ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CXXXII.

An Act for erecting a Light House on the *Bell* or *Cape Rock*, on the Eastern Coast of *Scotland*, and for enabling the Commissioners of the Treasury to advance a certain Sum of Money out of the Consolidated Fund of *Great Britain*, towards that Purpose. [21st *July* 1806.]

WHEREAS by an Act, made in the Twenty-sixth Year of His present Majesty's Reign, intituled, *An Act for erecting certain Light Houses in the Northern Parts of* Great Britain, His Majesty's Advocate and Solicitor General, the Lord Provost and Eldest Baillie of *Edinburgh*, the Lord Provost and Eldest Baillie of *Glasgow*, the Provosts of *Aberdeen*, *Inverness*, and *Campbelton*, the Sheriffs Depute of the Counties of *Edinburgh*, *Lanark*, *Renfrew*, *Bute*, *Argyle*, *Inverness*, *Ross*, *Orkney*, *Caithness*, and *Aberdeen*, for the Time being, or any Five of them, were appointed Commissioners or Trustees for putting the said Act into Execution, and erecting Four Light Houses in the Northern Parts of *Great Britain*; One at *Kinnaird's Head* in the County of *Aberdeen*; One on the Island of *North Ronilshaw* in the *Orkneys*; One on the Point of *Scalpa* in the Island of *Kerries*; and the Fourth on the *Mull of Cantyre*; and certain Duties were thereby granted for answering the Expences of making the Works, and the Commissioners were thereby empowered to borrow Money on the Credit of the Duties, and if any Surplus should remain after the Payments therein directed to be made, and necessary Expenditure, the same was once in every Year to be vested in some one or other of the Publick Funds of the Kingdom, until the Yearly Interest of the same should amount to a Sum equal to the whole Expence attending the said Light Houses, and then and in that Case, the Sums that should have been theretofore payable by the several Ships and Vessels passing the said Light Houses, should *ipso facto* cease, determine, and be no longer payable: And whereas, by another Act passed in the Twenty eighth Year of His present Majesty's Reign, intituled, *An Act to render more effectual an Act passed in the Twenty-sixth Year of His present Majesty's Reign, intituled,* 'An Act for erecting certain Light Houses in the Northern Parts of Great Britain;' the said Commissioners were authorized to take certain additional Duties, to borrow more

26 G. 3. c. 101.

28 G. 3. c. 25.

Money, and to levy and exact the Duties as soon as Two of the said Light Houses should be lighted: And whereas, by another Act passed in the Twenty-ninth Year of the Reign of His present Majesty, intituled, 29 G. 3. c. 52. *An Act to give further Powers to the Commissioners for erecting certain Light Houses in the Northern Parts of* Great Britain, the Commissioners were empowered to erect a Light House in the Island of *Arran*, or upon the Island of *Plada*, near the same; and the said Commissioners were likewise authorized, whenever the Produce of the Duties should enable them, to erect other Light Houses, to cause such other Light Houses to be erected upon other Parts of the Coast of *Great Britain*, as they should deem necessary; and by another Act, passed in the Thirty-eighth Year of His present Majesty's Reign, the said Trustees or Commissioners were incorporated for the better carrying the several Acts into Execution, and made one Body Politick and Corporate, by the Name of "The Com-"missioners of the Northern Light Houses:" And whereas, in virtue of the Powers given by the said several Acts, the said Commissioners have erected the following Light Houses; *videlicet*, One on *Kinnaird's Head* in *Aberdeenshire*; a Second on *North Ronaldsay* in *Orkney*; a Third on the Point of *Scalpa*, one of the *Skerries Isles*; a Fourth on the *Mull of Cantyre*; a Fifth on the Island of *Plada* near *Arran*; a Sixth and Seventh on the *Pentland Skerries* in *Orkney*; an Eighth on the Island of *Inch Keith* in the *Firth of Forth*; and a Ninth on the Start Point of *Sunda* one of the *Orkney* Islands: And whereas there is a certain Rock, called the *Bell* or *Cape Rock*, on the East Coast of *Scotland*, near the Entrance of the *Firths of Forth* and *Tay*, and in Fifty-six Degrees Twenty-nine Minutes North Latitude, and in Two Degrees Twenty-two Minutes West Longitude, and lying in a Tract sailed by a great Number of Vessels, many of which have been lost on, near, or in consequence of the said Rock: And whereas a Light House on the said Rock will be of great Benefit to Trade and Navigation, and the Means of preserving the Ships, Goods, and Lives of His Majesty's Subjects, the Commissioners appointed by the before recited Acts, in virtue of the Powers thereby granted, propose to erect, or cause to be erected, on the said *Bell* or *Cape Rock* a proper Light House, with such other Buildings, and Conveniences, as to them shall seem necessary; but as the same cannot be accomplished by the present Funds of the Commissioners, without the Aid of Parliament; 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, from and after the said Light House shall be finished, and a Light put therein, it shall and may be lawful to and for the said Commissioners, or for such Person or Persons as they shall appoint, to demand, collect, receive, and take from all and every the Masters and Owners of every Ship or decked Vessel, the Sums or Duties following; that is to say, From every Ship or decked Vessel of the United Kingdom of *Great Britain* and *Ireland*, navigated according to Law, which shall sail to or from any Port or Place on the East Coast of *Scotland*, between *Peterhead* on the North and *Berwick-upon-Tweed* on the South inclusive, and whether the said Ship or Vessel shall be outward or homeward bound, or on a foreign Voyage, or sailing Coastways; as also from all Ships and Vessels as above described, which shall sail within a Line drawn from *Peterhead* on the North to the said Port of *Berwick* on the South, both inclusive, a Sum of One Penny Halfpenny for every Ton: And for every foreign Ship or decked Vessel, sailing as aforesaid, a Sum not exceeding Three-pence for every Ton thereof.

When the Light House on the Bell or Cape Rock is finished, the Duties herein mentioned may be taken.

II. Provided

II. Provided always, and be it enacted, That as ſoon as in the Courſe of building the ſaid Light Houſe, a proper Beacon or diſtinguiſhing Mark or Object ſhall be erected on the ſaid *Bell* or *Cape Rock*, it ſhall be lawful for the ſaid Commiſſioners, or for ſuch Perſon or Perſons as they ſhall appoint, to collect and take from Maſters and Owners of Ships and Veſſels before deſcribed, and ſailing as aforeſaid, a Sum not exceeding Half the Amount of the ſaid Duties reſpectively: And provided further, that if it ſhall be found adviſable by the ſaid Commiſſioners before the ſaid Light Houſe is completed, to anchor or moor a Ship or Veſſel, and ſhow a floating or other Light, at or near the ſaid *Cape* or *Bell Rock*, then and in that Caſe it ſhall and may be lawful to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, to take from the Maſters and Owners of Ships and Veſſels before deſcribed, the full Duties reſpectively hereby granted; any Thing herein contained to the contrary notwithſtanding.

When a proper Beacon is erected on the Bell or Cape Rock, Half the Duties may be taken; and when it ſhall be adviſable to moor a Veſſel, and ſhew a Light, before the Light Houſe is finiſhed, the whole Duties ſhall be paid.

III. Provided alſo, That no Ship or Veſſel, whether outward or homeward bound, or on any foreign Voyage, or ſailing Coaſtways, ſhall pay more than One Penny Halfpenny *per* Ton, or Three-pence *per* Ton, reſpectively as aforeſaid, although the ſaid Ship or Veſſel ſhall, in the Courſe of the ſame Voyage, paſs any one or all of the ſaid Light Houſes already erected, or ſuch others as may in future be erected, in virtue of the Powers veſted in the ſaid Commiſſioners.

But no greater Duty to be paid for paſſing all the Light Houſes already erected, or to be erected, than the one herein mentioned.

IV. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge any Ships or Veſſels belonging to His Majeſty, His Heirs or Succeſſors, or employed in the Service of His Majeſty's Revenue, or ſuch Ships or Veſſels as are by the ſaid recited Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty exempted from the Payment of the ſaid Duties, or any Ship or Veſſel ſailing from one Port to another, Weſtward of *Queensferry* in the *Firth of Forth*, or any Ship or Veſſel ſailing from one Port to another in the *Firth of Tay*.

Certain Ships not ſubject to the Duty.

V. And be it enacted, That the ſaid Commiſſioners ſhall have all the Authorities and Powers conferred upon them in virtue of any former Acts for enforcing Payment of the Duties granted by this Act, and of compounding for the ſame; and the like Powers and Regulations ſhall be obſerved with reſpect to the maintaining and ſupporting the ſaid Light Houſe, and the Lights therein, and for the Appointment and Removal of Collectors, Keepers, and other Officers, as are contained in and directed by any Act or Acts of Parliament relative to the Light Houſes under the Management of the ſaid Commiſſioners.

Powers of former Acts to extend to this Act.

VI. And, in order for the more readily and effectually accompliſhing the Object of this Act, be it enacted, That the Lord High Treaſurer of *Great Britain*, or the Lords Commiſſioners of His Majeſty's Treaſury, or any Three or more of them, ſhall be, and they are hereby authorized and empowered, out of all or any of the Duties and Revenues compoſing the Conſolidated Fund of *Great Britain*, to advance and pay ſuch a Sum or Sums of Money, not exceeding in the Whole the Sum of Twenty-five thouſand Pounds of lawful Money of *Great Britain*, towards building and erecting the ſaid Light Houſe upon the *Bell* or *Cape Rock*, to the Commiſſioners of the ſaid Northern Light Houſes, or to their Treaſurer or Caſhier, by annual Inſtalments of not exceeding Five thouſand Pounds for the Firſt Year after the paſſing of this Act, of Ten thouſand Pounds for the Second Year, and of Ten thouſand Pounds for the Third Year; and ſuch Sum or Sums of Money ſhall be paid, without any Fees or other Deductions whatſoever, and ſhall be applied and diſpoſed of by the ſaid Commiſſioners, in defraying and diſcharging the Expences incurred in building the ſaid Light Houſe.

Treaſury authorized to advance 25,000*l.* to the Commiſſioners of Northern Light Houſes, towards erecting the Light Houſe upon Bell or Cape Rock.

VII. And be it further enacted, That as ſoon as the ſaid Sum of Twenty-five thouſand Pounds ſhall be iſſued and advanced to the ſaid Commiſſioners,

Duties to be aſſigned over to the Barons

of the Exchequer in Scotland, after deducting Expence of this Act, and of levying the Duties, and maintaining Light Houſes, as a Security for Repayment of the 25,000*l.* and Intereſt.

or to any Perſon or Perſons to be appointed by them to receive the ſame, the ſaid Commiſſioners ſhall aſſign to the Lord Chief Baron and other Barons of His Majeſty's Court of Exchequer in *Scotland*, all the Rates and Duties which ſhall ariſe and be levied in conſequence of this and the ſaid former Acts, after deducting therefrom the Expence of procuring and paſſing this Act, and of levying the ſaid Duties, and maintaining the ſaid Light Houſe and the Light Houſes already erected, or which the ſaid Commiſſioners ſhall afterwards think it proper and neceſſary to erect, in conſequence of the ſaid Acts; all which Duties ſo to be aſſigned ſhall thenceforth be veſted in the ſaid Lord Chief Baron and other Barons of the ſaid Court of Exchequer, as a Security for the ſaid Sum of Twenty-five thouſand Pounds, and until the ſaid Sum, together with the Intereſt of the ſame, at and after the Rate of Five Pounds *per Centum per Annum*, ſhall be completely paid and ſatisfied; and which Intereſt ſhall be paid Half Yearly by the ſaid Commiſſioners into the ſaid Court of Exchequer, at the End of every Six Months from the Time of advancing the ſame.

Surplus of Duties to be veſted in the 3 per Cent. Conſols. to form a Fund for paying off the Money borrowed.

VIII. And be it enacted, that for the further Security of the aforeſaid Aſſignment, and for the more ready and ſpeedy Redemption of the ſaid Loan, That the Surplus or Reſidue of the Duties by this and the former Acts, empowered to be levied, which ſhall remain after the building of the aforeſaid Light Houſe on the *Bell* or *Cape Rock* is completed, and after paying the Intereſt of the Sum of Twenty-five thouſand Pounds, as herein before directed, with the Expence attending the Light Houſes erected, or to be erected, by the Commiſſioners, ſhall be once in every Year veſted in the Three Pounds *per Centum* Conſolidated Annuities, or in ſome one or other of the Publick Funds, and ſhall be allowed to accumulate until the ſame ſhall amount to a Sum equal to the Repayment of the aforeſaid Sum of Twenty-five thouſand Pounds ſo to be lent, and afterwards ſuch annual Inveſtment of the Surplus Duties ſhall continue as directed by the Act of the Twenty-ſixth Year of His preſent Majeſty before recited, until the Yearly Intereſt of the ſame ſhall amount to a Sum equal to the whole Expence attending the ſaid Light Houſes, when the Duties by this and the former Acts empowered to be levied are to be diminiſhed, and at laſt *ipſo facto* to ceaſe and determine, in Manner mentioned in the before recited Acts.

Money to be depoſited in the Bank of Scotland, &c. till wanted for the Purpoſes of this Act.

IX. Provided always, and it is hereby enacted, That until the Sums to be advanced as aforeſaid ſhall be laid out in carrying on the ſaid Works, it ſhall and may be lawful to the ſaid Commiſſioners, and they are hereby authorized and empowered, to place out the ſame, or ſuch Part thereof as they ſhall ſee proper, in the Bank of *Scotland*, or Royal Bank of *Scotland*, or with the *Britiſh* Linen Company, or in Government Securities, at ſuch Intereſt as can be procured for the ſame.

Surplus of Duties ariſing from the Light Houſes already erected, amounting to 28,000*l.* in 3 per Cent. Conſols. may be applied for the Purpoſes of this Act.

X. And whereas the ſaid Commiſſioners have inveſted the Surplus Duties, ariſing from the Light Houſes already erected, to the Amount of Twenty-eight thouſand Pounds Three *per Centum* Conſolidated Annuities, which Sum, or Part thereof, it may be neceſſary to advance and pay, in Addition to the ſaid Sum of Twenty-five thouſand Pounds, towards erecting and completing the ſaid Light Houſe; be it therefore enacted, That the ſaid Commiſſioners ſhall be, and they are hereby authorized and empowered to advance and pay the Whole, or ſuch Part of the ſaid Sum, as they ſhall judge neceſſary towards the Expence of completing the ſaid Light Houſe, and for that Purpoſe to ſell and transfer the ſame, as they ſhall think proper; any Thing in the aforeſaid former Acts provided to the contrary notwithſtanding.

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