ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. CXXXVI.

An Act for enabling the Commiſſioners of the Northern Lighthouſes to purchaſe the Iſland and Light of *May*, at the Entrance of the *Frith of Forth*; for enabling the Commiſſioners of the Treaſury to advance a certain Sum of Money towards that Purpoſe; and for amending ſeveral Acts in regard to the Northern Lighthouſes.

[25th *July* 1814.]

WHEREAS by an Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for erecting certain Lighthouſes in the Northern Parts of* Great Britain, Commiſſioners were named for putting the ſaid Act into Execution, and for erecting Four Lighthouſes on the Northern Parts of *Great Britain*; and certain Duties were thereby granted, for anſwering the Expences of making and maintaining the Works by the ſaid Act authorized to be made; and the Commiſſioners were empowered to borrow Money on the Credit of the Duties; and if any Surplus ſhould remain after the neceſſary Expenditure to be incurred in carrying the ſaid Act into Execution, the ſame was directed, once in every Year, to be veſted in ſome one or other of the Public Funds, until the yearly Intereſt of the ſame ſhould amount to a Sum equal to the whole Expence attending the ſaid Lighthouſes: And whereas by another Act, paſſed in the Twenty-eighth Year 26 G. 3. c. 101.

28 G. 3. c. 25. Year of the Reign of His preſent Majeſty, 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 Lighthouſes in the Northern Parts of* Great Britain,' the ſaid Commiſſioners were authorized to levy certain additional Duties, to borrow a further Sum of Money, and to levy the Duties as ſoon as Two of the ſaid Lighthouſes ſhould be lighted: And whereas by another Act paſſed in the Twenty-
29 G. 3. c. 52. ninth Year of the Reign of His preſent Majeſty, intituled *An Act to give further Powers to the Commiſſioners for erecting certain Lighthouſes in the Northern Parts of* Great Britain, the ſaid Commiſſioners were authorized to erect Two additional Lighthouſes; and were likewiſe empowered to cauſe ſuch other Lighthouſes to be erected on other Parts of the Coaſt of *Great Britain* as they ſhould deem neceſſary, whenever the Produce of the Duties ſhould enable them ſo to do: And whereas by another Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty,
38 G. 3. c. 57. intituled *An Act for incorporating the Commiſſioners appointed for erecting certain Lighthouſes in the Northern Parts of* Great Britain, the ſaid Commiſſioners were incorporated, for the better carrying the ſeveral Acts into Execution, and made One Body Politic and Corporate by the Name of "The Commiſſioners of the Northern Lighthouſes:" And whereas by another Act paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty,
46 G. 3, c. 132. intituled *An Act for erecting a Lighthouſe 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*, Authority was given to the ſaid Commiſſioners to erect the ſaid Lighthouſe, and to levy certain additional Rates and Duties for the Support of the ſame: And whereas in virtue of the Powers given by the ſaid ſeveral before recited Acts, the ſaid Commiſſioners have erected the following Lighthouſes, namely, One on *Kennaird's Head*, in *Aberdeenſhire*; a Second on *North Ronaldſhay*, in *Orkney*, now converted into a Beacon; a Third on the *Point of Scalpa*, One of the *Harries Iſles*; a Fourth on the *Mull of Cantyre*; a Fifth on the Iſland of *Pladda*, near *Arran*; a Sixth and Seventh on the *Pentland Skerries*, in *Orkney*; an Eighth on the Iſland of *Inchkeith*, in the *Frith of Forth*; a Ninth on the *Start Point* of *Sandy*, in *Orkney*; and a Tenth on the *Cape* or *Bell Rock*; And whereas the ſaid Commiſſioners have entered into an Agreement for the Purchaſe, upon certain Terms and Conditions, from their Graces *William Henry Cavendiſh Bentinck Scott* Duke of *Portland*, and *Henrietta Scott* Ducheſs of *Portland*, of the Iſland of *May*, ſituated in the *Frith of Forth*, with the Lights and Lighthouſe and other Houſes built upon the ſame, with the Privilege of levying certain Duties upon all Veſſels entering or ſailing from any Port or Place between the Caſtle of *Dunottar*, and the Promontory called *Saint Abbe's Head*, on the Eaſtern Coaſt of *Scotland*; and other Privileges and Pertinents to the ſaid Iſland belonging or appertaining: And whereas, although the Shipping and Commercial Intereſt of the United Kingdom have derived great Benefit from the Ten before mentioned Lighthouſes, erected and maintained by the ſaid Commiſſioners in virtue of the Powers of the ſeveral before recited Acts, yet ſeveral additional Lighthouſes are much wanted for the Protection of the Coaſt of that Part of the United Kingdom called *Scotland*, particularly One upon the Shores of *Galloway*, at the Entrance of the *Frith of Clyde* and *Iriſh Channel*; a Second upon the dangerous ſunken Rocks of *Skerivore*, near the Iſlands of *Tiree* and *Mull*, in *Argyleſhire*,

shire, in the direct Track of Veſſels coaſting along the Weſtern Coaſt of *Scotland*, and alſo dangerous to Ships making the Weſtern Shores of *Scotland* and *Ireland*, from the *Atlantic Ocean*; a Third upon *Cape Wrath*, in *Sutherlandſhire*; a Fourth and Fifth in the Iſlands of *Shetland*, for the Protection of the Fiſheries, and of Ships bound for the higher Latitudes; and a Sixth upon *Tarbetneſs*, in *Cromartyſhire*, to open the *Murray Frith* and *Cromarty Bay*, as a Rendezvous for Shipping in Storms from the Eaſtward: And whereas it would be of great Benefit to the Public, if Powers were given to the ſaid Commiſſioners to complete the ſaid Purchaſe of the ſaid Iſland and Light of *May*, and in lieu of a Coal Light, at preſent maintained on the ſaid Iſland, to exhibit and maintain an Oil Light, or ſuch other improved Light as they ſhall find expedient; and likewiſe to erect and maintain additional Lighthouſes; and alſo, if further Powers were given to the ſaid Commiſſioners, and further Regulations were made, for the Collection and Application of the whole Duties payable in reſpect of the Northern Lighthouſes: But as theſe Purpoſes cannot be accompliſhed without the Aid and Authority of Parliament: 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 it ſhall and may be lawful to and for the ſaid Commiſſioners of the Northern Lighthouſes, and they are hereby authorized and empowered, to treat, contract and agree with their Graces *William Henry Cavendiſh Bentinck Scott* Duke of *Portland*, and *Henrietta Scott* Ducheſs of *Portland*, and their Heirs and Succeſſors, for the abſolute Purchaſe of the Iſland of *May*, ſituated in the *Frith of Forth*, with the Lights and Lighthouſe and other Houſes built upon the ſame, and the Privilege of levying Lighthouſe Duties upon all Veſſels entering or ſailing from any Port or Place on the Eaſt Coaſt of *Scotland*, between the Caſtle of *Dunottar* on the North, and the Promontory called *Saint Abbe's Head* on the South, together with all and every the other Privileges and Pertinents to the ſaid Iſland belonging and appertaining; and to pay to the ſaid Duke and Ducheſs of *Portland*, or their Heirs and Succeſſors, the Price that may be agreed upon for the ſame, or to grant Security for the Whole or any Part of ſuch Price, in ſuch Manner as the ſaid Commiſſioners ſhall think fit; and ſuch Light on the Iſland of *May* ſhall, from and after the paſſing of this Act, be held and taken to be one of the Northern Lighthouſes.

Power to purchaſe the Iſland and Light of May.

II. And be it enacted, That it ſhall and may be lawful to the ſaid Commiſſioners, inſtead of the Coal Light, to exhibit and maintain on the ſaid Iſland an Oil Light, or ſuch other improved Light as they ſhall find expedient; and alſo to erect and maintain ſuch additional Lighthouſes upon ſuch other Parts of the Coaſt and Iſlands of *Scotland* as they ſhall deem neceſſary.

Light on the Iſle of May to be altered, and other Lighthouſes to be erected.

III. And be it enacted, That from and after the paſſing of this Act, the Duties heretofore levied in reſpect of the Light on the Iſland of *May* ſhall ceaſe and determine; and in lieu thereof, and to enable the ſaid Commiſſioners to pay the Price of the ſaid Light and Iſland of *May*, and to maintain a proper Light there, and alſo to erect and maintain additional Lighthouſes as before mentioned, and otherwiſe to provide for the keeping in

Amount of Duties to be levied.

in Repair and maintaining the whole Lighthouſes under their Charge, it ſhall and may be lawful to the ſaid Commiſſioners, or ſuch Perſon or Perſons as they ſhall appoint, from and after the paſſing of this Act, to demand, collect, receive, and take, from all and every the Maſters and Owners of 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 the Caſtle of *Dunottar* on the North, and *Saint Abbe's Head* on the South, both incluſive, whether the ſaid Ship or Veſſel ſhall be loaded or in ballaſt, or Outward or Homeward bound, or on a Foreign Voyage or ſailing Coaſtwiſe; and alſo for every ſuch Ship or Veſſel as aforeſaid, which ſhall ſail within a Line drawn from the Caſtle of *Dunottar* on the North, to *Saint Abbe's Head* on the South, both incluſive, a Sum not exceeding One Penny for every Ton of ſuch Ship or Veſſel:

And for every Foreign Ship and decked Veſſel ſailing as aforeſaid, a Sum not exceeding Two-pence for every Ton thereof:

And for every Ship or decked Veſſel of the United Kingdom of *Great Britain* and *Ireland*, navigated according to Law, liable in Payment of Duties to the Commiſſioners of Northern Lighthouſes, not ſailing within the aforeſaid Limits, a Sum not exceeding One Halfpenny for every Ton of ſuch Ship or Veſſel:

And for every Foreign Ship or decked Veſſel, liable in Payment of Duties as aforeſaid, not ſailing within the aforeſaid Limits, a Sum not exceeding One Penny for every Ton thereof:

All ſuch Duties to be in Addition to, and over and above the other Duties granted and payable to the ſaid Commiſſioners under the ſaid recited Acts, or any of them.

To what Veſſels Duties not to extend.

IV. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge with the Duties hereby granted, any Ship or Veſſel belonging to His Majeſty, His Heirs or Succeſſors, or employed in the Service of His Majeſty's Revenue; or any Ship or Veſſel by the ſaid recited Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty exempted from the Payment of the Duties thereby granted; or any Ship or Veſſel ſailing from one Port to another Weſtward of *Queensferry* in the *Frith of Forth*, or from one Port to another in the *Frith of Tay*.

Power to appoint Collectors in the Ports of Great Britain and Ireland.

V. And, for the better enabling the ſaid Commiſſioners to levy the Duties by the ſaid recited Acts and by this Act granted, be it enacted, That the ſaid Commiſſioners ſhall have Power to collect, in all the Ports of *Great Britain* and *Ireland*, the Duties by the before recited Acts and by this Act granted; and to appoint Collectors in ſuch Ports for that Purpoſe accordingly, and at their Pleaſure to remove ſuch Collectors, and appoint others in their Places.

Bonds to be given by Collectors.

VI. And be it enacted, That all and every the Collectors or Collector of the aforeſaid Duties already appointed by the ſaid Commiſſioners, ſhall, within Six Months after the paſſing of this Act, and all and every the Collectors or Collector of the aforeſaid Duties to be hereafter appointed, ſhall enter into Bonds to His Majeſty, with ſuch good and

ſufficient Surety or Sureties as the ſaid Commiſſioners ſhall require, binding them and their Sureties, jointly and ſeverally, for their due and faithful Performance, in every Reſpect, of all the Duties of Collectors of the aforeſaid Duties, and for duly paying to the ſaid Commiſſioners, or to their Caſhier for the Time being, at ſuch Times after the Receipt thereof as the ſaid Commiſſioners ſhall direct to be inſerted in the ſaid Bonds, all ſuch Sums of Money as ſhall from Time to Time be collected by or paid to them for or on account of the ſaid Duties, under a Penalty not exceeding Five hundred Pounds; beſides Performance in which Bonds, it ſhall alſo be a Condition, that the Collectors therein named ſhall Once in every Year, or oftener if required by the ſaid Commiſſioners, deliver or cauſe to be delivered to them a true and exact Statement, certified upon Oath, if required (which Oath any Juſtice of the Peace acting for the County or Place within which ſuch Collectors ſhall reſide, is hereby empowered and required to adminiſter), of the Sums ariſing from the ſaid Duties received by them ſince their laſt Settlement of Accounts, or ſince their Appointment, and the preciſe Sum on account of the ſaid Duties remaining in the Hands of the ſaid Collectors.

The Recovery of Penalties and Duties from Collectors.

VII. And be it enacted, That if any Collector or Collectors ſhall fail or neglect to render ſuch Statement of Accounts as aforeſaid, or to pay over to the ſaid Commiſſioners any ſuch Sum or Sums of Money, within ſuch Period as ſhall have been ſpecified in the Bonds entered into by them, the ſaid Bonds ſhall, upon a Certificate or Certificates granted by the ſaid Commiſſioners of the Failure or Neglect of any Collector or Collectors to render ſuch Statement of Accounts as aforeſaid, or of the Sums due and unaccounted for, be put in Suit againſt ſuch Collector or Collectors, and his or their Sureties, or any of them, for Recovery of ſuch Statement of Accounts, and of the Sums ſo due by them, or any of them, and of the Penalty or Penalties in the ſaid Bonds, over and above the Sums ſo due, with Coſts of Suit, by ſuch Proceſs as is competent for recovering Debts due to His Majeſty, in any Part of the ſaid United Kingdom of *Great Britain* and *Ireland*; and the ſaid Duties and Penalties, when recovered, ſhall be paid over to the ſaid Commiſſioners for the Purpoſes of this Act.

30,000l. to be paid out of the Exchequer towards the Purchaſe.

VIII. And be it enacted, That out of any Monies granted by Parliament for the Supply of the preſent Year, there ſhall be iſſued and paid at the Receipt of His Majeſty's Exchequer at *Weſtminſter*, by Warrant or Warrants of the Lords Commiſſioners of His Majeſty's Treaſury, to the ſaid Commiſſioners, or their Treaſurer or Caſhier, or to any Perſon or Perſons appointed by them to receive the ſame, the Sum of Thirty thouſand Pounds, without any Fees or Deductions whatever, towards enabling them to complete the ſaid Purchaſe from the Duke and Ducheſs of *Portland*.

After Payment of the Purchaſe Money, the Duties to veſt in the Court of Exchequer in Scotland.

IX. And be it further enacted, That as ſoon as the ſaid Sum of Thirty thouſand Pounds ſhall be iſſued and advanced as aforeſaid, 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

passing this Act, and of levying the said Duties, and maintaining the said Lighthouse on the Island of *May*, and Lighthouses already erected, or which the said Commissioners shall afterwards think it necessary and proper to erect, in consequence of the said Acts and this Act; 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 Thirty 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; but the Payment of which Interest for the first Six Years from and after the Time of advancing such Sum of Thirty thousand Pounds, shall be postponed and paid in Manner herein-after mentioned; and after the Expiration of the said Six Years, such Interest shall be paid Half-yearly by the said Commissioners into the said Court of Exchequer.

Commissioners may apply Surplus Duties to the Payment for May Light, &c.

X. And be it further enacted, That it shall and may be lawful for the said Commissioners to apply the Proceeds of any Surplus Duties now in their Hands, in part Payment of the Price of the said Island and Light of *May*, herein-before authorized to be purchased.

Part of the Island of May may be sold or let.

XI. And be it enacted, That the said Commissioners shall and may, if they shall see expedient, sell and dispose of such Part or Parts of the said Island of *May*, or of the other Premises thereto pertaining, when the same shall have been conveyed to and vested in them, which shall not be necessary for their Accommodation, or for the Use of the Lighthouse erected on the said Island; and to apply such Price or Prices to the Purposes of the said recited Acts and of this Act.

Power to borrow Money.

XII. And be it enacted, That it shall be lawful to and in the Power of the said Commissioners, to borrow on the Credit of the Rates and Duties by the said recited Acts and by this Act granted, any Sum of Money not exceeding Twenty thousand Pounds.

Surplus Duties to be invested in the Public Funds till the Interest shall pay the Expence.

XIII. And be it enacted, That for the further Security of the aforesaid Assignment, and for the more speedy and ready Redemption of the said Loan, as well as of the Loan of Twenty-five thousand Pounds, authorized to be granted by the said recited Act of the Twenty-sixth Year of the Reign of His present Majesty, the Surplus or Residue of the Duties by this and the former Acts empowered to be levied, which shall remain after completing the Purchase herein-before mentioned, and after erecting a proper Light on the Island of *May*, and after paying the Interest of the Sums of Twenty-five thousand Pounds, and Thirty thousand Pounds in the said recited Act and in this Act mentioned, with the Expence attending the Lighthouses erected or to be erected by the Commissioners, shall be Once in every Year vested in the Three Pounds *per Centum* Consolidated Bank Annuities, or in some one or other of the Public Funds, and shall be allowed to accumulate until the same shall amount to a Sum equal to the Re-payment of the aforesaid Sums of Twenty-five thousand Pounds, and Thirty thousand Pounds, and afterwards, until the before-mentioned Interest for the said Six Years, immediately following the Advance of the said Thirty thousand Pounds shall be paid; and thereafter such Annual Investment of the Surplus

Duties ſhall continue as directed by the ſaid recited Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty, until the Yearly Intereſt of the ſame ſhall amount to a Sum equal to the whole Expence attending the ſaid Lighthouſes, 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 ſaid before recited Acts.

Powers of former Acts extended to this Act.

XIV. And be it enacted, That all and every the Powers and Authorities granted to the ſaid Commiſſioners by the ſaid recited Acts, or any of them, in regard to the Collection of Duties for erecting and maintaining of Lights and Lighthouſes, and other Matters and Things in the ſaid recited Acts and this Act or in any of them contained, ſhall be and the ſame are hereby declared to be in full Force and Effect, in ſo far as the ſame are not altered by this Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1814.