ANNO QUARTO

GEORGII IV. REGIS.

Cap. cxiii.

An Act for more effectually improving and keeping in Repair the Pier and Harbour of *Minehead* in the County of *Somerset*. [27th *June* 1823.]

WHEREAS by an Act passed in the Twelfth and Thirteenth Years of the Reign of King *William* the Third, intituled *An Act for the recovering, securing, and keeping in repair the Harbour of* Minehead, *for the Benefit and Support of the Navigation and Trade of this Kingdom;* reciting, that the Harbour of *Minehead* in the County of *Somerset* had by long Experience been found to be of great Use and Benefit to the Western Parts of this Kingdom, and to all Sea-faring Men who by any Stress of Weather had been driven upon that Coast; and that the said Harbour and Pier had been first founded and built, and had constantly thentofore been repaired and maintained at the private Expence of the Ancestors of *Tregonwell Luttrell* Esquire, without any Assistance, except only some small Acknowledgments which had been paid to them as Lords of the said Manor of *Minehead;* and that the old Pier of the said Harbour was so choked and barred by the Beach which had been thrown into it by the Violence of the Sea and Alteration of the Tides, that unless some speedy and effectual Care were taken to stop the growing Beach that rose at the Mouth of the said Harbour, by building out a new Head and other Works, and daily clearing and repairing the same, the said Harbour would become useless to the Kingdom, 12 & 13 W. 3. c. 9.

prejudicial to Trade, and dangerous to Navigation, to the Diminution of His Majesty's Revenue, and the impoverishing of the Inhabitants of *Minehead*, and other Places and Counties adjacent; and that the Charges of making such new Head and Works, and of repairing and maintaining the same, would be too great to be borne by the said *Tregonwell Luttrell* and his Heirs; it was enacted, that after the Twenty-fourth Day of *June* One thousand seven hundred and one, for the Term of Twenty-one Years, and to the End of the then next Sessions of Parliament, there should be paid (besides the ancient and customary Duties and Acknowledgments then already due and accustomed to be paid to the said *Tregonwell Luttrell* and his Ancestors) for the Wool, Woollen and Bay Yarn, and other Goods which during the said Term should be imported or exported into or out of the said Harbour of *Minehead*, the Sums of Money and Duties therein mentioned; and that for every Ship, Hoy, Bark, or Vessel, which, during the Term aforesaid, should by Stress of Weather be driven into the said Harbour, or should otherwise come into the same for Security (the said Harbour not being their discharging Port), there should be paid, by the Master or other Person taking charge of the said Ship or other Vessel, the Duties of Tonnage and Keelage therein mentioned: And it was further enacted, that the several Persons therein named should be Trustees for making the said new Head and other Works in and about the said Harbour, and maintaining and repairing the same, from Time to Time during the said Term; and for ordering and directing the Collection, Receipt, and Disposition of the said Sums of Money and Duties which during the said Term should be due and payable: And it was further enacted, that all Sums of Money that should be raised and received by the Duties aforesaid, and recovered for any the Forfeitures in that Act appointed (other than so much thereof as should be laid out and allowed for collecting the said Duty, not exceeding Twelve-pence in the Pound, and the Charges of recovering the same), should be by the said Trustees applied and disposed of to building out a new Head, clearing the Beach, and other Works for securing, amending, and maintaining the said Pier and Harbour of *Minehead*, and to no other Use and Purpose whatsoever: And it was further enacted, that the said Trustees, or the greater Number of them that should then be living, should be and were thereby empowered, by Indenture under their Hands and Seals, to convey and assure the Duties granted by that Act to any Person or Persons that should advance such Sum or Sums of Money upon such Security; all which Money so to be borrowed should be employed for and towards the building out a new Head, clearing the Beach, and other Works for securing and amending the said Pier and Harbour: And it was further enacted, that it should be lawful for the said *Tregonwell Luttrell*, Lord of the Manor of *Minehead*, his Heirs and Assigns, Lords of the said Manor (the Pier having been built and repaired by him and his Ancestors), at the Court Leet to be held for the same Manor after the said Twenty-fourth Day of *June* One thousand seven hundred and one, and so from Time to Time, as Occasion should require, to appoint a Water Bailiff for the Purposes therein mentioned: And to the End that the said new Head and other Works aforesaid, when finished and made greatly commodious and useful, might not fall to Decay and Ruin for want of constant and necessary Reparations from Time to Time, it was enacted, that from and after the said Term, and so long as the said Pier or Harbour

should be continued or kept up, there should be paid to the Lord of the Manor of *Minehead* for the Time being the several Sums of Money and Duties therein mentioned, for the several Goods and Commodities imported into the said Port of *Minehead* therein mentioned, for and towards the Support and Maintenance of the said new Head and other Works; provided that nothing in that Act should extend to take away, diminish, or in anywise lessen the ancient Acknowledgments, Rights, or Properties of the said *Tregonwell Luttrell*, his Heirs or Assigns, Lords of the said Manor: And whereas an Act was passed in the Tenth Year of Her late Majesty Queen *Anne*, intituled *An Act for prolonging the Term for Payment of certain Duties granted by an Act made in the Twelfth and Thirteenth Years of His late Majesty King* William, *intituled* '*An Act for recovering*, '*securing, and keeping in repair the Harbour of* Minehead, *for the Benefit* '*and Support of the Navigation and Trade of this Kingdom*;' by which Act, after reciting, that in pursuance of the said recited Act a new Head had been built by the Order of the Trustees named in the said Act, it was enacted, that the ancient Usage and Custom in the said Act mentioned, and the Rates, Duties, and Sums of Money thereby imposed and laid upon Goods, Merchandize, and Shipping, should continue for the further Term of Sixteen Years: And whereas an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for continuing the Terms and Powers granted and given by the Acts passed in the Twelfth and Thirteenth Year of the Reign of His late Majesty King* William, *and the Tenth Year of Her late Majesty Queen* Anne, *for recovering, securing, and keeping in repair the Harbour of* Minehead *in the County of* Somerset; by which Act the Rates, Duties, and Sums of Money were, from and after the Twenty-fourth Day of *June* One thousand seven hundred and thirty-eight, continued for the further Term of Forty Years: And whereas by an Act passed in the Tenth Year of His late Majesty King *George* the Third, intituled *An Act for further continuing the Terms and Powers granted and continued by Three Acts, passed in the Twelfth and Thirteenth Years of* William *the Third, the Tenth of Queen* Anne, *and in the Eleventh Year of His late Majesty King* George *the Second, for recovering, securing, and keeping in repair the Harbour of* Minehead *in the County of* Somerset, *and for the more effectual carrying the said Acts into Execution; and also for the better securing the ancient Dues payable to the Lord or Lady of the Manor of* Minehead *for the Time being;* reciting, that all the Monies borrowed and expended for building the said new Head and other Works had been advanced and paid by the several Lords of the said Manor of *Minehead*, to whom *Henry Fownes Luttrell* Esquire was the then legal Representative; and by an Account thereof, and of all other Monies received and disbursed on account of the said new Pier, stated and settled by the Trustees at their General Meeting held in the Borough of *Minehead* the Third Day of *July* One thousand seven hundred and sixty-nine, it appeared that on the Twenty-ninth Day of *September* One thousand seven hundred and sixty-eight there was a Balance due and unpaid to *Henry Fownes Luttrell* Esquire, the then Lord of the said Manor, amounting to Nine thousand five hundred and sixty Pounds Eighteen Shillings and Ten-pence Halfpenny; it was enacted, that all the Rates, Duties, and Sums of Money by the said recited Acts, or either of them, imposed or laid upon the Goods, Wares, Merchandizes, and Shipping therein mentioned (over and besides the

10 Anne, c. 24.

11 G. 2. c. 8.

10 G. 3. c. 26.

ancient

ancient and customary Duties and Acknowledgments due and accustomed to be paid to the Lord or Lady of the Manor of *Minehead* for the Time being), should, from the Fifth Day of *July* One thousand seven hundred and seventy-eight, be continued for the further Term of Sixty Years: And it was further enacted, that it should be lawful for the said Trustees, or any Seven or more of them, to mortgage or assign over the said Duties, or any Part thereof, to the said *Henry Fownes Luttrell*, his Executors, Administrators, or Assigns, for all or any Part of the then Term, and of the Term thereby granted, as a Security for the said Sum of Nine thousand five hundred and sixty Pounds Eighteen Shillings and Ten-pence Halfpenny, and the Interest that should accrue due thereon; and if there should be occasion for any further Sum or Sums of Money, the said Trustees, or any Seven or more of them, should thereafter, if they thought needful, borrow and take up at Interest not exceeding Five thousand Pounds in the whole, for the Purposes of the said Acts; which Money so to be borrowed should be laid out and applied for securing and amending the said Pier and Harbour of *Minehead*, and other the Purposes of that Act, so far as the same related thereto, and for no other Purpose: And whereas by an Indenture of Assignment, bearing Date the First Day of *October* One thousand seven hundred and seventy, and expressed to be made between *William Hayman*, *James Bernard*, *Thomas Frederick Musgrave*, and *William Baker*, Esquires; the Reverend *Henry Locket*, and the Reverend *Leonard Herring* Clerk, *Thomas Adams*, *William Ball* Surgeon, *Philip Dimond* and *Richard Cox* and *George Gale*, Gentlemen, being Eleven of the Trustees named and appointed in and by the said last recited Act, of the one Part, and the said *Henry Fownes Luttrell* of the other Part, the said Trustees did, for the Considerations and Purposes therein mentioned, grant, bargain, and sell, mortgage, assign, and set over, unto the said *Henry Fownes Luttrell*, his Executors, Administrators, and Assigns, all the Rates, Duties, and Sums of Money aforesaid, and which should thereafter accrue due in respect thereof, to hold unto the said *Henry Fownes Luttrell*, his Executors, Administrators, and Assigns, for the Residue of the said Term of Forty Years, and for the said further Term of Sixty Years granted by the said lastly recited Act, subject to a Proviso for making the same Indenture void, if the said Trustees should pay unto the said *Henry Fownes Luttrell*, his Executors, Administrators, or Assigns, the Sum of Nine thousand seven hundred and Eighteen Pounds Five Shillings and Five-pence Three Farthings, with Interest at the Rate of Four Pounds *per Centum per Annum*, at the Times therein mentioned, whereof Default was made in Payment: And whereas the said *Henry Fownes Luttrell* departed this Life on or about the Thirtieth Day of *October* One thousand seven hundred and eighty, having first duly made and published his last Will and Testament in Writing, bearing Date the Tenth Day of *January* One thousand seven hundred and seventy-nine, whereby, without having made any specific Disposition of the said Mortgage Security, or the said Principal and Interest Monies thereby secured, he gave and bequeathed the Residue of all his Goods, Chattels, and Personal Estate, unto his eldest Son *John Fownes Luttrell*, and appointed him Executor of his said Will, who, on or about the Twenty-ninth Day of *October* One thousand seven hundred and eighty-five, duly proved the same in the Prerogative Court of the Archbishop of *Canterbury*: And whereas under or by virtue or means of certain Indentures of

Will and Testament of Henry Fownes Luttrell, dated 10th January 1779.

Lease

Lease and Release, bearing Date respectively on or about the Sixth and Seventh Days of *November* One thousand seven hundred and seventy-eight, the Release being of Four Parts, and made or mentioned to be made between the said *Henry Fownes Luttrell* and *Frances* his then Wife, of the First Part; the said *John Fownes Luttrell*, the eldest Son and then Heir Apparent of the said *Henry Fownes Luttrell*, by *Margaret* his then late Wife deceased, of the Second Part; *John Gawler* Esquire of the Third Part, and *George Gale* Gentleman of the Fourth Part; and of a Common Recovery duly suffered in pursuance thereof in or as of *Michaelmas* Term in the Nineteenth Year of the Reign of His said late Majesty King *George* the Third, wherein the said *George Gale* was Demandant, the said *John Gawler* Tenant, and the said *John Fownes Luttrell* first Vouchee, who vouched over the common Vouchee; the Manor of *Minehead* otherwise *Mynnhead*, and the Hall and Harbour of *Minehead* in the said County of *Somerset*, with their respective Rights, Members, and Appurtenances, were, amongst divers other Manors and Hereditaments, conveyed and assured and limited to the Use of the said *Henry Fownes Luttrell* and his Assigns, for and during the Term of his natural Life, without Impeachment of Waste, and with such other Powers and Privileges, as were expressed in and by a certain Indenture of Release or Settlement, bearing Date on or about the Fourteenth Day of *February* One thousand seven hundred and forty-six, of and concerning the said Manors and other Hereditaments, or any Part thereof, thereby settled and assured; and from and after the Determination of that Estate, and subject thereto, to the Use of such Person and Persons, and for such Estate and Estates, and upon such Trusts, and for such Intents and Purposes, and subject to such Powers, Provisoes, and Limitations, and with such Remainders over, and charged and chargeable in such Manner as the said *Henry Fownes Luttrell* and *John Fownes Luttrell*, at any Time or Times during their joint Lives, by any Deed or Deeds, Writing or Writings, with or without Power of Revocation, to be signed, sealed, and delivered by both of them in the Presence of and attested by Two or more credible Witnesses, should jointly direct, limit, or appoint; and as well in default of such joint Direction, Limitation, or Appointment, as in the meantime and until such joint Direction, Limitation, or Appointment should be made, and when and so often as any such joint Direction, Limitation, or Appointment should be made, which should not amount to or be a complete and entire Disposition of the whole of the said Hereditaments and Premises, or of the whole Estate and Interest therein, then as to such and so many of the said Hereditaments and Premises as should remain unappointed or undisposed of, or concerning which no complete and entire Disposition should be made, and as and when the several particular Uses, Estates, and Interests which should so happen to be directed, limited, or appointed, should respectively end and determine, and subject thereto in the meantime, to the Use of such Person and Persons, and for such Estate and Estates, and with such Remainders over, upon such Trusts, and for such Intents and Purposes, and charged and chargeable in such Manner and Form, and subject to, by, with, and under such Powers, Conditions, Provisoes, Limitations, and Agreements, as the said *John Fownes Luttrell*, in case he should happen to survive the said *Henry Fownes Luttrell*, at any Time or Times after such Decease of the said *Henry Fownes Luttrell*, during the natural Life of the said *John Fownes Luttrell*, by any Deed or Deeds, Instrument or Instruments in Writing, with or without Power of Revo-

Revocation, to bear Date and to be sealed and delivered by the said *John Fownes Luttrell*, after the Decease of the said *Henry Fownes Luttrell*, in the Presence of and to be attested by Two or more credible Witnesses, or by the last Will and Testament in Writing of the said *John Fownes Luttrell*, or any Writing purporting to be his last Will and Testament, to bear Date and to be signed by him after such the Decease of the said *Henry Fownes Luttrell*, in the Presence of and to be attested by Three or more such Witnesses, should direct, limit, or appoint; and as well in default of such last-mentioned Direction, Limitation, or Appointment, as in the meantime and until such Direction, Limitation, or Appointment should be made, and likewise when and so often as any such Direction, Limitation, or Appointment, as was last mentioned, should be made, which should not amount to and be a complete and entire Disposition of the whole of the said Hereditaments and Premises, and of the whole Estate and Interest therein, then as to such and so many of the said Hereditaments and Premises as should remain unappointed or undisposed of, or concerning which no complete and entire Disposition should be made, and as and when the several particular Uses, Estates, and Interests, which should so happen to be directed, limited, or appointed, should respectively end and determine, and subject thereto in the meantime, to such and the same Uses, upon such and the same Trusts, and for such and the same Ends, Intents, and Purposes, and charged in such and the same Manner, and with, by, and under such and the same Powers, Provisoes, Declarations, and Agreements, as by virtue of the Limitations contained in the said Indenture of Release and Settlement, of the Fourteenth Day of *February* One thousand seven hundred and forty-six, were subsisting of and concerning the said Hereditaments and Premises thereby released, settled, and assured at and immediately before the Execution of the said Indenture of Release of the Seventh Day of *November* One thousand seven hundred and seventy-eight: And whereas the said *John Fownes Luttrell* departed this Life on or about the Sixteenth Day of *February* One thousand eight hundred and sixteen, having first duly made and published his last Will and Testament in Writing, bearing Date the Ninth Day of *April* One thousand eight hundred and five, whereby, after bequeathing certain specific Legacies not affecting the said Mortgage Security, or the Principal and Interest Monies due thereon, he gave, devised, and in pursuance of all Powers in him vested, limited, and appointed all his Manors, comprising the said Manor of *Minehead*, Messuages, Lands, Tenements, and Hereditaments whatsoever (except those therein-after specifically devised for certain Purposes therein mentioned), with their Appurtenances, unto Sir *Thomas Buckler Lethbridge* of *Sandhill Park* in the said County of *Somerset*, Baronet, and *Samuel Drewe* of the City of *London*, Esquire, and their Heirs, to the Use of his the said Testator's Brother *Francis Fownes Luttrell* lately deceased, *Edmund Morton Pleydell* of *Whatcombe* in the County of *Dorset*, Esquire, and *William Drewe*, then of *New Street, Spring Gardens, Westminster*, Esquire, also lately deceased, their Executors, Administrators, and Assigns, for the Term of One thousand Years, and in the meantime subject thereto and to the Trusts thereof, to the Use of the Testator's eldest Son *John Fownes Luttrell* and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during his Life, upon Trust to preserve the contingent Uses

Will and Testament of John Fownes Luttrell, dated 9th April 1805.

and Estates therein-after limited; with Remainder to the Use of the first and every other Son of the Testator's Son *John Fownes Luttrell*, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the Testator's Second Son *Henry Fownes Luttrell* and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with a Limitation in remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during his Life, upon Trust to preserve the contingent Uses and Estates therein-after limited; with Remainder to the Use of the First and every other Son of the Testator's Son *Henry Fownes Luttrell*, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the Testator's Third Son *Francis Fownes Luttrell* and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with a Limitation in remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during his Life, upon Trust to preserve the contingent Uses and Estates therein-after limited; with Remainder to the Use of the First and every other Son of the Testator's Son *Francis Fownes Luttrell*, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the Testator's Fourth Son *Alexander Fownes Luttrell*, and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with a Limitation in remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during his Life, upon Trust to preserve the contingent Uses and Estates therein-after limited; with Remainder to the Use of the First and every other Son of the Testator's Son *Alexander Fownes Luttrell*, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the said Testator's Fifth Son *Thomas Fownes Luttrell* and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with a Limitation in remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during his Life, upon Trust to preserve the contingent Uses and Estates therein-after limited; with Remainder to the Use of the First and every other Son of the Testator's Son *Thomas Fownes Luttrell*, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the Testator's Sixth and every other Son which the Testator might thereafter have born in his Lifetime, severally and successively, according to their respective Seniorities, for their respective Lives, without Impeachment of Waste; with a Limitation in remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, and their Heirs, during the Life of each such Son, upon Trust to preserve the contingent Uses and Estates therein-after limited; with Remainder to the Use of his First and every other Son, lawfully to be begotten, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of all and every of his the Testator's Son and Sons which should be born after his Decease, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the First and every other Son of the Testator's eldest Son *John Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Son of the Testator's Second Son *Henry*

Henry Fownes Luttrell, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Son of the Testator's Third Son *Francis Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Son of the Testator's Fourth Son *Alexander Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Son of the Testator's Fifth Son *Thomas Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Son of the Testator's Sixth and other Sons to be thereafter born in his Lifetime, severally and successively as aforesaid, in Tail General; the First and other Sons of the elder of his said future Sons, and the Heirs of the Body and Bodies of such First and other Sons, being to be preferred to the First and other Sons of the younger of his said future Sons, and the Heirs of the Bodies of such last-mentioned First and other Sons; with Remainder to the Use of all and every the Testator's posthumous Son and Sons if any, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's eldest Son *John Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's Second Son *Henry Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's Third Son *Francis Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's Fourth Son *Alexander Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's Fifth Son *Thomas Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's Sixth and other Sons which should be thereafter born in his Lifetime, severally and successively as aforesaid, in Tail Male; with Remainder to the Use of the First and every other Daughter of the Testator's said eldest Son *John Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's said Second Son *Henry Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's said Third Son *Francis Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's said Fourth Son *Alexander Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's said Fifth Son *Thomas Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the First and every other Daughter of the Testator's said Sixth and other Sons which should be thereafter born in his Lifetime, severally and successively as aforesaid, in Tail General; with Remainder to the Use of the said Sir *Thomas Buckler Lethbridge* and *Samuel Drewe*, their Heirs and Assigns, for ever, in Trust, in the first Place, to preserve the several contingent Estates therein-after limited, and subject thereto in Trust for the Testator's eldest Daughter *Mary Anne Fownes Luttrell*, and her

her Assigns, for the Term of her natural Life, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of the Testator's said Daughter *Mary Anne Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for the Testator's Second Daughter *Margaret Fownes Luttrell*, and her Assigns, for the Term of her natural Life, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of the Testator's Daughter *Margaret Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for the Testator's Third Daughter *Harriett Fownes Luttrell*, and her Assigns, for the Term of her natural Life, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of the Testator's Daughter *Harriett Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Reinainder in Trust for the Testator's Fourth and every other Daughter which he might thereafter have born in his Lifetime, severally and successively, for their respective Lives, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of such Fourth and other Daughters, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for all and every the Testator's Daughter and Daughters (if any) which should be born after the Testator's Decease, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for the First and every other Son of the Testator's said eldest Daughter *Mary Anne Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder in Trust for the First and every other Son of the Testator's said Second Daughter *Margaret Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder in Trust for the First and every other Son of the Testator's said Daughter *Harriett Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder in Trust for the First and every other Son of the Testator's Fourth and other Daughters to be thereafter born in the Testator's Lifetime, severally and successively, as aforesaid, in Tail General; with Remainder in Trust for all and every the Testator's posthumous Daughter and Daughters (if any), severally and successively as aforesaid, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of the Testator's eldest Daughter *Mary Anne Fownes Luttrell*, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of the Testator's said Second Daughter *Margaret Fownes Luttrell*, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of the Testator's said Third Daughter *Harriett Fownes Luttrell*, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of each and every of the Testator's said Fourth and other Daughters to be thereafter born in the Testator's Lifetime, severally and respectively, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust that his the Testator's Brother *Alexander Fownes Luttrell*, since deceased, should yearly, during his natural Life, take out of

the Testator's Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, One Annuity or yearly Rent-charge of One thousand Pounds, in the Manner therein mentioned, and subject thereto in Trust for the Testator's Brother the said *Francis Fownes Luttrell*, deceased, and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of the Testator's Brother *Francis Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for the Testator's Brother *Thomas Fownes Luttrell* (since deceased), and his Assigns, for the Term of his natural Life, without Impeachment of Waste; with Remainder in Trust for the First and every other Son of the Testator's Brother *Thomas Fownes Luttrell*, severally and successively as aforesaid, in Tail Male; with Remainder in Trust for the First and every other Son of the Testator's Brother *Francis Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder in Trust for the First and every other Son of the Testator's Brother *Thomas Fownes Luttrell*, severally and successively as aforesaid, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of the Testator's Brother *Francis Fownes Luttrell*, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust for all and every the Daughters and Daughter of the Testator's Brother *Thomas Fownes Luttrell*, as Tenants in Common, in Tail General, with Cross Remainders between them and their Issue, as Tenants in Common, in Tail General; with Remainder in Trust for his the said Testator's own right Heirs for ever: And the Trusts of the said Term of One thousand Years were declared to be, that the said *Francis Fownes Luttrell*, *Edmund Morton Pleydell*, and *William Drewe*, the Trustees thereof, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, should sell and dispose of certain Timber therein mentioned, and apply the Monies thence arising in the Manner therein-after directed; and that the said Trustees of the said Term should, either by Mortgage of any Part or Parts of the said Hereditaments comprised in the said Term, except as is therein excepted, for all or any Part of the same Term, or by the absolute Sale thereof, raise and levy, or borrow and take up at Interest, such Sum or Sums of Money as they or he should think necessary, in aid of the other Funds provided by that his Will, for the Payment of his Funeral and Testamentary Expences, and of his just Debts, and of the additional Portions or Legacies therein-before bequeathed to the said Testator's Daughters and younger Sons, and of such other pecuniary Legacies as should be given by that his Will, or by any Codicil or Codicils thereto; but his Will was, that no Part of his said Manors and other Hereditaments comprised in the said Term should be absolutely sold, but only mortgaged until all the other Funds provided for Payment of his said Debts, Legacies, Funeral and Testamentary Expences, should be wholly exhausted: And the said Testator did thereby give, devise, and bequeath, and in pursuance of all Powers in him vested, did limit and appoint all his Manors, Messuages, Lands, Tenements, and Hereditaments, situate in the Parishes of *Totnes*, *Plympton Maurice*, *Plympton St. Mary*, *Plympton Earle*, and *Harberton*, in the County of *Devon*, and *East Luckham* and *Cutcombe* in the County of *Somerset*; and also all his Monies, and Securities for Money, Goods, Chattels, and

Personal Estate, not therein-before bequeathed or disposed of, unto and to the Use of the said *Francis Fownes Luttrell*, *Edmund Morton Pleydell*, and *William Drewe*, their Heirs, Executors, Administrators, and Assigns, for all his the Testator's Estate and Interest therein, upon Trust, as soon as might be after his Decease, to call in and convert into Money all such Parts of his residuary Personal Estate as should not consist of ready Money, and to sell and dispose of his said last-mentioned Manors, Messuages, Lands, Tenements, and Hereditaments, in the Manner therein in that Behalf mentioned: And the Testator's Will was, that the said *Francis Fownes Luttrell*, *Edmund Morton Pleydell*, and *William Drewe*, or the Survivors or Survivor of them, or the Heirs, Executors, or Administrators of such Survivor, should stand and be possessed of all the Monies to arise from the Sale or Sales of the Testator's last-mentioned Manors or Hereditaments, or any Part thereof, and of the Monies constituting Part of and to arise from his residuary Personal Estate, and also of the Monies to arise from the Sale of the said Timber, in Trust to dispose of the same, or a competent Part thereof, in and towards the Discharge of his Debts and Funeral and Testamentary Expences, and of the additional Portions or Legacies therein-before bequeathed to his Daughters and younger Sons, and of the several other pecuniary Legacies bequeathed by that his Will, and which he might thereafter give by any Codicil or Codicils thereto, and in discharge of any Monies which might have been raised by Mortgage of any of his said Estates first therein-before devised under the Trusts of the said Term of One thousand Years; and after Payment thereof respectively, upon Trust to lay out and invest the Residue (if any) of the said Trust Monies respectively, in the Purchase of Freehold Messuages, Lands, Tenements, and Hereditaments of Inheritance in the said Counties of *Somerset* and *Devon*, or one of them, as therein mentioned, and until such Purchase could be made, to invest such Residue and Surplus in or upon Government or other Public Stocks, Funds, or Securities, or upon Real Securities at Interest: And the Testator's Will was, that all the Lands and Hereditaments so to be purchased as last mentioned, and also such Parts (if any) of his said Manors, Messuages, Lands, Tenements, and Hereditaments lastly therein-before devised, as should remain unsold after Payment of his said Debts, Funeral and Testamentary Expences and Legacies, and of the Monies to be raised by Mortgage under the Trusts of the said Term as aforesaid, should be conveyed, settled, and assured to such Uses as were by that his Will declared concerning his said Freehold Manors and Hereditaments firstly therein-before devised, or such and so many of them as should be then subsisting and capable of taking Effect; and the said Testator appointed the said *Francis Fownes Luttrell*, *Edmund Morton Pleydell*, and *William Drewe*, Executors of that his Will: And whereas the said Testator by a Codicil in Writing to his said last Will and Testament, which Codicil bears Date on or about the Ninth Day of *March* One thousand eight hundred and fifteen, appointed his said Son *John Fownes Luttrell* an Executor of his said Will, together with the said *Francis Fownes Luttrell*, *Edmund Morton Pleydell*, and *William Drewe*; which said last Will and Testament and Codicil were duly proved by the said *Francis Fownes Luttrell* and *John Fownes Luttrell*, Two of the Executors, in the Prerogative Court of the Archbishop of *Canterbury*, on or about the Eleventh Day of *May* One thousand eight hundred and sixteen: And whereas the said *Thomas Fownes*

Codicil, dated on or about the 9th of March 1815.

Fownes Luttrell, the Brother of the said *John Fownes Luttrell*, the Testator, departed this Life on or about the Twenty-second Day of *January* in the Year of our Lord One thousand eight hundred and eleven, without Issue: And whereas the said *Alexander Fownes Luttrell*, the Brother of the said *John Fownes Luttrell*, the Testator, departed this Life on or about the Sixteenth Day of *August* in the Year of our Lord One thousand eight hundred and sixteen: And whereas the said *William Drewe* departed this Life on or about the Twenty-fifth Day of *January* One thousand eight hundred and twenty-three: And whereas there is now due and owing for Principal and Interest upon and by virtue of the herein-before in part recited Mortgage (computing the Interest to the Twenty-ninth Day of *September* One thousand eight hundred and twenty) the Sum of Twenty-six thousand Pounds, or thereabouts; and the Rates, Duties, and Sums of Money made payable by the said recited Acts have averaged for the Twenty Years ending the said Twenty-ninth Day of *September* One thousand eight hundred and twenty, the Sum of One hundred and forty-one Pounds Five Shillings and Ten-pence Farthing, and no more: And whereas the necessary Repairs of the said new Head and other Works annually require some and very frequently considerable Sums of Money; and the Repair and Preservation of the same new Head and other Works are of material Importance, not only to the Protection of the Lands and Houses in the Town and Borough of *Minehead*, but also to all seafaring Persons who by any Stress of Weather are driven upon that Coast: And whereas the Head and Works, for the making and support of which the said recited Acts have been passed, have long since been erected; and the Payment of the said principal Monies and Interest, secured by the said recited Mortgage, and the Repairs of the said Head and Works, are the only Objects of the said Acts now remaining to be effected: And whereas the principal Monies and Interest due and owing upon the Security of the said Rates, Duties, and Sums of Money made payable by virtue of the said Acts, are the primary Charge upon the same Rates, Duties, and Sums of Money; and if the Whole of the said Rates, Duties, and Sums of Money were applied in reduction of the Interest of the said Mortgage Debt, the said Pier and Harbour of *Minehead*, and the Head and Works of and belonging to the same, would speedily fall into Decay, which would be a great Injury to the Inhabitants of *Minehead*, and others interested in the said Pier and Harbour: And whereas the said Mortgage Debt and Interest, as Part of the Residuary Personal Estate of the said Testator *John Fownes Luttrell*, after Payment of his Debts and Funeral Expences, and of the Legacies and additional Portions bequeathed by his Will and Codicil, are, by the Directions of the said Will, to be laid out in the Purchase of Real Estates, to be settled to the same Uses as the said Manor of *Minehead* stands limited or settled by virtue of the same Will; and the said Manor, and other Real Estates of the said Testator, by his said Will firstly devised or appointed as aforesaid, are thereby made an auxiliary Fund in aid of his Personal Estate for the Payment of his said Debts and Funeral Expences, Legacies, and Portions: And whereas it would be of great Benefit to the Inhabitants of *Minehead*, and all Persons interested in the said Harbour and Pier, if the existing Duties, Rates, and Sums of Money by the said recited Acts granted, were vested in and made payable to the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead* for ever, in consideration and full Satisfaction of the said Mortgage Debt and Interest secured thereupon, and

if

if such Duties, Rates, and Sums of Money were made applicable, in the first Instance, to the Repairs of the said Harbour and Pier and the Works thereof; and inasmuch as the said Duties, Rates, and Sums of Money granted by the said recited Acts, are not nearly adequate to the Payment of the Interest of the said Mortgage Debt, and in consequence thereof the Interest of the said Mortgage Debt must continue to accumulate, and inasmuch as there is no ultimate Fund for Payment of such Mortgage Debt and Interest beyond the said Duties, Rates, and Sums of Money, by reason whereof the said Mortgage Debt and Interest have become of very little Value to the Persons beneficially interested in the same, by virtue of the Will of the said *John Fownes Luttrell*, deceased, it would be highly advantageous to all Persons claiming under the said Will that such Duties, Rates, and Sums of Money should be accordingly vested in and made payable to the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead* for ever, and that the said Mortgage Debt and Interest should be extinguished: And whereas the other Funds provided by the Will of the said *John Fownes Luttrell*, the Testator, are amply sufficient for the Payment of all his Debts, Funeral and Testamentary Expences, and the additional Portions and Legacies in and by his said last Will and Testament and Codicil bequeathed to his Daughters and younger Sons, and the several other pecuniary Legacies thereby bequeathed: And whereas the said *John Fownes Luttrell*, and *Henry Fownes Luttrell*, *Francis Fownes Luttrell*, *Alexander Fownes Luttrell*, and *Thomas Fownes Luttrell*, respectively, the Sons; and *Mary Anne Fownes Luttrell*, *Margaret Fownes Luttrell*, and *Harriett Fownes Luttrell*, respectively, the Daughters; and *Alexander Fownes Luttrell*, and the said *Francis Fownes Luttrell*, respectively, the Brothers of the said *John Fownes Luttrell* the Testator, survived the said Testator, but the said *Thomas Fownes Luttrell*, his Brother, departed this Life in the Lifetime of the said Testator, without Issue; and the said *Alexander Fownes Luttrell*, his Brother, hath since also departed this Life on or about the Fifteenth Day of *August* in the Year of our Lord One thousand eight hundred and sixteen; and the said Testator *John Fownes Luttrell* had not after the Date and Publication of his said Will any Child born, nor any posthumous Child, and neither of his said Sons and Daughters above-mentioned is married: And whereas the said *Francis Fownes Luttrell*, the Brother of the said Testator, intermarried with *Charlotte Drewe* on or about the Twenty-first Day of *April* One thousand seven hundred and eighty-eight, and had Issue by her Twelve Children, namely, *Henry Fownes Luttrell*, *Charlotte Fownes Luttrell*, *Anne Fownes Luttrell*, *Caroline Fownes Luttrell*, *Louisa Frances Fownes Luttrell*, *Francis Fownes Luttrell*, *Maria Fownes Luttrell*, *Mary Frances Fownes Luttrell*, *Marcia* (in her Baptismal Register called *Maria*) *Fownes Luttrell*, *Francis Drewe Wynne Fownes Luttrell*, *Edward Fownes Luttrell*, and *Edward Fownes Luttrell*: And whereas the said *Henry Fownes Luttrell*, the Son of the said *Francis Fownes Luttrell*, the Brother of the said Testator, departed this Life on or about the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and thirteen, unmarried: And whereas the said *Charlotte Fownes Luttrell*, on or about the Ninth Day of *August* One thousand eight hundred and ten, intermarried with the Reverend *Charles Abel Moysey* Doctor in Divinity, Archdeacon of *Bath*, and on or about the Twenty-fourth Day of *May* One thousand

eight hundred and nineteen departed this Life, leaving by her said Husband Four Children, now Infants, namely, *Henry Gorges Moysey*, *Frederick Luttrell Moysey*, *Charlotte Jane Moysey*, and *Louisa Gertrude Moysey*, her surviving, and no other Issue: And whereas the said *Caroline Fownes Luttrell*, on or about the Twentieth Day of *January* One thousand eight hundred and twenty-three, intermarried with *Henry Fanshawe*: And whereas the said *Louisa Frances Fownes Luttrell*, on or about the Nineteenth Day of *July* in the Year of our Lord One thousand eight hundred and seventeen, departed this Life unmarried: And whereas the said *Francis Fownes Luttrell* the Son, on or about the Ninth Day of *January* One thousand seven hundred and ninety-six, departed this Life unmarried: And whereas the said *Maria Fownes Luttrell*, on or about the Tenth Day of *September* One thousand eight hundred and twenty, departed this Life unmarried: And whereas the said *Francis Drewe Wynne Fownes Luttrell*, on or about the Third Day of *May* One thousand eight hundred and twenty, departed this Life unmarried: And whereas the said first-named *Edward Fownes Luttrell*, on or about the Twenty-second Day of *May* One thousand eight hundred and four, departed this Life unmarried: And whereas the said secondly-named *Edward Fownes Luttrell*, on or about the Nineteenth Day of *March* One thousand eight hundred and seven, departed this Life unmarried: And whereas the said *Francis Fownes Luttrell*, the Brother of the said Testator, on or about the Twenty-fifth Day of *April* One thousand eight hundred and twenty-three, departed this Life: And whereas all the said Sons and Daughters of the said Testator, and all the said Daughters of the said *Francis Fownes Luttrell* his Brother, and the said *Henry Fanshawe*, are of full Age; and they and the said *Charles Abel Moysey*, the Father of the said *Henry Gorges Moysey*, *Frederick Luttrell Moysey*, *Charlotte Jane Moysey*, and *Louisa Gertrude Moysey*, on their Behalf, and the said *Edmund Morton Pleydell*, are consenting to the Extinguishment of the said Mortgage Debt, for the Consideration and Purposes aforesaid: Wherefore may it 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 the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Acts passed in the Twelfth and Thirteenth Years of the Reign of King *William* the Third, the Tenth Year of the Reign of Queen *Anne*, the Eleventh Year of the Reign of King *George* the Second, and the Tenth Year of the Reign of His late Majesty King *George* the Third, and every Clause, Article, Matter, and Thing therein contained (so far as the same relate to or concern the Harbour of *Minehead*, but not further or otherwise), shall be and the same are hereby repealed and made void, and from thenceforth the said Pier and Harbour, and the said Head and Works belonging thereto, shall be and remain vested in the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, for the same Estate and Interest as he, she, and they shall hold and enjoy of and in the said Manor of *Minehead*; and that it shall be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, for ever, or such Person or Persons as he, she, or they shall from Time to Time appoint, and he, she, and they are hereby authorized and empowered from Time to Time, and at all Times, to ask, demand, take, receive, collect,

The Pier to remain vested for ever in the Lord of the Manor, who is authorized to collect and receive all Rates and Duties.

collect, recover, and levy upon all and every the Ships, Vessels, and Boats of whatsoever Description, which shall come into or use the said Harbour of *Minehead*, or shall lie at Anchor within the said Harbour, the said Harbour not being their discharging Port, the Duties of Tonnage and Keelage set forth in the Schedule to this Act.

Imposing Duties on Goods imported and exported.

II. And be it further enacted, That it shall be lawful for the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, for ever, or such Person or Persons as he, she, or they shall from Time to Time respectively appoint, and he, she, and they are hereby respectively authorized and empowered, from Time to Time, and at all Times, to ask, demand, take, receive, collect, recover and levy for all Goods and Merchandizes whatsoever, which shall be imported and landed or discharged out of any Ship or Vessel in the said Harbour, or within the Liberty of the Port of *Minehead*, or which shall be exported and carried out of the said Harbour or Liberty by Water, the several Sums of Money and Duties following; (that is to say), the Sum of One Halfpenny *per* Stone for all Wool, and the Sum of One Penny *per* Stone for all Woollen and Bay-yarn, each Stone being computed to contain Eighteen Pounds, and the Sum of Sixpence *per* Ton for all other Goods and Merchandizes whatsoever, and after the same respective Rates for every greater or less Quantity.

Bonds, Covenants, &c. under former Acts to be good.

III. And be it further enacted, That all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the Trustees of the said recited Acts hereby repealed, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of and for the Benefit of the Lord or Lords, Lady or Ladies of the said Manor of *Minehead* for the Time being; and all Orders, Contracts, and Agreements made and entered into by the Trustees of the said recited Acts hereby repealed, shall, so far as the same are not altered or avoided by this Act, remain in full force and effect, and be observed and kept by the said Lord or Lords, Lady or Ladies of the said Manor of *Minehead*, according to the Stipulations thereof respectively, in such and the like Manner as if the said recited Acts had not been repealed, any Law to the contrary notwithstanding.

Books under former Acts to be Evidence.

IV. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said former Acts, provided according to the Directions or Provisions thereof, and thereby made Evidence, shall and may be read in Evidence in all Cases of Appeal, and in all Suits, Actions, Controversies, or Disputes touching any thing done by virtue or in pursuance of the said recited Acts or this Act, or in anywise relating thereto.

A Lanthorn may be fixed at the Quay Head, and sufficient Lights burnt, and certain Duties to be paid.

V. And be it further enacted, That the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, shall and may at any Time or Times, and from Time to Time hereafter, make and fix up at the Quay Head a large Lanthorn, and burn sufficient Lights therein between the First of *September* and Thirty-first of *March* in every Year; and that from and after such Time as such Lanthorn shall have been so fixed up,

up, and during such Time as such sufficient Lights shall be so burnt therein, there shall be paid for and in respect of every Ship or Vessel coming into the said Harbour the Sum of Sixpence, and for every Fishing Boat (not belonging to the said Harbour) the Sum of Sixpence, and for every Fishing Boat belonging to the said Harbour the Sum of Threepence; which said several Duties shall be paid by the Master, or other Person having the Command of such Ship, Vessel, or Boat, and shall and may be levied and collected in the same Manner as any other Duties by this Act granted can or may be levied and collected.

Application of Monies to be received.

VI. And be it further enacted, That the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, shall and they are hereby required to apply the Monies to arise or be received from the Rates and Duties by this Act vested, granted, or made payable, or so much thereof as shall be sufficient for that Purpose (except so much thereof as shall be allowed for collecting the said Duties, not exceeding One Shilling in the Pound), in repairing and maintaining from Time to Time the said Harbour and Pier, and the Head and Works thereto belonging; and if there shall be any Surplus of the Monies to arise or be received from the said Rates and Duties after such Repairs as aforesaid, then such Surplus shall belong to and be the Property of the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*.

If Pier not kept in Repair, Duties to cease.

VII. And be it further enacted, That in case the said Pier or Harbour, Head or Works, shall not be kept in Repair, so that the same shall for want of such Repair become useless to the Navigation and Trade of this Kingdom, all and singular the Duties and Rates granted by this Act shall thenceforth cease and determine.

Water Bailiff to continue until removed, or a new one appointed.

VIII. And be it further enacted, That the Person who shall hold the Situation of Water Bailiff of the said Harbour of *Minehead* at the Time of the passing this Act, shall and may continue to hold and enjoy his said Office or Employment until removed from the same, or until he shall be re-appointed at the next Court Leet to be holden for the said Manor as herein mentioned; and such Water Bailiff shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the like Pains and Penalties, and to the like Rules and Regulations, in all Respects whatsoever, as if he had been nominated or appointed under this Act.

Lord of the Manor may appoint Water Bailiff.

IX. And whereas it is necessary for the better and more orderly Government of the Port that a Water Bailiff should be appointed, with Power to require all Ships and Vessels to ballast, anchor, and moor in proper and regular Manner and Places, and that they throw not out their Ballast in the said Harbour to fill up and prejudice the same; be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, at the next Court Leet to be held for the said Manor after the passing of this Act, and so from Time to Time as occasion shall require, at their Pleasure to appoint and choose a Water Bailiff for the Purpose afore-mentioned and recited; and the Steward of the Court

Court of the said Manor for the Time being is hereby empowered from Time to Time to swear the said Water Bailiff so appointed, justly and indifferently, and without Partiality or Affection, to execute and perform the said Office.

Lord of the Manor may appoint Collectors.

X. And be it further enacted, That it shall be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, to appoint yearly at the Court Leet of the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, any Person or Persons to be Collector or Receiver, Collectors or Receivers, of the Duties and Rates aforesaid, and such other Officer and Officers as may be requisite for carrying into Effect the Purposes and Provisions of this Act.

Lord of the Manor may lessen and raise the Duties, not exceeding the Maximum authorized.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, 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.

Commanders of Vessels to produce to the Collector Custom House Register of Burden.

XII. And be it further enacted, That the Commander of every Ship, Vessel, or Boat chargeable with the Tonnage Duty by this Act imposed, shall produce to the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, or to the Person or Persons appointed to collect the Rates and Duties by this Act imposed, the Custom House Register of the Burden or Tonnage of such Ship, Vessel, or Boat; and on Failure or Delay so to do, or in case the same when produced shall be deemed unsatisfactory, it shall be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, or the Person or Persons appointed to collect the Rates and Duties as aforesaid, to admeasure such Ship, Vessel, or Boat, according to the Directions of an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the further Increase and Encouragement of Shipping and Navigation;* and of another Act passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act to ascertain the Tonnage of Vessels propelled by Steam;* and if any Person or Persons shall obstruct or prevent such Admeasurement, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

26 G. 3. c. 60.

59 G. 3. c. 5.

Power to go on board to demand Duties, and upon Nonpayment to distrain.

XIII. And be it further enacted, That it shall and may be lawful to and for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, by either themselves or the said Collector or Collectors, or any other of their Officers for the Time being, to go on board any Ship, Hoy, Bark, Boat, or other Vessel that shall come into the said Harbour, to demand, collect, and receive the said Duties which by this Act shall be due and payable; and upon Nonpayment thereof to take and distrain every such Ship or Vessel, and all her Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, and also all or any Part of the Goods and Merchandize chargeable with the said Duties, and the same to detain and keep until he, she, or they shall be satisfied

and paid the said Duties, Sum and Sums of Money, and every of them; and in case of Nonpayment of the said Duties by the Space of Five Days next after any Distress or Distresses so to be taken as aforesaid, that then it shall and may be lawful to and for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, or either of them, or for the said Collector or Collectors, or any other Officer or Officers of the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, to sell the Distress or Distresses so to be taken, and therewith to satisfy himself, herself, or themselves, as well for the Duties so neglected, refused, or delayed to be paid, as also for his, her, or their reasonable Charge in taking or keeping such Distress, rendering to the Master, or other Person having the Rule or Command of such Ship or Vessel, the Overplus, if any there shall be.

Penalty on Masters of Vessels obstructing Collection of the Duties.

XIV. And be it further enacted, That if the Master or Captain, or other Person having the Rule or Command of any Ship, Hoy, Bark, or other Vessel, or any of the Crew of any Ship, Hoy, Bark, or other Vessel, shall obstruct or prevent the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, or his, her, or their Collector or Collectors of the said Duties, or any other of his, her, or their Officers, from going on board any Ship, Hoy, Bark, or other Vessel that shall come into the said Harbour, in order to demand, collect, and receive the said Duties which by this Act shall be due and payable, or for the Purpose of taking and keeping Possession of the same, until Payment of the said Duties, or of making, taking, or selling such Distress as aforesaid, every such Person so obstructing or preventing shall be liable individually to and shall forfeit and pay a Penalty not exceeding Five Pounds.

Officers of Revenue not to permit Vessels to be entered, &c. without Certificate of Collector of Duties.

XV. And be it further enacted, That no Collector of His Majesty's Customs, or other Officer of Revenue at the said Harbour of *Minehead*, shall permit any Ship, Vessel, or Boat chargeable with Rates and Duties under this Act, to be entered Inwards, Outwards, or Coastwise, or any Commodities to be landed from or put on board of such Ship, Vessel, or Boat, until he shall have received from the Collector or Collectors of the Rates and Duties aforesaid, acting under the Authority of the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, a Certificate of all such Rates and Duties having been paid; which Certificate such Collector or Collectors, acting under the Authority of the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, is and are hereby required to give, without Fee or Reward, upon the Payment of such Rates and Duties; and in case any Collector of His Majesty's Customs, or other Officer of Revenue at the said Harbour, shall act contrary to the Directions of this Act, every such Collector or other Officer shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Penalty for destroying Ropes by which Vessels are moored.

XVI. 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, lying in the said Harbour of *Minehead*, shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, besides the Damages thereby occasioned.

XVII. And

Penalty for throwing into the Harbour Matters injurious thereto.

XVII. And be it further enacted, That if any Person or Persons shall throw into the said Harbour, or any Place connected therewith, any Ballast, Stones, Shingle, Rubbish, or other Matters injurious to the said Harbour, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and above all Costs of the Recovery thereof, and the Costs of removing all such Ballast, Stones, Shingle, and Rubbish; but all such Ballast, Stones, Shingle, and Rubbish, shall in all Cases be deposited in a convenient Place to be provided for that Purpose by the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*.

Penalty for melting Pitch, or dropping Anchor without a Buoy, &c. in the Harbour.

XVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall melt or cause to be melted any Pitch or Tar on board any Ship, Hoy, Bark, or other Vessel within the said Port, Quay, Harbour, and Pier of *Minehead*; or shall drop or cause to be dropped any Anchor or Anchors, without a Buoy thereto, within the Run of Ships or Vessels coming into or out of the said Harbour; or if any Person or Persons shall neglect or refuse, after Notice given to him or them by the Water Bailiff for the Time being that his or their Anchor is lodged inconveniently in the said Harbour, to remove such Anchor to some more convenient Place within a reasonable Time after such Notice; or shall empty any Ship or Vessel of any Ballast, Earth, Stone, Gravel, or Sand, or other Matter for ballasting any Ship, Bark, Hoy, or other Vessel, at any other Place within the said Harbour than shall be appointed by the Water Bailiff for the Time being, every Person so offending, and being convicted thereof by Confession, or by Oath of one credible Witness, before any One or more of His Majesty's Justices of the Peace for the County of *Somerset*, shall for every such Offence forfeit and pay to the Informer the Sum of Forty Shillings.

Owners of Ships, Boats, &c. answerable for Damage done by their Crews or Servants, not exceeding 20*l*.

XIX. And be it further enacted, That the Master or Owner of every Ship, Vessel, Bark, Lighter, or Boat, shall be and he is hereby made answerable for all such Damage, Spoil, or Mischief as shall be done by his Ship, Vessel, Bark, Lighter, or Boat, or by the Mariners, Boatmen, Bargemen, Servants, or other Persons belonging to or employed in or about the same respectively, to the Pier, Quay, Works, Machinery, or Tackle connected with the said Harbour, or to other Vessels lying therein, either by their loading or unloading of any such Ship, Vessel, Bark, Lighter, or Boat, or by any other Means whatsoever; and also for any Trespasses or Damage that shall or may be committed or done by any such Mariners, Boatmen, Bargemen, Servants, or other Persons to the Owners or Occupiers of any Buildings, Lands, or Tenements adjoining or lying near to the said Harbour (such Trespass or Damage to be ascertained by some Justice of the Peace acting for the County of *Somerset*, not interested in the Premises, and recovered in like Manner as any Penalty can or may by virtue of this Act be recovered); provided that no Sum of Money for any such Trespass or Damage to be recovered before such Justice shall exceed the Sum of Twenty Pounds; and if the Owner or Owners of any Ship, Vessel, Bark, Lighter, or Boat, shall be compelled to make Satisfaction for any Damages, by reason of any wilful Act, Neglect, or Default of his, her, or their Mariners, Boatmen, Bargemen, or Servants, then and in such Case every such Mariner, Boatman, Bargeman, or Servant

Owners may recover Damages from Crew or Servants.

Servant shall be liable to repay such Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners, and in case of Non-payment thereof upon Demand, the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

Accounts to be kept and passed at the Quarter Sessions for the County of Somerset.

XX. And be it further enacted, That there shall from Time to Time be provided and kept by the said Collector or Collectors one or more Book or Books, in which all Monies to be received by virtue of this Act shall from Time to Time be fairly set down and entered, expressing the Time when and the Name of the Person or Persons from whom the same were so received; and that there shall also be provided and kept by the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, one other Book or Books, in which all Sums of Money disbursed and laid out by them, him, or her, or by their, his, or her Order, for the Maintenance of the said Harbour and Pier and new Head, and other Works and Things aforesaid thereunto appertaining, together with a Statement of the particular Repairs and Works done, and for which such Sums shall have been paid, shall be duly set down and entered; and that every Year, at the General Quarter Sessions of the Peace held next after the Tenth Day of *October* at *Taunton* for the County of *Somerset*, the said Book or Books to be kept by the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, and the said Book or Books to be kept by the said Collector or Collectors, shall be produced and shown to the Justices at such Sessions, together with proper Vouchers for such Expences and Disbursements, which said Justices shall state, settle, and balance the Accounts from the said Books; and if the said Lord or Lady, Lords or Ladies for the Time being, or the said Collectors or Receivers, shall neglect or refuse to make and render such Accounts as aforesaid, then the said Lord or Lady, Lords or Ladies for the Time being, and every such Collector so offending, shall respectively forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than one Imparlance shall be allowed.

Bye-Laws may be made.

XXI. And be it further enacted, That it shall be lawful for the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, from Time to Time to make, frame, ordain, and establish such Bye-Laws, Rules, Orders, and Regulations for the good Government and managing of all Matters and Things concerning the said Harbour and Pier, and for the Relief and Assistance of Ships and Vessels resorting to or seeking shelter therein, as he, she, or they shall deem necessary or proper; and from Time to Time to alter or repeal any such Bye-Laws, Rules, and Orders, and to impose and inflict such reasonable Fines or Forfeitures upon all Persons offending against the same, as the said Lord or Lady, Lords or Ladies for the Time being shall think fit, not exceeding the Sum of Five Pounds for any one Offence; and all such Bye-Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and be subscribed by the said Lord or Lady, Lords or Ladies for the Time being; and Copies thereof in legible Characters shall

shall be painted on Boards, and affixed in some conspicuous Places in or near the said Harbour of *Minehead*, and renewed from Time to Time whenever the same, or any Part thereof, shall be defaced, obliterated, or altered; and all such Bye-Laws, Rules, Orders, and Regulations, shall thenceforth be equally binding and authoritative as if the same were respectively set forth and enacted in and by this Act, so that the same be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any Provision contained in this Act.

For recovering Penalties.

XXII. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act, or any Bye-Law, Rule, or Order to be made by virtue of this Act as aforesaid, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any One or more of His Majesty's Justices of the Peace in and for the County or Place wherein the Offence shall be committed; which Warrant such Justice or Justices of the Peace is and are hereby empowered to grant, upon Conviction of the Party before such Justice or Justices, either by Confession of the Party, or upon the Information of any credible Witness upon Oath, returning the Overplus (if any) to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and in case such Fines, Penalties, or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall not be paid forthwith upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until return can conveniently be made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, then such Justice and Justices is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause the Offender to be committed to the Common Gaol of the Borough, County, or Place where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all Fines, Penalties, and Forfeitures which shall be recovered or received by virtue of this Act, shall be paid to the Lord or Lady, Lords or Ladies for the Time being of the Manor of *Minehead*, and shall be applied and bestowed in and upon the Maintenance of the said Harbour and Pier, New Head, and other Works, and Things thereunto appertaining.

For securing unknown Offenders.

XXIII. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Receivers, and other Officers; be it therefore further enacted, That it shall and may be lawful for any of the said Collectors, Receivers, or other Officers respectively, and such

Person or Persons as they or any of them shall call to their Assistance, without any other Warrant or Authority than this Act, to seize or detain any such unknown Person or Persons who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Distress not to be unlawful for Want of Form.

XXIV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity afterwards done by the Party distraining, but the Person or Persons thereby aggrieved may recover Satisfaction for the special Damage in an Action on the Case.

No Plaintiff to recover if sufficient Amends be tendered before Action brought.

XXV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any Action, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he or they shall see fit, whereupon such Proceedings or Order and Judgment shall be had and given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form, or removed by Certiorari into any of the Courts at Westminster.

XXVI. And be it further enacted, That no Order made touching any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction of any Offender against this Act, shall be quashed for Want of Form, or removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and that no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until after the Expiration of Thirty Days Notice, which shall be thereof given in Writing to the Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, or his, her, or their Steward for the Time being, or after a sufficient Tender of Amends shall be made to the Party or Parties aggrieved, or after Six Calendar Months next after any Act committed for which such Action or Suit shall be brought; and every such Action or Suit shall be brought, laid, and tried in the County of *Somerset*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or such Action or Suit shall be commenced after the Time before limited for bringing the

General Issue.

same, or without Notice given, or after a sufficient Tender of Amends as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance in such Action or Suit after the Defendant's Appearance, or if upon Demurrer Judgment shall be given against the Plaintiff, then the Defendant shall recover Treble Costs, and have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law. Treble Costs.

XXVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case may happen; (that is to say),

Form of Conviction.

'County of Somerset, to wit.' BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before of His Majesty's Justices of the Peace for the said County of by virtue of an Act passed in the Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act, and specify the Offence, and the Time and Place when and where the same was committed, as the Case shall be*]. Given under our Hands and Seals [*or* my Hand and Seal] the Day and Year first above written.'

Power to administer Oaths.

And in all Cases where any Justice or Justices of the Peace is or are by this Act authorized or required to examine any Person or Persons on Oath, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and empowered to administer such Oath.

To what Ships, Vessels, or Boats this Act not to extend.

XXVIII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to Ships, Vessels, or Boats belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Customs or Excise or Post Office, using the said Harbour, or to any of the Officers or Persons employed therein respectively, or in the Service or Employ of the Admiralty, Ordnance, or Navy Board, or to any Naval or Ordnance Stores, or other Matters imported into or exported from the said Harbour for the Use of the Navy or Army, or to any Yachts or Pleasure Boats, or other Vessels belonging to His said Majesty, or any Member of the Royal Family; nevertheless, the Captain or Master of every such Ship, Vessel, or Boat, shall be answerable for all Damage done by such Ship, Vessel, or Boat, or by the Mariners or others on board the same, to the Harbour Wharfs or Works, or the Machinery or Tackle connected therewith, or to the Shipping therein, with full Costs of Suit.

Persons aggrieved may appeal to the Quarter Sessions.

XXIX. 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 Rule or Order or

or Bye-Law made in pursuance of this Act, or by any other Matter or Thing to arise or be 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 Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Complaint shall arise, within Four 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 the Matter thereof, unto the Person or Persons appealed against, and within Five Days after such Notice entering into a Recognizance before some Justice of the Peace for such 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 entering into such Recognizance, 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 Rule, Order, or Bye-Law, 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.

Costs of this Act to be defrayed by the Lord or Lady of the Manor.

XXX. Provided always, and be it further enacted, That all the Costs, Charges, and Expences of passing this Act, and all other Charges necessarily attending the applying for and obtaining and passing the same, with lawful Interest on any Money which shall have been advanced for the same, shall be paid and defrayed by the said Lord or Lady, Lords or Ladies for the Time being of the said Manor of *Minehead*, out of the first Monies which shall arise or be received from the Rates or Duties by this Act vested, granted, or made payable.

Principal Monies and Interest upon Mortgage extinguished.

XXXI. And be it further enacted, That from and immediately after the passing of this Act, all Principal Monies and Interest secured by and owing upon the said recited Mortgage shall cease, and utterly be extinguished to all Intents and Purposes whatsoever.

Not to take away ancient Rights.

XXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to take away, diminish, or in anywise lessen the ancient Acknowledgments, Rights, or Properties of the Lord or Lady, Lords or Ladies for the Time being of the said Manor.

Public Act.

XXXIII. 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.

General Saving.

XXXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons and Person, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, Administrators, and Assigns, other than and except the said *John Fownes Luttrell, Henry Fownes Luttrell, Francis Fownes Luttrell, Alexander Fownes Luttrell,*

Luttrell, and *Thomas Fownes Luttrell* respectively, the Sons of the said *John Fownes Luttrell* the Testator, *Mary Anne Fownes Luttrell*, *Margaret Fownes Luttrell*, and *Harriett Fownes Luttrell*, *Anne Fownes Luttrell*, *Henry Fanshawe* and *Caroline* his Wife, *Frances Fownes Luttrell*, and *Marcia Fownes Luttrell*, *Henry Gorges Moysey*, *Frederick Luttrell Moysey*, *Charlotte Jane Moysey*, and *Louisa Gertrude Moysey*, and *Edmund Morton Pleydell*, and all and every other Persons and Person claiming or to claim by, from, or under the herein-before in part recited last Will and Testament and Codicil of the said *John Fownes Luttrell* the Testator, all such Right, Title, Estate, and Interest, as they and every or any of them had and enjoyed of, in, to, or out of the said Manor, Harbour, and Premises, or any Part thereof, before the passing of this Act, or could or might have had and enjoyed in case this Act had not been made.

SCHEDULE referred to by this Act.

	s.	*d.*
For every Ship or Vessel, using the Coasting Trade of this Kingdom, of the Burthen of 30 Tons, and not amounting to 50 Tons - - - -	1	0
For every Ship or Vessel, using the Coasting Trade, of the Burthen of 50 Tons and upwards, the Sum of - -	2	0
For every Ship or Vessel of the Burthen of 30 Tons, and not amounting to 50, trading to or from Ireland, France, Spain, or other Parts of Europe, or to or from any of His Majesty's Plantations in America, the Sum of - -	2	6
For every Ship or Vessel of 50 Tons and upwards, trading to and from the said Ports and Places, the Sum of - -	5	0
For every Ship or Vessel of the Burthen of 30 Tons, and not amounting to 50 Tons, and trading to or from any Place in Asia, Africa, or America (other than His Majesty's Plantations aforesaid), the Sum of - - -	5	0
For every Ship or Vessel of 50 Tons and upwards, trading to or from Asia, Africa, or America (other than the said Plantations), the Sum of - - - -	10	0

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