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trance thereof, and have laid down Mooring Rings, Chains, and Buoys in the said Harbour, and have formed a Careening Beach therein; and erected Cranes on the said Quays for the public Use, to the great and manifest Accommodation of the Merchants and others residing in or trading to and from the said Port and Harbour; and have also appointed and do maintain a Harbour Master to superintend the mooring and to direct the placing of Ships and Vessels frequenting the said Port and Harbour, in order to prevent any Damage thereto, or any Delay or Inconvenience in discharging the Cargoes thereof: And whereas the progressive Increase of the Trade of the said Port makes it expedient that the said Harbour should be still further deepened and improved, and additional Quays, Wharfs, Sheds, and other Works and Conveniences should be constructed and built; but the said Company are unable to undertake such Works, by reason of the great Damages and Expences that will attend the same, unless certain Tolls, Rates, and Dues are continued to be paid to the said Company for a further Term of Years, and certain new Tolls, Rates, and Dues are granted to the said Company, and further Powers extended to them, for the more effectual Improvement of the said Harbour; but inasmuch as the same 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 King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Fifty-first Year of the Reign of His said Majesty King *George* the Third, and all and every the Powers and Provisions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Part or Parts thereof as are hereby varied, altered, or repealed,) shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this Act.

Recited Act to remain in force, except as hereby repealed.

Power to collect Tolls in Schedule (B.);

II. And be it further enacted, That it shall be lawful for the said Company of Proprietors (being Lessees of the said Harbour), by their Committee, or such Person or Persons as they shall appoint, or for whomsoever may have the Lease of the Dues, Profits, and other Premises under the Duke of *Cornwall*, and they are hereby respectively authorized and empowered, from Time to Time and at all Times from and after the First Day of *August* next, to ask, demand, collect, receive, and recover, to and for the Use and Benefit of the said Company of Proprietors (being Lessees as aforesaid), or of whomsoever may have the Lease of the Dues, Profits, and other Premises under the Duke of *Cornwall*, of and from all and every the Master, Commander, or Owner, or other Person or Persons having the Rule or Command of any Ship or Vessel, Bark or Boat, within the said Harbour, or from either of them, over and above the Rates and Duties mentioned and contained in the Schedule marked (A.) to the said recited Act annexed, to which the same are now respectively subject or liable, any Sum or Sums of Money not exceeding the Rates or Duties herein-after mentioned and contained in the Schedule to this Act annexed marked (B.)

and also those in Schedule (C.)

III. And be it further enacted, That there shall be then likewise paid by every Person whomsoever who shall lade or export or unlade or import any Grains, Seeds, Goods, Wares, Merchandize, Baggage, Parcel, or other Article, Matter, or Thing whatsoever, upon or from any Quay or Quays belonging to the said Harbour of *Sutton Pool*, or who shall lade or export or unlade or import any such Articles as aforesaid into or from any Ship or other Vessel within the said Pool, by means of any Lighter, Barge, Boat, or other Vessel, upon or from any Quay or Quays, over and above the Rates and Duties mentioned and contained in the Schedule annexed to the said Act marked (A.), to which the same are now respectively subject and liable, any Sum or Sums of Money not exceeding the several Rates and Duties herein-after mentioned and contained in the First Column of the Schedule marked (C.) to this Act annexed.

Part of the Rates in Schedule (C.) to be taken but for a limited Period.

Proviso for Goods, &c. landed in the Harbour and re-shipped.

IV. Provided always, and be it further enacted, That the Rates or Duties mentioned and contained in the First Column of Schedule marked (C.) to this Act annexed shall, from and after the Expiration of Thirty Years from the Commencement of this Act, be reduced to the several Rates or Dues mentioned and contained in the Second Column in the said Schedule; and from thenceforth all such Goods, Wares, and Merchandize, Baggage, Parcel or Article, Matter or Thing whatsoever, shall be subject or liable to the several Rates or Duties mentioned in such Second Column: Provided always, that no such Goods, Wares, Merchandize, Baggage, Parcel, or other Article, Matter, or Thing as aforesaid, having been landed in the said Harbour, and having paid the Rates and Duties by the said Act and by this Act respectively imposed thereon upon such landing, shall be subject or liable to the Payment of any Rates or Duties upon being re-shipped in the said Harbour, but shall be wholly free from any additional Rate or Duty whatsoever.

Power of Suspension of Tolls.

V. And be it further enacted, That if at any Time after the Expiration of Five Years from the passing of this Act it shall be found, by a Presentment of the Grand Jury assembled at any Quarter Sessions of the Peace for the said County of *Devon*, that the Sum of Two thousand Pounds has not been expended in and towards the cleansing, deepening, and improving the said Harbour, and the Erection of any additional Quays, or in laying down additional Mooring Chains or Buoys, or other Works or Conveniences, or if at any future Period after the Expiration of the said Term of Five Years it shall be found, by a Presentment of the Grand Jury assembled as aforesaid, that the said Harbour has been suffered to get so much out of Repair as not to afford sufficient Shelter and Security for Vessels endeavouring to enter or lying within the same, and such Presentment shall be certified under the Hand of the Chairman of the said Quarter Sessions to the said Company of Proprietors, and the said Harbour in all such Cases shall not be sufficiently cleansed, improved, repaired, or amended, or Mooring Chains and Buoys laid down, (as the Case may require,) within Twelve Calendar Months from the certifying such Presentment as aforesaid, then and from thenceforth the said Rates and Duties by this Act granted and made payable for or in respect of Ships and Vessels using the said Harbour shall

shall be suspended until One Week after the assembling of the Quarter Sessions or the adjourned Sessions of the Peace for the said County of *Devon* next after the Suspension of the Duties, unless the said Harbour shall before that Time have been cleansed, improved, or repaired, and additional Quays built, and it shall be found by a Grand Jury assembled as aforesaid at such Quarter Sessions or adjourned Sessions, and certified by the said Chairman to the said Company of Proprietors, that the said Harbour has been properly cleansed, improved, repaired, and amended, and additional Quays built: Provided always, that if the Grand Jury assembled at such Quarter Sessions or adjourned Sessions shall again present that the said Harbour is not properly cleansed, improved, or repaired, and that additional Quays have not been built, such Rates and Duties shall continue suspended until One Week after the next Quarter Sessions or adjourned Sessions, unless at such next Quarter Sessions or adjourned Sessions it shall be found and certified in manner aforesaid that the Harbour is sufficiently cleansed, improved, and repaired, and that additional Quays have been built; and that such Rates and Duties shall continue to be so suspended so long as such Grand Juries shall continue to find from Sessions to Sessions that the Harbour remains not sufficiently cleansed, improved, or repaired, or that an additional Quay or Quays have not been built: Provided always nevertheless, that in all Cases and at all Times when the Rates and Duties granted by this Act shall be under Suspension, that the Rates and Duties in Schedule marked (A.) to said recited Act annexed only shall be then collected, as if this Act had not passed, any thing herein contained to the contrary thereof in anywise notwithstanding.

Rates for the Use of Graving Beach and Cranes.

VI. And be it further enacted, That it shall be lawful for the said Company of Proprietors, (being Lessees of the said Harbour, or to or for any other Lessees of the said Harbour,) by their Committee, or such Person or Persons as they shall appoint, to ask, demand, and take of and from all and every the Masters and Owners of all Ships and Vessels who shall make use of the Graving or Careening Beach, except all Vessels and Ships under Sixty Tons Burthen, the several Rates and Dues specified in the Schedule to this Act annexed marked (E.), and also to ask, demand, and take of and from all Person and Persons who shall use the Cranes belonging to the said Company, erected on the Quays of the said Harbour, the Rates and Dues specified in the said Schedule to this Act annexed marked (F.)

Company may make Rules for regulating the laying of Timber and other Things in the Harbour and on the Quays.

VII. And be it further enacted, That it shall be lawful for the said Company of Proprietors at any General Assembly, in addition to or in lieu of all or any of the Rules, Bye Laws, and Orders authorized and directed to be made by the said recited Act, to make, ordain, and establish such Rules, Bye Laws, and Orders for regulating the laying, floating, piling, depositing, and removing of Timber within the said Harbour, or the landing, depositing, and removing any Stones, Metal, Clay, or other Matter or Thing within the said Harbour, and also for regulating the landing, depositing, and removing, within a reasonable Time, on and from the Quays belonging to the said Harbour, any Merchandize, Timber, Stones, Metal, Clay, or other

other Matter or Thing; and may also, at any future General Meeting, repeal, add to, amend, or alter such Rules, Bye Laws, or Orders, as to them shall appear necessary and requisite, and fix and appoint reasonable pecuniary Penalties, not exceeding Forty Shillings for each and every Breach or Nonobservance of such Rules, Bye Laws, and Orders, or any of them; which said Rules, Bye Laws, and Orders, being reduced into Writing, shall be printed or painted on Boards in legible Characters, and fixed or hung up in the large Room of the Custom House of the Port of *Plymouth*, and at some other conspicuous Place on the Quays in the said Harbour, and the said Boards shall be renewed as often as the same shall become obliterated or defaced, and shall be then binding upon and observed by all Persons whomsoever, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same; provided always, that such Rules, Bye Laws, and Orders be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions and Directions in this Act contained, or any of them.

Books of Accounts to be kept, and to be open to Inspection.

VIII. And be it further enacted, That the said Company of Proprietors or their Committee of Management shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such 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 said Undertaking, and of the several Articles, Matters, and Things for which such Sums of Money shall have been laid out, paid, and disbursed, which Book or Books shall at all seasonable Times be open to the Inspection of the Company of Proprietors, or any Creditor or Creditors on the Tolls, Rates, or Duties authorized to be taken by the said recited Act and this Act, or either of them, without Fee or Reward; and the said Company of Proprietors and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit any of the said Company of Proprietors or Creditors to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are hereby or by the said recited Act directed to be levied and applied.

Treasurer and Clerk not to be the same Person.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed the Clerk in the Execution of this Act and the said recited Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act and the said recited Act, or to appoint any Person who may be appointed Treasurer or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Company of Proprietors for the Pur-

poses of this Act and the said recited Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act and the said recited Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act and the said recited Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

So much of 51 G. 3. as relates to Persons escaping into other Counties, &c. repealed.

X. And whereas it is by the said recited Act enacted, that in case any Person against whom any Warrant should be issued by any Justice or Justices, before or after any Conviction for any Offence against this Act, shall escape, go into, or reside or be in any County, Riding, Division, City, Liberty, Town, or Place out of the Jurisdiction of such Justice or Justices granting such Warrant or Warrants, or if the Goods or Chattels of any Offender convicted of any Offence in pursuance of that Act shall be in a different County, Riding, Division, City, Liberty, Town, or Place than where the said Party was convicted or Warrant of Distress granted, it should be lawful for any Justice of the County, Riding, Division, City, Liberty, Town, or Place into which the Party should escape, either before or after the Conviction, and they and every of them were thereby required, upon Proof made upon Oath of the Handwriting of any Justice or Justices granting such Warrant or Warrants, to indorse such Warrant, and the same, when indorsed, should be a sufficient Authority to all Peace Officers and other Persons therein named to execute such Warrant in such County, Riding, Division, City, Liberty, Town, or Place out of the Jurisdiction of the Justice or Justices respectively so granting the same; and on the Offender or Offenders being apprehended, he or they should and might be carried before the Justice or Justices who granted the original Warrant, to be dealt with according to Law; provided always, that any Person or Persons who should think himself, herself, or themselves aggrieved should and might appeal to the Quarter Sessions for the said County of *Devon*: And whereas it is expedient that the same should be repealed, be it therefore further enacted, That the same shall be and is hereby declared to be repealed.

Conviction of Offenders.

XI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against the said recited Act or this Act, or any Matter or Thing done in the Execution of the said Act and this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

'
' to wit. } BE it remembered, That on this Day of Form of
' in the Year of the Reign Conviction.
' of *A. B.* is convicted before
' His Majesty's Justices of the Peace for the
' of having [*as the Offence shall be*]; and I [*or* we] the said
' do adjudge him [her *or* them] to forfeit and
' pay for the same the Sum of . Given
' under my Hand and Seal [*or* our Hands and Seals] the Day and
' Year aforesaid.'

All Ships in His Majesty's Service to be exempted from the Rates hereby granted.

XII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Ship, Vessel, or Boat belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service or Employ of the Customs, Excise, Ordnance, or Post Office, coming into or using the said Harbour; and all such Ships, Vessels, and Boats shall be exempted from the Payment of all and every the Rates and Duties hereby granted and made payable; any thing in the recited Act contained to the contrary thereof notwithstanding.

Foreign Vessels may be measured.

XIII. And be it further enacted, That the said Company of Proprietors or their Lessees shall and they are hereby authorized to appoint proper Persons for the Purposes of ascertaining the Tonnage of any Foreign Ships, Vessels, or Boats, and of all other Ships, Vessels, or Boats having no Registers, which shall enter or use the said Harbour, in order to a due Collection of the Duties payable by such Ships, Vessels, or Boats; and such Persons are hereby empowered and required to admeasure the same according to the Directions of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the registering of* 6 G. 4. c. 10.
British *Vessels*; and the Owners or Masters of all such Ships, Vessels, or Boats shall pay the Expence of such Measurement, besides the Rates and Duties to which they are liable in Terms of the said recited Act or this Act; and every Owner or Master aforesaid who shall refuse to produce the Register of his Ship or Vessel, or shall refuse to allow his Ship, Vessel, or Boat to be measured as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and above the Tonnage or other Duties with which such Ship, Vessel, or Boat may be chargeable by virtue of the said recited Act and this Act, or either of them, to be recovered and applied in manner in the said recited Act mentioned.

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

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

or

or Vessels, or the Goods and Merchandizes imported or exported in or by the same.

In case of Nonpayment of Compensation for Damages, &c. the same may be levied by Distress of the Goods of the Company or of their Treasurer.

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

Damages and Charges, in Cases of Dispute, to be settled by Justices.

XVI. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences in the said recited Act or this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, (such Justice or Justices not being interested in the said Undertaking,) who is hereby authorized and required, on Nonpayment thereof, to levy the Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner by the said recited Act and this Act, or either of them, directed for the levying of any Penalties or Forfeitures.

XVII. And

Justices may proceed by Summons in the Recovery of Penalties.

XVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice or Justices of the Peace, it shall be lawful for the Justice or Justices of the Peace before whom Complaint shall be made for any Offence committed against the said recited Act or this Act (such Justice or Justices not being interested in the said Undertaking) to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice or Justices; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Declaring what shall be good Service of Notice on the Company.

XVIII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon the said Company of Proprietors, or any Writ or Writs, or other legal Proceeding, or Proceedings in Equity, the Service thereof upon the Chairman or any Member of the said Committee for the Time being, or delivered to some Inmate at his usual Place of Abode, or upon the Clerk of the said Company of Proprietors for the Time being, or at the Office of such Clerk, or delivered to some Inmate at his usual Place of Abode, or upon any Agent or Officer of the said Company of Proprietors, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed a good and sufficient Service of the same respectively on the said Company of Proprietors.

For supplying Deficiencies in the Land Tax.

XIX. And whereas, by reason of taking down Buildings and making Alterations in pursuance of the said recited Act and this Act, there may be Deficiencies in the Assessments for Land Tax; be it therefore further enacted, That for preventing the same the said Company shall, from and after the said Company shall become seised or possessed of the Premises charged with Land Tax, and until the Works authorized to be made shall be completed and assessed to such Land Tax, (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within the Parish or Township or Place by reason or means of taking down or using, for the Purposes of this Act, any Buildings and Premises liable to such Assessments, according to the Rental at which the same are valued or rated at the Time of passing this Act; and the Treasurer, Collector, or Receiver appointed or to be appointed shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments for such Parish, Township, or Place.

Recovery and Application of Penalties.

XX. And be it further enacted, That all Offences whatsoever which, by virtue or under the Authority of the said recited Act or this

this Act, or by or under any Rule, Regulation, or Order to be made in pursuance or by the Authority of the said recited Act or this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the Borough of *Plymouth* or for the said County of *Devon*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not (and which shall in every Case be made within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party or Parties accused, and such Witness or Witnesses as may by such Justice or Justices be thought proper or necessary, and examine into the Matters thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, (whether the Party or Parties accused be present or absent,) the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by the said recited Act and this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale (if any), upon Demand, to the Party or Parties whose Goods and Chattels shall be distrained; one Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer to the said Company of Proprietors, to be applied to the Purposes of the said recited Act and this Act; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall

appear to such Justice or Justices, either upon the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods or Chattels whereupon such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid can be levied were such Distress or Warrant issued, such Justice or Justices shall not be required to issue the same; and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said Borough of *Plymouth* or County of *Devon*, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or unless such Offender or Offenders shall have sooner fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Appeal to the Sessions.

XXI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company of Proprietors, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act or the said recited Act mentioned or contained, then and in every such Case he, she, or they may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the County or Place in which the Cause of Appeal shall arise, first giving Ten Days Notice of such Appeal to the Person or Persons appealed against, or to the Clerk to the said Company (as the Case may be), and of the Nature thereof, and within Ten Days next after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall, upon due Proof of such Notice and Recognizance having been given and entered into, either hear and determine the said Appeal at such General Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions to be holden for such County or Place; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rate, Bye Law, Order, Judgment, or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall adjudge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof notwithstanding.

XXII. And

Expence of Act.

XXII. And be it further enacted, That all the Costs, Charges, and Expences of obtaining this Act, and all other the Costs, Charges, and Expences incident thereto, shall be borne, paid, and defrayed by the said Company of Proprietors out of any Monies subscribed or received by virtue of this or the said recited Act.

Public Act.

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

The

The SCHEDULES referred to by the aforegoing Act.

SCHEDULE (B.)

As far as relates to Coasting Ships or Vessels.

For all Ships or Vessels belonging to His Majesty's Subjects employed in the Coasting Trade, or coming from Ireland, above Fifty Tons, One Penny per Ton.

For all such Ships or Vessels of Fifty Tons or under, One Halfpenny per Ton.

SCHEDULE (C.)

RATES and DUES to be paid for landing of all Goods, Wares, and Merchandize in the Harbour of Sutton Pool, and for shipping all Goods, Wares, and Merchandize, (except such Goods, Wares, and Merchandize as have been landed in the said Harbour, and paid the Rates and Dues upon such landing, which Goods, Wares, and Merchandize are to be shipped without the Payment of any Rates or Dues whatsoever,) referred to in and by the aforegoing Act.

	First Column referred to in the Act.		Second Column referred to in the Act.	
	s.	*d.*	*s.*	*d.*
For every Quarter of Coals - - - -	0	1	0	1
Quarter of Culm (not being Stone Coal)	0	0½	0	0½
Crate of Earthenware - - -	0	3	0	1½
Thousand of Staves, single Pipe -	1	6	0	9
Hogshead - - - - - -	1	0	0	6
Barrel - - - - - -	0	9	0	4½
Thousand of Bricks and Tiles - -	0	6	0	3
Load of Hoops, containing 40 Bundles	0	4	0	2
Ton of Clay or Stones - - -	0	1	0	0½
Load of Timber - - - -	0	3	0	1½
Hundred of Deals - - - -	0	6	0	3
Hundred of Deal Ends - - -	0	3	0	1½
Head of Bulls, Oxen, Cows, and Heifers, and for every Horse, Mare, or Gelding	0	6	0	3
Ton of Goods, Wares, and Merchandize not above enumerated - - -	0	3	0	1½

SCHEDULE (E.)

Graving Beach.

		s.	d.	
For every Ship or Vessel of	60 Tons and under 80 Tons	2	0	per Week.
——	80 —— 100 —	2	6	
——	100 —— 200 —	3	0	
——	200 Tons and above - -	5	0	

SCHEDULE (F.)

Cranes.

		s.	d.	
For all Dry Goods, in Quantities not exceeding	10 Tons -	0	8	per Ton.
——	exceeding 10 Tons -	0	6	
For Wine, Spirits, and other Liquids, not exceeding	10 Tons	1	0	
——	exceeding 10 Tons	0	8	
For any heavy Article exceeding	1½ Tons - - -	1	0	
——	exceeding 2 — - - -	1	6	
——	exceeding 2½ — - - -	2	0	
——	exceeding 3 — - - -	2	6	
——	exceeding 3½ — a special Agreement must be made with the Harbour Master.			

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