ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. XXX.

An Act for enlarging, improving, and maintaining the Harbour of *Kirkcaldy* in the County of *Fife*, for regulating the Petty Customs of the Burgh of *Kirkcaldy*, and for other Purposes relating to the said Harbour and Burgh. [26th *June* 1849.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the Improvement, Maintenance, and Regulation* 10 G.4.c.99. *of the Harbour of* Kirkcaldy *in the County of* Fife: And whereas the said Act is about to expire, and it is expedient that further Provision should be made for the Management, Improvement, and Regulation of the said Harbour, and of the Ferry, if any, between *Kirkcaldy* and *Leith* and *Newhaven* on the opposite Side of the *Firth of Forth*, and for making and maintaining new and additional Piers, Quays, Docks, Tidal Basins, and other Works and Accommodations at the said Harbour: And whereas it is expedient that the Rates and Duties or Petty Customs levied by the Magistrates and Town Council of the Burgh of *Kirkcaldy* under the Provisions of the said recited Act should be continued and equalized, or that in lieu thereof new Rates and Duties should be levied; but as these Purposes cannot be effected without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed, and this Act shall commence and take effect: Provided always, that notwithstanding the Repeal of the said recited Act it shall be lawful for the Commissioners appointed in virtue thereof, and their Officers and Servants, who shall be in Office and acting at the Time of the passing of this Act, and they are hereby authorized and required to put this Act into execution in so far as relates to the Harbour until the First General Meeting of the Commissioners appointed by this Act shall be held as herein-after provided.

Recited Act repealed, and this Act to take effect.

8 & 9 Vict. c. 19. and 10 & 11 Vict. cc. 16. & 27. incorporated with this Act.

II. And be it enacted, That in so far as not inconsistent with or not otherwise provided or not altered and varied by this Act "The Lands Clauses Consolidation (*Scotland*) Act, 1845," "The Commissioners Clauses Act, 1847," and "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that nothing in this Act or in the said Harbours, Docks, and Piers Clauses Act contained shall extend or be construed to extend to compel the Commissioners to erect and keep any Watch-house, Boat-house, Hut, or Weighing Materials for the Use of the Officers of Revenue, or provide or keep a Life Boat, Mortar, or Rockets, or a Tide or Weather Gauge and Barometer, until they shall be required so to do by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in Writing under the Hand of the Secretary of the Admiralty, and upon such Requisition being made the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall as regards this Act be in full Force.

Short Title.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The *Kirkcaldy* Harbour and Petty Customs Act, 1849."

Appointment of Commissioners.

IV. And be it enacted, That the Provost and the Two Bailies of the Burgh of *Kirkcaldy* for the Time being, and Six other Inhabitants resident within the Burgh, qualified and to be elected as herein-after provided, and Two Commissioners of Supply for the County of *Fife* nominated as herein-after provided, shall be and they are hereby appointed Commissioners for executing and carrying into effect the Purposes of this Act in so far as the same relate to the Harbour; and the Commissioners and their Successors in Office are hereby united and incorporated as a Body Politic and Corporate by the Name and Style of "The Commissioners of *Kirkcaldy* Harbour," and shall by that Name have perpetual Succession and a Common Seal, with Power to change, break, and make new the same, and by that Name may sue and be sued, and acquire, hold, and dispose of Lands and Property, heritable and moveable, real and personal; and the Provost of the Burgh for the Time being shall *ex officio* be Chairman of the Commissioners.

Incorporation of Commissioners.

V. And

Election of Commissioners.

V. And be it enacted, That on the First *Tuesday* of *September* after the passing of this Act the Persons qualified for the Time being to vote in the Election of Councillors for the Burgh, under the Provisions of an Act passed in the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland, and who are duly entered in the Roll of Voters of the Burgh by the said Act appointed to be kept, shall meet in the Town House or Council Chamber of the Burgh at Twelve o'Clock Noon, of which Meeting, and the Time and Place for holding the same, Intimation shall be given by Advertisement signed by the Provost or acting Chief Magistrate of the Burgh, and printed and circulated in the Burgh at least Eight Days previous to the Day appointed for holding such Meeting, and then and there shall proceed to elect, by the Majority of the Votes of the Electors present at such Meeting, Six Persons, qualified as aforesaid, to be Commissioners for executing the Purposes of this Act relating to the Harbour.

3 & 4 W. 4. c. 76.

Notice to be given to Persons elected.

VI. And be it enacted, That the Provost or acting Chief Magistrate shall, within Twenty-four Hours after any Meeting for the Election of Commissioners, give or cause to be given Notice in Writing of such Election to the several Persons elected, and call upon them severally to declare within Four Days after such Notice whether they accept or decline to accept the Office of Commissioner; and if any Person so elected shall not intimate his Acceptance of the said Office within Four Days after the Date of such Notice he shall be held as having declined to accept, and the Provost or acting Chief Magistrate shall immediately appoint a new Election of a Commissioner in place of the Person so declining at the Distance of not more than Four nor less than Two Days, and shall give Notice of the Day so appointed by Advertisement signed by him and printed and circulated as aforesaid; and such Elections shall be proceeded with in all respects in the same Manner in which the first Election of Commissioners is hereby directed to proceed until the Number of Commissioners herein appointed to be elected shall be completed.

Elected Commissioners to go out of Office in rotation.

VII. And be it enacted, That on the First *Tuesday* of *December* in the Year One thousand eight hundred and fifty, and on the First *Tuesday* of *December* in every succeeding Year, One Third of the Commissioners so elected shall go out of Office by Rotation; and the One Third who shall go out of Office in the Year One thousand eight hundred and fifty shall consist of the Two Commissioners whose Names stand lowest on the Rotation List made out in the Manner prescribed by the said Commissioners Clauses Act; and in the succeeding Year One thousand eight hundred and fifty-one the One Third of the Commissioners who shall go out by Rotation shall consist of the Two Commissioners whose Names stand next lowest on the said Rotation List (the Majority of the Commissioners always determining, in case of Dispute, who shall be the Commissioners to go out of Office); and thereafter the One Third of the Commissioners annually going out of Office by Rotation shall consist of the Two Commissioners who have been longest in Office: Provided always, that it shall be no Objection to any Person being elected or acting as a Commissioner under this Act that he shall be a Member of the Town

Town Council of the Burgh at the Period of his Election, or shall become a Member of the said Town Council while in Office as a Commissioner: Provided also, that if any elected Commissioner who may be or become a Member of the said Town Council shall be chosen Provost or one of the Bailies of the Burgh, and so become *ex officio* a Commissioner under this Act, he shall thereupon go out of Office as an elected Commissioner, and the Commissioners shall supply the Vacancy so created by electing in his Room another Commissioner, qualified as aforesaid, within the Time, in the Manner, and to the Effect provided by the said Commissioners Clauses Act as to supplying occasional Vacancies.

Election of Commissioners in succeeding Years.

VIII. And be it enacted, That on the First *Tuesday* of *December* in the Year One thousand eight hundred and fifty, and on the First *Tuesday* of *December* in every succeeding Year, the Persons for the Time being qualified and enrolled as Electors as aforesaid shall meet and elect in the Manner herein prescribed in relation to the First Election of Commissioners under this Act Two Persons, qualified as aforesaid, to be Commissioners in the Place of the Two Commissioners who shall go annually out of Office by Rotation; and the Provost or acting Chief Magistrate of the Burgh shall preside and be the Returning Officer at the first and all other Meetings for the Election of Commissioners under this Act, and in Cases of Equality of Votes shall have a casting Vote besides his Vote as a Member of the Meeting: Provided always, that no Person (except the said Provost or acting Chief Magistrate in the Case above mentioned) shall have more than One Vote in the Election of any One Commissioner, or upon any other Question which may be put to the Vote at any Meeting for the Election of Commissioners to be held as aforesaid.

Nomination of County Commissioners.

IX. And be it enacted, That *Onesiphorus Tyndal Bruce* of *Falkland* and *James Townsend Oswald* of *Dunnikier*, Two of the Commissioners of Supply for the County of *Fife*, shall be the County Commissioners under this Act for the Period from the First *Tuesday* of *September* after the passing of this Act until the Thirtieth Day of *April* in the Year One thousand eight hundred and fifty-one, and thereafter the Commissioners of Supply for the said County shall annually at their General Meeting held in the Month of *April* nominate and appoint Two of their Number to be the County Commissioners under this Act as herein-before provided; and the Two County Commissioners so nominated shall hold the said Office for One Year from the Day of their Nomination until the Day of the annual General Meeting of the said Commissioners of Supply in the Month of *April* in the Year following: Provided always, that no Person entitled *ex officio* to be a Commissioner shall be eligible or be nominated as a County Commissioner under this Act.

Times and Place of Meetings of Commissioners.

X. And be it enacted, That the Commissioners shall hold their First General Meeting in the Town Hall of *Kirkcaldy* on the Fourth *Tuesday* of *September* after the passing of this Act, or as soon thereafter as conveniently may be, and proceed to put this Act into execution in so far as relates to the Harbour; and the Commissioners shall hold an annual General Meeting in the said Town Hall on the Second *Tuesday* of

of *September* in every Year thereafter, and shall also hold monthly Meetings for the Transaction of general Business at the said Town Hall on the Second *Tuesday* of every Month, or at such other convenient Time and Place as the Commissioners shall from Time to Time appoint; and at all Meetings of the Commissioners the Chairman, or, in his Absence, the eldest Bailie of the Burgh if both Bailies shall be present, or either of the Bailies if only One shall be present, shall be Preses, and in the Absence of the Chairman and of both Bailies the Commissioners present at such Meeting shall elect their Preses for the Time.

Special Meetings may be called.

XI. And be it enacted, That it shall be in the Power of any Three or more of the Commissioners, by a Requisition in Writing under their Hands, to require the Clerk to call a Special Meeting of the Commissioners at any Time, and the Clerk shall thereupon be obliged to call such Meeting, and to give at least Two clear Days Notice of the Time and Place appointed for holding the same.

Vesting Property of Harbour and Right of Ferry in the Commissioners.

XII. And whereas the Magistrates and Council of *Kirkcaldy* have by Royal Charter the exclusive Right to the Piers, Port, and Harbour of *Kirkcaldy*, and have been in use to levy Harbour Dues and other Rates and Duties within the Precincts thereof under the Provisions of the said recited Act: And whereas the Magistrates and Council claim an exclusive Right of Ferry betwixt the said Harbour of *Kirkcaldy* and *Leith* or *Newhaven* on the opposite Side of the *Firth of Forth*, and to license Boats to ply at the same, and to take a fixed Rent for such Licence in commutation of the Shore and Anchorage Dues: Be it enacted, That the Right and Property of and in the said Harbour of *Kirkcaldy*, and the Piers, Jetties, Docks, Quays, Wharves, Ways, Warehouses, embanked Ground, and all other Works and Buildings, Materials, Implements, Matters, and Things, connected with the said Harbour, (except the embanked Ground along the Back of the East Pier containing about One thousand five hundred Square Yards, to which the Magistrates and Council have acquired Right under Agreement with the *Edinburgh and Northern* Railway Company,) and of and in all and every Right of Ferry which may belong to the Magistrates and Council, and all Right, Title, or Interest in the said Harbour and Ferry, and Property and Works connected therewith, which may belong to the Magistrates and Council as representing the Community of the Burgh, shall be and the same are hereby transferred from the Magistrates and Council, and their Successors in Office, and all others claiming in their Right or in the Right of the Burgh, or of the Burgesses or Community thereof, to and vested in the Commissioners, and in like Manner the whole Docks, Piers, Quays, Yards, Warehouses, and other Buildings and Works to be constructed or made under the Provisions of this Act shall be vested in and belong to the Commissioners, who shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Materials or other Articles and Things, or any Part of the same respectively, and also to sell or feu in perpetuity or let on Lease such Part of the Ground or other Heritable Property so vested in them as it may not be necessary to retain for the proper Purposes of the Harbour by public Sale at such

such Time and Place, and at such upset Prices, Feu Duties, or annual Rents, as the Commissioners shall fix and determine, the Day of such public Sale being previously advertised by Handbills circulated in the Burgh, and in any One Newspaper printed and circulated in the County of *Fife* at the Time, if there be any, Two several Times Ten Days at least before such public Sale: Provided always, that in case no Person shall offer for the Property exposed to Sale, or for any Part or Portion thereof, the Commissioners may adjourn from Time to Time the Sale as to the whole or as to the Part or Portion not disposed of for such Period not less than Ten Days as they may deem proper, and such Adjournment shall be advertised by Handbills, and twice in such Newspaper as aforesaid, at least Ten Days before the adjourned Day of Sale; and the whole Sums to be received by the Commissioners for the Property so sold, whether heritable or moveable, shall be applied towards the Purposes of this Act relating to the Harbour, and to no other Use or Purpose whatsoever.

Providing for the existing Debts affecting the Harbour.

XIII. And whereas the Rates and Duties levied at the Harbour have heretofore formed Part of the general Revenue of the Burgh, and have been applied indiscriminately to the Purposes thereof, and the said Revenue has been relied on by Creditors and others who have treated and transacted with the Magistrates and Town Council of the Burgh for the Time being: And whereas the Magistrates and Council have, with the Sanction of the Commissioners appointed under the said recited Act, from Time to Time borrowed, on the Security of the said general Revenue of the Burgh, various Sums of Money which have been expended in the Extension of the East Pier and otherwise improving the Harbour, and which Sums, as specified in the Schedule (A.) hereunto annexed, amount to Eleven thousand and eighty-six Pounds Thirteen Shillings and Ten-pence, and are still due and owing by the Burgh: And whereas it is just and reasonable that the Commissioners should relieve the Burgh of the said Debt, and that the same should be preferably secured upon the Harbour and the Rates to be levied thereat, and also that Compensation should be made to the Magistrates and Council for their Rights and Interests in the said Piers, Port, and Harbour hereby transferred to and vested in the Commissioners: Be it enacted, That it shall be lawful for the Commissioners and they are hereby authorized and required to free and relieve the Magistrates and Council and the Burgh of the several Sums of Money specified in the Schedule (A.) hereunto annexed; and the said several Sums, with the Interest due or to become due thereon, shall be and the same are hereby declared to be secured upon the Property of the Harbour and Works connected therewith, and upon the several Rates to be levied by the Commissioners, and all the Property vested in or belonging to them under the Provisions of this Act, and shall be preferable to the annual Payment to the Magistrates and Council herein-after mentioned, and to any Sum or Sums of Money to be borrowed under the Authority of this Act; and it shall be lawful for the Commissioners and they are hereby authorized and required to make Payment to the Commercial Bank of *Scotland* of the Sum of Five hundred Pounds in each Year towards the Liquidation of the Principal Sum due to the said Bank as specified in the said Schedule, and that over and above the yearly Interest of the said Principal Sum:

Sum: Provided always, that the Commissioners may, if they think fit, pay off the Principal Sums due to the Creditors named in the said Schedule, or any Part thereof, from and out of the Monies to be borrowed by them under the Provisions of this Act: Provided also, that nothing herein contained shall prejudice the Securities granted to the said Creditors, or any of them, for their respective Debts, or prevent them from having the same Recourse as they now have against the Magistrates and Council, and the Property and Funds of the Burgh, for Payment of their said Debts.

Annual Payment to be made to the Magistrates and Council.

XIV. And be it enacted, That it shall be lawful for the Commissioners and they are hereby authorized and required to make Payment to the Magistrates and Council of the Sum of Three hundred Pounds *per Annum* by equal half-yearly Payments on the Thirtieth Day of *March* and the Thirtieth Day of *September* in each Year, beginning the first Payment on the Thirtieth Day of *March* One thousand eight hundred and fifty for the Half Year preceding, and so on thereafter, with Interest from the Date of Payment, until paid, and which annual Payments and Interest thereon shall be and the same are hereby declared to be secured upon the Property of the Harbour and Works connected therewith, and upon the several Rates to be levied by the Commissioners, and all the Property vested in or belonging to them under the Provisions of this Act, and shall be preferable to any Sum or Sums of Money to be borrowed under the Authority of this Act: Provided always, that it shall be lawful for the Commissioners, if required, to make and grant to each of the Creditors named in the said Schedule (A.), and to the Magistrates and Council respectively, a Mortgage or Assignation in Security or other valid Deed for securing each of the said Debts, and the said annual Payments, with Interest thereon respectively, upon the said Harbour and Rates and Property, all which Mortgages and Assignations shall be preferable to any Mortgage or Assignation to be granted for Sums to be borrowed under the Authority of this Act.

Power to borrow Money on Mortgage.

XV. And be it enacted, That it shall be lawful for the Commissioners to borrow on Mortgage any Sums not exceeding in the whole the Sum of Forty-eight thousand Pounds, and to make and grant Mortgages and Assignations of the Property vested in the Commissioners, and the several Rates to be levied and taken by them under the Provisions of this Act, in Security of the Payment of the Sums so borrowed, and Interest thereon; and the said Sum of Eleven thousand and eighty-six Pounds Thirteen Shillings and Ten-pence shall be included in and computed as Part of the said Sum of Forty-eight thousand Pounds.

Commissioners may borrow on Cash Account.

XVI. And be it enacted, That it shall be lawful for the Commissioners to accept and take from any Bank or Banking Company Credit on a Cash Account to be opened and kept with such Bank or Banking Company in the Names of the Commissioners, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the Commissioners are authorized to borrow as aforesaid, or any Part thereof, and to make and grant Mortgages and Assignations of the Property vested in the Commissioners, and the several Rates to be levied and taken

taken by them as aforesaid, in Security of the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon: Provided always, that the whole Sum due and owing by the Commissioners on such Cash Account, and for Money borrowed by them on Mortgage as aforesaid, including the said Sum of Eleven thousand and eighty-six Pounds Thirteen Shillings and Ten-pence, shall never, when taken all together, exceed the said Sum of Forty-eight thousand Pounds.

Commissioners not personally liable.

XVII. And be it enacted, That the Commissioners shall not be held or adjudged to have rendered themselves or any of them personally or individually liable for the Payment of any Sums of Money, Principal or Interest, by reason of their having signed any Mortgage or Assignation in Security made or granted under the Authority of this Act and the Acts incorporated therewith.

Sinking Fund.

XVIII. And be it enacted, That so soon as the Works by this Act authorized to be made are completed, the Commissioners shall every Year appropriate and set apart, out of the Rates to be levied and taken by them, a Sum equal to at least One Pound *per Centum* of the Sums which shall then be due and owing of the Monies borrowed under the Provisions of this Act as a Sinking Fund to be applied in the Repayment of the Principal Monies so borrowed.

Commissioners to improve the Harbour.

XIX. And be it enacted, That it shall be lawful for the Commissioners, by themselves or their Officers and Servants, or others employed by them, to extend, enlarge, and improve the Harbour, to repair, deepen, and cleanse the same, and to make and maintain additional Piers, Quays, and all other Works and Buildings connected therewith which may be necessary for the Reception and Accommodation of Ships and Vessels resorting to the Harbour, and to make, widen, and maintain all necessary Roads and Accesses to the Harbour and Works.

Harbour and Works to be constructed according to deposited Plan.

XX. And whereas a Plan and Sections of the Harbour and of the intended Works showing the Situation and Levels thereof respectively, and the Limits within which the same are to be constructed, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands in, upon, or through which the same are intended to be made, have been deposited with the Sheriff Clerk of the County of *Fife:* Be it enacted, That, subject to the Provisions contained in this Act and in the Acts incorporated therewith, it shall be lawful for the Commissioners to make and maintain the Piers, Quays, Docks, Yards, and other Works described upon the said Plans in the Situation and upon the Lands delineated thereon and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for these Purposes.

If Admiralty order a local Survey, the same to be made at the Expense of the Commissioners.

XXI. And be it enacted, That if after Working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the Commissioners shall defray

defray the Costs of such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Commissioners, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Commissioners.

Works abandoned may be removed by the Admiralty at Expense of Commissioners.

XXII. And be it enacted, That if any Work to be constructed by the Commissioners, or any Portion of such Work, shall be abandoned or suffered to fall into Disuse or Decay by the Commissioners, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

Officers of Customs may lay down Moorings, and make fast their Boats within the Harbour.

XXIII. And be it enacted, That it shall be lawful for the proper Officers of Customs to lay down such Moorings within any Part of the Harbour as may be necessary for the mooring thereat any Boats used for the Service of the Customs, and to moor any such Boats at such Moorings, and to make fast such Boats to any Part of the Harbour that they may consider necessary, and to keep and continue such Boats so moored or made fast as long as may be necessary for the Service of the Customs.

Period for compulsory Purchase of Lands limited.

XXIV. And be it enacted, That the Powers granted by this Act and the Acts incorporated therewith for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Anchorage Dues.

XXV. And be it enacted, That from and after the passing of this Act it shall be lawful for the Commissioners to demand and take for every Vessel using or entering the Harbour or Precincts thereof any Sum for every Ton Measurement of such Vessel not exceeding the Rates specified in Schedule (B.) hereunto annexed, and all such Rates shall be payable by the Master of such Vessel; and the Rates on any Vessel entering the Harbour or Precincts thereof light or in Ballast shall be paid within Twenty-four Hours after Arrival, and the Rates on any other Vessel shall be paid upon Arrival or before the Cargo is discharged.

Rates on Goods.

XXVI. And be it enacted, That from and after the passing of this Act it shall be lawful for the Commissioners to demand and take for all Goods specified in the Schedule (C.) hereunto annexed which shall be shipped or unshipped, received or delivered, within the Harbour or Precincts thereof, any Sums not exceeding the Rates specified in the said Schedule (C.) with respect to such Goods respectively; and as to all such Goods as are not specified in the said Schedule the Commissioners may demand and take a Rate equal to the Rate for the Time being payable in respect of Goods of a similar Nature, Package, and Quality; and all such Rates shall be payable by the

Owner of such Goods: Provided always, that all Goods shipped over-side or sent direct from one Vessel into another shall pay One Half of the Rates specified in the said Schedule (C.), but no Goods landed or deposited in the Sheds, or remaining on the Quays over Night, shall be entitled to this Exemption.

Exemptions from Rates on Goods.

XXVII. And be it enacted, That all Goods upon which the Rates specified in the said Schedule (C.) have been paid on being unshipped in the Harbour shall be exempted from Payment of Rates on being again shipped, unless such Goods shall have changed Owners or undergone some Process of Manufacture; and all Grain sold in the Stock Market upon which the Rates or Petty Customs specified in the Schedule (E.) hereunto annexed shall have been paid shall, when shipped at the Harbour, be exempted from Payment of the Rates specified in the said Schedule (C.); and all fresh Fish of every Description brought into the Burgh in small Boats for Sale exclusively within the Burgh, and not sold for the Purpose of being cured, shall be exempted from Payment of the Rates specified in the said Schedule (C.)

Dues for the Use of Sheds, &c.

XXVIII. And be it enacted, That from and after the passing of this Act it shall be lawful for the Commissioners to demand and take for the Use of any of the Sheds, Cranes, Rails, and Weighing Machines which they may provide or erect at the Harbour of and from the Owner of any Goods deposited therein, or loaded, unloaded, or weighed by means thereof, any Sums not exceeding the Rates specified in the Schedule (D.) hereunto annexed.

Meters and Weighers may be licensed.

XXIX. And be it enacted, That it shall be lawful for the Commissioners to appoint and license a sufficient Number of Persons to be Meters and Weighers within the Harbour; and all Meters or Weighers who shall measure or weigh any Goods delivered out of or put on board any Vessel shall, within Six Hours after such Vessel has been discharged or loaded, attend at the Shore Dues Office and give an Account of such Goods; and every Meter or Weigher who shall fail so to give such Account, or shall give a false Account, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings: Provided always, that nothing herein contained shall extend to compel any Officer of Customs to attend and give an Account of any Goods measured or weighed by him as such Officer.

Commissioners may license Pilots.

XXX. And be it enacted, That it shall be lawful for the Commissioners to license and appoint a sufficient Number of Pilots for the Harbour, and also for conducting Vessels departing from or coming into the Harbour out of and into the *Firth of Forth*, and to fix the Rate of Pilotage to be paid to such Pilots, and to remove and displace them at pleasure; and such Pilots shall, before being licensed, be examined as to their Fitness and Capacity to be such Pilots by Three competent Persons, being Shipmasters well acquainted with the Coast, and shall be certified by such Persons to be fully qualified; and if any Person shall act as a Pilot within the Harbour or Precincts thereof without having obtained such Certificate, or without being licensed or appointed as aforesaid, every Person so offending shall forfeit and pay for each Offence a Penalty not exceeding Twenty Pounds: Provided always,

always, that nothing herein contained shall be deemed or construed to exempt the Harbour from the Provisions of any general Act relating to Pilots which may pass during the present or any future Session of Parliament.

Vessels not taking Pilots to pay Pilotage.

XXXI. And be it enacted, That all Masters of Vessels Inward bound, of such Tonnage as are by Law required to take Pilots, who shall refuse to take or receive a licensed Pilot, shall be liable to pay the full Pilotage in respect of such Vessels respectively, which shall be recoverable summarily.

Commissioners may lease Rates on Goods.

XXXII. And be it enacted, That it shall be lawful for the Commissioners to lease all or any of the Rates hereby authorized to be levied and taken by them on Goods shipped or unshipped, received or delivered, within the Harbour or Precincts thereof, by public Roup or Sale, for any Period not exceeding Three Years, upon giving Notice of such Roup at least Fourteen Days previous thereto by Advertisement inserted in any One or more of the Newspapers published in the County of *Fife* or in the Burgh of *Kirkcaldy*, and to fix the upset Price at which such Rates shall be exposed, and the Conditions of such Roup, as to them shall seem expedient; and in the event of all or any of such Rates being so leased, the Tenants or Lessees thereof shall have the same Powers as to levying, collecting, and recovering the same as are conferred on the Commissioners by this Act and the Acts incorporated therewith.

Commissioners may regulate Ferry, and license Vessels to ply thereat.

XXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Rules and Regulations for the proper conducting of any Ferry, the Right to which may vest in them under this Act, as to them shall seem fit, and to grant Licence to such Vessels as shall be approved by them to ply at the said Ferry under such Conditions and Restrictions as to the Number of Passages to be made, and the Number of the Crew to be carried by the Vessels so licensed, and the Hours and Times of sailing, as they shall consider proper; and if any Owner or Master of any Vessel plying at the said Ferry shall commit a Breach of any of the Conditions or Restrictions of such Licence, or shall neglect or refuse to conform to such Rules and Regulations as shall be made by the Commissioners from Time to Time for the Regulation of the said Ferry, or if it shall appear to the Commissioners that any Vessel licensed by them as aforesaid has become unfit or inefficient for the Purpose of the said Ferry, it shall be lawful for the Commissioners to suspend, withdraw, or revoke such Licence, and to prevent such Vessel, and the Owner and Master thereof, from continuing to ply at the said Ferry: Provided always, that it shall not be lawful for any Person to ply at the said Ferry between the said Places with any Vessel unless and until the same shall have been approved and licensed by the Commissioners as aforesaid: Provided also, that all the Rules and Regulations so to be made as last aforesaid shall be submitted to and approved by the respective Sheriffs of the Counties of *Edinburgh* and *Fife* before the same shall become valid and effectual under this Act.

XXXIV. And

Rates payable at Ferry may be leased by the Magistrates and Council.

XXXIV. And be it enacted, That, subject to the Provisions herein contained as to the said Right of Ferry, it shall be lawful for the Commissioners to let on Lease the exclusive Right and Licence to ply at the said Ferry by public Roup or Sale for any Period not exceeding Five Years, upon giving Notice of such Roup at least Fourteen Days previous thereto by Advertisement inserted in any One or more of the Newspapers published in the County of *Fife* or in the Burgh of *Kirkcaldy*, and to agree with the Person or Company to whom such exclusive Right and Licence shall be let for the Payment of a fixed Sum, by the Year or other shorter Period, as a Composition for the Rates payable by or in respect of the Vessels used for the Purposes of the said Ferry, and Goods and Passengers carried thereby; and in case no Bidder shall offer, or in case such exclusive Right or Licence shall not be let, it shall be lawful for the Commissioners by private Contract to let the exclusive Right and Licence to ply at the said Ferry to any Person or Company willing to undertake the same for any Period not exceeding Five Years, and to agree with such Person or Company for the Payment of a fixed Sum, by the Year or other shorter Period, as a Composition for the Rates payable by or in respect of the Vessels used for the Purposes of the said Ferry, and Passengers and Goods carried thereby, and that upon such Conditions and under such Regulations and Restrictions as the Commissioners shall judge expedient.

Application of Monies received by the Commissioners.

XXXV. And be it enacted, That all Monies which shall come into the Hands of the Commissioners from the Property vested in them, or the Rates to be levied or Sums to be borrowed by them under the Authority of this Act, shall be applied and disposed of in manner following; (that is to say,) first, in Payment of the Proportion of the Expenses of this Act payable by the Commissioners as herein provided; secondly, in Payment of the Interest due and to come due from Time to Time upon the Debts specified in the Schedule (A.) hereunto annexed; thirdly, in Payment of the Sum of Five hundred Pounds yearly to the Commercial Bank of *Scotland* as herein-before provided; fourthly, in Payment to the Magistrates and Council of the said annual Sum of Three hundred Pounds as herein-before provided; and fifthly, in defraying the Expenses of maintaining and improving the Harbour, constructing the Works hereby authorized to be made, and otherwise carrying out the several Purposes and Provisions of this Act in relation to the Harbour and Works connected therewith as the Commissioners shall order and determine.

Power to Council to levy Petty Customs as specified in Schedule (E.)

XXXVI. And be it enacted, That from and after the passing of this Act it shall be lawful for the Magistrates and Council, and for such Person as they shall from Time to Time appoint and authorize for that Purpose, (in place of the Rates and Duties commonly called Petty Customs heretofore levied by the Magistrates and Town Council of the Burgh,) to demand and take for all Goods brought within the Limits of the Burgh, otherwise than by Vessels into the Harbour or Precincts thereof, and in the same Manner in which the Rates and Duties or Petty Customs have been in use to be levied in the Burgh, the Rates or Petty Customs specified in the Schedule (E.) hereunto annexed with respect to such Goods as are therein specified; and for all

all such Goods as are not specified in the said Schedule the Magistrates and Council, or other Person authorized as aforesaid, may demand and take such Rates as may be fixed by the Magistrates and Council according to the Weight, Measure, Number, or Quantity of such Goods, as the Case may be; but no such Rate for Goods not specified shall exceed the highest Rate payable for the Time being in respect of Goods of a similar Nature, Package, or Quality specified in the said Schedule; and all such Rates shall be payable by the Owners of such Goods respectively: Provided always, that no such Rates shall be exigible for Goods *in transitu* on any Part of the Main Line of the *Edinburgh and Northern* Railway, although Part of such Main Line shall pass within the Territory of the Burgh, but this Exemption shall not extend to any Goods brought within the Limits of the Burgh from any Station of the said Railway: Provided also, that all Goods *in transitu* which shall be brought within and carried or taken directly out of the Limits of the Burgh without being exposed to Sale, delivered, or warehoused therein shall be exempted from Payment of such Rates.

Exemptions from Petty Customs.

XXXVII. And be it enacted, That all Goods brought within the Limits of the Burgh which shall be directly exported by Sea at the Harbour without being warehoused or exposed in the Stock Market shall be exempted from Payment of the Rates specified in the said Schedule (E.); and all Goods brought within the said Limits for the Purpose of being shipped, and which shall be warehoused or deposited in Warehouses or Depôts licensed by the Commissioners, and upon which Goods the Rates specified in the said Schedule (C.) shall be paid upon being so warehoused or deposited, shall also be exempted from Payment of the Rates specified in the said Schedule (E.)

Power to vary Petty Customs.

XXXVIII. And be it enacted, That the Magistrates and Council may from Time to Time vary the said Rates or any of them in such Manner as they may think expedient, by reducing and again raising the same: Provided always, that such Rates shall not in any Case exceed the Sums respectively hereby authorized to be taken, and that the Rates shall be at all Times charged equally to all Persons and Companies in respect of the same Description of Goods.

For enforcing Payment of Petty Customs.

XXXIX. And be it enacted, That it shall be lawful for the Magistrates and Council, and for any Person authorized by them as aforesaid, in case of Delay or Refusal to pay any of the said Rates by the Owners of any Goods liable to Payment thereof, to seize, take, and detain such Goods until such Rates are paid; and in case of Delay or Refusal to pay the same for the Space of Three Days after such Seizure and Detention, it shall be lawful for the Magistrates and Council, or any Person authorized by them as aforesaid, to cause the same to be appraised by Two or more properly qualified Persons, and afterwards to sell and dispose of so much and such Part of the Goods taken and appraised as shall be sufficient to satisfy the Rates due and unpaid, together with the Charges and Expenses of such taking, detaining, and selling (as the same shall be ascertained by the Seller's Oath), rendering to the Owner of such Goods the Overplus, if any be, on Demand; and in the event of any Dispute arising between

the Magistrates and Council, or any Person authorized by them as aforesaid, and the Owners of such Goods, the Amount of the Rates due, and of such Charges and Expenses, shall be determined by the Sheriff upon Application made to him for that Purpose, and the Sheriff shall award such Costs to be paid by either of the Parties to the other as he shall think reasonable, which Costs, if not paid, shall be levied by Poinding and Sale, and the Sheriff shall issue his Warrant accordingly.

Penalty for Evasion of Petty Customs.

XL. And be it enacted, That the Owners of any Goods liable in Payment of the said Rates who shall at any Time wilfully evade the Payment of the same by any Means whatsoever shall for every such Offence forfeit and pay to the Magistrates and Council a Penalty not exceeding Three Pounds over and above Payment of such Rates, to be recovered in the Manner provided by the said Harbours, Docks, and Piers Clauses Act with respect to the Recovery of Damages not specially provided for and of Penalties, and to the Determination of any other Matter referred to Justices or the Sheriff: Provided always, that no Person shall for Nonpayment of any such Penalty be imprisoned for any Space exceeding Forty-eight Hours.

Power to lease or compound Petty Customs.

XLI. And be it enacted, That it shall be lawful for the Magistrates and Council to lease the Rates specified in the said Schedule (E.) by public Roup or Auction for any Period not exceeding Five Years, upon giving Notice of such Roup at least Fourteen Days previous thereto by Advertisement inserted in any One or more of the Newspapers published in the County of *Fife* or in the Burgh of *Kirkcaldy*; and in case no Person or Company shall offer at such Roup, or in case the said Rates shall not be let by public Roup, it shall be lawful for the Magistrates and Council to agree with any Person or Company for the Payment of a fixed Sum as a Composition for the Rates payable in respect of the Goods which may be carried by such Person or Company, and that for any Period not exceeding Five Years, any Law or Statute to the contrary notwithstanding: Provided always, that in every Case where the said Rates shall be so compounded for it shall be a Condition of such Agreements that the Composition agreed upon shall be paid in advance by quarterly Instalments: Provided also, that in case of all or any of the said Rates being so let or compounded for, the Tenants or Lessees thereof, or the Persons or Companies so compounding, shall have the same Powers and Privileges as to levying, collecting, and recovering the said Rates as are hereby conferred on the Magistrates and Council.

Right of gathering Sea Weed may be leased by the Magistrates and Council.

XLII. And whereas the Sea Weed or Sea Ware cast on the Beach within the Royalty of the Burgh is or is claimed to be Part of the common Good of the Burgh, but the Quantity so cast ashore is uncertain and irregular, and it is expedient that the Magistrates and Council should be empowered to lease the Right vested in the Magistrates and Council of gathering the same by public Roup or private Contract for such Period as they may think fit: Be it enacted, That it shall be lawful for the Magistrates and Council to lease the Right of gathering such Sea Weed or Sea Ware by public Roup, or by private Contract or Agreement in case of the same not being let when exposed

exposed by public Roup, for any Period not exceeding Five Years, any Law or Statute to the contrary notwithstanding.

Form of Proceedings against Offenders.

XLIII. And be it enacted, That the Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against for any Offence under the Provisions of this Act or the Acts incorporated therewith, and the Sentence or Conviction thereon, may be in the Form of the Schedule (F.) hereunto annexed, or as near as may be; and, except that such Complaint and the Sentence to be pronounced in relation thereto shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justices at the Hearing of the Complaint shall cause or allow the Procedure or Evidence to be taken down in Writing, or shall themselves tak of the same.

For apprehending transient Offenders.

XLIV. And whereas Persons committing Offences against this Act may be transient Persons unknown to the Officers or Persons appointed and acting under the Authority of this Act: Be it enacted, That it shall be lawful for such Officers and Persons respectively to seize and detain any such unknown Persons committing any Offence against the Provisions of this Act or the Acts incorporated therewith, and to convey them before the Sheriff or any Justice or Justices without any other Warrant than this Act for so doing; and such Sheriff and Justice or Justices respectively are hereby empowered to proceed with all convenient Dispatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the Rights of the Crown.

XLV. And be it enacted, That nothing contained in this Act or in the Acts incorporated therewith shall extend to authorize the Commissioners to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Lands of Edinburgh and Northern Railway Company not to be taken.

XLVI. And be it enacted, That nothing contained in this Act or in the Acts incorporated therewith shall extend to authorize the Commissioners to purchase, take, or use any Lands belonging to the *Edinburgh and Northern* Railway Company, except in so far as the Magistrates and Council have already acquired Right to any such Lands under an Agreement entered into between them and the said Railway Company dated the Twenty-third Day of *July* One thousand eight hundred and forty-six.

Saving Rights of Parties in Action of Declarator.

XLVII. And be it enacted, That nothing herein contained shall prejudice or affect the Rights of Parties in an Action of Declarator and Damages now depending in the Court of Session in *Scotland* at the Instance of *Andrew Greig*, *Peter Greig*, and *Thomas Barclay*, alleging themselves

themselves to be registered Owners of the Steam Ship called "*Benledi*" of *Leith*, against the Magistrates and Council of *Kirkcaldy*.

Interpretation of Terms.

XLVIII. And be it enacted, That in addition to the Words and Expressions incorporated from the said "Lands Clauses Consolidation (*Scotland*) Act," "Commissioners Clauses Act," and "Harbours, Docks, and Piers Clauses Act," the following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Harbour" shall mean the Harbour of *Kirkcaldy*, and shall include the Docks, Piers, Quays, Yards, and whole Works and Buildings connected with the Harbour:

The Word "Burgh" shall mean the Royal Burgh of *Kirkcaldy*:

The Word "Magistrates" shall mean and include the Provost and Bailies of the Burgh:

The Expression "Magistrates and Council" shall mean the Magistrates and Town Council of the Burgh for the Time being:

The Expression "the Commissioners" shall mean "the Commissioners of *Kirkcaldy* Harbour" incorporated by this Act:

The Word "Owners" when used in relation to Goods shall be understood to include any Consignor, Consignee, Shipper, or Agent for Sale or Custody of such Goods, as well as the Owner thereof.

Expenses of Act.

XLIX. And be it enacted, That the Expenses of obtaining and passing this Act and incidental thereto shall be paid by the Magistrates and Council and the Commissioners in the following Proportions; *videlicet*, One Third of such Expenses by the Magistrates and Council out of the ordinary Funds and Revenue of the Burgh, and Two Thirds thereof by the Commissioners out of the first Monies which shall come into their Hands from the Rates to be levied or Sums to be received or borrowed by them under the Authority of this Act.

Public Act.

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

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Sums borrowed by the Magistrates and Town Council of Kirkcaldy, and expended in the Improvement of the Harbour.

	£	s.	d.
The Commercial Bank of Scotland on current Account	7,956	13	10
The Trustees of the late John Thomson, Kirkaldy -	380	0	0
Misses Elizabeth and Janet Beveridge, Kirkaldy -	900	0	0
Mrs. Jean Paterson, Balbirnie - - - -	100	0	0
Mr. John Wemyss, Perth - - - -	200	0	0
Mrs. Margaret Wemyss, Perth - - -	250	0	0
Mr. Thomas Bailie, Raith - - - -	100	0	0
Misses Elizabeth and Cecilia Hutchinson, Pathhead -	1,200	0	0
	£11,086	13	10

SCHEDULE (B.)

Rates on Vessels entering or using the Harbour.

	Per Ton. £	s.	d.
All Vessels from Asia or Africa to the East of the Cape of Good Hope, including the Cape, or from South America - - - - - -	0	1	0
From the West Indies, West Coast of Africa, Cape de Verde Islands, Greenland and Davis' Straits Fisheries -	0	0	10
From within the Straits of Gibraltar or North America -	0	0	10
From the Baltic above the Sound, Archangel, Portugal, France and Spain, without the Straits of Gibraltar, Newfoundland, Madeira and Western Islands - -	0	0	8
From Norway, Sweden, Denmark, Holstein, Hamburgh, Bremen, Holland, Flanders, that is, without the Baltic and no farther South than Dunkirk - - -	0	0	7
From Ports in Great Britain and Ireland - -	0	0	4
All Steam Vessels carrying Goods and Passengers -	0	0	4
All Vessels which have paid full Rates for Eight Voyages between Whitsunday in any one Year and Whitsunday in the following Year (Steam Vessels carrying Passengers and their Luggage only excepted), for each additional Voyage during that Period - - - -	0	0	2

	Per Ton. £	s.	d.
All Steam Vessels from Ports in the Firth of Forth, as far as Anstruther on the North and North Berwick on the South, carrying Passengers and their Luggage exclusively - - - - - - -	0	0	0½
All Lighters from any Vessel in the Roads shall be exempted from Rates, but if the Vessel do not enter the Harbour every Lighter shall pay for each Trip -	0	0	2

	£	s.	d.
All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each -	0	1	6
All Drave or large Boats entering the Harbour or Precincts thereof with fresh Fish, each -	0	1	0

SCHEDULE (C.)

Rates on Goods shipped or unshipped at the Harbour.

		s.	d.
Ale - - - - -	per Hogshead	0	3
Ale, bottled - - - -	per Barrel Bulk	0	1½
Alum - - - - -	per Ton	1	0
Apples - - - -	per Barrel of 3 Bushels	0	1
Ashes, Pot and Pearl - - -	per Ton	1	0
Bacon or Ham - - - -	per Ton	1	0
Barilla - - - - -	per Ton	1	0
Bark - - - - -	per Ton	0	8
Barley, Shelled or Pearl - - -	per Ton	1	0
Barley Dust - - - -	per Quarter	0	0¼
Basket Rods - - - -	per Bundle	0	1
Beef or Pork - - - -	per Ton	1	0
Beef or Pork - - - -	per Barrel	0	1½
Biscuit - - - - -	per Ton	1	0
Blacking - - - -	per Barrel Bulk	0	1½
Bleaching Powder - - -	per Ton	1	0
Blubber - - - -	per Ton of 252 Gallons	0	9
Bone Dust - - - -	per Ton	0	6
Bones of Cattle - - - -	per Ton	0	4
Bottles - - - - -	per Gross	0	1½
Bran - - - - -	per Bag	0	0½
Brass - - - - -	per Ton	1	0
Bricks - - - - -	per 1,000	0	6
Brimstone - - - -	per Ton	0	8
Brooms - - - - -	per Dozen	0	0¼
Butter - - - - -	per Ton	1	0
Candles - - - - -	per Barrel Bulk	0	1½
Carrots - - - - -	per Ton	0	6

		s.	d.
Casks, empty, not being returned Packages	per Puncheon	0	2
Other Casks in proportion.			
Cattle—Bulls	each	0	2
Cows and Oxen	each	0	1
Calves	each	0	0½
Horses	each	0	1
Pigs	each	0	0½
Sheep	per Score	0	4
Lambs	per Score	0	2
Cement	per Ton	1	0
Chalk	per Ton	0	6
Cheese	per Ton	1	0
Chimney Cans	per 100	1	0
Cider	per Hogshead	0	3
Cinders	per Ton	0	3
Clay, Fire, manufactured	per Ton	0	3
Clay, common	per Ton	0	1
Cloth, Haberdashery, &c.	per Barrel Bulk	0	1½
Coaches, Chaises, and other Four-wheeled Carriages	each	0	6
Gigs, Carts, and other Two-wheeled Carriages	each	0	4
Coals, Scotch, English, Smithy, and Culm	per Ton	0	2
Cocoa Nuts	per 100	0	3
Coffee	per Ton	1	0
Codilla	per Ton	1	0
Copper	per Ton	1	0
Copper Ore	per Ton	0	6
Copperas	per Ton	0	8
Cordage	per Ton	1	0
Corks	per Barrel Bulk	0	1
Cork Wood	per Ton	1	0
Corn, viz.—Wheat and Malt	per Quarter	0	1½
Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn	per Quarter	0	1
Cotton Wool	per Ton	1	0
Crystal	per Barrel Bulk	0	1½
Dissolved Bones and other artificial Manures	per Ton	0	6
Dogs, Sporting only	each	0	1
Draff	per Quarter	0	0¼
Drugs	per Barrel Bulk	0	2½
Earthenware	per Crate	0	6
Eggs	per Barrel Bulk	0	1½
Feathers	per Barrel Bulk	0	1½
Fish, dried and salted	per Ton	1	0
Haddocks, Cod, Salmon, and all fresh Fish not enumerated	per Barrel Bulk	0	1
Flax	per Ton	1	0
Flint Stones	per Ton	0	3
Flour	per Sack	0	1½
Flour	per Barrel	0	1

		s.	*d.*
Glass - - - - -	per Barrel Bulk	0	1½
Glue - - - - -	per Ton	1	0
Grease - - - - -	per Ton	1	0
Groceries, viz. — Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, &c. - - - -	per Barrel Bulk	0	1½
	per Ton	0	6
Guano - - - - -	per Barrel	0	1½
Gunpowder - - - -			
Hardware - - - - -	per Barrel Bulk	0	1½
Hats - - - - -	per Barrel Bulk	0	1½
Hay - - - - -	per Ton	0	6
Hemp - - - - -	per Ton	1	0
Herrings, fresh - - - -	per Cran	0	0½
Do. cured - - - -	per Barrel	0	1½
Hides — Ox, Cow, or Horse, salted or dried	per Ton	1	0
Calf Skins - - - -	per 120	0	9
Sheep Skins - - -	per 120	0	9
Lamb Skins - - -	per 120	0	4½
Honey - - - - -	per Ton	1	0
Hoops of Iron - - - -	per Ton	1	0
Hoops of Wood - - - -	per 1,500	0	10
Hops - - - - -	per Barrel Bulk	0	1½
Horns, Slugs, and Tips - - -	per Ton	1	0
Household Furniture, new - -	per Barrel Bulk	0	0½
Do. do. belonging to Parties changing their Residence only -	per 10 Barrels Bulk	0	3
Husbandry Utensils - - -	per Ton	1	0
Do. do. - - -	per Barrel Bulk	0	1½
Indigo - - - - -	per Barrel Bulk	0	2
Iron, Bar, Bolt, Rod, &c. - -	per Ton	1	0
Pig or Old - - - -	per Ton	0	6
Ore - - - -	per Ton	0	2
Jute - - - - -	per Ton	1	0
Kelp - - - - -	per Ton	0	6
Lard - - - - -	per Ton	1	0
Lead, all Kinds - - - -	per Ton	1	0
Leather, tanned and dressed - -	per Ton	1	0
Lemons - - - - -	per Barrel Bulk	0	1½
Lime - - - -	per Chaldron of 16 Bolls	1	0
Limestone - - - -	per Ton	0	2
Lintseed Cakes - - - -	per Ton	1	0
Loam or Moulding Sand - - -	per Ton	0	2
Machinery - - - -	per Ton	1	0
Machinery - - - -	per Barrel Bulk	0	1½
Madder - - - - -	per Ton	1	0
Madder Roots - - - -	per Ton	0	10

		s.	*d.*
Manganese	per Ton	1	0
Manure, Street	per Ton	0	1
Do. not enumerated	per Ton	0	3
Marble	per Ton	1	0
Mats, single	per 100	0	3
Do., double	per 100	0	4
Meal	per Bag of 280 lbs.	0	1
Milk	per Three large Pitchers	0	0¼
Mill Waste	per Ton	0	6
Molasses	per Ton	1	0
Musical Instruments	per Barrel Bulk	0	1½
Nuts	per Barrel Bulk	0	1½
Oakum or old Junk	per Ton	1	0
Ochre	per Ton	1	0
Oils	per Ton	1	0
Onions	per 3 Bushels	0	1
Oranges	per Barrel Bulk	0	1½
Paper	per Ton	1	0
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above 4 Barrels Bulk	per Barrel Bulk	0	1½
Peats	per Ton	0	6
Pitch	per Barrel	0	1½
Plants of Trees or Shrubs	per Barrel Bulk	0	1½
Plaster of Paris	per Ton	1	0
Porter	per Hogshead	0	3
Do., bottled	per Barrel Bulk	0	1½
Potatoes	per Ton	0	5
Poultry, including Pigeons, Game, &c.	per Dozen	0	0½
Any less Quantity		0	0¼
Rabbits, Hares, &c.	per Dozen	0	1
Any less Quantity		0	0½
Rags, Linen	per Ton	1	0
Other Rags, old Ropes, &c.	per Ton	0	8
Rape Cakes	per Ton	0	6
Rice	per Ton	1	0
Rosin	per Barrel	0	1½
Residuum of Bleachers	per Ton	0	3
Salt	per Ton	0	8
Saltpetre	per Ton	1	0
Seeds, Flax and Rape	per Hogshead	0	3
Flax	per Barrel	0	1½
Flax in Bulk	per Quarter	0	1
Clover	per Ton	1	0
Garden	per Ton	1	0
Seeds, Hemp and Canary	per Ton	1	0
Ryegrass	per 8 Bushels	0	1

		s.	d.
Shumach	per Ton	1	0
Skins, Seals	per 120	0	6
Slates, Under Size	per 1,000	0	5
Sizeable	per 1,000	0	8
Over Size	per 1,000	1	0
Sulphur	per Ton	0	8
Soap	per Ton	1	0
Soaper's Waste	per Ton	0	3
Soda	per Ton	1	0
Spermaceti	per Ton	1	0
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	6
Stones, Rubble	per Ton of 16 Cubic Feet	0	1½
Hewn Ashlar Freestone	per Ton of 16 Cubic Feet	0	3
Rough Ashlar Do.	per Ton of 16 Cubic Feet	0	2
Pavement not exceeding 3 Inches thick	per 70 Feet	0	3
Pavement above 3 Inches thick	per 16 Cubic Feet	0	3
Scythe Stones	per Score	0	0½
Millstones	each	0	6
Starch	per Ton	1	0
Steel	per Ton	1	0
Stucco	per Ton	0	8
Sugar	per Ton	1	0
Tallow	per Ton	1	0
Tanner's Waste (Screws and Hair)	per Ton	0	8
Tar	per Barrel	0	1½
Tea	per Chest	0	1½
Thread	per Ton	1	0
Tiles, Roofing	per 1,000	0	7½
Tiles or Pipes for draining	per 1,000	0	6
Tin of all Kinds	per Ton	1	0
Tobacco	per Ton	2	0
Tow	per Ton	1	0
Treenails under 2 Feet in Length	per 1,000	0	4
Do. exceeding do. do.	per 1,000	0	8
Turnips	per Ton	0	4
Turpentine	per Hogshead	0	5
Twine and Twisted Yarn	per Ton	1	0
Vegetables	per Cartload	0	1
Verdigris	per Ton	1	0
Vinegar	per Hogshead	0	3
Vitriol	per Carboy	0	1
Whalebone	per Ton	2	0
Whitening	per Ton	0	6
Wine	per Hogshead	0	5
Do., bottled	per Barrel Bulk	0	2
Wood—Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	8
Wood—Oak or Wainscoat	per Load of 50 Feet	0	10
Firewood	per Fathom	0	4

		s.	*d.*
Laths and Lathwood	per Fathom of 216 Cubic Feet	2	0
Handspokes	per 120	0	8
Oars	per 120	2	0
Spars under 22 Feet in Length, above 2½ and under 4 Inches in Diameter	per 120	2	0
Spars 2½ Inches in Diameter and under	per 120	1	0
Spars 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter	per 120	5	0
Spars of all Lengths above 4 and under 6 Inches in Diameter	per 120	10	0
Spokes of Wheels not exceeding 2 Feet in Length	per 120	0	3
Exceeding 2 Feet in Length	per 120	0	4
Wedges	per 1,000	0	8
Pipe Staves, and others in proportion, per Standard Hundred		0	10
Lignum Vitæ, Fustic, Logwood, Mahogany, Rosewood, and other Kinds	per Ton	1	0
Wool	per Cwt.	0	1
Yarn	per Ton	1	0
Yeast	per Hogshead	0	3
Zinc	per Ton	1	0
All other Goods not particularly enumerated in the above Table:—			
Light Goods	per Barrel Bulk	0	1½
Heavy Goods	per Ton	1	0

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

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

SCHEDULE (D.)

Rates for the Use of Cranes, Weighing Machines, Rails, and Sheds.

1st, Rates of Craneage.

	s.	*d.*
All Goods or Packages not exceeding One Ton	0	2
Exceeding One Ton and not exceeding Two Tons	0	3
„ Two Tons „ Three Tons	0	5

			s.	d.
Exceeding	Three Tons	and not exceeding Four Tons	0	7
„	Four Tons	„ Five Tons	0	9
„	Five Tons	„ Six Tons	0	11
„	Six Tons	„ Seven Tons	1	1
„	Seven Tons	„ Eight Tons	1	3
„	Eight Tons	„ Nine Tons	1	6
„	Nine Tons	„ Ten Tons	1	9
„	Ten Tons and upwards		2	6

2d, Weighing Machines.

For Goods weighed, One Penny for each Ton or Part of a Ton.

3d, Railway Dues.

For the Use of the Rails on the Quays of the Harbour, One Halfpenny per Ton.

4th, Shed Dues.

For each Ton of Eight Barrels Bulk, or for each Ton of Twenty Cwt., which shall remain in the Sheds or on the Quays of the Harbour for a longer Time than Forty-eight Hours, the Sum of Two-pence; and the Sum of One Penny per Ton for each Day during which the said Goods shall remain after the first Forty-eight Hours.

SCHEDULE (E.)

Rates or Petty Customs to be levied by the Magistrates and Town Council of Kirkcaldy.

		s.	d.
Ale	per Hogshead	0	3
Ale, bottled	per Barrel Bulk	0	1½
Alum	per Ton	1	0
Apples	per Barrel of 3 Bushels	0	1
Ashes, Pot and Pearl	per Ton	1	0
Bacon or Hams	per Ton	1	0
Barilla	per Ton	1	0
Bark	per Ton	0	8
Barley, Shelled or Pearl	per Ton	1	0
Barley Dust	per Quarter	0	0¼
Basket Rods	per Bundle	0	1
Beef or Pork	per Ton	1	0
Do.	per Barrel	0	1½
Biscuit	per Ton	1	0
Blacking	per Barrel Bulk	0	1½
Bleaching Powder	per Ton	1	0
Blubber	per Ton of 252 Gallons	0	9
Bone Dust	per Ton	0	6

		s.	d.
Bones of Cattle	per Ton	0	4
Bottles	per Gross	0	1½
Bran	per Bag	0	0½
Brass	per Ton	1	0
Bricks	per 1,000	0	6
Brimstone	per Ton	0	8
Brooms	per Dozen	0	0¼
Butter	per Ton	1	0
Candles	per Barrel Bulk	0	1½
Carrots	per Ton	0	6
Casks, empty, not being returned Packages	per Puncheon	0	2
Other Casks in proportion.			
Cattle for Sale: —			
Bulls	each	0	2
Cows and Oxen	each	0	1
Calves	each	0	0½
Horses	each	0	1
Pigs	each	0	0½
Sheep	per Score	0	4
Lambs	per Score	0	2
Cattle for slaughtering: —			
Cows and Oxen when killed in the Slaughter-house	each	0	6
Do. do. out of Slaughter-house	each	0	9
Sheep, Calves, or Pigs killed in Slaughter-house	each	0	1½
Do. do. out of Slaughter-house	each	0	2
Lambs slaughtered	each	0	1
Carcass of Cow or Ox brought in for private Use	each	0	6
Do. of Sheep, Calf, Pig, or Lamb	each	0	1
Cement	per Ton	1	0
Chalk	per Ton	0	6
Cheese	per Ton	1	0
Chimney Cans	per 100	1	0
Cider	per Hogshead	0	3
Cinders	per Ton	0	3
Clay, Fire, manufactured	per Ton	0	3
Clay, common	per Ton	0	1
Cloth, Haberdashery, &c.	per Barrel Bulk	0	1½
Coaches, Chaises, and other Four-wheeled Carriages when brought in for Sale	each	0	6
Gigs, Carts, and other Two-wheeled Carriages when brought in for Sale	each	0	4
Coals, Scotch, English, Smithy, and Culm	per Ton	0	2
Cocoa Nuts	per 100	0	3
Coffee	per Ton	1	0
Codilla	per Ton	1	0
Copper	per Ton	1	0
Copper Ore	per Ton	0	6
Copperas	per Ton	0	8

		s.	*d.*
Cordage	per Ton	1	0
Cork	per Barrel Bulk	0	1
Cork Wood	per Ton	1	0
Corn, viz.—			
Wheat and Malt	per Quarter	0	1½
Barley, Beans, Pease, Tares, Oats, Rye, Buckwheat, and Indian Corn	per Quarter	0	1
Cotton Wool	per Ton	1	0
Crystal	per Barrel Bulk	0	1½
Dissolved Bones and other artificial Manures	per Ton	0	6
Draff	per Quarter	0	0¼
Drugs	per Barrel Bulk	0	2½
Earthenware	per Crate	0	6
Eggs	per Barrel Bulk	0	1½
Feathers	per Barrel Bulk	0	1½
Fish, dried and salted	per Ton	1	0
Haddocks, Cod, Salmon, and all fresh Fish not enumerated	per Barrel Bulk	0	1
Flax	per Ton	1	0
Flint Stones	per Ton	0	3
Flour	per Sack	0	1½
Flour	per Barrel	0	1
Glass	per Barrel Bulk	0	1½
Glue	per Ton	1	0
Grease	per Ton	1	0
Groceries, viz.—Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, &c.	per Barrel Bulk	0	1½
Guano	per Ton	0	6
Gunpowder	per Barrel	0	1½
Hardware	per Barrel Bulk	0	1½
Hats	per Barrel Bulk	0	1½
Hay	per Ton	0	6
Hemp	per Ton	1	0
Herrings, fresh	per Cran	0	0½
Do., cured	per Barrel	0	1½
Hides—Ox, Cow, or Horse, salted or dried	per Ton	1	0
Calf Skins	per 120	0	9
Sheep Skins	per 120	0	9
Lamb Skins	per 120	0	4½
Honey	per Ton	1	0
Hoops of Iron	per Ton	1	0
Hoops of Wood	per 1,500	0	10
Hops	per Barrel Bulk	0	1½
Horns, Slugs, and Tips	per Ton	1	0
Household Furniture, new	per Barrel Bulk	0	0½

		s.	d.
Husbandry Utensils	per Ton	1	0
Do. do.	per Barrel Bulk	0	1½
Hawker, Pedlar, or Travelling Merchant opening a Sale-room	per Day	1	0
Hawker, Pedlar, or Travelling Merchant having a Stall on the Street	per Day	0	6
And, in addition, where such Hawker, Pedlar, or Travelling Merchant shall sell his Goods by Auction on the Street	per Day	2	0
Hawker, Pedlar, or Travelling Merchant not having a Sale-room or Stall	per Day	0	2
Indigo	per Barrel Bulk	0	2
Iron, Bar, Bolt, Rod, &c.	per Ton	1	0
Pig or Old	per Ton	0	6
Ore	per Ton	0	2
Jute	per Ton	1	0
Kelp	per Ton	0	6
Lard	per Ton	1	0
Lead, all Kinds	per Ton	1	0
Leather, tanned and dressed	per Ton	1	0
Lemons	per Barrel Bulk	0	1½
Lime	per Chaldron of 16 Bolls	1	0
Limestone	per Ton	0	2
Lintseed Cakes	per Ton	1	0
Loam or Moulding Sand	per Ton	0	2
Machinery	per Ton	1	0
Do.	per Barrel Bulk	0	1½
Madder	per Ton	1	0
Madder Roots	per Ton	0	10
Manganese	per Ton	1	0
Manure, Street	per Ton	0	1
Do., not enumerated	per Ton	0	3
Marble	per Ton	1	0
Mats, single	per 100	0	3
Do., double	per 100	0	4
Meal	per Bag of 280 lbs.	0	1
Milk	per Three large Pitchers	0	0¼
Mill Waste	per Ton	0	6
Molasses	per Ton	1	0
Musical Instruments	per Barrel Bulk	0	1½
Nuts	per Barrel Bulk	0	1½
Oakum or old Junk	per Ton	1	0
Ochre	per Ton	1	0
Oils	per Ton	1	0

		s.	d.
Onions - - - - -	per Three Bushels	0	1
Oranges - - - - -	per Barrel Bulk	0	1½
Paper - - - - -	per Ton	1	0
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above 4 - - - -	per Barrel Bulk	0	1½
Peats - - - - -	per Ton	0	6
Pitch - - - - -	per Barrel	0	1½
Plants of Trees or Shrubs - -	per Barrel Bulk	0	1½
Plaster of Paris - - - -	per Ton	1	0
Porter - - - - -	per Hogshead	0	3
Ditto, bottled - - - -	per Barrel Bulk	0	1½
Potatoes - - - - -	per Ton	0	5
Poultry, including Pigeons, Game, &c. -	per Dozen	0	0½
Any less Quantity - - -	- -	0	0¼
Rags, Linen - - - -	per Ton	1	0
Other Rags, old Ropes, &c. - -	per Ton	0	8
Rape Cakes - - - -	per Ton	0	6
Rice - - - - -	per Ton	1	0
Rosin - - - - -	per Barrel	0	1½
Residuum of Bleachers - - -	per Ton	0	3
Rabits, Hares, &c. - - -	per Dozen	0	1
Any less Quantity - - -	- -	0	0½
Salt - - - - -	per Ton	0	8
Saltpetre - - - - -	per Ton	1	0
Seed—Flax and Rape - - -	per Hogshead	0	3
Flax - - - -	per Barrel	0	1½
Flax in Bulk - - -	per Quarter	0	1
Clover - - - -	per Ton	1	0
Garden Seeds - - -	per Ton	1	0
Hemp and Canary - -	per Ton	1	0
Ryegrass - - - -	per 8 Bushels	0	1
Shumack - - - -	per Ton	1	0
Skins, Seals - - - -	per 120	0	6
Slates—Under Size - - -	per 1,000	0	5
Sizeable - - -	per 1,000	0	8
Over Size - - -	per 1,000	1	0
Soap - - - - -	per Ton	1	0
Soaper's Waste - - - -	per Ton	0	3
Soda - - - - -	per Ton	1	0
Spermaceti - - - -	per Ton	1	0
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	6
Stones, Ruble - - -	per Ton of 16 Cubic Feet	0	1½
Hewn Ashlar Freestone -	per Ton of 16 Cubic Feet	0	3
Rough Ashlar Freestone -	per Ton of 16 Cubic Feet	0	2
Pavement not exceeding 3 Inches thick	per 70 Feet	0	3
Pavement above 3 Inches thick -	per 16 Cubic Feet	0	3
Scythe Stones - - -	per Score	0	0½
Millstones - - - -	each	0	6
Starch - - - - -	per Ton	1	0
Steel - - - - -	per Ton	1	0

		s.	*d.*
Stucco	per Ton	0	8
Sugar	per Ton	1	0
Sulphur	per Ton	0	8
Tallow	per Ton	1	0
Tanner's Waste (Screws and Hair)	per Ton	0	8
Tar	per Barrel	0	1½
Tea	per Chest	0	1½
Thread	per Ton	1	0
Tiles, Roofing	per 1,000	0	7½
Tiles or Pipes for draining	per 1,000	0	6
Tin of all Kinds	per Ton	1	0
Tobacco	per Ton	2	0
Tow	per Ton	1	0
Treenails under 2 Feet in Length	per 1,000	0	4
Do. exceeding do. do.	per 1,000	0	8
Turnips	per Ton	0	4
Turpentine	per Hogshead	0	5
Twine and Twisted Yarn	per Ton	1	0
Vegetables	per Cartload	0	1
Verdigris	per Ton	1	0
Vinegar	per Hogshead	0	3
Vitriol	per Carboy	0	1
Whalebone	per Ton	2	0
Whitening	per Ton	0	6
Wine	per Hogshead	0	5
Do., bottled	per Barrel Bulk	0	2
Wood:—			
Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	8
Oak or Wainscoat	per Load of 50 Feet	0	10
Firewood	per Fathom	0	4
Laths and Lathewood	per Fathom of 216 Cubic Feet	2	0
Handspokes	per 120	0	8
Oars	per 120	2	0
Spars under 22 Feet in Length, above 2½ and under 4 Inches in Diameter	per 120	2	6
Spars 2½ Inches in Diameter and under	per 120	1	0
Spars 22 Feet in Length and upwards, not exceeding 4 Inches in Diameter	per 120	5	0
Spars of all Lengths, above 4 and under 6 Inches in Diameter	per 120	10	0
Spokes of Wheels, not exceeding 2 Feet in Length	per 120	0	3
Exceeding 2 Feet in Length	per 120	0	4
Wedges	per 1,000	0	8
Pipe Staves and others in proportion	per Standard 100	0	10
Lignum Vitæ, Fustic, Logwood, Mahogany, Rosewood, and other Kinds	per Ton	1	0
Wool	per Cwt.	0	1½

		s.	*d.*
Yarn - - - - - - - - - -	per Ton	0	6
Yeast - - - - - - - - - -	per Hogshead	0	3
Zinc - - - - - - - - - -	per Ton	1	0
All other Goods not particularly enumerated in the above Table:—			
Light Goods - - - - - - - -	per Barrel Bulk	0	1½
Heavy Goods - - - - - - - -	per Ton	1	0

In charging the Petty Customs the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

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

SCHEDULE (F.)

Form of Complaint.

Unto the Honourable the Sheriff of [*or*, Her Majesty's Justices of the Peace for] the County of Fife.

The Complaint and Information of *A. B.*

Humbly sheweth,

That *C. D.* has been guilty of a Contravention of "The Kirkcaldy Harbour and Petty Customs Act, 1849," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or one or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C. D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of the said "Kirkcaldy Harbour and Petty Customs Acts" [*or* of the said "Harbours, Docks, and Piers Clauses Act"].

May it therefore please your to grant Warrant to summon the said *C. D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts, or one or other of them.

According to Justice, *&c.*

[*Signed by Complainer or Informer.*]

Form

Form of Warrant.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrant to summon the said *C. D.* complained of to appear before [*Magistrate, and Place and Time*], and that by serving the said *C. D.* with a Copy of the foregoing Complaint and of this Deliverance, and also grants Warrant for citing Witnesses at the Instance of both Parties to attend at the same Place and Time.

[*Signed by Sheriff or Justice of Peace.*]

Form of Sentence.

[*Place and Date.*]

The [*Magistrate*], in respect of the Evidence adduced [*or*, of the judicial Confession of the said *C. D.*, *as the Case may be*], convicts the said *C. D.* of the Offence charged, and therefore decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses, one Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session or Collector of the Funds for the Poor of the Parish of Kirkcaldy; and failing Payment by the said *C. D.* forthwith* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects, and summary Sale thereof on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C. D.* in the Prison of until such Return be reported.

*[*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Magistrate, say here* — "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C. D.* in Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns."]

Warrant of Imprisonment to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

The [*Magistrate*], in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C. D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

Warrant of Liberation.

[*Place and Date.*]

The [*Magistrate*], in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C. D.* [*or*, in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be*,] grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C. D.*, and decerns.

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