ANNO SECUNDO

GULIELMI IV. REGIS.

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Cap. xliv.

An Act for constructing and maintaining a Pier or Harbour at *Largs* in the County of *Ayr*.

[23d *May* 1832.]

WHEREAS it would be for the Public Convenience and Advantage, and for the Benefit of the Town of *Largs* and the adjacent Country, if a Pier or Harbour were constructed at or adjacent to the said Town, for the Accommodation and Safety of Vessels resorting thereto: And whereas the several Persons herein-after named are desirous, at their own Costs and Charges, to make and maintain such Pier or Harbour and other necessary Works; but as these Purposes cannot be accomplished without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Thomas Makdougall Brisbane*, the Honourable *Margaret Spiers*, Sir *John Maxwell*, *John Cairnie*, *John Jamieson*, *William Wilson*, *James Wilson*, *James Allan*, *John Allan*, *George Henderson*, *John Johnstone*, *John Boyd*, *John Paton*, *James Greg*, *Thomas Underwood*, *John Morris*, *John Cochran*, *John Lade*, *Robert Glen*, *John Campbell*, *Robert Allan*, *John Beith*, *David Armstrong*, *William M'Call*, *Hugh Crawford*, *William Broadfoot*, *Robert Lead*, *John Paterson*, *John Hair*, *Donald Macintyre*, and *Robert Love*, and all and every other Person or Persons, and Body or Bodies Politic, Corporate, or Collegiate, as have already become Subscribers or from Time to Time shall subscribe and be duly admitted

Company incorporated.

admitted Proprietor or Proprietors, and Member or Members of the Company herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate by the Name of The *Largs* Harbour Company, and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued.

Company authorized to erect the Harbour.

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

Not to deviate from Plan without Consent of Owners.

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

Lands to be acquired within Three Years.

IV. Provided always, and be it further enacted, That in case the said Company shall not purchase or acquire the said Lands or Grounds within the Space of Three Years from and after the passing of this Act, then and in such Case all the Powers hereby granted for purchasing and acquiring the same shall from thenceforth cease and determine, save and except with the Consent of the Owners thereof.

Boundaries of the Harbour.

V. And be it further enacted, That the Boundaries and Extent of the said Harbour of *Largs* shall be deemed and is hereby declared to be from the Junction of *Noddsdale Water* with the *Frith of Clyde* Southward to the Extremity of the Lands of *Broomfields* and Northern Boundary of the Lands of *Haylee*, and Four hundred Yards from the High-water Mark into the said *Frith of Clyde*, lying in the Parish of *Largs* and Shire of *Ayr* aforesaid; and the said Harbour so bounded shall be called *Largs* Harbour.

Whole estimated Expence to be

VI. And whereas the probable Expence of making and constructing the Works hereby authorized will according to an Estimate made thereof amount to the Sum of Three thousand Pounds,

and

and the Sum of Two thousand five hundred and fifty Pounds, being upwards of Five-sixth Parts of such Expences, has been already subscribed for defraying the same, under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; be it enacted, That the whole of the said Sum of Three thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

subscribed before Execution of the Act.

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

To compel Payment of Subscriptions.

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

Company to raise the Money required.

IX. And be it further enacted, That such Persons, or Body or Bodies Politic or Corporate, so becoming Proprietors of Shares as aforesaid, and their several and respective Successors, Executors, Administrators, or Assigns, shall be entitled to and receive, after the said Pier or Harbour and Works shall be completed, and at such Time or Times as the said Company shall at a General or Special Meeting, to be convened for that Purpose in manner herein-after directed, direct and appoint, the entire and net Distribution of an equal proportional Part, according to the Money or Stock so by them respectively paid or contributed, of the Profits and Advantages which shall and may arise and accrue from the Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, and Person or Persons,

Company to be entitled to the Profits.

sons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportional Sum towards carrying on the same in manner herein directed and appointed; and all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and of all and every other Person or Persons whatsoever, of and in the said Pier or Harbour and Works, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Stock to be personal Property.

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

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

XI. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, their, his, or her respective Successors, Executors, Administrators, and Assigns, present at the Stated General and Special Meetings to be held as herein-after appointed, shall have a Vote for every such Share, but not exceeding Five Votes in the whole for any One Proprietor, although possessed of more than Five Shares of the said Undertaking, and every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, their, his, or her respective Successors, Executors, Administrators, and Assigns, who cannot attend such Stated and General and Special Meetings, shall have a Vote for every such Share, but not exceeding Five Votes in whole, by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or under the Hand of such other Person, or, in Cases of Infancy or Lunacy, under the Hand or Hands of the Tutors or Curators, or other Guardian or Guardians of such Infant or Lunatic, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any Stated General or any Special General Meeting of the said Company of Proprietors, shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share: Provided nevertheless, that no Person shall be Proxy for more than Five absent Proprietors, and the Appointment of such Proxies shall be made according to the following Form, or in Words to the like Effect; (that is to say,)

Proprietors to have a Vote for each Share; and may vote by Proxy.

Form of Proxy.

'I A. B. of One of the Proprietors of the *Largs* Harbour Joint Stock Company, do hereby 'nominate,

'nominate, constitute, and appoint
'of to be my Proxy, in my Name
'and in my Absence to vote or give my Assent or Dissent to any Bu-
'siness, Matter, or Thing relating to the said Undertaking which
'shall be mentioned or proposed at any Meeting of the Company of
'Proprietors of the said Undertaking, in such Manner as the said
' shall think proper, according to his
'Opinion and Judgment, for the Benefit of the same, or any thing
'appertaining thereto: In witness whereof I have hereunto set my
'Hand this Day of .'

Proprietor whose name stands first deemed Owner.

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

Meetings to be held at Largs; and Proprietors to pay their own Expences.

XIII. And be it further enacted, That all the General Meetings of the said Company shall be held in the said Town of *Largs*; and that at all and every such stated General and Special Meetings the Persons composing them shall pay their own Expences, the Hire of the Office or the Place in which the Meetings shall be held only excepted.

First and other Meetings.

XIV. And be it further enacted, That the First General Meeting of the said Company for putting this Act into execution shall be held at *Largs* upon the Second *Thursday* in *May* One thousand eight hundred and thirty-two, at the Hour of Twelve of the Clock at Noon, and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held at *Largs*, or such other Place in *Scotland* as shall from Time to Time be fixed by a Quorum of the Committee of Management after mentioned, on *Thursday* of the Week of *Largs* Fair in the Month of *June* One thousand eight hundred and thirty-two, and on *Thursday* of the Week of *Largs* Fair in the Month of *June* in every Year thereafter, at the Hour of Twelve of the Clock at Noon; of all which General Meetings Ten Days previous Notice at the least shall be given by Public Advertisement in any Newspaper usually published in *Glasgow* and *Greenock*, to be named by the Committee of Management after specified.

Special Meetings may be called.

XV. And be it further enacted, That if at any Time it shall appear that for the more effectually putting this Act into execution a Special

a Special General Meeting of the said Company is necessary to be holden, it shall and may be lawful to any Three or more of the said Proprietors who may be collectively possessed of Six Shares of the Capital Stock of the Company for the Time, or any Two of the Committee of Management herein-after mentioned, upon specifying in a Writing subscribed by them the Purpose of such Meeting, to require the Clerk of the said Company to call such Meeting, and the said Clerk shall thereupon convene such Meeting, by giving at least Ten Days Notice thereof by Advertisement as aforesaid, specifying in such Notice the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the same shall be holden; and the Proprietors of the said Company are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with regard to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them, met together at such Special General Meeting, shall be as valid with respect to the Matters specified in the said Notice as if the same had been done at any Annual General Meeting; and at all such General and Special General Meetings of the said Company the Chairman, or in his Absence the Deputy Chairman of the Committee of Management, to be named as herein-after mentioned, and in the Absence of both the Director present highest on the List, shall be Chairman of such Meeting; and such Chairman shall not only have, in the first place, a deliberative Voice as a Proprietor, but in case of an Equality of Votes shall have a decisive or casting Vote; and all Questions, Matters, and Things which shall be proposed, discussed, or considered at such General or Special General Meetings shall be decided and determined by the Majority of Votes of the Proprietors then present, and of the Proxies for such as shall be absent.

Meetings not to be held unless there are Proprietors present holding 15 Shares.

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

Committee of Management.

XVII. And be it further enacted, That *John Cairnie*, *John Johnstone*, *George Henderson*, *James Greg*, *William Wilson*, *John Jamieson*, *John Paton*, *John Campbell*, and *John Boyd* shall be Directors, and shall constitute a Committee for the Management of the Concerns of the said Company, until the General Meeting to be holden on *Thursday* of the Week of *Largs* Fair in the Month of *June* One thousand eight hundred and thirty-two, when Three of the said Committee (to be determined by Ballot or otherwise) shall go out of the Direction,

and

and Three other Proprietors shall be chosen Directors in their Room; and at the General Meeting to be holden on *Thursday* of the Week of *Largs* Fair in the Month of *June* One thousand eight hundred and thirty-three Three others of the said Directors hereby appointed (to be determined by Ballot or otherwise) shall in like Manner go out of the Direction, and Three other Proprietors shall be chosen Directors in their Room; and at the General Meeting to be holden on *Thursday* of the Week of *Largs* Fair in the Month of *June* One thousand eight hundred and thirty-four the remaining Three Directors hereby appointed shall in like Manner go out of the Direction, and Three other Proprietors shall be chosen Directors in their Room; and thereafter, upon *Thursday* of the Week of *Largs* Fair in the Month of *June* in every Year, Three of the said Directors, so chosen as aforesaid, shall go out by Rotation, and Three others shall be chosen in their Room as aforesaid, the Three Directors chosen in the Month of *June* One thousand eight hundred and thirty-two first going out, and so Three others successively in each Year thereafter, so that each Director shall go out at the First General Meeting at the Expiration of Three Years after his Appointment; provided that any such Director so going out may be re-elected; and such Persons so chosen as aforesaid shall be Directors or a Committee for the Management of the Concerns of the said Company; but no Person holding any Place, Office, Employment, or Contract under the said Company shall be capable of being such Director or One of the said Committee during the Time of his Continuance in such Place, Office, or Employment, or holding such Contract; nor shall any Person be capable of taking or entering into any such Contract during the Time he shall be such Director: Provided always, that it shall and may be lawful to and for the said Company, at any Special General Meeting to be convened in manner herein directed, to remove any Member of the said Committee, and to nominate any Person qualified as aforesaid in the Room or Stead of every Member of the said Committee who shall die, be so removed, refuse to act, or shall hold any Place, Office, Employment, or Contract under the said Company, or shall cease to be a Proprietor in the said Undertaking, or shall become Bankrupt; and every Person so nominated by the said Special Meeting shall have the like Power and Authority as if he had been nominated by the said annual Meeting; but every Person so elected at such Special Meeting shall go out of the Direction at the same Period at which the Person in whose Room he was elected would have gone out.

Persons holding any Place or Employment not eligible for Committee.

XVIII. And be it further enacted, That the said Committee of Management shall hold their First Meeting in the said Town of *Largs* on the said Second *Thursday* of *May* One thousand eight hundred and thirty-two, of which previous Notice shall be given Ten Days at least before the Day of such Meeting in any Two Newspapers published in *Glasgow* or *Greenock*, or by Circular Letter addressed, and despatched through the Post Office, to each Member of the said Committee, and shall then and there proceed to carry this Act into execution; and it shall be lawful for the said Committee, and they are hereby authorized and required, at their First

Meetings of Committee.

First Meeting, and also at their First Meeting after the annual Election on the *Thursday* of the Week of *Largs* Fair in the Month of *June* One thousand eight hundred and thirty-two, and after each annual Election thereafter, to elect a Chairman and a Vice Chairman; and at all Meetings of the Committee the Chairman, and in his Absence the Vice Chairman, and in the Absence of both the Director present highest on the List, shall preside; and in case of Equality the Chairman shall, besides his deliberative Vote, have a decisive or casting Vote; and the said Committee may adjourn their Meetings from Time to Time as they shall think proper.

Election of Directors in case of Death.

XIX. And be it further enacted, That in case of the Death or Resignation of any One or more of the said Nine Directors it shall and may be lawful to the Remainder of the Directors, and they are hereby authorized and empowered, at any Meeting of the Committee of Management specially called for that Purpose, to name another Director or Directors in the Room or Place of the said Director or Directors so deceased or declining to act.

Quarterly Meetings of Directors;

Five to be a Quorum.

XX. And be it further enacted, That it shall and may be lawful for the said Committee of Management for the Time being, and they are hereby authorized, from Time to Time to assemble and meet together at any Place or Places in or near the Town of *Largs*, for the Direction and Management of the Affairs of the said Company; and that any Five or more Members of such Committee of Management but not less, shall be a sufficient Number or Quorum to constitute a Meeting for the Purpose of doing all the Acts, Matters, and Things, and exercising all the Powers and Authorities vested in such Committee; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at their Meetings shall be decided and determined by the Majority of Members then present: Provided always, that if on the Day appointed for any such Meeting for the Committee of Management there shall not attend so many Members of such Committee as are hereby required to constitute a Meeting for exercising the Powers hereby vested in such Committee, then and in such Case, and when and so often as the same shall happen, the Meeting shall be adjourned to any future Day, to be fixed by the Member or Members, or the Majority of them, then present, or if no Member shall be present, by the Clerk to the said Company: Provided always, that it

Sub-Committees may be appointed.

shall and may be lawful for the said Committee of Management to appoint any of their Number as a Sub-Committee for particular Purposes, for the better attending to and transacting the Business of the said Company, subject to the Approbation of the said Committee of Management or their Quorum aforesaid; and also provided that Notice of each Meeting of the Committee, in Writing or in Print, signed by the Clerk, shall be given to each Member thereof at least Ten Days before it is to take place, and that the Clerk shall at all Times have it in his Power to call Meetings of the Committees, on receiving a Requisition to that Effect from Two Members of the Committee.

Treasurer, Clerk, and other Officers to be appointed.

XXI. And be it further enacted, That it shall and may be lawful for the said Committee of Management, and they are hereby authorized and required, from Time to Time to nominate and appoint a Treasurer or Collector, and also a Clerk or Clerks to the said Company, and such Harbour Masters, Collectors of Duties, Engineers, Surveyors, Boat Assistants, and other Officers as the said Committee of Management shall think proper and expedient, for the better carrying the Purposes of this Act into execution, and to give them such Salaries or Allowances as they may think proper, the said Committee of Management always taking good and sufficient Security, and to such Extent as they shall think requisite, from such Treasurer, Collector, and other Officer appointed to receive Money, or to have the Care or Custody thereof, for the due accounting for all such Monies with which they may be intrusted, and for the faithful Discharge of the Trust reposed in them; and also from Time to Time to discharge and dismiss any such Officers as aforesaid, and appoint others in their Stead, as the said Committee of Management shall think fit; and that all such Officers of the said Company who shall at any Time quit or be dismissed from the Service of the Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Committee of Management, or to such other Person or Persons as they shall appoint, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Treasurers, Collectors, Clerks, Harbour Masters, Collectors of Duties, Engineers, Surveyors, Boat Assistants, or other Officers, Executors, or Administrators respectively, in anywise relating to the said Undertaking; and the said Committee of Management shall have Power and Authority, and they are hereby required, to balance or cause to be balanced the Books of the said Company at the First Day of *June* in every Year, the first Balance being made on the First Day of *June* One thousand eight hundred and thirty-three, and the same, being so balanced, shall be examined, and shall be docketed and signed by a Quorum of the said Committee of Management, at a Meeting to be held for that Purpose at or previous to *Thursday* of the Week of *Largs* Fair in the Month of *June* yearly, and shall be produced at the General Meeting of the said Company of Proprietors to be held on the said *Thursday* of the Week of *Largs* Fair in *June*, every Year thereafter, so that any of the Proprietors attending the said Meeting may have an Opportunity of inspecting the same; and the Books of the said Company shall be patent and open for the Inspection of all the Proprietors, and of all concerned, for Ten Days subsequent to the said *Thursday* of the Week of *Largs* Fair in *June* in each Year as aforesaid.

Committee not answerable for Officers.

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

Clerk and Treasurer not to be the same Person.

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

Committee may contract for Lands, &c.

XXIV. And be it further enacted, That the said Committee of Management or Quorum aforesaid shall also have full Power and Authority, on behalf of the said Company, to contract for and purchase or take in Feu all such Lands, Tenements, and Heritages, and again dispose thereof if they shall see Cause, and all such Materials and other Things as shall or may be wanted for the said Pier or Harbour, and the Works hereby authorized to be made, and to treat and agree with all and every Person or Persons, Bodies Politic, Corporate, or Collegiate whomsoever, touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given, and to enter into and make such Contracts and Agreements with any Contractors, Agents, Workmen, Servants, or other Persons, in and about or for carrying on the said Undertaking and Works, or any Part thereof, as shall be thought expedient, and to enter into and make all such Contracts, Bargains, and Agreements whatever, touching or in anywise concerning the said Undertaking, as they shall think proper, and to order and direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all and singular the Affairs and Business of the said Company, and to do and execute and perform all Acts, Matters, and Things which the said Company are by this Act authorized to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large, at any Meeting or Meetings of such Proprietors to be held as herein directed.

Books to be kept.

XXV. And be it further enacted, That the said Committee shall direct a Book to be provided and kept by their Treasurer for the Time being,

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

Officers to account.

XXVI. And be it further enacted, That every Officer and other Person who shall be appointed by virtue of this Act shall from Time to Time when thereunto required by the said Company or their Committee of Management, by Notice in Writing to him or them respectively given, or left at his or their usual Place of Abode, or within Seven Days next afterwards, make out and deliver to the said Company or Committee, or to such Person or Persons as they shall appoint to inspect and examine the same, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her collected or received, and how, and to whom, and for what Purpose the same and every Part thereof had been disposed of, together with the Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Accounts shall appear to be owing from him or her to the said Company, to such Person or Persons as the said Company or Committee shall appoint to receive the same; and if any Officer or Person shall neglect or refuse to render or deliver such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner and within the Time aforesaid, or shall neglect or refuse, on such Requisition as aforesaid, to deliver up to the said Company or Committee, or to such Person or Persons as they shall appoint, all Books, Papers, Writings, Tools, Matters, and Things in his or their Custody and Power, relating to the Execution of this Act, or which they shall have disposed of without the Consent of the said Company or Committee, then and in every such Case, Complaint being made by the said Company or Committee, where such Neglect or Refusal shall happen, or by any other Person or Persons on their Behalf, of any Neglect or Refusal, to any Justice of the Peace for the County where the Officer or Person so neglecting or refusing shall live or reside, such Justice is hereby authorized and required, by Warrant under his Hand, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle

settle the said Account, if produced, in such Manner as the said Company or Committee might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, or upon the said Account, if produced, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or owing from such Officer or Person to the said Company, the said Justice may and he is hereby authorized, upon Nonpayment thereof within such Time as such Justice shall direct, by Warrant under his Hand to cause such Money to be levied by Distress and Sale of Goods and Chattels of such Officer or Person respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking, making, keeping, and selling such Distress; or if such Officer or Person shall not appear (without having sufficient Excuse) before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to the said Justice such Account in Writing as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Account, or to deliver up to him all such Books, Papers, Writings, Tools, Matters, and Things as aforesaid, to be by him delivered over to the said Company, then and in any of the Cases aforesaid the said Justice is hereby authorized and required, by Warrant under his Hand, to commit such Officer or other Person to the Common Gaol or House of Correction for the County, Burgh, or Place where he or she shall live or reside, there to remain without Bail until he or she shall have delivered in and settled such Account as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Monies that shall appear to be in the Hands of or owing from him or her to the said Company, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Company for such Money and Charges, and pay the Composition Money to the said Company, or to such Person or Persons as they shall appoint to receive the same, and which Composition the said Company are hereby empowered to make, and shall have delivered up as aforesaid such Books, Papers, Writings, Tools, Matters, and Things as aforesaid, or have given to the said Company Satisfaction in respect thereof: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Time than Six Calendar Months.

Power to make Bye Laws.

XXVII. And be it further enacted, That it shall be lawful for the said Committee of Management, from Time to Time, at any such Meeting as aforesaid, to make and frame, ordain and establish such Bye Laws, Rules, Orders, and Regulations as they shall think fit, for the good Government of the said Pier or Harbour, and Persons frequenting the same, or employed therein, and for the Government of the Clerks, Collectors, Harbour Masters, Officers, Assistants, Servants, and others appointed or employed under or by virtue of this Act, and for the better Regulation of the said Pier or Harbour and other Works,

Works, or any of them, and the mooring and stationing of the Shipping therein, and for the well-governing, ordering, and managing of the Pilots to be employed for the said Pier or Harbour, and the Seamen and others employed in or belonging to the said Shipping resorting to or seeking Shelter at or in the said Pier or Harbour and also for the better regulating, governing, and managing the several Works thereof, as well whilst the same are constructing as after they shall be finished, and for the more safe and convenient landing of Passengers, and of shipping, loading, landing, discharging, carrying, conveying, laying, depositing, and moving of Goods, Wares, and Merchandize, upon any of the Piers, Quays, Wharfs, or Landing Places belonging to the said Harbour, and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, and Merchandize to and from the said Piers, Quays, Wharfs, or Landing Places, and generally for the good Government of the said Pier or Harbour, and to make such other Bye Laws, Rules, Orders, and Regulations as by the said Company shall be thought necessary or expedient for effecting the Purposes of this Act, and the due Execution thereof, and to repeal and to amend or alter such Bye Laws, Rules, Orders, and Regulations, or any of them, and to annex, impose and appoint pecuniary Penalties or Forfeitures, not exceeding Five Pounds for each Offence, to be recovered in manner herein-after mentioned, for the Nonobservance, Nonperformance, or other Breach of or Offence against any such Bye Laws, Rules, Orders, or Regulations; and all such Bye Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and shall be subscribed by a Majority of the Committee of management of the said Company; and Copies thereof shall be painted in legible Characters upon Boards, and put up and affixed in One or more accessible and conspicuous Place or Places in or adjoining to the said Pier or Harbour, for the Inspection and Information of all Persons interested therein; and such Boards and Paintings shall be renewed from Time to Time by the said Company, when destroyed, obliterated, or defaced; and all such Bye Laws, Rules, Orders, and Regulations shall thenceforth be equally binding and authoritative with any of the Provisions of this Act; provided that such Bye Laws, Rules, Orders, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or to any of the Provisions and Directions in this Act contained.

Bye Laws to be painted on Boards.

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

Penalty on Persons defacing such Boards.

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

Committee may make Calls.

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

In case of Neglect to pay Calls, the same may be sued for, or the Shares declared forfeited.

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

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

Procedure in Actions for Calls.

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

XXXII. And

Calls to be paid before the Sale of any Share.

XXXII. And be it further enacted, That after a Call of such Money shall have been made by such Committee as aforesaid, every Person, and all Persons, selling or transferring any Share or Shares which he, she, or they shall possess in the said Undertaking, shall, as well as the Person or Persons to whom such Share or Shares shall be sold, be liable in the Payment of every such Call in the Manner directed by this Act, unless such Person or Persons so selling or transferring shall at the Time of such Sale or Transfer have paid to the Treasurer of the said Company the whole and entire Sum of Money which shall have been previously called for upon each Share so sold or transferred.

Company may borrow Money.

XXXIII. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company or of their Committee of Management, either to borrow or take up, in Loan, at or below legal Interest, any Sum or Sums of Money for completing the said Pier or Harbour and other Works, not exceeding the Sum of Two thousand Pounds Sterling in the whole, and to grant, execute, and deliver, to and in favour of the Lenders or those having Right, such Bonds, Obligations, or other Deeds in Writing as may be required, binding the whole Works of every Kind belonging to the said Company for Payment of the Sum or Sums so borrowed, with Interest and Penalty, as is usual in such Cases; and such Deeds shall, if necessary, contain the Clauses usual and necessary by the Law of *Scotland* for vesting in the Lenders of the said Monies the Heritable Subjects belonging to the said Company in security of the said Sums.

Proprietors may sell their Shares.

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

Form of Conveyance.

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

Conveyance to be recorded.

And on every such Sale, the said Assignment or Deed of Conveyance (being executed by the Seller or Sellers, and Purchaser

or

or Purchasers of such Shares,) shall be endorsed by any Two of the said Committee of Management, and shall be kept by the said Purchaser or Purchasers, for his or their Security, after the Clerk to the said Company shall have entered into a proper Book or Books to be kept for that Purpose a Memorial or Specification of such Transfer and Sale, for the Use of the said Company, and have testified or endorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which Entry no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial immediately, without any undue Delay; and until such Deed of Sale, Indorsement, and Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Right to draw any Part or Share of the Profits of the said Undertaking, nor to any Vote as a Proprietor or Proprietors of the said Undertaking.

Shares to be numbered and registered;

and Certificate thereof given to the Proprietor.

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

Registered Shareholders liable in Calls.

XXXVI. And be it further enacted, That all and every Person or Persons, Bodies Politic, Corporate, or Collegiate, whose Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as Subscribers, or as Successors, Executors, Administrators or Assigns of Subscribers, shall be deemed and taken to be Proprietors of the several Share or Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which original Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and all Notices hereby required to be given previous to the Forfeiture of Shares to the Proprietors thereof shall, if given to the Person appearing by the Register Book of the said Company to be such Proprietor and Proprietors, or their Representatives, or left at his, her, or their last or most usual Place of Abode, be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on such Shares shall be made to such Person or Persons as by the said Book of the Company shall so appear to be

Proprietor thereof; and no Assignment, Transfer, Bargain, or Sale of any Share or Shares, or other Instrument giving Title to any Share or Shares, which shall not have been enrolled or registered as directed by this Act, shall be admitted as Evidence, either to defeat any Action or Suit brought or to be brought by the said Company to receive the said Calls, or to enable any Person to recover any Share or Shares forfeited to the said Company, or to make the said Company liable to the Payment of the Dividends to any other Person or Persons than such as appear upon the said Book to be Proprietors of the said Shares, but that in all Cases the said Book shall be considered as Evidence of the Proprietorship of the said Share or Shares.

Company may agree for the Purchase of Lands.

XXXVII. And be it further enacted, That the said Company shall have full Power and Authority, and they are hereby empowered and authorized, to treat and agree with the Person or Persons whose Names are set forth in Schedule (A.) hereunto annexed, being, or any other Person or Persons who may be, the Owners and Occupiers, for the Purchase of the Lands and other Heritages specified in the said Schedule, or such Part thereof as may be required for the Purposes of this Act, with the Consent of such Person or Persons, and upon Payment of the Prices or Value of such Lands and Heritages to enter into or on Possession of the same.

Incapacitated Persons authorized to sell.

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

Sellers to grant Conveyances.

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

'IN

Form of Conveyance.

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

Conveyance to be recorded.

And every such Conveyance to the said Company, being registered in the particular Register of Sasines, Reversions, *et cetera*, kept in and for the said County of *Ayr* (and the Keeper of such Register is hereby authorized and required to record the same), shall have and receive the same Effect, and be as valid and effectual, to all Intents and Purposes, as if a formal, absolute, and irredeemable Disposition, or other Deed of Conveyance known in Law, had been granted and executed, and the same followed by Infeftment and Sasine thereon, duly recorded according to the Law and Practice of *Scotland*; any Law, Custom, or Usage to the contrary notwithstanding.

Upon legal Tender of Money contracted for, Works not to be impeded.

XL. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties for the Purchase of any Lands or Heritages to be taken for the Purposes of this Act, or as a Compensation for Damages, as herein mentioned, within One Calendar Month after the same shall have been contracted or agreed for as aforesaid, to the Proprietor or Proprietors of such Lands or Heritages, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively; or if the Person or Persons so entitled or interested, or any of them, shall not be able to make a good Title thereto to the Satisfaction of the said Company, or cannot be found, or shall refuse to receive the same, or execute such Conveyance, then, upon the Payment of the said Sum or Sums of Money, within One Calendar Month after the same shall have been contracted for as aforesaid, into the Bank of *Scotland*, the Royal Bank of *Scotland*, or Bank of the *British* Linen Company, as the Case may be, for the Use of such Person or Persons to interested and entitled as aforesaid, then and in all or any of the said Cases, as often as the same shall happen, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately so enter, or, if they have entered, to continue upon such Lands or Heritages respectively; and then and thereupon such Lands or Heritages, together with the yearly Profits thereof, and all the Estate, Use,

Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company and their Successors, to and for the Purposes of this Act for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons entitled to or interested in such Lands or other Heritages, but shall also extend to and be deemed and construed to bar the Courtesy of the Husband and the Terce of the Wife of every such Person, and all Estate Tail and other Estates of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, or Deposit shall have been made as aforesaid, it shall not be lawful for the said Company, or any Person acting under their Authority, to enter, dig, or cut the Lands or Heritages of the Person or Persons entitled to such Payment, for the Purpose of making the said Pier or Harbour or other Works, without the Consent in Writing of such Person or Persons respectively.

Application of Compensation Money when amounting to 200*l.*

XLI. And be it further enacted, That if any Monies shall be agreed to be paid for any Lands or Heritages purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, Married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or as a Recompence for Damages caused thereby, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the Court of Session, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Heritages, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Heritages, or affecting other Lands or Heritages standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchases shall be made the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Heritages so hereby directed to be purchased in case such Purchase or Settlement were made.

XLII. Pro-

Application where less than 200*l.*, and amounting to 20*l.*

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

Application where less than 20*l.*

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

In case of not making out Titles, &c.

XLIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be payable as aforesaid shall refuse to accept the same, or shall not be able to make good a Title to the Premises to the Satisfaction of the said Company, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so payable as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company, or any Two or more of them, to pay the Sum and Sums of Money so payable as aforesaid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company respectively, as the Case may be, to the Credit of the Parties interested in the said Lands or Heritages, describing them if they are known, and if they are not known, then generally to the Credit of the Parties interested in the said Lands or Heritages, without any Description of them, subject to the Order, Controul, and Disposition of the said Court of Session; which said Court, or either of the Divisions thereof, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and are hereby empowered, in a summary Way

of Proceeding, or otherwise, as to the said Court shall seem meet, to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company respectively, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into such Bank or Banks as aforesaid.

Where Questions arise touching the Title to any Money.

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

Court may order Payment of Expences in certain Cases.

XLVI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into any of the said Banks, and to be applied in the Purchase of other Lands or Heritages, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court of Session to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Provision for Deficiencies of Land Tax.

XLVII. And be it enacted, That in order to prevent any Deficiency in the Assessment of the Land Tax, in consequence of the Execution of the Works to be effected in pursuance of this Act, the said Company shall, from and after the Time that they shall become possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good, out of the Monies to arise by virtue of this Act, all such Sum

Sum and Sums of Money as shall be deficient in the said Assessment by reason of using for the Purposes of this Act any Lands or Heritages liable to such Assessment, according to the Rental at which the same are valued or rated at the Time of passing this Act; and the said Company are hereby required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax.

Power to take Tonnage Duties.

XLVIII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said Company, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered, from Time to Time and at all Times, to ask, demand, take, receive, collect, recover, and levy, for the Use of the said Company, upon all and every of the Ships, Vessels, and Boats, and Steam Vessels or Steam Boats, of whatsoever Description, which shall come into or use the said Pier or Harbour, or shall ride or be at anchor within Three hundred Yards of the Pier Head, any Sums not exceeding the several Rates and Duties specified in the Schedule (B.) hereunto annexed.

Tonnage Duty exigible but once during the Voyage.

XLIX. Provided always, and be it further enacted, That no Ship, Vessel, or Boat, Steam Vessel or Steam Boat, to whomsoever belonging, for which the Tonnage Duty exigible by this Act shall have been once paid, shall be liable or obliged to pay the same, in case of such Vessel being put back or returning into the said Pier or Harbour during the Voyage for which the Tonnage Duty was paid.

Rates on Goods.

L. And be it further enacted, That over and above the Tonnage Duty herein-before authorized to be taken on Ships, Vessels, or Boats entering and using or being at anchor within Three hundred Yards of the Pier Head, there shall be paid to the said Company, on all Goods, Wares, Merchandize, or other Commodities or Things which shall be landed or shipped within the foresaid Limits, extending from *Noddsdale Water* to the Northern Boundary of the Lands of *Haylee*, or be there exported or imported in such Ships, Vessels, or Boats, or Steam Vessels or Steam Boats, the several Rates specified in the Schedule (C.) hereunto annexed.

Company may fix Rates on Articles not enumerated.

LI. And be it further enacted, That it shall be lawful for the said Company to fix such reasonable Rates upon Commodities not specified in the said Schedule (C.) as they shall think fit; provided such Rate shall not exceed One Sixth Part of the Freight of such Commodities.

Rates may be compounded for.

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

lesser Rates or Duties as to the said Company, or to the Person or Persons appointed by them, shall from Time to Time appear expedient; provided that in so compounding all such Ships, Vessels, or Boats, Steam Vessels or Steam Boats, as are or may be of the same Size, Description, and Employment, shall be compounded with on the same Terms and at the same Rates.

Rates may be altered.

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

Rates and Duties may be let for Years.

LIV. And be it further enacted, That the said Company shall be and they are hereby authorized and empowered, by Public Auction, to let the Rates and Duties hereby granted, in whole or in Parts or Shares, from Time to Time, by Lease or otherwise, for any Term not exceeding Five Years, for the highest Rent or Rents they can get for the same.

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

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

Master and Owner of British Ships obliged to produce Register.

LVI. And be it further enacted, That the Masters and Owners of all *British* Ships, Vessels, and Boats, and Steam Vessels and Steam Boats, trading to and from the said Pier or Harbour, and liable to the Payment of the Rates and Duties by this Act imposed, shall and they are hereby required to produce to the Harbour Master or other Officer to be appointed as aforesaid the Registers of their respective Ships, Vessels, or Boats, or Steam Vessels or Steam Boats, in order to ascertain the Tonnage thereof, or otherwise they shall permit and suffer such Ships, Vessels, or Boats, Steam Vessels or Steam Boats, to be measured by the said Company, or by such Person or Persons as they shall from Time to Time appoint for that Purpose, and shall pay the Rates and Duties according to such Registered Tonnage and Measurement, besides the Expence of the Measurement, in the Manner herein mentioned; and every Owner or Master aforesaid who shall refuse to produce the Register of his or their Ship, Vessel, or Boat, Steam Vessel or Steam Boat, or to allow the same to be measured as aforesaid, shall for every such Offence forfeit and pay

any Sum not exceeding Five Pounds Sterling, over and above the Tonnage or other Duties with which such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, may be chargeable, in Terms of this Act, to be recovered and applied in manner herein mentioned.

Foreign Vessels may be measured.

LVII. And be it further enacted, That the said Company shall, and they are hereby authorized to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Ships, Vessels, or Boats, Steam Vessels or Steam Boats, and of all other Ships, Vessels, or Boats having no Registers, which shall enter the said Harbour, in order to a due Collection of the Duties payable by such Ships, Vessels, or Boats; and such Person and Persons is and are hereby empowered and required to measure the same according to the Directions of an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for the Registering of* British *Vessels;* and the Owners or Masters of all such Ships, Vessels, or Boats shall pay the Expence of such Measurement, besides the Rates and Duties to which they are liable in Terms of this Act. 6 G. 4. c. 110.

Master to produce Account of Cargo on board.

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

For erecting Warehouses, Cranes, and Weighing Machines.

LIX. And be it further enacted, That the said Company shall and may and they are hereby authorized and empowered, out of any of the Rates and Duties aforesaid, and otherwise, to provide any convenient Warehouses and Yards, or other Places, for the receiving and safe-keeping or lodging of such Goods, Wares, and Merchandize and other Things as shall happen to be removed off the Quays and other Places in manner after mentioned, and also to erect such and so many Cranes and Weighing Machines upon the said Pier or Harbour and Grounds adjacent, as may appear to be requisite, for the loading, unloading, and weighing of such Goods, Wares, and Merchandize as may be imported into or exported from the said Harbour, and also to provide all such Weights and Measures as may be necessary for weighing and measuring the said Goods. Wares, and Merchandize.

Further Allowance for Goods remaining upon Wharfs

LX. And be it further enacted, That if any Commodities shall remain upon any Wharf or Pier, or other Place belonging to the said Harbour, for a longer Period than Six lawful Days from the Time such Commodities shall have been placed upon the said Quays,

above a certain Time, over and above Rates and Duties.

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

Goods may be removed from the Quays, &c.

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

Goods remaining Six Months in Warehouse may be sold.

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

be fixed by the said Justice or Justices; and if such Goods, Wares, and Merchandize are not claimed, and removed from the said Warehouses and other Places, and, the whole Duties and Charges thereon satisfied and paid within the Period to be fixed as aforesaid, it shall be lawful to the said Justice or Justices, and he and they is and are hereby empowered, authorized, and required, to grant Warrants to levy the said Duties and Charges by Distress and Sale of the said Goods, Wares, and Merchandize, and to render the Overplus (if any be), after Deduction of the said Duties and Charges of taking, detaining, and making the Sale, to the Owner or Owners of such Goods, Wares, and Merchandize, whenever the same shall be demanded.

Penalty on evading Rates.

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

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

LXIV. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates and Duties, and the Master or any other Person having the Care or Charge of any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, entering or leaving the said Harbour, or the Owner, Factor, Consigner or Consignee of any Goods, Wares, Merchandize, or other Things therein embarked or contained, concerning the Weight or Quantities of the Goods, Wares, Merchandize or other Things loaded or embarked therein, it shall be lawful for any such Collector to stop and detain any such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, and to weigh or gauge, or cause to be weighed or gauged, the same, and all such Goods, Wares, and Merchandizes or other Matters or Things as shall be therein embarked or contained; and in case thesame shall upon any such weighing or gauging, appear to be of greater Weight or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care or Charge of such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, then it shall and may be lawful to and for the said Company, or their Collector or Collectors, and he, she, and they is and are hereby authorized and empowered, to charge for such Goods and Things according to the Weight thereof found upon such weighing, or declared by the Gauge of such Ship, Vessel, or Boat, Steam Vessel or Steam Boat; and the Master, Owner, or other Person giving in such Account shall pay the Costs and Charges of such weighing and gauging; all which Costs and Charges, upon Refusal of Payment on Demand, shall and may be recovered and levied in the same Manner as the said Rates and Duties are hereby appointed to be recovered and levied; but if such Goods, Wares, Merchandize, or other Matters or Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Company, or their Collector, as the Case may be, shall pay the Costs and Charges of

of such weighing or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall have arisen from such Detention; and in default of Payment thereof the same shall be recovered by Distress and Sale of the Goods and Effects of the Collector or Collectors for the Time being, or of the Goods and Effects of the said Company, under a Warrant to be issued for that Purpose under the Hands of any Two or more Justices of the Peace for the County of *Ayr*, which Warrant any such Justices are hereby authorized and required to grant under their Hands, on Application made to them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned to the said Company, or to their Collector or Collectors for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Collector or Collectors to retain, out of the Monies which he or they shall have received or shall receive on account of or for behoof of the said Company, all such Damages, Costs, and Expences as he shall have sustained, or be put unto by virtue of any Warrant as aforesaid.

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

LXV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship, Vessel, or Boat belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service or Employ of the Customs, Excise, Ordnance, or Post Office, coming into or using the said Harbour.

Power to demand Register and to levy Rates.

LXVI. And be it further enacted, That it shall and may be lawful for such Person or Persons as shall be authorized and appointed by the said Company for that Purpose to go on board any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, coming into the said Harbour or sailing from the same, and to demand to see the Register thereof, and to take the Dimensions of such Ship, Vessel or Boat, Steam Vessel or Steam Boat, and to demand, collect, and receive, from the Owner, Master, or other Person having the Charge of such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, the Rates and Duties by this Act imposed and made payable, and in case of Delay or Refusal of Payment to seize, take, and detain any of the Goods, Merchandize, Tackle, Furniture, or Apparel of or belonging to any such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, and to keep and detain the same until the said Rates and Duties are paid; and in case of Neglect or Delay in such Payment for the Space of Six Days after such seizing, taking, and detaining as aforesaid, it shall and may be lawful for the said Company, or any Person or Persons authorized by them as aforesaid, to cause the same to be appraised by Two or more sufficient Persons, and afterwards to sell and dispose of the Goods or other Effects taken and appraised, and therewith to satisfy the Rates and Duties so neglected or delayed to be paid, together with the Charge

of

of such seizing, taking, detaining, and selling, as the same shall be ascertained by the Sellers upon Oath, the said Company, or others authorized as aforesaid, rendering to the Master or Owners of such Ship, Vessel, or Boat, or to the Owners of such Goods, the Overplus, if any be, on Demand.

Vessels not to be cleared till Duty paid.

LXVII. And for the more effectually preventing any Delay or Evasion in the Payment of the Rates and Duties aforesaid, be it enacted, That it shall be lawful for the Collector, Surveyor, or other principal Officer of His Majesty's Customs at the said Harbour, to refuse to clear any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, outward or inward, or endorse any Clearance or Warrant, until there shall have been produced and shown to him, by the Person or Persons liable in the Payment of the Rates and Duties by this Act imposed and made payable on account of such Ship, Vessel, or Boat, either a sufficient Voucher of the Payment of the Rates and Duties, or a Certificate under the Hand of the Collector of the Rates and Duties hereby granted that the Sum demanded on that Account has been consigned and lodged in his Hands, with sufficient Security for the Payment of all Damages, Costs, and Expences which may be sustained or incurred by any Person or Persons by reason of the Delay or Refusal of Payment, according as the same shall be ascertained and determined by any One or more of His Majesty's Justices of the Peace for the County of *Ayr;* and that such Collector, Surveyor, or other principal Officers of His Majesty's Customs shall and he is hereby required to obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs in relation thereto: Provided always, that in case it shall be found by the said Justice or Justices of the Peace, after hearing both Parties, that the Collector of the said Rates and Duties has made a higher Demand than what is authorized by this Act, such Collector shall be liable and be decreed to pay to the Party complaining such a Sum in Name of Damages, not exceeding Five Pounds Sterling, as shall be judged adequate by the Justice or Justices, who are hereby authorized and empowered to hear and decide upon all such Questions and Disputes as shall be brought before them relative to these Matters in a summary Way.

For regulating the mooring of Vessels.

LXVIII. And be it further enacted, That the said Company, or such Person or Persons as they shall authorize and appoint, shall and may and they are hereby authorized and empowered from Time to Time to order and require all Persons having the Command or Direction of any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, entering into the said Harbour, to station, place, anchor, and moor such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, in such Place and at such Quay, previously approved of by the proper Officer or Officers of the Customs, as the said Company or Persons so authorized and empowered by them shall direct, and, with Consent of the said Officers of the Customs, when and as often as they judge necessary, to remove or cause to be removed any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, lying in the Entrance of the said Harbour, or at any Quay, Pier, or Breast to be built thereat, or in any other Part

of the said Harbour, from the Berth or Lying Place at which such Ships, Vessels, or Boats, Steam Vessels or Steam Boats respectively, may happen to be moored or lying at the Time, to any other Berth or Lying Place in the said Harbour; and in case the Master or other Person having the Command or Direction of such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, shall neglect or refuse to remove or cause to be removed, upon being required to do so by the said Company, or such Person or Persons as they shall authorize as aforesaid, as soon after such Requisition as the State of the Tide will permit, such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, from her said Berth or Mooring Place as shall have been appointed as aforesaid, then and in that Case the said Company, or any Person authorized by them as aforesaid, shall be and they are hereby empowered, immediately on such Refusal or Neglect, to remove or cause to be removed such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, from its then Berth or Mooring Place, as the said Company, or the Person or Persons authorized by them as aforesaid, shall think proper; and the Master, Owner, or Consignee of such Ship, Vessel, or Boat so removed shall be obliged to pay to the said Company, or any Person or Persons appointed by them to receive the same, all the Costs and Charges that shall have been reasonably incurred and expended in accomplishing such Removal; and every Master or other Person having or being in the Command or Direction of any such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, or any other Person or Persons, who shall obstruct or hinder the Removal as aforesaid, shall for every such Offence forfeit and pay to the said Company, or any Person appointed by them to receive the same, a Sum not exceeding One Pound Sterling.

Preference to be given to Ships in Distress.

LXIX. And be it further enacted, That in case any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, shall arrive and come into the said Harbour in Distress, or meet with any Misfortune in the said Harbour, it shall and may be lawful for the Berth Master or other Officer apponited to that Effect, and in case of his Orders being disobeyed, to and for any Justice of the Peace for the County of *Ayr*, upon Request made to him in Writing by the Master, Commander, or Owner of any such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, or Owner of any Goods on board such Ship, Vessel, or Boat, and upon Proof being laid before him or them of such Distress, to give a Preference to such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, being in Distress as aforesaid, both as to the Berths at the Piers and Quays, and as to the Course of discharging or repairing, to any other Ship, Vessel, or Boat, Steam Vessel or Steam Boat, that shall have arrived before in the said Harbour; and every Master or Commander of any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, lying within the said Harbour, who shall refuse or delay to comply with the Order of any such Berth Master or Justice as aforesaid, in favour of the Ship, Vessel, or Boat, Steam Vessel or Steam Boat, in Distress as aforesaid, shall forfeit any Sum not exceeding One Pound Sterling.

LXX. And

Ballast not to be thrown into the Harbour, or removed therefrom, unless authorized by the Company.

LXX. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever, upon any Pretence whatsoever, to throw or empty any Ballast, Dirt, Ashes, Rubbish, Shingle, Stones, or any other Thing out of or from any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, or out of or from any Cart or Carriage whatsoever, or off or from any Quay, Wharf, Pier, Yard, Place, or Ground, into any Part of the said Harbour, or to dig or take away Ballast, Shingle, Stones, or other Thing from the same in any other Place than such as shall be pointed out by the said Company, or by some Person authorized by them, under a Penalty not exceeding Five Pounds for every such Offence, over and above the Expence of repairing the Damage done thereby; and if any Person shall cast out or deposit any Ballast of or from any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, upon any of the Quays, Wharfs, or Piers, or in any other Place in or about the said Harbour other than at such Place or Places as shall be appointed by the said Company, or some Person authorized by them, for casting out or depositing such Ballast, such Person shall immediately cause the same to be carried off and deposited at such Place as shall be appointed, on pain of forfeiting for every such Offence a Sum not exceeding One Pound Sterling, over and above the Expence of removing the same.

No Combustibles to remain on the Quays.

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

Gunpowder not to remain on board Vessels in

LXXII. And be it further enacted, That no Gunpowder shall be suffered to be or remain on board any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, for any longer Period than Twelve Hours after the

the Harbour; and may be landed on a Sunday.

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

Pitch not to be heated or boiled on board Vessels.

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

Punishment of Persons injuring the Works.

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

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

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

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

LXXVI. And be it further enacted, That the Master or Owner of every Ship, Vessel, or Boat, Steam Vessel or Steam Boat, lying or trading in the said Harbour, shall be and he is hereby made answerable to the said Company for the Amount or Value of any Damage or Mischief that shall be done by any of the Seamen, Servants, Boatmen or Watermen, or others, employed at or on board the same, to any of the Quays, Wharfs, Piers, or other Works in or about the said Harbour, either by the loading or unloading of any Ship, Vessel,

or

or Boat, or any other Means whatsoever; and the Master or Owner of every such Ship, Vessel, or Boat, Steam Vessel or Steam Boat, shall for every such Trespass, Damage, or Mischief, upon Conviction before any Justice of the Peace for the County of *Ayr*, on the Oath of any credible Witness or Witnesses, which Oath such Justice is hereby authorized and required to administer, or on the Confession of the Party or Parties offending, forfeit and pay to the Party or Parties injured such Damages, Satisfaction, or Compensation as shall be ascertained, fixed, and determined by such Justice, provided that such Damages, Satisfaction, or Compensation shall not exceed the Sum of Twenty-five Pounds Sterling; but in case such Damages, Satisfaction, and Compensation shall exceed the Sum of Twenty-five Pounds Sterling, then and in such Case the said Master or Owner of such Ship, Vessel, or Boat may be sued and prosecuted for such Damages, Satisfaction, and Compensation, in the Court of Session if the Defender shall reside in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster* if the Defendant shall reside in *England*, or in the Court of King's Bench or Common Pleas at *Dublin* if the Defendant shall reside in *Ireland;* and if a Verdict or Judgment shall be given against him or her, either on Proof made, or by Default or upon Demand, the Plaintiff in every such Case shall recover the Damages thereby sustained, with full Costs.

Masters to recover Damages from their Servants.

LXXVII. And be it further enacted, That in case the Master or Masters, Owner or Owners of any Ship, Vessel, or Boat, Steam Vessel or Steam Boat, as aforesaid, shall be compelled to pay any Penalty or to make Satisfaction for any Damage or Trespass by reason of any such Damage or Mischief done or committed by his, her, or their Mariners, Boatmen, Servants, or other Persons employed by him, her, or them, such Mariners, Boatmen, Servants, or other Persons, and each and every of them, shall be liable to pay such Penalty or Damages, with the Costs thereof, to such Master or Masters, Owner or Owners; and in case of Nonpayment thereof upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof have or hath not been repaid to him, her, or them by such Mariners, Boatmen, Servants, or other Persons, or any of them, although demanded, (such Oath to be made before any Justice of the Peace for the County or Place where such Penalty or Satisfaction shall have been incurred as aforesaid, or where such Mariner, Servant, or other Person can be found,) the Amount thereof shall be recovered by such Master or Masters, Owner or Owners, as any other Penalty is hereby directed by this Act to be recovered.

Officers may apprehend Idlers, &c.;

LXXVIII. And be it further enacted, That it shall be lawful to and for the Officers to be appointed by the said Company, and to and for any Messenger at Arms, Sheriff's Officer, Peace Officer, Town Officer, or other Person, and they are hereby severally authorized and empowered to apprehend, seize, secure, and detain, till they can be regularly conveyed before a Magistrate, all and every Vagrant, Idler, or disorderly Persons who may haunt about the Harbour, Quays, Wharfs,

and seize Ropes, &c. found in their Possession.

Wharfs, Piers, or other Places connected therewith, without lawful Business; and they are hereby also authorized and empowered to seize, secure, and detain, till such Seizure can be regularly reported to a Magistrate, all Ropes, Copper, Iron, Lead, and other Articles of Marine Stores used in the Repair of Ships or Vessels, and all Goods, Wares, and Merchandize which may be found in the Custody of such Vagrant, Idler, or disorderly Person; and if it shall appear that any of the said Articles have not been fairly come by, it shall be lawful for any Justice of the Peace for the County of *Ayr* to order the said Goods to be restored to the proper Owner or Owners thereof, and in case such Owner or Owners cannot be found, to confiscate the same, in aid of the Rates and Duties leviable by this Act, and punish the Person in whose Custody the same may have been found by Imprisonment and hard Labour in some legal Place of Confinement within the County of *Ayr* for any Time not exceeding One Calendar Month.

Justices may detain or commit such Offenders.

LXXIX. And be it further enacted, That it shall and may be lawful to and for every such Justice or Justices, and they are hereby authorized and empowered, to detain such Vagrants, Idlers, and disorderly Persons in any Watch-house or other Place of Security, therein to be detained, for Examination, for any Space not exceeding Forty-eight Hours, or, as a Punishment, to commit the said Offenders to any such Watch-house, Gaol, Bridewell, or other Place of Security for any Space not exceeding Three Days.

Power to apprehend transient Offenders.

LXXX. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Harbour Master, Collector of Duties, or other Officers or Persons acting under the Authority of this Act; be it further enacted, That it shall and may be lawful to and for the said Harbour Masters, Collectors of Duties, and other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more of the Justices of the Peace for the said County of *Ayr*, without any other Warrant than this Act for so doing; and such Justice or Justices of the Peace is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders in a summary Way.

Penalty on obstructing the Works.

LXXXI. And be it further enacted, That if any Person or Persons whomsoever shall at any Time or Times obstruct, hinder, or molest the Engineers, Berthing Masters, Superintendents, Labourers, or other Person or Persons whomsoever who is and shall be employed or acting in performance or execution of their Duty under this Act, or in the Works to be done or carried on in the Repair, Maintenance, or Improvement of the said Harbour, or in any other Matter relating thereto, every Person so offending shall forfeit any Sum not exceeding One Pound Sterling, and for the Second Offence any Sum not exceeding Five Pounds Sterling, and for the Third and every other Offence any Sum not exceeding Ten Pounds Sterling.

LXXXII. And

Costs may be recovered from Treasurer.

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

Mode of recovering Penalties.

LXXXIII. And be it further enacted, That it shall and may be lawful for the said Company, or for the Collector or Collectors or other Officers to be appointed by them, to prosecute for and recover the several Fines, Penalties, Forfeitures, and Damages by this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed), by Action, Bill, Complaint, or Information raised or exhibited within Six Months after such Offence is committed, before any One or more of his Majesty's Justices of the Peace, or any other Judges competent, within whose Jurisdiction the Offender or Offenders shall reside or be apprehended; and the Justices or other Judges aforesaid shall and he and they is and are hereby empowered and required to proceed to the Trial of such Offender or Offenders in a summary Way, and upon Conviction of the Offender or Offenders, by their own Confession, or by the Oath of One or more credible Witness or Witnesses, to award and give such Orders, Judgments, and Decrees as to them shall seem most agreeable to the true Intent and Meaning of this Act; and in default of Payment of the several Fines, Penalties, and Forfeitures which shall be so awarded, the Person or Persons who shall be convicted of any of the Offences before described shall and may, by Warrant

Warrant under the Hand of any such Justice or Judge, be committed to any legal Place of Confinement in the County of *Ayr*, or to the Common Gaol or House of Correction of any other County or Place where the Matter of Complaint may arise, or the Offender or Offenders may have been convicted, and there be kept in Confinement for such Time as such Justice or Justices, or Judges, shall direct, not exceeding Three Months, unless the Sum so awarded against him, her, or them shall be sooner paid and discharged.

Application of Penalties.

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

Proceedings not to be quashed for Want of Form.

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

For compelling Witnesses to attend.

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

Testimony of Officers.

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

Appeal.

LXXXVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Bye Law, Rule, Order, or Regulation made in pursuance of this Act, or by any other Matter or Thing done under or in pursuance of this Act, then and in every such Case it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the General Quarterly Sessions of the Peace to be holden for the County or

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

Magistrates to assist in putting this Act into execution.

LXXXIX. And be it further enacted, That all Judges, Sheriffs, Justices of the Peace, and other Magistrates, with their Officers, Messengers at Arms, and all other Officers of the Law whatsoever, and every of them, shall be and they are hereby required to be aiding and assisting in putting this Act into due and effectual Execution.

Public Act.

XC. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded.

SCHEDULE (A.) to which the foregoing Act refers.

Description of Property to be taken.	Owners.	Occupiers.
Shore or Beach at Largs.	Sir Thomas Makdougall Brisbane K. C. B., or his Trustees.	Sir Thomas Makdougall Brisbane K. C. B., or his Trustees. James Greg. John Paton. John Beith. Archibald Frazer.

SCHEDULE (B.)

CLASS FIRST.

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

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

Second. Each such Ship, Brig, Sloop, Bark, Lighter, Yacht, or other Vessel, if of or above the Measurement of Ten Tons but under Twenty Tons, Three-pence Sterling for each Ton the same shall measure:

Third. Each such Steam Vessel or Steam Boat, if of the Measurement of Twenty Tons or upwards, Two-pence Sterling for each and every Ton the same shall measure:

Fourth. Each such Steam Vessel or Steam Boat, if of or above the Measurement of Ten Tons but under Twenty Tons, One Penny Half-penny Sterling for each Ton the same shall measure:

Fifth. Each such Ship, Bark, Lighter, Yacht, Steam Vessel, Steam Boat, or other Boat or Vessel, if of or above the Measurement of Five Tons but under Ten Tons, One Shilling and Sixpence Sterling: And,

Sixth. Each Boat or Vessel under Five Tons, One Shilling Sterling.

CLASS SECOND.

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

SCHEDULE (C.)

	£	s.	d.
FOR every Boll of Wheat, Rye, Barley, Bear or Bigg, Malt, Oats, Peas, Beans, Tares, and Ryegrass Seeds - - -	0	0	1
For every Ton of Wheat Flour - - - -	0	2	0
For every Boll of Oatmeal weighing 140 Pounds Avoirdupois -	0	0	0½
For every Boll of Bear or Barley Meal weighing 156 Pounds Avoirdupois - - - - -	0	0	0¾
For every Hundred Weight of Pot or Pearl Barley - -	0	0	2
For every Hundred Weight of Split Peas - - -	0	0	2
For every Hundred Weight of Rice - - -	0	0	3
For every Hundred Weight of Biscuit - - -	0	0	4
For every Barrel of salted Beef, Pork, or other Provisions -	0	0	4
For every Half Barrel of D° - - - -	0	0	2½
For every Pipe, Puncheon, or Piece of Wine and Spirits -	0	2	0
And so in proportion for every larger or smaller Cask of D°.			
For every Hogshead of Ale, Beer or Porter - - -	0	0	8
And so in proportion for every larger or smaller Cask of D°.			
For every solid Hogshead of Raw Sugar - - -	0	1	4
For every Hogshead or Package of Loaf or Lump Sugar per Hundred Weight - - -	0	0	4
For every Barrel, wet or dry - - - - -	0	0	4
For every Half Barrel, wet or dry - - -	0	0	2½
For every smaller Barrel (of whatever Denomination), wet or dry -	0	0	2
For every Vat packed with Goods - - - -	0	1	8
For every Sugar Hogshead packed with Goods - -	0	1	6
For every smaller Cask packed with D° - - -	0	0	8
Tallow per Hundred Weight - - - -	0	0	3
For every Bale or Truss of Goods, per Barrel Bulk - -	0	0	1½
For every Pack of Wool, Yarn, or Cotton, per Hundred Weight -	0	0	6
For every Matt or Bale of Dressed Flax, per Hundred Weight -	0	0	9
For every Matt or Bale of Undressed Flax, per Hundred Weight	0	0	3
For every Matt or Bale of Tow, per D° - - -	0	0	4
For every Hundred Weight of Iron, wrought - - -	0	0	2
For every Hundred Weight of Iron, unwrought - -	0	0	1
Linen Yarn, per Hundred Weight - - -	0	0	9
Shells of Fish, per Barrel - - - -	0	0	0¼
Coach or Cart Wheels, per Pair - - -	0	0	6
Live Cattle, for each Horse, Cow, or Ox - - -	0	0	6
For every Hundred Weight of Copper and Brass, wrought -	0	1	0
For every Hundred Weight of D° unwrought - -	0	0	4
For every Hundred Weight of Pewter, wrought - -	0	0	4
For every Hundred Weight of Lead - - -	0	0	2
For every Hundred Weight of old Pewter - - -	0	0	2
For every Ton of Scotch Coals - - - -	0	0	4
For every Ton of English Coals - - - -	0	0	6
For every Ton of Duty-paid Salt - - - -	0	1	8
For every Ton of Salt for the Fishery, Duty-free - -	0	0	5
For every Hundred Weight of Dried Cod, Ling, or Hake -	0	0	1
For every Barrel of Wet Cod - - - -	0	0	2
For every Half Barrel of D° - - - -	0	0	1½
For every Barrel of White or Red Herrings - - -	0	0	2

	£	s.	d.
For every Half Barrel of D° - - - - -	0	0	1½
And so for smaller Casks in proportion.			
For every Barrel of Lime Shells, the Barrel containing 32 Gallons English Wine Measure - - - -	0	0	1
For every Boll of Slacked Lime, D° Measure - -	0	0	0¼
For every Barrel of Salmon - - - -	0	0	6
For every Half Barrel of D° - - - -	0	0	4
For every Kitt of D° - - -	0	0	1
For every One hundred Balks or Fir Quarters of (120), Five Inches square and under Eight Inches square, or of 24 Feet in Length or upwards - - - - -	0	15	0
For every One Hundred D° under Five Inches square, under 24 Feet, and not under 15 Feet in Length - - -	0	7	6
For every One Hundred D° under Fifteen Feet in Length -	0	5	0
For every One Hundred Battens, Eight Feet in Length and not exceeding Twenty Feet in Length - - -	0	2	0
For every One Hundred D° exceeding Twenty Feet in Length -	0	3	0
For every One Hundred Batten Ends, under Eight Feet in Length	0	1	0
For every Load of Hard Wood, containing 50 solid Feet -	0	1	6
For every Hundred Deals, exceeding Twenty Feet in Length and exceeding Four Inches in Thickness - - -	0	4	6
For every 100 D°, not exceeding Four Inches in Thickness -	0	3	6
For every Hundred D°, being 8 Feet and not exceeding 20 Feet in Length, and exceeding Three Inches One Quarter in Thickness - - - - -	0	2	0
For every Hundred D°, not exceeding Three Inches One Quarter in Thickness, and above Two Inches - - - -	0	1	8
For every Hundred Deals, not exceeding Two Inches in Thickness	0	1	0
For every Hundred Deal Ends, being under Eight Feet and exceeding Three Inches One Quarter in Thickness - - -	0	2	0
For every Hundred D° D°, not exceeding 3 Inches One Quarter in Thickness - - - - - -	0	1	6
For every Load of 50 Cubic Feet of Fir Timber, Eight Inches Square and upwards - - - - -	0	1	0
For every Hundred Handspikes, under Seven Feet in Length -	0	0	8
For every Hundred D°, Seven Feet in Length or upwards -	0	1	0
For every Hundred Oak Knees, under Five Inches square -	0	0	8
For every Hundred D°, Five Inches square and under 8 Inches square - - - - - - -	0	1	0
For every Fathom of Lath Wood - - - -	0	1	0
For every Mast, Six Inches in Diameter and under Eight Inches -	0	0	9
For every Mast, Eight Inches in Diameter and under Twelve Inches	0	1	0
For every Mast, Twelve Inches in Diameter or upwards - -	0	1	6
For every Load, containing Fifty Cubic Feet of Oak Plank Two-Inches thick or upwards - - -	0	2	0
For every Load of Oak Timber, Eight Inches square or upwards -	0	1	8
For every Hundred Oars - - - -	0	1	3
For every Hundred Spars, under Twenty-two Feet in Length and under 4 Inches in Diameter - - - -	0	1	6
For every Hundred D°, Twenty-two Feet in Length or upwards, and under Four Inches in Diameter - - -	0	2	0
For every Hundred Spars, Four Inches in Diameter and under Six Inches - - - - -	0	2	6
For every Hundred Spars, Six Inches in Diameter or upwards -	0	3	6
For every Hundred Spokes for Wheels, not exceeding Two Feet in Length - - - - -	0	0	2
For every Hundred D°, exceeding Two Feet in Length - -	0	0	3
For every Hundred Birch Rails - - -	0	2	6

	£	s.	d.
For every Hundred Fir Crops - - -	0	1	6
For every Hundred Staves, not exceeding Three Feet in Length nor above Three Inches in Thickness - - -	0	0	1½
For every Hundred D°, above Three Feet and not exceeding Fifty Inches in Length - - - - -	0	0	2
For every Hundred D°, above Fifty Inches and not exceeding Sixty Inches in Length - - - -	0	0	4
For every Hundred D°, above Sixty Inches and not exceeding Seventy-two Inches in Length - - -	0	0	6
For every Hundred D°, above Seventy-two Inches in Length and not above Three Inches in Thickness - - -	0	0	9
For every Load of Wainscot Log, Eight Inches square or upwards	0	2	0
For every Ton of Oak, Birch, or other Bark - -	0	1	6
For every Bundle of Wood Hoops, containing One hundred and twenty - - - - - -	0	0	1
And so in proportion.			
For every Millstone - - - -	0	2	6
For every Grindstone - - - - - -	0	0	1
For every Thousand Bricks - - - - -	0	1	0
For every Thousand Tiles - - - - -	0	1	6
For every Thousand Slates - - - - -	0	0	8
For every One hundred Feet of Dressed Freestone, superficial Measure - - - - -	0	1	6
For every Ton of Rough Freestone - - -	0	0	3
For every Ton of Marble - - - -	0	4	0
For every Ton of Whin or Ruble Stone - - -	0	0	1
For every One hundred Feet of Flat Paving Stones or Flags, Superficial Measure - - - - -	0	0	6
For every Trunk, Chest, or Box, or Barrel Bulk - -	0	0	6
For every small Bundle or Parcel - - -	0	0	1
For every Bag of Hops - - - - - -	0	1	0
For every Pocket of Hops - - - -	0	0	8
For every Hundred Weight of Butter - - -	0	0	4
For every Hundred Weight of Cheese - - -	0	0	3
For every Barrel of Train or Fish Oil - - -	0	0	4
And so in proportion for every greater or smaller Cask of D°.			
For every Barrel of Pitch or Tar - - -	0	0	4
For every Bushel of Apples or Pears - - -	0	0	1
For every Bushel of Onions - - - -	0	0	1
For every Chest of Lemons or Oranges - - -	0	0	6
For every Boll of Potatoes - - - -	0	0	1
For every Hundred Weight of Hemp, dressed - -	0	0	4
For every Hundred Weight D°, undressed - -	0	0	2
For every Hundred Weight of Cordage - - -	0	0	4
For every Ton of Kelp - - - - -	0	1	0
For every Hundred Weight of Pot, Pearl, or Wood Ashes -	0	0	2
For every Ox, Cow, or Horse Hide, raw - - -	0	0	0½
For D°, tanned, per Barrel - - - - -	0	0	4
For Goat, Calf, Sheep, or Lamb Skins, per Barrel Bulk - -	0	0	4
For every Ton of Plaister Hair - - - -	0	1	0
For every Thousand Nolt Horns - - - -	0	1	0
For every Bag of Feathers, of Fifty-six Pounds - - -	0	0	6
And so in proportion.			
For every Crate of Glass Ware, per Barrel Bulk. - -	0	0	4
For every Crate of Earthenware, large - - - -	0	0	6
For D°, small - - - - -	0	0	3
For every Range or Grate, large - - - -	0	0	6
For D°, small - - - - - -	0	0	1

		£	s.	d.
For every Chest of Drawers, double - - - -	}	0	0	4
For every D° - single - - - -				
For every Mahogany or other Chair - - - -		0	0	1
For every Dining Table, per Barrel Bulk - - - -		0	0	4
For every Billiard Table - - - - -		0	5	0
For every Card or Pembroke Table -	} Per Barrel Bulk - -	0	0	4
For every other Table - - -				
For every Bedstead - - -				
For every Sofa - - -				
For every Harpsicord - -				
For every Spinet or Piano Forte -				
For every Gross of empty Bottles, in Bulk - - -		0	0	6
For Wine in Bottles, per Dozen - - - -		0	0	1
For every empty Hogshead - - - - -		0	0	1
For every empty Barrel - - - - -		0	0	0½

And so in proportion for every larger or smaller Cask.

For Lumber, and every other Article not before specified in this Table, at the Rate of One Penny Halfpenny for every Shilling Freight, and in that Proportion.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1832.