ANNO UNDECIMO

Georgii III. Regis.

CAP. LII.

An Act for repairing, amending, and ſupporting the ſeveral Harbours and Sea Ports in the *Iſle of Man*.

Moſt Gracious Sovereign,

WHEREAS the Iſle of Man, from its Situation in the Middle of Saint George's Channel, affords a convenient Refuge for Ships, in caſe of ſudden and croſs Gales of Wind, which frequently happen in thoſe narrow Seas, and therefore the Preſervation of Your Majeſty's Ships, and the Intereſt of Trade and Navigation in general, require Preamble.

require that the several Sea Ports and Harbours thereof, now vested in Your Majesty, should be maintained and supported in proper Condition and Repair: And whereas the Duties formerly imposed for this Purpose by the Statutes of the said Island, arose almost entirely from the Contraband Trade carried on there, which being totally suppressed since the Purchase thereof by Your Majesty, the Fund for maintaining the Harbours has failed, and they are become ruinous, and likely to fall entirely to Decay, unless some other Funds are provided: Now therefore, we, Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, do most humbly beseech 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 all Sums of Money that have been raised, levied, collected, or paid, by virtue of all or any the Statutes of the said Island, for or on account of the Harbours therein, at any Time or Times from and after the Seventeenth Day of May; in the Year One thousand seven hundred and sixty-five, (at which Time the said Island became vested in his Majesty), until the Fifth Day of July, in the Year One thousand seven hundred and seventy-one, and which have or shall have been paid into the Hands of His Majesty's Receiver-general of the said Island, or his Deputy, shall be by him or them, or under his or their Direction, immediately laid out or employed for or towards the Repairs of the several Harbours in the said Island; and the said Receiver-general or his Deputy shall forthwith transmit an Account of such Disposal of the Money to the Commissioners of the Treasury, or the High Treasurer for the Time being.

All Sums levied by virtue of the Statutes of the Island, on account of the Harbour therein, after *May* 17, 1765, to be employed towards the Repairs of the Harbours in the Island.

And be it further enacted by the Authority aforesaid, That, from and after the said Fifth Day of July, in the Year One thousand seven hundred and seventy-one, all and every the several and respective Dues, Rates, Duties, and Impositions, granted or payable by virtue of all or any the said Statutes of the said Islands, for or on account of the Harbours therein, shall cease, determine, and be no longer due or payable; any Thing therein contained,

After *July* 5, 1771, all Rates and Duties payable by virtue of the Statutes of the Island, on Account of the Harbours, shall determine.

or any other Law, Statute, Ordinance, Custom, Prescription, or Provision, to the Contrary notwithstanding: And instead and in lieu thereof, there shall be raised, levied, collected, and paid, for the Purposes intended by this present Act, of amending, repairing, keeping in Repair, and supporting the several Harbours of the said Island, the several and respective Rates, Duties, and Impositions following, upon all Ships and Vessels whatsoever, (His Majesty's Ships and Vessels, and others employed in his Majesty's Service, only excepted), which shall arrive in any of the Harbours and Bays thereof, and for and upon all Goods and Merchandises hereinafter mentioned, imported or exported to or from the said Isle of Man; (that is to say)

In lieu whereof the Rates following to be paid by all Ships, His Majesty's excepted.

For every British Ship, not laden, arriving in any Harbour, 1 *d.* 2 *q.* *per* Ton.

For every Ship or Vessel belonging to any of his Majesty's Subjects, which shall arrive or put in to any of the Harbours in the said Island, not being laden, or in Balast only, One Penny Halfpenny per Ton.

For every Ship laden, 2 *d.* *per* Ton.

For all such Ships and Vessels being laden, or having any Cargo on Board, whether they shall break Bulk or deliver any Part of their Cargo or not, Two-pence per Ton.

For every Ship to be repaired, the additional Sum of 1 *d.* *per* Ton.

For every Ship and Vessel which shall be repaired in any of the said Harbours, the additional Sum of One Penny per Ton, over and above the Rates aforesaid.

For every foreign Ship, laden or in Balast, 2 *d.* *per* Ton.

For every Foreign Ship and Vessel which shall arrive or put into any of the said Harbours, not being laden, or in Balast only, Two-pence per Ton.

Every foreign Vessel, without breaking Bulk, 3 *d.* *per* Ton.

For every Foreign Ship and Vessel which shall arrive or put into any of the said Harbours, without breaking Bulk or delivering any Part of their Cargoes, Three-pence per Ton.

Foreign Ships, which shall break Bulk, the additional Sum of 2 *d.* *per* Ton.

For all such Foreign Ships and Vessels which shall break Bulk and deliver any Part of their Cargo, the additional Sum of Two-pence per Ton, over and above the Rate aforesaid.

For all foreign Ships, the additional Sum of 2 *d.* *per* Ton.

For all such Foreign Ships and Vessels as shall repair in any of the said Harbours, the additional Sum of Two-pence per Ton, over and above the Rates aforesaid.

For foreign Vessels anchoring in any Bays 2 *s.* 6 *d.* each.

For all Foreign Ships and Vessels anchoring in any of the Bays of the said Island, the Sum of Two Shillings and Sixpence for each Ship or Vessel.

Rates to be levied over those granted by Act 7° *Geo.* III.

And be it further enacted by the Authority aforesaid, That there shall be raised, levied, collected, and paid, for the Purposes aforesaid, (over and above all Customs, Rates, and Duties, chargeable upon the same Commodities respectively, by any other Act or Acts of Parliament now in Force), the several and respective Rates and Duties following, for and upon Goods and Merchandises imported into the said Isle of Man, by virtue of any Licence granted, according to an Act made in the Seventh Year of the Reign of His present Majesty, intituled, An Act for encouraging and regulating the Trade and Manufactures of the *Isle of Man*, and for the more easy Supply of the Inhabitants there with a certain Quantity of Wheat, Barley, Oats, Meal, and Flour, authorised by an Act made in this Session to be transported to the said Island; that is to say,

2 *s.* 6 *d. per* Ton on all Spirits imported.

For and upon all Spirits imported into the said Island, Two Shillings and Sixpence per Ton.

1 *s.* 6 *d. per* Hhd. on Tobacco.

For and upon all Tobacco, One Shilling and Sixpence per Hogshead.

2 *s. per* Cwt. on Teas.

For and upon all Teas, Two Shillings per Hundred Weight.

1 *s. per* Cwt. on Coffee.

For and upon all Coffee, One Shilling per Hundred Weight.

2 *s.* 6 *d. per* Ton on Wine.

For and upon all Wines, Two Shillings and Sixpence per Ton.

On foreign Goods, 10 *s. per Cent.*

For and upon all Foreign Goods, (Wines, Spirits, and Salt, excepted), Ten Shillings per Centum ad Valorem.

Upon *British* and *Irish* Goods, 5 *s. per Cent.*

For and upon all other Goods imported from Great Britain or Ireland, (licensed Goods and Salt for the Fisheries excepted), above the Value of Five Pounds, the Sum of Five Shillings per Centum ad Valorem.

Bounties payable by 7° *Geo.* III.

And whereas by the said last-recited Act, made in the Seventh Year of the Reign of His present Majesty, the several and respective Bounties or Sums of Money therein mentioned, were directed to be paid for the Boats employed

in the Herring Fishery upon the Coasts of the said Island, and to the Manufacturers of Linen Cloth there, by His Majesty's Receiver-general in the said Isle of Man, or his Deputy, out of the Duties of Ten Shillings payable to His Majesty in the said Isle, for and upon every Boat or other Vessel employed in the said Herring Fishery, and out of the Money arising to His Majesty from the several Bay Fisheries of the said Islands: And whereas scarcely more than One-tenth Part of the Fishermen of the said Island have complied with the Terms under which the said Bounties were granted, nor have they produced any Advantage to the Manufactures of the said Island, so that the same have proved of no Effect; be it therefore enacted by the Authority aforesaid, That from and after the passing of this present Act, all the said several and respective Bounties shall wholly cease, determine, and be no longer paid to any of the Persons, in the said last-recited Act mentioned, (save and except the several and respective Bounties, or Sums of Money thereby directed, to be allowed and paid to the Admiral, and to the Vice-admiral of the said Herring Fishery, for each Season, and to the Water Bailiff of the said Island, or his Deputy for their Superintendance and Inspection thereof); and that the said Duties of Ten Shillings, payable to His Majesty in the said Isle, for and upon every Boat or other Vessel employed in the said Herring Fishery, and also all the Money arising to His Majesty from the several Bay Fisheries of the said Island, after Allowance made of the said last-mentioned Bounties, and of the usual and necessary Charges attending the levying and collecting the said Monies, shall be applied by His Majesty's Receiver-general in the Isle of Man, or his Deputy, to the Repair and Support of the said Harbours, according to the true Intent and Meaning of this Act, and to no other Use or Purpose; any Thing in the said last-recited Act to the Contrary notwithstanding.

to determine, except those allowed to the Admiral, and Water Bailiff.

How the Monies arising from the Bay Fisheries, &c. are to be applied.

And, for the better collecting and disposing the several Sums of Money, and Duties hereby made payable, and regulating the Repairs and Support of the said Harbours; be it enacted by the Authority aforesaid, That the Persons herein-after named for that Purpose, shall be, and are hereby nominated and appointed Commissioners, and authorised, from

Commissioners how to be elected.

from Time to Time, to put this Act in Execution; that is to say, his Majesty's Receiver-general in the Isle of Man, his Deputy, the Collector, Comptroller, and Searcher of the Port of Douglas, the Deputy, Water Bailiffs, of each of the other Ports of Derby, Haven, Peel, and Ramsay respectively, for the Time being, together with Four creditable and substantial Merchants; that is to say, One for and belonging to each of the Four principal Ports of the said Isle before mentioned, to be elected by the Officers aforesaid, or the major Part of them, which said Merchants, so elected, shall also be Commissioners for the Purposes aforesaid, for and during the Term of Three Years, to be computed from the respective Times of their Election; and on the Expiration of the said Term, or on the Death or Resignation of any of them, the rest of the said Commissioners, or the major Part of them, shall, from Time to Time, upon the First Monday in the Month of October, in each Year, elect another fit Merchant or Merchants, of or belonging to the said Ports respectively, in his or their Stead, to continue in like Manner, in such Office or Trust, and to have like Power and Authority as the Person in whose Stead he was so elected, for and during the Term of Three Years respectively from such Election.

Commissioners to make Bye laws and Regulations.

Which said Commissioners, or the major Part of them, (of whom his Majesty's Receiver-general in the Isle of Man, or his Deputy for the Time being, shall always be One), shall have full Power and Authority, and are hereby impowered and authorised to make such Bye-laws, Orders, and Regulations, from Time to Time, to bind all Ships and Vessels, arriving at or coming into any of the Harbours in the said Isle, and all Masters, or other Persons, having the Rule, Management, or Command, of such Ships or Vessels, and to annex such reasonable Penalties as the said Commissioners, in their Discretion, shall think fit, so as such Bye-laws, Orders, and Regulations, be made agreeable to the true Intent and Meaning of this Act, and be for the better putting in Execution, and effecting the Purposes thereof; and also for the better regulating Ships or Vessels, with respect to their lying, mooring, or ballasting, in the said Harbours, and for preventing the throwing any Sorts of Rubbish therein, or doing any Annoyance

to the ſame, and ſo as they do not contain any Thing repugnant to the Laws of this Realm.

Commiſſioners to contract with Workmen, for repairing the Harbours.

And it ſhall and may be lawful for the ſaid Commiſſioners, or the major Part of them, (of whom His Majeſty's Receiver-general in the Iſle of Man, or his Deputy for the Time being, ſhall always be One), from Time to Time, to contract and agree with any Workmen, Artificers, Maſons, or other Perſons, bona fide, for the making and doing all or any Part of the Works neceſſary for the maintaining, repairing, cleanſing, enlarging, or improving, all or any of the ſaid Harbours, or for Timber, Stones, and other Materials, neceſſary for the Purpoſes of this Act, or for making any additional Works, or any Land Marks, Sea Marks, or other Directions, they ſhall judge to be requiſite for the greater Safety of Ships coming into any of the ſaid Harbours.

Receiver-general to appoint a Perſon at each Port to collect Harbour Duties;

And be it further enacted by the Authority aforeſaid, That His Majeſty's Receiver-general of the Iſle of Man, be, and is hereby impowered to appoint One Perſon at each of the Ports of Douglas, Derby, Haven, Peel, and Ramſay, in the ſaid Iſland, to collect the Harbour Duties at the ſaid Ports; and that they the ſaid Collectors reſpectively for the Time being, ſhall have full Power and Authority, and are hereby impowered and authoriſed to receive, levy, and collect the ſeveral Sums of Money and Duties herein before mentioned, and, for their Trouble and Expences therein, to retain and deduct the Sum of Five Pounds per Centum out of all the ſaid Monies ſo collected.

and other Duties.

and deduct 5*l.* *per Cent.* out of the ſaid Monies.

Collectors to go on Board Ships, and demand the Duties.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for each of the Collectors aforeſaid, to go on Board any Ship or Veſſel liable to the Payment of any of the Duties by this Act impoſed, to demand, collect, and receive the ſame, and to take the Dimenſions of every ſuch Ship or Veſſel according to the Rules of Admeaſurement, laid down and ſettled by an Act paſſed in the Sixth Year of the Reign of His Majeſty King George the Firſt, intituled, An Act for preventing Frauds and Abuſes in the publick Revenues of Exciſe, Cuſtoms, Stamp-duties, Poſt-office, and Houſe-money, and according to which Rules the ſeveral Duties of Tonnage ſhall be computed and collected, and not otherwiſe; and for Non-

For Nonpayment of Duties, may distrain Tackle, till Payment is made.

payment thereof, or of any Sum or Sums of Money due, or of any of the Penalties imposed by the Commissioners as aforesaid, for Refusal to give leave to such Officer to go on Board, or to take the Dimensions of such Ship or Vessel, or for any other Offences committed against this present Act, it shall and may be lawful to and for such Collector or Officer to take and distrain any Part of the Tackle, Apparel, and Furniture, belonging to such Ship or Vessel, and the same to detain and keep until he or they be satisfied, and paid such Sum or Sums of Money as aforesaid, and every of them; and in case of any Neglect or Delay in Payment of any the Sums of Money, or Duties incurred as aforesaid, for the Space of Two Days after any Distress or Distresses so taken as aforesaid, that then it shall and may be lawful to and for such Collector or Officer, to cause the same to be appraised by Two or more sufficient Persons, to be from Time to Time appointed for that Purpose by any Two or more of the Commissioners aforesaid, and afterwards to sell the said Distress or Distresses so taken and appraised, or so much thereof as shall be sufficient to answer all Monies due, and all Charges arising thereon, and therewith to satisfy him or themselves, as well for and concerning the Sum or Sums, or Duty so neglected or delayed to be paid, and for which a Distress shall be so taken as aforesaid, as also for his or their reasonable Charge in the taking or keeping such Distress, rendering to the Master, or other Persons, having the Rule or Command of such Ship or Vessel in or from which such Distress shall be so taken, the Overplus, if any there be; provided that no such Distress shall be made until six Hours after Demand of such Sums of Money or Duties as aforesaid.

Two Days after Distress made, Collectors to cause the same to be appraised.

All Sums to be applied towards repairing the Harbours.

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money which shall be raised, levied, collected, and received by the Duties aforesaid, and for any the Forfeitures or Penalties to be recovered by virtue of this Act, other than so much thereof as shall be laid out and allowed to the Collector or other necessary Officer for the collecting and managing the said Duty, and for the necessary Charges of recovering the same, shall be, by the said Commissioners, or the major Part of them, of whom His Majesty's Receiver-general in the Isle

Isle of Man, or his Deputy for the Time being, shall always be one, applied and disposed of to and for the repairing, securing, preserving, and maintaining the said Harbours, according to the true Intent and Meaning of this Act, and to no other Use, Intent, or Purpose whatsoever, save and except as herein-after is excepted; and every Person appointed or employed to collect and receive any Sums of Money, or Duties aforesaid, shall, within Six Days after each of the Four usual quarterly Feasts in the Year, pay into the Hands of His Majesty's said Receiver-general, or his Deputy, all Sums of Money by him or them levied, collected, or received, and at the same Time deliver a full and particular Account thereof in Writing, upon the Oath of such Collector or Receiver, before Two of the Commissioners aforesaid, which Oath the said Commissioners are hereby authorised and impowered to administer: And there shall, from Time to Time, be provided and kept by the said Commissioners, One or more Book or Books, in which all Monies to be received by virtue of this Act, and all Payments out of the same shall, from Time to Time, be fairly set down and entered, expressing severally the Time when, and the Name of the Person or Persons from or to whom the same was so received or paid, and for what Use or Purpose such Payment was made; and such Books shall be kept for the Purpose aforesaid at the Custom-house of the Port of Douglas, for the Inspection of all or any of the said Commissioners, at all Times during the usual Office-hours: And all and every Person and Persons appointed to collect or receive any the said Sums of Money or Duties, who shall neglect or refuse to pay the Money so by him or them received, or to render an Account according to the Directions of the present Act, shall forfeit and pay the Sum of Ten Pounds for every such Offence; and it shall and may be lawful to and for the said Commissioners, or any Two of them, forthwith to levy the same by Distress and Sale of such Offenders Goods and Chattels, returning to the Party the Overplus (if any there be), after deducting all reasonable Expences attending such Distress or Distresses; which said Penalty shall, from Time to Time, be applied to the repairing and maintaining the said Harbours, as herein before directed.

Collectors, within Six Days after each of the four usual quarterly Feasts, to pay all Sums levied to the Receiver-general.

Books to be kept by Commissioners for entering Sums received.

Collectors refusing to pay Money received, or to render an Account, to forfeit, 10 *l.*

to be levied by Distress and Sale;

and applied to repairing the Harbours.

And

After Certification by the Commissioners that the Harbours are put into repair,

And whereas, at the Time the Property of the Isle of Man became vested in His Majesty, several Sums of Money had been borrowed upon Bonds, given by the Supervisors of the Sea Ports and Harbours therein, for defraying the Expences of repairing and amending the same, in pursuance of the Powers to them given by the Statutes of the said Island: And whereas some Part of the said Debts so contracted yet remains undischarged, be it therefore enacted by the Authority aforesaid, That after it has been certified by the said Commissioners, or the major Part of them (whereof His Majesty's Receiver-general of the Isle of Man, or his Deputy, shall be One), That the said Sea Ports and Harbours have been put into

1000 *l.* to be paid out of the Surplus of Duties arising by this Act.

sufficient and good Repair; it shall and may be lawful for the said Commissioners, by and with the Consent and Approbation of the Commissioners of the Treasury, or the High Treasurer for the Time being, to pay out of the Surplus of the Duties arising and collected by virtue of this Act, a Sum or Sums of Money not exceeding One thousand Pounds, in discharge of the principal Money due upon the Bonds given by the said Supervisors as aforesaid; which said Bonds shall appear to the said Commissioners to be bona fide due, and to have been approved and consented to at the Time they were given by the several Persons authorised by the Statutes of that Island to give such Consent and Approbation.

Proprietors of Bonds not intitled to Interest.

Provided always, That nothing herein contained shall extend, or be construed to extend, to intitle the Proprietors of the said Bonds to the Receipt of any Interest now due, or hereafter to arise and become due thereupon, out of the Surplus of the said Duties.

On *Oct.* 10, annually Receiver general to present to the Commissioners a full Account of all Receipts and Disbursements.

And be it further enacted by the Authority aforesaid, That on the Tenth Day of October, in every Year, the said Receiver-general shall draw up, or cause to be drawn up, and shall present to the said Commissioners, a full Account of all the Receipts and Disbursements of and for each particular Port and Harbour in the said Island, and also a particular Account of the true State and Condition of the same respectively, and of the several Piers and Works thereto belonging; which said Account the said Commissioners, or Three of them at the least, shall

sign and transmit, with such Observations thereon as they shall judge to be necessary, to the Commissioners of the Treasury, or the High Treasurer for the Time being; and it shall and may be lawful for such Receiver-general, for his Trouble and Expence in the Execution of this Act, and for providing a Person to inspect and superintend the said Ports and Harbours, to charge in his Accounts, and the said Receiver-general shall be allowed thereupon any Sum not exceeding the Sum of Thirty Pounds in any One Year, out of the several Sums so levied and collected as aforesaid.

Receiver general to be allowed annually not exceeding 30 *l.*

And be it further enacted by the Authority aforesaid, That the aforesaid Commissioners, the said Receiver-general, and all other Officers whatsoever, employed by virtue of this Act, in collecting, receiving, or disbursing any Sum or Sums of Money, for the repairing or maintaining the said Harbours, or in superintending or surveying the same, shall respectively take an Oath previous to their intermeddling with any such Office or Employment, for the due and faithful Execution and Discharge thereof, according to the Powers vested in them by virtue of this Act, before any One or more of the Deemsters, or Civil Magistrates of the said Island, who is and are hereby authorised and required to administer the same without Fee or Reward.

All Officers, &c. to take an Oath previous to their intermeddling with their Offices.

And it is hereby further enacted by the Authority aforesaid, That all Sums of Money which shall be paid, incurred, or recovered, in pursuance of this Act, shall be deemed and are hereby declared to be Sterling Money of Great Britain, and shall be paid, collected, and recovered, to the Amount of the Value which such nominal Sums bear in Great Britain.

All Sums to be paid, incurred, or recovered, to be Sterling Money.

And be it further enacted by the Authority aforesaid, That all Actions, Suits, or Informations, which shall or may be brought or commenced, for the Recovery of any Forfeitures and Penalties incurred by virtue of this present Act, or for any other Matter or Thing relating to the Execution thereof, shall be brought, prosecuted, tried, heard, and determined in the Court of His Majesty's Water Bailiff of the said Island, according to the accus-

All Actions commenced for Recovery of Penalties to be tried by the Water Bailiff.

tomed Course of that Court; and in case either of the Parties conceive themselves to be aggrieved, it shall and may be lawful for such Person to appeal in the usual Manner to the Court of Chancery of the said Island.

FINIS.