ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

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CAP. XXXII.

An Act for reducing the Tonnage Rates payable in the Port of *London*. [25th *July* 1834.]

WHEREAS an Act was passed in the Thirty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for rendering more commodious and for better regulating the Port of* London, whereby, amongst other Things, certain Rates or Duties of Tonnage were imposed on Ships or Vessels frequenting the Port of *London*, to be applied in manner therein directed; and it was also provided by the said Act, that a certain Sum of Money should be advanced out of the Consolidated Fund, upon the Credit of the said Rates or Duties, for the Purposes of the said Act: And whereas an Act was passed in the Forty-second Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to authorize the Advancement of further Sums of Money out of the Consolidated Fund for completing the Canal and other Works which by an Act passed in the Thirty-ninth Year of His present Majesty's Reign, intituled 'An Act for rendering more commodious and for 'better regulating the Port of* London,' *were directed to be made and done by the Mayor, Aldermen, and Commons of the City of* London, *in Common Council assembled:* And whereas an Act was passed in the Forty-third Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to authorize the Advancement of further Sums of Money out of the Consolidated Fund, to be applied* 39 G. 3. c. 69. 42 G. 3. c. 49. 43 G. 3. c. 124.

in the Improvement of the Port of London, *by the Mayor, Aldermen, and Commons of the City of* London, *in Common Council assembled; and to empower the Lords Commissioners of His Majesty's Treasury to purchase the legal Quays between* London Bridge *and the* Tower of London, whereby certain new and additional Rates or Duties of Tonnage were imposed on Ships or Vessels frequenting the said Port of *London*: And whereas an Act was passed in the Forty-fifth Year of the Reign of His said Majesty King *George* the Third, intituled
45 G. 3. c. 63. *An Act to authorize the Advancement of further Sums of Money out of the Consolidated Fund for completing the Canal and other Works directed to be made by an Act passed in the Thirty-ninth Year of His present Majesty, intituled 'An Act for rendering more commodious 'and for better regulating the Port of* London:' And whereas an Act was passed in the Forty-seventh Year of the Reign of His said
47 G. 3. Sess. 2. c. 31. Majesty King *George* the Third, intituled *An Act to authorize the Advancement of further Sums of Money out of the Consolidated Fund, to be applied in completing the Canal across the* Isle of Dogs, *and erecting other Works there, and for effecting other Improvements of the Port of* London, *in execution of certain Acts already passed for those Purposes*: And whereas in and by the said recited Acts it is provided, that the Monies which should from Time to Time arise from the said Rates and Duties of Tonnage should be applied and disposed of in the following Manner; (that is to say,) in the first place, so much thereof should be paid into the Chamber of the City of *London* as should be sufficient for maintaining and providing Mooring Chains for the Use of the Shipping in the Port of *London*, and for paying the Salaries and Wages of the Harbour Masters and their Assistants; and in the next place, the Residue of such Monies should be applied from Time to Time in repaying and replacing to the said Consolidated Fund all such Sums of Money as had been advanced thereout in pursuance of the said recited Acts, with Interest for the same in the meantime at the Rate of Five Pounds *per Centum per Annum*; and lastly, that when all such Sums of Money had been so repaid with Interest, then and from thenceforth the Residue should from Time to Time be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the City of *London* for the Time being, who should from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so purchased, in their Names, in like Manner, for the Purpose of Accumulation, until the yearly Dividends and Interest of all the said Stocks, Funds, and Securities should be sufficient for the said Costs and Charges of the Mooring Chains, and for the said Salaries and Wages of the Harbour Masters and their Assistants; and when and so soon as such yearly Dividends and Interest should be fully sufficient for the Purposes last mentioned, then and from thenceforth the said Rates and Duties of Tonnage should cease and be no longer payable: And whereas an Act was passed in the Tenth Year of the
10 G. 4. c. cxxx. Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Sale of the City Canal, and for other Purposes relating thereto*, whereby it was enacted, that the said Rates and Duties of Tonnage should be for ever released, discharged, and exonerated of and from

all Interest whatsoever in respect of any Sum advanced out of the Consolidated Fund in pursuance of the said recited Acts: And whereas in pursuance of the said recited Acts the Residue or Overplus of the Monies received and produced from the said Rates and Duties granted or made payable to His Majesty, His Heirs and Successors, by the said recited Acts of the Thirty-ninth and Forty-third Years of the Reign of King *George* the Third as aforesaid, have been applied from Time to Time towards repaying and replacing to the said Consolidated Fund the said several Sums of Money advanced and paid thereout in pursuance of the said several herein-before recited Acts: And whereas it is estimated that all the said Sums of Money advanced and paid out of the said Consolidated Fund in pursuance of the said recited Acts will, by means of the said Residue and Overplus of the Monies to be received and produced from the said Rates and Duties, be fully repaid and replaced in the Month of *July* One thousand eight hundred and thirty-four: And whereas it is considered expedient that the Rates and Duties payable in respect of Ships and Vessels in the said Port of *London* should be reduced to as low an Amount as possible: And whereas for that Purpose it is desirable that as soon as the said Monies advanced and paid out of the said Consolidated Fund as aforesaid shall have been repaid and replaced, the Rates and Duties payable on Ships and Vessels in the said Port shall be reduced to such an Amount as will be sufficient for the Payment of the Costs and Charges of maintaining, repairing, altering, and renewing the said Mooring Chains and laying down others as aforesaid, and the Payment of the Salaries and Wages of the said Harbour Masters and their Assistants; and that so much of the said recited Acts or any of them as directs that a Fund shall be created for defraying the said Costs and Charges, and paying the said Salaries and Wages, should be repealed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said herein-before recited Acts of the Thirty-ninth and Forty-third Years of the Reign of His said Majesty King *George* the Third, or of the said other recited Acts, or any of them, as directs or requires that when all the Monies advanced and paid out of the said Consolidated Fund shall be fully repaid and replaced as aforesaid, the Residue and Overplus of the Monies to be received and produced from and by the said Rates and Duties shall be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, for the Purpose of creating a Fund the Dividends and Interest of which should be sufficient for the Payment of the Costs and Charges of maintaining, repairing, altering, and renewing the said Mooring Chains, and laying down others as aforesaid, and the Payment of the Salaries and Wages of the said Harbour Masters and their Assistants, shall be and the same is hereby repealed.

Repeal of so much of the recited Acts as requires a Fund to be created.

II. And be it further enacted, That from and after the passing of this Act the said several Rates and Duties by the several herein-before in part recited Acts or any of them granted and made payable to His Majesty, His Heirs and Successors, shall cease and be no longer paid or payable.

Rates granted by 39 G. 3. c. 69. and 43 G. 3. c. 124. to cease.

III. And

Rates to be paid to His Majesty for Vessels frequenting the Port of London.

III. And be it further enacted, That in consideration of the Expences which will be occasioned by maintaining and renewing the said Mooring Chains, and paying the Salaries and Allowances of the said Harbour Masters and their Assistants, there shall, from and after the passing of this Act, be raised, levied, collected, and paid to His Majesty, His Heirs and Successors, in respect of Ships or Vessels frequenting the Port of *London*, the several Duties of Tonnage as the same are herein-after set forth; (that is to say,)

First Class.—For every Ship or other Vessel trading Coastwise between the Port of *London* and any Port or Place in *Great Britain*, *Ireland*, the *Orkneys*, *Shetland*, or the Western Islands of *Scotland*, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny *per* Ton:

Second Class.—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to *Denmark*, *Norway*, or *Lapland* (on this Side of the *North Cape*), or from *Holstein*, *Hamburgh*, *Bremen*, or any other Part of *Germany* bordering on or near the *Germanic Ocean*, or from or to *Holland* or any other of the United Provinces, or *Brabant*, *Antwerp*, *Flanders*, or any other Part of the *Netherlands*, or from or to *France* (within *Ushant*), *Guernsey*, *Jersey*, *Alderney*, *Sark*, or the *Isle of Man*, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny *per* Ton:

Third Class.—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to *Lapland* (beyond the *North Cape*), *Finland*, *Russia* (without or within the *Baltic Sea*), *Livonia*, *Courland*, *Poland*, *Prussia*, *Sweden*, or any other Country or Place within the *Baltic Sea*, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny *per* Ton:

Fourth Class.—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to *France* (between *Ushant* and *Spain*), *Portugal*, *Spain* (without the *Mediterranean*), or any of the *Azores*, *Madeira*, or *Canary Islands*, or any of the United States of *America*, or of the *British* Colonies or Provinces in *North America* or *Florida*, there shall be paid for every Voyage both in and out of the said Port, Three Farthings *per* Ton:

Fifth Class.—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to *Greenland*, *Gibraltar*, *France*, or *Spain* (within the *Mediterranean*), or any Country, Island, Port, or Place within or bordering on or near the *Mediterranean* or *Adriatic Sea*, or from the *West Indies*, *Louisiana*, *Mexico*, *South America*, *Africa*, *East India*, *China*, or any other Country, Island, Port, or Place within or bordering on or near the *Pacific Ocean*, or from any other Country, Island, Port, or Place whatsoever to the Southward of Twenty-five Degrees of North Latitude, there shall be paid for every Voyage both in and out of the said Port, Three Farthings *per* Ton.

Duties to be paid in like Manner as the Duties of Customs.

IV. And be it further enacted, That the said Duties shall be under the Management of the Commissioners of His Majesty's Customs, and shall be received and recovered in the same Manner as any Duties of Customs are or can be received or recovered.

V. Pro-

Certain Vessels to be exempt from Dues.

V. Provided always, and be it further enacted, That this Act shall not extend to charge with any of the said Rates or Dues herein-before granted any of His Majesty's Ships of War, or any Ship or Vessel whatsoever being the Property of His Majesty, His Heirs or Successors, or of any of the Royal Family, nor to charge therewith any Ship or Vessel coming to or going Coastwise from the Port of *London* or to any Part of *Great Britain*, unless such Ship or Vessel shall exceed Forty-five Tons Register Tonnage, nor any Vessel bringing Corn Coastwise, the principal Part of whose Cargo shall consist of Corn, nor any Fishing Smacks, Lobster and Oyster Boats, or Vessels for Passengers, nor any Vessel or Vessels or Craft navigating the River *Thames* above and below *London Bridge* as far as *Gravesend* only, nor any Ship or other Vessel entering the Port of *London* inwards, or going from the Port of *London* outwards, when in Ballast.

Application of the Monies to be produced by the Rates and Duties granted by this Act.

VI. And be it further enacted, That the Monies which shall from Time to Time be received and produced from and by means of the Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, by this Act, shall be applied and disposed of in manner following; (that is to say,) so much thereof shall be paid into the Chamber of the City of *London* as shall be sufficient from Time to Time for defraying the Costs, Charges, and Expences of obtaining and passing this Act, and otherwise relating thereunto, and for defraying all the necessary Costs and Charges of maintaining, repairing, altering, and renewing the Mooring Chains now lying and which shall hereafter lie or be in the River *Thames*, and also for paying the Salaries and Wages of the said Harbour Masters and their Assistants, and such Superannuations and retired Allowances as may be granted to any of the present or future Harbour Masters, or any Officers or other Persons, under or by virtue of the said herein-before in part recited Acts or any of them, and other the necessary Costs and Expences (if any) of regulating the said Port, and the Ships and Vessels therein, according to the Provisions contained in the said recited Acts or any of them, or in anywise relating thereunto; and the Monies so to be paid into the said Chamber for those Purposes shall be applied by the Mayor and Commonalty and Citizens of the City of *London*, and their Successors, in defraying the same Costs and Charges, and paying the same Salaries, Wages, and retired Allowances and Expences accordingly; and the Residue or Overplus (if any) of the Monies to be received and produced by or from the said Rates or Duties, upon the Amount of such Residue or Surplus being ascertained, and which the said Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, are hereby required to do annually, shall be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the City of *London* for the Time being, upon Trust, in the Event of a Deficiency at any future Time or Times in the Amount of the Monies to be received and produced from or by the Rates and Duties hereby granted or made payable, to raise by and out of the Dividends or Interest thereof, or the Sale thereof, or of Part thereof, and pay into the said Chamber of the said City of *London*, such Sum or Sums of Money as together with the

Amount of the Monies received and produced for the Time being from or by the said Rates and Duties hereby granted shall be necessary for Payment of the Costs, Charges, Salaries, Wages, Allowances, and Expences herein-before mentioned, and, subject thereto, to lay out and invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased, and of all Accumulations thereof, or of the unapplied Part or Parts thereof respectively, in their Names, in like Manner, for the Purpose of Accumulation, until the same Stocks, Funds, and Securities, and Accumulations, or any of them, shall be required to be sold in order to supply any such Deficiency as aforesaid.

Power to the Treasury to reduce the Rates if found, after Three Years, to be more than sufficient.

VII. Provided always, and be it further enacted, That in case at any Time after the Expiration of Three Years from the passing of this Act it shall appear to the Commissioners of His Majesty's Treasury, that the Monies which shall from Time to Time be received and produced from and by the Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, by this Act, are more than sufficient for defraying the Costs, Charges, Salaries, Allowances, and Expences herein-before directed to be paid thereout, then and in such Case it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to cause all or any of the Rates and Duties hereby granted and made payable to be reduced in Amount to such Extent, and from and after such Time, as they shall think proper and expedient, and they shall cause Notice of such Reduction to be given in the *London Gazette*, stating a List or Title of the reduced Rates or Duties which shall be payable in lieu of all or any of the Rates or Duties hereby granted or made payable, and the Time at which such reduced Rates or Duties shall commence to be payable; and such reduced Rates and Duties shall, from and after the Time to be mentioned in such Notice, be paid and payable in lieu of the Rates and Duties hereby granted and made payable, and in lieu of which they shall be expressed in such Notice to be payable, and shall be ascertained, secured, paid, collected, levied, recovered, and received in such or the like Manner in all respects as herein-before is mentioned or referred to with respect to the Rates or Duties in lieu of which such reduced Rates or Duties shall be payable.

Power of the former Acts, so far as they are not repealed or rendered unnecessary, to extend to this Act.

VIII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Directions, Fines, Penalties, Forfeitures, Clauses, Matters, and Things whatsoever in the said herein-before in part recited Acts or any of them contained, in relation to the said Rates and Duties thereby granted, or the levying, recovering, collecting, receiving, taking, paying, and accounting for the same, or in relation to any other Act, Matter, or Thing whatsoever, shall, so far as the same or any of them are applicable to the Rates and Duties granted by this Act, or any other of the Purposes thereof, and are in force at the Time of the passing of this Act, and are not hereby repealed, altered, or otherwise provided for or rendered unnecessary, extend and be construed to extend to the Rates and Duties by this Act granted, and to all the other Purposes thereof, and shall operate and be in force in respect to the said Rates and Duties,

and other Purposes of this Act, according to the true Meaning of this Act, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Provisions, Regulations, Directions, Fines, Penalties, Forfeitures, Clauses, Matters, and Things were repeated and re-enacted in the Body of this Act.

Chamberlain to keep Accounts of Receipts and Disbursements;

IX. And be it further enacted, That from Time to Time there shall be provided and kept by the Chamberlain of the said City for the Time being One or more Book or Books, in which all the Sum or Sums of Money which shall be received by virtue of this Act shall from Time to Time, as the same shall be paid, be entered and set down, and wherein also all the Monies to be paid and disbursed out of the Sum or Sums of Money to be received shall from Time to Time be entered and set down; and such Entry shall express the Time when, the Occasion for which, and the Names of the Persons to whom the same respectively shall be paid.

and lay an Account before Parliament yearly.

X. And be it further enacted, That the Chamberlain of the said City of *London* shall yearly lay before each House of Parliament a true Account in detail of the Receipts and Application of the Sum or Sums of Money which shall be received by virtue of this Act.

Expences of the Act.

XI. And be it further enacted, That the said Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, shall pay and discharge all the Costs and Charges of obtaining and passing this Act, and otherwise relating thereto, by and out of the Monies to be paid into the Chamber of the City of *London* from and out of the Monies to be produced by the said Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, in pursuance of this Act as aforesaid.

Public Act.

XII. And be it further enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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