

no

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COBB ACT.

The Corporation of
Lyons Regis.

Lyme Regis Corporation.



ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. xcix.

An Act for improving and maintaining the Harbour, Pier or Cobb, at the Port and Borough of *Lyme Regis*, in the County of *Dorset*. [8th June 1821.]

WHEREAS the Port or Harbour of the Borough or Town of *Lyme Regis*, in the County of *Dorset*, is and hath been a very antient Sea-port or Haven, situated at the Bottom of the *Great Western Bay*, which extendeth from the *Bill of Portland* to the *Berry Head*, and is frequented by Ships and Vessels of large Burthen, and is the only Harbour in the said Bay where Ships or Vessels embayed in a Gale of Wind to the Southward can run for with Safety, in case of their not being able to fetch *Torbay*; and many Vessels which are constantly putting into the Cobb every Winter. are with their Crews and Cargoes thereby saved: And whereas the said Harbour and Pier or Cobb there is of great Advantage as well to the Inhabitants of the said Borough or Town of *Lyme Regis* as also to the Inhabitants of the adjacent Country and Market Towns, who draw their Supplies of Merchandize, Coals, and other necessary Articles from the said Port and Harbour: And whereas the said Pier or Cobb hath been supported and repaired by means of Monies granted by the Legislature, and Monies issuing from His Majesty's Civil List, and also certain Monies or antient Cobb Duties, which have been paid to the Mayor
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Cobb Duties
may be in-
creased.

and Burgesses of the said Borough of *Lyme Regis*, by the Time whereof the Memory of Man is not to the contrary, for all Manner of Wares and Merchandizes brought into the said Pier or Cobb, or carried out of the same: And whereas by an Act passed in the Twenty-seventh Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Maintenance of the Peere and Cobbe of Lyme Regis, in the County of Dorset*, it was enacted, that the said Cobbe Duties should be increased for and during the Term of Five Years, and to the End of the then next Session of Parliament, and that after the End of the Session of Parliament next after the End of the said Five Years the aforesaid antient Cobbe Duties and Customs should remain due and payable unto the said Mayor and Burgesses, as before the making of the said recited Act; any thing therein contained to the contrary notwithstanding: And whereas by another Act, passed in the Thirty-fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Revising, Continuance, Explanation, and Perfecting of divers Statutes*, it was enacted, that the said recited Act made in the Seven-and-twentieth Year of Her said Majesty's Reign should be renewed and stand in its full Force and Strength, for and during the Space of Ten Years then next ensuing, and so from thenceforth to the End of the next Parliament then next ensuing: And whereas another Act was passed in the First Year of the Reign of King *James* the First, intituled *An Act for continuing and reviving of divers Statutes, and for repealing of some others*, whereby it was enacted, that the Statute made in the Twenty-seventh Year of the said Queen *Elizabeth*, intituled *An Act for the Maintenance of the Pier and Cob of Lyme Regis, in the County of Dorset*, shall be continued and stand in force and strength for and during the Space of Ten Years next ensuing the First Day of this present Parliament, and from thence to the End of the next Session of Parliament: And whereas another Act was passed in the Third Year of the Reign of King *Charles* the First, intituled *An Act for Repeal and Continuance of divers Statutes*, whereby it was enacted, that one Act made in the Seven-and-twentieth Year of the Reign of the late Queen *Elizabeth*, intituled *An Act for the Maintenance of the Pier and Cob of Lyme Regis, in the County of Dorset*, be made perpetual, and shall from thenceforth stand in full Force and Effect, and be put in Execution for ever hereafter: And whereas the said antient Cobb Duties are of inconsiderable Amount, and are insufficient for maintaining the said Pier or Cobb in good Repair, and the same will be in danger of falling to decay, unless the said antient Duties are increased, or unless other Duties are allowed to be taken for the Purpose; and it is expedient that more effectual Provision should be made for enabling the said Mayor and Burgesses to maintain and keep in repair the said Pier or Cobb, and the Sea-walls, Sea-works, and other Things therewith or thereto appertaining; but which 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 present Cobb Duties

Duties or Customs shall or may be increased, that is to say, that from and after the passing of this Act, it shall and may be lawful to and for the Mayor and Burgesses of the Borough of *Lyme Regis* aforesaid, and their Successors, for the Time being, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered, from Time to Time and at all Times, to ask, demand, take, receive, collect, recover and levy, upon all and every of the Ships, Vessels, and Boats of whatsoever Description, which shall come into or use the said Cobb or Harbour, or shall lie at Anchor within the said Cobb or Harbour, and for all Goods, Wares, and Merchandize, and other Things landed or shipped within the same Cobb or Harbour as aforesaid, and for the Passengers carried for Hire in every such Ship, Vessel, or Boat as aforesaid, the several Rates and Duties set forth in the Schedule to this Act marked (A.) and in the Schedule to this Act marked (B.)

II. And be it further enacted, That it shall and may be lawful for the Mayor and Burgesses of the said Borough of *Lyme Regis*, and their Successors, for the Time being, and they are hereby fully authorized and empowered, to borrow and take up at Interest such Sum or Sums of Money as may be necessary to pay and defray the Costs, Charges, and Expences relative to or attending the obtaining and passing this Act, together with lawful Interest to any Person or Persons for any Sum or Sums of Money which may be advanced for such Purpose; and by any Deed or Deeds under their Common Seal, to charge the said Harbour, Pier or Cobb, and the Rates and Duties to be collected by virtue of this Act, with the Payment of any Sum or Sums of Money so to be borrowed or advanced for the Purposes aforesaid, and Interest for the same.

Power to borrow Money for paying Expences of the Act.

III. And be it further enacted, That the said Mayor and Burgesses, and their Successors, for the Time being, shall and they are hereby required (after first paying all Interest which may become due for any Money which may be borrowed or advanced as aforesaid) to apply the Monies to arise or be received from the Rates or Duties by this Act granted, in repairing and maintaining the said Cobb or Pier, Sea Walls, Sea Works, and other Things thereto appertaining; with full Power nevertheless from Time to Time to apply such Rates and Duties, or any Part thereof, in paying off any Principal Sum or Sums of Money to be borrowed or advanced as aforesaid, or any Part thereof.

Directing how Cobb Duties are to be applied.

IV. And be it further enacted, That whenever and as often as the Fund to arise from the Dues by this Act granted shall accumulate in the Hands of the said Mayor and Burgesses to the Sum of Five hundred Pounds, the Excess or Surplus in the Receipts of the said Dues, beyond the said Sum of Five hundred Pounds, shall from Time to Time, when such Excess or Surplus shall amount to the Sum of Fifty Pounds, be by the said Mayor and Burgesses invested in the Bank of *England*, in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, in the Name of the Mayor and Burgesses of the Borough of *Lyme Regis*; and the Interest or Dividends

Any Accumulation of the Dues beyond 500l. to be invested in the Bank.

of

of all Bank Annuities to be purchased by virtue of this Act shall from Time to Time, as the same shall become due, be also invested in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities; all which Monies shall be so invested in the Bank of *England* for the Purpose of being applied from Time to Time, when necessary, by the said Mayor and Burgesses in or towards the Repair and Maintenance of the said Cobb, Sea Walls, and Sea Works.

Power to
appoint Col-
lectors and
other Offi-
cers.

V. And be it further enacted, That it shall be lawful for the said Mayor and Burgesses, and their Successors, for the Time being, to appoint yearly, at the Court Leet and Law Day of the said Mayor and Burgesses to be held after *Michaelmas* at the Guildhall within the said Borough, Two sufficient Persons, Inhabitants of the said Borough of *Lyme Regis*, (willing to be so appointed,) Collectors or Receivers of the Duties aforesaid, and such other Officers as may be requisite for carrying into effect the Purposes and Provisions of this Act, which said Collectors or Receivers shall, once in every Month, pay the same into the Hands of the said Mayor and Burgesses of the said Borough, or their Successors, for the Time being, or into the Hands of such Person or Persons as they shall from Time to Time direct or appoint.

Offices of
Clerk and
Treasurer
not to be
held by one
Person.

VI. Provided also, and be it further enacted, That it shall not be lawful for the said Mayor and Burgesses to appoint the Person who may be appointed to act as their Clerk for the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer for the Purposes of this Act, or the Partner of any such Treasurer, the Clerk to the said Mayor and Burgesses for the Execution of this Act; and if any Person shall Act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in or for the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance, shall be allowed.

Rates may
be altered.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Mayor and Burgesses, and their Successors, for the Time being, to reduce and lessen the Rates and Duties to be levied under this Act, and again to raise and extend the same from Time to Time; provided that the same do not at any Time exceed the Maximum of Rates and Duties by this Act authorized.

How Ton-
nage Duty
to be ascer-
tained.

VIII. And be it further enacted, That the Commander of every Ship, Vessel, or Boat, chargeable with the Tonnage Duty by this Act imposed, shall produce to the said Mayor and Burgesses, and their Successors, for the Time being, or to the Person or Persons appointed

appointed to collect the Rates and Duties by this Act imposed, the Custom-house Register of the Burden or Tonnage of such Ship, Vessel, or Boat; and on failure or delay so to do, or in case the same when produced shall be deemed unsatisfactory, it shall be lawful for the said Mayor and Burgesses, and their Successors, for the Time being, or the Person or Persons appointed to collect the Rates and Duties as aforesaid, to admeasure such Ship, Vessel, or Boat, according to the Directions of an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the further Increase and Encouragement of Shipping and Navigation.* 26 G. 3. c. 60.

IX. And be it further enacted, That it shall and may be lawful to and for the said Mayor and Burgesses, and their Successors, for the Time being, by any one of themselves, or for the said Collector or Collectors, or any other of their Officers, for the Time being, to go on board any Ship, Hoy, Bark, or other Vessel that shall come into the said Cobb or Harbour, to demand, collect, and receive the said Duties which by this Act shall be due and payable, and upon Nonpayment thereof to take and distrain every such Ship or Vessel, and all her Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, and also all or any Part of the Goods, Wares, and Merchandize chargeable with the said Duties, and the same to detain and keep until he or they shall be satisfied and paid the said Duties, Sum and Sums of Money, and every of them; and in case of any Neglect or Delay in Payment of the said Duties by the Space of Five Days next after any Distress or Distresses so to be taken as aforesaid, that then it shall and may be lawful to and for the said Mayor and Burgesses, and their Successors, for the Time being, or any One of them, or for the said Collector or Collectors, or any other Officer or Officers of the said Mayor and Burgesses, and their Successors, for the Time being, to sell the Distress or Distresses so to be taken, and therewith to satisfy himself or themselves, as well for the Duties so neglected, refused, or delayed to be paid, as also for his or their reasonable Charge in taking or keeping such Distress, rendering to the Master or other Person having the Rule or Command of such Ship or Vessel the Overplus, if any there shall be.

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

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XI. And

Power of
Distress.Penalty on
Persons ob-
structing
Officers
going on
board to
collect the
Duties, or to
distrain.

Penalty on
Persons ob-
structing the
Measure-
ment of
Vessels.

XI. And be it further enacted, That if any Person or Persons shall obstruct or prevent the Admeasurement aforesaid of any such Ship, Vessel, or Boat, every such Person shall be liable individually to and shall forfeit and pay a Penalty not exceeding the Sum of Five Pounds.

Custom
House Offi-
cer not to
discharge
any Vessel
before Duties
are paid.

XII. And be it further enacted, That no Collector of His Majesty's Customs, or other Officer of Revenue at the said Harbour, shall permit any Ship, Vessel, or Boat, chargeable with Rates and Duties under this Act, to be entered inwards, outwards, or coastwise, or any Commodities to be landed from or put on board of such Ship, Vessel, or Boat, until he shall have received from the Collector or Collectors of the Rates and Duties aforesaid, acting under the Authority of the said Mayor and Burgesses for the Time being, a Certificate of all such Rates and Duties having been paid in full, which Certificate such Collector or Collectors, acting under the Authority of the said Mayor and Burgesses for the Time being, is and are hereby required to give without Fee or Reward, upon the Payment of such Rates and Duties; and in case any Collector of His Majesty's Customs or other Officer of Revenue at the said Harbour shall contravene or infringe this Provision, he shall be liable for every such Offence to and shall forfeit and pay a Penalty not exceeding Twenty Pounds.

Penalty for
destroying
Ropes of
Vessels.

XIII. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship, Vessel, or Boat lying in the said Cobb or Harbour shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, besides paying the Damages thereby occasioned.

Regulating
the placing,
&c. Ballast,
&c.

XIV. And be it further enacted, That if any Person shall throw into the said Cobb or Harbour, or any Place connected therewith, any Ballast, Stones, Shingle, Rubbish, or other Matters injurious to the said Cobb or Harbour, such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above all Costs of the Recovery thereof, and the Costs of removing all such Ballast, Stones, Shingle, and Rubbish; but all such Ballast, Stones, Shingle, and Rubbish shall in all Cases be deposited in a convenient Place, to be provided for that Purpose by the said Mayor and Burgesses, and their Successors, for the Time being.

Ballast not
to be taken
without
leave, &c.

XV. And be it further enacted, That if any Person shall take any Ballast, Stones, or other Materials from any Part of the said Cobb or Harbour, or any Part of the Shore or Beach lying between the said Cobb and the Easternmost Sea Wall, without Permission of the said Mayor and Burgesses, and their Successors, for the Time being, every Person so taking away any Ballast, Stones, or other Materials shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

XVI. And

XVI. And be it further enacted, That there shall from Time to Time be provided and kept by the said Collector or Collectors One or more Book or Books, in which all Monies to be received by virtue of this Act shall from Time to Time be fairly set down and entered, expressing the Time when and the Name of the Person or Persons from whom the same were so received; and that there shall also be provided and kept by the said Mayor and Burgesses, and their Successors, for the Time being, one other Book or Books, in which all Sum and Sums of Money disbursed and laid out by them, or by their Order, for the Maintenance of the said Pier or Cobb, and other Sea Works and Sea Walls, and Things aforesaid thereunto appertaining, together with a Statement of the particular Repairs and Works done, and for which such Sums shall have been paid, and also a Statement of the Sums accumulated by Investments, from Time to Time, in the Three per Centum Consolidated Annuities, shall be duly set down and entered, and that every Year at the General Quarter Sessions of the Peace held after the Feast of Saint Michael the Archangel at Bridport, for the County of Dorset, the said Book or Books to be kept by the said Mayor and Burgesses, and the said Book or Books to be kept by the said Collector or Collectors, shall be produced and shewn to the Justices at such Sessions, together with proper Vouchers for such Expences and Disbursements, which said Justices shall state, settle, and balance the Accounts from the said Books; and if the said Mayor and Burgesses, or the said Collectors or Receivers, shall neglect or refuse to make and render such Accounts as aforesaid, then the said Mayor and every such Collector or Collectors so offending shall respectively forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection or Wager of Law, nor more than one Imparlance, shall be allowed.

Books of Accounts to be kept, and produced annually to the County Justices.

XVII. And be it further enacted, That all Acts and Proceedings of the said Mayor and Burgesses, to be done in exercise of the Powers and Authorities by this Act given and granted unto them, shall be done at any Court of Hustings Weekly held at the Guildhall within the said Borough of Lyme Regis; and that all the Powers and Authorities hereby granted to or vested in the said Mayor and Burgesses shall and may from Time to Time be exercised by the Mayor and Burgesses of the said Borough for the Time being, or such of them as shall happen to be present at such Court of Hustings; and all such Acts and Proceedings shall be as valid as if done and exercised by the said Mayor and all the Burgesses.

Proceedings of Mayor, &c. in the Execution of the Act.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Mayor and Burgesses, and their Successors, for the Time being, from Time to Time, to make, frame, ordain, and establish such Bye Laws, Rules, Orders, and Regulations for the good Government and managing all Matters and Things concerning the said Cobb or Harbour, and for the Relief and Assistance of Ships and

Bye Laws.

and Vessels resorting to or seeking Shelter therein, as they shall deem necessary or proper, and from Time to Time to alter or repeal any such Bye Laws, Rules, and Orders, and to impose and inflict such reasonable Fines or Forfeitures upon all Persons offending against the same, as the said Mayor and Burgesses shall think fit, not exceeding the sum of Five Pounds for any one Offence; and all such Bye Laws, Rules, Orders, and Regulations, and all such Alterations thereof, shall be reduced into Writing, and be subscribed by the Mayor of the said Borough of *Lyme Regis* for the Time being, and Copies thereof in legible Characters shall be painted on Boards, and affixed in some conspicuous Places in or near the said Cobb or Harbour, and renewed from Time to Time whenever the same or any Part thereof shall be defaced, obliterated, or altered; and all such Bye Laws, Rules, Orders, and Regulations shall thenceforth be equally binding and authoritative as if the same were respectively set forth and enacted in and by this Act, so that the same be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to any Provision contained in this Act.

Recovery of Penalties.

XIX. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act, or any Bye Law, Rule, or Order to be made by virtue of this Act as aforesaid, shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the Mayor, or any other of His Majesty's Justices of the Peace for the said Borough and Parish of *Lyme Regis*, or any Justice of the Peace for the County or Place wherein the Offender shall be or reside, which Warrant such Mayor or Justice is hereby empowered to grant upon Conviction of the Party before such Mayor or Justice, either by Confession of the Party, or upon the Information of any credible Witness upon Oath, returning the Overplus (if any) to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and in case such Fines, Penalties, or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Mayor or Justice 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 Mayor or Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Mayor or Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, then such Mayor or Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender to be committed to the Common Gaol of the Borough, County, or Place where the Offence shall be committed, or the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, or Forfeitures

Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all Fines, Penalties, and Forfeitures which shall be recovered or received by virtue of this Act shall be paid to the Mayor of the said Borough of *Lyme Regis* for the Time being, and shall be applied and bestowed in and upon the Maintenance of the said Pier and Cobb, Sea Walls, and other Sea Works and Things thereunto appertaining.

Application
of Penalties.

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

‘ Borough of Lyme Regis, }
‘ or, }
‘ County of Dorset, }
‘ [as the Case may be,] }
‘ to wit. }
‘ His Majesty’s Justices of the Peace for the }
‘ virtue of an Act passed in the Second Year of the Reign of King }
‘ George the Fourth, intituled *An Act, &c.* [here set forth the Title }
‘ of this Act, specifying the Offence, Time and Place when and }
‘ where the same was committed, as the Case shall be.] Given under }
‘ our Hands and Seals [or my Hand and Seal] the Day and Year }
‘ first above written.’

Form of
Conviction.

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

Justices may
administer
Oaths.

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

Exemption
for Vessels
in His Ma-
jesty’s Ser-
vice.

XXII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved

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grieved by any Order or Judgment made or given in pursuance of any Rule, Order, or Bye Law made in pursuance of this Act, or by any other Matter or Thing to arise or be done under or in pursuance of this Act, then and in every such Case it shall be lawful for such Person or Persons to appeal to the Justices of the Peace, at the General Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Complaint shall arise, within Four Calendar Months next after such Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, unto the Person or Persons appealed against, and within Five Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at and abide by the Order of and to pay such Costs as shall be awarded by the Justices at such Sessions; and upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, the Justices at such Sessions shall hear and determine the Cause and Matter of such Appeal, and may order any Money to be returned which may have been levied in pursuance of any such Rule, Order, or Bye Law, and award such Costs to the Party appealing or appealed against, and may also award such further Satisfaction to the Party injured as they shall think proper, and the Determination of the Justices shall be final, binding, and conclusive to all Parties.

Expences of
the Act to
be paid out
of the first
Monies
raised.

XXIII. Provided always, and be it further enacted, That all the Costs, Charges, and Expences of passing this Act, and all other Charges necessarily incidental to the applying for and attending the obtaining and passing the same, shall be paid and defrayed by the said Mayor and Burgesses, out of the first Monies which shall arise or be received from the Rates or Duties by this Act granted, or which shall be borrowed by virtue of this Act.

Public Act.

XXIV. 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.

Schedule (A.)

RATES ON TONNAGE.

FOR every Ship, Hoy, Bark, or other Vessel, the Burden of Ten Tons or upwards, which shall hereafter come into the said Cobb or Harbour, the Sum of Two-pence for every Ton such Ship or other Vessel shall contain; and for every Ship, Hoy, Bark or other Vessel, that shall be laid up unemployed within the said Cobb or Harbour, an additional Sum of Two-pence per Ton for every and each Month she shall be so laid up, after the Expiration of the first Month.

Schedule (B.)

RATES ON MERCHANDIZE.

	s.	d.
FOR every Load of Fir Timber, Balks, or other Description, reckoning Fifty Feet to the Load - - -	2	0
For every Hundred running Feet of Deals, Plank, or other Description of Boards, Three Inches thick, and in Proportion for a less or greater Thickness - - -	3	0
For every Fathom of Lathwood - - - - -	1	6
For all Staves, Spokes of Wheels, Oars, Hoops, or other Wood, not measurable, to pay according to the Ton Bulk of Forty Feet - - - - -	1	6
For every Last of Wheat, Rye, Barley, Malt and other Grain, Grass Seed or Pulse - - - - -	1	0
For every Ton of Potatoes - - - - -	1	0
For every Cwt. of Wheat, Flour, Oat or Barley Meal, or any other Meal, Pot or Pearl Barley - - - - -	0	1
For every Ton of Rice, Biscuit, or Split Pease - - - - -	1	0
For every Barrel of Salted Beef, Cod, Herrings, or other Provisions - - - - -	0	4
For every Pipe, Puncheon, or Piece of Wine or Spirits, and so in Proportion for a larger or smaller Quantity - - -	2	0
For every Hogshead of Ale, Beer, or Porter, and so in Proportion for a larger or smaller Quantity - - - - -	0	6
For every Puncheon of Sugar or Molasses, and so in Proportion for a larger or smaller Quantity - - - - -	2	0
For every Ton of Cotton, Flax, or Hemp - - - - -	1	0
For every Coach or Four-wheeled Carriage - - - - -	2	0
For every Two-wheeled Carriage - - - - -	1	0
For every Pair of Coach or Cart Wheels - - - - -	0	6
For every Passenger coming to or going from the said Harbour - - - - -	1	0
For each Horse, Mule, Cow or Ox - - - - -	0	6
For each Sheep, Pig, or other small Animal - - - - -	0	3
For every Ton of Copper, Lead, Tin, Iron or other Metal	1	0

For

	<i>s.</i>	<i>d.</i>
For every Chaldron of Coals, Culm and Cinders, Winchester Measure - - - - -	0	8
For every Weigh of Salt - - - - -	0	1
For every Thousand Bricks or Tiles - - - - -	1	0
For every Thousand of common Slates - - - - -	0	6
For every Thousand of Scantel Slates - - - - -	1	0
For every Ton of Rag Slates - - - - -	1	0
For every Hundred Feet dressed Free-stone or Paving-stone, superficial Measure, or other dressed Stone - - - - -	1	0
For every Ton of rough Free-stone, Lime-stone, or other Stone - - - - -	0	6 ✓
For every Trunk, Chest, Box, or Bag, per Barrel Bulk, and so in Proportion - - - - -	0	4
For every Ton of Butter or Cheese - - - - -	1	0
For every Ton of Oil - - - - -	2	0
For every Barrel of Tar, Pitch, Pot or other Ashes - - - - -	0	4
For every Ton of Cordage, or Plaister Hair - - - - -	1	0
For every empty Pipe - - - - -	0	4
For every empty Hogshead - - - - -	0	2
For every empty Barrel - - - - -	0	1
For every Gross of Bottles - - - - -	0	6
For every Score of Hides and Skins - - - - -	1	0
For every Ton of Oil Cake - - - - -	1	0
For every Truss of Sail Cloth - - - - -	0	6
For every Ton of Sand taken within the Cobb or Harbour, for Ballast - - - - -	0	4
For every Ton of Sand taken outside the Cobb or Harbour, for Ballast - - - - -	0	6
All Packages not ascertained as to Size or Weight, to pay a Sixth Part of the Freight.		
For all weighable Goods not enumerated or particularly set forth in the above Schedule, to pay per Ton - - - - -	1	0

LONDON:

Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1873.