the Government of any Vessel, Boat, or Lighter within the said Limits,

XLV. And

Penalty on Harbour Master unduly exercising Powers.

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

Penalty on not complying with Directions of Harbour Master.

XLVI. And be it enacted, That the Master or Person in command of every Vessel within any Part of the Limits of the said Harbour shall regulate such Vessel, Boat, or Lighter, according to the Directions of the Harbour Master for the Time being made in conformity with this Act; and any Master or Person in command of any Vessel who, after Notice in Writing signed by the said Harbour Master of any such Directions served upon him, shall not forthwith regulate such Vessel, Boat, or Lighter according to such Direction shall be liable to a Penalty not exceeding Ten Pounds.

Power of Harbour Master to remove Vessels.

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

Penalty on Masters of Vessels obstructing Harbour Master.

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

Harbour Master may cut Ropes.

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

Harbour Master may remove Wrecks, &c.

L. And be it enacted, That it shall be lawful for the said Harbour Master for the Time being to remove any Wreck and other Obstruction to the said Harbour within the Limits aforesaid, and also any floating Timber which may impede the Navigation thereof; and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same.

Present Debt charged on Duties under this Act.

LI. And be it enacted, That the Sum of Five thousand Pounds, now due on the Security of the Rates and Duties granted by the said recited Act, shall be charged upon the Tolls, Rates, and Duties granted by this Act, as effectually as if the same had been charged thereon by an Assignment of the Rates and Duties granted by this Act, and the Principal and Interest due thereon shall be paid with such Privity and in such Manner as is directed by this Act.

Application of Monies by Commissioners.

LII. And be it enacted, That the Monies to be received by the said Commissioners under or by virtue of the said recited Act or this Act shall be vested in the said Commissioners, and shall be applied by them in the Manner following; (that is to say,) first, in paying and discharging the Costs, Charges, and Expences which shall have been incurred in or in any Manner incident to the applying for, obtaining, and passing this Act, with Interest for any Money which may have been advanced for that Purpose as the said Commissioners shall direct; secondly, in paying the annual Interest of any Money which may have been borrowed by way of Mortgage or Assignment of Tolls, Rates, and Duties under the said recited Act; thirdly, in paying the annual Interest of any Money which may have been borrowed by way of Mortgage or Assignment of the Rates and Duties granted by this Act or on Bond; fourthly, in paying all other Expences attending the carrying into execution the several Purposes of the said recited Act and this Act, or either of them; fifthly, in reducing and discharging the several Principal Sums of Money which may have been borrowed as aforesaid under the said recited Act; and lastly, in reducing and discharging the several Principal Sums of Money which may have been borrowed under or by virtue of this Act.

Treasurer not to pay Money without an Order.

LIII. And be it enacted, That all Monies whatsoever which shall be raised and collected by or be payable to the said Commissioners under the Authority of the said recited Act and this Act, or either of them, shall be paid into the Hands of their Treasurer, and no Money shall be disbursed by such Treasurer without an Order in Writing made at a Meeting of the said Commissioners, and signed by the Chairman of such Meeting.

Regulating Charges to be paid for restoring of Cables and Anchors.

LIV. And whereas, from the peculiar Approach to the Harbour of *King's Lynn*, Vessels are frequently obliged to slip from their Cables and Anchors, which are thereby temporarily abandoned, and it is expedient that the Masters of such Vessels should be enabled to recover the said Cables and Anchors, on Payment of a fixed Rate of Charge to the Person who may take and restore the same to them; be

be it therefore enacted, That, notwithstanding any Statute to the contrary, if any Person shall take up any Anchor or Cable which may have been parted with or left in or below the Roadstead of *King's Lynn* aforesaid by the Master or other Person in charge of any Ship or Vessel bound to the Port of *King's Lynn*, in order to enable the said Ship or Vessel more speedily to make the said Harbour, the Person who shall have so picked up the said Anchor or Cable shall, within Six Hours after his Arrival in the said Port, make a true Report thereof to the said Commissioners or their Clerk, describing accurately the Marks (if any) upon or attached to the said Anchor or Cable which he shall have so picked up, and the Bearings, Distances, and Situations where the same was found, and shall forthwith deposit the said Anchor or Cable in such Place as the Commissioners or their Clerk shall appoint for the Purpose, there to remain until the same shall be claimed by the Owner thereof or his Agent, who shall pay the said Person who shall have picked up and restored the same at and after the following Rate; (that is to say,)

If picked up in *Lynn Roads*,

Burden.	Anchor.	Anchor and Half Cable.	Anchor and Whole Cable.
	£ s. d.	£ s. d.	£ s. d.
Under 5 Keels -	1 5 0	1 15 0	2 5 0
From 5 to 7 -	1 15 0	2 10 0	3 0 0
7 — 9 -	2 2 0	2 17 0	3 7 6
9 — 11 -	2 10 0	3 5 0	3 15 0
11 — 14 -	3 0 0	4 10 0	5 10 0
14 — 16 -	3 10 0	5 0 0	6 0 0
16 — 18 -	4 0 0	6 0 0	7 0 0
18 — 20 -	4 10 0	7 0 0	8 0 0
20 and upwards -	5 0 0	8 0 0	9 0 0

Above Thirty Fathoms to be considered a Half Cable; if under to be paid in proportion; and above Sixty Fathoms, a Whole Cable:

If below the *Flag* or *Bell Buoy* to the *Roaring Middle Buoy*, to be paid Twenty Shillings, in addition to the above-mentioned Charges from *Lynn Roads*, and Thirty Shillings more from the *Roaring Middle Buoy* to the *Long Sand Head* or *Beacon* and *Sunk Buoy*:

If below the *Long Sand Head* or *Beacon* or *Sunk Buoy* to *Lynn Knock Buoy*, but not to the Northward of it, to be paid Forty Shillings, in addition to the above-mentioned Charges from *Lynn Roads*.

Nothing herein to repeal the Provisions of 1 & 2 G. 4. c. 75. s. 2.

LV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal the Provisions of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the

the Fourth, intituled *An Act to continue and amend certain Acts for preventing Frauds and Depredations committed on Merchants, Ship Owners, and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in* England, *under an Act made in the Twelfth Year of Queen* Anne, which require that every Deputy, Vice Admiral, or his Agent, to whom any such Report as in the said Act is mentioned shall be sent, shall forward the same, or a true Copy thereof, to the Secretary of the Corporation of *Trinity House* of *Deptford Strond* in *London*, to be dealt with as in the said Act also mentioned.

Owners not to recover until they shall have proved their Ownership and paid the Charges.

LVI. Provided always, and be it enacted, That the Owner of any such Anchor or Cable, or his Agent, shall not be entitled to take away the same until he shall have satisfied the said Commissioners of his Right thereto, and shall have paid the Charges aforesaid; and if he shall not satisfy the said Commissioners in manner aforesaid, and shall not take away the said Anchor or Cable within Seven Days after Notice in Writing shall have been affixed in some conspicuous Part of the Custom House of *King's Lynn*, describing the said Anchor or Cable, and which Notice the Commissioners are hereby required to affix or cause to be affixed within Twenty-four Hours after they shall have received the said Report, then the said Anchor or Cable shall be disposed of in such Manner as if they had been found without the Jurisdiction of this Act: Provided also, that if any Person shall in any Manner elude or otherwise disobey the Enactment above contained with reference to any Anchor or Cable found or taken up by him he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

For securing Offenders whose Names and Residences are unknown.

LVII. And be it enacted, That it shall be lawful for any Officer or Agent for the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent, who shall commit any Offence against the said recited Act or this Act, and to convey him before the Mayor of the said Borough of *King's Lynn*, or his Deputy, or any Justice of the said Borough, without any other Warrant or Authority than this Act; and the said Mayor, his Deputy, or such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

For compelling Witnesses to attend.

LVIII. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before the said Mayor of the Borough of *King's Lynn*, or his Deputy, or any Justice of the Peace, or before the said Commissioners, touching any Matter in respect of which they or any of them respectively may have Jurisdiction under or by virtue of the said recited Act and this Act, or either of them, 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 Costs and Expences by the Party requiring his Attendance, without a reasonable Excuse for his Refusal or Neglect,

lect, or appearing shall refuse, upon Oath, (or, in case of a Quaker, on Affirmation,) to give Evidence before such Mayor, or his Deputy, or such Justice, or the said Commissioners, as the Case may be, such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalties to be summarily recovered before Two or more Justices.

LIX. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by the said recited Act or this Act, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before Two or more Justices; and on the Complaint being made to any such Justice he shall issue a Summons, requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person, or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending, it shall be lawful for any Two or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties may be levied by Distress.

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

Imprisonment in default of Distress.

LXI. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justices, by the Admission of the Offender or on other Proof, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall, by Warrant, cause such Offender to be

committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application of Penalties.

LXII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of the said recited Act or this Act, the Application whereof is not otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Commissioners, and the other Half thereof to the Informer or any Person suing for the same, or, if the Commissioners be the offending Party, shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

Penalties to be sued for within Six Months.

LXIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of the said recited Act or this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Repealing Clause, Limitation of Actions.

LXIV. And whereas it was by the said recited Act enacted, that no Action or Suit should be commenced against any Person or Persons, for any Matter or Thing done in pursuance of that Act, until Twenty Days Notice should be thereof given to the Person or Persons against whom the same is to be brought; and every such Action or Suit should be commenced within Six Calendar Months next after the Cause of Action should arise, and should be laid and brought in the County of *Norfolk*, and not elsewhere; and the Defendant or Defendants in such Action or Suit should and might plead the General Issue, and give that Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Matter in question was done in pursuance and by the Authority of that Act; and if it should appear to have been so done, or if any Action or Suit should be brought after the Time therein-before limited in that Behalf, or should be brought in any other County or Place than as aforesaid, then the Jury should find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, the Defendant or Defendants should and might recover Treble Costs of Suit, upon Affidavit made, or Certificate of the Judge or Judges before whom such Cause should be tried, of all or any of the Circumstances before mentioned, as the Case might happen, and should have the like Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or

other Proceeding now pending between the said Commissioners and any Company or Person or Persons whomsoever, or shall revive any Right which, under the Provision lastly hereby repealed, may have been barred prior to the passing of this Act.

Saving the Rights of the Duchy of Cornwall.

LXV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estate, Right, Title, Interest, Privileges, or Authority of the Queen's most Excellent Majesty, Her Heirs and Successors, in right or in respect of Her Duchy of *Cornwall*, or the Duke of *Cornwall* for the Time being, or Her, their, or his Lessee or Lessees, Tenant or Tenants, of, for, or in respect of One Fourth Part of the Tolbooth and Tolls in the Village and Port of *Lynn* aforesaid, Tolls for weighing of Wool, Measurage, and Love Copp, in the Village and Port aforesaid, and in all Places and Creeks to the said Port adjoining or belonging, from *Larksherd* on the South of the Port to *Deep Alston* alias *Deep de Alston* on the North Part of the said Port, the Water of *Wigenhall*, the Office of Bailiff of the said Water, the Office of Gauger, the Profits of the Fishery of the Water aforesaid between *Larksherd* aforesaid and *Furthamshern* alias *Frothamshern*, or other the Possessions of the said Duchy of *Cornwall* in the Places aforesaid or elsewhere in the said County of *Norfolk*, or any of the Dues, Duties, Usages, or Customs, Rights, Members, and Appurtenances, to the same or any Part thereof belonging or appertaining, nor at any Time or Times be admitted in any Court of Law or Equity, or otherwise construed as Evidence upon any Occasion to be admitted against or prejudicially to affect in any Manner such Estate, Right, Title, Interest, Privileges, or Authority of Her said Majesty, Her Heirs and Successors, in right or in respect of Her Duchy of *Cornwall* or such Possessions thereof as aforesaid, or the Duke of *Cornwall* for the Time being, or Her, their, or his Lessee or Lessees, Tenant or Tenants, as aforesaid.

Saving of the Corporation Rights.

LXVI. And be it enacted, That nothing in this Act contained shall alter, lessen, or defeat any of the Rights, Powers, Franchises, Privileges, or Revenues heretofore granted, or which, by any Charter, Prescription, or Custom, have from Time to Time been had, enjoyed, or received, by the Mayor and Burgesses of *King's Lynn*, nor to affect any Landed Property adjoining to the said Harbour.

Rules for the Interpretation of this Act.

LXVII. And be it enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Land" shall be used the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the

the Word "Vessel" shall be used the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, or Craft, and any other Kind of Vessel whatsoever, and also any Raft; and where the Word "Master," in relation to any Vessel shall be used, the same shall be understood to mean any Person, whether the Owner or Master or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time.

Public Act.

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

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

Mortgage Number £

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], we, whose Names and Seals are hereunto subscribed and affixed, being of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of Pounds paid to us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates and Duties granted by the said Act as the said Sum of Pounds doth or shall bear to the whole Sum borrowed and to be borrowed, and which shall from Time to Time be owing upon the Credit of the said Rates and Duties, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied (the Principal Sum to be repaid at the End of Years from the Date hereof [*in case any Period be agreed upon for that Purpose*]. In witness whereof we have hereunto set our Hands and Seals, this Day of in the Year of our Lord

SCHEDULE (B.)

Form of Bond.

Bond Number £

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], we, whose Names and Seals are hereunto subscribed and affixed, being of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above-written Obligation is such, that if the said Commissioners shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which will

will be in the Year of our Lord One thousand eight hundred and
the Principal Sum of Pounds, together
with Interest for the same at the Rate of Pounds per
Centum per Annum, payable half-yearly on the Day of
and Day of then the above-
written Obligation is to become void, otherwise to remain in full
Force. Given under our Hands and Seals this Day
of One thousand eight hundred and .

SCHEDULE (C.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of
paid to me by *G. H.* of do hereby
transfer to the said *G. H.*, his Executors, Administrators, and
Assigns, a certain Bond [*or* Mortgage] Number made
by "The Commissioners for the Regulation of the Port of King's
"Lynn," to bearing Date the Day of
for securing the Sum of and
Interest [*or, if such Transfer be by Indorsement*, the within
Security,] and all my Right, Estate, and Interest in and to the
Money thereby secured [*and if the Transfer be of a Mortgage*,
and in and to the Rates, Duties, Money, and Property thereby
assigned]. Dated this Day of One thousand
eight hundred and .

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1841.

ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

****

Cap. xlvii.

An Act to alter and amend an Act passed in the Thirteenth Year of the Reign of King *George* the Third, for the better Regulation of Pilots and Bridgemen, and for laying down Moorings, and preventing Mischief by Fire, in the Port of *King's Lynn*. [21st *June* 1841.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of King *George* the Third, intituled *An Act for the better Regulation and Government of Pilots conducting Ships or Vessels to and out of the Port of* King's Lynn, *and of the Bridgemen conducting Gangs of Lighters or Barges to and from the same, and for laying down Moorings in the Harbour of the said Port, and for preventing Mischiefs by Fire therein;* and by the said Act certain Commissioners were appointed for the several Purposes therein mentioned, with Provision for their Continuance; and the said Commissioners were by the said Act authorized, amongst other things, to lay down not less than Eighteen sufficient Moorings called Harbour Moorings, for the safe Riding of Ships and Vessels in the said Harbour, the Property and Right whereof, and of all Materials of which the same should consist, were vested by the said Act in the said Commissioners for ever; and they were fully authorized to demand and receive from the Master or Commander of every Vessel belonging

13 G. 3. c. 30.

belonging to His Majesty's Subjects arriving at the said Port, and laden with Coals, any Sum of Money not exceeding One Penny *per* Chaldron, *Lynn* Measure, for every Chaldron of Coals on board such Vessel, and also from the Master or Commander of every Vessel belonging to His Majesty's Subjects, as well those bound inward as outward, and laden with any other Kind of Goods, Wares, and Merchandizes, any Sum of Money not exceeding One Penny *per* Ton for each Ton of Goods, Wares, and Merchandizes on board such Ship or Vessel, and also from every Master or Commander of every Foreign Vessel any Sum not exceeding Double the Duty in the respective Cases before mentioned payable by Masters of Vessels belonging to His Majesty's Subjects; and the said Commissioners were by the said Act authorized to raise a Sum of Money, not exceeding the Sum of Five thousand Pounds, upon the Credit of the said Rates or Duties: And whereas the Commissioners acting under the said recited Act caused Mooring Chains or Harbour Moorings to be laid down in pursuance thereof; and in order to defray the Expence of laying down the same and keeping them in repair, they have since the passing of the said Act (except for a short Time) collected and received the full Amount of Rates and Duties authorized by the said Act to be collected and received by them as aforesaid, and have also borrowed and taken up in manner directed by the said Act the Sum of Five thousand Pounds on the Credit of the said Rates and Duties, and the same is a Debt still due and charged upon the said Rates and Duties: And whereas the said Harbour Moorings have been recently broken and otherwise greatly damaged by a strong Flood Tide, and by means of the Ice which had accumulated in the Harbour of the said Port, whereby great Damage was occasioned to the Shipping in the said Harbour; and it is expedient that the said Moorings should be restored, and that further Moorings should be provided by the said Commissioners, and that effectual Provision should be made against the Recurrence of like Accidents, and that for the Purposes aforesaid the said Commissioners should be authorized to raise a further Sum of Money in manner herein-after provided: And whereas it is expedient that several of the Powers, Provisions, and Enactments of the said recited Act should be altered, amended, and enlarged; but the several Purposes aforesaid cannot be carried into execution without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers of the Commissioners appointed pursuant to the said recited Act, and all other Powers, Provisions, Matters, and Things contained in the said recited Act, (except such of them, or such Part thereof respectively, as are by this Act repealed, altered, or otherwise provided for,) shall extend to this Act, and to the several Works and Things hereby authorized and required to be made and done, and shall be in force in respect of the said Commissioners acting under the said recited Act and this Act, and in respect of the Objects and Purposes of this Act, and of the said recited Act as altered by this Act, as effectually as if the same Powers, Provisions, Matters, and Things were re-enacted in this Act.

Powers of recited Act to extend to this Act, except as hereby altered.

II. And

Meetings of Commissioners to be held on Three Days Notice.

II. And whereas by the said recited Act it is amongst other things enacted, that Meetings of the said Commissioners shall be held, and it is directed that the same shall be upon public Notice to be given in manner therein mentioned Seven Days exclusive before such Meeting; and it is expedient that the Time of such Notice should be reduced; be it therefore enacted, That, notwithstanding any thing in the said recited Act contained to the contrary, a Notice of any intended Meeting of the said Commissioners, given in manner described by the said Act (except as to the Time of such Notice), may be given Three clear Days at the least before the said intended Meeting shall take place; and such Notice, and the Meeting held pursuant thereto, shall be as valid, to all Intents and Purposes whatsoever, as if the said Notice had been given Seven Days exclusive before such Meeting.

Mayor may appoint a Deputy to attend the Meetings, and if both of them neglect to attend a Meeting a Chairman may be chosen by the Commissioners present.

III. And whereas by the said recited Act it is enacted, that the Mayor of *King's Lynn*, or his Deputy, for the Time being, shall be one of the Commissioners present at the Meetings of Commissioners, subject to certain Provisions in the said Act contained in case the said Mayor or his Deputy for the Time being shall decline or refuse to attend a Meeting; and it is expedient that such Provisions should be extended to the Case of the said Mayor or his Deputy neglecting to attend such Meeting; be it therefore enacted, That it shall be lawful for the Mayor of the said Borough for the Time being to appoint from Time to Time, by any Writing under his Hand, any Commissioner to be his Deputy to act in his Behalf in attending Meetings of the Commissioners under the said recited Act or this Act, and such Appointment shall be entered in the Minute Book of the said Commissioners; and the Person so appointed shall continue to be such Deputy during the Mayoralty of the Mayor by whom he shall have been appointed, until some other Person shall be appointed in Writing by the said Mayor, and Notice thereof be given to the Clerk of the said Commissioners, and so often as any new Appointment of such Deputy shall be made; and in case the said Mayor, or his Deputy so appointed as aforesaid, shall neglect to attend any Meeting of the said Commissioners, the said Meeting shall proceed to elect their Chairman by a Majority of Votes, and such Chairman shall have all the Powers which, under the said recited Act or this Act, would be vested in the said Mayor or his Deputy for the Time being if present at such Meeting; and the Acts and Proceedings of every such Meeting of Commissioners shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the said Mayor or his Deputy were present thereat, any thing in the said recited Act contained to the contrary in anywise notwithstanding.

Powers of Commissioners to be exercised by the Majority present at every Meeting.

IV. And be it enacted, That all Powers vested by the said recited Act or this Act in the said Commissioners may be exercised by the Majority of the Commissioners present at any Meeting of Commissioners held pursuant to the Provisions of the said recited Act and this Act respectively, and if the Commissioners present shall be equally divided then the Chairman shall have a casting Vote.

V. And

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

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

Execution against Goods of Commissioners.

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

Indemnity to Commissioners and Clerk,

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

Power to borrow Money.

VIII. And be it enacted, That it shall be lawful for the Commissioners to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Commissioners, not exceeding in the whole the Sum of Fifteen thousand Pounds in addition to and over and above the Sum of Five thousand Pounds now due thereon, and, for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Rates and Duties granted by this Act, or give Bonds in manner herein-after mentioned.

Re-borrowing.

IX. And be it enacted, That if, after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond, the Commissioners pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; but such Power of re-borrowing shall not be exercised without the Authority of a General Meeting of the Commissioners, unless the Money be so re-borrowed in order to pay off any existing Mortgage or Bond.

Mortgages and Bonds.

X. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the Commissioners shall be by Deed, under the Hands and Seals of any Three or more of the Commissioners, duly

stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Form in the Schedule (A.) or (B.) to this Act annexed, or to the like Effect.

Rights of Mortgagees.

XI. And be it enacted, That the respective Mortgagees for any Part of the Sum of Fifteen thousand Pounds authorized by this Act to be borrowed shall be entitled one with another to their respective Proportions of the Rates and Duties comprised in such Mortgage, according to the respective Sums in such Mortgages mentioned to be advanced by such Mortgagees respectively, and to be repaid the Sums so advanced, with Interest, without any Preference one above another, or above the Bond Creditors of the Commissioners, by reason of Priority of the Date of any such Mortgage, or of the Meeting at which the same was authorized, or on any other Account whatsoever.

Rights of Obligees.

XII. And be it enacted, That the respective Obligees in such Bonds authorized by this Act shall proportionally, according to the Amount of the Monies secured thereby, be entitled to be paid out of the said Rates or Duties the respective Sums in such Bonds mentioned, and thereby intended to be secured, without any Preference one above another, or above the Mortgagees of the Commissioners, by reason of Priority of Date of any such Bond, or of the Meeting at which the same was authorized, or otherwise howsoever.

Register of Mortgages and Bonds.

XIII. And be it enacted, That a Register of Mortgages and Bonds shall be kept by the Commissioners; and within Fourteen Days after the Date of any such Mortgage or Bond an Entry or Memorial, specifying the Number and Date of such Mortgage or Bond, and the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Mortgagee or Bond Creditor, or by any Person interested in any such Mortgage or Bond, without Fee or Reward.

Transfer of Mortgages and Bonds.

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

Entry of Transfers of Mortgages and Bonds.

XV. And be it enacted, That within Thirty Days after the Date of every such Transfer, if executed within the United Kingdom, or otherwise within Thirty Days after the Arrival thereof in the United Kingdom, it shall be produced to the Clerk, and thereupon the Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Mortgage; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mort-

gage or Bond in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Bond so transferred, or any Money thereby secured; and for such Entry the Commissioners may demand a Sum not exceeding the Amount of Two Shillings and Sixpence.

Payment of Interest.

XVI. And be it enacted, That the Interest of the Money borrowed upon any such Mortgage or Bond shall be payable and paid half-yearly to the several Parties entitled thereto.

Transfers of Interest to be stamped.

XVII. And be it enacted, That the Interest on any such Mortgage or Bond shall not be transferrable except by Deed duly stamped.

Repayment of Money borrowed at a Time fixed.

XVIII. And be it enacted, That the Commissioners may, if they think proper, fix a Period for the Repayment of the Principal Money so borrowed, with the Interest thereof, and in such Case the Commissioners shall cause such Period to be inserted in the Mortgage Deed or Bond; and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

XIX. And be it enacted, That if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and the Commissioners may at all Times pay off the Money borrowed, or any Part thereof, on giving the like Notice; and such Notice, if given by a Mortgagee or Bond Creditor, shall be by Writing delivered to the Clerk, and if given by the Commissioners shall be by Writing given either personally to such Mortgagee or Bond Creditor, or left at his last or usual Place of Abode, or if such Mortgagee or Bond Creditor be unknown or cannot be found, such Notice shall be given by Advertisement in the *London Gazette* and in some Newspaper circulated in the County of *Norfolk*; and at the Expiration of the said Notice, when given by the Commissioners, Interest shall cease to be payable on the Money secured by such Mortgage or Bond, unless, on Demand of such Money, the Commissioners fail to pay the same pursuant to such Notice.

For enforcing Payment of Interest.

XX. And in order to provide for the Recovery of the Arrears of Interest and Costs, or of the Principal and Interest and Costs, of any such Mortgage or Bond, at the respective Times at which such Interest, or such Principal and Interest, and Costs, become due, be it enacted, That if such Interest or any Part thereof shall, for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee or Bond Creditor may sue for the Interest so in arrear by Action of Debt in any of the Superior Courts.

For Recovery of Principal and Interest.

XXI. And with respect to such Principal Money, Interest, and Costs, be it enacted, That if such Principal Money and Interest be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee or Bond Creditor may sue for the same in any of the Superior Courts of Law or Equity; or if his Debt amount to Three thousand Pounds he may alone, or if his Debt does not amount to the Sum of Three thousand Pounds he may, in conjunction with other Mortgagees or Bond Creditors whose Debts, being so in arrear after Demand as aforesaid, shall, together with his, amount to the Sum of Six thousand Pounds, require the Appointment of a Receiver, by an Application to be made as herein-after provided.

Appointment of Receiver.

XXII. And be it enacted, That every such Application for a Receiver in the Cases aforesaid shall be made to Two or more Justices of the County of *Norfolk;* and on any such Application so made, and after hearing the Parties, it shall be lawful for such Justices, by Order in Writing, to appoint some Person to receive the Whole or a competent Part of the Rates and Duties liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Rates and Duties aforesaid, be fully paid; and upon such Appointment being made all such Rates and Duties as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Receiver shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Receiver shall cease.

Existing Securities to have Priority.

XXIII. And be it enacted, That all Securities heretofore granted by the said Commissioners shall have Priority, both in the Payment of Principal and Interest, over all Monies to be raised under the Powers of this Act.

Releases to Witnesses.

XXIV. And be it enacted, That in all legal Proceedings under the said recited Act or this Act it shall be lawful for any Three or more of the said Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

Moorings to be laid down in the Harbour.

XXV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby required from Time to Time to lay down or cause to be laid down in the said Harbour or Port of *King's Lynn* a sufficient Number of proper Moorings for effectually mooring Ships or Vessels in the said Harbour: Provided always, that the said Moorings shall be so placed as to admit at all Times of a clear Waterway of One hundred Feet on the West Side of the said Harbour through the same at Low Water, and that it shall not be lawful to

moor

moor or station any Ship or Vessel within the said Distance of One hundred Feet from the said Low-water Mark on the West Side of the said Harbour: Provided further, that if at any Time it shall appear to be necessary, in consequence of any Alteration in the Course of the Channel through the said Harbour, to vary the Line of the said Waterway, then it shall be lawful for the said Harbour Commissioners to alter and vary the same, with the Consent of the Governor, Bailiffs, and Conservators of the *Bedford Level* Corporation, such Consent, or a Refusal to give the same, to be testified by any Order under their Common Seal, to be made and delivered to the said Harbour Commissioners within Thirty Days after the Time of the Delivery of the Application for such Consent to the said Governor, Bailiffs, and Conservators, or to their Registrar; and in case any Difference of Opinion shall arise between the said Governor, Bailiffs, and Conservators, and the said Harbour Commissioners, touching the Propriety of the said Alteration, then the Matter in question shall be referred to the Decision of Two Civil Engineers, one to be named by the said Governor, Bailiffs, and Conservators, and the other by the said Harbour Commissioners, and to an Umpire to be appointed by the said Engineers; and the Decision of the said Engineers or their Umpire shall be final and conclusive.

Moorings to be vested in Commissioners.

XXVI. And be it enacted, That the Property and Materials of all Moorings so laid down or caused to be laid down, and of all Materials of which the same shall consist, are hereby vested in the Commissioners for the Time being for ever; and the said Moorings shall be from Time to Time maintained and kept in good and sufficient Repair by the said Commissioners by and out of the Monies to be raised by virtue of this Act.

Commissioners may enter into Contracts, &c.

XXVII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contracts for the Performance of any of the Works by this Act authorized to be done, or for furnishing any Materials, Implements, Labour, or other necessary Matters or Things for the Performance thereof, or for any other of the Purposes of this Act: Provided always, that no such Contract shall be made for a longer Term than Three Years from the making thereof; and before any such Contracts shall be entered into Ten Days public Notice at the least shall be given, in order that Persons willing to undertake the same may make Proposals to the said Commissioners at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when the said Works are to be completed, together with the Penalties to be incurred in the Case of Nonperformance thereof; and such Contracts shall be signed by the said Commissioners, or by any Three of them, or by their Clerk, and also by the Person contracting to perform such Works respectively, and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners.

Commissioners exempt from

XXVIII. And be it enacted, That nothing in this Act, or in any Contracts or other Instrument hereby authorized to be entered into

into or made by the said Commissioners, shall extend to charge the Person of any of the Commissioners executing such Contract or other Instrument, or the Heirs, Executors, or Administrators, or the separate or private Lands, Tenements, Goods, or Chattels of such Commissioners, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in any such Contract or other Instrument contained on the Part of such Commissioners, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit at Law or in Equity, against the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Contract or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall pay or be put to or which shall be occasioned by reason of such Contract, Agreement, or other Instrument, or any Action or Suit to be brought or prosecuted thereupon, shall respectively be paid and discharged by and out of such of the Monies to be raised by virtue of this Act as the said Commissioners shall think proper and direct.

Personal Liability on Contracts.

XXIX. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person who shall have entered into any Contract with the said Commissioners, and shall not have performed or shall be unable to perform the same, or with the Surety or Sureties of any such Person, for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, for such Sum of Money or other Recompence as the said Commissioners shall think proper.

Composition for Breach of Contract.

XXX. And be it enacted, That after the passing of this Act there shall be paid to the said Commissioners or their Collector, or his Deputy, by the Master of every Vessel entitled to the Privileges of a *British*-built Ship, under or by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Encouragement of* British *Shipping and Navigation*, such Vessel arriving from Sea in the said Harbour of *King's Lynn*, or passing through from Sea or going outward to Sea, whether laden with Coals, or any other Goods, Wares, or Merchandize, any Sum of Money which shall from Time to Time be appointed by an Order of the said Commissioners, not exceeding the Sum of Two-pence *per* Ton for each and every Ton of such Coals, Goods, Wares, or Merchandize; and that Double the Amount or Sum so from Time to Time payable shall from and after the passing of this Act be payable to the said Commissioners, their Collector or his Deputy, by the Master of any Vessel not entitled to the Privileges of a *British*-built Ship by virtue of the said Act of His late Majesty King *William* the Fourth; and the Rates and Duties hereby required to be paid shall be in lieu of and substitution for the Rates and Duties payable to the said Commissioners under the said recited Act,

Duties on Vessels using the Harbour.

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case any of the said Rates or Duties shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates or Duties so unpaid, and all the Expences of taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

Collector of Rates may enter Vessel to ascertain the Rates payable.

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

Penalty on evading Payment of Rates.

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

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

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

Power to direct the placing of Vessels in the Harbour.

XLIV. And be it enacted, That it shall be lawful for the Person appointed by the Town Council of the Borough of *King's Lynn* aforesaid to act as Harbour Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

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

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

For regulating the Government of any Vessel, Boat, or Lighter within the said Limits,

XLV. And

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

Penalty on HarbourMaster unduly exercising Powers.

XLVI. And be it enacted, That the Master or Person in command of every Vessel within any Part of the Limits of the said Harbour shall regulate such Vessel, Boat, or Lighter, according to the Directions of the Harbour Master for the Time being made in conformity with this Act; and any Master or Person in command of any Vessel who, after Notice in Writing signed by the said Harbour Master of any such Directions served upon him, shall not forthwith regulate such Vessel, Boat, or Lighter according to such Direction shall be liable to a Penalty not exceeding Ten Pounds.

Penalty on not complying with Directions of Harbour Master.

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

Power of Harbour Master to remove Vessels.

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

Penalty on Masters of Vessels obstructing Harbour Master.

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

Harbour Master may cut Ropes.

Harbour Master may remove Wrecks, &c.

L. And be it enacted, That it shall be lawful for the said Harbour Master for the Time being to remove any Wreck and other Obstruction to the said Harbour within the Limits aforesaid, and also any floating Timber which may impede the Navigation thereof; and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same.

Present Debt charged on Duties under this Act.

LI. And be it enacted, That the Sum of Five thousand Pounds, now due on the Security of the Rates and Duties granted by the said recited Act, shall be charged upon the Tolls, Rates, and Duties granted by this Act, as effectually as if the same had been charged thereon by an Assignment of the Rates and Duties granted by this Act, and the Principal and Interest due thereon shall be paid with such Privity and in such Manner as is directed by this Act.

Application of Monies by Commissioners.

LII. And be it enacted, That the Monies to be received by the said Commissioners under or by virtue of the said recited Act or this Act shall be vested in the said Commissioners, and shall be applied by them in the Manner following; (that is to say,) first, in paying and discharging the Costs, Charges, and Expences which shall have been incurred in or in any Manner incident to the applying for, obtaining, and passing this Act, with Interest for any Money which may have been advanced for that Purpose as the said Commissioners shall direct; secondly, in paying the annual Interest of any Money which may have been borrowed by way of Mortgage or Assignment of Tolls, Rates, and Duties under the said recited Act; thirdly, in paying the annual Interest of any Money which may have been borrowed by way of Mortgage or Assignment of the Rates and Duties granted by this Act or on Bond; fourthly, in paying all other Expences attending the carrying into execution the several Purposes of the said recited Act and this Act, or either of them; fifthly, in reducing and discharging the several Principal Sums of Money which may have been borrowed as aforesaid under the said recited Act; and lastly, in reducing and discharging the several Principal Sums of Money which may have been borrowed under or by virtue of this Act.

Treasurer not to pay Money without an Order.

LIII. And be it enacted, That all Monies whatsoever which shall be raised and collected by or be payable to the said Commissioners under the Authority of the said recited Act and this Act, or either of them, shall be paid into the Hands of their Treasurer, and no Money shall be disbursed by such Treasurer without an Order in Writing made at a Meeting of the said Commissioners, and signed by the Chairman of such Meeting.

Regulating Charges to be paid for restoring of Cables and Anchors.

LIV. And whereas, from the peculiar Approach to the Harbour of *King's Lynn*, Vessels are frequently obliged to slip from their Cables and Anchors, which are thereby temporarily abandoned, and it is expedient that the Masters of such Vessels should be enabled to recover the said Cables and Anchors, on Payment of a fixed Rate of Charge to the Person who may take and restore the same to them; be

be it therefore enacted, That, notwithstanding any Statute to the contrary, if any Person shall take up any Anchor or Cable which may have been parted with or left in or below the Roadstead of *King's Lynn* aforesaid by the Master or other Person in charge of any Ship or Vessel bound to the Port of *King's Lynn*, in order to enable the said Ship or Vessel more speedily to make the said Harbour, the Person who shall have so picked up the said Anchor or Cable shall, within Six Hours after his Arrival in the said Port, make a true Report thereof to the said Commissioners or their Clerk, describing accurately the Marks (if any) upon or attached to the said Anchor or Cable which he shall have so picked up, and the Bearings, Distances, and Situations where the same was found, and shall forthwith deposit the said Anchor or Cable in such Place as the Commissioners or their Clerk shall appoint for the Purpose, there to remain until the same shall be claimed by the Owner thereof or his Agent, who shall pay the said Person who shall have picked up and restored the same at and after the following Rate; (that is to say,)

If picked up in *Lynn Roads*,

Burden.	Anchor.	Anchor and Half Cable.	Anchor and Whole Cable.
	£ s. d.	£ s. d.	£ s. d.
Under 5 Keels -	1 5 0	1 15 0	2 5 0
From 5 to 7 -	1 15 0	2 10 0	3 0 0
7 — 9 -	2 2 0	2 17 0	3 7 6
9 — 11 -	2 10 0	3 5 0	3 15 0
11 — 14 -	3 0 0	4 10 0	5 10 0
14 — 16 -	3 10 0	5 0 0	6 0 0
16 — 18 -	4 0 0	6 0 0	7 0 0
18 — 20 -	4 10 0	7 0 0	8 0 0
20 and upwards -	5 0 0	8 0 0	9 0 0

Above Thirty Fathoms to be considered a Half Cable; if under to be paid in proportion; and above Sixty Fathoms, a Whole Cable:

If below the *Flag* or *Bell Buoy* to the *Roaring Middle Buoy*, to be paid Twenty Shillings, in addition to the above-mentioned Charges from *Lynn Roads*, and Thirty Shillings more from the *Roaring Middle Buoy* to the *Long Sand Head* or *Beacon* and *Sunk Buoy*:

If below the *Long Sand Head* or *Beacon* or *Sunk Buoy* to *Lynn Knock Buoy*, but not to the Northward of it, to be paid Forty Shillings, in addition to the above-mentioned Charges from *Lynn Roads*.

LV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal the Provisions of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the

Nothing herein to repeal the Provisions of 1 & 2 G. 4. c. 75. s. 2.

the Fourth, intituled *An Act to continue and amend certain Acts for preventing Frauds and Depredations committed on Merchants, Ship Owners, and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in* England, *under an Act made in the Twelfth Year of Queen* Anne, which require that every Deputy, Vice Admiral, or his Agent, to whom any such Report as in the said Act is mentioned shall be sent, shall forward the same, or a true Copy thereof, to the Secretary of the Corporation of *Trinity House* of *Deptford Strond* in *London*, to be dealt with as in the said Act also mentioned.

Owners not to recover until they shall have proved their Ownership and paid the Charges.

LVI. Provided always, and be it enacted, That the Owner of any such Anchor or Cable, or his Agent, shall not be entitled to take away the same until he shall have satisfied the said Commissioners of his Right thereto, and shall have paid the Charges aforesaid; and if he shall not satisfy the said Commissioners in manner aforesaid, and shall not take away the said Anchor or Cable within Seven Days after Notice in Writing shall have been affixed in some conspicuous Part of the Custom House of *King's Lynn*, describing the said Anchor or Cable, and which Notice the Commissioners are hereby required to affix or cause to be affixed within Twenty-four Hours after they shall have received the said Report, then the said Anchor or Cable shall be disposed of in such Manner as if they had been found without the Jurisdiction of this Act: Provided also, that if any Person shall in any Manner elude or otherwise disobey the Enactment above contained with reference to any Anchor or Cable found or taken up by him he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

For securing Offenders whose Names and Residences are unknown.

LVII. And be it enacted, That it shall be lawful for any Officer or Agent for the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Officer or Agent, who shall commit any Offence against the said recited Act or this Act, and to convey him before the Mayor of the said Borough of *King's Lynn*, or his Deputy, or any Justice of the said Borough, without any other Warrant or Authority than this Act; and the said Mayor, his Deputy, or such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

For compelling Witnesses to attend.

LVIII. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before the said Mayor of the Borough of *King's Lynn*, or his Deputy, or any Justice of the Peace, or before the said Commissioners, touching any Matter in respect of which they or any of them respectively may have Jurisdiction under or by virtue of the said recited Act and this Act, or either of them, 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 Costs and Expences by the Party requiring his Attendance, without a reasonable Excuse for his Refusal or Neglect,

lect, or appearing shall refuse, upon Oath, (or, in case of a Quaker, on Affirmation,) to give Evidence before such Mayor, or his Deputy, or such Justice, or the said Commissioners, as the Case may be, such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalties to be summarily recovered before Two or more Justices.

LIX. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by the said recited Act or this Act, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before Two or more Justices; and on the Complaint being made to any such Justice he shall issue a Summons, requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person, or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending, it shall be lawful for any Two or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties may be levied by Distress.

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

Imprisonment in default of Distress.

LXI. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justices, by the Admission of the Offender or on other Proof, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall, by Warrant, cause such Offender to be

committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application of Penalties.

LXII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of the said recited Act or this Act, the Application whereof is not otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Commissioners, and the other Half thereof to the Informer or any Person suing for the same, or, if the Commissioners be the offending Party, shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

Penalties to be sued for within Six Months.

LXIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of the said recited Act or this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Repealing Clause, Limitation of Actions.

LXIV. And whereas it was by the said recited Act enacted, that no Action or Suit should be commenced against any Person or Persons, for any Matter or Thing done in pursuance of that Act, until Twenty Days Notice should be thereof given to the Person or Persons against whom the same is to be brought; and every such Action or Suit should be commenced within Six Calendar Months next after the Cause of Action should arise, and should be laid and brought in the County of *Norfolk*, and not elsewhere; and the Defendant or Defendants in such Action or Suit should and might plead the General Issue, and give that Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Matter in question was done in pursuance and by the Authority of that Act; and if it should appear to have been so done, or if any Action or Suit should be brought after the Time therein-before limited in that Behalf, or should be brought in any other County or Place than as aforesaid, then the Jury should find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, the Defendant or Defendants should and might recover Treble Costs of Suit, upon Affidavit made, or Certificate of the Judge or Judges before whom such Cause should be tried, of all or any of the Circumstances before mentioned, as the Case might happen, and should have the like Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or

other Proceeding now pending between the said Commissioners and any Company or Person or Persons whomsoever, or shall revive any Right which, under the Provision lastly hereby repealed, may have been barred prior to the passing of this Act.

Saving the Rights of the Duchy of Cornwall.

LXV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estate, Right, Title, Interest, Privileges, or Authority of the Queen's most Excellent Majesty, Her Heirs and Successors, in right or in respect of Her Duchy of *Cornwall*, or the Duke of *Cornwall* for the Time being, or Her, their, or his Lessee or Lessees, Tenant or Tenants, of, for, or in respect of One Fourth Part of the Tolbooth and Tolls in the Village and Port of *Lynn* aforesaid, Tolls for weighing of Wool, Measurage, and Love Copp, in the Village and Port aforesaid, and in all Places and Creeks to the said Port adjoining or belonging, from *Larksherd* on the South of the Port to *Deep Alston* alias *Deep de Alston* on the North Part of the said Port, the Water of *Wigenhall*, the Office of Bailiff of the said Water, the Office of Gauger, the Profits of the Fishery of the Water aforesaid between *Larksherd* aforesaid and *Furthamshern* alias *Frothamshern*, or other the Possessions of the said Duchy of *Cornwall* in the Places aforesaid or elsewhere in the said County of *Norfolk*, or any of the Dues, Duties, Usages, or Customs, Rights, Members, and Appurtenances, to the same or any Part thereof belonging or appertaining, nor at any Time or Times be admitted in any Court of Law or Equity, or otherwise construed as Evidence upon any Occasion to be admitted against or prejudicially to affect in any Manner such Estate, Right, Title, Interest, Privileges, or Authority of Her said Majesty, Her Heirs and Successors, in right or in respect of Her Duchy of *Cornwall* or such Possessions thereof as aforesaid, or the Duke of *Cornwall* for the Time being, or Her, their, or his Lessee or Lessees, Tenant or Tenants, as aforesaid.

Saving of the Corporation Rights.

LXVI. And be it enacted, That nothing in this Act contained shall alter, lessen, or defeat any of the Rights, Powers, Franchises, Privileges, or Revenues heretofore granted, or which, by any Charter, Prescription, or Custom, have from Time to Time been had, enjoyed, or received, by the Mayor and Burgesses of *King's Lynn*, nor to affect any Landed Property adjoining to the said Harbour.

Rules for the Interpretation of this Act.

LXVII. And be it enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Land" shall be used the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the

the Word "Vessel" shall be used the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, or Craft, and any other Kind of Vessel whatsoever, and also any Raft; and where the Word "Master," in relation to any Vessel shall be used, the same shall be understood to mean any Person, whether the Owner or Master or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time.

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

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SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage Deed.

Mortgage Number £

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], we, whose Names and Seals are hereunto subscribed and affixed, being of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of Pounds paid to us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates and Duties granted by the said Act as the said Sum of Pounds doth or shall bear to the whole Sum borrowed and to be borrowed, and which shall from Time to Time be owing upon the Credit of the said Rates and Duties, to hold unto the said *A. B.*, his Executors, Administrators, and Assigns, until the said Sum of Pounds, together with Interest for the same at the Rate of for every One hundred Pounds by the Year, be satisfied (the Principal Sum to be repaid at the End of Years from the Date hereof [*in case any Period be agreed upon for that Purpose*]. In witness whereof we have hereunto set our Hands and Seals, this Day of in the Year of our Lord .

SCHEDULE (B.)

Form of Bond.

Bond Number £

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], we, whose Names and Seals are hereunto subscribed and affixed, being of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above-written Obligation is such, that if the said Commissioners shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which

will be in the Year of our Lord One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of then the above-written Obligation is to become void, otherwise to remain in full Force. Given under our Hands and Seals this Day of One thousand eight hundred and

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SCHEDULE (C.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of paid to me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain Bond [*or* Mortgage] Number made by "The Commissioners for the Regulation of the Port of King's "Lynn," to bearing Date the Day of for securing the Sum of and Interest [*or, if such Transfer be by Indorsement*, the within Security,] and all my Right, Estate, and Interest in and to the Money thereby secured [*and if the Transfer be of a Mortgage*, and in and to the Rates, Duties, Money, and Property thereby assigned]. Dated this Day of One thousand eight hundred and ,

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1841.