ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. XLII.

An Act for enlarging the Term and Powers of Three ſeveral Acts, made in the Sixth Year of the Reign of His Majeſty King *George* the Firſt, in the Seventh Year of the Reign of His late Majeſty, and in the Ninth Year of the Reign of His preſent Majeſty, for laying a Duty of Two Pennies *Scots*, or One Sixth Part of a Penny Sterling, upon every Pint of Ale or Beer, vended or ſold within the Town of *Montroſe* and Privileges thereof, for ſupplying the ſaid Town with Freſh Water, and for other Purpoſes therein mentioned.

[28th *April* 1795.]

WHEREAS by an Act, made in the Sixth Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for laying a Duty of Two Pennies* Scots, *or One Sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that ſhall be vended or ſold within the Town of* Montroſe *and Privileges thereof, for ſupplying the ſaid Town with Freſh Water, and for other Purpoſes therein mentioned*; it was enacted, That, from and after the Twenty-fourth Day of *June* One thouſand Preamble. 6 *Geo.* I, Cap. 7.

thouſand ſeven hundred and twenty, for the Term of Twenty-five Years, and to the End of the then next Seſſion of Parliament, there ſhould be laid on an Impoſition or Duty of Two Pennies *Scots*, or the Sixth Part of a Penny Sterling, over and above the Duty of Exciſe paid or payable to His Majeſty, His Heirs and Succeſſors, upon every *Scots* Pint of Ale or Beer that ſhould be for Sale, either brewed, brought in, or vended, tapped, or ſold, within the ſaid Town and Privileges thereof, and ſhould be paid by the Brewers, Vintners, Sellers, and Tapſters, of ſuch Ale and Beer, during the ſaid Term, to the Magiſtrates and Town Council of the ſaid Town of *Montroſe*, and their Succeſſors in Office for the Time being, and to their Collectors and Aſſigns, for ſupplying the Town with good Freſh Water, for the Improvement and Preſervation of the Harbour thereunto belonging, and for building a convenient Dock there, and for maintaining and preſerving other Publick Works for the Benefit of the ſaid Town, and for paying off and diſcharging the Publick Debts thereof; which ſaid Duty was to be levied, collected, and applied, in ſuch Manner, and ſubject to ſuch Directions, as in and by the ſaid Act are particularly mentioned and deſcribed: And whereas by an Act, made in the Seventh Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for enlarging the Term and Powers granted by an Act, paſſed in the Sixth Year of the Reign of His late Majeſty King* George *the Firſt, intituled,* '*An Act for laying a Duty of Two Pennies* Scots, *or One Sixth Part of a* '*Penny Sterling, upon every Pint of Ale or Beer that ſhall be vended or* '*ſold within the Town of* Montroſe *and Privileges thereof, for ſupplying the* '*ſaid Town with Freſh Water, and for other Purpoſes therein mentioned*;' it was enacted, That, for laying, raiſing, collecting, receiving, ſecuring, recovering, levying, managing, diſpoſing of, and borrowing of Money, upon the ſaid Impoſition and Duty, and accounting for the ſame, the ſaid in Part above recited Act, paſſed in the Sixth Year of the Reign of His Majeſty King *George* the Firſt, and all the Clauſes, Powers, Authorities, Articles, Rules, Proviſions, Directions, Penalties, and Forfeitures, and all other Matters and Things in the ſaid Act contained, ſhould be, and continue in full force, and be executed, for and during the further Term of Twenty-five Years, and from thence to the End of the then next Seſſion of Parliament; which ſaid additional Term of Twenty-five Years ſhould commence and be computed from the Expiration of the Term granted by the ſaid former Act, for the Intents and Purpoſes in the ſaid former Act, and the Act now reciting, mentioned and declared; and all the Powers and Authorities given by the ſaid Firſt Act were therein renewed and confirmed, and declared to be in force, and to be executed as well for building and maintaining a Pier on the Eaſt Side of the Harbour of the ſaid Town, and for amending, cleaning, and repairing, the Publick Streets thereof, and for keeping the ſame clean and repaired, as for the ſeveral Intents and Purpoſes in and by the ſaid former Act mentioned and declared: And whereas by an Act, made in the Ninth Year of the Reign of His preſent Majeſty, intituled, *An Act for continuing Two Acts, made in the Sixth Year of King* George *the Firſt, and in the Seventh Year of His late Majeſty,* '*for laying a Duty* '*of Two Pennies* Scots, *or One Sixth Part of a Penny Sterling, upon every* '*Pint of Ale or Beer, that ſhall be vended or ſold within the Town of* 'Montroſe *and Privileges thereof, for ſupplying the ſaid Town with Freſh* '*Water, and for other Purpoſes therein mentioned*;' it was enacted, That,

7 Geo. II, Cap. 5,

and 9 Geo. III, Cap 57, recited.

for laying, raiſing, collecting, receiving, ſecuring, recovering, levying, managing, diſpoſing of, and borrowing of Money, upon the ſaid Impoſition and Duty, and accounting for the ſame, the ſaid in Part before recited Acts, paſſed in the Sixth Year of His Majeſty King *George* the Firſt, and the Seventh Year of the Reign of His late Majeſty, and all the Clauſes, Powers, Authorities, Articles, Rules, Proviſions, Directions, Penalties, and Forfeitures, and all other Matters and Things in the ſaid Acts contained, ſhould be and continue in full force, and be executed for and during the further Term of Twenty-five Years, and from thence to the End of the then next Seſſion of Parliament; which ſaid additional Term of Twenty-five Years ſhould commence and be computed from the Expiration of the Term granted by the ſaid former Acts, for the Intents and Purpoſes in the ſaid former Acts and the Act now reciting mentioned and declared; and all the Powers and Authorities given by the ſaid former Acts were renewed and confirmed, and declared to be in force and to be executed, as well for building and maintaining a Pier on the Eaſt Side of the Harbour of the ſaid Town, and for amending, cleanſing, and repairing, the Publick Streets thereof, and for keeping the ſame clean and repaired, as for the ſeveral Intents and Purpoſes in and by the ſaid former Acts mentioned and declared: And whereas the Publick Works in the ſaid Three former and this preſent Act mentioned, cannot be effectually done, maintained, and preſerved, and the Publick Debts of the ſaid Town paid off and diſcharged, unleſs the Terms and Powers granted in and by the ſaid Three former Acts above recited be further enlarged: 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, for laying, raiſing, collecting, receiving, ſecuring, recovering, levying, managing, diſpoſing of, and borrowing of Money, upon the ſaid Impoſition and Duty, and accounting for the ſame, the Act firſt above recited, paſſed in the Sixth Year of His Majeſty King *George* the Firſt, and alſo the Act paſſed in the Seventh Year of the Reign of His late Majeſty King *George* the Second, and alſo the ſaid Act paſſed in the Ninth Year of His preſent Majeſty's Reign, and all the Clauſes, Powers, Authorities, Articles, Rules, Proviſions, Directions, Penalties, and Forfeitures, and all other Matters and Things in the ſaid Three Acts contained, ſhall be and continue in full force, and be executed for and during the further Term of Twenty-one Years, and from thenceforth to the End of the then next Seſſion of Parliament; which ſaid additional Term of Twenty-one Years ſhall commence and be computed from the Expiration of the Term granted by the ſaid Act laſt above recited, paſſed in the Ninth Year of the Reign of His preſent Majeſty, for the Intents, Uſes, and Purpoſes, of ſupplying the ſaid Town of *Montroſe* with good Freſh Water, for the Improvement and Preſervation of the Harbour thereunto belonging, and for building and maintaining a Pier on the Eaſt Side of the Harbour of the ſaid Town, and for building a convenient Dock there, and for amending, repairing, and cleanſing, the Publick Streets thereof, and for keeping the ſame clean and in Repair, and for maintaining and preſerving other Publick Works for the Benefit of the ſaid Town, and for paying off and diſcharging the Publick Debts thereof, and for the whole other Intents and Purpoſes as in and by the ſaid Three former Acts above recited are mentioned and declared,

Powers of recited Acts continued for 21 Years from the Expiration of the Term granted by the laſt.

clared, in as full and ample Manner as if the ſaid Three Acts were *verbatim* inſerted, repeated, and re-enacted, in the Body of this preſent Act, and all the Authorities and Powers by the ſaid Three former Acts granted and hereby continued, ſhall, from and after the paſſing of this Act, be in full force, and be executed for the Intents, Uſes, and Purpoſes, as in and by the ſaid Three former and this preſent Act are mentioned and declared.

Duty leviable on Ale and Beer imported into the Town although not ſold by a Brewer or Dealer.

II. And be it enacted, That the ſaid Duty ſhall be conſtrued to extend to and be leviable in reſpect of all Ale and Beer brought or imported into the ſaid Town and Privileges thereof, which has not previouſly been charged with the ſaid Duty, although the ſame be not ſold by the Brewer or Dealer, or purchaſed from a Brewer or Dealer within the ſaid Town and Privileges thereof, the Duty in ſuch Caſe being payable by the Importer or Conſumer.

Overſeers.

III. And be it enacted by the Authority aforeſaid, That Sir *David Carnegie* of *Southeſk* Baronet, *John Erſkine* of *Dun*, *George Carnegie* of *Pittarrow*, *Archibald Scott* of *Ulyſſeshaven*, *George Foulerton* of *Kinnaber*, *Robert Stephen* of *Letham*, *David Scott* of *Dunninald*, *Robert Scott* of *Logie*, *Hercules Roſs* of *Roſſie*, *John Duncan* of *Roſebank*, *David Carnegy* of *Craigo*, and *William John Erſkine* younger of *Dun*, ſhall be, and they are hereby appointed Overſeers during the Remainder of the Term in the Act paſſed in the Ninth Year of the Reign of His Majeſty above recited, and alſo during the Continuance of this Act, and are hereby authorized and empowered to act, to all Intents and Purpoſes, in the ſame Manner and with the ſame Powers as are given to the Overſeers by the Three former Acts above recited; and if any of the ſaid Overſeers ſhall happen to die or refuſe to act, it ſhall and may be lawful to and for any Five or more of them, by any Writing under their Hands and Seals, to elect, nominate, and appoint, a fit Perſon or Perſons to ſupply the Place or Places of ſuch of them as ſhall die, remove, or refuſe to act; and all and every Perſon or Perſons ſo to be elected and appointed Overſeer or Overſeers ſhall be, and he and they are hereby empowered to act and to do, to all Intents and Purpoſes, in as full, large, and ample Manner, as if he and they had been nominated and appointed by this preſent Act.

Vacancies to be filled up.

Three Overſeers to be a Quorum.

IV. And be it further enacted and declared, That any Three of the Overſeers above named, or of thoſe that ſhall be elected in Manner above ſpecified, ſhall, and are hereby declared to be a ſufficient legal Number or Quorum, to act and do as Overſeers, to all Intents, Uſes, and Purpoſes, by this and the Three former Acts mentioned and declared, in like Manner as if any greater Number, or the whole of the ſaid Overſeers were preſent.

Publick Act.

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

FINIS.