CHAP. lxxiii.

An Act for the better regulation of the Harbour of Porthleven in Mount's Bay in the County of Cornwall, and for other purposes. [12th July 1869.]

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WHEREAS by the Acts described in the first schedule to this Act a company, incorporated by the first of those Acts by the name of the Porthleven Harbour Company, were empowered to make and maintain, at or near Porthleven in Mount's Bay in the county of Cornwall, a pier and quays, wharves, and other works for the making of a harbour, and to raise money by shares and borrowing, and to take lands for the purposes of the works, and to levy rates and duties:

And whereas the works so authorized or some of them having been made, the harbour aforesaid was opened for public use (which harbour is in this Act referred to as the original harbour):

And whereas, in or about the year one thousand eight hundred and fifty-five, the original harbour came into the possession of certain persons claiming as assignees of mortgagees of the Porthleven Harbour Company, and the same has since then remained and still is in the possession of those persons or their representatives or assigns (which persons for the time being and their respective representatives or assigns are in this Act referred to as the mortgagees in possession of the original harbour):

And whereas the mortgagees in possession of the original harbour, in order to better secure the safety of ships and boats therein, and for the purpose of deepening the water therein, expended a large sum of money in constructing a breakwater and gates for impounding water, and sluices for scouring, and thereby made the original harbour more secure, and increased the depth of water therein from 10 to 16 feet, and they also caused moveable balks of timber to be placed in grooves outside the gates for use in dangerous states of the weather for the protection of shipping and boats in an inner harbour or basin made by them, and also made a culvert or drain

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for diverting refuse water of mines the deposit from which would have tended to cause the harbour to silt up:

And whereas the mortgagees in possession of the original harbour have since their acquisition thereof exclusively levied tolls in and regulated the same:

And whereas it is expedient that better provision be made for the regulation of the original harbour, and of the additional works and things constructed, placed, and made as aforesaid, and for the levying of tolls, and for other matters connected with the harbour and works aforesaid, and that the property acquired or appropriated for the purposes thereof by the mortgagees in possession of the original harbour, and the additional works and things constructed, placed, and made by them as aforesaid, be continued to be used and maintained for those purposes:

And whereas it is reasonable that reduced charges be made for the accommodation of the smaller class of fishing boats at Porthleven:

And whereas it would be of great advantage to fishermen resorting to Porthleven, and others, if a convenient and sufficient portion of the inner harbour or basin aforesaid were set apart for the accommodation of fishing boats and generally for the use of fishermen:

And whereas the construction and maintenance of a footpath leading to the Moors would be a great convenience to fishermen resorting to Porthleven and others:

And whereas the persons in this Act named, and others, are willing at their own expense, on being incorporated and empowered as in this Act provided, to undertake the management of Porthleven Harbour and the execution of this Act:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas plans and sections describing the lines, situations, and levels of the works intended to be authorized by this Act, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of lands in the line of the works or within the limits of deviation as defined on the plans, and describing those lands, have been deposited with the clerk of the peace for the county of Cornwall (which are in this Act referred to as the deposited plans, sections, and book of reference):

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; (that is to say,)

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1. This Act may be cited as The Porthleven Harbour Act, 1869. Short title.

2. The following Acts and parts of Acts (as far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act; namely,— 8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 27., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 92. incorporated.

The Companies Clauses Consolidation Act, 1845, and The Companies Clauses Act, 1863:

The Lands Clauses Consolidation Acts, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860:

The Harbours, Docks, and Piers Clauses Act, 1847, (except sections 16 to 19, both inclusive, but these sections only until the Board of Trade require them to be observed, and sections 25 and 26):

Sections 13, 18, and 19 of The Railways Clauses Act, 1863, in the construction of which sections the words "work" and "railway" shall for the purposes of this Act be taken to mean any work below high-water mark at ordinary spring tides constructed under the provisions of this Act.

3. In this Act the term "the harbour" means the harbour of Porthleven as it exists at the passing of this Act, including all the appurtenances thereof, and the breakwaters, gates, sluices, balks of timber, grooves, culverts, drains, and works and property connected therewith, constructed, placed, acquired, or appropriated for the purposes thereof by the Porthleven Harbour Company, or by the mortgagees in possession of the original harbour. In this Act, and in any Act incorporated wholly or in part therewith, the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used was a common simple contract debt and not a debt or demand created by statute; and the term "superior courts" shall include courts of competent jurisdiction within the meaning of this Act. Interpretation of terms.

Terms to which meanings are assigned in the Acts incorporated wholly or in part with this Act, or which have therein special meanings, have in this Act the same respective meanings.

4. The following persons, namely, William Harvey, Henry Whitford, William West, William John Rawlings, William Husband, Nicholas James West, and Francis Harvey, and all other persons and all corporations subscribing to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of The Porthleven Harbour and Dock Company, and Company incorporated.

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by that name shall be a body corporate with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act (which company is in this Act called the Company).

Power to Company to purchase harbour.

5. The Company may, by agreement, purchase and take all the estate and interest in the harbour of the mortgagees in possession of the original harbour; and for the purposes of this provision the harbour shall be deemed lands within the meaning of The Lands Clauses Consolidation Act, 1845, and any Act amending the same.

Capital.

6. The capital of the Company shall be twenty thousand pounds, in two hundred shares of one hundred pounds each.

Shares not to issue until one fifth paid up.

7. The Company shall not issue any share under this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share has been paid in respect thereof.

Calls.

8. One sixth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and the whole amount of each share shall be called within one year from the passing of this Act.

Application of money.

9. All money raised under this Act shall be applied for the purposes of this Act only.

First ordinary meeting.

10. The first ordinary meeting of the Company shall be held within one month after the passing of this Act.

Number of directors.

11. The number of directors shall be five, but the Company may from time to time reduce or increase the number, provided that the number be never less than three or more than seven.

Qualification of directors.

12. The qualification of a director shall be the possession in his own right of not less than five shares.

Quorum.

13. The quorum of a meeting of directors shall be three, but if the number of directors is reduced to three shall be two.

First directors.

14. William Harvey, William West, William John Rawlings, William Husband, and Nicholas James West shall be the first directors of the Company, and shall continue in office until the

Election of directors.

first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to

the power herein-before contained for reducing or increasing the number of directors) elect persons to supply the places of the directors then retiring from office or otherwise to be directors, agreeably to the provisions in The Companies Clauses Consolidation Act, 1845, contained; and the several persons elected at any such meeting, being neither removed, nor disqualified, nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Continuance of harbour works and construction of footpath.

15. The Company may continue and maintain and construct, and from time to time renew, alter, and improve the works described on the deposited plans in the lines and according to the levels shown on the deposited plans and sections, with gates and sluices, and with balks of timber, grooves, and conveniences necessary for the protection of the inner harbour and vessels using the same, and with culverts and drains and all other conveniences conducive to the effectual use and maintenance of any of the works by this Act authorized to be continued, maintained, and constructed, or to the use and enjoyment of the harbour, and may enter on, take, and use the lands described in the deposited plans and book of reference.

Powers for compulsory purchases limited.

16. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of works.

17. If the works by this Act authorized to be constructed are not completed within five years from the passing of this Act, then on the expiration thereof the powers by this Act granted to the Company for making and completing the same, or otherwise in relation thereto, shall cease to be exercised except as to so much thereof as is then completed.

Use of gates and balks.

18. With respect to the opening and closing of the gates of the inner harbour or basin, and the raising and lowering of the balks of timber placed in grooves outside the gates, the following provisions shall have effect; namely,—

(1.) The gates may, two hours after a signal to be fixed by the byelaws, be closed by the Company at reasonable times during spring tides, for the purpose of scouring the harbour, and at such times the balks may be lowered by the Company, who are to raise them after scouring at their own expense:

(2.) The balks, except as aforesaid, may be lowered by the Company only in stormy weather or when there is a dangerous sea, and then only with the permission of the chief coast-guard officer on duty for the time being at Porthleven:

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(3.) The balks, when down, may be raised by the fishermen and again put down by them at their expense, but with all due diligence, for the purpose of ingress or egress into or out of the inner harbour or basin, except when they are prohibited from raising them by the chief coast-guard officer aforesaid. The fishermen for these purposes may use the apparatus of the Company with due care:

(4.) Such permission or prohibition as aforesaid shall be notified by the hoisting of a flag on a conspicuous place, or other signal appointed by byelaws.

Frontage for fishing boats.

19. At all times one hundred feet continuous frontage of quay in the inner harbour where there is deep water, to be from time to time indicated and varied by the Company, shall be kept clear for the exclusive use for the time being of fishing boats, and proper space shall be left outside, so that other fishing boats may range alongside the fishing boats moored to the quay for discharging fish and ballast and nets, and other equipments of boats, and such portion of the quay shall be kept reasonably clear from ballast and other impediments, so that proper access to and over the same with carts may be available, and proper space shall be reserved in appropriate portions of the harbour for mooring fishing boats used in the harbour, such mooring ground to be in such places as, with reasonable regard to the convenience of the shipping frequenting the port, shall enable the fishing boats to come and leave such ground during the longest period possible in each tide.

Confirmation of byelaws and provisions for management of harbour.

20. Any byelaws made under this Act and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed by the Board of Trade, which allowance shall be sufficient as confirmation thereof for all purposes; and it shall not be lawful for the harbour master, by virtue of section 52 of that Act, or of any other authority, or for the Company, to give or cause to be given any direction respecting any matter mentioned in that section or provided for in the byelaws further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Cesser of original Acts as to tolls, &c.

21. From and after the passing of this Act the provisions of the Acts (described in the first schedule to this Act) relating to the Porthleven Harbour Company shall cease to operate as far as they have reference to the levying of rates or dues at or the regulation of Porthleven Harbour.

Power to take dues, &c.

22. The Company may demand and take dues and rates not exceeding those specified in the second schedule to this Act in respect of the boats and other vessels, goods, wares, merchandises, commodities, and things therein specified, and the Company may

demand and take in respect of any goods, wares, merchandises, commodities, or things not therein specified imported or exported to or from the harbour such respective dues or rates as the Company from time to time appoint, not exceeding in any case the sum of one penny halfpenny per one hundredweight, and the Company may also demand and take over and above any such last-mentioned dues or rates as aforesaid such sum per ton as they from time to time appoint, not exceeding two shillings per ton, for the wharfage of all goods, wares, merchandises, commodities, and things landed or discharged on any quay or wharf belonging to the harbour and not specified in the said second schedule to this Act.

Reduced dues on fishing boats.

23. Notwithstanding anything in this Act the Company shall receive and take for such fishing boats as are described in the third schedule to this Act the dues specified in that schedule, and no more.

Exemption of fresh fish in certain cases.

24. No dues shall be charged in respect of fresh fish taken by fishermen keeping boats laid up at Porthleven and landed at the harbour.

Confirmation of agreement.

25. The agreement set forth in the fourth schedule to this Act is hereby confirmed as between the parties thereto, and the same shall be valid and binding in favour of and against the Company and in favour of and on all fishermen for the time being keeping boats laid up at Porthleven, and shall be carried into effect accordingly.

Arbitration as to fishermen, &c.

26. If any dispute arise between fishermen keeping boats laid up at Porthleven and the Company with reference to any provision of this Act, or with respect to anything contained in the agreement confirmed by this Act, the same shall be decided by the Board of Trade or any competent and impartial person whom they think fit to appoint on the application of either party, and the costs of the reference shall be in the discretion of the arbitrator, and the Board of Trade may, if such board think fit, require either party to give such security for costs as to the said Board of Trade may seem reasonable.

Saving rights of original Company.

27. Nothing in this Act shall take away, abridge, or prejudicially affect any right, equity, estate, or interest of the Porthleven Harbour Company in relation to or in Porthleven Harbour, and the same shall remain and be in all respects as if this Act had not been passed, and if in any case the Porthleven Harbour Company come to be in possession of Porthleven Harbour then and thenceforth the Acts (described in the first schedule to this Act) relating to that Company shall revive and be in force in all respects as if this Act had not been passed.

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Saving rights of the Crown's mines, &c.

28. Nothing which is recited or 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 in or reserved by sections 20, 21, and 22 of The Crown Lands Act, 1866, or divest, alter, or affect any other estate, right, or interest belonging to the Queen's most Excellent Majesty, Her heirs or successors.

Saving rights of the Duchy of Cornwall.

29. Nothing contained in this Act or in any Act or Acts incorporated therewith or therein mentioned or referred to shall extend to authorize the Company to take, use, enter upon, or interfere with any land, soil, or water, or any rights in respect thereof, belonging to Her Majesty, Her heirs or successors, in right of the Duchy of Cornwall, without the consent in writing of some two or more of such of the regular officers of the said duchy, or of such other persons as may be duly authorized under the provisions of The Duchy of Cornwall Management Act, 1863, section 39, to exercise all or any of the rights, powers, privileges, and authorities by the said Act made exercisable or otherwise for the time being exercisable in relation to the said duchy or belonging to the Duke of Cornwall for the time being, without the consent of such Duke testified in writing under the seal of the Duchy of Cornwall first had and obtained for that purpose, or to take away, diminish, alter, prejudice, or affect any property, rights, profits, privileges, powers, or authorities vested in or enjoyed by Her Majesty, Her heirs or successors, in right of the Duchy of Cornwall, or in or by the Duke of Cornwall for the time being.

Expenses of Act.

30. The costs, charges, and expenses preliminary to, and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Company.

SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

ACTS OF PORTHLEVEN HARBOUR COMPANY.

51 Geo. 3. c. 195. -	An Act for constructing a harbour at Porthleven in Mount's Bay in the county of Cornwall.
53 Geo. 3. c. 34. -	An Act for explaining and amending an Act of His present Majesty for constructing a harbour at Porthleven in Mount's Bay in the county of Cornwall.
56 Geo. 3. c. 22. -	An Act for amending and enlarging the powers of two Acts of His present Majesty for constructing an harbour at Porthleven in Mount's Bay in the county of Cornwall.
1 & 2 Geo. 4. c. 42. -	An Act for extending the term and altering and enlarging the powers of several Acts passed in the reign of His late Majesty King George the Third for constructing an harbour in Mount's Bay in the county of Cornwall.

THE SECOND SCHEDULE.

Dues and Rates authorized to be taken in Porthleven Harbour.

TABLE (A.)

HARBOUR DUES on Tonnage of Vessels frequenting the Port in Trade.

Tonnage of vessels independent of cargo.

	£	s.	d.	
Foreign, to unload or load - - - -	0	1	6	per ton.
British, from foreign ditto - - - -	0	1	3	„
Ditto, coastwise traders - - - - -	0	1	0	„
Colliers - - - - - -	0	0	6	„
Loaded with limestone, lime, sand, manure, ballast, or any description of compost for land - - - -	0	0	3	„
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	£	s.	d.	
For every vessel running into the harbour by stress of weather, and not unloading—				
Of less burthen than twenty tons - - -	0	0	6	per ton.
From twenty to sixty tons - - - -	0	0	7	„
From sixty to one hundred tons - - - -	0	0	9	„
From one hundred to one hundred and twenty tons and upwards - - - - -	0	1	0	„
For every vessel coming into the harbour for shelter or in distress, lying longer than seven days after the weather abates and the wind permits, unless for the purpose of repairs, twopence per ton per day.				

TABLE (B.)

	£	s.	d.	
For every fishing boat or other vessel using the harbour and kept and laid up at Porthleven, other than a fishing boat described in the third schedule hereto—				
Of less burthen than two tons and not exceeding three tons - - - -	0	15	0	per annum.
Above three tons and not exceeding ten tons -	1	10	0	„
Above ten tons and not exceeding twenty tons -	2	0	0	„
Above twenty tons and not exceeding sixty tons -	3	0	0	„
Above sixty tons - - - -	4	0	0	„

TABLE (C.)

	£	s.	d.
For every other fishing boat or other vessel for each time it shall go out of the said harbour, having loaded or unloaded therein—			
Of less burthen than two tons and not exceeding three tons -	0	0	6
Above three tons and not exceeding eight tons - - -	0	1	0
Above eight tons and not exceeding twenty tons - - -	0	2	0
Above twenty tons and not exceeding thirty tons - -	0	3	0
Above thirty tons and not exceeding forty tons - - -	0	3	6
Above forty tons -	0	4	0
For every fishing boat or fishing vessel coming into the said harbour, not loading or unloading therein, and lying longer there than twelve hours, unless prevented from departing by wind or weather, twopence per ton per day.			

Table (D.)

Rates and Duties for Goods imported or exported to or from the Harbour.

	£	s.	d.
For every quarter of wheat, wheat-meal, malt, pease, tares, mustard seed, canary seed, and seeds of every other denomination -	0	0	3
For every quarter of beans, barley, rye, and oats, and so in proportion - - - - - - -	0	0	2
For every butt, pipe, puncheon, or piece of wine, sweet oil, or spirits	0	3	0
For every larger cask of ditto ditto in proportion.			
For every butt of ale or porter - - - - -	0	0	6
For every hogshead of wine, sweet oil, or spirits - - -	0	2	0
For every ditto of ale or porter - - - - -	0	0	9
For every puncheon of ale or porter - - - -	0	0	10
For every solid hogshead of new sugar - - - -	0	1	6
For every hogshead or package of loaf or lump sugar, per hundredweight - - - - - - -	0	0	2
For every quarter cask of wine, sweet oil, or spirits - -	0	1	0
For every barrel, wet or dry - - - - -	0	0	6
For every half barrel, wet or dry - - - - -	0	0	4
For every smaller cask (of whatsoever denomination), wet or dry -	0	0	2
For every butt, empty (not on return) - - - -	0	0	3
For every vat packed with goods - - - - -	0	2	6
For every sugar hogshead ditto ditto - - - -	0	1	6
For every smaller cask ditto ditto - - -	0	1	0
For every vat or cask of tallow not exceeding six hundredweight -	0	0	6
For every larger vat or cask of tallow, per hundredweight - -	0	0	1
For every bale or truss, great - - - - -	0	0	8
Ditto ditto small - - - - -	0	0	4
For every pack of wool, yarn, or cotton containing two hundred and forty pounds weight - - - - -	0	1	6
For every larger and smaller packet of ditto in proportion.			
For every small frail, mound, or basket - - - -	0	0	2
For every great mound or basket - - - -	0	0	4
For every piece of ordnance, brass, per hundredweight, and iron per hundredweight - - - - - -	0	0	2
For every anchor, per hundredweight - - - -	0	0	2
For every hundredweight of iron, wrought - - -	0	0	2
And unwrought - - - - - -	0	0	1
For every hundredweight of copper or brass, wrought - -	0	0	6
And unwrought - - - - - -	0	0	4
For every hundredweight of lead - - - -	0	0	1½
For ditto ditto of tin - - - - - -	0	0	1½
For every ton of salt - - - - - -	0	1	6
For every hundred of cod called sized fish, and so in proportion -	0	1	0
And the small sort - - - - - -	0	0	6
For every load of lime of twenty-eight bushels - - -	0	1	8

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	£	s.	d.
For every one hundred of one inch and a quarter deal boards from ten to fourteen feet in length	0	2	6
For every one hundred of two inches and a half ditto ditto	0	3	6
For every one hundred of three inches ditto, and in proportion for greater lengths	0	4	6
For every one thousand of barrel boards and staves	0	2	6
For every one hundred of Petersburgh battens	0	3	0
For every one hundred of clove boards or battens	0	1	6
For every mast of ten inches diameter	0	1	8
For every mast of seven inches and under ten inches	0	1	0
For every smaller mast in proportion.			
For every spar of ten inches diameter	0	0	10
For every spar of seven, eight, and nine inches	0	0	6
For every ditto of four, five, and six inches	0	0	3
For every score of smaller spars	0	0	10
For every load of oak or elm boards	0	2	6
For every one thousand of cleft pale	0	2	0
For every ton of oak, elm, or other timber	0	2	6
For every load of posts and rails	0	2	3
For every bundle of wooden hoops	0	0	1½
For every twenty bundles of laths	0	0	10
For every fathom of six feet lathwood	0	1	6
For every wey of coals or culm	0	3	0
For every ton of soap rock or other clay	0	2	6
For every fathom of five feet lathwood	0	1	0
For every cord of firewood	0	0	6
For every one hundred of faggots	0	0	10
For every millstone, great	0	2	0
And the small	0	1	6
For every tombstone	0	3	0
For every ditto, marble	0	6	0
For every corpse	0	10	0
For every small trunk, chest, or box	0	0	3
For every great ditto, ditto, ditto	0	0	6
For every small bundle or parcel	0	0	1
For every bag of hops	0	1	6
For every pocket of ditto	0	0	9
For every one thousand of common bricks, and so in proportion	0	1	0
For every one thousand of common helling, and so in proportion	0	0	8
For every one thousand of plain tiles, and so in proportion	0	1	0
For every thousand of top ridge gutter or pantiles, ditto	0	1	6
For every one thousand of mathematical tiles	0	2	0
For every one thousand of paving tiles	0	2	6
For every one hundred of flat paving stones, large	0	2	0
Ditto, small	0	1	6
For every ton of marble	0	3	0
For every ton of Portland, Purbeck, or other stone	0	1	6
For every grindstone	0	0	3
For every common cartload of flintstones	0	0	4
Ditto ditto chalkstones, rough or hewn	0	0	2

	£	s.	d.
For every hundredweight of cheese	0	0	4
For every barrel of fish or train oil, and so in proportion for every great or smaller cask of ditto	0	0	6
For every barrel of pitch or tar	0	0	6
For every barrel of red herrings	0	0	6
For every barrel of pilchards	0	0	6
For every hogshead of cured fish exported coastwise	0	0	2
For every hogshead of cured fish exported foreign	0	0	3
For every sack of three bushels potatoes, apples, or pears	0	0	3
For every one hundred of cabbages	0	0	6
For every one hundredweight of hemp	0	0	2
For every one hundredweight of cordage	0	0	3
For every bolt of canvas of number one, two, and three	0	0	4
For every other bolt of canvas	0	0	2
For every horse and bullock	0	2	0
For every four-wheeled carriage	0	5	0
For every two-wheeled carriage	0	3	0
For every sedan chair	0	1	0
For every sack of five bushels flour	0	0	3
For every bag of bran of eight bushels	0	0	8
For every ton of kelp	0	1	6
For every ton of brill	0	2	0
For every load of hay of thirty-six trusses	0	2	6
For every load of straw	0	2	0
For oil cakes, per thousand, and so in proportion	0	2	6
For every bushel of onions	0	0	2
For every bushel of oysters not imported by a portsman	0	0	2
For every firkin or smaller barrel of oysters, ditto	0	0	2
For every hide, raw	0	0	2½
For every hide, tanned	0	0	6
For every dozen of goat, calf, sheep, or lamb skins	0	1	9
For every hundredweight of wrought pewter	0	0	8
And old	0	0	4
For every calf	0	1	0
For every hawk	0	0	2
For every dog	0	0	3
For every fox	0	0	6
For hares, pheasants, and all other game, per head	0	0	2
For every bag of feathers, large	0	0	9
Ditto, small	0	0	5
For every crate of glassware	0	1	0
For every crate of earthenware, large	0	0	6
Ditto, small	0	0	4
For every stove	0	0	3
For every large range or grate	0	0	6
Ditto, small	0	0	3
For every chest of drawers, double	0	0	8
Ditto, single	0	0	4
For every mahogany or other chair	0	0	1

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	£	s.	d.
For every side of bacon	0	0	6
For every billiard table	0	2	0
For every dining table	0	0	4
For every card or Pembroke table	0	0	3
For every other table	0	0	2
For every mahogany bedstead	0	0	3
For every other ditto	0	0	2
For every sofa	0	0	6
For every harpsichord	0	4	0
For every spinnet or pianoforte	0	3	0
For wine in bottles, per dozen	0	0	4

THE THIRD SCHEDULE.

Dues for certain of the fishing boats using the harbour, and kept and laid up at Porthleven.

	Per Annum.	
	s.	d.
For boats not exceeding 3 tons	4	0
„ „ 10 „	7	6
„ „ 25 „	12	6

THE FOURTH SCHEDULE.

Articles of Agreement made and entered into this ninth day of April one thousand eight hundred and sixty-nine between William Harvey, of Hayle, in the county of Cornwall, esquire, Henry Whitford, of Saint Columb, in the said county, esquire, and William West, William John Rawlings, William Husband, Nicholas James West, and Francis Harvey, all of Hayle aforesaid, esquires, of the first part, and Thomas Stodden, of Porthleven, in the said county, fisherman, and William Pascoe, of Porthleven aforesaid, fisherman, on the part of themselves and other the fishermen from time to time keeping boats laid up in Porthleven Harbour, herein-after referred to as the fishermen of Porthleven, of the second part.

Whereas a Bill, having the short title of the Porthleven Harbour Bill, is pending in Parliament (which is herein-after referred to as the Bill): And whereas the persons the parties hereto of the first part are the promoters of the Bill (and are herein-after referred to as the promoters): And whereas the persons hereto parties of the second part, and other fishermen and inhabitants of Porthleven aforesaid, have presented a petition to be heard against the Bill, and the persons parties hereto of the second part are authorized to act for the purposes of this agreement on behalf of all the petitioners: Now, in consideration

of the mutual benefits to accrue to the promoters and to the fishermen of Porthleven from this agreement, the parties hereto agree as follows: A.D. 1869.

1. The promoters shall use their best endeavours to get inserted and made in the Bill the clauses and amendments agreed on between the parties hereto, and signed on their respective behalf by Messieurs Rogers and Son and Messieurs Bailey and Company, subject to any alterations to be agreed on or to be required by Parliament.

2. The promoters shall at all times hereafter permit the fishermen of Porthleven gratuitously to dry and bark their nets, and haul up boats for painting or tarring, and to store ballast on such part of the moor now unenclosed and containing about one thousand eight hundred and fourteen square yards, and lying behind the timber yard recently enclosed by the promoters, as is now the property of the promoters or in their possession.

3. The promoters shall use their best endeavours forthwith to obtain a lease for sixty years or for such less time as shall be agreed upon between the parties hereto of so much of the said moor adjacent to the said yard as belongs to the representatives of Peter Simons, deceased, but it shall not be incumbent on the promoters to pay any higher annual rent than ten pounds in order to obtain such lease.

4. The promoters shall appropriate two thirds of the part of the moor, with convenient access thereto, to be comprised in any such lease for the use of the fishermen of Porthleven during all such term for drying their nets and performing other operations connected with their avocation gratuitously, but so that the fishermen, or any of them, shall not carry on any trade thereon, and that the fishermen shall make good any damage done to the banks of the river or the leat by their boats or other acts.

5. The residue of the part of the moor comprised in any such lease shall be held by the promoters for their own exclusive use, and they shall be at liberty, as between them and the fishermen of Porthleven, to use the same for building or other purposes, as they think fit.

6. The persons parties hereto of the second part hereby undertake to withdraw their petition, and not directly or indirectly to oppose the passing of the Bill.

7. If the Bill does not pass in the present session this agreement shall be void.

As witness our hands the day and year aforesaid.

For self and Henry Whitford, William West, William John Rawlings, William Husband, Nicholas James West, and Francis Harvey,

WM HARVEY.
THOS STODDEN.
WILLIAM PASCOE.

Signed in the presence of

HENRY ROGERS,
Solicitor, Helston.

EDWD BAILEY,
5, Berners Street, London.

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