Anno ſeptimo

Georgii III. Regis.

CAP. LII.

An Act for erecting a proper and convenient Pier at the Port of *Saint Ives* in the County of *Cornwall*, for the better Protection of Ships and Veſſels reſorting to the ſaid Port.

WHEREAS the Port of Saint Ives, in the County of Cornwall, is ſituated upon the North of Saint George's Channel, about Twelve Miles within the Land's End of England, and diſtant about Twenty eight Leagues from any Harbour of Safety in thoſe Seas: And whereas by erecting a proper Pier, the ſaid Port of Saint Ives would be rendered a ſafe and commodious Harbour, become eaſy of Acceſs, and afford great Protection to the Lives and Properties of many of His Majeſty's Subjects, and others, at preſent frequently expoſed to Loſs and Hazard through the Want Preamble.

of such a Resort: And whereas the said Design may be carried into complete Execution, by the Aid of a small Tonage or Duty to be laid on all Ships or Vessels likely to partake of the Advantage resulting from so good a Work; and, beyond the aforesaid salutary Ends, the Trade and Commerce in general, carried on to and from His Majesty's Dominions, will be thereby greatly promoted and advanced; May it 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 Justices of the Peace for the County of Cornwall, and for the Borough of Saint Ives, for the time being, shall be, and they are hereby constituted and appointed Trustees, for enlarging, improving, maintaining, and preserving, the said Port and Harbour of Saint Ives, by erecting and building a new Pier or Piers, or such other Works, in such Manner, as to them, or any Five or more of them, at their General Meeting assembled, shall seem most proper, and for putting in Execution all other the Powers in and by this Act given and granted, according to the Method herein after prescribed; and it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order and direct all Matters and Things, and to cause the same to be done, from time to time, which shall be necessary for the enlarging, improving, maintaining, and preserving, the said Port and Harbour, according to the true Intent and Meaning of this Act.

Trustees.

First Meeting of Trustees.

And be it further enacted, That the First Meeting of the said Trustees shall be on the Twenty fourth Day of July, One thousand seven hundred and sixty seven, at the House of Master Nathaniel Hicks, within the said Borough of Saint Ives; and that it shall and may be lawful for the said Trustees, or any Five or more of them, to meet and assemble, from time to time, as they find proper, at such Place or Places as they shall judge most convenient, within the said Borough of Saint Ives, for carrying on and effecting the Purposes of this Act.

Trustees to remove Obstructions.

And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, and their Agents and Officers, from time to time, by their Orders and Directions, to take away or remove any Obstruction that may be necessary to be taken away or removed, for the enlarging, improving, and main-

maintaining, the ſaid Port and Harbour of Saint Ives, or for the better attaining the Purpoſes of this Act, making Satisfaction to the reſpective Owner or Owners of the Premiſſes, in ſuch Manner as is herein after-mentioned.

Truſtees to agree with Workmen for building a Pier at the Harbour of *St. Ives*.

And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees appointed by this Act, or any Five or more of them, to contract and agree with any Workmen, Artificers, or other Perſons whomſoever, bona fide, for the making and doing all and every or any Part of the Work or Buſineſs to be done in or about the erecting and building a Pier or Piers, and otherwiſe enlarging, finiſhing, and maintaining the ſaid Port and Harbour of Saint Ives; and alſo with any Perſon or Perſons for Timber, Stones, or other Materials, which ſhall be neceſſary to be uſed in or about the building of ſuch Pier or Piers, and the enlarging and maintaining of ſuch Port and Harbour as aforeſaid.

Truſtees may purchaſe Buildings, *&c.*

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall have full Power and Authority to agree with the Owner or Owners, Occupier or Occupiers, of all ſuch Buildings, Houſes, Grounds, or Eſtates, as they ſhall find neceſſary for them to be poſſeſſed of, or to be removed, or otherwiſe employed for the better Execution of the Purpoſes of this Act.

And whereas it may happen that ſome Perſon or Perſons, or Bodies Politick or Corporate, Feoffees in Truſt, Infants, Femes Covert, or others, diſabled by Law to grant or convey the Inheritance in Lands, may be ſeiſed of Lands and Tenements which may be neceſſary to be conveyed and made uſe of for the Purpoſes of this Act; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Bodies Politick or Corporate, whether Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or Truſtees whatſoever, for and on Behalf of any Infants, Femes Covert, or other Teſtuique Truſts, and for all and every other Perſon or Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees, or any Five or more of them, at their Publick Meeting or Meetings from time to time to be appointed for the Sale of, and to convey to the ſaid Truſtees or their Succeſſors, for ſuch valuable Conſideration as ſhall be bona fide agreed upon, ſuch Lands, Tenements, or Hereditaments, as ſhall be by the ſaid Truſtees, or any Five or more of them, adjudged

Bodies Politick, *&c.* may contract for the Sale of Lands.

judged neceſſary and convenient for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be bona fide made for the Purpoſes aforeſaid, ſhall be good and effectual in Law to all Intents and Purpoſes; any Law, Statute, Uſage, or other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding.

Feoffees, &c. indemnified.

And be it enacted, That all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons aforeſaid, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

The Damage and Recompence to be ſettled by a Jury.

And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times ſuſtain any Damage in his, her, or their Lands, Hereditaments, or Property, by the Execution of any of the Powers of this Act, by any Act, Neglect, or Default of the ſaid Truſtees, or of the Workmen employed therein, or otherwiſe; in every ſuch Caſe the ſaid Truſtees, or any Five or more of them, ſhall have full Power, from time to time, and at all Times, to ſettle and agree upon ſuch Recompence and Satisfaction to be made for the ſame to the Perſon or Perſons injured or aggrieved, as they ſhall judge fit and reaſonable, to be paid out of the Monies ariſing or to be raiſed in purſuance or by virtue of this Act: But if it ſhall happen that the Perſon or Perſons making Complaint of ſuch Loſſes or Damages, ſhall diſlike, or be diſſatisfied with ſuch Recompence and Satisfaction; in every ſuch Caſe, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby required and impowered, from time to time, upon Requeſt in Writing to be made or given to them, or any Five or more of them, by ſuch Perſon or Perſons injured or aggrieved as aforeſaid, to iſſue out their Warrant or Warrants under their Hands and Seals, to the Sheriff for the time being of the ſaid County of Cornwall, commanding ſuch Sheriff to impanel, ſummon, and return, and the ſaid Sheriff is hereby required accordingly to impanel, ſummon, and return, a Jury of Twenty four able and ſufficient Men qualified, according to the Laws and Statutes of this Realm, to be returned for Trials of Iſſues joined in His Majeſty's Courts at Weſtminſter, to appear before the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place, as in and by ſuch Warrant or Warrants ſhall be appointed; and alſo to return Iſſues upon every Perſon ſo impanelled and returned, the Sum of Forty

Sheriff may impanel a Jury.

4

ty Shillings, which ſhall be duly eſtreated and levied; and for Default of a ſufficient Number of Jurymen appearing, ſuch Sheriff, or his Deputy, ſhall return other honeſt and indifferent Men of the Standers by, or that can ſpeedily be procured to attend that Service, to make up the ſaid Jury to the Number of Twelve: And all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Truſtees, or any Five or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from time to time, as Occaſion ſhall require, to ſummon and call before them all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes, touching the Matters in Queſtion: And the ſaid Truſtees, or any Five or more of them, may authorize and order the ſaid Jury, or any Six or more of them, to view the Place or Places or Matter in Queſtion; which Jury, upon their Oaths, to be adminiſtered by the ſaid Truſtees (which Oaths, and alſo proper Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, as a Witneſs or Witneſſes, before the ſaid Truſtees, the ſaid Truſtees, or any Five or more of them, are hereby impowered to adminiſter) ſhall inquire how far the ſaid Truſtees, or their Agents or Servants, have any ways occaſioned ſuch Damage; and if any ſhall appear, ſuch Jury ſhall aſſeſs the Value of ſuch Damage; and the ſaid Truſtees, or any Five or more of them, ſhall pay to the Party or Parties ſo aggrieved or injured the Money ſo aſſeſſed: And in caſe the ſaid Truſtees, or any Five or more of them, ſhall not (being thereunto required) make ſuch Payment within Thirty Days after ſuch Requeſt made, the Perſon or Perſons aggrieved, or his, her, or their Agents, may appoint One or more Perſon or Perſons to collect and receive the Rates and Duties by this Act given, charged, and made payable, and thereout to pay the Damages which ſhall have been ſettled and aſſeſſed as aforeſaid; and the Money to be received and collected by ſuch Perſon or Perſons ſo appointed, ſhall be, and is hereby declared to be, as ſo much Money received to the Uſe of the Perſon or Perſons who hath or have ſuffered ſuch Damage, in Order and Courſe ſucceſſively, as ſuch Determination ſhall be in Priority of Time; and after ſuch Damage or Damages ſo ſettled and aſſeſſed, and the reaſonable Charges of ſuch Collection ſhall be paid and ſatisfied, the Power and Authority of the Perſon or Perſons ſo appointed

Juries may be challenged.

appointed Collector or Receiver, Collectors or Receivers, for the Purpoſes aforeſaid, ſhall ceaſe and determine.

Complaint to be made within 3 Months.

Provided always, That no Perſon or Perſons whomſoever ſhall be intitled to Satisfaction for any Damages, nor ſhall the ſaid Truſtees, or any of them, be obliged to take any Notice of any Application in relation thereto, unleſs the Complaint of ſuch Damages ſhall have been made within the Space of Three Calendar Months next after ſuch Damages ſhall have been ſuſtained.

Docks, &c. veſted in Truſtees;

And be it further enacted, That the Right and Property of all and every the Pier and Piers, and all other Works to be erected, made, or done, in purſuance of this Act; and alſo the Property of the Ground whereon ſuch Works ſhall be erected, as well as all ſuch Right and Property as now belongeth and appertaineth to the ſaid Port and Harbour of Saint Ives, ſubject and charged with the perpetual annual Payment of the Sum of Twenty five Pounds of lawful Money of Great Britain to the Corporation of Saint Ives aforeſaid, in Lieu and full Satisfaction of Quay Dues and Wharfage, and all other Dues, Duties, and Payments, now due, or of Right payable, to the ſaid Corporation, of, from, or out of, the Premiſſes, the Firſt Payment thereof to be made on the Second Day of February, which will be in the Year of our Lord One thouſand ſeven hundred and ſixty eight; provided that all ſuch Quay Dues and Wharfage, as are now due and payable, ſhall be taken by the Tenant or Farmer thereof until the Firſt Day of November, One thouſand ſeven hundred and ſixty ſeven; and ſubject to, and charged with, all and every the yearly and other Rents and Payments now charged upon, or iſſuing therefrom, or payable thereout, or on account thereof, to any Perſon or Perſons whomſoever; and ſave and except the Buſhelage and Anchorage within the ſaid Port and Harbour, belonging to his Grace the Duke of Bolton, and which is now held by Nathaniel Hicks, as Leſſee thereof, for a Term of Ninety nine Years, determinable on Three Lives, and all other Rights and Privileges of the ſaid Duke of Bolton, ſhall be veſted in the ſaid Truſtees, and their Succeſſors; and they, or any Five or more of them, are hereby authorized and impowered to bring Actions, or prefer Bills of Indictment, againſt any Perſon or Perſons who ſhall ſteal, take away, break down, or ſpoil, any Works or Materials uſed, or to be uſed, in the Work of erecting, conſtructing, enlarging, or maintaining, the ſaid Pier or Piers, Port and Harbour, or ſhall do any Matter or Thing

Thing whereby any Damage may accrue to the ſaid Works or Harbour: And the ſaid Truſtees, or any Five or more of them, are hereby authorized and impowered, from time to time, to let out, for the beſt Rent that can be obtained, ſuch Wharfs, Docks, or Lands, the Property whereof is hereby veſted in them, for any Term not exceeding Twenty one Years; the Rent ariſing therefrom to be applied towards enlarging, finiſhing, completing, and maintaining, the ſaid Port and Harbour.

who may leaſe out the ſame for 21 Years.

And, to prevent any Exactions and unreaſonable Demands from the reſpective Tenants or Leſſees under the ſaid Truſtees, be it enacted, That the ſaid Truſtees ſhall, in every Agreement they ſhall enter into for the leaſing or letting ſuch Wharfs, Docks, or other Works as aforeſaid, expreſly mention what Sums ſhall be demanded or taken by the reſpective Tenants or Leſſees, for the Uſe of ſuch Wharfs, Docks, or other Works, of the Maſter or Owner of any Ship or Veſſel occupying the ſame; and if ſuch Tenant or Leſſee ſhall demand or take more than the Sum ſtipulated by ſuch Agreement, ſuch Tenant or Leſſee ſhall, for every ſuch Offence, forfeit Treble the Sum demanded more than he ſhall be allowed to take by ſuch Agreement; to be recovered and levied in Manner herein after mentioned; One Moiety of which Forfeiture ſhall be applied to the enlarging or maintaining the ſaid Port and Harbour, and the other Moiety to ſuch Perſon or Perſons as ſhall proſecute, ſue for, and recover the ſame.

And ſhall ſettle the Demands to be taken for Wharfs, &c. by their Tenants and Leſſees.

Leſſees demanding more, how to be puniſhed.

And be it further enacted, That from and after the Twenty fourth Day of July, One thouſand ſeven hundred and ſixty ſeven, no Perſon or Perſons whatſoever ſhall throw or empty any Ballaſt, Earth, Duſt, Aſhes, Rubbiſh, or Stones, into the ſaid Port and Harbour, or take away any Ballaſt, Shingle, Stones, or other Things, the Removal or Taking away of which may be prejudicial to the ſaid Port and Harbour, or to the Works erected, or to be erected, for the Security of the ſame, or do any Act, Matter, or Thing, to prejudice or annoy the ſame: And if any ſuch Prejudice or Annoyance ſhall be done, the Matter thereof ſhall be examined into by the ſaid Truſtees hereby appointed, or by virtue of this Act to be appointed, from time to time, or any Two or more of them, who are hereby impowered, for every ſuch Offence, to impoſe any Fine or Fines upon every or any Perſon or Perſons ſo offending, not exceeding the Sum of Forty Shillings, which the ſaid Truſtees, or any

No Perſon ſhall empty any Ballaſt, &c. in the ſaid Port and Harbour,

on Pain of forfeiting 40s.

Two or more of them, by Warrant under their Hands and Seals, directed to ſuch Perſon or Perſons as the ſaid Truſtees, or any Two or more of them, ſhall, for that Purpoſe, name or appoint, are hereby impowered to levy and raiſe by Diſtreſs and Sale of the reſpective Goods and Chattles of every or any ſuch Offender or Offenders, rendering to him or them the Overplus, if any there be, and he, ſhe, or they, ſhall demand the ſame; and the ſaid Fine or Fines, when levied, ſhall be paid to ſuch Perſon or Perſons as the ſaid Truſtees, or any Two or more of them, ſhall direct and appoint to receive the ſame, to be applied as herein after directed.

to be levied by Diſtreſs and Sale.

And, for the more orderly Government of the ſaid Port and Harbour, and for the better preſerving the ſame, and the Pier or Piers, and other Works, now erected, or hereafter to be erected, there, from Prejudice or Damage, be it enacted, That the Truſtees, or any Five or more of them, ſhall have Power and Authority, and they are hereby authorized and impowered, to nominate and appoint, by Writing under their Hands and Seals, a Perſon or Perſons as they ſhall think proper, with ſuch annual Allowance or Salary out of the Rates and Duties by this Act granted and made payable as they ſhall think fit, not exceeding Ten Pounds per Annum; and ſuch Perſon or Perſons ſo appointed ſhall, from time to time, order and require all and every or any Perſon or Perſons having the Command or Rule of any Ship, Bark, or other Veſſel, entering into, lying, being, or abiding, within the ſaid Port or Harbour of Saint Ives, to lie, anchor, moor, and ballaſt, the ſame, in ſuch proper Place or Places of the ſaid Harbour, as the ſaid Perſon or Perſons ſo appointed ſhall order, aſſign, or direct, for that Purpoſe; provided that the Perſon or Perſons ſo appointed ſhall, to the beſt of his or their Skill and Knowledge, order or require ſuch Ship, Bark, or Veſſel, to lie, anchor, moor, or ballaſt, in a Place of Safety: And in caſe any Perſon or Perſons then having the Rule or Command of any Ship, Bark, or other Veſſel, ſhall neglect or refuſe ſo to do, he and they, and each of them, for ſuch Neglect or Refuſal, ſhall forfeit and pay the Sum of Five Pounds; to be recovered and applied in Manner herein after directed.

Truſtees may direct the Mooring and Ballaſting of Ships.

Penalty on refuſing to obey.

And be it further enacted, That for the better effecting and Support of the Premiſſes, there ſhall, from and after the Twenty fourth Day of July, One thouſand ſeven hundred and ſixty ſeven, be paid to the ſaid Truſtees

ſees and their Succeſſors, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, from time to time, appoint, as their Deputy or Deputies, Receiver or Receivers, to collect and receive the ſame; and they the ſaid Truſtees and their Succeſſors, and ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, from time to time, appoint as aforeſaid, are hereby authorized and impowered to demand, collect, receive, and take, of and from the Maſters and Owners, Maſter and Owner, or other Perſon or Perſons having the Rule or Command of every Ship, Bark, or other Veſſel, the ſeveral Rates and Duties following; that is to ſay,

For the Keelage of every Britiſh Boat that comes into the ſaid Port of Saint Ives, the Sum of One Shilling; and of every Britiſh Sloop or Veſſel of Twenty Tons Burthen, and upwards, the Sum of One Shilling and Six Pence; and of every Britiſh Sloop or Veſſel of Thirty Tons Burthen, the Sum of Two Shillings; and of every Britiſh Sloop or Veſſel upwards of Thirty Tons Burthen, the Sum of Three Shillings; and of every Britiſh Sloop or Veſſel of Sixty Tons Burthen and upwards, the Sum of Four Shillings and Six Pence; and of every Britiſh Sloop or Veſſel of One hundred Tons Burthen and upwards, the Sum of Six Shillings; and of every Britiſh Sloop or Veſſel of Two hundred Tons Burthen and upwards, the Sum of Eight Shillings; and for the Ballaſting of every Britiſh Sloop or Veſſel of Thirty Tons, the Sum of Two Shillings; and of every Britiſh Sloop or Veſſel upwards of Thirty Tons, the Sum of Three Shillings; and of every Britiſh Sloop or Veſſel of One hundred Tons and upwards, the Sum of Six Shillings; and of every Britiſh Sloop or Veſſel of Two hundred Tons and upwards, the Sum of Eight Shillings; and for every Britiſh Sloop or Veſſel which ſhall ſail into the ſaid Port, and ſhall neither load or unload there, the Sum of One Penny per Ton, according to their Light Bills; and for every Foreign Ship or Veſſel, not bound to the ſaid Port, Double the Rates and Duties herein before enumerated, laid, and directed to be taken; and for every Hogſhead of Pilchards cured within the ſaid Port, laid on board, landed, or diſcharged out of any Ship or Veſſel, in the ſaid Port, Tin in Barrels, every large Maſt Forty Feet in Length and upwards, every Hogſhead of Foreign Oil, Hogſhead of Wine, or Engliſh Spirits, Ton of Hemp, Pack of Rates and Duties.

Wick

Wick Yarn, Hundred Weight of Cane, Stone, and Plaiſter, One Shilling, and ſo in Proportion for greater or leſſer Quantities; and for every Hundred of Deal Boards under Twenty Feet, and ſo in Proportion for any other Deal Boards, Nine Pence; and for every Roll of Tobacco not exceeding Twenty Pounds, every Fardall of Ware, Hundred Weight of Brimſtone, Bag of Nails, Firkin of Butter, Hundred Weight of Lump or Loaf Sugar, Ton of Lime, Caſe or Crate of Glaſs, Frail of Figs or other Goods, Barrel, Box, or Bag of Starch, Allom, or Copperas, Hundred Weight of Cheeſe, Barrel of Vinegar, Wey of Britiſh Salt, Hundred Weight of Wool or Cotton, Ton of empty Caſk, Hogſhead of Apples or Pears, Bag of Small Nuts, every Dozen of Goats, Sheep, Kid, or any other Kind of Skins, Two Pence; and for every Block of Tin, Load of Oak, Deal, Plank, or any Sort of Timber, every Sheep, every End of Hops, Hogſhead of Cyder or Perry, Thouſand of Bricks, Gaun of Hats or other Goods, Basket or Box of Glaſſes or Bottles, and every Hundred Weight of Tobacco, Four Pence; and for every Wey of Coals, Culm, or Cinders, Ton of Copper or other Ore, Cheſt or Box of Candles or Sope, every Barrel of Herrings cured within the ſaid Port, Dozen of Small Sparrs, Bag of Flour, Hundred Weight of Glue, Hundred of any Kind of Horns, Groſs of Bottles, Hundred Weight of Gunpowder, Hundred Weight of Feathers, Hundred Weight of Dye Stuff, Dozen of Dars, or Crate of Earthen-ware, Three Pence; and for every Hundred Weight of unrefined Sugar, Hundred Weight of Molaſſes, Jug of any Oil, Turpentine, or Varniſh, Single Hides, Quarter of any Grain except Wheat, Ton of Lime Stones, Hundred Weight of Fine Copper, Truſs or Barrel of Tanners Rinds or Bark, every Caſe of Liquor, Coil of Rope under One hundred Weight, Barrel of Pipe Clay, Cheſt or Box of Pipes, Caſk of Molaſſes under Ten Gallons, Side of Pork or Bacon, Quintal of Dry Fiſh, Bag of Seeds, Pepper, Pimento, Ginger, Dozen of Lanterns, Ream of Writing Paper, Dozen Pounds of Flax, and every Pack of Charcoal, One Penny; and for every Hogſhead of Train Oil imported, Hogſhead of Ale or Bee, Ton of Oakum, One Thouſand of Oranges or Lemons, Bullock or Horſe, Six Pence; and for every Ton of Iron, every Pocket of Hops, Ton of Rice, and Dicker of Leather, Eight Pence; and for every Ton of Tallow, and every Butt

of Sack, One Shilling and Six Pence; and for every Box or Bag of Goods not exceeding Twenty Pounds Weight, every Piece of Foreign Sail Cloth, Quarter of Wheat, Barrel of Pitch, Tar, or Roſin, Thouſand of Wallnuts or Cheſnuts, Three Half Pence; and for every Hogſhead of Foreign Spirits, Two Shillings; and for every Thouſand of Pelling Stones, Hundred Weight of Pig, Sheet, or Bar Lead, Ream of Brown or Whited-brown Paper, every Dozen of Stockings, and every Grinding Stone, a Halfpenny; and for every Bundle of Hoops, One Farthing; and for all other Goods and Merchandizes brought or carried Coaſtwiſe, not herein before enumerated or included, One Eighth Part in the Freight of the ſaid Goods and Merchandize; and for all Goods and Merchandize, not particularly rated, that ſhall be brought from, or carried to, Foreign Parts, One Penny in the Pound of the Value of ſuch Goods ſo imported or exported.

Proviſo. Provided, That all Goods imported, exported, brought, or carried Coaſtwiſe, for the Uſe of the Fiſhery, and all Train Oil, being the Produce of the Fiſh cured within the Port, ſhall be free of all the aforeſaid Rates or Duties.

Baſſet's Cove exempted from Duties. Provided always, That the Place called Baſſet's Cove, or Portreath Harbour, which, though Ten Miles diſtant from Saint Ives, is deemed to be within the ſaid Port, ſhall not be conſidered as within or as Part of the Port of Saint Ives, for the Purpoſes of this Act; but the ſaid Cove or Harbour, together with its Trade, Fiſheries, and Merchandize whatſoever, and all Ships, Boats, and other Veſſels, paſſing to, in, or from, the ſaid Cove or Harbour, together with their Cargoes of what Kind ſoever, ſhall remain free and exempt from all Rates, Duties, and Payments, made payable by this Act; except ſuch as are hereby impoſed on Ships and other Veſſels bound to and from other Ports or Places not lying within the Port of Saint Ives.

No Ships to be cleared till Duties paid. And, to the Intent the ſaid Rates and Duties may be truly anſwered and paid, be it further enacted, That no Collector, Cuſtomer, Collector of his Majeſty's Cuſtoms, Comptroller, Receiver of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, belonging to the ſaid Port of Saint Ives, ſhall, at any Time after the ſaid Twenty fourth Day of July, One thouſand ſeven hundred and ſixty ſeven, give or make out any Cocquet or other Diſcharge, or take any Report outwards for any Ship, Bark, or

other Veſſel, or permit any Ship, Bark, or other Veſſel, to go out of the ſaid Port (except that Part thereof known by the Name of Baſſet's Cove, or Portreath Harbour aforeſaid) until the Maſter or Owner, or other Perſon or Perſons having the Rule or Command of ſuch Ship, Bark, or other Veſſel, ſhall produce a Certificate from the Collector or Collectors, to be appointed in purſuance of this Act, that the Rates and Duties by this Act granted are paid, or ſecured to be paid; which ſaid Certificate the ſaid Collector or Collectors is and are hereby required to give without Fee or Reward: And that any Collector, Cuſtomer, Collector of His Majeſty's Cuſtoms, Comptroller, Receivers of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, making Default in any of the Premiſſes injoined by this Act, ſhall forfeit and pay the Sum of Twenty Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at Weſtminſter, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor more than One Imparlance; One Moiety of ſuch Forfeiture to be to the Uſe of the Perſon or Perſons who ſhall proſecute, ſue for, and recover the ſame; and the other Moiety thereof to be paid into the Hands of the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall direct, to be applied for the Purpoſes of this Act.

King's Ships exempt. Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge any of the Ships or Veſſels of War belonging to His preſent Majeſty, His Heirs, or Succeſſors, with any the Duties granted by this Act; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

No Rate to be collected till 2000 *l.* are ſubſcribed. Provided always, and be it enacted, That no Part of the Rates and Duties hereby granted ſhall be collected or levied, until the Sum of Two thouſand Pounds ſhall have been agreed to be ſubſcribed or advanced upon the Credit and for the Purpoſes mentioned in this Act; any thing herein contained to the contrary thereof notwithſtanding.

If the Pier, &c. is not completed in 3 Years, Rates to ceaſe. Provided always, and it is hereby enacted, That if, at the Expiration of Three Years from the Commencement of this Act, there ſhall not be a proper and ſufficient Pier erected of at leaſt Twenty Fathoms in Length, and alſo a convenient Pool or Baſon completed, with a Depth of Water of at leaſt Sixteen Feet at

at Spring Tides, for the ſafe and commodious Reception and Protection of Forty Ships or other Veſſels at the ſame Time of the Burthen of Eighty Tons each; then, and in ſuch Caſe, after Repayment of the Money borrowed on the Credit of this Act, and all Intereſt due thereupon, all Rates and Duties payable by this Act ſhall abſolutely ceaſe, determine, and be diſcontinued, until the ſaid Pier be erected, and the ſaid Baſon completed in manner aforeſaid.

And, to the Intent the ſaid Rates and Duties impoſed by this Act may be more effectually collected and levied, be it further enacted, That in caſe any Owner or Maſter, or other Perſon, having the Rule or Command of any Ship, Bark, or other Veſſel, Goods, Wares, or Merchandizes, charged or chargeable with the Rates and Duties granted by this Act, ſhall refuſe to pay the ſame; then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint to be their Collector or Collectors as aforeſaid, or any or either of them, from time to time, to go on board ſuch Ship, Bark, or other Veſſel, to demand, collect, and receive, the ſame; and for Nonpayment thereof, to take and diſtrain every ſuch Ship or Veſſel, and all her Tackle, Apparel, and Furniture, thereto belonging, or any Part thereof, or all or any Part of the Goods, Wares, and Merchandize, chargeable with the ſaid Rates and Duties, or in reſpect whereof ſuch Rates and Duties ſhall be payable as aforeſaid, either on board ſuch Ship, Bark, or other Veſſel, or on Land, and the ſame to detain until he or they be ſatisfied and paid the reſpective Rates and Duties; and in caſe of any Neglect or Delay in Payment of the ſaid Rates and Duties, for the Space of Three Days after any Diſtreſs or Diſtreſſes ſo taken as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Truſtees, and their Succeſſors, and ſuch Perſon or Perſons as they ſhall appoint as aforeſaid their Collector or Collectors, Receiver or Receivers, to cauſe the ſame to be appraiſed by Two or more ſworn Appraiſers, or other ſufficient Perſons, and afterwards to ſell the ſaid Diſtreſs or Diſtreſſes, and therewith to ſatisfy him or themſelves, as well for and concerning the reſpective Rates and Duties ſo neglected or delayed to be paid, and for which ſuch Diſtreſs or Diſtreſſes ſhall be ſo taken as aforeſaid, as alſo for his or their reaſonable Charges in taking, keeping, appraiſing, and ſelling, ſuch Diſtreſs;

Power of Diſtreſs for Nonpayment of Rates.

ſtreſs; rendering to the Maſter or other Perſon, having the Rule and Command of the Ship or Veſſel in, to, or from, which ſuch Diſtreſs ſhall be ſo taken or belong, the Overplus, if any there ſhall be.

Perſons eluding Payment, to continue chargeable.

And be it further enacted, That if any Maſter, Commander, or Owner, of any Ship, Bark, or other Veſſel, ſhall, at any Time after the Rates and Duties by this Act charged ſhall become payable, elude or avoid the Payment thereof by any Method whatſoever; ſuch Maſter, Commander, or Owner, of ſuch Ship, Bark, or other Veſſel, ſhall ſtand charged with and be liable to the Payment of the ſame; and the ſame ſhall be recovered from ſuch Maſter or Owner by the ſame Method by which Fines and Penalties impoſed by this Act are hereinafter directed to be levied and recovered.

Perſons obſtructing the meaſuring of Ships, to be fined.

And, to the Intent that the Duties by this Act directed to be aſcertained by the Tonage of any Ship, Bark, or other Veſſel, may be truly aſcertained and paid, be it further enacted, That in caſe the Collector or Collectors of the ſaid Duties, or ſuch other Perſon or Perſons as the ſaid Truſtees, or any Two or more of them, ſhall nominate and appoint for that Purpoſe, and the Maſter or other Perſon having Charge or Command of any Ship or Veſſel charged with the ſaid Duty, cannot otherwiſe agree about and adjuſt the Tonage of any ſuch Ship, Bark, or other Veſſel; that then, and ſo often, it ſhall and may be lawful for the ſaid Collector or Collectors, or ſuch other Perſon or Perſons as aforeſaid, from time to time, and at all Times convenient and ſeaſonable, to enter into ſuch Ship, Bark, or other Veſſel, and to admeaſure the ſame according to the Directions of this Act; and if any Commander or other Officer of any Ship, Bark, or other Veſſel, or any other Perſon whatſoever, ſhall obſtruct or hinder any Perſon or Perſons employed by the ſaid Truſtees to admeaſure any Ship, Bark, or other Veſſel, in purſuance of this Act, in order to aſcertain the Duty of Tonage hereby charged; ſuch Commander or other Perſon ſhall, for every ſuch Offence, forfeit the Sum of Five Pounds, to be levied, recovered, and diſpoſed of, in Manner hereinafter mentioned.

Collectors to enter into and meaſure Ships.

How the Duties of Tonage ſhall be aſcertained.

And be it further enacted and declared, That all Ships, Barks, and other Veſſels, liable to, and charged with, the Payment of the Duty of Tonage by this Act impoſed, ſhall, if neceſſary for aſcertaining the ſame, be meaſured in Manner following (that is to ſay) By taking the Length of the Keel of every ſuch Ship, Bark,

or

or other Veſſel, ſo much as ſhe treads on the Ground; and the Breadth within Board, by the Midſhip Beam, from Plank to Plank; and Half that Breadth ſhall be accounted for the Depth of every Ship, Bark, or other Veſſel; and then the Length ſo taken, being multiplied by the Breadth ſo taken, and the Product thereof by the ſaid accounted Depth, and the Whole divided by Ninety four, the Quotient ſhall give and be deemed the true Contents of the Tonage; according to which Method and Rule all Ships, Barks, and other Veſſels, ſhall be meaſured, and the ſaid Duty of Tonage thereby be computed and collected accordingly; any Cuſtom, Practice, or Uſage, to the contrary notwithſtanding.

Truſtees may borrow Money.

And, to the End a ſufficient Sum of Money may ſpeedily be raiſed for the Purpoſes aforeſaid, and for the better ſecuring the Repayment of the ſame; be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby impowered by Indenture or Writing under their Hands and Seals, to convey, aſſign, and aſſure, the Rates and Duties granted by this Act, or any Part thereof, as a Security for any Sum or Sums of Money by them to be borrowed, not exceeding the Sum of Ten thouſand Pounds, for the Ends and Purpoſes aforeſaid, to any Perſon or Perſons, Natives or Foreigners, or Bodies Politick or Corporate, that ſhall or will lend or advance the ſame, for ſecuring the Payment thereof with Intereſt; which ſaid Sum ſhall be paid into the Hands of the Truſtees, or of the Treaſurer or Treaſurers by them appointed.

Aſſignments tranſferrable.

And be it further enacted, That all and every Perſon and Perſons to whom any ſuch Aſſignment or Aſſignments of the aforeſaid Rates and Duties ſhall be made by the ſaid Truſtees, or any Five or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the ſaid Rates and Duties, and his, her, or their Aſſignee or Aſſignees may, and are hereby impowered, from time to time, to tranſfer or aſſign over ſuch Security or Securities, and all the Monies that ſhall be due thereon, to any other Perſon or Perſons.

And whereas it may be thought expedient by the Truſtees appointed to put this Act in Execution to borrow Money upon the Credit of the ſaid Duties, towards raiſing the aforeſaid Sum of Ten thouſand Pounds by granting Annuities for Life; it is hereby further declared and enacted, That it ſhall and may be lawful to and for any

Money may be raiſed by Annuities at 8 *l.* 10 *s per Cent.*

Perſon or Perſons to contribute, advance, and pay, into the Hands of the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, by Writing under their Hands and Seals, authorize to receive the ſame, any Sum or Sums of Money, not exceeding the ſaid Sum of Ten thouſand Pounds in the Whole, for the abſolute Purchaſe of Annuities; to be paid and payable for the natural Life or Lives of ſuch Contributor or Contributors reſpectively, or the natural Life or Lives of ſuch other Perſon or Perſons as ſhall be nominated by or on behalf of ſuch reſpective Contributors at the Time of Payment of their reſpective Contribution Monies; ſo as the ſaid Annuities do not exceed the Sum of Eight Pounds Ten Shillings per Annum for every One hundred Pounds, and ſo in Proportion for any greater or leſſer Sum to be advanced and paid as aforeſaid: All which ſaid Annuities, and alſo the Intereſt for ſuch Sum and Sums of Money as ſhall be advanced by way of Loan on the ſaid Rates and Duties, ſhall be payable and paid by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint, at the Bank of England, or at ſuch other Place in the City of London as the ſaid Truſtees, or any Five or more of them, ſhall direct, to the Purchaſers or Lenders of the ſame, their Executors, Adminiſtrators, or Aſſigns, at ſuch Times and in ſuch Proportions as ſhall be agreed upon between the ſaid Purchaſers or Lenders and the ſaid Truſtees.

Annuities where payable.

Names of Purchaſers of Annuities to be entered in a Book, *&c.*

And it is hereby further enacted, That there ſhall be provided by the ſaid Truſtees and kept One or more Book or Books, in which ſhall be fairly written in Words at Length the Names and Surnames, with the proper Additions, and Places of Abode, of all ſuch Perſons who ſhall be Purchaſers of any of the Annuities aforeſaid, and of all Perſons by whoſe Hands the ſaid Purchaſers ſhall pay in any Sum or Sums of Money upon this Act, together with the Name or Names, and Places of Abode of ſuch Perſon or Perſons for whoſe Life or Lives the ſaid Annuity or Annuities ſhall be purchaſed; and alſo the Sum or Sums ſo paid for the Purchaſe of ſuch Annuities, and the reſpective Days of Payment thereof; to which Book and Books it ſhall and may be lawful for the ſaid reſpective Purchaſers, their Executors, Adminiſtrators, and Aſſigns, and to and for any Perſon or Perſons impowered by them, from time to time, at all ſeaſonable Times, to have Recourſe and inſpect the ſame without Fee or Reward: And if any Doubt ſhall ariſe as to the Life or Lives of any Perſon

and the Purchaſe Money.

Books to be inſpected *gratis.*

Method of aſcertaining whether Annuitants are alive.

or Perſons on which an Annuity or Annuities ſhall be payable by virtue of this Act; it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, when they ſhall think proper, by Writing under their Hands and Seals, to ſend One or more Perſon or Perſons, before each Payment, to viſit ſuch Annuitant or Annuitants: And in caſe ſuch Perſon or Perſons ſhall be refuſed Admittance to the ſaid Annuitant or Annuitants at any ſeaſonable Time; then, and in ſuch Caſe, the ſaid Annuity ſhall, from the Time of ſuch Refuſal, ceaſe and determine till the Life of ſuch Annuitant or Annuitants ſhall be proved to the ſaid Truſtees, or any Five or more of them, at their publick Meeting, either by his, her, or their perſonal Appearance, or by the Oaths of Two credible Witneſſes, when the ſaid Annuity, together with the Arrears thereof, ſhall be paid to ſuch Annuitant or Annuitants, or their Aſſigns.

Annuities charged upon the Duties.

And be it further enacted, That the ſaid annual Payment of Twenty five Pounds to the ſaid Corporation of Saint Ives, and all and every Sum and Sums of Money to be advanced by way of Loan as aforeſaid, and the Intereſt payable for the ſame, and all and every the Annuity or Annuities ſo to be purchaſed under and by virtue of this Act, ſhall be, and are hereby charged upon, and ſhall be paid and payable from time to time out of the Monies ariſing by the ſaid Rates and Duties hereby granted; and all and every Contributor or Contributors upon the Credit of this Act, duly paying the Conſideration or Purchaſe Money for any ſuch Annuity or Annuities as aforeſaid, ſuch Perſon or Perſons as he, ſhe, or they ſhall appoint, his, her, or their reſpective Executors, Adminiſtrators, or Aſſigns, ſhall have, receive, and enjoy, and be intitled by virtue of this Act to have, receive, and enjoy, the reſpective Annuity or Annuities ſo to be purchaſed out of the ſaid Rates and Duties by this Act appropriated and appointed for the Payment thereof, during the Term of the natural Life of the Perſon to be nominated by each and every ſuch Purchaſer and Contributor as above-mentioned; and that all and every ſuch Purchaſer and Purchaſers, and their Executors, Adminiſtrators, and Aſſigns reſpectively, ſhall have good, ſure, abſolute, and indefeazable Eſtates and Intereſts in the Annuities ſo by them reſpectively purchaſed or to be purchaſed according to the Tenor and true Meaning of this Act; and that neither the ſaid annual Payment to the ſaid Corporation

Annuities to be free from Taxes.

poration of Saint Ives, or any of the ſaid Annuities, ſhall be ſubject or liable to any Taxes laid or to be laid by the Authority of Parliament, or otherwiſe howſoever.

Purchaſer to have a Receipt, and an Order for Payment.

And be it further enacted, That every Contributor upon this Act for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, his, her, or their Aſſigns, upon Payment of the Conſideration or Purchaſe Money for the ſame, or any Part or Proportion thereof, into the Hands of the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons, as they, or any Five or more of them, ſhall for that Purpoſe appoint, ſhall have One or more Receipt or Receipts importing the Receipt of ſuch Purchaſe-money as ſhall be ſo paid; and upon Payment of the Purchaſe-money for ſuch Annuity or Annuities, every ſuch Contributor or Contributors, his, her, or their Aſſigns reſpectively, ſhall have an Order on Parchment or Vellum for Payment of the ſaid Annuity or Annuities for and during the natural Life of ſuch Perſon as ſhall be nominated therein as aforeſaid; in which Order ſhall likewiſe be inſerted how much the Sum paid by ſuch Contributor or Annuitant, together with the other Sums paid in on Annuities before that Time, do really amount to, to the End it may be publickly known how nearly the ſaid Sum of Ten thouſand Pounds allowed by this Act to be advanced upon Annuities is complete, and when the ſaid Sum is actually completed; which Order ſhall be made by the ſaid Truſtees, or any Five or more of them, at a publick Meeting; and after the Signing thereof, the ſame ſhall, by the Authority of this Act, be firm, good, valid, and effectual in Law, according to the Purport and Meaning thereof.

Sum to be ſpecified in the Order.

Annuities aſſignable.

And be it further enacted, That it ſhall and may be lawful to and for the Purchaſer or Purchaſers of any ſuch Annuity or Annuities as aforeſaid, and his, her, and their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing under his, her, or their Hands and Seals, to aſſign ſuch Annuity or Annuities, or any Part thereof, or Intereſt therein, to any Perſon or Perſons whatſoever, when and as often as Need or Occaſion ſhall be or require; and a Memorandum or Entry of all ſuch Aſſignments, and alſo of all ſuch Aſſignments of Securities as ſhall be made for Money advanced by way of Loan at Intereſt as aforeſaid, ſhall be made in a Book, which is hereby required to be kept by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall appoint, for that Purpoſe,

Entry to be made of all Aſſignments.

at the Charge of the ſaid Truſtees, in ſuch Place or Places as the ſaid Truſtees, or any Five or more of them, ſhall appoint, in the City of London; which Entry or Memorandum ſhall be made gratis.

Annuitants to enter on them on Default of Payment.

Provided always, and it is hereby further enacted, That in caſe the ſaid annual Sum of Twenty five Pounds payable to the ſaid Corporation of Saint Ives as aforeſaid, or the ſaid Annuities, or any of them, or the Intereſt of any Sum or Sums of Money to be advanced by way of Loan as aforeſaid, ſhall be in Arrear and unpaid for the Space of Forty Days next after any of the Time or Times when the ſame is, are, or ſhall be made payable, the ſaid Rates and Duties ſhall from thenceforth veſt in the ſaid Corporation, or ſuch Perſon or Perſons to whom ſuch Annuity or Annuities, or Intereſt, ſhall be ſo in Arrear as aforeſaid, until the ſame ſhall be fully paid and ſatisfied, together with all Coſts and Charges occaſioned by the Non-payment of the ſame; and the ſaid Corporation, and all and every ſuch Perſon and Perſons, ſhall have the ſame Power, Right, and Privileges of collecting, receiving, and levying the ſaid Rates and Duties payable by virtue of this Act, as the ſaid Truſtees, or the Collectors or Receivers appointed by them, could have had in caſe the ſaid Annuities and Intereſt had been regularly and fully paid and ſatisfied.

Notice to be given of borrowing Money.

Provided always, and it is hereby declared, That no Money ſhall be borrowed or Annuities granted on the Credit of this Act, by the ſaid Truſtees, after the Firſt Meeting, unleſs Notice in Writing under the Hands of the ſaid Truſtees, or any Five or more of them, be, by Order of ſuch Truſtees, or any Five or more of them, fixed in the Market Place of Saint Ives, at leaſt Ten Days before the borrowing of ſuch Money.

Application of the Money.

And be it further enacted, That the Monies which ſhall be collected, received, levied, and borrowed, by virtue of this Act, ſhall be applied, in the Firſt Place, in defraying the Expences incident to, and incurred in, the obtaining of this Act, and afterwards in defraying the neceſſary Expences of erecting and building ſuch Pier or Piers as aforeſaid, and of improving, preſerving, and maintaining, the ſaid Port and Harbour, and in executing the Purpoſes of this Act, and to no other Uſe or Purpoſe whatſoever.

Truſtees to appoint proper Officers,

And be it further enacted, That the ſaid Truſtees, at their Firſt Meeting, or any Five or more of them they preſent, or at any ſucceeding Meeting, by Writing under

der their Hands and Seals, ſhall and may chooſe and appoint ſuch Perſon or Perſons to be Collector or Collectors of the ſaid Duties granted by this Act as they ſhall think fit; and alſo One or more fit Perſon or Perſons to be Surveyor or Surveyors of the ſaid Port and Harbour, and of the Piers and other Works propoſed to be erected for rendering the ſame commodious and uſeful for the Reception of Ships and Veſſels; and alſo a Treaſurer or General Receiver of the ſaid Duties, and ſuch other Officer and Officers as they ſhall think neceſſary to employ in the Execution of this Act; and ſuch Perſon or Perſons as is or are made liable to pay the ſaid Rates and Duties, ſhall pay the ſame, after the Rates aforeſaid, to ſuch Perſon or Perſons as ſhall, from time to time, be appointed to collect the ſaid Rates and Duties: And the ſaid Truſtees ſhall allow to ſuch Collector or Collectors, Receiver or Receivers, Treaſurer or Treaſurers, Surveyor or Surveyors, or other Perſon or Perſons, ſo by them appointed, ſuch Salaries or Rewards as to the ſaid Truſtees, or any Five or more of them, at a General Meeting aſſembled, ſhall appear reaſonable: And the ſaid Truſtees, or any Five or more of them, ſhall have Power to remove or diſplace any ſuch Collector, Receiver, Treaſurer, Surveyor, or other Perſon or Perſons whatſoever by them appointed in purſuance of this Act; and in the Room and Stead of the Perſon or Perſons ſo diſplaced, to nominate and appoint, from time time, ſuch other Perſon or Perſons as they ſhall think proper.

and to diſplace them.

Truſtees to take Security from Collectors, &c.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, whenever it ſhall ſeem to them expedient, take of ſuch Collector or Collectors, Receiver or Receivers, Treaſurer or Treaſurers, and from ſuch other Perſon or Perſons ſo to be choſen and nominated, from time to time, as aforeſaid, a good and ſufficient Security, as well for anſwering and paying all and every Sum and Sums of Money which ſhall be by him or them reſpectively received, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall, under their Hands and Seals, from time to time, order, direct, and appoint, and not otherwiſe; and alſo for his and their giving and making reſpectively thereof true Accounts in Writing, from time to time, when and ſo often as he or they reſpectively ſhall be ordered and required by the ſaid Truſtees, or any Five or more of them, ſo to do, of all Monies by him or them reſpectively received by

by virtue of this Act, and of all the reſpective Times of ſuch Receipts, and of all ſuch Monies by him or them reſpectively diſburſed, and the reſpective Times of ſuch Diſburſements, and to whom, and by what Order.

Proceedings, &c. to be entered in a Book.

And be it further enacted, That the ſaid Truſtees ſhall take Care to have all the Receipts, Payments, Debts, Credits, and Contracts, made with and by the Artificers and Workmen employed, or to be employed, in or about the erecting and building the ſaid Pier or Piers, and the enlarging, finiſhing, maintaining, or preſerving, the ſaid Port and Harbour, or any way relating thereto, and alſo an Account of all Monies received and borrowed by the ſaid Truſtees by virtue of this Act, and all other their Proceedings whatſoever, fairly entered and written in One or more Book or Books to be kept for that Purpoſe; to which Book or Books all Perſons concerned and intereſted ſhall, at any ſeaſonable Times, have free Acceſs, and ſhall have the Peruſal and Inſpection thereof gratis, or Copies or Extracts thereof, paying after the Rate of Two Pence for every One hundred Words; and by or out of the Money ariſing from the Rates and Duties by this Act granted, or by or out of any other Sum or Sums of Money which ſhall come into the Hands of the ſaid Truſtees, or into the Hands of the Receiver or Receivers to be by them appointed, ſhall pay and ſatisfy, or cauſe to be paid and ſatisfied, unto the Artificers and Workmen to be employed in and about the building, repairing, or maintaining, the ſaid Pier or Piers, Port, Harbour, and Premiſſes, all Sums of Money which ſhall be juſtly due to them, or any of them, for the ſame: And when the ſaid Pier or Piers ſhall be erected and finiſhed, and all other neceſſary Works ſhall be done for the commodious receiving and ſecuring Ships and Veſſels in the ſaid Port and Harbour; then every Year, at the General Quarter Seſſions of the Peace to be holden for the ſaid County of Cornwall next after the Feaſt of All Saints, the ſaid Book or Books, to be kept by the ſaid Truſtees, or the Perſon or Perſons whom they, or any Five or more of them, ſhall appoint as aforeſaid, ſhall be produced and ſhewn to the Juſtices of the Peace at ſuch Quarter Seſſion, together with proper Vouchers for the Expences and Diſburſements, and the Expences and Charges of paſſing this Act; which ſaid Juſtices ſhall ſtate and ballance the ſaid Account; and when it ſhall appear to ſuch Juſtices, and be certified by them then preſent, or the major Part of them, that the

Books may be peruſed,

and to be examined by the Juſtices at their Quarter Seſſions.

On Juſtices Certificate that all Charges are reimburſed, Duties to ceaſe.

the ſaid Truſtees are by the ſaid Duties fully reimburſed the Principal Monies by them borrowed and laid out for the Purpoſes aforeſaid, together with all Intereſt and Charges attending the ſame; and that a ſufficient Sum of Money ſhall be raiſed for the future Support of the ſaid Pier, and for keeping the ſaid Port and Harbour in Repair; then all and ſingular the ſaid reſpective Duties hereby granted ſhall, in reſpect of all Britiſh Ships, Sloops, Boats, or Veſſels, Goods, Wares, and Merchandize, ceaſe and determine; and the Rates and Duties hereby granted in reſpect of Foreign Ships and Veſſels ſhall only then continue, and be collected and paid as aforeſaid, for keeping the ſaid Pier or Piers and other Works in good and ſufficient Repair, and for maintaining, keeping, and preſerving, the ſaid Port and Harbour.

Writings to be without Stamps.

Provided always, That no Warrant, Mortgage, Aſſignment, Tranſfer, or any other Writing whatſoever, in purſuance of, or relating to, the Execution of any of the Powers of this Act, ſhall be ſubject to any Stamp-duty whatſoever.

No Truſtee to have a Place of Profit.

And be it further enacted, That no Perſon appointed, or to be appointed, a Truſtee for putting in Execution this Act, or any of the Truſts or Powers aforeſaid relating to the ſaid Port and Harbour of Saint Ives, ſhall be capable of having any Office or Place of Profit ariſing, or to ariſe, by any of the Duties aforeſaid: And

Truſtees to defray their own Expences.

the ſaid Truſtees ſhall, at all ſuch Meetings, defray their own Charges and Expences; and ſhall give ſuch publick Notice of all their Meetings as ſhall, from time to time, be agreed upon by them, or any Five or more of them.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act incurred, or authorized to be impoſed or levied (the Manner of levying and Recovery whereof is not otherwiſe hereby particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of any Two or more Juſtices of the Peace for the ſaid County of Cornwall, or for the Place or Places where ſuch Offence ſhall be committed (which Warrant or Warrants the ſaid Juſtices are hereby impowered and required to make, upon the Information of any One or more credible Witneſs or Witneſſes upon Oath; which Oath the ſaid Juſtices are hereby impowered and required to adminiſter without Fee or Reward); and ſuch Fines, Penalties, and

and Forfeitures, when recovered (after rendering the Overplus, if any, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall go and be applied, and laid out, if not otherwiſe directed to be applied and diſpoſed of by this Act, for and towards the Execution of the Purpoſes of this Act: And for want of ſufficient Diſtreſs, the ſaid Juſtices, or any Two or more of them, are hereby impowered and required to commit the Perſon or Perſons ſo convicted to the Common Gaol of the ſaid County or Place where ſuch Offence ſhall be committed, there to remain for the Space of One Month, or until Payment of the reſpective Forfeitures ſhall be made.

For want of Diſtreſs, Offender to be committed.

And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgement of any Juſtice or Juſtices of the Peace, upon account of any Offence or Offences committed or ſuppoſed to be committed againſt this Act, may appeal to the Juſtices of the Peace for the County of Cornwall, at any General or Quarter Seſſion of the Peace to be held within the Space of Six Calendar Months after ſuch Cauſe of Appeal ſhall happen; the Perſon or Perſons ſo appealing firſt giving Security, to the Satisfaction of the ſaid Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General or Quarter Seſſion, in caſe ſuch Orders or Judgements ſhall be affirmed; and the Juſtices, at ſuch General or Quarter Seſſion, are hereby authorized and required to hear and determine ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ of Certiorari, or otherwiſe, into any of His Majeſty's Courts of Record at Weſtminſter or elſewhere; and that no Order or Proceeding to be had or made by or before any Juſtice of the Peace, relating to the Execution of this Act, ſhall be quaſhed or vacated for want of Form only.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided always, and be it further enacted, That no Part of the Goods and Chattles to be at any Time diſtrained by virtue of this Act (other than ſuch Diſtreſs or Diſtreſſes as ſhall be made for Non-payment of the Rates and Duties by this Act granted) ſhall be ſold till the Expiration of Five Days from the Day upon which ſuch Goods and Chattles ſhall be diſtrained; and that it ſhall and may be lawful to and for the Perſon or Perſons convicted at any Time before the Expiration of

Diſtreſs to be kept 5 Days, and may be redeemed within that Time.

3

the ſaid Five Days, to redeem ſuch Goods and Chattles, by Payment of the Money for which the ſame ſhall have been ſo diſtrained, together with the Coſts and Charges of making ſuch Diſtreſs.

Limitation of Actions. And be it further enacted, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done or to be done in purſuance of this Act in relation to the Premiſſes, that in every ſuch Caſe ſuch Action or Suit ſhall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County or Place where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſo to be brought, General Iſſue. ſhall and may plead the General Iſſue, and give this Act and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or that ſuch Action or Actions ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, that then the Jury ſhall find a Verdict for the Defendant or Defendants; and upon ſuch Verdict; or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs; the Defendant or Defend- Treble Coſts. ants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants have or hath for Coſts of Suit in other Caſes by Law.

Publick Act. And be it further enacted, That this Act ſhall be judged, deemed, and taken to be, a Publick Act; and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

FINIS.