

Anno quarto

Georgii II. Regis.

An Act for repairing and keeping in Repair
the Pier and Harbour of *Ilfordcombe*, in
the County of *Devon*.



WHEREAS the Harbour of Ilfordcombe, in the County of Devon, hath by long Experience been found to be of great Use and Benefit to the Western Parts of this Kingdom, and to all seafaring Men, who by the Strefs of Weather have been driven upon that Coast; and whereas the Key or Pier of the said Port or Harbour, which contains Eight hundred fifty and six feet in Length, or thereabouts, and about Forty two feet in Height, and the Warp-house, Light-house, and Pilot-boats, and Taw-boats belonging to the said Port or Harbour, were at first founded and built, and have constantly been repaired and maintained at the private Expence of the Ancestors of Sir Bouchier Grey Baronet, Lords of the Manor of Ilfordcombe aforesaid, without any Assistance, except only some small knowledgments which have been paid to them, as

Lords of the said Manor of Ilfordcombe: And where-
 as by Length of Time, and Violence of the Sea,
 the Key or Pier of the Port or Harbour aforesaid
 is very much sunk and decayed, the Warp and
 Warp-house by long Usage gone to Decay, and the
 Light-house, and the said Boats for Piloting and
 Towing of Vessels very much out of Repair, to the
 great Prejudice of His Majesty's Revenue, and the
 Trade of the said Town of Ilfordcombe, and Parts
 adjacent; so that unless some speedy Care be taken
 to repair the said Key or Pier, Light-house, Warp-
 house, and Boats for Piloting and Towing of Vessels,
 the said Harbour will become useless to the Kingdom,
 and dangerous to Navigation, and the Charges of re-
 pairing and maintaining the same will be too great
 to be born by the said Sir Bouchier Wrey and His Heirs,
 although the ancient Duties and Acknowledgments should
 be duly paid and answered; which of late Years have been
 much sunk and lost, for want of a Power to recover the
 same: Be it therefore enacted by the King's most Excel-
 lent Majesty, by and with the Advice and Consent of the
 Lords Spiritual and Temporal, and the Commons, in
 this present Parliament assembled, and by the Authority
 of the same, That from and after the Twenty fourth
 Day of June, which shall be in the Year of our Lord
 One thousand seven hundred and thirty one, the sever-
 al Sums, Duties, and Acknowledgments following,
 shall be paid to the said Sir Bouchier Wrey, his
 Heirs, and Assigns, Lords of the said Manor, for the
 Purposes aforesaid (all or the greatest Part of which
 Duties, Sums, and Acknowledgments were anciently
 paid to the Lords of the said Manor for the same)
 that is to say,

Toll for Wool-
 len Goods, &c.

For all Woollen and Bay Wain, and Flocks, One
 half penny per Stone, each to contain Eighteen Pounds,
 to be paid by the Merchant, or other Person, in whose
 Custody or Possession, or by whose Order the said Goods
 or Merchandises shall be delivered, to be weighed by
 the proper Officer thereunto appointed; and for every
 Tun of all other Goods and Merchandise whatsoever,
 which shall be imported and landed, or discharged out
 of any Ship or Vessel in the said Port of Ilfordcombe,
 or which shall be exported and carried out of the said
 Port by Water, the Sum of Eight Pence, to be paid
 by every Master or other Person taking Charge of a-
 ny Ship, Hoy, Bark, or Vessel, that shall take on
 Board,

Board, or land any of the said Goods or Merchandise in the said Port of Ilfordcombe.

And be it further enacted by the Authority aforesaid, that for every Ship, Hoy, or Vessel, which shall by Stress of Weather be driven into the said Harbour of Ilfordcombe, or shall otherwise come into the same, for Security and Preservation (the said Port or Harbour not being their discharging Port) there shall be paid by the Master, or other Person taking Charge and Care of the same, the Duties of Keelage following; that is to say,

Duty for Ships driven in by Stress of Weather,

For every Ship or Vessel using the Coasting Trade of this Kingdom, belonging to the said Port, Six Pence.

And for every other Ship or Vessel not belonging to the said Port, using the Coasting Trade of this Kingdom, One Shilling and Six Pence.

And for every other Ship or Vessel coming from any of His Majesty's Plantations in Asia, Africa, or America, or bound thither, Two Shillings and Six Pence.

And the Master, or other Person taking Charge of the said Ship or Vessel, and paying the said Duty of Keelage, shall have Allowance for the same of the Merchant, according to the Rates of the Goods on Board the same, by Way of Average.

And for every Ship or Vessel that pays Keelage, there shall be paid by the said Master, or other Person taking Care and Charge of the same, over and above the said Duties of Keelage, the Sum of Six Pence for each Top, which such Vessel beareth.

And for the Keelage of every Boat belonging to any other Port or Place, the Sum of Four Pence, to be paid by the Master thereof.

And be it further enacted by the Authority aforesaid, that for the Support and Maintenance of the Light-house and Light therein (which Light shall begin to be set up at Michaelmas, One thousand seven hundred and thirty one, and continue till the first Day of March in every Year) there shall be paid during such Season by the respective Masters of every Ship, Bark, or Vessel belonging to the said Port or Harbour, Six Pence; and by the respective Master of every other Ship, Bark, or Vessel, not belonging to the said Port or Harbour, One Shilling.

for the Light-house,

And for laying up or leasing of Ships, Barks, or Vessels,

for laying up
Ships in the
Harbour,

Vessels, in the Harbour aforesaid, and to the Fishery there; be it enacted by the Authority aforesaid, that there shall be paid the Duties following, that is to say,

For every Ship, Bark, or Vessel belonging to the said Harbour, Four Shillings and four Pence.

And for every other Ship, Bark, or Vessel belonging to any other Port or Place, Six Shillings and eight Pence.

For every Boat belonging to the said Harbour, or belonging to any other Port or Place, employed in the Herring Fishery, Four Shillings and four Pence.

And for every Boat that useth Fishing for Mackrell, whether belonging to the said Port, or not, shall be paid for the Season, Four Shillings and four Pence.

And for every Barrel of Herrings exported, landed, or brought to be exported, to or from the said Port, One Penny.

And for every Horse Load of Goods imported or exported, Three Pence.

for the Taw
Boat,

And be it further enacted by the Authority aforesaid, That for the keeping and maintaining of a Taw Boat there, and for the better preserving of Order in regulating the said Boat, there shall be paid such Duties, and such Orders observed, as follows;

First, The Owner of such Taw Boat shall have for going or coming to or from any Ship or Vessel Three Shares, and also the Owner of the said Boat and Company shall have One third of every Pilot Ship, the Owner of such Boat to have his or her Part, whether the Pilot be shipped within the said Harbour, or without; and also the Keeper or Person having the Care of such Boat, shall have one Man's Share; and that no Boat shall serve, but such Taw Boat only, which is to attend the Place; and if any other Boat shall serve, the Owner or Keeper of such Boat so serving, shall forfeit and pay for every Offence, Six Shillings and eight Pence, unless upon special Occasion and Extremity of Weather; then the Owner or Keeper of the Taw Boat, or his Deputy, shall appoint such other Boats to assist him, as he shall think fit; and the Owner or Keeper of such Taw Boat shall have and recover from every such special Boat One Share, and that the Keeper of the said Taw Boat shall appoint

point a fit and convenient Number of Men to go therein, as Occasion shall require, not surcharging the said Boat of the Merchant, and that the Keeper of the said Taw Boat, or his Deputy, shall diligently attend and keep, or cause to be kept, the said Boat and Warp always in Readiness.

And be it further enacted by the Authority aforesaid, ^{for the Warp,} that there shall be paid by the Master or Commander of every Vessel, belonging to the Port of Ilfordcombe, who shall make use of the Warp, the Sum of Six Shillings and eight Pence, and by the Master or Commander of every Vessel, belonging to any other Port or Place, the Sum of Thirteen Shillings and four Pence.

And be it further enacted by the Authority aforesaid, ^{to Sir Bouchier Wrey for keeping Weights.} that for the keeping and maintaining of proper and lawful Weights, which are to be kept and maintained in the said Harbour, by the said Sir Bouchier Wrey, his Heirs, and Assigns, for the weighing of all Things necessary to be weighed there, the Orders and Rules herein after mentioned, shall be observed and kept; videlicet, That no Person shall weigh any Goods, Wares, or Merchandises whatsoever, bought or sold there, with any other Weights, than the Weights kept for that Purpose; and if any Person or Persons shall weigh with any other Weights, such Person and Persons shall for every Offence forfeit the Sum of Three Shillings and Four Pence; and there shall be paid for every Tun so weighed, the Sum of Two Pence, and so proportionably for a greater or lesser Quantity.

And be it further enacted by the Authority aforesaid, ^{Duty for Goods landed in the Harbour.} that there shall be paid for every Dicker of Leather there landed, the Sum of Three Pence.

For every Hoghead of Tobacco, Three Pence.

For every Wey of Coals or Culm, Six Pence.

For every Horse, One Penny.

For every Bullock, One halfpenny.

For every Score of Sheep, Four Pence.

For every Dozen of Earthen Ware imported or exported, One halfpenny.

For every Heale of Herrings unsalted, carryed out of the Port, Three Pence.

For every Tun of Ballast taken on Board any Bark, Boat, or Vessel, in the Port or Harbour, Two Pence.

For

For every Tun of Lime Stones landed in the said Harbour, One Penny.

For every Tun of Groceries or Saltery Wares, One Shilling and Six Pence.

For every Hundred of Barrel Staves, Four Pence.

For every Bundle of Hoops, One half Penny.

For every Pack of Bays or Stuff, Three Pence.

And for every Hundred Weight of Cheese, Two Pence.

And for the leasing or laying up of every such Fishing Boat, as shall not pay any Duty, the Sum of Two Shillings and Two Pence.

And for all other Goods, Wares, and Merchandises, and Things, not herein before particularly mentioned or expressed, imported or exported, at or in the said Harbour or Key, such Sum and Sums of Money shall be collected, and paid as Duties appertaining to the said Key, Lighthouse, and Warp-house, according to such moderate Values, as are proportionable to the Rates above expressed, and as are paid in the adjacent Ports.

Forfeiture for taking Stores from the Key.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall take or remove any Stones from the Key, Warp-house, or Chapple Hill, or carry off any of the said Gravel or Soil, by reason whereof the Key or Harbour hath been much damaged; such Person and Persons so offending shall forfeit and pay for every such Offence the Sum of Six Shillings and eight Pence.

Custom Officers not to take Entries, &c. till these Duties are paid.

And to the Intent the said Duties by this Act granted and made payable, may be truly answered and paid, Be it enacted by the Authority aforesaid, That no Custom belonging to His Majesty's Customs in the said Port of Ilfordcombe, Comptroller, Surveyor, Searcher, Waite, or other Officer of the Customs whatsoever, shall take any Entries, grant any Warrants, give or make out any Cocquets for the shipping or discharging any Goods whatsoever, until the Duties and Payments, hereby granted and made payable, shall be paid and answered, according to the true Intent and Meaning of this Act, and shall not permit any Ship, Hoy, Bark, or other Vessel to go out of the said Harbour, until the Master, or other Person taking Charge of the same, do produce and shew forth a Receipt or Acquittance, under the Hand of such Officer, testifying the Receipt thereof; and that every Customer, Collector, Comptroller, Receiver of Entries of Ships, Surveyor, Waite, or Searcher, or other Officer concerned in the Business of the Customs in

in the said Port of Ilfordcombe, making any Default in any of the Premises enjoined by this Act, shall forfeit unto the said Sir Bouchier Wrey, his Heirs, and Assigns, the Sum of Five Pounds, to be recovered together with his and their Costs of Suit, in any of His Majesty's Courts of Record, by Bill, Plaint, or Information.

And be it further enacted by the Authority aforesaid, ^{Duties how to be applied.} That all and every such Sum and Sums of Money, that shall be raised and received by the Duties aforesaid, or recovered for any of the Forfeitures in this Act appointed, other than so much thereof, as shall be laid out in collecting and recovering the same, shall (after paying and discharging the Expences and Charges of obtaining and passing this Act of Parliament) be laid out in securing, repairing, enlarging, preserving, and maintaining the said Pier, Key, Light-house, Wharf, Wharf-house, Boats, and Harbour of Ilfordcombe aforesaid, and other Works necessary, and if any Overplus shall happen to be, the same shall be laid out and applied for and towards repairing, maintaining, and keeping in Repair, the said Pier, Light, Light-house, Wharf, Wharf-house, Boats, and Harbour, and other necessary Works.

And forasmuch as the Money to be raised by the Duties aforesaid will not of a long Time raise such ^{Duties assignable for money borrowed.} Stock or Sum of Money, as may or will be sufficient for effecting the Ends and Purposes of this Act; Be it therefore enacted by the Authority aforesaid, That the said Sir Bouchier Wrey, his Heirs, and Assigns, or any acting Trustee or Trustees for him, during his Minority, shall be and are hereby impowered, by Indenture under his or their Hands and Seals, to convey and assure the Duties granted by this Act to any Person or Persons, that shall or will advance such Sum or Sums of Money on such Security; all which Monies so to be borrowed shall be laid out and employed in such Manner, and to and for such Ends and Purposes, as the Duties hereby granted are directed to be laid out and applied.

And be it further enacted by the Authority aforesaid, ^{Books for Receipts and Disbursements.} That the Receiver or Receivers for the time being, of the Duties hereby granted, shall keep a true and distinct Account in a Book or Books to be kept for that Purpose, of all Monies received, paid, and disbursed by Virtue or in Pursuance of this Act, to which all Persons shall and may have free Access at all seasonable Times, without Fee

Receivers how
to account.

Fee or Reward, and such Receiver or Receivers is and are hereby required to give a true and perfect Account on Oath, of all such Receipts and Payments, yearly and every Year, to the Court Leet, to be held for the said Port and Burrough of Ilfordcombe, which Oath the Steward of the said Court for the time being is hereby impowered and required to administer without Fee or Reward, and the same may be taken in Writing without any Stamp thereupon.

Sir B. Wrey may
app int a Wa-
ter Bailiff.

And whereas it is necessary for the better and more orderly Government of the said Port, that a Water Bailiff should be appointed, with Power to require all Ships and Vessels to ballast, anchor, and moor in a proper Manner, and regular Places, and that no Ballast be thrown into the said Harbour, to fill up and prejudice the same, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Sir Burchier Wrey, his Heirs, and Assigns, Lords of the said Manor, at the next Court to be held for the said Manor, after the Twenty fourth Day of June, One thousand seven hundred and thirty one, and so from time to time, as Occasion shall require, to appoint and choose a Water Bailiff for the Purposes aforesaid, and the Steward of the Court of the said Manor for the time being is hereby impowered from Time to Time to swear the said Water Bailiff so appointed, for executing the said Office justly and indifferently, without Partiality or Affection; which said Water Bailiff for the time being shall have Power to go on Board any Ship, Voy, Bark, or any other Vessel, to demand, collect, and receive the said Duties and Penalties, by this Act due and payable, and for Nonpayment thereof to take and distrain every such Ship or Vessel, and all her Tackle, Apparel, and Furniture, and the same to detain and keep, until the said Sum and Sums of Money shall be duly satisfied and paid; and in case of any Neglect or Delay in Payment of any of the said Duties or Penalties, for Ten Days after any Distress or Distresses so taken as aforesaid, That then it shall and may be lawful to and for the said Water Bailiff for the time being, or other Receiver of the said Duties and Penalties, to sell the said Distress or Distresses so taken, and therewith to satisfy him or themselves, as well for and concerning the Duties and Penalties so neglected, or delayed to be paid, as also for his or their reasonable Costs and Charges in or about the same, rendering the Overplus, if any there be, to the Person or Persons, from whom such Distress or Distresses shall be taken.

Provided always, and be it declared, That nothing in this Act shall extend, or be construed to extend, to take away, or diminish any of the ancient Rights, Privileges, or Immunities, which the Freemen and Burgeses of Bridgewater have always enjoyed, by Virtue of a Charter granted to them by King John, and confirmed by several other of His Majesty's Royal Predecessors.

Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, diminish, or in any wise lessen the ancient Acknowledgments, Rights, or Properties of the said Sir Burchier Wrey, his Heirs, or Assigns, as Lords of the said Manor.

And be it enacted by the Authority aforesaid, That if any Suit or Action shall be brought or prosecuted against any Person or Persons, for any Thing done, or to be done in Pursuance of this Act, or in relation to the Premises, every such Action or Suit shall be commenced within Forty Days after the Fact committed, and not afterwards, and shall be laid or brought in the County of Devon, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in pursuance, and by Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the time before limited for bringing the same, or shall be brought in any other County or Place, then the Jury shall find for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have treble Costs, and shall have such Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Freemen of
Bridgewater,

and Sir B. Wrey
not to be pre-
judiced.

General Issue.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

F I N I S.

Anno Regni

GEORGE II.
REGIS

Magna Britannia, Francia, & Hibernia,

QUARTO.

At the Parliament begun and holden at *Westminster*,
the Twenty third Day of *January*, Anno Dom. 1727.
in the First Year of the Reign of our Sovereign
Lord GEORGE II. by the Grace of God, of
Great Britain, France, and Ireland, King, Defender
of the Faith, &c.

And from thence continued by several Prorogations to the Twenty first Day
of *January*, 1730. being the fourth Session of this present Parliament.



LONDON,

Printed by the Assigns of His Majesty's Printer, and
of *Henry Hills* deceas'd. 1731.