ANNO TERTIO

VICTORIÆ REGINÆ.

****

Cap. lxxii.

An Act to amend an Act of the Fifty-seventh Year of King *George* the Third, intituled *An Act for fixing the Dues, Duties, and Payments for all Goods, Wares, and Merchandize landed on or shipped from the Pier or Quay of the Town of* Penzance *in the County of* Cornwall, *and on all Ships and Vessels resorting to the said Pier or Quay, or to the Harbour of* Penzance; and for making and maintaining an additional Pier and Dock within the said Harbour.

[19th *June* 1840.]

WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for fixing the Dues, Duties, and Payments for* 57 G. 3.
all Goods, Wares, and Merchandize landed on or shipped from the Pier c. 31.
or Quay of the Town of Penzance *in the County of* Cornwall, *and on all Ships and Vessels resorting to the said Pier or Quay, or to the Harbour of* Penzance: And whereas by the said Act the Mayor, Aldermen, and Commonalty of the said Town of *Penzance* were required to apply annually the Sum of Three hundred Pounds at the least in Payment of

the Sum of Eight thousand seven hundred and fifty Pounds then due and owing, and of the Sum of One thousand nine hundred and fifty-seven Pounds, being the then estimated Expence of the Repairs and Improvements necessary for the said Pier, and also such Sum as might be necessary for defraying the Expences of and passing the said Act; and it was thereby enacted that when the Whole of such Debts and Expences should have been fully paid and satisfied, then One Fourth Part of the Rates and Duties thereby granted should cease and be no longer payable: And whereas the necessary Expences of and passing the said Act amounted to the Sum of One thousand seven hundred Pounds, which, with the said Sum of Eight thousand seven hundred and fifty Pounds and One thousand nine hundred and fifty-seven Pounds, subsequently expended in the said Repairs and Improvements, made together a Sum of Twelve thousand four hundred and seven Pounds: And whereas, since the passing of the said Act, the said Mayor, Aldermen, and Commonalty, and subsequently the Mayor, Aldermen, and Burgesses of the said Town, have expended in Public Works in the said Town large Sums of Money, and there is now due and owing from them the Sum of Twelve thousand Pounds in the Whole; which said Sum of Twelve thousand Pounds is secured by Bonds under the Common Seal of the said Mayor, Aldermen, and Commonalty, and Mayor, Aldermen, and Burgesses: And whereas the Application of the annual Sum of Three hundred Pounds, according to the Directions of the said Act, from the Time of the passing thereof to the present Time, would have reduced the said Debt or Sum of Twelve thousand four hundred and seven Pounds, originally due in respect of the said Pier, to the Sum of Five thousand eight hundred and seven Pounds; so that, of the Sum of Twelve thousand Pounds, the aggregate Debt of the said Mayor, Aldermen, and Burgesses, the Sum of Five thousand eight hundred and seven Pounds or thereabouts is justly chargeable to the Account of the said Pier, and the Sum of Six thousand one hundred and ninety-three Pounds or thereabouts, Residue of such aggregate Debt, is due in respect of other Expenditure of the said Mayor, Aldermen, and Commonalty, and Mayor, Aldermen, and Burgesses: And whereas the Trade and Shipping of the Port of *Penzance* have greatly increased, and it would be of great Public Utility if a Wet Dock and Basin, with all necessary Quays, Wharfs, Piers, and other Works and Conveniences, were made and constructed, and additional Quays erected at the said Port, in such Manner as is herein-after expressed, and if the said recited Act were amended, and the Powers and Provisions therein contained enlarged; and for that Purpose it is necessary that certain of the Rates and Dues thereby imposed should be altered, and other Rates and Dues granted; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained

Provisions of former Act extended to this Act,

in

in the said recited Act (except such as are hereby repealed, varied, altered, or otherwise provided for,) shall extend and be construed to extend to this Act, and to the several Works and Things hereby authorized and required to be made and done, and to the Rates and Duties hereby granted, and shall operate and be in force with respect to the Objects and Purposes of this Act and of the said recited Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

except as hereby altered.

II. And be it further enacted, That where in this Act or in the said recited Act any Word shall be or may have been used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Lands" shall be or may have been used the same shall be understood to include Messuages, Tenements, and Hereditaments as well Leasehold and Copyhold as Freehold; and where the Word "Corporation" shall be or may have been used the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole, and where the Word "Vessel" shall be or may have been used, the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, or Craft, and any other Kind of Vessel whatsoever; and where the Word "Master," in relation to any Vessel, shall be used, the same shall be understood to mean any Person, whether the Master or Owner, or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time; and where the Word "Owner" (in relation to any Goods or Articles on board any Vessel) shall be used the same shall be understood to include any Consignee or Shipper of such Goods or Articles, as well as the Owner thereof; and where the Word "Quay" or "Pier" shall be used the same shall be understood to mean and include in either Case the whole of the Harbour of the said Town of *Penzance*; unless in any of the Cases aforesaid it shall be otherwise specially provided, or there be something in the Context or Subject repugnant to such Construction.

Interpretation of certain Words.

III. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, and they are hereby authorized and empowered, to design, lay out, excavate, build, erect, make, complete, repair, and maintain, in, over, under, through, and upon that Part of the Harbour of *Penzance* which is described in the Plan directed to be deposited as herein-after mentioned, as well as in and over the Lands, Tenements, and Hereditaments which shall be purchased by or vested in the said Mayor, Aldermen, and Burgesses under the Authority of this Act, or any Part or Parts thereof, according to such Plan and in such Manner as they shall approve of, a Pier or Jetty from the Northern Shore of the said Harbour, with a Floating Dock or Basin, Floodgates, and other Works within the same Harbour; and also to construct all Quays, Wharfs, inclined Planes, or Slips, Graving Docks, Cranes, Sheds, Engines, Bridges, Buildings, Approaches,

Corporation empowered to execute Works.

Approaches, Roads, Works, and other Matters and Things necessary or proper for carrying into effect the Purposes of this Act.

Authenticated Plans to be deposited with the Clerks of the Peace, and remain there open to Inspection.

IV. And whereas Maps or Plans of the said Harbour, and of the said proposed new Pier and other Works, and the Premises comprised therein, with Books of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of the Property originally intended to be taken or used for the Purposes of this Act, have been deposited in the Offices of the respective Clerks of the Peace for the County of *Cornwall* and for the Borough of *Penzance:* And whereas, since the Deposits so made, certain Alterations of the said Works have been agreed upon, with the Consent of the Parties in or through whose Lands the same are intended to be made; be it therefore enacted, That a Map or Plan, describing the Line or Situation of the proposed new Works as the same are intended to be made by virtue of this Act, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, together with a Book of Reference thereto, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, shall, within Three Calendar Months next after the passing of this Act, be deposited with the Clerk of the Peace for the said County of *Cornwall* and with the Clerk of the Peace for the Borough of *Penzance;* and such Maps or Plans and Books of Reference shall remain in the Custody of such Clerks of the Peace respectively, to the end that all Persons shall at all seasonable Times have Liberty to inspect the said Maps or Plans and Books of Reference so deposited, and to have Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the Clerk of the Peace in whose Custody the same may be the Sum of One Shilling for every such Inspection, and for furnishing Copies of or Extracts from the said Books of Reference after the Rate of Sixpence for every One hundred Words; and the said Maps or Plans and Books of Reference, or either of them, or any Copy thereof or Extracts therefrom, such Copy or Extract being certified to be a true Copy or Extract by the said Clerks of the Peace or either of them, shall be good Evidence in all Courts of Law and elsewhere.

Not to deviate more than One hundred Yards.

V. And be it further enacted, That the said Mayor, Aldermen, and Burgesses, in building the said Pier or Jetty by this Act authorized, shall not deviate more than One hundred Yards to the Westward from the Centre of the said Pier or Jetty as delineated on the said Maps or Plans to be deposited as aforesaid.

Errors in Plan not to prevent the Execution of this Act.

VI. And be it further enacted, That the said Mayor, Aldermen, and Burgesses may make the said Works in, into, through, across, or over the Lands or Grounds so delineated on the said last-mentioned Maps or Plans, although such Lands or Grounds, or any of them, or the Situation thereof respectively, or the Names of the Owners, Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the said last-mentioned Books of Reference, if it shall appear to the Satisfaction of any Two or more Justices of the Peace for the County of *Cornwall*, and be by them certified under their Hands to be

be by Mistake omitted or inaccurately described in the said Books of Reference, or that instead thereof the Name of some other Person or Corporation to whom such last-mentioned Lands or Grounds do not belong hath been by Mistake inserted therein; any thing herein contained to the contrary notwithstanding.

No Works to be constructed below High-water Mark without the Consent of the Admiralty.

VII. And whereas the Conservation of the several Ports, Harbours, Creeks, Estuaries, and navigable Rivers of the United Kingdom is by Law vested in the Commissioners for executing the Office of Lord High Admiral of the said Kingdom; be it therefore enacted, That nothing in this Act contained shall extend to authorize the Construction or Erection of any Works below the ordinary High-water Mark until the Assent of the said Commissioners for executing the said Office of Lord High Admiral shall have been obtained for that Purpose, such Assent to be signified in Writing under the Hand of the Secretary or Assistant Secretary of the Admiralty for the Time being.

Power to enter upon and take possession of Lands for the Purposes of the Act.

VIII. And be it further enacted, That for the Purposes and subject to the Provisions and Restrictions of this Act it shall be lawful for the said Mayor, Aldermen, and Burgesses, their Agents and Workmen, and all other Persons by them authorized, and they are hereby empowered, to enter into and upon the Lands of any Person or Corporation whatsoever mentioned and described in the said Map or Plan, and to survey and take Levels of the same and every or any Part thereof, and to set out and appropriate for the Purposes of this Act such Parts thereof as they are by this Act empowered to take or use, and after Payment or Deposit of the Purchase Money of any Lands, as herein-after mentioned, in and upon such Lands to bore, dig, cut, embank, and sough, and to remove or lay, and also to use, work, and manufacture, any Earth, Stone, Rubbish, Gravel, Sand, or other Materials or Things which may be dug or obtained in the Execution of the Powers of this Act, and may be proper or necessary for making, maintaining, altering, repairing, or using the said Pier or Jetty and other Works by this Act authorized, or which may obstruct the making, maintaining, altering, repairing, or using of the same respectively, according to the true Intent and Meaning of this Act, and also to make Coffer Dams and all other necessary Works for any of the Purposes by this Act authorized, and to alter the Course of any Streams or Watercourses during such Time as may be necessary for constructing Tunnels or Bridges, or Passages over or under the same, and also to divert or alter the Course of any Street, Road, or Way, or to raise or sink any Street, Road, or Way, for the Purpose of forming a convenient Access to the said Pier or Jetty and other Works by this Act authorized, and also to erect such Toll or other Houses, Works, and Conveniences upon the Lands by this Act authorized to be taken or used as shall for the Purposes of this Act be deemed necessary or proper by the said Mayor, Aldermen, and Burgesses, and from Time to Time to alter, repair, or discontinue the before-mentioned Works or any of them, and to substitute others in their Stead, and generally to do, perform, and execute all such other Acts, Matters, and Things as they shall think necessary or proper for making and maintaining the said Pier or Jetty and other the Works

Works by this Act authorized, they the said Mayor, Aldermen, and Burgesses, their Agents and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to all Persons and Corporations interested in any Lands which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Mayor, Aldermen, and Burgesses, their Agents, Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisions and Restrictions as are herein-after contained.

Power to treat for the Purchase of Lands.

IX. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses to treat and agree, and to employ any Person to treat and agree, for the Purchase of any Lands authorized to be taken and used by them by this Act, and of any subsisting Leases, Terms, Estates, Rights, and Interests therein and Charges thereon, or such of them, or such Part thereof, as the said Mayor, Aldermen, and Burgesses shall think proper.

Corporations and Persons under legal Disability empowered to sell and convey Lands.

X. And be it further enacted, That it shall be lawful for all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law, under the Powers of this Act, in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whosomever who are or shall be seised or possessed of or interested in any Lands authorized to be taken under the Powers in this Act, mentioned and described in the said Map or Plan, to contract for, sell, and convey the same or any Part thereof to the said Mayor, Aldermen, and Burgesses; and all Conveyances for the Purposes of this Act shall be made at the Expence of the said Mayor, Aldermen, and Burgesses, and may be in the Words or to the Effect following, or with such other Variations, Covenants, or Conditions, as the Number of the Parties and the Circumstances of the Case may render expedient; that is to say,

Form of Conveyance to the Corporation.

‘ I, of in consideration
‘ of the Sum of to me [*or, as the Case*
‘ *may be*, into the Bank of *England*, in the Name and with the
‘ Privity of the Accountant General of the Court of Exchequer,
‘ *ex parte*

‘ *ex parte* the Mayor, Aldermen, and Burgesses of the Town of
‘ *Penzance*, *or* to *A. B.* of and
‘ *C. D.* of Trustees appointed
‘ to receive the same,] pursuant to the Act after mentioned paid
‘ by the Mayor, Aldermen, and Burgesses of the Town of *Pen-*
‘ *zance*, [*or* said Mayor, Aldermen, and Burgesses,] by virtue of an
‘ Act passed in the Year of the Reign of Queen *Victoria*,
‘ intituled [*here insert the Title of this Act*], do hereby convey to
‘ the said Mayor, Aldermen, and Burgesses, their Successors and
‘ Assigns, [*describing the Premises to be conveyed,*] together with
‘ all Ways, Rights, and Appurtenances thereto belonging, and all
‘ such Estate, Right, Title, and Interest in and to the same and
‘ every Part thereof as I am or shall become seised, possessed of, or
‘ entitled to, or am by the said Act capacitated or empowered to
‘ convey, to hold the Premises to the said Mayor, Aldermen, and
‘ Burgesses for ever, according to the true Intent and Meaning of
‘ the said Act. In witness whereof I have hereunto set my Hand
‘ and Seal this Day of in the Year of
‘ our Lord .’

And all such Conveyances and Assurances as aforesaid shall operate to bar and destroy all such Estates Tail, and all such Title to Dower, and all such other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests of and to the Lands in such Conveyances respectively comprised, and also to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest thereby conveyed or aliened, except where the said Mayor, Aldermen, and Burgesses shall have express Assignments or other Dispositions made of such Terms for their Benefit; but although the said Terms shall merge they shall in Equity afford the same or the like Protection and Priority as if they were assigned and kept on foot in Trust for the said Mayor, Aldermen, and Burgesses, and to attend the Reversion and Inheritance.

Lands bought of any Corporation or Person under Disability to be first valued by Two Surveyors or their Umpire.

XI. Provided always, and be it further enacted, That the Consideration Money agreed to be paid for any Lands to be purchased from or conveyed by any Corporation, or any Person under any Disability or Incapacity as aforesaid, or not having Power to sell, except under the Provisions herein-before contained, shall in no Case be less than such Sum as the same shall be valued at by Two able practical Surveyors, one of whom shall be nominated by the said Mayor, Aldermen, and Burgesses, and the other by the Person or Corporation contracting or agreeing to sell the same; and if such Two Surveyors shall not agree in the Valuation thereof, or if such Person or Corporation shall be absent from the United Kingdom, or cannot be found, then by such Surveyor as any Two Justices acting for the County of *Cornwall* shall for that Purpose nominate; and each of the said Two Surveyors, if they shall agree in and make their Valuation, or if not then the Surveyor so to be nominated by the Justices as aforesaid, shall annex to their or his Survey, Estimate, or Valuation, when completed, a Declaration of the Correctness thereof in the Form prescribed by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled

An

5 & 6 W. 4. c. 62.

An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations 'taken and made in various Departments of the State, and to substitute 'Declarations in lieu thereof, and for the more entire Suppression of 'voluntary and extra-judicial Oaths and Affirmations;' and to make other Provisions for the Abolition of unnecessary Oaths.

In case the Parties refuse, or are incapable to treat, the Amount of Satisfaction and Compensation to be settled by a Jury.

XII. And for settling all Differences which may arise between the said Mayor, Aldermen, and Burgesses, and the several Owners and Occupiers of or Persons or Corporations interested in any Lands which may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested, or entitled and capacitated to sell, contract, or convey as aforesaid, shall not agree with the said Mayor, Aldermen, and Burgesses as to the Amount of such Purchase Money, Satisfaction, or other Compensation to be made for the taking, using, damaging, or injuriously affecting the same, under the Powers of this Act, or if any such Parties shall refuse to accept such Purchase Money, Satisfaction, or other Compensation as aforesaid as shall be offered by the said Mayor, Aldermen, and Burgesses, and shall give Notice thereof in Writing to the said Mayor, Aldermen, and Burgesses within One Calendar Month next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall, for the Space of One Calendar Month next after Notice in Writing shall have been given to him, or in case of any Corporation to the Clerk, Agent, or principal Officer of any such Corporation, either personally or by being left at his last or usual Place of Abode, neglect or refuse to treat, or shall not agree with the said Mayor, Aldermen, and Burgesses for the Sale and Conveyance or Release of the respective Estates and Interests which they respectively are hereby capacitated to convey or release, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability, whether provided for by this Act or not, be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Mayor, Aldermen, and Burgesses to take such Lands, and to proceed in making the said Works, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in Possession, or the Share, Interest, or Charge which they may claim to be entitled unto or interested in, in case they shall be required by the said Mayor, Aldermen, and Burgesses to do so, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made, then and in every such Case the said Mayor, Aldermen, and Burgesses shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the said County of *Cornwall*, or in case the said Sheriff or his Under Sheriff shall be one of the said Mayor, Aldermen, or Burgesses, or enjoy any Office of Trust or Profit under the said Mayor, Aldermen, and Burgesses, or shall be in anywise interested in the Matter in question, then to any of the Coroners of the said County

County not interested as aforesaid, or if all the Coroners shall be so interested then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Coroner, or other Person to impannel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impannel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*; and the Persons so to be impannelled, summoned, and returned are hereby required to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged, and out of such Persons so to be impannelled, summoned, and returned a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff, Under Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or of others that can speedily be procured (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize such Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views are had in Issues in any of Her Majesty's Courts of Record at *Westminster*, and so as not to delay the said Inquiry; and such Jury shall, upon their Oaths, or (being Quakers) upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths or Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands (except for such Interest therein as shall have been of right purchased by the said Mayor, Aldermen, and Burgesses from any other Person or Corporation,) and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Mayor, Aldermen, and Burgesses, and which cannot or will not be further wholly obviated, removed, or repaired by them, (which

Satisfaction, Recompence, or Compensation for such Damage or Loss shall be inquired into and assessed separately from the Value of the Lands so to be taken and used as aforesaid, and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such further Money, Satisfaction, or Compensation as shall be assessed by such Jury: Provided always, that in such Inquiry the Person or Corporation claiming Compensation shall be deemed the Plaintiff in such Action, and entitled to all the Privileges of a Plaintiff in Actions at Law: Provided also, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Mayor, Aldermen, and Burgesses to the Party with whom any such Controversy shall arise, by personally serving or leaving such Notice at the Dwelling House of the Person or the Clerk or Agent or principal Officer of any Corporation.

Purchase Money and Compensation to be apportioned between Parties having particular Interests.

XIII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to apportion the Shares and Proportions of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid among the several Persons interested in any Manner in the Premises, according to their respective Interests therein, and the Loss or Damage which they may respectively sustain.

Verdicts to be recorded by the Clerk of the Peace.

XIV. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the said County of *Cornwall* amongst the Records of the Quarter Sessions for the said County, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying to such Clerk of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every Copy after the Rate of Sixpence for every One hundred Words.

Penalty on Sheriff, or his Substitute or Jurors, or Witnesses, making default.

XV. And be it further enacted, That if any such Sheriff or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and if any Person so summoned and returned upon any such Jury as aforesaid, shall not appear, or appearing shall refuse to be sworn, or, being a Quaker, to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs or Expences, or appearing shall refuse to be sworn, or being a Quaker, affirmed, or to give Evidence, every Person so offending

offending (having no reasonable Excuse, such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person,) shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; all which Penalties and Forfeitures shall and may be levied by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Cornwall*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under the same Regulations as those of the Superior Courts.

XVI. And be it further enacted, That every such Jury and Juryman shall, in addition to the Penalties hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and all Persons who in any Examination to be taken by virtue of this Act upon their Oaths, or, being Quakers, upon their solemn Affirmation, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Expences of Jury and Witnesses how to be paid.

XVII. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Mayor, Aldermen, and Burgesses for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendances of Witnesses, and the Attendance and reasonable Fees of One Counsel, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given as herein-after mentioned by the Party requiring the Jury to be summoned, shall be borne by the said Mayor, Aldermen, and Burgesses; and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences, when so settled and determined, shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Mayor, Aldermen, and Burgesses, (unless the Treasurer of the said Mayor, Aldermen, and Burgesses shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction

Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Mayor, Aldermen, and Burgesses, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Mayor, Aldermen, and Burgesses shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Mayor, Aldermen, and Burgesses; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money so awarded shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof.

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

XVIII. And be it further enacted, That all Parties with whom the said Mayor, Aldermen, and Burgesses shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Mayor, Aldermen, and Burgesses shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Mayor, Aldermen, and Burgesses in a Penalty of Two hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs, Charges, and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Demand of Compensation for Loss or Injury to be made before any Proceedings taken.

XIX. And be it further enacted, That the said Mayor, Aldermen, and Burgesses shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, without the Consent of the said Mayor, Aldermen, and Burgesses, to receive or take notice of any Complaint to be made by any Party for any Loss, Injury, or Damage by him sustained or supposed to be sustained in consequence of the Execution of any of the Powers of this Act, unless (after Application by the said Mayor, Aldermen, and Burgesses setting forth this Provision,) a Notice in Writing by the Clerk or Treasurer, or other proper Officer of the Corporation, or by the Person making such Complaint, stating the Particulars of such Loss or Injury, and the Amount of the Compensation claimed in respect thereof, shall have been given by such Corporation or Person to the said Mayor, Aldermen, and Burgesses within Two Calendar Months next after the Time of such supposed Loss or Injury having been sustained, or after the doing or committing thereof shall have ceased, and Thirty Days before the summoning of such Jury.

Compensation or Damages

XX. And be it further enacted, That in case any Difference shall arise between the said Mayor, Aldermen, and Burgesses, and any of the

the Owners or Occupiers of the Lands to be taken or used for the Purposes of this Act, as to the Amount of Compensation to be paid for the same, or the Value of the Damages done by the said Mayor, Aldermen, and Burgesses, their Deputies, Engineers, Contractors, Servants, Agents, or Workmen, to such Lands, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Compensation or Damages claimed does not exceed the Sum of Twenty-five Pounds, be ascertained and determined by some Justice of the Peace for the said County of *Cornwall*, who, upon Application made to him by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation or Damages which shall be payable by the said Mayor, Aldermen, and Burgesses.

under 25*l.* may be settled by Justices.

XXI. And whereas by reason of the Exercise of any of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in the said Township, Parish, or Place; be it therefore enacted, That the said Mayor, Aldermen, and Burgesses shall, from and after they shall become seised and possessed, by virtue of this Act, of any Lands 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 Mayor, Aldermen, and Burgesses shall think fit to redeem the same, under the Powers of the Acts for Redemption of Land Tax,) be subject to, and liable, from Time to Time, to pay and make good, to or in aid of the said Township, Parish, or Place, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the same Township, Parish, or Place, by reason of the taking down or using, for the Purposes of this Act, any Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments.

Providing for Deficiency of Land Tax.

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands purchased, taken, or used by virtue of the Powers of this Act, or of any Interest therein, or for the Release of any Charge thereon, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, or unborn, shall be entitled unto or interested in, or hereby capacitated to convey, 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 *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* "The Mayor, Aldermen, and Burgesses of the Town of *Penzance*," pursuant to the Method prescribed by an Act

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

passed in the First Year of the Reign of King *George* the Fourth,
1 G. 4. c. 35. intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes,* and the general Orders of the said Court, without Fee or Reward; and shall, when so paid in, be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Corporation who would have been entitled to the Rents and Profits of the said Lands, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, or affecting any other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, and 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 any other Lands, 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 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 Purchase shall be made, the said Money, by Order of the said Court of Exchequer, upon Application thereto, shall be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Consolidated or Reduced Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid, by Order of the said Court, to the Person or Corporation who would for the Time being have been entitled to the Rents and Profits of the Lands so hereby directed to be purchased, in case such Purchase or Settlement were made.

If under 200*l.* and above 20*l.*

XXIII. Provided always, and be it further enacted, That if any Money so agreed or adjudged to be paid for any Lands purchased, taken, or used for the Purposes aforesaid, or any Interest thereon, or the Release of any Charge therein, belonging to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Corporation for the Time being entitled to the Rents and Profits of the Lands so purchased, taken, or used, or of his Guardian or Committee, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under his Hand, or if a Corporation Aggregate under their Seal,) be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to

Two Persons, to be nominated as Trustees by the Person or Corporation making such Option, and approved of by the said Mayor, Aldermen, and Burgesses, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, or, if Corporations Aggregate, under their Seals,) in order that such Principal Money, and the Dividends arising therefrom, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

If 20*l.* and under.

XXIV. Provided also, and be it further enacted, That where such Money shall not exceed the Sum of Twenty Pounds, then and in such Case the same shall be applied to the Use of the Person or Corporation who would for the Time being have been entitled to the Rents and Profits of the Lands so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Mayor, Aldermen, and Burgesses shall think fit; or, in case of Infancy, Idiotcy, or Lunacy, then to his Guardian or Committee, to and for the Use and Benefit of the Person so entitled.

In case of not making out Titles, or of Absence, or Refusal to convey, Money to be paid into the Bank.

XXV. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands to be taken under or by virtue of the Powers of this Act, or for the Release of any Charge thereon, or for any other Right or Interest therein or affecting any such Lands, or otherwise for Compensation or Satisfaction as aforesaid, shall refuse or neglect to accept the same, or shall refuse, neglect, or be unable to make a Title to such Lands to the Satisfaction of the said Mayor, Aldermen, and Burgesses, for the Purposes of this Act, or shall be absent from *England*, or cannot be conveniently found, or if any Party entitled unto or by this Act capacitated to convey any such Lands, Right, or Interest be not known or discovered, or be absent from *England*, or shall refuse to convey the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Mayor, Aldermen, and Burgesses to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them, so far as the said Mayor, Aldermen, and Burgesses can do so), subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or any Part thereof, by Petition, is hereby empowered, in a summary Way of proceeding, or otherwise, as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Mayor, Aldermen, and Burgesses, or to the Party so paying any Money into the Bank of *England*, under or pursuant to this Act, a Receipt for such Money, mentioning

mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same has been so paid in.

In case of disputed Titles, Persons in Possession to be deemed presumptively entitled.

XXVI. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Lands, or to any Interest in any Lands, or to any Compensation in respect of Damage, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or any Interest therein, or the Release of any Charge thereon, to be purchased, taken, or used, in pursuance of this Act, for the Purposes thereof, or for such Compensation as aforesaid, or to any Bank Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Bank Annuities or Securities, the Parties who shall have been in Possession or Receipt of the Rents and Profits of such Lands at the Time of such Purchase, and all Persons or Corporations claiming under such Parties, or under the Possession of such Parties, shall be deemed and taken to have been lawfully entitled to such Lands, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities or Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Securities, shall be paid, applied, and disposed of accordingly, until it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Corporation was lawfully entitled to such Messuages or Lands, or to some Estate or Interest therein, when the said Court shall be empowered to make such Order, as to the Dividends, Interest, and Capital, as the said Court shall deem proper.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Corporation.

XXVII. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands to be purchased, taken, or used under the Authority of this Act, or any Interest therein or Charge thereon, or from any other Cause, except the wilful Refusal of such Person or Corporation to convey the said Lands, or to accept the Purchase or Compensation Money after mentioned, the Purchase Money for any Lands, or Interest therein or Charge thereon, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government Securities, and of the Reinvestment of the same, or the Government Securities purchased therewith, in the Purchase of other Lands, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government

ment Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government Securities aforesaid, to be paid by the said Mayor, Aldermen, and Burgesses; and the said Mayor, Aldermen, and Burgesses shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct, out of the Monies to be raised by virtue of this Act.

Expences of Titles to be paid by the Corporation.

XXVIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Mayor, Aldermen, and Burgesses for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Mayor, Aldermen, and Burgesses may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Mayor, Aldermen, and Burgesses may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Mayor, Aldermen, and Burgesses; and the said Mayor, Aldermen, and Burgesses, before entering into Possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall obtain such Order as herein mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be prevented from entering into Possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to such Party by the said Mayor, Aldermen, and Burgesses, deliver a Bill of their said Costs, Charges, and Expences to the said Mayor, Aldermen, and Burgesses: Provided also, that in case the said Mayor, Aldermen, and Burgesses shall not require the making out or furnishing of such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Mayor, Aldermen, and Burgesses, to produce or cause the Production of the Title Deeds relating to the said Lands, when required by the said Mayor, Aldermen, and Burgesses so to do, without furnishing any Abstract of his Title.

How such Expences are to be ascertained.

XXIX. And be it further enacted, That if the said Mayor, Aldermen, and Burgesses, and the Party aforesaid, cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Mayor,

Aldermen, and Burgesses, to order and direct that such Costs, Charges, and Expences shall be referred to One of the Masters of the said Court, to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences, so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Mayor, Aldermen, and Burgesses to the Party from whom such Lands shall have been purchased or taken, to be paid to the Party aforesaid: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be at liberty to enter into Possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Mayor, Aldermen, and Burgesses shall have deposited the Sums claimed in respect of the same in the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The Mayor, Aldermen, and Burgesses of the Town of *Penzance*," pursuant to the Method prescribed by the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth; which Sums shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Mayor, Aldermen, and Burgesses, unless One Sixth Part of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the Lands were purchased or taken, and the Amount thereof may then be paid to the said Mayor, Aldermen, and Burgesses out of the said Sum so deposited by them as aforesaid.

Power to enter Lands on Payment, or Tender of Purchase Money.

XXX. And be it further enacted, That upon Payment or legal Tender of such Money as shall have been agreed upon between the Parties, or awarded in manner aforesaid, for the Purchase of any Lands, or of any Estate or Interest in any Lands, to the respective Proprietors of such Lands, or other Persons entitled, according to the Provisions of this Act, to receive such Money, within Three Calendar Months next after the same shall have been so agreed upon or awarded, or, whenever any of the respective Cases shall happen wherein such Money is herein-before authorized or directed to be paid into the Bank of *England*, then, upon Payment into the Bank of *England* in manner in such Case herein-before authorized or directed, it shall be lawful for the said Mayor, Aldermen, and Burgesses immediately to enter upon such Lands, in case such Lands shall have been purchased, and thereupon all the Estate, Use, Trust, and Interest of all Parties therein for which the Consideration shall have been so paid, tendered, or deposited as aforesaid shall henceforth be vested in and become the sole Property of the said Mayor, Aldermen, and Burgesses, to and for the Purposes of this Act, and the said Mayor, Aldermen, and Burgesses shall not be bound to see to the Application of any such Purchase Money, Compensation, or Satisfaction; and such Payment or

or Tender and Conveyance as herein-before mentioned, or such Deposit in the Bank of *England* as aforesaid, shall not only bar all Right, Title, Interest, Claim, and Demand of every such Party, but shall also bar all such Dower, and all such Estates Tail and other such Estates in Reversion and Remainder, and all such Rights, Titles, Limitations, and Trusts whatsoever of and in the said Lands as shall have been compensated for in manner herein-before mentioned: Provided nevertheless, that before such Payment, Tender, or Deposit in the Bank of *England* as aforesaid shall have been made it shall not be lawful for the said Mayor, Aldermen, and Burgesses, or for any Person acting under their Authority, to take or enter upon such Lands for the Purposes of this Act, save for the Purpose of ascertaining and setting out the same for the Purposes of this Act, without the previous Consent of the Owners and Occupiers thereof respectively.

If Land not contracted for within Three Years, Power of purchasing to cease.

XXXI. And be it further enacted, That unless the said Mayor, Aldermen, and Burgesses shall, within the Space of Three Years, to be computed from the passing of this Act, pay or cause to be paid for, as in this Act is mentioned, the Lands which they are by this Act empowered to take and use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purpose of executing the Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for the taking or using of such Lands shall cease and be utterly void, except with the Consent in Writing of the Owners and Occupiers thereof respectively.

If Works not completed in Seven Years, Powers to cease, except as to such Part (if any) as shall be completed.

XXXII. Provided always, and be it further enacted, That in case the said Works shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers and Authorities given by this Act for completing the said Works shall cease and determine, save only and except as to so much (if any) of the said Works as shall be declared and certified to have been completed within the said Term by the Justices, at any General or Quarter Sessions of the Peace to be held in and for the said County of *Cornwall* at any Time before the Expiration of the said Term of Seven Years, or within Six Calendar Months next after the Expiration thereof.

Corporation may raise Money for the Purposes of the Act.

XXXIII. And for raising Money for the more effectually enabling the said Mayor, Aldermen, and Burgesses to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to borrow and take up at Interest such Sum or Sums of Money as the said Mayor, Aldermen, and Burgesses shall think necessary, not exceeding in the whole the Sum of Thirty-five thousand Pounds, for improving and enlarging and rendering more commodious the said Pier and Harbour of *Penzance*, and for constructing a Wet Dock there, upon the Credit of the Rates, Dues, Duties, and Payments to be levied and collected under and by virtue of this or the said recited Act, and of the Tolls which may be derived from the Markets of the said Borough, and of the Rents, Issues, and Profits of the Lands of the said Mayor, Aldermen,

Aldermen, and Burgesses, and by Writing under their Common Seal to assign all or any Part of the said Tolls, Dues, Duties, Rents, Issues, Profits, and Payments to be received by the said Mayor, Aldermen, and Burgesses to such Person as shall lend or advance any Money thereon, or to his Trustee, as a Security for any Sum of Money so to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignments (to be made in Manner and Form herein-after mentioned) shall be from Time to Time defrayed by the said Mayor, Aldermen, and Burgesses out of the Money so borrowed; and every such Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated, and may be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'WE, the Mayor, Aldermen, and Burgesses of the Borough of *Penzance*, acting in pursuance of an Act passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], and of the therein-recited Act, in consideration of the Sum of advanced and lent by of upon the Credit and for the Purposes of the said Act of our said Lady the Queen, do hereby grant and assign unto [*or* his Trustees, *as the Case may be*,] his Executors, Administrators, or Assigns, such Proportion of the Tolls, Rates, Dues, Duties, and Payments granted or arising by virtue of the said Acts, and from the Market Tolls of the said Borough, and from the Rents, Issues, and Profits of the Lands and other Property of the said Mayor, Aldermen, and Burgesses situate and being within the said Borough, as the said Sum of doth or shall bear to the whole Sum of Money which may at any Time be borrowed or become due or owing or be charged upon the Credit of the said Tolls, Rates, Dues, Duties, Rents, Issues, Profits, and Payments, to be had and holden from this Day of until the said Sum of together with Interest for the same at the Rate of *per Centum per Annum*, shall be fully paid and satisfied, subject nevertheless to the Proviso or Condition as to Priority of Payment and Application of the said Tolls, Rates, Dues, Duties, Rents, Issues, Profits, and Payments in the said Act mentioned. In witness whereof we the said Mayor, Aldermen, and Burgesses have hereunto affixed our Common Seal, the Day of in the Year of our Lord .'

And all Persons to whom any such Assignment shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Tolls, Rates, Dues, Duties, Rents, Issues, Profits, and Payments (as the Case may be) equally one with another, without any Preference in respect of the Priority of advancing such Money, or the Dates of any such Assignments; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person to whom the same shall be made, his Executors, Administrators, or Assigns, to the Payment of the Money thereby secured, and to all Profits and Advantages thereon, according to the true Intent and Meaning of this Act.

XXXIV. Pro-

This Act not to affect Rights of present Bond Creditors.

XXXIV. Provided always, and be it further enacted, That nothing herein contained, nor any Assignment to be made under the Powers of this Act, shall extend or operate to affect the Rights and Remedies of the Bond Creditors of the said Mayor, Aldermen, and Burgesses, entitled to the said Sum of Twelve thousand Pounds, but such Creditors respectively shall and may have the same Rights and Remedies, and the Lands and other Property of the said Mayor, Aldermen, and Burgesses shall and may be subject to and charged by any Judgments obtained or to be obtained, in respect of such Bonds, in such and the same Manner as if this Act had not been passed.

Mortgages may be transferred.

XXXV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed on Interest as aforesaid, and their respective Executors, Administrators, and Assigns, as the Case may be, at any Time, by Deed or Writing under their respective Hands and Seals, duly stamped, in which the Consideration shall be truly stated, to transfer such Securities to any Person whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say,)

'I being entitled to the Sum of secured to me, my Executors, Administrators, and Assigns, by virtue of an original Grant [*or* an Assignment of the original Grant, *as the Case may be*,] bearing Date the Day of under the Common Seal of the Mayor, Aldermen, and Burgesses of the Borough of *Penzance*, acting in execution of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here set forth the Title of this Act*], and of the therein-recited Act, upon the Credit of the Tolls, Rates, Dues, Duties, and Payments authorized to be raised and collected by virtue of the said Act, and which may be derived from the Market Tolls of the said Borough, and from the Rents, Issues, and Profits of the Lands and other Property of the said Mayor, Aldermen, and Burgesses situate within the said Borough, do hereby, in consideration of the Sum of paid to me by of transfer all my Right and Title in and to the same Sum, and all Interest and other Money now due and arising thereon, unto the said his Executors, Administrators, and Assigns. In witness whereof, I have hereunto set my Hand and Seal the Day of in the Year of our Lord .'

In case Mortgages are paid off, the Company may raise the like Amount again.

XXXVI. And be it further enacted, That in case the said Mayor, Aldermen, and Burgesses shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage as aforesaid, and shall afterwards pay off all or any Part of the Principal Sum so raised or borrowed, or in case the said Mayor, Aldermen, and Burgesses shall pay off all or any Part of the said Principal Sum of Twelve thousand Pounds secured by the Bonds of the Mayor, Aldermen, and Commonalty, and Mayor, Aldermen, and Burgesses, then and in every such Case it shall be lawful for the said Mayor, Aldermen, and Burgesses, immediately, and at any Time or Times thereafter, again to raise, upon the

Security of such Assignments as herein-before mentioned, in lieu of the Principal Money so paid off by them, such Sum or Sums of Money as they shall from Time to Time have paid off to the Holders of such Mortgages or Assignments, or to such Bond Creditors as aforesaid, or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Mayor, Aldermen, and Burgesses shall not in any Event borrow, upon Mortgage, Assignment, or Charge as aforesaid, in such Manner or to such Extent as that more than the Principal Sum of Thirty-five thousand Pounds, together with such further Sum, if any, as shall have been actually paid to the Bond Creditors of the said Mayor, Aldermen, and Burgesses, in discharge of the said Principal Sum of Twelve thousand Pounds, or any Part thereof, shall in the whole be owing at any One Time on Mortgage or Assignment of or as a Charge upon the said Rates or Dues.

Town Council to exercise Powers of this Act.

XXXVII. And be it further enacted, That all Acts, Matters, and Things by this Act authorized or directed to be made, done, and performed by the said Mayor, Aldermen, and Burgesses shall and may be made, done, and performed by the Council of the said Borough at any general or adjourned Meeting of the said Council held in pursuance of an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the better Regulation of Municipal Corporations in* England *and* Wales, and in such Manner and subject to the same Regulations as directed or authorized by the said Act in that behalf.

Officers to account.

XXXVIII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses to appoint such Wharfingers, Coal Meters, Corn Meters, Collectors, and other Officers as they shall think necessary or proper for carrying the several Purposes of this Act into execution; and all Collectors, Officers, and Persons to be appointed by the said Mayor, Aldermen, and Burgesses to receive any Monies under or by virtue of this Act shall account to the Council of the said Town in the same Manner in all respects, and subject to all the Powers, Penalties, and Provisions for enforcing such Account, and the Payment of any Monies due, as is directed and contained in the said Act of the Fifth and Sixth Years of King *William* the Fourth in respect of the Town Clerk, Treasurer, or other Officers appointed by the Council of any Borough, as in the same Act mentioned.

Books of Accounts to be kept, and to be opened for Inspection of Corporation and Creditors.

XXXIX. And be it further enacted, That the said Mayor, Aldermen, and Burgesses shall and they are hereby required to order and direct a Book to be provided and kept by the Treasurer of the Borough Fund, in which Book such Treasurer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book shall at all seasonable Times be open to the Inspection of the said Mayor, Aldermen, and Burgesses, or any Creditor on the Rates, Dues, and

and Duties hereby granted, without Fee or Reward; and the said Mayor, Aldermen and Burgesses, and the said Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or any Part thereof, without paying any thing for the same; and in case such Treasurer shall refuse to permit or shall not permit the said Mayor, Aldermen, and Burgesses, or any of them, or any such Creditor, to inspect any such Book, or take such Copies or Extracts as aforesaid, such Treasurer shall forfeit and pay any Sum not exceeding Five Pounds; and the said Accounts shall be audited in the same Manner as the other Accounts of the said Treasurer are directed to be audited by the before-mentioned Act, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales.

Application of the Money to be raised.

XL. And be it further enacted, That the said Mayor, Aldermen, and Burgesses shall and they are hereby authorized and required, out of the said Rates, Dues, and Duties, to pay and defray the Charges and Expences attending the passing of this present Act, and then to pay and discharge the Interest now due, or which shall hereafter accrue and become due, for or in respect of the Debts now owing by the said Mayor, Aldermen, and Burgesses, and the Interest which shall from Time to Time become due for or in respect of the Monies to be borrowed under the Authority of this Act, or of so much thereof as shall from Time to Time remain owing, and in the next place thereout to defray the Expences of repairing and maintaining the Pier or Quay of the said Town, and the Pier or Jetty, Dock and other Works by this Act authorized to be made, and out of the Surplus or Residue thereof which shall remain after satisfying the several Purposes aforesaid, or out of the other Income of the said Mayor, Aldermen, and Burgesses, the said Mayor, Aldermen, and Burgesses shall apply annually the Sum of Three hundred Pounds at the least in Payment of the said Sum of Twelve thousand Pounds, and of all Principal Monies which shall be borrowed under the Authority of this Act, until the said Sum of Twelve thousand Pounds, and all such Principal Monies as shall have been borrowed as aforesaid, and all Assignments of or Mortgages upon the said Rates, Dues, and Duties, Rents, Issues, Profits, and Payments, under the Authority of this Act, shall be paid off, discharged, and redeemed.

Rates or Duties for Goods.

XLI. And whereas since the passing of the said recited Act of the Fifty-seventh Year of King *George* the Third divers Goods, Wares, and Merchandize have been and still continue to be imported at and exported from the said Pier, which are not enumerated and defined in the Schedule to the said Act annexed, and great Difficulties have arisen in consequence thereof, and several of the Dues, Duties, and Payments under the said recited Act, on the Importation and Exportation of Goods at the said Pier, have been found unequal, and require Alteration; be it therefore enacted, That from and after the passing of this Act there shall be paid and payable to the said Mayor, Aldermen, and Burgesses, and the Lessees or Lessee, or the Collectors or Deputies of the said Mayor, Aldermen, and Burgesses, or their Lessees or Lessee, for their Use, for all Goods, Wares, Merchandize, and Commodities whatsoever

whatsoever which shall be landed, discharged, or shipped upon, at, or from any of the Wharfs or Quays within the said Harbour of *Penzance*, or the Limits or Precincts thereof, by the Owner or Owners, Consignee or Consignees, or the Person or Persons having the Charge of such Goods, Wares, Merchandize, and Commodities, the several Rates and Duties particularised and set forth in the First Schedule to this Act annexed: Provided always, that the several Rates, Duties, and Payments under the said recited Act shall continue to be payable, except where it is by this Act otherwise provided for.

Tonnage Dues as set forth in the Second Schedule.

XLII. And be it further enacted, That when and so soon as the said Mayor, Aldermen, and Burgesses shall have completed the said Pier or Jetty from the Northern Shore of the said Harbour for a Length of One thousand two hundred Feet, and a Certificate of such Completion shall have been given under the Hand of the Recorder of the said Borough at any General or Quarter Sessions of the Peace for the said Borough, which he is hereby required to give upon such Evidence, to be produced and examined before him upon Oath for that Purpose, as he shall deem sufficient, then from and immediately after the granting of such Certificate it shall be lawful for the said Mayor, Aldermen, and Burgesses, and they are hereby authorized and empowered, to demand, take, receive, and collect, for or in respect of all Ships, Boats, or other Vessels which shall come into the said Pier of *Penzance*, the Tonnage Dues or Sums specified in the Second Schedule to this Act annexed, in addition to the other Rates and Duties imposed by this and the said recited Act on Goods, Wares, and Merchandize, provided the said Ships or Vessels shall not remain and continue in the said Pier or Outer Harbour for above the Space of Two Calendar Months, to be computed from the Time of their entering the same; and where such Ships or Vessels shall remain in the said Pier or Outer Harbour for a longer Space of Time than Two Months, then and in every such Case there shall be paid and payable as aforesaid the several Rates or Duties of Tonnage next herein-after mentioned; that is to say, the additional Sum of One Halfpenny *per* Registered Ton *per* Week for each and every Week which such Ships or Vessels shall remain and continue within the said Pier or Outer Harbour after the said Period of Two Months from their first arriving at the same, and which said additional Sum of One Halfpenny shall be paid in addition to the other Dues, Duties, and Payments by this Act and the said recited Act made payable.

Exemption.

XLIII. Provided always, and be it further enacted, That no such Tonnage Dues or Sums, or Rates or Duties of Tonnage as aforesaid, shall be charged or chargeable for or in respect of any Vessel, Yacht, Barge, or Boat of or in the Employ of the Master, Wardens, and Assistants of the Corporation of *Trinity House* of *Deptford Strond*, whilst the same shall be in the actual *bonâ fide* Service of the said Master, Wardens, and Assistants.

Tonnage Dues as set

XLIV. And be it further enacted, That there shall be paid and payable unto the said Mayor, Aldermen, and Burgesses, for all Ships or Vessels

Vessels going into the Dock to be made in pursuance of this Act, and in addition to the other Rates and Duties imposed by this Act, the Tonnage Dues or Sums specified in the Third Schedule hereunto annexed, provided the said Ships or Vessels shall not remain and continue therein for above the Space of One Calendar Month, to be computed from the Time of going into the said Dock; and where such Ships or Vessels shall remain in the said Dock for a longer Space of Time than One Month aforesaid, then and in every such Case there shall be paid and payable as aforesaid the several Rates or Duties of Tonnage next herein-after particularly described; (that is to say,) the Sum of One Penny *per* Ton *per* Week for every Week which such Ships or Vessels shall remain and continue within the said Dock after the said Period of One Month from their first entering the same.

forth in the Third Schedule.

XLV. And whereas the said Pier, when finished and completed, will afford great Protection for the laying up and wintering of undecked Boats employed in the Fisheries within *Mount's Bay* and elsewhere along the Coast of the Western Parts of *Cornwall*, and for Yachts and Pleasure Boats kept within the said Port; be it therefore enacted, That, from and after the Completion of the said Works as aforesaid there shall be paid and payable to the said Mayor, Aldermen, and Burgesses, for every such Boat as may be above the Burden of Three Tons which shall be laid up and wintered in the said Pier for that Period of the Year in which they are not usually employed in their several and respective Fisheries, the Sum of One Shilling and Sixpence *per* Ton by the Year, and for each and every Yacht or Pleasure Boat belonging to the said Port of *Penzance* the like Sum of One Shilling and Sixpence *per* Ton by the Year.

Payment for Fishing Boats and Pleasure Yachts laid up.

XLVI. Provided always, and be it further enacted, That the Rates, Duties, and Tonnage Dues to be taken by virtue of this Act shall at all Times be charged equally, and no Reduction, Exemption, or Advance in the same shall, either directly or indirectly, be made partially or in favour of or against any particular Person or Company, but every such Reduction, Exemption, or Advance of Rates, Duties, or Tonnage Dues shall extend to all Persons using the said Harbour or Pier, any thing to the contrary thereof in anywise notwithstanding.

Rates to be charged equally.

XLVII. Provided always, and be it further enacted, That it shall be lawful for Her Majesty, by an Order of Council, or for the Lords Commissioners of Her Majesty's Treasury, or any Two or more of such Lords Commissioners, by an Order in Writing, from Time to Time to reduce the Rates and Duties which shall be imposed on Foreign Vessels, under the Powers of the said recited Act or of this Act, on all or on such and on so many of such Vessels, and on all or on such and on so many of the Goods or Articles imported or exported in such Vessels, as Her Majesty, in and by such Order of Council as aforesaid, or as the Lords Commissioners as aforesaid, shall deem expedient, so as the same be not less than are by the said recited Act or this Act directed or authorized to be levied in respect of *British* Vessels.

Power to Her Majesty to reduce Tolls on Foreign Vessels.

Provision for Reduction of Rates.

XLVIII. And be it further enacted, That when and so soon as so much of the said Principal Sum of Thirty-five thousand Pounds by this Act authorized to be raised, and of the said Principal Sum or Debt of Twelve thousand Pounds, and of the Monies to be borrowed in substitution for the same respectively, shall be paid and discharged, that there shall not remain owing on the Mortgages and Assignments by this Act authorized, and on the said Bonds herein-before referred to, or any of them, more than the Principal Sum of Six thousand one hundred and ninety-three Pounds in the whole, then One Fourth Part of the Rates and Duties granted by this and the said recited Act shall cease and determine, and be no longer paid or payable.

Provision in recited Act for making Bye Laws repealed.

XLIX. And whereas it was by the said recited Act enacted, that it should be lawful for the Mayor, Aldermen, and Commonalty, or their Successors, to make, ordain, and establish Orders, Rules, Bye Laws, and Regulations for better ordering and regulating the Pier, Quay, or Harbour of the Town of *Penzance* in such Manner and subject to such Restrictions as therein is mentioned; and it is expedient that the said Provision should be repealed, and other Powers given in lieu thereof; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Corporation may make Bye Laws.

L. And be it further enacted, That the said Mayor, Aldermen, and Burgesses shall have full Power and Authority from Time to Time to make such Bye Laws, Rules, Orders, and Regulations as to the said Mayor, Aldermen, and Burgesses shall seem right and proper, for regulating all Officers, Servants, Agents, and Workmen to be employed in or about the Affairs or Business of the Pier or Quay of the said Town, and the said Pier, Jetty, or other Works by this Act authorized, and for lighting the same, and for the Convenience of Persons walking upon or landing or embarking therefrom, or shipping or landing Goods, Merchandize, or other Commodities at or from the same, and the Nature of the Goods, Merchandize, or other Commodities, Articles, Matters, or Things, which may or may not be shipped or landed, and the Mode and Time of shipping and landing the same, and for the Regulation, stationing, removing, distributing, and arranging all and every the Ships, Packets, Boats, and other Vessels resorting thereto for the Purpose of landing or embarking, or which may come to anchor or remain within the Distance of Two hundred Yards from the said Pier or Quay, and Pier or Jetty, or either of them, and for the effectually preserving the Works to be done in pursuance of this Act, and for the governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, or other Carriages for conveying Passengers, Goods, Merchandize, or other Commodities, Articles, Matters, or Things, to or from the said Pier or Quay, and Pier or Jetty, and other Works, for the Convenience of Persons using or resorting to the same, or otherwise in regard to the said Pier or Quay, Pier or Jetty, and other Works to be made under or by virtue of this Act; and the said Mayor, Aldermen, and Burgesses may, from Time to Time, as they shall think fit, repeal, alter, add to, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and may impose and inflict such reasonable

able Fines and Forfeitures on all Persons offending against such Bye Laws, Rules, Orders, and Regulations, or any of them, not exceeding the Sum of Five Pounds for any One Offence, to be recovered as any Penalty or Forfeiture may by the said recited Act be recovered; and all such Bye Laws, Rules, Orders, and Regulations shall be reduced into Writing under the Common Seal of the said Mayor, Aldermen, and Burgesses, and shall be binding upon and be observed by all Persons using or in anywise concerned in the said Works, and shall be sufficient, in any Court of Law or Equity, to justify all Persons who shall act under the same: Provided that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with any of the Laws of this Kingdom, or the Provisions and Directions in this Act contained, or any of them.

Bye Laws to be confirmed.

LI. Provided always, and be it further enacted, That no Bye Law to be made under the Authority of the said recited Act or of this Act shall be valid or binding unless the same shall be allowed by some Judge of One of Her Majesty's Courts of Record at *Westminster*, or by the Justices assembled at some General or Quarter Sessions of the Peace for the County of *Cornwall*, which said Justices are hereby authorized and required, on the Request of the said Mayor, Aldermen, and Burgesses, to examine into the Bye Laws which may be tendered to them for that Purpose, and to allow or disallow the same, as to them may seem meet; and the said Bye Laws shall be so framed as to authorize the Justice or Justices before whom any Penalty to be imposed thereby may be sought to be recovered to order the Whole or any Part of such Penalty to be paid: Provided also, that Six Weeks Notice at the least shall be given by the said Mayor, Aldermen, and Burgesses, in some one Newspaper usually circulated in the County of *Cornwall*, of their Intention to submit the said Bye Laws to such Judge or Justices, as the Case may be, in order that any Parties interested therein may attend and object thereto.

Repealing the Clause of recited Act directing that no Plaintiff shall recover without Notice, or after Tender of Amends.

LII. And whereas it was by the said recited Act enacted, that no Plaintiff or Plaintiffs should recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of the said Act, unless Notice in Writing be given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, Twenty-one Days before such Action should be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor should the Plaintiff or Plaintiffs recover in such Action if Tender of good and sufficient Amends be made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought, nor if such Tender of Amends be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff or Plaintiffs should be nonsuited, and should pay Treble Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no such Tender should

should be made it should or might be lawful to and for the said Defendant or Defendants in any such Action, by Leave of the Court where such Action should be depending, at any Time before the Issue joined, to pay into Court such Sum of Money as he, she, or they should think fit, whereupon such Proceedings, Order, and Judgment should be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Plaintiff not to recover after Tender of Amends.

LIII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceedings made or committed in the Execution of the said recited Act or of this Act, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Repeal of Clause directing that no Ship be entered Inwards or cleared till Duties paid.

LIV. And whereas it was by the said recited Act enacted, that no Collector, Comptroller, or other Officer of His Majesty's Customs in or belonging to the said Port of *Penzance* should on any Account whatsoever permit or allow any Ship or Vessel on which any Tonnage Rates or Duties were thereby made payable to be entered Inwards, unless and until the Master or other Person having Charge of such Ship or Vessel should have paid the Tonnage Rates or Duties thereby declared to be payable for such Ship or Vessel, and should have produced to the said Collector, Comptroller, or other Officer a Certificate, under the Hand of the Person or Persons appointed by the said Mayor, Aldermen, and Commonalty, or their Successors, as therein directed, to collect and receive the said Tonnage Rates and Duties, certifying the same to have been paid; and that no such Collector, Comptroller, or other Officer should upon any Account whatsoever permit or allow any Goods or Merchandize on which the Tonnage Rates or Duties are by the said Act imposed to be landed from any Ship or Vessel entered Inwards, or permit or suffer any Ship or Vessel to be cleared Outwards, unless and until the Master or other Person having Charge of such Ship or Vessel should have paid the Tonnage Rates and Duties aforesaid, and should, if required, have produced to the said Collector, Comptroller, or other Officer a Certificate, under the Hand of the Person or Persons appointed to collect or receive the Tonnage Rates and Duties, certifying that the said Tonnage Rates and Duties had been fully paid, which respective Certificates and Signatures such Person or Persons appointed to receive the said Tonnage Rates and Duties were required to sign and give accordingly, without Fee or Reward, upon pain of forfeiting, to the Use of any Person who should sue for the same, the Sum of Twenty

Twenty Pounds, together with Costs of Suit, and which Sum, when forfeited, should, within Twelve Months after the Offence committed, be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Wager of Law, Privilege, or Protection, nor more than One Imparlance, should be allowed: And whereas it is expedient the said recited Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Repealing Clause as to Limitation of Actions.

LV. And whereas it was by the said recited Act enacted, that no Action or Suit should be brought against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of that Act, after Six Months next after the Fact committed, or in case there should be a Continuation of Damages then after Six Months next after the doing or committing of such Damages should have ceased; and every such Action or Suit should be laid, brought, and tried in the County where the Cause of Action should have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit might, at his, her, or their Election, plead specially, or the General Issue, and give the said Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and under the Authority of the said Act; and if the same should appear to have been so done, or that such Action or Suit had been brought before Twenty-one Days Notice had been given, or after a sufficient Satisfaction had been made or tendered, or after the Time limited for bringing the same had expired, or should be brought in any other County than as therein mentioned, then and in every such Case the Jury should find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or should discontinue his, her, or their Action or Suit after the Defendant or Defendants should have appeared, or if upon Demurrer or otherwise Judgment should be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants should recover Treble Costs, and should have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law: And whereas it is expedient the said recited Provision should be repealed, be it therefore enacted, That the same shall be and is hereby repealed: Provided always, that nothing in this Act contained shall prejudice or affect any Action, Suit, Information, or other Proceeding now pending between the said Mayor, Aldermen, and Burgesses, and any Company or Person or Persons whomsoever, or shall revive any Right which, under the Provision lastly hereby repealed, may have been barred prior to the passing of this Act.

Saving the Rights of the Trinity House of Deptford Strond.

LVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights, Privileges, Jurisdictions, and Authorities of the Corporation of *Trinity House* of *Deptford Strond*.

Public Act.

LVII. 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.

The First SCHEDULE referred to in this Act.

	s.	*d*
Acid Water and Wood Acid, per Pipe	1	0
Ditto, Ditto, per Hogshead	0	6
Ditto, Ditto, per Firkin	0	3
Ditto, Ditto, per Jar	0	2
Acorns, per Ton of 40 Bushels	1	0
Ale, Beer, or Porter, per Butt or Pipe	1	0
Ditto, Ditto, per Hogshead	0	6
Ditto, Ditto, per Barrel	0	3
Ditto, Ditto, per Kilderkin	0	1½
Ditto, Ditto, in Bottles, per Dozen	0	1
Alabaster, the Ton	1	0
Alkanet Root, per Cwt.	0	4
Almonds, per Cwt.	0	3
Aloes, per Cwt.	0	4
Amber, per Cwt.	0	4
Ambergris, per Cwt.	1	0
Anchovies, per Barrel	0	2
Angelica, per Cwt.	0	3
Animals, stuffed, each	0	6
Anacardium, or the Cashew Nut, per Bushel	0	1
Annatto, per Cwt.	0	4
Anniseeds, per Cwt.	0	3
Antimony, per Cwt.	0	3
Arrow Root and Powder, per Cwt.	0	3
Arsenic, per Cwt.	0	2
Ashes, Barilla, per Cwt.	0	1
Pearl and Pot, per Cwt.	0	2
Black, per Cwt.	0	1
Bleaching, per Cwt.	0	2
Common Irish, per Cwt.	0	1
Soda, per Cwt.	0	1
Asphaltum, per Cwt.	0	1
Bacon or Pork, per Cwt.	0	2
Bagging, per Cwt.	0	4
Barques, per Ton, the same as other Vessels.		
Bark, Angustura, per Cwt.	0	4
Birch and Larch, per Ton	1	0
Quercitron, per Ton	2	0
Sassafras, per Cwt.	0	4
Winteranus, per Cwt.	0	4
Baskets, per Dozen	0	1
Basket Rods, per 1000	0	3
Bass Rope, per Cwt.	0	2
Beef or Pork, per Tierce	0	6
Ditto, per Barrel	0	4
Ditto, per Half Barrel and smaller Package	0	2
Bee Hives, per Dozen	0	2
Beer, Spruce, per Barrel of 32 Gallons	0	8
Bell Metal, per Cwt.	0	2
Berries, Bay, the Cwt.	0	1
Juniper, Ditto	0	1
Yellow, Ditto	0	1
Blacking, per Cwt.	0	2
Blackjack, per Ton	0	6

	s.	d.
Blocks, Heel, per Gross	0	2
Last, per Dozen	0	1
Ship, per Dozen	0	1
Blubber, per Cwt.	0	1
Blue, per Cwt.	0	2
Boats, each	2	6
Bobbins, per Cask	1	0
Bone Dust, per Quarter	0	2
Bones, per Ton	1	6
Borax, per Cwt.	0	2
Bowls of Wood, per Dozen	0	2
Bran, per Ton	1	0
Brandy, per Hogshead	1	6
ditto, in transitu	1	0
Bricks, Fire, per 1000	2	0
Scouring, per 1000	1	6
Slabjacks, per Dozen	0	1½
Bristles, per 12 lbs.	0	1
Broom and Brush Handles, per Gross of 12 Dozen	0	6
Brush Heads and Stocks, per 100	0	1
Bugles and Beads, per Cwt.	0	3
Bullion, per Package	1	0
Bulrushes, per Bundle	0	1
Biscuit or Bread, per Cwt.	0	2
Butter, per Firkin	0	1½
Cakes, Linseed or Rape, per Cwt.	0	1
Calamine, per Cwt.	0	1
Calaminaris Lapis, per Cwt.	0	1
Calves Velves, the Cwt.	0	3
Camphor, the Cwt.	0	6
Canella Alba, per Cwt.	0	4
Candles, Tallow, Chest of 14 Dozen	0	6
Ditto, Half Chest	0	3
Ditto, Wax, per 12 lbs.	0	1
Cantharides, the Cwt.	1	0
Caoutchouc, the Cwt.	0	4
Capers, per Cwt.	0	6
Capillaire, per 100 Gallons	1	0
Carriages for Guns, each	1	6
Carts, each	2	6
Carts (Hand), each	1	0
Cassia Buds, per Cwt.	0	6
Fistula, per Cwt.	0	4
Cattle, viz.: —		
Asses and Mules, each	1	0
Bulls, Cows, and Oxen, each	1	6
Calves and Lambs, each	0	6
Horses, each	2	0
Sucking Pigs, each	0	3
Caviare, per Cwt.	0	2
Cement, per Cwt.	0	1
Chalk, per Ton	0	6
Chesnuts, per Bushel	0	1
China, per Hogshead	1	6
per Tierce	1	0
Chirt Stones, per Ton	0	6
Cocoa, per Cwt.	0	3

	s.	d.
Chocolate, per Cwt.	0	3
Cider or Perry, in Bottles, per Dozen	0	1
Cinnabar, per Cwt.	0	9
Cinnamon, per Cwt.	1	0
Citron Preserves, per Cwt.	0	4
Cloths, Linen, Woollen, or Cotton, in Boxes, per Foot	0	1
Clocks, per Dozen	2	0
Wood, per Dozen	1	0
Clog Soles, per Gross	0	6
Clover Seed, per Cwt.	0	3
Cloves, per Cwt.	1	0
Cobalt, per Cwt.	1	6
Ore, per Cwt.	0	6
Coculus Indicus, per Cwt.	0	4
Cocoa Nuts, per 100	0	2
Colouring for Porter, per Barrel of 36 Gallons	0	6
Columbo Root, per Cwt.	0	4
Copper, per Cwt.	0	2
Copper Furnaces, per 20 Gallons	0	2
Coral, per Cwt.	2	0
Cordials, per Case of 1 Dozen	0	1
per Hogshead	1	0
Corks, per 10 Gross	0	2
Corn, viz. —		
Wheat, per Quarter	0	3
Barley, Ditto	0	2
Flour, per Sack of 280 lbs.	0	2½
Bere and Bigg, per Quarter	0	2
Barley Meal, per Bag	0	2
Indian Corn, per Quarter	0	2
Ditto Meal, per Bag	0	2
Oatmeal, per Bag	0	2
Beans and Peas, per Quarter	0	3
Rye, per Quarter	0	2
Cradles, each	0	2
Cranberries, the 5 Gallons	0	1
Cream of Tartar, per Cwt.	0	4
Crystal, the Box or Package	0	6
Cubebs, per Cwt.	0	6
Culm, the Ton	0	3
Dates, per Cwt.	0	3
Down Eider, per Cwt.	0	9
Drugs, in Casks, Hampers, or Boxes, at per Foot	0	1
Earth, Black, per Cwt.	0	1
Brown, ditto	0	1
Fullers, ditto	0	0½
Red, ditto	0	1
Yellow, ditto	0	1
Earthenware, Coarse, in Bulk, per Potters Dozen	0	4
Ditto, in Crates, at per Foot	0	0¼
Eggs, per Gross of 12 Dozen	0	1
Emery, per Cwt.	0	2
Emery Stones, per Cwt.	0	1
Empty Bags and Sacks (not returned), per Cwt.	0	2
Essence of Lemons and Limes, per 100 lbs.	2	0
Euphorbium, per Cwt.	0	4
Epsom Salts, per Cwt.	0	2

	s.	*d.*
Essential Oils, per Cwt. - - - -	0	9
Felt, per Cwt. - - - - -	0	1
Figs, per Cwt. - - - - - -	0	2
Filtering Stones, each - - - - -	0	1
Fish, per Hogshead - - - - - -	0	3
fresh in Hampers, shipped, per Hamper - - -	0	1
Flag Stones, per 100 Feet - - - -	1	2
Flax (Rough), per Ton - - - - -	3	0
Floor Cloth, per Cwt. - - - -	0	4
Flower Roots, Plants or Trees, in Package, at per Foot - -	0	1
Free Stones, per Ton - - - - -	1	2
Gallangal, per Cwt. - - - - - -	0	4
Galbanum, per Cwt. - - - - -	0	4
Galls, per Cwt. - - - - - -	0	4
Gentian Root, per Cwt. - - - -	0	4
Gigs, each - - - - - -	5	0
Ginger, per Cwt. - - - - -	0	3
Ginseng - - - - - -	0	4
Glauber Salts, per Cwt. - - - -	0	2
Grapes, per Barrel or per Jar - - - -	0	2
Ditto, per Half Barrel or Box - - - -	0	1
Grease or Greaves, per Cwt. - - - -	0	1
Groats, per Cwt. - - - - - -	0	2
Gums, per Cwt. - - - - - -	0	4
Haberdashery and Hosiery, per Cwt. - - - -	0	4
Ditto, Ditto, per Box per Foot - - -	0	1
Hair, Tanners, per Cwt. - - - - -	0	2½
Bull, Cow, Ox, Goat, and Horse, per Cwt. - -	0	3
Hams, per Cwt. - - - - - -	0	2
Hardware, per Cwt. - - - - -	0	2
Hay Rakes, per Dozen - - - - -	0	2
Hides, wet or dry, for every 100 in Number - - -	3	6
Hide Fleshings, per Cwt. - - - - -	0	2½
Hoofs, per Cwt. - - - - - -	0	1
Hide Roundings, or Glue Pieces, per Cwt. - - -	0	2½
Hurdles, per Dozen - - - - -	0	2
Indigo, per Cwt. - - - - - -	1	6
Ivory, per Cwt. - - - - - -	1	0
Ivory Black, per Cwt. - - - - -	0	1
Iron Furnaces, at per 20 Gallons - - - -	0	1
Iron Wire and Nail Rods, per Cwt. - - -	0	2
Iron Ore, per Ton - - - - -	0	6
Iron (Cast) Hollow Ware, per Cwt. - - - -	0	3
Irons, Bakers, and Pudding Pans, per Cwt. - - -	0	2
Isinglass, per Cwt. - - - - -	0	6
Jack Screws, per Pair - - - - -	0	6
Lemon, Lime, and Orange Juice, per Hogshead - - -	1	0
Lac, Gum and Stick, Seed and Shell Lac, per Cwt. - -	0	4
Lamp Black, per Cwt. - - - - -	0	4
Lard, per Cwt. - - - - - -	0	2
Leather, tanned, per Cwt., imported - - - -	0	4
Ditto, Ditto, per Cwt., exported - - - -	0	2½
Ditto, wrought, per Cwt. - - - - -	0	6
Limestone, per Ton - - - - - -	0	4
Linen or Woollen Rags, per Cwt. - - - -	0	1

	s.	*d.*
Linen Cloth, per Cwt.	0	4
Maccaroni, per Cwt.	0	4
Mace, per Cwt.	1	0
Machinery, Steam and other Iron Engines, and Parts of the same, per Cwt.	0	1½
Ditto, Foundation Plates, Bobs, and Pumps for Engines, per Cwt.	0	1
Ditto, Wood and Iron mixed, per Foot	0	1
Madder and Madder Roots, per Cwt.	0	4
Manganese, per Ton	1	0
Manure, per Ton	0	6
Mill Boards, per 120 Board	0	6
Mineral Waters, per Dozen	0	2
Mother of Pearl Shell, per Cwt.	0	4
Muriate of Lime, Ditto of Potash, Ditto of Soda, each per Cwt.	0	1
Musical Instruments, per Foot	0	1
Muskets, per Dozen	0	6
Millinery, per Foot	0	1
Melting Pots, per Dozen	0	1
Munjeet, per Cwt.	0	4
Natron, per Ton	1	8
Nests of Trunks, per Foot	0	1
Nux Vomica, per Cwt.	0	4
Nutmegs, per Cwt.	1	0
Oil, Castor, per Cwt.	0	4
Sperm, per Hogshead	1	0
Sweet and Lamp, and all Oils not enumerated, per Hogshead	0	10
in Flasks, per Chest	0	4
per Half Chest	0	2
in Jars of 24 Gallons, per Jar	0	6
12 Gallons, per Jar	0	3
Oakum, per Cwt.	0	1½
Orange and Lemon Peel, and Buds, per Cwt.	0	3
Orchilla Weed, per Cwt.	0	4
Paints and Painters Colours, per Cwt.	0	2
Pimento, per Bag of 100 lbs.	0	3
Pickles, per Dozen Bottles	0	1
Pilchards, per Hogshead	0	3
Paintings, Pictures, and Pier Glasses, per Foot	0	3
Ploughs, each	0	6
Potatoes (early) shipped between the 1st of April and the 1st of July, per Cwt.	0	1
Preserves, per Cwt.	0	4
Plums, per Cwt.	0	3
Prunes, per Cwt.	0	2
Pumice Stone, per Ton	0	1
Phials, in Packages, per Foot	0	1
Quills, Miners, per Cwt.	0	9
Quern Stones, each	0	6
Raisins and Figs, per Cwt.	0	2
Sago, per Cwt.	0	2
Sails, per Cwt.	0	4
Sal Gem Rocksalt, per Ton	0	6

	s.	d.
Shumac, per Cwt.	0	2
Scythe Stones, per Hundred	0	3
Scythes, per Dozen	0	2
Segars, per Cwt.	0	6
Shakes, not returned, per Hogshead, and so in proportion	0	2
Silk, Raw, per Cwt.	1	0
Thrown, per Cwt.	2	0
Waste, per Cwt.	0	6
Manufactured, per Foot on Package	0	2
Skins — Badger, Bear, Beaver, Deer, Elk, Ermine, Fitchet, Fox, Leopard, Lion, Marten, Otter, Panther, Seal, Tiger, per Score	1	0
Horse, per Score	0	3
Calf, per Score	0	3
Cat, Chinchilli, Mink, Raccoon, Seal (Hair), per Score	0	6
Goat, Fitch, Musk, Quash, Neutria, Swan, per Score	0	3
Coney, Hare, Mole, per Score	0	1
Slates, Writing, per Gross	0	3
Rags, per Dozen	0	1
Solder and Spelter, per Cwt.	0	1½
Spermaceti, per Cwt.	0	4
Sponge, per Cwt.	1	0
per Package under ¼ Cwt.	0	6
Steel, per Cwt.	0	2
Succades and Sweetmeats, per Cwt.	0	4
Soda, Sal, per Ton	1	0
Straw Bonnets, in Bales, Cases, or Casks, or otherwise, per Foot	0	1
Plait, Ditto, Ditto Ditto per Foot	0	2
Sugar, Soft, per Cwt.	0	1
Refined, in Barrels or Bags, per Cwt.	0	2
Candy, per Box	0	2
Refined, per Hogshead	1	4
Talc, per Cwt.	0	4
Tallow, per Cwt.	0	1½
Tapioca, per Cwt.	0	3
Tarras, per Cwt.	0	1
Tea, per Chest	1	6
per Quarter Chest	0	6
per Box	0	3
Tessera, per Barrel	0	2
Thrumbs, per Cwt.	0	4
Tin, in Blocks, Ingots, or Barrels, per Cwt.	0	1½
Tongues, per Dozen	0	1
Tortoiseshell, per Cwt.	1	0
Tow, per Ton	3	0
Toys, in Boxes, at per Foot	0	1
Trucks, each	0	3
Turnips, per Ton	1	0
Twine, or Netting, per Cwt.	0	3
Types, per Cwt.	0	6
Terra Japonica, per Ton	2	0
Timber — Fir, Birch, Beech, and Sycamore, per Load	0	6
Ash, Elm, and Oak, per Load	0	9
Staves, Pipe, per 100	0	6
Ditto, Hogshead, per 100	0	2
all other Staves, per 1000	1	0
Deals, and Deal Ends, per Load	0	8

	s.	d.
Timber — Boxwood, Ebony, Barwood, Brazil, Brazilletto, Camwood, Cedar, Fustic, Guinea Wood, Nicaragua, Rosewood (Red), and Red Sanders, Japan, and Satin, per Ton	2	0
Spars, under 6 Inches, per Dozen - - - -	0	8
Ditto, under 8 Inches, per Dozen - - -	1	0
Mast Pieces, each - - - -	0	3
Valonia, per Ton - - - - -	2	0
Vegetables, shipped, per Basket of 16 Gallons, and so on in proportion	0	1
Venice Turpentine, per Cwt. - - - -	0	4
Vermicelli, per Cwt. - - - - - -	0	6
Waste, Braziers Ditto, Buttonmakers Ditto, Furriers Ditto, Soapers Ditto, Tanners Ditto, Vitriol Ditto, Sugar Bakers } per Cwt. - -	0	1
Whalebone Fins, per Cwt. - - - -	0	4
Ditto, Ditto, per 12 lbs. - - - -	0	2
Wheelbarrows, each - - - -	0	4
Whetstones, per Gross - - - - -	0	2
Whipsticks, per Bundle - - - -	0	1
Whiskey, per Puncheon - - - - -	2	0
Wine and Liquors in Bottle, per Dozen - - - -	0	2
Yams, per Package - - - - -	0	2
Zaffre, per Cwt. - - - - -	0	4
Zedoary, per Cwt. - - - - -	0	4

The SECOND SCHEDULE referred to in this Act.

For all Ships or Vessels coming into and making use of the said Pier or outer Harbour of Penzance, the Sum of Two-pence per Ton per Register.

The THIRD SCHEDULE referred to in this Act.

For all Ships or Vessels entering the Floating Basin, the Sum of One Penny per Ton per Register, in addition to the other Dues.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1840.