CHAPTER clvii.

A.D. 1873.

An Act to amend the constitution of the Harbour Trust of Peterhead, to authorise the construction of new Works at the Harbours, and to provide for the further improvement and maintenance of the same; and for other purposes.

[21st July 1873.]

7 & 8 G. 4. c. xxxiv.

WHEREAS an Act was passed in the seventh and eighth year of the reign of His Majesty King George the Fourth, intituled "An Act for more effectually enlarging and improving the "harbours of Peterhead in the county of Aberdeen" (herein-after called the recited Act), by which Act a previous Act of the 47th year of the reign of His Majesty King George the Third (session 2), chapter 114, intituled "An Act for deepening, enlarging, main- "taining, and improving the harbour of Peterhead in the county "of Aberdeen," was repealed, and powers were granted to the Trustees of the harbours to deepen, enlarge, maintain, and improve the said harbours, to levy rates and duties thereat, and to borrow on the credit of the said rates and duties, and of the other revenues of the harbours, any sum or sums of money not exceeding at any one time sixty thousand pounds in the whole:

And whereas the said Trustees from time to time borrowed the money so authorised to be borrowed, and applied the same for the purposes of the said harbours, but, under the provisions of the recited Act, part of the amount so borrowed has been paid off, and the sums now due and owing on the security of the said rates and duties amount to fifty-seven thousand three hundred and sixty-four pounds two shillings and fourpence:

And whereas the traffic and revenue of the said harbours have increased and are still increasing, and it would be for the public advantage that the recited Act should be repealed and the constitution of the trust amended, and that the existing works should be extended and improved, and the accommodation for trade and ship-

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ping in the said harbours increased, and that powers should be granted to the Trustees to raise further sums of money for such purposes, to levy amended rates and duties, and to exercise other powers in regard to the said harbours; but the said purposes cannot be effected without the aid and 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, as follows:

Short title.

1. This Act may be cited for all purposes as "The Peterhead Harbours Act, 1873."

Interpretation of terms.

2. The following words and expressions shall have the meanings hereby assigned to them:

The expression "the Trustees" shall mean the Trustees of the harbours of Peterhead, hereby incorporated and empowered to carry into effect the provisions of this Act:

The expression "the existing Trustees" shall mean the Trustees of the harbours of Peterhead appointed and acting under the recited Act:

The expression "the harbours" shall mean the harbours of Peterhead as in this Act defined:

The expressions "the treasurer" and "the clerk" shall respectively mean the treasurer and the clerk for the time being of the Trustees, appointed by them or acting under the provisions of this Act:

The expression "the burgh" shall mean the burgh of Peterhead as described and defined in the Schedule (M.) to the Act (Public General) 2 and 3 William IV., cap. 65., annexed:

The expression "creditor" or "creditors" shall mean and include every person, company, and corporation holding or having right to debts, securities, or claims on, against, or affecting the existing Trustees or the Trustees, or the harbours, or the rates and revenue thereof.

Recited Act repealed.

3. From and after the expiration of four weeks after the passing of this Act, the recited Act shall be and the same is, subject to the provisions of this Act, hereby repealed, and this Act shall thereon come into operation.

8 & 9 Vict. c. 19., and 23 & 24 Vict. c. 106., and 10 & 11 Vict. c. 16. incorporated.

4. "The Lands Clauses Consolidation (Scotland) Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Commissioners Clauses Act, 1847," so far as not altered by or inconsistent with this Act, are hereby incorporated with this Act, excepting the clauses in the last-mentioned Act with respect

to the following matters; (that is to say,) with respect to the qualification of commissioners; with respect to the election and rotation of commissioners, where the commissioners are to be elected by the electors; with respect to the meetings and other proceedings of commissioners and their liabilities; and with respect to the mortgages to be executed by the commissioners; and with respect to the accounts to be kept by the commissioners.

10 & 11 Vict. c. 27. incorporated.

5. "The Harbours, Docks, and Piers Clauses Act, 1847," so far as not altered by or inconsistent with this Act, is hereby incorporated with this Act, with the exception of the clauses with respect to the following matters; (that is to say,) with respect to lifeboats and with respect to keeping a tide and weather gauge (unless the Trustees shall be required by the Board of Trade to provide and maintain a lifeboat and tide or weather gauge), and with the exception of sections 25, 26, and 30 of the said Act.

Existing Trustees to act until first Tuesday of December 1873.

6. The power and duty of carrying into effect the provisions of this Act shall, from and after the coming into operation of this Act, and until the first Tuesday of December one thousand eight hundred and seventy-three, be vested in and performed by the existing Trustees.

Incorporation of Trustees.

7. On and after the first Tuesday of December one thousand eight hundred and seventy-three the power and duty of carrying into effect the provisions of this Act shall be vested in and performed by a body of Trustees, consisting of the preses of the governors of the Maiden Hospital, founded by the Company of Merchants of the city of Edinburgh, and Mary Erskine, superiors of the town, and proprietors of the lands and estate of Peterhead, for the time being, or the proprietor of the said estate for the time being, or in the event of there being more than one proprietor, then a person to be nominated by the majority in number and value of such proprietors; the provost of the burgh for the time being; the factor for the governors of the said hospital or for the proprietor of the said estate of Peterhead for the time being, such factor being resident or having a place of business within the burgh; one person to be elected by the provost, magistrates, and town councillors of the burgh for the time being from their own number, such person not being the provost of the burgh for the time being; six persons to be elected by proprietors of lands and heritages; three persons to be elected by the shipowners of Peterhead, and three persons to be elected by the ratepayers of the harbours of Peterhead under this Act, all as herein-after provided; and such Trustees shall be and are hereby incorporated under the name of "The Trustees of the Harbours of Peterhead," with per-

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petual succession and a common seal, and shall have power to sue and be sued, and to acquire, hold, use, and dispose of lands and other property for the purposes of this Act, and have all privileges of a body corporate.

Election of Trustee by magistrates and town council.

8. The person to be elected as a Trustee by the provost, magistrates, and town councillors of the burgh shall be one of their own number, not being the provost of the burgh for the time being, and shall be elected by the said provost, magistrates, and town councillors at a special meeting to be held by them for that purpose on the second Monday of November in each year, and the first election of such Trustee shall take place on the second Monday of November one thousand eight hundred and seventy-three, and the Trustee so elected shall come into office on the first Tuesday of December in each year after his election, and shall remain in office until the first Tuesday of December in the year after his election; provided that any Trustee elected by the said provost, magistrates, and town councillors, unless disqualified, may be re-elected.

Election of Trustees by proprietors.

9. The six persons to be elected Trustees by proprietors of lands and heritages shall be qualified as herein-after provided, and shall be elected by proprietors qualified and registered as herein-after provided, and the first election of such Trustees shall take place on the first Monday of November one thousand eight hundred and seventy-three, and the Trustees so elected shall come into office on the first Tuesday of December one thousand eight hundred and seventy-three; and of the Trustees so elected the two Trustees who shall have received the smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-four, the two Trustees who shall have received the next smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-five, and the remaining two Trustees shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-six, and in case of equality in the number of votes the Trustees shall determine by lot which of the said six Trustees shall go out of office in any year; and on the first Tuesday of December in each succeeding year the two Trustees elected by the said proprietors who shall have been longest in office shall go out of office; and on the first Monday of November one thousand eight hundred and seventy-four, and on the first Monday of November in each succeeding year, the said proprietors shall elect two persons to supply the places of the Trustees to be elected by them going out of office as aforesaid; and the Trustees so to be elected shall come into office on the first Tuesday of December after their successive

elections; provided that any Trustee elected by the said proprietors, unless disqualified, may be re-elected. A.D. 1873.

Qualification of proprietors.

10. Every person resident or having a place of business within the burgh, whose name shall appear in the valuation rolls of the burgh as proprietor in his own right for the space of more than twelve calendar months preceding the fifteenth day of August one thousand eight hundred and seventy-three with respect to the first election of Trustees by the said proprietors, and preceding the fifteenth day of August in each year thereafter with respect to subsequent elections of Trustees by the said proprietors of lands and heritages within the burgh, excepting such portions thereof as comprise parts of the lands of Grange, Clerkhill, Blackhouse, and Invernettie, situate within the boundary of the burgh, to the extent of at least ten pounds of annual value, shall be qualified to be elected a Trustee and to be an elector, and to vote at the election of Trustees by the said proprietors, and shall be entitled to be registered as herein-after provided; and it shall be the duty of the assessor of the burgh for the time being, in preparing or making up the valuation roll of the burgh in each year, to distinguish the portions of the burgh which comprise the said parts of the lands of Grange, Clerkhill, Blackhouse, and Invernettie, situate within the boundary of the burgh, in order thereby to enable the qualification of such persons as may be entitled to be registered as proprietors as aforesaid to be ascertained.

Election of Trustees by shipowners.

11. The three persons to be elected Trustees by the shipowners of Peterhead shall be qualified as herein-after provided, and shall be elected by shipowners qualified and registered as herein-after provided, and the first election of such Trustees shall take place on the first Monday of November one thousand eight hundred and seventy-three, and the Trustees so elected shall come into office on the first Tuesday of December one thousand eight hundred and seventy-three; and of the Trustees so elected the Trustee who shall have received the smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-four, the Trustee who shall have received the next smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-five, and the remaining Trustee shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-six; and in case of equality in the number of votes the Trustees shall determine by lot which of the said three Trustees shall go out of office in any year; and on the first Tuesday of December in each succeeding year the Trustee elected by the said shipowners who shall have been

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longest in office shall go out of office; and on the first Monday of November one thousand eight hundred and seventy-four, and on the first Monday of November in each succeeding year, the said shipowners shall elect one person to supply the place of the Trustee to be elected by them going out of office as aforesaid, and the Trustees so to be elected shall come into office on the first Tuesday of December after their successive elections; provided that any Trustee elected by the said shipowners, unless disqualified, may be re-elected.

Qualification of shipowners.

12. Every person residing or having his place of business within the burgh, whose name shall on the first day of September one thousand eight hundred and seventy-three with respect to the first election of Trustees by the said shipowners, and on the first day of September in each year thereafter with respect to subsequent elections of Trustees by the said shipowners, appear in the books of the Custom House at Peterhead as owner or part owner in his own right to the extent of at least fifty tons of or in any vessel or vessels registered at the port of Peterhead for the space of twelve calendar months preceding such first day of September, shall be qualified to be elected a Trustee and to be an elector, and to vote at the elections of Trustees by the said shipowners, and shall be entitled to be registered as herein-after provided.

Election of Trustees by ratepayers.

13. The three persons to be elected Trustees by the ratepayers under this Act shall be qualified as herein-after provided, and shall be elected by ratepayers qualified and registered as herein-after provided, and the first election of such Trustees shall take place on the first Monday of November one thousand eight hundred and seventy-three, and the Trustees so elected shall come into office on the first Tuesday of December one thousand eight hundred and seventy-three; and of the Trustees so elected the Trustee who shall have received the smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-four, the Trustee who shall have received the next smallest number of votes shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-five, and the remaining Trustee shall go out of office on the first Tuesday of December one thousand eight hundred and seventy-six; and in case of equality in the number of votes the Trustees shall determine by lot which of the said three Trustees shall go out of office in any year; and on the first Tuesday of December in each succeeding year the Trustee elected by the said ratepayers who shall have been longest in office shall go out of office; and on the first Monday of November one thousand eight hundred and seventy-four, and on the first Monday of November in each succeeding year, the said rate-

payers shall elect one person to supply the place of the Trustee to be elected by them going out of office as aforesaid, and the Trustees so to be elected shall come into office on the first Tuesday of December after their successive elections; provided that any Trustee elected by the said ratepayers, unless disqualified, may be re-elected. A.D. 1873.

Qualification of ratepayers.

14. Every person residing or having his place of business and carrying on business within the burgh, who shall during the year ending on the first day of September one thousand eight hundred and seventy-three with respect to the first election of Trustees by the said ratepayers, and on the first day of September in each year thereafter with respect to subsequent elections of Trustees by the said ratepayers, have paid as principal twenty pounds or upwards of rates exigible under the recited Act or this Act in respect of vessels or goods, shall be qualified to be elected a Trustee and to be an elector, and be entitled to be registered as herein-after provided.

List of electors to be made up and published.

15. On or before the seventh day of October one thousand eight hundred and seventy-three the existing Trustees, and on or before the seventh day of October in each year thereafter the Trustees, shall cause to be made up from the valuation rolls of the burgh a list of the proprietors of lands and heritages within the burgh entitled under the provisions of this Act to elect and to be elected Trustees, and shall also cause to be made up from the books of the Custom House in Peterhead a list of the shipowners entitled under the provisions of this Act to elect and be elected Trustees, and shall further cause to be made up from the books kept by the existing Trustees or the Trustees, as the case may be, a list of the ratepayers entitled under the provisions of this Act to elect and be elected Trustees; and the clerk shall, on or before the fifteenth day of October in each year, certify the said lists and cause the same to be printed, and affix a printed copy thereof at or near the Town House or the public cross, or some place equally accessible to the public within the burgh, and shall deliver a printed copy of such lists to any elector who may apply for the same, on payment of a sum of sixpence for each such copy, and any person considering himself qualified to be elected a Trustee or to be an elector, whose name is not inserted in the said lists under one or other of the foresaid denominations in any year, may, on or before the twentieth day of October in such year, apply to the existing Trustees or the Trustees, as the case may be, who shall thereupon, if they see fit, cause the name of such proprietor, shipowner, or ratepayer, as the case may be, to be added to the list in which his name should have been inserted, and the said lists, with any additions so made, shall be the register of electors for the year to which they are applicable.

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Rules for electing Trustees.

16. The following rules shall be observed with respect to the election of each of the three classes of Trustees to be elected by the said three classes of proprietors, shipowners, and ratepayers respectively:

1. The preses or chairman of the existing Trustees in the year one thousand eight hundred and seventy-three, and the chairman of the Trustees in every year thereafter, or some person appointed by him by writing under his hand, shall be the returning officer:
2. On every occasion of the election of Trustees by one of the classes of proprietors, shipowners, and ratepayers respectively the returning officer shall convene a meeting of the electors of the class for the purpose of such election, and shall give notice of such meeting and of the time and place at which it is to be held by advertisement in at least one newspaper published or circulated in the burgh at least six days before such meeting:
3. The returning officer shall preside at and regulate the proceedings of such meeting:
4. At any such meeting of a class of electors any elector of that class may, if he consent thereto, be nominated as a Trustee for the class by any other elector of the class, and such nomination may be seconded by any other such elector:
5. If more candidates shall be nominated from any of the three classes of electors than the number to be elected by such class, a poll shall be taken forthwith for election of the Trustees to be elected for such class at such meeting in manner herein-after provided; but if only the number of candidates to be elected from each class of electors be proposed, a declaration by the returning officer that the candidates are elected Trustees shall be sufficient evidence of their election:
6. The returning officer shall, within two days after each election of Trustees by the said proprietors, shipowners, and ratepayers respectively, make a return in writing to the clerk of the names of the Trustees so elected.

Rules as to taking the poll.

17. The following rules shall be observed with respect to taking the poll at the election of the Trustees by the said proprietors, shipowners, and ratepayers respectively:

1. The clerk shall be the polling clerk, and shall provide a suitable place for polling:
2. Votes shall be given personally, and each elector shall be entitled to give one vote for each Trustee to be elected:
3. The poll shall open immediately on the conclusion of the proceedings of the nomination, and shall not close till the lapse of three hours thereafter:

4. At the close of the poll the returning officer and the polling clerk shall sum up the votes, and as soon as possible publish the names of the persons elected Trustees by advertisement in at least one newspaper published or circulated in the burgh:

5. If two persons have the same number of votes, and both cannot be elected Trustees, a new poll shall, if necessary, be taken on a day in the week following that in which the first polling day occurred, to be fixed by the returning officer as between such persons, and be proceeded with as herein-before provided.

Penalty on personation of elector.

18. Any person who shall wilfully personate any elector at any election of Trustees in pursuance of this Act, or falsely assume to act in the name or on behalf of any person entitled to vote, or who shall give more than one vote in the election of any of the several classes of Trustees, or who shall vote without being duly qualified according to the provisions of this Act, shall for every such offence be liable to a penalty not exceeding twenty pounds and not less than five pounds.

Disqualification of Trustees.

19. No bankrupt or person not qualified as required by this Act shall be capable of being or continuing a Trustee, and every person who at any time after his election as Trustee shall accept or hold any office or place of profit under the Trustees, or be concerned or participate in the profits of any contracts entered into with the Trustees, or who shall be surety for the performance of any contract with the Trustees, shall thenceforth cease to be a Trustee, and his office shall thereupon become vacant: Provided always, that no Trustee shall vacate his office by reason of his being a shareholder in any insurance company with which the Trustees may effect any insurance or enter into any contract, or of any joint stock company supplying water or gas to the Trustees, or by reason of his being interested in any loan of money to the Trustees: Provided also, that no Trustee shall be entitled to vote on any question relating to the execution of this Act or the affairs of the Trustees wherein any company in which he is a shareholder is interested, or in any question connected therewith, or in any question relating to any such loan, and if he shall so vote his vote shall not be counted, and he shall be liable to a penalty not exceeding twenty pounds and not less than five pounds.

Occasional vacancies, how to be filled up.

20. If any of the elected Trustees die or resign, or decline or refuse or become disqualified or incompetent to act, or cease to be Trustee from any other cause than that of going out of office in regular course as aforesaid, the vacancy thereby created shall be filled up in manner following; that is to say, the remaining Trustees

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shall elect a person duly qualified in his stead, and in every case the Trustee so substituted shall be of the class of electors to which the elector in whose stead he shall be so elected shall belong or have belonged, and shall continue in office for the same period that the person in whose place he is elected would in ordinary course have continued, and at the expiration thereof he shall go out of office, but shall be eligible for re-election.

Acts of Trustees not invalidated by vacancies or non-election.

21. No act or proceeding of the Trustees or of any committee of Trustees to be appointed as after mentioned shall be invalidated or be illegal in consequence only of there being any vacancy in the number of Trustees at the time of such act or proceeding, or of the non-election of any Trustee by any class of electors authorised by this Act to elect Trustees.

Informalities in election of Trustees not to invalidate proceedings.

22. All acts and proceedings of the Trustees, or of any committee of the Trustees, shall, notwithstanding it be afterwards discovered that there was some defect in the election of any such Trustees or persons acting as Trustees, or that they or any of them were or had become disqualified, be as valid as if every such person had been duly elected and was qualified to be a Trustee.

Chairman of trust and of meetings.

23. The preses of the governors of the aforesaid Maiden Hospital, or other the proprietor of the estate of Peterhead, or any person nominated on behalf of the proprietors, if more than one, or, in his absence, the provost of the burgh, or, in absence of both, the factor for the governors of the said hospital or for the proprietor of the said estate of Peterhead, shall ex officio be chairman of the Trustees, and a deputy chairman shall be elected annually by the Trustees at their meeting on the first Tuesday of December in each year; and at all meetings of the Trustees the ex officio chairman, and in his absence the deputy chairman, shall preside; and in the event of none of the ex officio chairmen or the deputy chairman being present a Trustee shall be chosen by the meeting as chairman of that meeting; and in case of an equality of votes at any meeting of the Trustees the chairman presiding at such meeting shall, in addition to his own vote, have a second or casting vote.

First and other meetings of the Trustees.

24. The Trustees shall hold their first general meeting under this Act on the first Tuesday of the month of December one thousand eight hundred and seventy-three, and shall thereafter hold a general meeting on the first Tuesday of every month of March, June, September, and December within the Town Hall, or at some other convenient place within the burgh, for the purpose of putting this Act into execution.

Quorum of Trustees, and adjournment

25. At all meetings of the Trustees five shall be a quorum, and no business shall be transacted at any meeting of the Trustees unless

a quorum shall be present at such meeting; and every meeting of the Trustees may be adjourned from time to time, whether a quorum shall be present or not.

on failure of meeting.

26. The Trustees may hold special meetings, and the chairman, or, in the absence of all the ex officio chairmen, the deputy chairman, or, in case of their refusal, any three Trustees, may call such special meetings or may require the clerk to call special meetings to be held.

Special meetings.

27. All meetings to be held under the authority of this Act shall be called or announced by cards or circulars, specifying the business to be transacted thereat, and the day, hour, and place when and where the same are to be held, and delivered to each of the Trustees, or left at his usual place of abode or place of business, or put into the post office twenty-four hours before such meeting.

How meetings to be called.

28. The Trustees may at any meeting from time to time appoint committees for such purposes as, in the opinion of the Trustees, would be better regulated and managed by means of such committees, and the Trustees shall fix the quorum of such committees and name the chairman, and may continue, alter, or discontinue such committees.

Power to appoint committees.

29. Every committee so appointed may meet from time to time, and may adjourn from place to place, as they may think proper for carrying into effect the purposes of their appointment, and shall at each meeting, in the absence of the chairman named by the Trustees, appoint one of their number to be the chairman thereof, and all questions shall be determined by a majority of the votes of the members present, and in case of equality the chairman of the meeting shall have a casting vote in addition to his vote as a member of the committee.

Meetings of committees.

30. The Trustees shall order and direct a book or books to be provided by the clerk, in which book or books the clerk 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 the harbours, and of the several articles, matters, and things for which such sums of money shall have been paid, laid out, and expended, which book or books shall at all reasonable times be open to the inspection of the Trustees or any creditor without fee or reward, and the Trustees or creditors, or any of them, may take copies of or extracts from the said book or books, or any part or parts thereof, without payment, and in case the clerk shall refuse to permit the Trustees or creditors, or any of them, to inspect the same or take such copies or extracts as aforesaid he shall forfeit and pay any sum of money not exceeding five pounds.

Accounts to be kept.

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Statement of accounts to be submitted and audited.

31. The clerk shall make up annually from the said book or books a statement of the accounts and intromissions with the rates and duties and other funds belonging to or vested in the Trustees, and which statement shall be laid before the Trustees at their general meeting in the month of March annually, and the Trustees shall at such meeting annually appoint an auditor to audit and docquet the said statement, and it shall be the duty of such auditor to audit the said statement, and for such purposes the Trustees shall deliver to him the proper vouchers in support of the same, and the auditor shall examine the said statement and vouchers, and shall make a special report thereon, which report shall, with the said statement, be submitted to the first general meeting of the Trustees to be held thereafter, and the Trustees shall pay to such auditor for his trouble in making such audit and reporting, such reasonable sum as may be deemed necessary, according to the extent of his trouble in making such audit and report.

Audited statement to be lodged for inspection.

32. The said statement of account audited as aforesaid shall be lodged by the clerk in the Town Hall of Peterhead, or other convenient place within the burgh, within fourteen days after such general meeting, for the inspection of the electors or creditors, to whom such account shall be open and patent, without any fee to be charged therefor, for the space of ten days: Provided always, that seven days notice shall be given by the clerk in a newspaper published or circulated within the burgh of the day on which the said statement shall be lodged by him as aforesaid, and the Trustees shall within the foresaid period of fourteen days cause a copy of such statement of account, or an abbreviate thereof, and of their balance account for the year, attested by the signatures of the chairman of the said meeting and clerk, to be transmitted to the governors of the said Maiden Hospital.

Undertaking vested in Trustees.

33. All lands, works, tenements, plant, stock, goods, debts, moneys, and other property and effects whatever, heritable or movable, real or personal, belonging or owing to or held by the existing Trustees, shall, on and after the first Tuesday of December one thousand eight hundred and seventy-three, subject to the existing debts, liabilities, engagements, contracts, obligations, statutory provisions, and incumbrances affecting the same, be vested in and be lawfully held, used, exercised, and enforced by the Trustees.

Officers to be continued.

34. The officers appointed under the recited Act shall hold their offices during the terms of their appointments or until removed, and shall be subject to the provisions of this Act, and all bonds or securities granted for their conduct and intromissions shall be and

remain valid, and may be enforced by the Trustees to the same extent and effect that such bonds or securities might have been enforced by the Trustees under the recited Act if this Act had not been passed.

Byelaws to remain in force till altered.

35. The byelaws and regulations which at the time of the passing of this Act are in force shall be deemed to be the byelaws and regulations of the Trustees, and shall, until altered, continue in force.

Books to be evidence.

36. All books, maps, and other documents whatsoever by the recited Act authorised or directed to be kept, and thereby made evidence, shall be admitted as evidence in all courts of law or elsewhere, notwithstanding the repeal of the recited Act.

Agreements may be enforced by and against the Trustees.

37. The Trustees may enforce against any person, company, or corporation, and any person, company, or corporation may enforce against the Trustees, to the same extent and effect as might have been enforced by or against the existing Trustees if this Act had not been passed,—

All Acts of Parliaments and provisions of Acts, other than that hereby repealed, conferring any right on such existing Trustees, or on such person, company, or corporation, or their predecessors:

All claims for compensation or damages, or for debts, penalties, costs, or expenses payable or recoverable by or from the existing Trustees, or in consequence of any act, deed, matter, or thing done or omitted to be done by such person, company, or corporation, or their predecessors, or by the existing Trustees:

All contracts or agreements for the sale or purchase of lands and other contracts or agreements whatsoever, entered into or adopted by the existing Trustees and such person, company, or corporation, or their predecessors:

All grants, conveyances, leases, discharges, or other deeds or writings granted to the existing Trustees by such person, company, or corporation, or their predecessors, or to such person, company, or corporation, or their predecessors, by the existing Trustees, or to which any of the said parties have acquired right.

Actions not to abate.

38. All actions, suits, and proceedings at law or in equity, and all arbitrations, to which the existing Trustees have been or are parties, are hereby especially reserved and saved entire, and shall not abate or be prejudiced or affected by anything in this Act contained, and may be proceeded in by or against the Trustees without the necessity of intimating such action, suit, proceeding,

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or arbitration to the Trustees, or making them formally parties thereto.

Proceedings under recited Act valid.

39. Notwithstanding the repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything done or suffered under the recited Act shall be as valid as if the same were not so repealed, and such repeal thereof and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if the recited Act were not so repealed and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such rights, liabilities, claims, or demands which affect or should or might affect the Trustees, the Trustees shall represent the Trustees under the recited Act, and may enforce and shall be liable in respect of such rights, liabilities, claims, and demands in the same manner and to the same extent as the Trustees under the recited Act could have enforced or would have been liable to the same; provided that the generality of this enactment shall not be restricted by any of the clauses or provisions of this Act.

Limits of the harbours.

40. The harbours of Peterhead and the limits thereof to which this Act shall apply shall include the whole harbours, docks, bridges, quays, piers, basins, breakwaters, and other works, lands, buildings, tenements, wharves, and erections vested in the existing Trustees, and by this Act vested in the Trustees, and the works for the time being of the existing Trustees, and of the Trustees, already constructed or to be constructed under the authority of this Act.

Power to construct works according to deposited plans.

41. And whereas plans and sections of the proposed works, showing the lines, situation, and levels thereof respectively, and the limits within which the same are to be constructed, and the lands and property to be or that may be acquired therefor, and also a book of reference containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of such lands and property, have been deposited with the sheriff clerk of the county of Aberdeen, at Aberdeen and at Peterhead: Be it enacted, that, subject to the provisions in this Act contained, the Trustees may make, execute, and maintain the said works in the situation and upon the lands delineated upon the said plans and described in the said book of reference, and according to the levels defined in the said sections and this Act, and within the limits aforesaid may make, execute, and maintain such works, and works in connexion therewith, as they may think necessary, and may enter upon, take, and use such of the said lands and property delineated in the said plans as shall be necessary for that purpose.

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Description of works, &c.

42. The works to be executed under authority of this Act are the following, and will all be situated within the town and parish of Peterhead and county of Aberdeen, and the tidal waters adjacent; viz.,

First. A harbour to be constructed to the north-west of the north-west pier of the north harbour of Peterhead by the execution of the following works; viz., a pier or wharf commencing at a point in the said north-west pier distant ninety yards or thereby from the seaward extremity of the said pier, and extending in a north-westerly direction for a distance of two hundred and thirty yards or thereby, and terminating at the retaining wall of the Peterhead Harbour branch from the Great North of Scotland Railway at a point seventy yards or thereby to the north of the landward end of Port Henry Pier, including the right and privilege of access from the said pier across and over the rails of the said branch railway to the road or street opposite to the same, and the removal of the said Port Henry Pier, and the deepening the area inclosed by the proposed new pier and entrances thereto:

An entrance to the said new harbour through the said north-west pier at a point one hundred and three yards or thereby from its seaward extremity, communicating with the outer basin of the north harbour of Peterhead, and a covered entrance to the said new harbour through the said pier at a point one hundred and fifty yards or thereby from the seaward extremity of the said pier, communicating with the inner basin of the said north harbour:

The widening of the portion of the north-west pier to the extent of seven yards or thereby on its western side, and so far as it shall be within the proposed harbour; that is to say, commencing at a point one hundred yards or thereby from the seaward end of the said north-west pier, and terminating at a distance of two hundred and thirty-three yards or thereby from the said seaward end of the said north-west pier, such measurement including the spaces occupied by the two entrances through the said pier before mentioned:

A quay along the west and south sides of the new harbour, commencing at the root of the new pier before described; that is to say, at a point twenty-seven yards or thereby north of the landward end of Port Henry Pier, and terminating at the said north-west pier of the north harbour at a point two hundred and thirty yards or thereby from its seaward extremity, with covered accesses through the said quay for launching vessels.

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Second. The excavation and deepening of the south harbour of Peterhead over the whole area of the said harbour included within the quays and piers of the same, and terminating at the seaward extremity of such piers.

Third. The excavation and deepening of the Maw Craig and Horseback Rocks, situated at a point seventy yards or thereby to the westward of the seaward or south-west angle of the west pier of the said south harbour, the said cutting to extend from the said Horseback Rock in a south-westerly direction for a distance of sixty-six yards or thereby.

Fourth. The excavation and deepening of the bar of the north harbour, the said excavation to commence at a point sixty yards or thereby north-east of the seaward corner of the north-west pier, and to extend for a distance of sixty yards or thereby in a north-easterly direction.

Fifth. A road or access in connexion with the harbours, commencing in North Street at or near its junction with Ugie Street and St. Peter Street, and extending in a south-easterly direction for a distance of one hundred and fifty yards or thereby, and from thence in a south-westerly direction for a distance of sixty-five yards or thereby, where it joins the road or street at or near the level crossing of the harbour branch from the Great North of Scotland Railway at Roanheads.

South harbour to be deepened within five years.

43. Notwithstanding anything in this Act, the Trustees shall, after the works connected with the north harbour first before mentioned have been commenced, and in any case within five years from the passing of this Act, excavate and deepen the said south harbour to the extent of four feet below the level of low water of ordinary spring tides, and shall for that purpose set aside a sum of sixteen thousand pounds out of the moneys to be borrowed under the powers of this Act.

Power to deviate.

44. Subject to the provisions of this Act with respect to the excavation and deepening of the said south harbour, in the execution of the works by this Act authorised the Trustees may deviate laterally from the lines of such works within the limits of lateral deviation marked on the deposited plans, and they may deviate from the levels of the said works as shown on the deposited sections to any extent not exceeding three feet.

Powers for compulsory purchases limited.

45. The powers of the Trustees for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of seven years from the passing of this Act.

Period for completing works.

46. The excavation and deepening of the south harbour shall be completed within five years from the passing of this Act, and the other works authorised by this Act shall be completed within ten years from the passing of this Act, and if the said last-mentioned works shall not be completed within the said period of ten years the powers by this Act granted to the Trustees for making and completing the said last-mentioned works shall cease to be exercised, except as to so much thereof as shall then be completed.

Purchase of lands by agreement.

47. The Trustees may by agreement purchase or feu or lease, for extraordinary purposes connected with this undertaking, beyond lands authorised to be compulsorily taken by this Act, any quantity of land not exceeding in whole five acres.

Certain provisions of 26 & 27 Vict. c. 92. incorporated.

48. The provisions of "The Railways Clauses Act, 1863," for the protection of navigation, shall, so far as applicable to the works by this Act authorised, extend and apply to the purposes of this Act as if the works hereby authorised were railway works, and the Trustees were a company authorised to execute the same.

Road to harbours, when made, to be maintained by police commissioners.

49. When and so soon as the road or access in connexion with the harbours, fifth before described, shall have been made up and completed, the management and exclusive control of the same shall be vested in the police commissioners of the burgh having the management and control of the roads and streets within the same, and shall be maintained and managed in all respects as the other roads and streets of the burgh are maintained and managed by such police commissioners.

Power to alter plans and sections with the sanction of the Board of Trade.

50. The Trustees within the limits aforesaid may make any deviation from or alteration on the deposited plans and sections which to them may appear expedient: Provided always, that they shall, before adopting and carrying the same into execution, submit the plans and sections of such deviation or alteration to the Board of Trade, and no such deviation or alteration shall be adopted or executed by the Trustees unless approved by the said Board of Trade, signified in writing under the hand of the secretary or otherwise as they may think proper.

Power to maintain and improve harbours, as to execution of works, and leasing, &c.

51. Subject to the provisions of this Act, the Trustees may also from time to time execute the works and effect the purposes following, or any of them; (that is to say,)

They may construct all such locks, gates, bridges, jetties, landing-places, slips, inclined planes, sewers, drains, cuts, channels, wharves, warehouses, sheds, yards, shear-poles, steam, hydraulic, or other cranes and lifts, weighing machines, approaches, and other works, machinery, and conveniences in connexion with

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the works of the harbours, as the Trustees may think necessary for the use and accommodation of the harbours and the shipping and trade thereat:

They may temporarily or permanently, where necessary in the execution of the works by this Act authorised, alter, divert, raise, or lower all watercourses, sewers, drains, and water or gas pipes, and may temporarily shut up, alter, or divert all roads, streets, and railways connected with the said harbours, and may temporarily shut up wholly or partially such harbours themselves:

They may continue and maintain, and, if necessary, lift and relay the rails, sidings, and turntables laid down and constructed along, upon, and in connexion with the quays of the harbours, and they may lay down, construct, and maintain such additional rails, sidings, and turntables on and along the docks, quays, piers, and other works of the Trustees in connexion therewith as shall be convenient for the carrying on of the trade and traffic of the harbours:

They may dredge, scour, deepen, widen, enlarge, straighten, improve, and maintain the docks, and entrances, and navigation channels, and whole waterways and water channels of the harbours:

They may improve, maintain, or remove the piers, breakwaters, lighthouses, and whole other buildings and works, machinery, and conveniences hereby vested in them:

They may appropriate and adapt such parts as they think fit of the lands vested in them, under the provisions of this Act, for the purpose of shipbuilding and herring-curing yards, and generally for manufacturing, trading, or commercial purposes, and they may lease such lands, and all other heritable subjects of whatever description or denomination which may be vested in them, for such periods and upon such terms and for such rent or other consideration as they may think fit, or may absolutely sell, feu, or dispose of the same:

They may lease by public roup, for any period not exceeding four years, the quays, wharves, docks, slips, sheds, warehouses, cranes, weighing machines, or other works or conveniences constructed or to be constructed or used at the harbours, and all or any part of the rates and duties by this Act authorised to be levied, and in case of all or any of the said rates and duties being so let, the tenants or lessees thereof shall have the same powers and privileges as to levying, collecting, and recovering the same as are by this Act conferred on the Trustees:

The Trustees may let on lease, when required, for such rent or consideration as may be agreed upon, but only during the herring fishing season in any year, any of the quays, piers, or wharves, or any portion thereof, for the curing of herrings or other fish thereon, subject to such conditions as to the occupation and use thereof as may be considered expedient: Provided always, that such letting shall not extend so as injuriously to affect the general trade and traffic of the harbours at any time, the full accommodation for which shall always be preserved:

The Trustees may set apart quays, piers, or wharves, or portions thereof, for the discharge of lime, bones, manure, or goods of any other kind, and the harbour-master may give directions that all vessels having a cargo of lime, bones, manure, or other goods shall proceed to and lie at such quays, piers, or wharves, or at any portion thereof, for the purpose of unloading.

Trustees to indemnify Great North of Scotland Railway Company as to Harbour Branch.

52. The Trustees shall indemnify and save harmless the Great North of Scotland Railway Company against any loss or expense which may arise in respect of their Harbour Branch Railway in connexion with the works, or any of the works, or powers by this Act authorised.

Trustees may provide and license steam tugs.

53. The Trustees may from time to time build, purchase, contract for, or take on hire, and may maintain, use, and let or hire, steam tugs for the use and accommodation of vessels frequenting the harbours, and may also from time to time license such number of steam tugs belonging to other persons for such period and on such terms and conditions as they think fit.

Trustees to fix rates for steam tugs.

54. The Trustees may from time to time fix such rates or charges as appear to them reasonable, to be approved of as after mentioned, for or in respect of the use of such steam tugs maintained, used, and let or licensed by them, and such rates or charges shall be paid by the owner, agent, master, consignee, or other person having charge of the vessel obtaining the assistance of such steam tug to the Trustees or to their lessee, or to the person with whom they may contract, or to the owner of such steam tug if licensed by the Trustees, as the case may be; and such rates and charges shall be due and payable whether such steam tug shall be actually employed or not, provided the assistance thereof shall have been required, and shall in consequence of such requisition have been tendered by the master or other person having the command of such steam tug.

Penalty for using or employing steam tugs

55. Every person who, without the license of the Trustees first applied for and obtained, shall use or employ any steam tug for towing vessels within, into, or out of the harbours, except such

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without the license of the Trustees.

steam tugs as shall be provided or employed by the Trustees, or by their lessee, contractor, or other person having their authority, and except also any steam tug which is being employed in towing a vessel from any other harbour to or beyond the harbours, or from the harbours to any other harbour, shall for every such offence be liable to a penalty not exceeding five pounds.

Trustees may acquire land for deposit or obtaining of ballast.

56. The Trustees may from time to time by agreement purchase, feu, or take on lease, for the deposit or obtaining of ballast, any lands and any servitudes, rights, and interests in, over, or affecting the same.

Trustees to supply and to have the superintendence of ballasting.

57. The Trustees shall have the sole supplying and immediate superintendence, direction, and management of the ballasting of all the vessels within the harbours, and they may levy, demand, and take such reasonable rates therefor as from time to time they shall deem expedient.

Provision when Trustees cannot supply demand for ballast.

58. In case the Trustees cannot from any cause supply any demand for ballast for the accommodation of the shipping, the Trustees shall permit the master or owner of any vessel to lift and convey ballast from some place where he can lawfully obtain the same, on payment to the Trustees of such reasonable rates as shall from time to time be fixed by them, to be approved of as after mentioned, in respect of ballast which they may be unable themselves to supply.

Penalty for receiving ballast not supplied by Trustees or not brought from place directed.

59. Every master of any vessel within the harbours who shall receive into such vessel any ballast which shall not be supplied by the Trustees, or which shall have been brought from any place without the permission and direction or approval of the Trustees, except as aforesaid, shall for every such offence be liable to a penalty not exceeding five pounds.

No ballast or rubbish to be thrown on quays without permission.

60. No ballast or rubbish shall be thrown out of any vessel upon the quays of the harbours except by permission of the Trustees or the harbour-master, and every master or other person who shall throw out any ballast or rubbish from any vessel on such quays without such permission, and every master, owner, agent, or manager of any vessel who shall fail immediately to remove from such quays any ballast or rubbish thrown out of such vessel to such place as the Trustees or harbour-master may direct, shall be liable to a penalty not exceeding five pounds for every such offence.

Ballast rates, by whom payable.

61. The rates for the supply of ballast payable in virtue of this Act to the Trustees, as herein-before provided, shall be paid by the owner, master, agent, manager, or other person in charge of every vessel which is supplied with ballast within the harbours, in respect

of the vessel to or out of which such ballast is supplied or discharged, and shall be recoverable by the Trustees as other rates in respect of vessels are by this Act recoverable.

Penalty on others than Trustees selling ballast; but ballast may by permission be removed from one vessel to another.

62. Every person not being the Trustees, or employed by them for the purpose, who shall sell or dispose of any ballast from any vessel or to any vessel within the harbours shall be liable to a penalty not exceeding five pounds for every such offence; provided that the master of any vessel may, with the permission of the Trustees or the harbour-master, receive ballast into such vessel out of any other vessel, and in such case the owner, master, agent, manager, or other person in charge of the vessel discharging the ballast shall be at the expense of heaving the same, and the owner, master, agent, manager, or other person in charge of the vessel receiving such ballast shall pay to the Trustees in respect thereof such reasonable rates as they shall from time to time fix, to be approved of as after mentioned.

Rates for steam tugs and ballast to be approved by Board of Trade.

63. The rates to be fixed by the Trustees for or in respect of steam tugs, and in respect of ballast not supplied by themselves, shall, before being leviable under this Act, be approved of by the Board of Trade, and all costs and charges incurred by the Board of Trade in regard to the steps necessary for such approval shall be borne by the Trustees.

Penalty for delaying ballast carts, &c.

64. If the master or crew of any vessel neglect (so as to occasion any unnecessary or unreasonable delay therein) to take in the ballast for such vessel from any cart, waggon, truck, or other apparatus employed to supply ballast to such vessel, the master of such vessel shall for every such offence forfeit any sum not exceeding five shillings for every hour during which such cart, waggon, truck, or other apparatus is by or in consequence of such neglect so delayed; or in any case of unnecessary or unreasonable delay the Trustees may employ workmen to put on board the ballast, and charge, along with the other rates exigible in respect of the vessel, the expense they may have incurred in putting the ballast on board and in trimming the same.

Penalty for taking ballast out of harbours.

65. If any person shall dig or take away any ballast, shingle, stones, or other things from within the harbours, without leave of the Trustees in writing for that purpose first had and obtained, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for casting ballast or rubbish without a portsail.

66. If any person cast or unload into or out of any vessel in the harbours, or if any person having the command of any vessel in the harbours knowingly permit to be cast or unloaded into or out of

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the same any ballast or rubbish, and such person have not a wooden stage or portsail sufficiently large and properly fastened (during the whole time of casting or unloading) from the vessel into or out of which such ballast or rubbish is to be cast or unloaded to the upper edge or highest part of the wharf or quay, or to the other vessel into, from, or upon which such ballast or rubbish is to be cast or unloaded, and so as to prevent any such ballast or rubbish from falling into the harbours, every such person so offending shall for every such offence forfeit any sum not exceeding five pounds.

Trustees may license pilots, &c.

67. The Trustees may from time to time license and appoint such persons as they may think necessary as captain pilots and pilots of and for the harbours, and withdraw or suspend any such license or appointment at their pleasure, and they may from time to time fix the rates and prices or other remuneration to be demanded and received for the time being by all pilots licensed by them, and may from time to time alter the mode of remunerating such pilots; and the Trustees shall be a pilotage authority within the meaning of "The Merchant Shipping Act, 1854," and Acts amending the same, and shall have all powers conferred by those Acts on pilotage authorities.

Existing licenses of pilots to continue in force.

68. Subject to the provisions of "The Merchant Shipping Act, 1854," and Acts amending the same, all licenses to captain pilots and pilots granted by the existing Trustees in virtue of the recited Act shall continue in force until the annual expiration thereof, or until the same are recalled, or until the suspension or dismissal of such captain pilots or pilots.

Licenses, how to be issued.

69. Every pilot license shall be given under the hand of the clerk, and shall continue in force for such period as the Trustees shall fix, but not exceeding twelve months after granting the same; and every person who shall upon his first admission receive such license shall for his first license pay to the clerk the sum of three shillings, and for every subsequent license the sum of one shilling and sixpence; and every person who shall act in piloting any vessel into or out of the harbours without being licensed in terms of this Act shall for every such offence be liable to a penalty not exceeding five pounds.

Pilots to be under direction of Trustees.

70. Every person upon his admission as a pilot shall be subject to the provisions in this Act contained, and to such byelaws, rules, and regulations as shall be in force for the time or may thereafter be made for the government and direction of the pilots of the harbours.

Masters of vessels bound to take pilots.

71. Every person acting as master or having charge of any vessel of thirty tons register and upwards, either going out of or

coming into the harbours (but not including steam tugs provided for the use and accommodation of vessels frequenting the harbours as by this Act provided), shall be bound and obliged before leaving or entering the harbours to take on board a pilot licensed as aforesaid, and not being one of the crew of the vessel, for the purpose of piloting such vessel out of or into the harbours; and in the event of such master or other person refusing or neglecting so to do he shall be liable to a penalty not exceeding five pounds.

Masters of vessels inward bound refusing to take pilots to pay full pilotage.

72. In case the master of any vessel inward bound shall, in the exercise of his option, refuse to take on board and employ the first pilot licensed or acting under the authority of this Act, who shall offer his service outside of the harbours, or as soon as such pilot can safely come alongside of such vessel, such master shall, in addition to the penalty provided for in the immediately preceding section, pay or cause to be paid to the pilot who first or who only shall offer his service as aforesaid, and shall be so refused, the full pilotage dues, according to the rates payable for the time to pilots at the harbours, as if such pilot had been received and employed in conducting or piloting such vessel into the harbours, and in default of payment such pilotage dues may be recovered in the same manner as any pilotage dues may by law be recovered.

Pilots not to take out any ships until the rates are paid.

73. No pilot, licensed or acting under the authority of this Act, shall pilot or convey any vessel out of the harbours until the captain pilot shall have been satisfied that the rates directed by this Act to be paid in respect of such vessel have been duly paid to the collector of rates.

Trustees not to be liable for damage by pilots.

74. The Trustees shall not be liable or answerable to any person whatsoever for any accident, loss, or damage occasioned by the fault of any pilot licensed or appointed by them, or happening in any way in consequence of the employment of any such pilot.

Power to appoint meters and weighers, harbour-master, &c.

75. The Trustees may appoint and license a sufficient number of persons to be meters and weighers within the harbours, and may appoint harbour-masters and all other officers authorised by "The Harbours, Docks, and Piers Clauses Act, 1847," herewith incorporated.

Rates for weighing and measuring goods to be paid either to the meters and weighers or

76. The rates or other remuneration to be paid for the weighing and measuring of goods at the harbours shall, in the option of the Trustees, be paid either directly to the meters and weighers themselves, or to the collector of rates, for the purpose of forming a fund, out of which the Trustees shall pay to the meters and weighers weekly or other wages for their services, of such amount as the

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to the collector of rates.

Trustees shall from time to time fix and determine, as also the other necessary and proper charges and expenses connected with the meting and weighing department.

Power to contract for lighting the harbours and for supplying water, and for the shipping.

77. It shall be lawful for the Trustees to contract and agree with any trustees, commissioners, companies, or other persons for lighting the harbours, quays, docks, and other works with gas or otherwise, and for supplying the harbours, quays, docks, and other works with water, and also with water for the use of the shipping resorting to and using the harbours, quays, docks, and other works, or being within the harbours, as they shall think necessary and proper.

Rates for water supply to vessels.

78. The Trustees may levy, demand, and take from the owner, master, agent, manager, or other person in charge of any vessel receiving a supply of water such rates not exceeding two shillings for each quantity of two hundred and twenty gallons of water supply, or for any quantity less than two hundred and twenty gallons supplied, as they may find necessary for defraying the expense of the supply of water to vessels, but such rates shall not be leviable in respect of any vessel unless water shall be actually supplied to such vessel.

Tonnage duties on vessels.

79. The Trustees, or such person or persons as they shall appoint, shall have power and they are hereby authorised and empowered from time to time and at all times to ask, demand, take, receive, collect, and recover, for the purposes of this Act, for vessels which shall come into or use the harbours, the several tonnage and other rates and duties specified in the Schedule (A.) hereunto annexed, and all such rates and duties shall be charged on the register tonnage of such vessels, and shall be paid by the owner, agent, master, consignee, or other person in charge of such vessels.

Rates on goods, &c. imported into or exported out of harbours.

80. It shall be lawful for the Trustees, and for such person or persons as they shall from time to time authorise and appoint, to demand, levy, collect, receive, and take for all goods which shall be imported into or exported out of the harbours in any vessel the rates and duties specified in the Schedule (B.) annexed to this Act, and as to all such goods as may not be specified in the said schedule the Trustees may demand a rate equal to the rate for the time payable in respect of goods of a similar nature, package, and quality, and all such rates shall be paid by the owner or consignee, or by the agent of the owner or consignee of such goods, and such owner, consignee, and agent shall be liable in the payment of the said rates.

Rates on goods, &c. landed or loaded outside the harbours.

81. When any goods shall be landed from or out of any vessel outside the harbours, but upon or within any part of the sea-shore in the parish of Peterhead, extending from a point situated at a distance of nine hundred and ninety yards in a southerly direction, in a straight line from the place where at high water of ordinary spring tides the Kirkburn enters the south bay of Peterhead, to the eastward boundary of the lands of Buchanhaven, or when any vessel lying outside the harbours shall be loaded with any goods from any part of the sea-shore before mentioned, it shall be lawful for the Trustees, and for such person or persons as they shall from time to time appoint, to demand, levy, collect, receive, and take for all such goods the rates and duties specified in the said Schedule (B.), or a rate equal to the rate for the time payable in respect of goods of a similar nature, package, and quality, as if such rates were leviable within the harbours, and all such rates shall be paid by the owner or consignee of such goods.

Rates for the use of the graving or dry docks and slip.

82. The Trustees shall have power, and they are hereby authorised and empowered, to levy on and in respect of all vessels entering or using any graving dock or slip constructed or which may be constructed in or adjoining the harbours, the several rates and duties specified and contained in the Schedule (C.) hereunto annexed, and all such rates shall be paid by the owner, agent, master, consignee, or other person in charge of such vessels.

Rates for cranes, &c.

83. The Trustees may charge for the use of cranes, lifts, shear-poles, weighing machines, and other machinery and conveniences such rates and charges as appear to them reasonable.

Power to vary rates.

84. With respect to the alteration or variation of the rates by this Act authorised to be levied, the Trustees may from time to time exercise the following powers; (that is to say,)

They may increase the rates specified in the schedules to this Act annexed by a proportional addition to each and all of the said rates, provided that such addition shall not at any time exceed one third part of the rates specified in the said schedules:

They may reduce the rates specified in the said schedules, or as so increased, by a proportional decrease on each and all of the said rates:

They may advance or increase the said rates again in the same manner, provided the said rates, when so advanced or increased, do not exceed the rates specified in the said schedules, with any addition not exceeding one third part more of such rates:

Provided that public notice shall be given in at least one newspaper published or circulated in the burgh of Peterhead of any resolution

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of the Trustees to make any such increase or reduction of the said rates, and that such increase or reduction shall not take effect until the expiration of twenty-one days after the first publication of such notice.

As to calculating fractional parts of rates.

85. If any rate by this Act authorised to be levied shall, when increased or reduced as herein-before provided, contain a fractional part of a farthing, such fractional part shall be reckoned one farthing.

Harbour-master may stop vessel until rates or duties are paid.

86. The harbour-master may prevent the removal or sailing out of the harbours of any vessel in respect of which any rates or duties, including pilotage dues, shall have been payable, until evidence shall have been produced to him of the payment of such rates or duties.

Application of rates.

87. The rates and duties to be levied in virtue of this Act, and other revenues of the Trustees, shall be applied towards the payment, in the first place, of the interest on the money borrowed under the recited Act; in the second place, of the interest on the money borrowed under this Act; thirdly, in the establishment of the sinking fund after provided; and fourthly, in the maintenance and improvement of works, and such other expenditure as the Trustees may deem expedient and be liable for.

Power to borrow money.

88. The Trustees may from time to time borrow at interest on the credit of the several rates and duties by this Act granted and the other revenues of the trust, for the execution of the works by this Act authorised and for the general purposes of the trust, any sums of money which, together with any sums borrowed by the existing Trustees and remaining unpaid at the passing of this Act, shall not exceed in all the sum of one hundred and ten thousand pounds, and in the event of any part of such respective sums of money being repaid by the Trustees, except by means of the sinking fund in this Act provided, re-borrow the same, and so toties quoties, but so nevertheless that there shall not be owing on the security aforesaid any more than the sum of one hundred and ten thousand pounds in the whole at any one time; and for securing the repayment of the money so borrowed, with interest, the Trustees, or any five or more of them, present at a meeting called for the purpose, may assign over the said rates and duties and other revenue, or any part thereof, to the person or persons, corporations, or companies who shall advance or lend such money, as security for the payment of the money so to be borrowed, together with interest for the same; subject always to the order of priority in the security in this Act provided.

Form of assignment.

89. Every assignment shall be by deed duly stamped, in which the consideration shall be truly stated, and every such deed shall be under the hands of five or more of the Trustees, and shall also bear the seal of the incorporation, and may be according to the form in the Schedule (D.) to this Act annexed, or to the like effect, and the Trustees shall not be personally liable by reason of having executed such assignments for the repayment of the money borrowed or interest thereon, or for payment of any sum which they shall not have bound themselves personally to pay as individuals independent of their office as Trustees under this Act.

Register of assignments to be kept.

90. A register of such assignments shall be kept by the clerk, and within twenty-one days after the date of any such assignment an entry or memorial of the number and date thereof, and of the names of the parties thereto, with their proper designations, shall be made in such register.

Transfers of assignments.

91. From time to time any party entitled to any such assignment, or to any assignment granted under the recited Act, may transfer his right and interest therein by a writing under his hand, duly stamped, and any such transfer may be according to the form in the said Schedule (D.) to this Act annexed, or to the like effect, and may be endorsed upon the principal assignment, or be contained in a separate paper.

Register of transfers to be kept.

92. Within twenty-one days after the date of every such transfer it shall be produced to the clerk, and thereupon the clerk shall cause an entry or memorial thereof to be made in the same manner as in the case of the original assignment, and for such entry the clerk may demand a sum not exceeding five shillings, and after such entry every transfer shall entitle the transferee, his executors, administrators, or assignees, to take the full benefit of the original assignment in all respects, and no party having made such transfer shall have power to make void, release, or discharge the assignment so transferred, or any money thereby secured: Provided always, that if the clerk shall refuse or neglect to enter such transfers as aforesaid for the space of twenty-one days after being thereunto required, he shall forfeit for every such offence a sum not exceeding five pounds.

Transmission of assignments otherwise than by transfer.

93. If the sum contained in any assignment to be granted by the Trustees has become transmitted in consequence of the death, bankruptcy, or insolvency of any person entitled thereto, or in consequence of the marriage of any female entitled thereto, or by any other means than by a transfer according to the provisions of this Act, such transmission shall be authenticated by a declaration in writing in the form, or as near as may be in the form, contained in

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the said Schedule (D.) to this Act annexed, and every such declaration shall state the manner in which and the party to whom such assignment shall have been so transmitted, and shall be made and signed by some credible person before a sheriff or justice of the peace; and such declaration shall be left with the clerk, who shall thereupon enter in the register of transfers the name of the person or persons entitled to such assignment under such transmission, and for every such entry the clerk may demand any sum not exceeding five shillings; and until such transmission has been so authenticated and entered, no person claiming by virtue of any such transmission shall be entitled to receive any portion of the sum contained in any such assignment, or any interest thereon.

Transmission by marriage and by testamentary instruments.

94. If such transmission be by the marriage of a female entitled to any such assignment, such declaration shall contain a copy of the register of such marriage or other particulars of the celebration or effecting thereof, and shall declare the identity of the wife with the holder of such assignment; and if such transmission have taken place by virtue of any testamentary instrument or by intestacy, a testament testamentary or a testament dative if expede in Scotland, or the probate of the will or the letters of administration, or official copy thereof, obtained from any court of probate if granted in England, shall, together with such declaration, be produced to the clerk, and upon such production in either of the cases aforesaid the clerk shall make an entry of such declarations in the said register of transfers.

Repayment of money borrowed.

95. Any creditor entitled to the principal sum borrowed by the Trustees or the existing Trustees on any assignment may, on the twentieth day of June or the twentieth day of December in any year, after the expiration of twelve months from the date of such assignment, and upon giving at least three months previous notice to the clerk, demand payment of the principal sum thereby secured, with all interest due thereon, and in the like case the Trustees may on the twentieth day of June or the twentieth day of December in any year, after the expiration of twelve months from the date of such assignment, pay off the money borrowed on giving the like notice, and every such notice shall be in writing or in print, or partly in both, and if given by a creditor shall be given to the clerk or left at his office, and if given by the Trustees shall be delivered personally to such creditor or left at or sent through the post office in a registered letter addressed to his known residence or place of business, or if such creditor be unknown to the Trustees or cannot be found after due inquiry, or his residence and place of business shall be unknown to them, such notice shall be given

by advertisement inserted once in the Edinburgh Gazette and once in a newspaper published or circulated in the burgh. A.D. 1873.

Increase of interest on nonpayment.

96. If a creditor entitled to receive the principal sum borrowed by the Trustees on any assignment shall have given notice as aforesaid of a demand of payment thereof at a time when payment of the same may lawfully be demanded by him, then, in the event of the failure of the Trustees at the expiration of such notice to pay the principal sum and interest due on such assignment, the Trustees shall be liable to pay to such creditor interest on such principal sum at the rate of one pound per centum per annum in addition to the rate of interest stipulated to be paid in such assignment, or fixed by the Trustees on six months notice, and that from the date of the expiration of such notice until such principal sum shall be repaid, but nothing in this section shall affect the right of the creditors to enforce payment of the principal sum and interest due to them in the manner provided for by this Act.

Interest to cease after expiring of notice.

97. If the Tustees shall have given notice as aforesaid of their intention to pay off the principal sum borrowed on any such assignment at a time when the same may lawfully be paid off by them, then at the expiration of such notice they may consign the principal sum, and any interest due thereon, in any chartered or incorporated bank, at the risk of the person having right to the same, and on such consignation being made the Trustees and the security on which the same had been lent shall be held to be discharged of the loan and interest.

Discharge of assignments.

98. Any person entitled to any assignment to be granted under the authority of this Act may discharge the same, and the sum of money and interest therein contained, and his right and interest therein, in favour of the Trustees, by a discharge which may be written thereon, and which may be according to the form contained in the said Schedule (D.) to this Act annexed, or to the like effect.

Trustees not to be bound to see to the execution of trusts.

99. The Trustees shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any voucher of debt, or the money, principal or interest, thereby secured, may be subject, and the discharge of the person in whose name any such voucher of debt stands in the books of the Trustees shall be sufficient to the Trustees for any money payable in respect thereof, notwithstanding any trust to which the same or the money thereby secured may then be subject, and the Trustees shall not be bound to see to the application of the money paid upon such discharge.

Trustees may borrow on credit

100. It shall be lawful for the Trustees to apply for, accept, and take from any bank or banking company in Scotland on the security

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of cash account.

of the rates and duties authorised by this Act, and other revenue as aforesaid, credit on a cash account to be opened and kept with such bank or banking company in the name of the Trustees according to the usage of bankers in Scotland, to the extent of the sum which the Trustees are authorised to borrow as aforesaid, or any part thereof: Provided that the whole sum due and owing by the Trustees on such cash account, and for money borrowed by them and the existing Trustees, and remaining unpaid, shall never, when taken together, exceed the sum of one hundred and ten thousand pounds.

Existing assignments to have priority.

101. All assignments for money borrowed under the authority of the recited Act, and which shall be in force at the time of the passing of this Act, shall, so long as the same shall remain undischarged, have priority over any assignments for money borrowed by virtue of this Act: Provided always, that the provisions of this Act as to the transfer, transmission, repayment, and discharge of sums to be borrowed under authority of this Act shall apply to the transfer, transmission, repayment, and discharge of sums borrowed under authority of the recited Act; but for the better distinguishing of the assignments for money borrowed under authority of the recited Act, all entries of transfers and transmissions of assignments for money borrowed under the recited Act shall be made in the book directed by the recited Act to be kept for that purpose, so long as such assignments shall remain undischarged.

Application of money borrowed.

102. All moneys which shall be borrowed by the Trustees under the powers of this Act shall be applied only for the purposes and in accordance with the provisions of this Act.

Appointment of a judicial factor or receiver.

103. The creditors may enforce the payment of the arrears of principal or interest, or principal and interest, due on any assignments for money borrowed under the recited Act or this Act by the appointment of a judicial factor or receiver; provided that the amount owing to the creditors by whom the application for a judicial factor or receiver shall be made in respect of arrears of principal shall not be less than twenty-five thousand pounds in the whole.

Sinking fund to be established.

104. From and after the passing of this Act, the Trustees shall appropriate and set apart out of the revenue of the trust annually the following sums, namely, the yearly sum of three hundred pounds during the first twenty years, and the yearly sum of five hundred pounds thereafter; and they shall also appropriate and set apart out of the revenues of the trust annually a sum equal to interest at the rate of four pounds per centum per annum, calculated upon the said respective principal sums and interest thereon

at the rate foresaid, accumulated into one sum annually, on the principle of compound interest, as a sinking fund to be applied in paying off the money borrowed under the authority of the recited Act and remaining unpaid, and the money borrowed under the authority of this Act, until the same be wholly paid off, and to no other purpose whatsoever: Provided always, that such sinking fund shall in the first instance be applied by the Trustees in paying off the money borrowed under the authority of the recited Act and remaining unpaid.

Mode of investing sinking fund.

105. The Trustees shall annually invest the sums by this Act directed to be set apart as a sinking fund in the public funds, or in any bank in Scotland incorporated under Act of Parliament, or by Royal Charter, or on heritable security, until such sinking fund shall be applied in manner herein-before provided.

Application of penalties.

106. All fines, forfeitures, and penalties imposed by or under the authority of this Act, or of any byelaw adopted or to be made in pursuance thereof, shall, when recovered, be paid over to the Trustees or the treasurer to be applied for the purposes of this Act.

Anchors, cables, &c. found to be deposited.

107. Every person who shall pick up or obtain possession of any anchor or cable, or any boat, rope, or tackle of any ship or other vessel, or any log or logs of timber within the harbours, shall, unless the same be "wreck" within the meaning of "The Merchant Shipping Act, 1854," within twenty-four hours thereafter give notice thereof to the Trustees or to the harbour-master, and shall deposit the same in such place within such time as they or he may direct, and any person who shall fail to give such notice and deposit such articles as aforesaid shall forfeit a sum not exceeding five pounds, and the Trustees shall have power to fix the amount of salvage to be paid for picking up any of the said articles or things.

Act not to abridge rights.

108. Nothing in this Act contained shall extend, or be construed to extend, to take away, alter, abridge, lessen, change, or intrude upon the rights, jurisdiction, power, or authority of the governors of the said Maiden Hospital, founded by the Company of Merchants of the City of Edinburgh, and Mary Erskine, superiors of the town and proprietors of the estate of Peterhead, or the bailies and public managers of Peterhead and Community of Feuars thereof, in and about or concerning the harbours or the piers, quays, docks, and other works built or to be built as aforesaid; nor to take away, abridge, lessen, or intrude upon the private rights, privileges, and property of any person or persons whomsoever; but that the same shall remain as entire and effectual to all intents and purposes as if this present Act had not

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been made, and also saving and reserving to the said bailies and public managers, and other person or persons, all their legal rights and interest in the premises aforesaid.

Nothing to exempt harbours from provisions of Merchant Shipping Acts.

109. Nothing in this Act contained shall be deemed to exempt the harbours or Trustees from the provisions of "The Merchant Shipping Act, 1854," or "The Merchant Shipping Act Amendment Act, 1855," or of any general Act relating to harbours or docks, or dues or shipping, or on goods carried in ships, now in force, or which shall be passed during the present or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the rates authorised by this Act.

Saving rights of the Crown.

110. Nothing contained in this Act shall authorise the Trustees to take, use, or any way interfere with any land, soil, tenements, or hereditaments, or any rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the consent in writing of the Board of Trade, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Board is hereby authorised to give), or to take away, prejudice, or diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Saving rights under Crown Lands Act.

111. Nothing contained in this Act, or to be done under the authority thereof, shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities mentioned or reserved by sections 20, 21, and 22 of the "Crown Lands Act, 1866."

Expenses of Act.

112. The costs, charges, and expenses incurred preparatory to, and in applying for, and in obtaining and passing this Act, and incident thereto, shall be paid by the Trustees out of the rates and duties authorised by this Act, or moneys to be borrowed under the authority of the same.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

TONNAGE, WINTERING, AND CANAL DUTIES.

I.—Tonnage Duties.

1.—*For all vessels except Boats.*

	£	s.	d.
For all vessels when on a voyage to or from any port in Great Britain or Ireland, entering the harbours for safety or convenience, per ton - - - - -	0	0	3
For all vessels entering the harbours from any port in Great Britain or Ireland, with cargoes, or parts of cargoes, to unload, or loading cargoes, or parts of cargoes, for any port in Great Britain or Ireland, per ton - - -	0	0	3¾
For all vessels entering the harbours for safety or convenience, when on a voyage to or from any foreign port, per ton -	0	0	4
For all vessels entering the harbours and loading cargoes or parts of cargoes for, or unloading cargoes or parts of cargoes from, any foreign port, per ton - - - -	0	0	6

It shall be in the option of the Trustees to charge the tonnage duties on the voyage inwards, or on the voyage outwards, at the rates specified in the above schedule, according as the voyage may be coasting or foreign; and if the charge be made on the outward voyage, there shall be deducted from it the amount of the duties that may have been previously paid on the voyage inwards; but if such vessels sail in ballast, they shall be charged with duties on the inward voyage only. Tonnage duty shall only be once exigible upon a vessel entering the harbours, notwithstanding that such vessel may unload one cargo, and load another cargo, and all vessels under ten tons shall be exempted from tonnage duties.

For all vessels built at the port of Peterhead, and launched into or entering the harbours without having proceeded on a voyage, per ton - - - - - -	0	0	2

All vessels arriving in ballast for the purpose of being repaired in the dry or graving docks, or slip, and departing in ballast, shall be exempted from tonnage duty.

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2.—*For Boats.*

	£	s.	d.
For all herring boats engaged at Peterhead in the prosecution of the herring fishery for the period of the fishing season, in the year one thousand eight hundred and seventy-three and succeeding years, the first cran of herrings caught by each boat on or after a date to be fixed annually by the Trustees, or, in the option of the Trustees, to be paid at a date also so fixed by them, for each boat - - - - - -	1	5	0
For all herring boats not engaged at Peterhead in the prosecution of the fisheries, and all other boats coming into the harbours windbound, or on account of stress of weather, and whether with or without cargoes:—			
If under 20 tons - - - - -	0	1	0
If above 20 and under 30 tons - - - -	0	1	6
For all above 30 tons, the same as coasting vessels.			
For all herring boats not engaged in the prosecution of the herring fishing at Peterhead for the fishing season, loading or discharging herrings on entering the harbours, each time - - - - - - -	0	2	6

II.—WINTERING DUTIES.

	£	s.	d.
For all vessels which shall be laid up or shall remain in the harbours for a space exceeding six weeks during the months of October, November, December, January, February, and March, per ton - - - - - - -	0	0	4½

No dues to be exigible for the time for which a vessel may be liable in graving dock dues.

III.—CANAL DUTIES.

	£	s.	d.
For all vessels passing from one harbour to another, through the cut, canal, or communication between the south and north harbours, excepting vessels moved from one part or division of the harbours to the other by direction of the harbour-master, per ton - - - - - - -	0	0	1

SCHEDULE (B.)

RATES ON GOODS, ETC.

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
A.				
Ale - - - - - -	per 50 gallons - -	0	0	9
Alum - - - - - -	per cwt. - -	0	0	1¾
Anchors - - - - -	per ton - - -	0	5	0
Ashes - - - - -	ditto - - -	0	2	0

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
B.				
Bacon or hams	per ton	0	2	6
Barilla	ditto	0	3	0
Bark, oak	ditto	0	2	6
Barley and all other Grotts	ditto	0	2	0
Barrels, empty herring	per barrel	0	0	1½
Baskets under 12 inches diameter	per dozen	0	0	6
above 12 inches diameter	ditto	0	1	0
Basket rods	per barrel bulk	0	0	4½
Beef or pork	per ton	0	3	6
Beer, all kinds, except black	per 50 gallons	0	0	9
black	per keg of 4 gallons	0	0	2
Billiard table	per barrel bulk	0	0	4½
Biscuit	per ton	0	3	0
Blacking	per cwt.	0	0	6
Bleaching salts	ditto	0	0	2¼
Blubber	per tun of 252 imperial galls.	0	6	6
Bones of cattle, crushed, or uncrushed	per ton	0	1	6
Books	per barrel bulk	0	0	8
Bottles	per ton	0	2	0
Broken	ditto	0	0	6
Boxwood	per cwt.	0	0	1¾
Bran	per ton	0	1	0
Brass	ditto	0	2	0
Bricks	per 1,000	0	1	0
Brimstone	per ton	0	2	0
Bristles	per cwt.	0	0	9
Brooms, common	per dozen	0	0	2
Bullrushes	per cwt.	0	0	8
Butter	ditto	0	0	2¼
C.				
Calves velves	per cwt.	0	0	3
Candles	per ton	0	3	6
Canvas	per barrel bulk	0	0	4½
Cane reeds	per 200	0	1	0
Carboys	each	0	0	4
Cards, tow, wool, or blackbacks	per 6 dozen	0	0	4
Small factory	per 8 dozen	0	0	4
in package	per barrel bulk	0	0	4½
Carriages, 4 wheels	ditto	0	0	4½
2 wheels	ditto	0	0	4½
Carrots	per ton	0	1	0
Casks, empty	per 10 gallons	0	0	0¾
Cattle, viz.:—				
Bulls	each	0	1	6
Cows	ditto	0	1	6
Calves	ditto	0	0	6
Horses	ditto	0	2	0
Ponies under 12 hands	ditto	0	1	0
Asses or Mules	ditto	0	1	0
Oxen	ditto	0	1	6

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
Cattle—*cont.*				
Pigs	each	0	0	3
Sheep	ditto	0	0	3
Lambs	ditto	0	0	2
of Orkney and Shetland breed	ditto	0	0	6
Cement	per cwt.	0	0	1¾
Chalk	per ton	0	1	6
Cheese	ditto	0	3	0
Chesnuts	per cwt.	0	0	4½
Chimney tops	each	0	0	1
Chocolate	per cwt.	0	1	0
Cider	per 50 gallons	0	0	9
Cinders and charcoal	per ton	0	0	9
Clay, viz., china or stone	ditto	0	1	0
Pipe	ditto	0	1	0
Clocks	each	0	1	0
Cloth	per barrel bulk	0	0	4½
Coals	per ton	0	0	8
Cocoa	ditto	0	4	0
Cocoanuts	per 100	0	0	4
Coffee	per cwt.	0	0	3
Confections, all kinds	per barrel bulk	0	0	4
Copper	per ton	0	5	0
old	ditto	0	3	0
ore	ditto	0	1	0
Copperas	per cwt.	0	0	1¾
Colours	ditto	0	0	1¾
Cordage	per ton	0	5	0
old, not in use	ditto	0	2	0
Cork wood and corks	per ton	0	6	6
Corn and meal, viz. :—				
Barley and bigg	per quarter	0	0	3
Ditto shelled and pearl	ditto	0	0	3
Bere meal	per ton	0	1	6
Beans	per quarter	0	0	3
Ditto French	ditto	0	0	3
Indian corn	ditto	0	0	3
Ditto meal	per ton	0	1	6
Malt	per quarter	0	0	6
Oats	ditto	0	0	3
Oatmeal	per ton	0	1	6
Pease	per quarter	0	0	4
Ditto split	ditto	0	0	4
Rye	ditto	0	0	3
Wheat	ditto	0	0	4
Cotton wool, &c.	per ton	0	5	0
Crystal	ditto	0	5	0
Cutch	ditto	0	1	6
D.				
Dogs	each	0	1	0
Drugs	per barrel bulk	0	0	9
Dung	per ton	0	0	6

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
E.				
Earthenware	per barrel bulk	0	0	4
Eggs	ditto	0	0	6
Emery and Emery stones	per cwt.	0	0	3
F.				
Feathers	per ton	0	10	0
Fish, salted and dry	per barrel salted	0	0	4
	per cwt. dry	0	0	4
in bulk, salted	per £100 value	1	5	0
fresh, not enumerated	per barrel	0	0	3
Flax	per cwt.	0	0	2½
Flour	per sack	0	0	4
Flower roots	per barrel bulk	0	0	4½
Flint stones	per ton	0	0	6
Fruit, viz., Apples	per bushel 50 lbs.	0	0	1½
Pears	ditto	0	0	1½
Plums	per barrel bulk	0	0	8
Cherries	per bushel	0	0	3
Grapes	per cwt.	0	0	3
Nuts (except cocoa)	per barrel bulk	0	0	4½
Melons	each	0	0	0½
Peaches	per 100	0	0	2
Berries	per barrel bulk	0	0	8
All not enumerated	per £10 value	0	0	10
Furniture, household	per barrel bulk	0	0	4½
Furriers' waste	per ton	0	0	4
G.				
Game, viz., Hares	per score	0	3	4
Rabbits	ditto	0	3	4
All others	ditto	0	3	4
Ginger	per cwt.	0	0	3
preserved	ditto	0	0	6
Glass of all descriptions	per barrel bulk	0	0	4½
Glue	per cwt.	0	0	4
Grates, stoves, &c.	per ton	0	3	6
Grease	ditto	0	2	6
Grocery, viz., Almonds	per cwt.	0	0	6
Almonds in shell	ditto	0	0	6
Cinnamon	per barrel bulk	0	0	4½
Currants	per cwt.	0	0	2
Figs	ditto	0	0	2
Pepper	ditto	0	0	2
Pimento	ditto	0	0	2
Plums	ditto	0	0	2
Prunes	ditto	0	0	3
Raisins	ditto	0	0	2¼
Gunpowder	ditto	0	0	3
Guano	per ton	0	1	6

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
H.				
Hair, all kinds	per cwt. baken	0	0	4½
	plasterer's, per ton	0	3	9
Hardware	per barrel bulk	0	0	4½
Hats	per barrel bulk	0	0	4½
Hay	per ton	0	1	6
Hemp	ditto	0	3	6
Herrings, imported	per cran	0	0	2
Herrings, exported	per barrel	0	0	3
Hides, raw	per barrel bulk	0	0	4½
Honey	per cwt.	0	0	3
Hooks	per 20 dozen	0	0	4½
Hoops of Wood	per bundle	0	0	1
Hops	per cwt.	0	0	6
Horns, slugs, and tips	per 1,000	0	1	8
I.				
Indigo	per 100 lbs.	0	0	4½
Ink	per gallon	0	0	0¼
Iron, viz., Bar, plate, bolt, and rod	per ton	0	2	0
Forged	ditto	0	3	4
Made work	ditto	0	5	0
Hoops	ditto	0	3	9
Old	ditto	0	1	3
Cast-iron goods	ditto	0	2	6
Old and broken goods	ditto	0	0	6
Pig	ditto	0	1	0
Wire	per cwt.	0	0	4
K.				
Kelp	per ton	0	1	0
Kiln pavement	per 30 feet	0	0	4½
L.				
Lard	per ton	0	3	0
Lead	ditto	0	3	0
Black	ditto	0	3	0
Ore	ditto	0	3	0
Red and white	ditto	0	3	0
Shot	ditto	0	3	6
Sugar of	per cwt.	0	0	2
Leather, tanned and dressed	ditto	0	0	3
Lemons	per chest	0	0	4
Lignum vitæ	per ton	0	3	0
Lime	per 2 bushels imperial	0	0	0½
Loam	per ton	0	0	4

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
M.				
Machinery	per barrel bulk	0	0	4½
Mace	per 100 lbs.	0	0	4½
Madder	per cwt.	0	0	2
Roots	ditto	0	0	2
Mats or Basses	per dozen	0	0	1
Medicines	per barrel bulk	0	0	9
Mill Waste	per ton	0	5	0
Molasses	ditto	0	3	0
Mustard	per 100 lb.	0	0	4½
Manures, manufactured, and not otherwise enumerated	per ton	0	1	6
Mussels	per bushel	0	0	0½
N.				
Nutmegs	per cwt.	0	1	4
Nutgalls	ditto	0	0	4½
O.				
Oakum	per ton	0	4	0
Ochre	per cwt.	0	0	1½
Oil, viz., perfumed	per lb.	0	0	0¼
Linseed	per tun of 252 imperial gallons	0	4	3
Palm	ditto of ditto	0	4	3
Rape	ditto of ditto	0	4	3
Turpentine	ditto of ditto	0	4	3
Whale and seal (on importation only)	ditto of ditto	0	7	6
Cakes	per ton	0	3	0
Not otherwise enumerated	ditto	0	3	0
Onions	per bushel 50 lbs.	0	0	1½
Oranges	per chest	0	0	4
Orchella Weed	per cwt.	0	0	1½
Oysters	per bushel	0	0	1½
P.				
Paper	per barrel bulk	0	0	4½
Passenger entering or leaving harbour, baggage of	per barrel bulk	0	0	4½
Perry	per 50 gallons	0	0	9
Pewter	per ton	0	3	0
old	ditto	0	1	8
Perfumery	per barrel bulk	0	0	4½
Pianoforte	ditto	0	0	4½
Pictures, under 2 feet square	per picture	0	0	6
2 and under 4 feet	ditto	0	1	0
4 feet and upwards	ditto	0	2	0
Pig's Head	per cwt.	0	0	0¾
Pimento. See Grocery.				
Pitch	per barrel	0	0	4½

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Plaster of Paris	per ton	0	2	8
Plated goods	per barrel bulk	0	0	4½
Plate, silver	ditto	0	1	0
Porter	per 50 gallons	0	0	9
Potatoes	per ton	0	1	4
Poultry, viz., Geese	each	0	0	1½
Turkeys	ditto	0	0	2
Fowls	per dozen	0	0	6
Ducks	ditto	0	0	9
Pumice stones	per cwt.	0	0	3
Pipes, drain, under 3 inches diameter	per 1,000	0	0	6
Do. above 3 inches do.	ditto	0	0	9
collars	ditto	0	0	3
Spigot and Fawcet, clay glazed	per ton	0	1	0
Q.				
Quills	per barrel bulk	0	0	4½
R.				
Rags	per ton	0	2	6
Rice	per cwt.	0	0	2
Ropes	per ton	0	5	0
Rosin	ditto	0	3	9
S.				
Salt	ditto	0	1	0
Rock	ditto	0	1	0
Saltpetre	ditto	0	3	4
Salmon	ditto	0	10	0
Seed, viz., Rape and Flax	per barrel of 32 galls.	0	0	4½
Clover	per cwt.	0	0	3
Rye-grass	per 8 bushels	0	0	4½
Carroway	per cwt.	0	0	3½
Shoes, all kinds	per dozen	0	0	6
Shumach	per cwt.	0	0	2¼
Seal skins	per score	0	0	4
Slates	per ton	0	1	0
Snuff	per cwt.	0	0	6
Soap	per ton	0	2	0
Soapers' waste	ditto	0	2	0
Soda	ditto	0	2	0
Spades or shovels	per 2 dozen	0	0	4½
Spirits of all kinds	per 50 gallons	0	1	4
Starch	per cwt.	0	0	3
Steel	per ton	0	3	9
Straw	per load	0	0	2
Stones, viz., Freestone, building	per ton	0	0	5
Polished granite	ditto	0	1	6
Carriageway granite	ditto	0	0	2
Kerb, pavement, and building	ditto	0	0	5
Rubble and chips	ditto	0	0	2

Articles of Export and Import.	Weight or Measure.	Rates.		
		£	s.	d.
Stones—*cont.*				
Rigging stones	per 100 running feet	0	1	6
Flag stones, Turin or Caithness	per ton	0	1	0
Grave stones	each	0	5	0
Marble	per ton	0	5	0
Scythe stones	ditto	0	1	6
Grindstones	ditto	0	1	6
Mill stones	ditto	0	1	6
All other descriptions	ditto	0	1	0
Stucco	ditto	0	1	8
Sugar, raw	ditto	0	2	8
Refined	ditto	0	3	4
Candy	per cwt.	0	0	$2\frac{1}{4}$
T.				
Tallow	per ton	0	3	0
Tanners' waste	ditto	0	1	0
Tar	per barrel	0	0	4
Tea	per chest	0	0	4
Thread	per barrel bulk	0	0	6
Tiles	per 1,000	0	1	3
Tin of all kinds	per ton	0	3	0
Plates	ditto	0	3	0
Tobacco	in leaf, per cwt.	0	0	$2\frac{1}{4}$
	manufactured, per 100 lbs.	0	0	$4\frac{1}{2}$
	stalks, per 1 cwt.	0	0	3
Tongues, smoked	per dozen	0	0	$1\frac{1}{2}$
Pickled	ditto	0	0	4
Tow	per ton	0	3	4
Toys	per barrel bulk	0	0	$4\frac{1}{2}$
Turnery	per £10 value	0	0	10
Turnips	per ton	0	0	6
Twine	per cwt.	0	0	3
V.				
Vases or sculptured marble	per barrel bulk	0	0	8
Vinegar	per 50 gallons	0	0	9
Vitriol	per bottle	0	0	$4\frac{1}{2}$
W.				
Whalebone or whale fins	per ton	2	0	0
Wheels, coach, carriage, or cart	per pair	0	0	9
Whitening	per ton	0	1	0
Willow reeds	per barrel bulk	0	0	$4\frac{1}{2}$
Wine	per 50 gallons	0	1	6
Wood, viz.:—				
Pine and fir timber, larch, beech, oak, elm, and other hard woods, rough or round (calliper measure)	per load	0	0	9
Ditto, ditto, hewn (calliper measure)	ditto	0	1	0
Masts and spars (calliper measure)	ditto	0	0	9

Articles of Export and Import.	Weight or Measure.	Rates. £	s.	d.
Wood—*cont.*				
Masts and spars (string measure) -	per load - - -	0	1	0
Rickers, under 30 feet length, and under 4 inches diameter - - - -	per dozen - -	0	0	3
Oars - - - - -	ditto - - -	0	0	4
Oak, ash, elm, and other hard woods, in plank or sided - - -	per load - -	0	1	0
Fir deals, planks, and battens - -	ditto - - -	0	1	0
Railway sleepers - - -	ditto - - -	0	1	0
Lathwood, sawn - - - -	per 1,000 superficial feet	0	1	0
Ditto, split - - - -	per fathom - -	0	3	0
Pit props, not exceeding 6 inches in average diameter (string measure) -	per load - - -	0	0	9
Deal ends 3 inches thick, and under 4 feet in length, and firewood - -	ditto - - -	0	0	6
Cartwheel spokes and felloes - -	per 40 pieces - -	0	0	3
Wedges - - - -	per 1,000 pieces -	0	1	0
Handspokes - - - -	per dozen - -	0	0	4
Treenails - - - -	per 1,000 lineal feet -	0	0	6
Herring barrel billets - - -	per load - - -	0	1	0
Mahogany - - - -	per 40 cubic feet or ton -	0	3	0
Wainscot - - - -	per load - - -	0	1	3
Barwood, boxwood, Brazil wood, camwood, ebony, fustic, logwood, Nicaragua wood, redwood, sassafras, &c. -	per ton - - -	0	2	0
Staves, viz. :—				
Pipe - - - -	per standard 1,000 -	1	0	0
Single hogshead - - -	per 1,200 - -	0	10	0
Single barrel - - - -	ditto - - -	0	5	0
Hogshead billet - - -	ditto - - -	0	10	0
Barrel billets (oak) - - -	ditto - - -	0	8	0
Herring barrel staves - - -	per 1,000 superficial feet	0	1	2
Wool - - - -	per ton - - -	0	5	0
Y.				
Yarn, viz., Lint - - - -	per ton - - -	0	4	6
Cotton - -	ditto - - -	0	4	6
Tow - - - -	ditto - - -	0	3	0
Hemp - - -	ditto - - -	0	3	6
Worsted - - -	ditto - - -	0	4	6

NOTE WITH REFERENCE TO THE FOREGOING SCHEDULE.

1. The duties specified in the foregoing schedule shall be payable by all persons whether residing and carrying on trade or business in the burgh or not, and whether burgesses of the town of Peterhead or not.
2. All returned empty boxes, barrels, sacks, and packages are exempted from duties.
3. All goods landed from any vessel, and reshipped in the same or another vessel, in the original packages, and without being transferred from the lander, or if the said goods have been put into other packages, from the original packages having been destroyed or damaged, shall only pay duties

on landing, and may be reshipped in the same or another vessel upon her departure outwards without paying duties again.

4. All goods having paid duties, and belonging still to the same person, and under the same voyage, shall not be again liable to duties, though such goods should require to be landed, or to be reshipped by the original proprietor.
5. All empty casks or other stores shipped for, or upon being returned from the whale-fishing, or from conveying oil to market, shall be exempted from duties; as also ships' provisions, when taken on board for a voyage outwards, or landed from the same ship, in consequence of not having been expended during the voyage, provided the said provisions do not exceed what is sufficient for the voyage.
6. The personal luggage of each passenger landing from any vessel within the harbours, not exceeding two hundredweight in weight, shall be exempted from duties.
7. The barrel bulk mentioned in the foregoing schedule shall contain five cubic feet, except when the said measure shall exceed two hundredweight and two quarters in weight, in which case such packages or articles are to be bulked at the rate of two hundredweight and two quarters for the barrel.
8. If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded, no rates shall be charged a second time for such goods on being reloaded.
9. Goods of all descriptions rated by weight shall be charged according to gross weight. Fractional parts of any weight, measure, number, or value shall be charged proportionally, and the minimum charge for a single package shall be one penny.

SCHEDULE (C.)

Graving or Dry Dock and Patent Slip Dues.

—	For Two Tides—Tide in and next Tide out.	Three Tides, including going in and coming out.	Four Tides, including going in and coming out.	Five Tides, including going in and coming out.	Six Tides, including going in and coming out.	Seven Tides, including going in and coming out.	Eight Tides, including going in and coming out.	Nine Tides, including going in and coming out.	Ten Tides, including going in and coming out.	One Neap, two weeks, and every subsequent Neap.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
A Vessel not exceeding 20 Tons	1 0 0	1 5 0	1 7 6	1 10 0	1 17 6	2 5 0	2 12 6	3 0 0	3 5 0	3 10 0
21 and not exceeding 30 „	1 5 0	1 12 6	2 0 0	2 7 6	2 15 0	3 2 6	3 10 0	3 17 6	4 2 6	4 5 0
31 „ „ 50 „	1 12 6	2 2 6	2 11 6	2 19 6	3 7 0	3 14 6	4 2 0	4 9 6	4 17 0	5 10 0
51 „ „ 75 „	1 15 0	2 5 0	2 14 0	3 2 0	3 9 6	3 17 0	4 4 6	4 12 0	4 19 6	5 15 0
76 „ „ 100 „	1 17 6	2 7 6	2 16 6	3 4 6	3 12 0	3 19 6	4 7 0	4 14 6	5 2 0	6 0 0
101 „ „ 125 „	2 0 0	2 10 0	2 19 0	3 7 0	3 14 6	4 2 0	4 9 6	4 17 0	5 4 6	6 5 0
126 „ „ 150 „	2 2 6	2 12 6	3 1 6	3 9 6	3 17 0	4 4 6	4 12 0	4 19 6	5 7 0	6 10 0
151 „ „ 175 „	2 5 0	2 15 0	3 4 0	3 12 0	3 19 6	4 7 0	4 14 6	5 2 0	5 9 6	6 15 0
176 „ „ 200 „	2 7 6	2 17 6	3 6 6	3 14 6	4 2 0	4 9 6	4 17 0	5 4 6	5 12 0	7 0 0
201 „ „ 225 „	2 10 0	3 0 0	3 9 0	3 17 0	4 4 6	4 12 0	4 19 6	5 7 0	5 14 6	7 7 6
226 „ „ 250 „	2 12 6	3 2 6	3 11 6	3 19 6	4 7 0	4 14 6	5 2 0	5 9 6	5 17 0	7 15 0
251 „ „ 275 „	2 15 0	3 5 0	3 14 0	4 2 0	4 9 6	4 17 0	5 4 6	5 12 0	5 19 6	8 2 6
276 „ „ 300 „	2 17 6	3 7 6	3 16 6	4 4 6	4 12 0	4 19 6	5 7 0	5 14 6	6 2 0	8 10 0
301 „ „ 325 „	3 0 0	3 10 0	3 19 0	4 7 0	4 14 6	5 2 0	5 9 6	5 17 0	6 4 6	8 17 6
326 „ „ 350 „	3 2 6	3 12 6	4 1 6	4 9 6	4 17 0	5 4 6	5 12 0	5 19 6	6 7 0	9 5 0
351 „ „ 375 „	3 5 0	3 15 0	4 4 0	4 12 0	4 19 6	5 7 0	5 14 6	6 2 0	6 9 6	9 12 6
376 „ „ 400 „	3 7 6	3 17 6	4 6 6	4 14 6	5 2 0	5 9 6	5 17 0	6 4 6	6 12 0	10 0 0
401 „ „ 425 „	3 10 0	4 0 0	4 9 0	4 17 0	5 4 6	5 12 0	5 19 6	6 7 0	6 14 6	10 7 6
426 „ „ 450 „	3 12 6	4 2 6	4 11 6	4 19 6	5 7 0	5 14 6	6 2 0	6 9 6	6 17 0	10 15 0
451 „ „ 475 „	3 15 0	4 5 0	4 14 0	5 2 0	5 9 6	5 17 0	6 4 6	6 12 0	6 19 6	11 2 6
476 „ „ 500 „	3 17 6	4 7 6	4 16 6	5 4 6	5 12 0	5 19 6	6 7 0	6 14 6	7 2 0	11 10 0
501 and upwards - -	4 0 0	4 10 0	4 19 0	5 7 0	5 14 6	6 2 0	6 9 6	6 17 0	7 4 6	12 0 0

SCHEDULE (D.)

(1.)

Form of Assignment.

Peterhead Harbours.—Assignment No.

By virtue of an Act passed in the year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, the Trustees of the Harbours of Peterhead, in consideration of the sum of advanced and paid to us by do hereby assign and make over to the said his executors, administrators, and assignees, all and sundry the rates and duties and other revenues of the trust payable to us by virtue of the said Act, and all our right, title, and interest of, in, and to the same; to be held by the said and his foresaids until the said sum of with the interest thereof, at the rate of per centum per annum, payable half-yearly, on the 20th day of June and 20th day of December respectively, or at such other rate and such other terms of payment as may be fixed by the Trustees on six months notice, shall be lawfully satisfied and paid. In witness whereof we the undersigned Trustees and their clerk have subscribed these presents, written, so far as not printed, by at the day of before these witnesses, and , and the common or corporate seal of the trust being hereunto affixed.

L.S.

A. B., Witness.
C. D., Witness.

_____ Trustee.
_____ Trustee.
_____ Trustee.
_____ Trustee.
_____ Trustee.
_____ Clerk to the Trust.

(2.)

Form of Transfer of Assignment.

I of in consideration of the sum of paid to me by of do hereby transfer a certain assignment numbered made by the Trustees of the Harbours of Peterhead to me [*or as the case may be*], bearing date the day of for securing the sum of and interest, and all interest now due and to become due thereon, and all my right and property therein, to the said his executors,

A.D. 1873. administrators, and assignees. In witness whereof I have subscribed these presents, written by at the day of before these witnesses, and

A. B., Witness.
C. D., Witness.

(Signature of Grantor.)

(3.)

FORM OF DECLARATION.

I, *E. F.*, do hereby solemnly and sincerely declare that the assignment Number dated the day of eighteen hundred and granted by the Trustees of the Harbours of Peterhead, in favour of *A. B.* [*if there have been a previous transference here add*], and which was afterwards transferred by the said *A. B.* to *C. D.* by transfer dated the day of eighteen hundred [*or as the case may be*] is now vested in and held by *G. H.* in manner following [*here state the mode in which the assignment has been transmitted from the person whose name last appears in the books of the Trustees as creditor*]. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in sixth year of the reign of His late Majesty King William the Fourth, intituled "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 extrajudicial Oaths;' and to make other provisions for " the Abolition of unnecessary Oaths."

Declared at this day of eighteen hundred and before me, *J. K.*, Sheriff [Sheriff's Substitute *or* Justice of the Peace, *as the case may be*] of the county of } *E. F.*

[Signature of sheriff, sheriff substitute, or justice of the peace.]

(4.)

FORM OF DISCHARGE OF ASSIGNMENT.

Received from the Trustees of the Harbours of Peterhead the within sum of which sum, with all interest due thereon, is hereby discharged.

(Signature of Grantor.)

Dated at the day 18 .

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