ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

CAP. LXXIX.

An Act for vesting Lighthouses, Lights, and Sea Marks on the Coasts of *England* in the Corporation of Trinity House of *Deptford Strond;* and for making Provisions respecting Lighthouses, Lights, Buoys, Beacons, and Sea Marks, and the Tolls and Duties payable in respect thereof.

[13th *August* 1836.]

WHEREAS by far the greater Number of the Lighthouses upon the Coasts of *England*, and the Islands and other Places adjoining thereto, belong to or are under the Control and Management of the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House* of *Deptford Strond*, as well by virtue of a certain Act of Parliament of the Eighth Year of Queen *Elizabeth*, intituled *An Act concerning Sea Marks and Mariners*, as by virtue of divers ancient Grants and Charters, and particularly of a certain ancient Grant dated the Eleventh Day of *June* in the Thirty-sixth Year of Her said Majesty, whereby Her Majesty granted to the Master, Wardens, and Assistants of the said Corporation the Beaconage and Buoyage, and the Office of Beaconage and Buoyage, upon the Surrender thereof into the Hands of Her Majesty by *Charles* Lord *Howard* Baron of *Effingham*, 8 Eliz. c. 13.

Effingham, then being Her said Majesty's Great Admiral of *England;* and the said Master, Wardens, and Assistants are entitled to erect and maintain from Time to Time such and so many Beacons, Marks, and Signs for the Sea in such Place or Places of the Sea Shores and Uplands near the Sea Coasts or Forelands as to them shall seem most meet, whereby Dangers may be avoided, and Ships the better come to their Ports without Peril: And whereas the several Lighthouses at *Harwich* in the County of *Essex*, *Dungeness* in the County of *Kent*, *Wintertonness* and *Hunstanton Cliff* in the County of *Norfolk*, and *Orfordness* in the County of *Suffolk*, still remain Parcel of the Possessions and Land Revenues of the Crown in *England*, and are under the separate Control and Management of divers Individuals, as Lessees thereof under the Crown, for Terms of Years which are not yet expired; (that is to say,) the Lighthouse at *Harwich* under the Control and Management of Lieutenant General *Francis Slater Rebow*, the Lighthouse at *Dungeness* under the Control and Management of *Thomas William Coke* Esquire, the Lighthouses at *Wintertonness* and *Orfordness* under the Control and Management of the Right Honourable *Richard Griffin* Lord *Braybrooke*, and the Lighthouse at *Hunstanton Cliff* under the Control and Management of *Samuel Lane* Esquire, or his Representatives: And whereas certain other Lighthouses upon the Coasts of *England* are under the separate Control and Management of divers Individuals, as the Proprietors or Lessees thereof; (that is to say,) the Lighthouse upon the Island Rock called "*Skerries*," in *Saint George's Channel*, under the Control and Management of *Morgan Jones* Esquire, acting by virtue of an Act of the Third Year of *George* the Second, intituled *An Act for confirming a Patent granted by Her late Majesty Queen* Anne *to* William Trench *Esquire, deceased, for erecting a Lighthouse upon the Island or Rock called* "Skerries," *and for the better Maintenance of the said Lighthouse; and for making the Duties granted for maintaining the same perpetual;* the Lighthouses near the *Spurn Point* at the Mouth of the River *Humber* under the Control and Management of *Benedict John Angell Angell* Esquire and *George Lowther Thomson* Esquire, acting by virtue of an Act of the Sixth Year of *George* the Third, intituled *An Act for taking down and removing certain Lighthouses now standing near the* "Spurn Point" *at the Mouth of the* Humber, *and for erecting other fit and convenient Lighthouses instead thereof*, and an Act of the Twelfth Year of *George* the Third, intituled *An Act to explain and amend an Act passed in the Sixth Year of His present Majesty, intituled 'An Act for taking down and 'removing certain Lighthouses now standing near the* "Spurn Point" *'at the Mouth of the* Humber, *and for erecting other fit and convenient 'Lighthouses instead thereof;'* the Lighthouse at *Tinmouth* in the County of *Northumberland* under the Control and Management of *William Fowke* Esquire, acting by virtue of an Act of the Forty-second Year of *George* the Third, intituled *An Act for improving the* Tinmouth Castle *Lighthouse and Light, and for authorizing additional Light Duties in respect of such Improvement;* and the Lighthouse on the Rock called "*The Smalls*," in *Saint George's Channel*, under the Control and Management of Mistress *Elizabeth Buchanan* and *Thomas Pickering Clarke* Esquire, by virtue of a Lease from the said Master, Wardens, and Assistants of the Corporation of *Trinity House*, subject to a Rent payable

Harwich, Dungeness, Winterton-ness, Hun-stanton Cliff, and Orford-ness Lights.

Skerries Light.

3 G. 2. c. 36.

Spurn Lights.

6 G. 3. c. 31.

12 G. 3. c. 29.

Tinmouth Castle Light.

42 G. 3. c. 43.

Smalls.

payable in respect thereof; and the Lighthouse on the Rock called "*The Longships*," on the Coast of *Cornwall*, is held by *Henry Pascoe Smith* Esquire, by virtue of a like Lease from the said Master, Wardens, and Assistants: And whereas by an Act of the Third Year of *George* the Fourth, intituled *An Act for* (among other Things) *enabling the Corporation of* Trinity House *of* Deptford Strond *to reduce, alter, modify, relinquish, or abolish Dues payable to the said Corporation; and for other Purposes connected therewith*, it was enacted, that the Master, Wardens, and Assistants of the said Corporation might, with any surplus Monies then or thereafter in their Hands, arising from any Tolls theretofore or thereafter payable to them, purchase any Beacons, Buoys, Lighthouses, or other Marks and Signs for the Sea, or any Interest therein or in any Tolls arising therefrom, belonging to any Body Corporate or Politic or to any Person; and that all such Bodies or Persons, and all other Persons whosoever possessed thereof or interested therein, might contract for the Sale thereof with the said Master, Wardens, and Assistants, and might convey the same to them: And whereas by virtue of the last-mentioned Act the said Master, Wardens, and Assistants have purchased certain Estates and Interests in Lighthouses and Tolls from Parties possessed thereof: And whereas the several Lighthouses upon the Coasts of *Scotland* are under the Control and Management of the Commissioners of the Northern Lighthouses, acting by virtue of an Act of the Twenty-sixth Year of *George* the Third, intituled *An Act for erecting certain Lighthouses in the Northern Parts of* Great Britain, and of several other Acts for rendering the last-mentioned Act more effectual: And whereas the several Lighthouses upon the Coasts of *Ireland* are under the Control and Management of the Corporation for preserving and improving the Port of *Dublin* acting by virtue of an Act of the Fifty-second Year of *George* the Third, intituled *An Act to make more effectual Provision for enabling the Corporation for preserving and improving the Port of* Dublin *to erect, repair, and maintain Lighthouses and Lights round the Coasts of* Ireland, *and to raise a Fund for defraying the Charges thereof*: And whereas there are also divers other Lights exhibited in and near to certain Ports, Harbours, and Places on the Coasts of the United Kingdom for the Guidance of Vessels entering or resorting to the same, and sometimes called Local or Harbour Lights, which Lights are under the Control and Management of Commissioners, Trustees, and other local Officers and Persons: And whereas, in order to the Attainment of Uniformity of System in the Management of Lighthouses, and the Reduction and Equalization of the Tolls payable in respect thereof, it is necessary that all Lighthouses upon the Coasts of *England* and other Places adjoining or near thereto, for the Protection and Guidance of Vessels navigating the *British* Seas, and the Tolls payable in respect thereof, should be vested in the said Master, Wardens, and Assistants, and that the several Lighthouses upon the Coasts of *Scotland* and *Ireland* respectively should be under their Supervision: And whereas in order to prevent Accidents which may arise from Local or Harbour Lights in the United Kingdom being mistaken for Coast Lights it is necessary that they should be made subject to the Control of the said Master, Wardens, and Assistants, Commissioners of Northern Lighthouses, and Corporation for preserving and improving the Port of *Dublin*

Longships.

3 G. 4. c. 111.

Scotch Lights.

26 G. 3. c. 101.

Irish Lights.

52 G. 3. c. 115.

Harbour Lights.

Dublin respectively: Be it therefore 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 on and after the First Day of *January* One thousand eight hundred and thirty-seven all the Estate, Right, and Interest of His Majesty in the several Lighthouses at *Harwich*, *Dungeness*, *Wintertonness*, *Orfordness*, and *Hunstanton Cliff*, and in the Land whereon the same respectively stand, and the Buildings, Lands, and Appurtenances thereunto respectively belonging, and occupied for the Purposes of the same respectively, and the Fixtures, Apparatus, and Furniture thereunto belonging, and the Tolls and Duties payable in respect thereof, shall be transferred to and shall be absolutely vested in the said Master, Wardens, and Assistants, subject nevertheless to the several subsisting Leases of the said several Lighthouses and Premises granted by His Majesty, or by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to the several Persons under whose Control and Management the said Lighthouses respectively now are, as herein-before is mentioned.

Property of the Crown in Lighthouses transferred to the Trinity House;

subject to certain subsisting Leases granted by the Commissioners of Woods and Forests.

Compensation to the Land Revenues for such Trans-

II. And whereas it is just that Compensation should be made to the Land Revenues of the Crown for the Surrender which will be made under this Act of the Rights of the Crown in the said several Lighthouses at *Harwich*, *Dungeness*, *Wintertonness*, *Orfordness*, and *Hunstanton Cliff*: And whereas the Interests of the Crown in the said several Lighthouses, as such Interests would exist on the said First Day of *January* One thousand eight hundred and thirty-seven, in case this Act had not been passed, have been calculated and ascertained to be worth in Money, to be paid on the said First Day of *January* One thousand eight hundred and thirty-seven, the Sum of Three hundred thousand Pounds: And whereas, by virtue of the Powers contained in several Acts passed in the Fifty-third, Fifty-fourth, and Fifty-seventh Years of *George* the Third, and the First and Fifth Years of *George* the Fourth, for the Management and Improvement of the Land Revenues of the Crown, or in some of them, Advances have been made from Time to Time out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* for the Purposes of the said Acts, to the Amount in the whole of Six hundred thousand Pounds: And whereas by the said last-mentioned Acts, and by another Act of the Tenth Year of *George* the Fourth, intituled

10 G. 4. c. 50.

An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in England, *and of the Land Revenue of the Crown in* Ireland, *and for extending certain Provisions relating to the same to the* Isles of Man *and* Alderney, the said Sum of Six hundred thousand Pounds so advanced is made a Charge upon and is payable out of the Possessions and Land Revenues of the Crown, whenever the annual Produce of those Revenues shall cease to be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and shall be retained by the Crown as Part of its Hereditary Revenue: And whereas it is expedient that such Compensation should be granted by reducing the Amount chargeable upon the

Possessions and Land Revenues of the Crown in respect of the Advances made under the several herein-before mentioned Acts; be it therefore further enacted, That so soon as the Estate, Right, and Interest of His Majesty in the several Lighthouses herein-before mentioned shall vest in the said Master, Wardens, and Assistants under this Act, the Amount chargeable upon the Possessions and Land Revenues of the Crown in respect of the Advances to the Extent of Six hundred thousand Pounds, so made out of the Consolidated Fund under the said recited Acts, shall be reduced to the Sum of Three hundred thousand Pounds, and such last-mentioned Sum only shall be then chargeable upon the Possessions and Land Revenues of the Crown, under the Authority of the recited Acts, instead of the said Sum of Six hundred thousand Pounds at present charged thereon.

The Trinity House empowered to purchase the Lessees Interests in such subsisting Leases, and also the Lighthouses mentioned in the Schedule.

III. And be it further enacted, That the said Master, Wardens, and Assistants may agree with the Lessees or other Persons interested in the said several Lighthouses at *Harwich*, *Dungeness*, *Winterton-ness*, *Orfordness*, and *Hunstanton Cliff*, by or under the several Leases so granted thereof by His Majesty, or by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and with the Owners of and Persons interested in or herein-after capacitated to agree for the Sale of the Lighthouses in the Schedule to this Act mentioned, and the Land whereon the same several Lighthouses respectively stand, and the Buildings, Lands, and Appurtenances thereto belonging or occupied for the Purposes of the same respectively, and the Fixtures, Apparatus, and Furniture thereunto belonging, and the Tolls or Duties payable in respect thereof, and of all Rents, Rent-charges, Annuities, or Payments charged thereon or payable in respect thereof, for the absolute Purchase thereof, and of all or any Estates and Interests therein, for such Purchase Money as shall be agreed upon, and the said Master, Wardens, and Assistants shall consider fair and just, having regard to the Value of the Property, and the Rights, Benefits, and Advantages resulting to the Proprietors from the Enjoyment thereof; and that all other Persons whosoever, who at or immediately before the making of this Act were or may become seised or possessed of or entitled to or interested in any such Lighthouse, whether mentioned in the said Schedule or included in any such Lease as aforesaid, may agree with the said Master, Wardens, and Assistants for the absolute Sale thereof, or of such Estate or Interest therein, for such Purchase Money as to the contracting Parties shall seem reasonable; and all such Agreements shall be effectual in the Law, and for the Purposes only of every such Agreement and Sale; and for preventing any Question respecting the Validity thereof, by reason of any Defectiveness of Title in the Party making the same, the Persons who shall have been or shall be in Possession of any such Lighthouse at the Time from which the Purchase thereof respectively shall take effect, and all Persons claiming under such Person, or under or consistently with the Possession of such Person, shall be deemed to have a complete Title: Provided always, that no such Contract shall be made by the said Master, Wardens, and Assistants without previous Consent in Writing by the Lord High Treasurer for the Time being; and the Power hereby

provided to agree for such Sale as aforesaid shall extend to all Corporations, and all Tenants for Life or in Tail, or any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and other Persons whomsoever, not only for and on behalf of themselves and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Contingency after them, if incapacitated, and as to such Husbands and Guardians also for and on behalf of their respective Wives and Wards, and as to such Committees for and on behalf of the Lunatics and Idiots of whom they shall be the Committees respectively, and as to all such Corporations, Tenants, Trustees, and Feoffees in Trust, Executors, Administrators, and other Persons as aforesaid, also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and all Femes Covert, in the same Manner as if they were sole and unmarried, seised, possessed of, or interested in their own Right, whether in Fee Simple, Fee Tail, or for Life or Years, or otherwise, or entitled to Dower or any other Interest: Provided always, that previous to entering into any Agreement under this Clause the said Master, Wardens, and Assistants shall cause public Notice to be given, of such Tenor and in such Form as they shall think fit, for the Purpose of having the Estates, Rights, and Interests to be purchased in pursuance of this Act ascertained, and the Amount of the Purchase Money claimed for the same settled; such Notice to be published in the *London Gazette* and in One of the provincial Newspapers circulated within the County in which or near whereto such Lighthouse shall be situated, and a Copy of the same Notice to be also affixed upon such Lighthouse.

Misnomers not to prevent the Execution of this Act.

IV. And be it enacted, That if the Names or Descriptions of any of the Lighthouses referred to in this Act or in the Schedule hereto, or of any of the Persons stated to be the Owners or Lessees thereof or interested therein, or in the Tolls payable in respect thereof, shall happen to be mis-stated or omitted herein or in the said Schedule, such Mis-statement or Omission shall not prevent the Execution of this Act; but such Lighthouse and Tolls shall notwithstanding be effectually vested in the said Master, Wardens, and Assistants for the Purposes of this Act.

Differences as to Value to be settled by referring the Matter to a Jury.

V. And in order to facilitate the Completion of the Purchases of the said Lighthouses with as little Delay as possible, and to provide the Means of obviating any Difficulties and settling any Differences which may arise in adjusting the Terms of Purchase, or from the Refusal or Incapacity of any Party to treat, be it enacted, That in any of the Cases herein-after mentioned the said Master, Wardens, and Assistants may refer the Matter to the Determination of a Jury, and for that Purpose the Proceedings herein-after mentioned shall be taken.

Cases in which the Matter is to

VI. And be it enacted, That the Cases in which the Matter may be referred to the Determination of a Jury shall be the following; (that

(that is to say,) if any Corporation, Trustee, or other Person interested, or entitled and capacitated to sell, contract, or agree as aforesaid, shall not agree with the said Master, Wardens, and Assistants as to the Amount of such Purchase Money; or if any of the Parties entitled to receive such Purchase Money shall refuse to accept such Purchase Money as shall be offered by the said Master, Wardens, and Assistants, and shall give Notice thereof in Writing to the said Master, Wardens, and Assistants, by leaving the same at the *Trinity House* in *London* within Thirty Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury; or if any of such Parties shall, for the Space of Thirty Days next after such public Notice as aforesaid shall have been affixed, published, and given by the said Master, Wardens, and Assistants as herein-before mentioned, neglect or refuse to treat, or shall not agree, or by reason of Absence or other Cause shall be prevented from treating with the said Master, Wardens, and Assistants for the Sale of their respective Estates and Interests, or the respective Estates and Interests which they respectively are hereby capacitated to sell therein, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of effectually making such Agreement or Sale thereof, or shall not disclose and prove the State of the Title to the Premises of which they respectively may be in Possession, or which they respectively claim to be entitled unto or interested in; or in case the said Master, Wardens, and Assistants shall not, within the Period of Three Calendar Months next after the Expiration of such Notice as aforesaid, have ascertained to their Satisfaction in whom any such Lighthouse is lawfully vested, or the Persons entitled or by this Act capacitated to sell as aforesaid: Provided always, that no such Reference to a Jury shall be made after the Expiration of Five Years from the passing of this Act, except with the Consent of the Person or Persons for the Time being in Possession or entitled to the Profits of the Property proposed to be purchased.

be referred to a Jury.

VII. And be it enacted, That in the event of any Matter being referred to the Determination of a Jury, and in order thereto the following are the Proceedings which shall be observed; that is to say, the said Master, Wardens, and Assistants shall issue a Precept under their Common Seal, or under the Hand of their Secretary for the Time being, to the Sheriff of the County wherein the Lighthouse which shall be the Subject of the proposed Inquiry shall be situate, or if not situate in any County in the County next or nearest whereunto such Lighthouse shall be situate, requiring him to summon, return, and impannel, and the said Sheriff is hereby accordingly empowered and required to summon, return, and impannel, on a certain Day therein to be appointed, a Jury of not less than Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to serve on Special Juries for Trials of Issues in His Majesty's Courts of Record at *Westminster;* and the Persons to be so summoned, returned, and impannelled shall appear before the said Sheriff at such Time and Place within the said County as in such Precept shall be appointed, and attend from Day to Day until discharged;

Course of Proceeding where the Matter is referred to a Jury.

charged; and out of the Persons so to be summoned, returned, and impannelled, or out of such of them as shall appear, a Jury of Twelve Men shall be impannelled by the said Sheriff, or by some Person to be by him appointed, in such Manner as Special Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be impannelled; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff shall summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matter in question, and may use all such other lawful Ways and Means, as well for his own as for the said Jury's better Information, as shall be requisite in the Premises; and such Jury shall upon their Oaths, or, being Quakers, upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the true, fair, and just Value of such Lighthouse as may be the Subject of such Inquiry, having regard to the Rights, Benefits, and Advantages resulting to the Proprietors from the Enjoyment thereof, and to the Liabilities to which they are at present subject; and the said Sheriff shall accordingly give Judgment for such Purchase Monies as shall be assessed by such Jury; which said Verdict and the Judgment thereon to be pronounced as aforesaid shall be conclusive upon all Persons whatsoever: Provided always, that not less than Forty-two Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by or on the Part of the said Master, Wardens, and Assistants to the Party with whom any such Controversy shall arise, by causing the same to be published in the *London Gazette* and in such Provincial Newspaper as aforesaid, and also to be affixed upon the Lighthouses in respect of which such Inquiry shall be had: Provided also, that in every Proceeding before any such Jury the Party claiming such Purchase Money shall be deemed to be the Plaintiff, and the said Master, Wardens, and Assistants the Defendants: Provided always, that if any Question shall arise respecting the Tolls payable in respect of any such Lighthouse, those which have been usually paid shall in assessing the Value of such Lighthouse be taken to be the Tolls payable in respect thereof, provided they shall not be inconsistent with the Patents, Leases, or Acts of Parliament under which such Tolls are payable.

In default of Jurors, the Sheriff to adjourn the Inquiry.

VIII. And be it enacted, That in case a sufficient Jury to take the Inquisition shall not appear upon the Day so to be appointed by such Precept, the Sheriff shall from Time to Time, until a sufficient Jury shall have been obtained by the Means aforesaid, adjourn the Inquiry to any future Day, not exceeding Fourteen Days nor less than Four Days from the Adjournment thereof; and when a sufficient Number of Jurors shall appear he shall proceed to swear and impannel Twelve of them, who shall inquire as aforesaid.

Persons interested not to be Jurymen.

IX. Provided always, and be it enacted, That no Person shall be summoned or chosen to be of such Jury who shall be an Owner of or

possess any Estate or Interest, directly or indirectly, in any such Lighthouse.

No Person to be heard upon the Inquiry without giving previous Notice of his Claim.

X. And be it enacted, That no Person shall be heard before the said Sheriff and the Jury touching the Matter of the Inquiry, unless a previous Notice in Writing of Fourteen Days at the least before the taking of such Inquisition shall be given to the said Master, Wardens, and Assistants, by leaving the same at the *Trinity House* in *London* or at the Office of the Solicitor of the said Master, Wardens, and Assistants for the Time being, containing a full and particular Statement of the Nature and Extent of the Estate or Interest in respect whereof such Person shall claim to be heard.

Mode of proceeding in case no Person appears pursuant to Notice.

XI. Provided always, and be it enacted, That in case no Person shall appear pursuant to such Notice so to be given and affixed as aforesaid, then the said Sheriff as aforesaid and also the said Jury shall proceed upon the best Information they can obtain to make such Inquest or Judgment, and such Inquest and Judgment shall be final and conclusive as if all Parties concerned had appeared and been heard.

Jury to settle the Proportions to be paid to the Owners of particular Estates.

XII. And be it enacted, That the Jury at the Time of assessing the Value of any such Lighthouse shall (if thereunto required) settle what Shares and Proportions of the Purchase Money assessed shall be allowed to any Person for any his particular Estate, Term, or Interest in the Premises that may be shown to be existing therein respectively at the Time of the taking the Inquisition.

Annuities, &c. after Purchase thereof by the Trinity House to be deemed satisfied.

XIII. Provided always, and be it enacted, That every Payment, Rent, Rent-charge, Annuity, or Incumbrance so purchased by the said Master, Wardens, and Assistants, from the Time when the Purchase Money for the same so agreed upon or assessed shall have been paid by them, shall be thereupon deemed to be satisfied and extinguished, and that no Action or Suit or other Proceeding shall thenceforth be had or taken in respect of the same, except to recover such Arrears as may have grown due thereon before the same shall have been so purchased.

Allowance to Sheriffs and Jurors.

XIV. And be it enacted, That each Juryman who shall be summoned, and who shall appear and be ready to be sworn or affirmed upon any such Inquest, shall be allowed his reasonable travelling Expences to and from the Place of Meeting, and that each Juryman who shall be sworn or affirmed shall, in addition thereto, be allowed for his Trouble and Subsistence the Sum of One Pound One Shilling for each Day's Attendance and no more, and that the Sheriff, for summoning, returning, and impannelling the Jury, and taking and recording their Verdict and the Judgment to be given thereon, shall be allowed the Sum of Ten Pounds and no more, and for his Subsistence the further Sum of One Pound One Shilling for each Day's Attendance in addition to his reasonable travelling Expences to and from the Place of Meeting; which respective Allowances, in case of Dispute, shall be determined by Two Justices of the Peace in and for the said County, and shall be paid by the said Master, Wardens, and Assistants, or their Order.

Fines on Sheriff, Jury, and Witnesses for Non-attendance.

XV. And be it enacted, That any Justice of the Peace for the County to the Sheriff of which any such Precept may be directed may impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on such Sheriff or any Person acting under him or in his Behalf respectively making default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury and shall not appear without sufficient Excuse, or appearing shall refuse to be sworn (or, being one of the People called Quakers, to make Affirmation) on the said Jury, or being so sworn or having so made Affirmation shall not give his or their Verdict, and also on any Person who shall be summoned to give Evidence touching any of the Matters referred to, and after Payment or Tender of his or her reasonable travelling Expences shall not attend, or attending shall refuse to be sworn or to affirm, or be examined or to give Evidence, and on any Person who shall in any other Manner wilfully neglect his Duty in the Premises contrary to this Act.

Juries to be under the same Regulations as in Courts at Westminster.

XVI. And be it enacted, That every such Jury shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*, and that all Persons who, in any such Inquiry to be made by virtue of this Act, shall wilfully give false Evidence upon Oath or solemn Affirmation before the said Sheriff or his Deputy and such Jury shall be prosecuted for the same, and upon Conviction thereof shall be subject to such Punishments and Disqualifications as Persons are subject to for wilful and corrupt Perjury.

Verdicts to be deemed Records, and Copies Evidence.

XVII. And be it enacted, That the said Verdicts and Judgments, and all other Proceedings of such Sheriff and the Juries respectively, shall be fairly written on Parchment and signed by such Sheriff, and shall be transmitted to and kept by the Clerk of the Peace or the Person having the Custody of the Records of the Quarter Sessions of the County in which or next whereunto such Lighthouse shall be situate, and shall be deposited with and be Records of such Quarter Sessions; and the same or Copies thereof shall be allowed to be Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same upon paying for such Inspection the Sum of Five Shillings.

Cost of ascertaining Amount of Purchase Money by whom to be paid.

XVIII. And be it enacted, That in case a Verdict shall upon any such Inquiry be given for a greater Sum of Money than shall have been offered by the said Master, Wardens, and Assistants previously to the summoning of such Jury, or in case no such Offer shall have been made, or in case by reason of Absence or other Impediment or Disability there shall not be found any Person legally capacitated to receive the Purchase Money, then all the reasonable Costs, Charges, and Expences of causing and procuring such Purchase Money to be assessed and awarded, and of so assessing and awarding the same, shall be settled by the Sheriff, and shall be paid by the said Master, Wardens, and Assistants; but in case any Verdict shall be given for the same Sum of Money as shall have been previously offered by the said Master, Wardens, and Assistants, or for a less Sum than shall have

have been so previously offered, or in case of such Refusal to treat by any Person by this Act or otherwise legally empowered to treat for and receive such Purchase Money, then all the reasonable Costs, Charges, and Expences of causing and procuring such Purchase Money to be assessed and awarded, and of so assessing and awarding the same (being first so taxed), shall be paid in manner following; (that is to say,) one Moiety thereof shall be paid by the said Master, Wardens, and Assistants, and the other Moiety shall be deducted out of the Sum so to be assessed or awarded; and the Payment or Tender of the Remainder shall be taken to be a Payment or Tender of the whole Sum.

Purchase Money, &c. how to be paid.

XIX. And be it enacted, That all such Purchase Money as shall be so agreed for or so assessed under this Act shall within Three Months next after such Agreement shall have been concluded, or within Three Months next after the Amount of such Purchase Money shall have been so assessed, be paid by the said Master, Wardens, and Assistants either to the Person entitled to receive the same or into the Bank of *England*, in manner herein-after mentioned in Cases where the same is hereby directed to be paid into the Bank of *England*.

Lighthouses, and Tolls payable in respect thereof, to vest in the Trinity House immediately on Payment or Tender of the Purchase Money.

XX. And be it enacted, That immediately upon Payment or Tender of the Purchase Money thereof being made either to the Party or Parties respectively entitled to receive such Monies or into the Bank of *England* in the Manner in this Act directed respectively, as the Case may require, every such Lighthouse in respect whereof such Monies shall have been so paid or tendered shall thereupon absolutely vest in the said Master, Wardens, and Assistants and their Successors, and they shall thenceforth be deemed to be in the actual Possession thereof, discharged from all other Estates, Reversions, Rights, Titles, Interests, Claims, and Demands of any other Person therein or thereto, or in or to the Tolls payable in respect thereof, and also from all Rents or Payments whatsoever issuing out of or reserved or charged upon or made payable in respect of the same, or the Tolls payable in respect thereof, to or for the Use of any Person; and so soon as any such Lighthouse shall in manner aforesaid become vested in the said Master, Wardens, and Assistants, the Tolls which shall then be by Law payable in respect of any such Lighthouse shall thenceforth become payable to and recoverable by the said Master, Wardens, and Assistants, and be applied as are other the like Tolls now payable to them.

Debts charged on Lighthouses to be still charged thereon.

XXI. Provided always, and be it enacted, That where any Payment shall be legally charged upon any Lighthouse, or where any Sum of Money shall have been advanced by any Person upon the Security of any such Lighthouse, then such Lighthouse and the Tolls to be from Time to Time payable in respect thereof shall remain subject to such Payment or so much thereof as shall be unpaid at the Time when such Lighthouse shall vest in the said Master, Wardens, and Assistants until they shall have purchased the same Payment under this Act; and every Person to whom any such Payment shall be payable shall from the Time when such Lighthouse shall have

so

so vested in the said Master, Wardens, and Assistants, and until such Payment shall have been so purchased by them, have such and the like Means of enforcing his Security against the said Tolls to be from Time to Time collected by the said Master, Wardens, and Assistants as he could have had if this Act had not been passed against the Tolls now payable in respect of such Lighthouse.

Trinity House empowered to deduct such Debts out of the Purchase Money.

XXII. Provided also, and be it enacted, That where any ascertained Sum of Money, or any Interest for the same, shall be remaining unpaid and charged upon any such Lighthouse, or the Tolls payable in respect of the same, at the Time when the same shall be purchased by the said Master, Wardens, and Assistants, and the said Master, Wardens, and Assistants shall have due Notice thereof, then they may retain the Amount of such Sum of Money and Interest respectively from the Amount of the Purchase Money, and they shall thereupon pay over the Amount of such Sum of Money and Interest respectively so remaining unpaid to the Person to whom the same shall be payable; and if such Person to whom such Sum of Money or Interest shall be payable shall be a Feme Covert, Infant, Lunatic, or otherwise under a general Disability or Incapacity to give a Discharge for such Sum of Money or Interest respectively, then they shall cause the same to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there "*ex parte* the Corporation of *Trinity House* of *Deptford Strond*," in such Manner and pursuant to such Method and subject to such Orders and to be so dealt with, applied, and disposed of as is herein-after pointed out in respect of the Monies which shall belong to Femes Covert, Infants, Lunatics, or other Persons under a general Disability or Inability to sell on account of the Purchase of any Lighthouse.

Application of Purchase Money when amounting to 200*l.* and upwards.

XXIII. And be it enacted, That all such Purchase Money which shall belong to any Body Politic or Corporate, or any Feme Covert, Infant, Lunatic, or other Person under a general Disability or Incapacity to sell, shall, in case the same shall amount to or exceed Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there "*ex parte* the Corporation of *Trinity House* of *Deptford Strond*," pursuant to the Method prescribed by an Act of the First Year of *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster, *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and shall be subject to the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the annual Profits or Produce of any Estate or Interest in such Lighthouse, in the Purchase of Houses, Buildings, Lands, Tenements, or Hereditaments which shall be

1 G. 4. c. 35.

conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as such Lighthouse stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid by the Order of the said Court to the Person who would for the Time being have been entitled to the annual Profits and Produce of such Lighthouse in case the same had not been purchased or taken by the said Master, Wardens, and Assistants under this Act.

Application of Purchase Money when less than 200*l.* and more than 20*l.*

XXIV. And be it enacted, That if any Purchase Money of any such Lighthouse belonging to any Person under Disability or Incapacity shall be less than Two hundred Pounds, and shall exceed Twenty Pounds, then the same shall at the Option of the Person for the Time being entitled to the annual Profits or Produce of such Lighthouse, or of his Guardian or Committee or Trustee, or Person acting as such, to be signified in Writing under their respective Hands or Common Seal, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person making such Option and approved of by the said Master, Wardens, and Assistants, such Nomination and Approbation to be signified in Writing under the Hands or Common Seal of the nominating and approving Parties, in order that such Purchase Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the same shall be applicable, without its being necessary to obtain the Direction or Appointment of the said Court.

Application of Purchase Money when not exceeding 20*l.*

XXV. And be it enacted, That where any such Purchase Money shall not exceed Twenty Pounds, then the same shall be applied to the Use of the Person who would for the Time being have been entitled to the annual Produce of such Lighthouse, in such Manner as the said Master, Wardens, and Assistants shall think fit, or in case of Infancy or Lunacy, or other Incapacity or Disability to sell, then the same shall be paid to his Guardian or Committee or Trustee, or other Person acting as such, for the Use of such Person so entitled; and the Receipt of the Person so entitled, or of the Person to whom the said Master, Wardens, and Assistants shall make such Payments as aforesaid, shall be a Discharge to the said Master, Wardens, and Assistants.

In case of not making out Titles,

XXVI. And be it enacted, That in case any Person to whom any Sum of Money shall be awarded shall refuse to accept the same, or shall

or if Persons entitled cannot be found, Purchase Money to be paid into the Bank.

shall not be able to make a Title to such Lighthouse to the Satisfaction of the said Master, Wardens, and Assistants, or in case the Person to whom any Sum of Money shall be awarded cannot be found, or if the Person entitled to such Lighthouse be not known or cannot be discovered, then the said Master, Wardens, and Assistants may order the said Sum assessed and awarded as and for any Purchase Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the said Master, Wardens, and Assistants, and of the Parties interested in such Lighthouse, subject to the Order of the said Court of Exchequer; which said Court, on the Application of the said Master, Wardens, and Assistants, or any Party making claim to such Sum of Money or any Part thereof, by Motion or Petition, may in a summary Way of proceeding or otherwise, as to the same Court shall seem meet, order the same to be invested in the Public Funds, and may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Interest of the Parties making claim thereto, and may make such other Order in the Premises as to the said Court shall seem just; and the Cashier of the Bank of *England* who shall receive any such Sum of Money shall give a Receipt for the same, specifying for what and for whose Use the same is received.

Person in Possession to be deemed entitled until the contrary be shown.

XXVII. And be it enacted, That where any Question shall arise touching the Title of any Party to any Money paid into the Bank of *England* in pursuance of this Act as Purchase Money, or to any Bank Annuities purchased therewith, or to the Dividends of any such Annuities, the Party who shall have been in Possession of such Lighthouse or in the Possession and Enjoyment of the annual Profits or Produce of such Tolls, or in the actual Perception of such Rent, Rentcharge, Payment, Annuity, or Incumbrance at the Time of such Purchase Money being agreed upon or awarded, shall be taken to have the complete Title thereto, according to such Possession and Enjoyment, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities shall be applied accordingly, and the said Court shall on the Application of the said Master, Wardens, and Assistants, or of any Party claiming such Purchase Money or Bank Annuities, order such Proceedings to be taken for the Purpose of deciding upon the Validity or Invalidity of the Claim of such Party as to the Court shall seem meet.

Expences of Purchases to be paid by Trinity House where the Purchase Money is paid into the Bank.

XXVIII. And be it enacted, That where by reason of any Disability or Incapacity of the Person entitled to any such Lighthouse the Purchase Money shall be required to be paid into the Bank of *England*, and be subject to the Orders and Directions of the Court of Exchequer, under the Provisions herein contained, the said Court may order all the reasonable Costs, Charges, and Expences attending such Purchase, or which may be incurred in consequence thereof, and also of the Investment of the Purchase Money in Real or Government Securities, and likewise the Re-investment of such Purchase Money, or the Government and Real Securities purchased therewith, in the Purchase of Houses, Buildings, Lands, Tenements, and Hereditaments,

as herein-before mentioned, together with the Costs, Charges, and Expences of obtaining the proper Orders and of the other Proceedings for such Purposes, and of the Payment of the Dividends and Interest of the said Government or Real Securities, and of the Payment of the Principal of the said Purchase Money and of the Government or Real Securities purchased therewith out of Court, to be paid by the said Master, Wardens, and Assistants, and the said Master, Wardens, and Assistants shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct out of the Monies applicable to the Purposes of this Act.

Compensation to Officers, &c. discharged.

XXIX. And be it enacted, That the said Master, Wardens, and Assistants, out of the Tolls which shall be received by them under this Act, may, by and with the Consent of the Lord High Treasurer for the Time being, pay to any of the Officers or Servants now employed on account of any of the Lighthouses now vested in the said Master, Wardens, and Assistants, or to be vested in them under this Act, or in the Collection of the Tolls payable in respect thereof, and whom they may not have Occasion to retain in their said Office, such reasonable Pension, by way of annual or quarterly Payments, as to them shall seem proper: Provided always, that no such Pension shall exceed the Proportion with reference to the Amount of his Salary and the Time of his Service which may be granted as a Superannuation Allowance to Officers and Clerks in the Public Service, under an Act of the Fourth and Fifth Years of His present Majesty, intituled *An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service.*

4 & 5 W. 4. c. 24.

Trinity House empowered to borrow Money.

XXX. And the better to enable the said Master, Wardens, and Assistants to carry into Effect the Purposes of this Act, be it further enacted, That the said Master, Wardens, and Assistants may, by and with the Consent of the Lord High Treasurer for the Time being, by Bond or Writing under their Common Seal, borrow at such Rate of Interest as shall be agreed upon in that Behalf any Sums of Money that shall appear to them to be necessary for enabling them to complete the Purchase of the said several Lighthouses referred to in this Act or in the Schedule hereto, and to carry the Purposes of this Act into Execution; and the Lord High Treasurer may from Time to Time, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, lend to the said Master, Wardens, and Assistants, upon the Security of such Bonds or Writings, such Sums of Money, upon such Terms and Conditions and at such Rate of Interest as the said Lord High Treasurer shall think fit, upon Application in Writing to be made to him for such Purpose by the said Master, Wardens, and Assistants, such Loan to be applied by them for any of the aforesaid Purposes; and from the Time of any such Bond or Writing being so made and given for any of the aforesaid Purposes, the said Master, Wardens, and Assistants from Time to Time shall keep down the Interest which shall have accrued due on any such Bond or Writing, or may pay off the Whole or any Part of the Principal Money secured thereby, together with the Arrears of Interest thereon,

thereon, from the Proceeds of any Tolls which may at the Time be payable to them.

Extra Duties on Foreign Ships privileged under the Reciprocity Acts no longer to be paid to the Trinity House out of the Consolidated Duties of Customs.

XXXI. And whereas certain Tolls are by Law payable in respect of certain of the Lighthouses referred to in this Act as being under the Control and Management of Individuals, and also in respect of certain other Lighthouses now under the Control and Management of the said Master, Wardens, and Assistants, on Foreign Ships and Vessels, over and above the Tolls payable in respect of such Lighthouses on *British* Ships and Vessels; but the Vessels of certain Foreign Powers have, by virtue of Conventions and Treaties heretofore entered into with such Foreign Powers, and by Orders of His Majesty in Council, been exempted from the Payment of such extra Tolls, and Provision hath been made for indemnifying the several Persons entitled thereto, by Payment of the same out of the Consolidated Duties of Customs: And whereas it is expedient that the said Consolidated Duties should be relieved from such Payments; be it therefore enacted, That from the passing of this Act no Payment shall be made out of the said Consolidated Duties as Indemnity for such extra Tolls in respect of any Lighthouse now under the Control and Management of the said Master, Wardens, and Assistants, nor shall any such Payment be made in respect of any Lighthouse to be purchased by them under the Authority of this Act from the Time when the Purchase thereof shall be completed.

If Reciprocity Conventions cease, the Duties to be again levied, and the Amount thereof paid into the Consolidated Fund.

XXXII. Provided always, and be it further enacted, That if at any Times hereafter any of the said Conventions and Treaties shall determine, or any of the said Orders of His Majesty in Council shall be revoked, then the said extra Tolls shall again be levied on the Ships and Vessels of Foreign Powers on which, prior to such Conventions, Treaties, and Orders such extra Tolls were payable; and the Amount of all such extra Tolls which shall be received by the said Master, Wardens, and Assistants, shall be paid by them to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Duties in respect of the North and South Foreland Lights to vest in the Trinity House discharged of the Rent to the Crown.

XXXIII. And whereas the said Master, Wardens, and Assistants are seised in Fee of the Lighthouses at the *North* and *South Forelands* in the County of *Kent*, and the Land occupied therewith, and are entitled to receive certain Tolls in respect thereof under a Warrant for a Lease from the Crown, subject to the Payment of a certain Rent in respect thereof; be it enacted, That from the First Day of *January* One thousand eight hundred and thirty-seven all the Tolls now payable in respect of the said Lighthouses shall be vested in the said Master, Wardens, and Assistants and their Successors freed from the said Rent, and shall thenceforth continue to be payable to and receivable by them as are other the like Tolls now payable to them.

Powers of the Acts relating to the Skerries, Spurn Point, and Tin-

XXXIV. And be it enacted, That immediately from the Completion by the said Master, Wardens, and Assistants of the respective Purchases of any of the several Lighthouses called respectively the *Skerries*, *Spurn Point*, and *Tinmouth Castle Light*, all the Powers which are by the recited Act of the Third Year of *George* the Second and

and the recited Acts of the Sixth, Twelfth, and Forty-second Years of *George* the Third respectively granted to or in favour of the Persons interested in such Lighthouses, or for the better Maintenance of the same Lighthouses respectively, or in regard to the Payment and Collection of Tolls in respect thereof, shall be exercised by the said Master, Wardens, and Assistants under this Act.

mouth Castle Lights to be extended to the Trinity House.

XXXV. And whereas there hath for a long Series of Years been a Lighthouse upon the Island of *Heligoland*, and a Light exhibited therefrom for the Protection and Guidance of Ships and Vessels navigating the *German Ocean*, or entering or departing from the Rivers *Elbe* and *Weser*, and such Lighthouse was rebuilt in or about the Year One thousand eight hundred and ten: And whereas a Floating Light was established in or about the Year One thousand eight hundred and thirteen on *Bembridge Ledge* in the *English Channel*: And whereas the said Lighthouse and Light have since those Times been respectively maintained by and at the Cost of His Majesty; be it therefore further enacted, That from the passing of this Act the said Lighthouse at *Heligoland*, with the Land, Buildings, and Appurtenances thereunto belonging or occupied for the Purpose thereof, and all the Fixtures, Apparatus, and Furniture respectively belonging thereto, and the Floating Light on *Bembridge Ledge* aforesaid, with the Vessel from which the same is exhibited, and the Tackle, Furniture, and Stores belonging to the said Vessel, together with the Furniture and Apparatus of and belonging to the said Floating Light, shall become the Property of and absolutely vest in the said Master, Wardens, and Assistants and their Successors, and they shall thenceforth be deemed to be in the actual Occupation thereof, freed from all former and other Estates, Rights, Titles, Interests, Claims, and Demands, whether of His Majesty or of any other Person, and the Maintenance, Control, and Management of the said Lighthouse and Floating Light shall thenceforth be in the said Master, Wardens, and Assistants as are the several Lighthouses and Floating Lights now belonging to them.

Vesting the Lighthouse at Heligoland and the Bembridge Light in the Trinity House.

XXXVI. And whereas the Tolls received in respect of the Lighthouse in the Island of *Heligoland* are insufficient to defray the necessary Expences of maintaining the same, and the Excess of Expences beyond the Receipts has become a considerable Charge on His Majesty's Government: And whereas Foreign Ships and Vessels, although they derive great Benefit from the said Lighthouse, do not at present pay any Toll in respect thereof, and it is reasonable that such Foreign Vessels should contribute to the Expences of the same, so far as they are benefited thereby; be it therefore further enacted, That from the Thirty-first Day of *December* One thousand eight hundred and thirty-six the several Tolls now levied and taken in respect of the said Light so exhibited on the said Island of *Heligoland* shall cease and be no longer received, and that in lieu thereof the said Master, Wardens, and Assistants may from the said Thirty-first Day of *December* One thousand eight hundred and thirty-six, from Time to Time, receive towards the Maintenance of the said Lighthouse, and the Exhibition of a proper Light therefrom, the Sum of One Penny *per* Ton for every Vessel (not belonging to His Majesty)

Duties to be taken in respect of the Heligoland Light.

for each Time that such Vessel shall depart from any Port or Place within the United Kingdom of *Great Britain* and *Ireland* to any Port or Place at, within, or near to the Entrance of the Rivers *Elbe* and *Weser* or either of them, and the like Toll upon every Vessel (not belonging to His said Majesty) for each Time that such Vessel shall arrive at any Port or Place within the said United Kingdom from any Port or Place at, within, or near to the Entrance of the said Rivers or either of them.

Powers of the 6 G. 3. c. 31. and 42 G. 3. c. 43., in favour of the Trinity Houses of Hull and Newcastle-upon-Tyne, repealed.

XXXVII. And be it enacted, That so much of the recited Act of the Sixth Year of *George* the Third as gives to the Corporation of the *Trinity House* of *Hull* any Authority, Superintendence, or Control over the Lighthouses therein referred to, and so much of the recited Act of the Forty-second Year of *George* the Third as gives to the Master, Wardens, and Assistants of the Corporation of the *Trinity House* of *Newcastle-upon-Tyne* Authority to inspect the Lighthouse in the last-mentioned Act referred to, shall be and the same is hereby repealed.

Trinity House, Commissioners of Northern Lights, and Corporation for improving the Port of Dublin to have Control over Pier and Harbour Lights.

XXXVIII. And be it enacted, That from the passing of this Act no new Light, Beacon, or Sea Mark shall be exhibited or altered or caused or permitted to be exhibited or altered, nor shall any now existing Light, Beacon, or Sea Mark be altered or caused or permitted to be altered, by any Trustees, Commissioners, Corporation, Company, local Officer, or Person whatsoever heretofore authorized so to do on any Pier or in or near to any Port or Harbour on the Coast of the United Kingdom, or on any of the Islands, Rocks, or other Places adjoining or near to the same, for the Guidance of Ships and Vessels navigating by and along the said Coasts or entering or resorting to or departing from any Port, Harbour, Canal, or other Place without the Sanction in Writing of the said Master, Wardens, and Assistants, Commissioners of Northern Lighthouses, or Corporation for improving the Port of *Dublin*, as the Case may be, having been first obtained in that Behalf; and all such Persons shall in all Things conform to such reasonable Orders and Alterations as the said Master, Wardens, and Assistants, Commissioners or Corporation, shall from Time to Time make and direct as to the Description and Power of any such Light and the Character of any such Beacon or Sea Mark, and the Mode of exhibiting the same respectively, due Notice of such Orders and Alterations being first given by the said Master, Wardens, and Assistants, Commissioners or Corporation, to them.

Vessels of the Trinity House to be exempt from Harbour Dues, &c. whilst such Vessels are in actual Service.

XXXIX. And be it enacted, That all the Vessels, Yachts, Barges, and Boats of or in the Employ of the said Master, Wardens, and Assistants, from Time to Time and at all Times whilst they shall be in the actual *bonâ fide* Service of the said Master, Wardens, and Assistants, may pass and repass by and along the Coasts of the United Kingdom and all Lighthouses erected or exhibited upon or near the said Coasts, and pass and repass into or out of any Harbour, Port, Creek, River, Canal, or other Place in the said United Kingdom, and (if need be) be moored and abide within the same respectively, without being liable to any Harbour or Port Dues, Pier Duties, River

or Canal Dues, Light Dues, Pilotage Dues, or other Rates, Tolls, Dues, Duties, Taxes, Demands, or Payments whatsoever, for or in respect of their so doing, any Law, Statute, Charter, Grant, Prescription, Custom, Usage, or Bye Law to the contrary thereof in anywise notwithstanding.

Duties hereafter to be paid in respect of Lighthouses, &c. on the Coasts of Scotland.

XL. And be it enacted, That from the First Day of *January* One thousand eight hundred and thirty-seven the Tolls now payable by or in respect of Vessels for or towards the Maintenance of the several Lighthouses at present under the Management of the Commissioners of Northern Lighthouses shall cease to be payable, and that in lieu thereof there shall thenceforth for ever be paid to the said Commissioners of the Northern Lighthouses for every Vessel belonging to the United Kingdom of *Great Britain* and *Ireland* (the same not belonging to His Majesty, His Heirs or Successors, or being navigated wholly in Ballast), and for every Foreign Vessel which by any Act of Parliament, Order in Council, Convention, or Treaty shall be privileged to enter the Ports of the said United Kingdom upon paying the same Duties of Tonnage as are paid by *British* Vessels (the same not being Vessels navigated wholly in Ballast), which shall pass any of the said Lighthouses or derive Benefit thereby, the Toll of One Halfpenny *per* Ton of the Burden of every such Vessel for each Time of passing every such Lighthouse or deriving Benefit thereby, and of One Penny *per* Ton for each Time of passing the *Bell Rock* Lighthouse, and Double the said Tolls for every Foreign Vessel not so privileged.

Extra Duties on Foreign Ships privileged under the Reciprocity Acts no longer to be paid to the Commissioners or Corporation.

XLI. And be it enacted, That from the passing of this Act all Payments heretofore made to the said Commissioners of the Northern Lighthouses and to the Corporation for preserving and improving the Port of *Dublin* respectively, out of the Consolidated Duties of Customs, in lieu of any extra Tolls payable on Foreign Vessels in respect of any Lighthouse on the Coasts of *Scotland* or *Ireland* respectively shall cease: Provided always, that in case any of the said extra Tolls shall again be levied, the same shall be paid by the said Commissioners and Corporation to the Consolidated Fund of *Great Britain* and *Ireland*.

Power to the Commissioners and the Corporation for preserving the Port of Dublin to erect other Lighthouses, &c. in Scotland and Ireland.

Provided that previous Notice be given to the Trinity House,

XLII. And be it enacted, That the said Commissioners of the Northern Lighthouses and the said Corporation for preserving and improving the Port of *Dublin* respectively may from Time to Time erect, set up, place, and maintain such new or other Lighthouses in such Places on the Coasts and Islands of *Scotland* and *Ireland* respectively as to them shall seem expedient, and also from Time to Time so alter or remove any Lighthouses on the said Coasts, and so vary the Mode of exhibiting Lights from any such Lighthouse, as to them shall seem expedient: Provided always, that no such new Lighthouse shall be erected on the said Coasts and Islands of *Scotland* or *Ireland*, nor shall any Lighthouse be removed, or the Character thereof or of the Light exhibited therefrom be altered by the said Commissioners or the said Corporation respectively, until they shall have given to the Master, Wardens, and Assistants of the *Trinity House* of *Deptford Strond* Six Months Notice in Writing of their Intention so to alter, remove, or vary the same, by leaving such Notice

whose Disapproval shall be conclusive on the Commissioners and Corporation respectively.

Notice at the *Trinity House* in *London*, together with the Grounds of such their Intention; and if the said Master, Wardens, and Assistants shall see Ground to disapprove of the Erection of any such intended new Lighthouse or any such intended Removal or Alteration of the Character of any existing Lighthouse or Light, or shall suggest any Improvement therein respectively, and shall notify such their Disapproval or Suggestion (as the Case may be) to the said Commissioners or Corporation within the Space of Six Months next after receiving such Notice, then such Disapproval or Suggestion so to be notified as aforesaid shall be conclusive on the said Commissioners and Corporation respectively, nor shall it in any such Case be lawful to the said Commissioners or Corporation to carry into effect any such proposed or intended Erection, Work, Removal, or Alteration, except in such Manner and Form as the said Master, Wardens, and Assistants shall so as aforesaid have suggested or approved of; and the said Master, Wardens, and Assistants may from Time to Time suggest to the said Commissioners and Corporation respectively Alterations in relation to the Management of such Lighthouses, or in relation to the Form of the Lights exhibited therefrom or the Times or Manner of so exhibiting the same, or the Erection of any new Lighthouse, and of such their Suggestions may cause written Notice to be from Time to Time given to the said Commissioners and Corporation respectively, by leaving the same at the Office of the said Commissioners in *Edinburgh* or at the Office of the said Corporation in *Dublin* (as the Case may be); and thereupon the Commissioners or Corporation (as the Case may be) shall with all convenient Speed consider the same, and report their Opinion thereon to the said Master, Wardens, and Assistants.

Commissioners or Corporation to be at liberty to appeal to the King in Council.

XLIII. Provided always, and be it enacted, That if the said Commissioners or Corporation (as the Case may be) shall be dissatisfied with any such Disapproval or Suggestions as aforesaid they shall without Delay cause a Copy of the Notification of such Disapproval or of such Suggestions, as the Case may be, to be laid before His Majesty in Council, together with their Remarks thereon, and His Majesty in Council thereupon may make Orders to the said Commissioners or Corporation with respect to any such Disapproval or Suggestions as to His Majesty in Council shall seem fitting, and the same Commissioners or Corporation (as the Case may be) shall thenceforth in all Things conform to all such last-mentioned Orders.

Trinity House may enter and view Lighthouses on the Scotch and Irish Coasts.

XLIV. And be it enacted, That the said Master, Wardens, and Assistants, and their Successors, and their Engineers, Workmen, and Servants, may from Time to Time and at all Times enter the Lighthouses on the Coasts of *Scotland* and *Ireland* respectively, to view the Condition thereof or otherwise for the Purposes of this Act.

Duties to be payable in respect of new Lighthouses on the Coasts of Scotland and Ireland.

XLV. And be it enacted, That from the Time when any such new Lighthouse shall under this Act have been so erected upon the Coasts of *Scotland* and *Ireland* respectively, and so long as a Light shall be exhibited from such Lighthouse during the Night Season, there shall be paid to the said Commissioners or Corporation who shall have erected the same, by the Owner or other Person having the

Command of any Vessel not belonging to His Majesty which shall pass such Lighthouse, or derive Benefit thereby, such reasonable Toll as shall have been first approved in that Behalf by His Majesty in Council.

Notice of new Lights to be published in the Gazette, &c.

XLVI. Provided always, and be it enacted, That as soon as any such new Lighthouse shall have been so erected upon the Coasts of *Scotland* and *Ireland* respectively under this Act, and the Toll to be paid for the same shall have been approved, Notice thereof shall be given by such of them the said Commissioners or Corporation as shall have erected such Lighthouse Three several Times in the *London Gazette*, and also in Two or more of the principal Papers in *Edinburgh* and *Dublin* respectively; (that is to say,) in Two or more of the principal Papers circulated in *Edinburgh* when such new Lighthouse shall be erected on the Coasts of *Scotland*, and in Two or more of the principal Papers circulated in *Dublin* when such new Lighthouse shall be erected on the Coasts of *Ireland*; and the Toll to be paid in respect of such Lighthouse shall not become payable until One Month next after the Date of the last of such Notices.

New Lighthouses, &c. and the Tolls thereof to vest in the Commissioners or Corporation.

XLVII. And be it enacted, That every such new Lighthouse erected on the Coasts of *Scotland* and *Ireland* respectively under this Act, and the Tolls payable in respect thereof, shall immediately on the erecting of such Lighthouse and the Establishment of such Tolls be vested in such of them the said Commissioners and Corporation respectively as shall have erected such Lighthouse, and in their respective Successors, as the Lighthouses now on the Coasts of *Scotland* and *Ireland* respectively, and the Tolls payable in respect thereof, are now vested in them respectively.

Lighthouses on the Irish or Scotch Coasts may be surrendered to the Commissioners or Corporation.

XLVIII. And be it further enacted, That from the passing of this Act all Bodies Corporate or Collegiate, Trustees or Commissioners, and all Persons whomsoever, having any Lighthouse in *Scotland* and *Ireland* respectively, or on or near the respective Coasts thereof, whether under the Authority of Parliament or any Charter or Usage, may surrender the same to the said Commissioners or Corporation, as the Case may be, who are hereby empowered to accept the same, if they think fit; and such Lighthouse, being so surrendered and accepted, shall thenceforth be under the Management and Control of the said Commissioners or Corporation (as the Case may be), and be subject to the same Regulations, and the Tolls payable in respect thereof shall be subject to be reduced, relinquished, or modified in like Manner as other the Lighthouses of the said Commissioners and Corporation respectively, and the Tolls payable in respect thereof.

Restriction as to granting of Pensions by the Commissioners and Corporation.

XLIX. And be it enacted, That it shall not be lawful for the said Commissioners or Corporation to grant any Pension, Compensation, or retired Allowance to any Person in their Service out of the Tolls to be received by them which shall exceed the Proportion, with reference to the Amount of the Salary and Time of the Service of such Person, which may be granted as a Superannuation Allowance to Persons in the Public Service under the before-recited Act passed in the Fourth and Fifth Year of the Reign of His present Majesty.

Corporation for improving the Port of Dublin may appoint Collectors of Tolls in respect of Lighthouses.

L. And be it enacted, That the said Corporation for preserving and improving the Port of *Dublin* may, after the passing of this Act, appoint fit Persons at and for such Ports, Districts, and Places in *Ireland* as they shall deem expedient to be Collectors of the Tolls payable or to be hereafter payable to the said Corporation in respect of Lighthouses upon the Coasts of *Ireland;* and as soon as such Appointment shall have been made the Tolls which by the said recited Act of the Fifty-second Year of King *George* the Third are directed to be paid to the Collector or other Chief Officer of the Customs in the several Ports of *Ireland* shall be paid to and collected by the Collectors so to be appointed by the said Corporation.

Duties in respect of Lighthouses throughout the United Kingdom, how to be collected.

LI. And for the more uniform and better Collection of the Tolls payable in respect of Lighthouses throughout the United Kingdom, and for affording greater Facility to Parties paying the same, be it enacted, That from the Thirty-first Day of *December* One thousand eight hundred and thirty-six the Collector from Time to Time appointed by the said Master, Wardens, and Assistants for any Port, District, or Place in *England*, and the Collector appointed by the said Commissioners for any Port, District, or Place in *Scotland*, and the Collector appointed by the said Corporation for any Port, District, or Place in *Ireland*, is hereby authorized and required to collect, demand, and receive all the Tolls to which every Vessel within such Port, District, or Place shall be liable in respect of any Lighthouse, in whatsoever Part of the said United Kingdom such Lighthouse may be situate, and whether such Tolls shall be payable to such of them, the said Master, Wardens, and Assistants, Commissioners and Corporation, as such Collector was appointed by, or to the other or others of them; and every such Collector shall account for and pay over all the Tolls received by him to such of them, the said Master, Wardens, and Assistants, Commissioners and Corporation, as he shall have been appointed by; and the said Master, Wardens, and Assistants, Commissioners and Corporation, shall in every Year mutually account to each other for all such Tolls as shall have been received by any of them for the others of them respectively under this Act, and pay over whatever Balance may be due on such Account to either of them.

Duties to be collected by the Officers of His Majesty's Customs when the Lords of the Treasury so recommend.

LII. Provided always, and be it enacted, That if at any Time the Lords Commissioners of His Majesty's Treasury shall be of opinion that in any Case the Collection of the said Tolls can conveniently and properly be made, and that it is expedient that the same should be made by the Collector or other Chief Officer of His Majesty's Customs at any Port or Place, the said Lords Commissioners shall and may from Time to Time communicate such their Opinion to the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, who shall thereupon appoint such Collector or other Chief Officer to make such Collection accordingly, and pay him such Commission or Allowance (if any) in respect thereof as to the said Lords Commissioners shall seem reasonable.

Duties, when to be collected.

LIII. And be it enacted, that no Officer of the Customs of His Majesty at any of the Ports, Harbours, or Places of the said United Kingdom, who shall be required in manner herein-after mentioned to

ascertain

ascertain that such Tolls have been paid, shall receive any Entry or Report or Cocquet or other Discharge or Clearance, Inwards or Outwards, for any Vessel liable to any Tolls payable in respect of any Lighthouse, in whatever Part of the United Kingdom the same may be, until the Owner, Master, or other Person having the Command of such Vessel, or his Agent, shall show to such Officer of the Customs a Voucher for the Payment of such Tolls, signed by some Collector appointed by the said Master, Wardens, and Assistants, Commissioners or Corporation, in respect of such Port, Harbour, or Place (if any such Collector shall have been so appointed); and so often as it shall happen that there shall be no such Collector appointed by the said Master, Wardens, and Assistants, Commissioners or Corporation, in respect of any such Port, Harbour, or Place, then until the Amount of such Tolls to which any such Vessel entering or departing from any such Port, Harbour, or Place shall be liable shall have been paid to the Collector or other Chief Officer of His Majesty's Customs at such Port, Harbour, or Place, who shall receive such Tolls, and cause the Amount thereof to be paid to the said Master, Wardens, and Assistants, Commissioners or Corporation; (that is to say,) where the Port, Harbour, or Place shall be in *England*, to the said Master, Wardens, and Assistants; where the said Port, Harbour, or Place shall be in *Scotland*, to the said Commissioners; and where the said Port, Harbour, or Place shall be in *Ireland*, to the said Corporation; the said Officer of His Majesty receiving such Tolls and paying the same being allowed such reasonable Commission in respect thereof as to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, shall seem meet, so that the same shall not exceed Five *per Cent.* on the Sums collected by him; and the Commissioners of His Majesty's Customs shall from Time to Time, if thereunto requested by the said Master, Wardens, and Assistants, Commissioners or Corporation, require some one Officer of His Majesty's Customs at every such Port, Harbour, or Place to ascertain that such Tolls have been paid, and shall from Time to Time give such Orders to such Officer in relation thereto as shall seem necessary for securing the Collection of the said Tolls, according to any Regulation then in force respecting such Collection.

Allowance for Collection in certain Cases.

LIV. And be it enacted, That in case any Master or Owner, or other Person having the Charge of any Vessel liable to the Payment of any Tolls in respect of any Lighthouse, shall refuse or neglect to pay any such Tolls to which such Vessel shall be liable to the Collector authorized to receive the same, the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, or the Collector authorized to receive the same, or the Collector or other Chief Officer of His Majesty's Customs, or other Person entitled to receive the same, may seize and carry away any of the Goods, Merchandize, Guns, Tackle, Furniture, or Apparel of or belonging to or on board of any such Vessel (leaving Notice thereof on board such Vessel), and detain the same for the Space of Three full Days then next, unless the said Tolls, and all Arrears thereof due in respect of such Vessel, shall in the meantime be satisfied; and in case all such Tolls and Arrears thereof shall not before the Expiration of such Three Days have been satisfied, then the said Master, Wardens, and Assistants, Commissioners or Corporation,

Power of Distress for Duties.

Corporation, or the Collector authorized to receive the same, or the Collector or other Chief Officer of His Majesty's Customs, or other Person entitled to receive the same, or such Person as they shall appoint in that Behalf, may cause the same Goods, Merchandize, Guns, Tackle, Furniture, or Apparel so seized to be appraised by Two or more sufficient Persons or Sworn Appraisers, within a reasonable Space of Time then next following, and may thereupon sell the same, and out of the Proceeds of such Sale pay the Amount of the Tolls or Arrears thereof to which such Ship shall be liable, together with the reasonable Charges of the Seizure, Detention, Appraisement, and Sale, rendering to the Master or Owner or other Person having the Command of such Vessel the Overplus (if any), on Demand.

Duties may be recovered by Action or Suit.

LV. Provided nevertheless, and be it enacted, That, notwithstanding any thing in this Act contained, the said Master, Wardens, and Assistants, and the said Commissioners and the said Corporation, may sue for and recover the Amount of any Tolls payable to them in respect of any Lighthouse by Action of Debt or Suit in Equity in any of His Majesty's Courts of Record in *Great Britain* or *Ireland*, against the Owner or Master or other Person having the Command of any Vessel liable thereto.

Duties throughout the United Kingdom to be subject to be reduced, &c. according to the Statute 3 G. 4. c. 111.

LVI. And whereas by the recited Act of the Third Year of *George* the Fourth the said Master, Wardens, and Assistants were empowered from Time to Time, upon the Requisition or with the Consent of His Majesty in Council, to reduce, relinquish, or modify, in manner therein mentioned, the Tolls therein mentioned; and in exercise of the said Power they have, with such Consent, reduced and modified sundry of the Tolls in the recited Act mentioned, to the great Relief of the Owners of Vessels liable thereto: And whereas, in order to the further Relief of the Owners of Vessels, it is expedient that the Powers of the recited Act given to the said Master, Wardens, and Assistants should be enlarged and extended to the several Tolls now or hereafter to be payable to the said Master, Wardens, and Assistants, and that the like Powers should be given to the said Commissioners and Corporation respectively, in relation to the Tolls now or hereafter to be payable to them in respect of Lighthouses on the Coasts of *Scotland* and *Ireland* respectively; be it therefore enacted, That the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, may from Time to Time, upon the Requisition or with the Consent of His Majesty in Council, reduce, relinquish, or modify the Tolls now or hereafter to be payable to them in respect of any Lighthouse, and upon the like Requisition or with the like Consent may revive and re-establish or increase, or otherwise modify any such Tolls so relinquished or modified, and so from Time to Time as often as Occasion shall require, in such Manner and Form, and subject to such Conditions and Limitations, as the said Master, Wardens, and Assistants are now by Law empowered to do in respect of the Tolls mentioned in the recited Act of the Third Year of His late Majesty's Reign.

Regulations to be made

LVII. And be it enacted, That the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, from Time to Time, upon

upon the like Requisition, or with the like Consent of His Majesty in Council, may make Regulations for the Purpose of relieving certain Vessels from the Tolls payable to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, in respect of any Lighthouses, upon such Terms and to such Extent as to them respectively shall seem proper, or for the Purpose of substituting any other Class of Toll or other Payment in respect of Vessels, or any particular Description of Vessels, in lieu of the Tolls to which such Vessels may be subject at the Time of the making such Regulations respectively, or for the Purpose of altering the Times and Places or either of them at which any Tolls in respect of any Lighthouses shall be payable, and may revoke or alter any such Regulation; and from and after the Time when such Regulation shall take effect the Tolls thereby made payable shall be paid by the Owners and Masters of the Vessels mentioned therein (unless otherwise directed by such Regulation), and be recoverable by the said Master, Wardens, and Assistants, Commissioners and Corporations respectively, at such Time and Place and in such Manner as were the Tolls in lieu whereof the same shall have been so made payable: Provided always, that no such Regulation, or Revocation or Alteration of any such Regulation, shall take effect until the same shall have been submitted by the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, to and shall have been assented to and confirmed by His Majesty in Council, and such Assent and Confirmation shall have been signified in Writing to the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, nor until One Month after the said Master, Wardens, and Assistants, Commissioners or Corporation respectively shall have caused Notice of such Regulation, or of such Revocation or Alteration of any Regulation, (as the Case may be,) to be published in the *London Gazette*.

for Relief of Ships and Vessels with regard to Duties.

LVIII. And, to the Intent that the Amount of the Tolls from Time to Time payable to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, upon Vessels, in respect of Lighthouses, and also the Regulations from Time to Time in force concerning them, may be publicly made known, be it further enacted, That as soon as conveniently may be after the said Master, Wardens, and Assistants shall have completed the said Purchases by this Act authorized to be made, and shall, upon the Requisition or with the Consent of His Majesty in Council, have altered, modified, or reduced the Tolls hereby vested in them, or made Regulations concerning the same, they shall cause to be drawn up a Table of all the Tolls payable to them upon Vessels in respect of any Lighthouses, together with a Summary of such Regulations as shall have been made by them concerning the same upon such Requisition or with such Consent as aforesaid, and shall cause the same to be laid before His Majesty in Council, and the same shall be signed by the Clerk of the Council, and enrolled and entered amongst the Public Records thereof; and the said Master, Wardens, and Assistants shall cause a printed Copy of such Table together with such Summary to be delivered to the Commissioners of His Majesty's Customs at His Majesty's Custom House in *London*, and a printed Copy thereof to be also forwarded to His Majesty's Principal Officer of Customs at each Port or Place within the

Tables of Tolls and Regulations to be hung up in Custom Houses.

the United Kingdom for which any such Officer shall be appointed; and the said Commissioners and Corporation respectively shall within Four Months next after the passing of this Act in like Manner cause to be drawn up a like Table of all the Tolls payable to them respectively upon Vessels in respect of any Lighthouses, with a Summary of such Regulations as shall have been made by them concerning the same upon such Requisition or with such Consent as aforesaid, and shall cause the same to be laid before His Majesty in Council, and the same shall be signed and enrolled or entered as aforesaid; and the said Commissioners and Corporation respectively shall cause printed Copies of such Tables respectively, together with such Summary, to be so delivered and forwarded as aforesaid, and so from Time to Time as often as any Alteration in the Amount of any such Tolls, or any new Regulation, or Alteration of any existing Regulation concerning the same shall be made, the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, shall, with all convenient Speed, cause fresh Tables of such Tolls and a Summary of every such new Regulation or Alteration to be laid before His Majesty in Council, where the same shall be so signed and entered as aforesaid; and the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, shall cause printed Copies thereof in like Manner to be delivered at His Majesty's Custom Houses in *London*, *Edinburgh*, and *Dublin* respectively, and forwarded to such several principal Officers of Customs within the United Kingdom; and the Commissioners of His Majesty's Customs for the Port of *London*, *Edinburgh*, and *Dublin* respectively, and all other His Majesty's Principal Officers of Customs for any such Port or Place to whom any such Copies shall be so delivered or forwarded, shall cause the same to be kept constantly hung up and preserved as long as the same shall remain in force in some conspicuous Part of His Majesty's Custom Houses in *London*, *Edinburgh*, and *Dublin* respectively, or other the Custom House for any such Port or Place, so that the said Tables may be seen and read by all Persons having any Business in such Custom Houses respectively; and the Tolls specified in any such Table, when so signed and entered, shall be the lawful Tolls or Duties payable to the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, and the same, and none other, shall be received by them respectively upon the Vessels and in respect of the Lighthouses therein referred to, and in such Manner and Form as shall be directed therein, or in such Summary so therewith drawn up and entered as aforesaid; and a Copy of any such Table, examined with the Original so entered and so purporting to be signed as aforesaid, shall be deemed and taken in all Courts of Law and other Places to be Evidence of the Right to recover such Tolls according to the Tenor thereof.

Power to alter the Situation of Lighthouses.

LIX. And whereas the Sands and Shoals upon the Coasts of the United Kingdom are in many Places liable to vary their Form so considerably as to occasion Changes in the Course of the Navigation near the same, and it is therefore expedient, for the more effectual Security of Ships and Vessels navigating the Seas off and near to the Coasts of the said United Kingdom, that Power should be given to alter from Time to Time the Position of the Lighthouses erected or placed for the Pro-

tection of Vessels, as Occasion may require; be it therefore enacted, That when any Lighthouse shall, by reason of any Variation or Change in the Form of any such Sand or Shoal, become unnecessary in the Situation in which the same shall then be, and shall become necessary or would from such or any other Cause be more useful in some other Situation, the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, may upon the Requisition or with the Consent of His Majesty in Council, remove and discontinue any such Lighthouse, and erect another or other Lighthouses instead thereof where they shall be found better adapted for the Purpose of protecting Ships and Vessels from Damage; and from the Time at which such new Lighthouse shall have been so erected, and so long as the same shall be maintained, and a Light shall be exhibited therefrom during the Night Season, the Tolls theretofore payable in respect of such Lighthouse so removed or discontinued shall be payable in respect of such new Lighthouse, and the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, may thenceforth collect and have the same Tolls for the Maintenance of any such new Lighthouse, from or in respect of such and the same Vessels, and to be collected, recovered, and applied in such and the same Manner, as were the Tolls in respect of the Lighthouse so removed or discontinued: Provided always, that where any such Lighthouse shall be so removed and discontinued, and any new Lighthouse shall be erected instead thereof, Notice of such Removal and Discontinuance, and of the Erection of such new Lighthouse, shall be published by the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, Three several Times in the *London Gazette*, and also in Two or more of the principal Papers circulated in *Edinburgh*, in case such new Lighthouse shall be erected on the Coast of *Scotland*, and in Two or more of the principal Papers circulated in *Dublin*, in case such new Lighthouse shall be erected on the Coast of *Ireland*.

Trinity House empowered to purchase Ground not exceeding One Acre adjoining any Lighthouse.

LX. And whereas it sometimes happens that the said Master, Wardens, and Assistants find it desirable, in order to the more convenient Maintenance of their Lighthouses and Lights, to possess a small additional Quantity of Ground adjoining their Lighthouses, and it is usual for them in such Cases to purchase the same, but Difficulty has been occasionally experienced in effecting such Purchases; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Master, Wardens, and Assistants, from Time to Time whenever they shall see fit, to take so much and such Quantity of Ground adjoining or near to any of the Lighthouses erected or to be erected by them as they shall deem necessary for the Purposes of the said Lighthouse or the Occupation thereof, not exceeding in the whole One Acre as to any One Lighthouse; and all and every the Powers of Purchase and Sale in and by this Act conferred in reference to Lighthouses authorized to be purchased by the said Master, Wardens, and Assistants shall be deemed to extend to every such Piece of Ground so to be taken by them under the Authority of this Act; and all and every the Provisions in this Act contained, in reference to the Purchase of Lighthouses, or to the Adjustment or Assessment and Payment or Investment of the Purchase Money for the same, shall be deemed to extend also to the Purchase of any such Piece of Ground as aforesaid, and

and to the Adjustment or Assessment and Payment or Investment of the Purchase Money for the same: Provided always, that in case any such Lighthouse in respect of which the said Master, Wardens, and Assistants shall take any Land or Ground to be held therewith under the Powers of this Act, shall at any Time hereafter be abandoned or given up by the said Master, Wardens, and Assistants, or for the Space of Three Years shall cease to be used or employed as a Lighthouse, or in case the said Land shall be otherwise used than for the Purposes of the said Lighthouse or the Occupation thereof, then and in every such Case any Land or Ground which shall have been so taken by the said Master, Wardens, and Assistants shall vest in the Person or Persons who was or were Proprietor or Proprietors thereof at the Time of the Purchase by the said Master, Wardens, and Assistants, or his or their Heirs, Executors, or Administrators, on the Repayment of the Purchase Money thereof, according to the Nature of his or their Estate or Interest in such Land or Ground at the Time of the Purchase, or the Person or Persons who would have been or become entitled to the said Land or Ground in case such Purchase had not been made.

Such Ground to revest in the former Owner if it cease to be used for the Purposes of the Lighthouse.

LXI. And whereas it sometimes happens that Fires and Lights are burnt at or caused by Kilns, Factories, or other Works situate on the Coasts of the United Kingdom, so as to be mistaken at Sea for Lighthouses, whereby Vessels navigating along or near to the said Coasts are exposed to much Peril, and it is expedient that a sure and speedy Remedy be provided for such Inconvenience; be it therefore further enacted, That if any Fire or Light shall at any Time hereafter be burnt at or caused by any Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work, in such Manner and Form, or at such Times, or in such Place on or near to any Part of the Coasts of the United Kingdom, as to be subject and liable to be mistaken at Sea for any Lighthouse on or near to any Part of such Coasts for the Protection and Guidance of Vessels, and the Owner or other Person having the Care or Management of such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work, shall not, within a reasonable Time after Notice to that Effect shall have been delivered to him or them, or left at such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work, by the said Master, Wardens, and Assistants, Commissioners or Corporation, as the Case may be, (such reasonable Time to be specified in such Notice,) take effectual Means in order to prevent the Fire or Light burnt at or caused by the same from being so as aforesaid mistaken at Sea for any such Lighthouse, every such Owner or other Person so having the Care or Management of such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work so making Default as aforesaid shall be deemed guilty of a common Nuisance, and, over and besides all other Pains and Penalties by Law inflicted upon Persons guilty of a common Nuisance, shall be subject to a Penalty of Ten Pounds, to be levied and recovered in a summary Way before any One or more of His Majesty's Justices of the Peace acting in and for the County wherein or next whereunto such Kiln, or Factory, Furnace, Forge, Chimney, Building, or other Work, shall be situate, upon Complaint to him or them in that Behalf by the said Master, Wardens, and Assistants, Commissioners or Corporation,

Power to prevent Fires, &c. on the Coast, which might be mistaken for Sea Marks.

poration, or One of their Agents; and such Penalty (unless forthwith paid) shall and may be levied by Distress and Sale, under the Warrant of such Justice or Justices, of the Goods and Chattels of the Person who shall be adjudged guilty of such Nuisance, and shall go and be applied (after first defraying thereout the reasonable Costs and Charges of recovering the same) to or for the Use of the Parish or Union where such Offence shall have been committed or such Default made, to be applied in aid of the Poor Rate of such Parish or Union; and if the Owner or other Person having the Care or Management of such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work shall still fail or neglect to abate such Nuisance for and during the Space of Seven Days next after such Penalty shall have been adjudged by or before such Justice or Justices, then it shall be lawful for the said Master, Wardens, and Assistants, Commissioners or Corporation, as the Case may be, their Agents or Workmen, thereupon forthwith to enter upon such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work, or the Land whereon or near whereto the same may be situated, and, at the Expence of such Owner or other Person, to abate the said Nuisance, or take such other convenient Measures in regard thereto as to them shall seem meet, in order to prevent the Fire or Light from Time to Time burnt at or produced by such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work from being so mistaken for any Lighthouse (the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, and their Agents and Workmen aforesaid, doing no unnecessary Damage to the Owner or Occupier of such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work); and the said Master, Wardens, and Assistants, Commissioners or Corporation respectively, shall and may recover the Expence of so abating such Nuisance, or of such other Measures so by them taken in regard thereto under the Authority of this Act (with Treble Costs of Suit), in any of His Majesty's Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, by Action of Debt or on the Case, against any One or more of such Owners, or against the Person having the Care or Management of such Kiln, Factory, Furnace, Forge, Chimney, Building, or other Work; and no Conviction, Order, Direction, or Warrant made or purporting to be made by virtue of this Act shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or *Dublin*, or into the Court of Session in *Scotland*.

Accounts to be laid before Parliament annually.

LXII. And be it enacted, That the said Master, Wardens, and Assistants, Commissioners and Corporation respectively, shall within One Month after the meeting of Parliament in every Year lay before each House of Parliament a true Account of the Receipt and Application of all Monies which shall have been received and applied by them respectively for any such Tolls in respect of any Lighthouse, together with a Report of the principal Alterations and Improvements (if any) that shall have been made by them respectively in any Lighthouse in the course of the then last past Year.

General Plea for Matters done in pursuance of this Act.

LXIII. And be it enacted, That in case any Suit or Action shall be commenced against the said Master, Wardens, and Assistants, Commissioners or Corporation, or any other Person, for any thing done in pursuance of this Act, the Defendant or Defendants in such Suit or Action may plead generally that the Matters complained of in and by such Suit or Action were done by the Authority of this Act of Parliament, and may give the special Matters in Evidence.

Interpretation Clause.

LXIV. And be it enacted, That in the Provisions of this Act which relate to the Purchase or vesting of Lighthouses, and to the Application of the Purchase Money thereof, the Word Lighthouse shall be construed to include (as the Case may be) Lighthouse, Light, or Sea Mark, and all Lands, Buildings, Fixtures, Apparatus, and Furniture belonging thereto and occupied therewith, and all Tolls or Duties or other Profits or Produce arising in respect of such Lighthouse, Light, or Sea Mark, or its Appurtenances, and any Estate or Interest therein, and Rent, Rent-charge, Annuity, Payment, or Incumbrance issuing thereout or charged thereon; and the Words "Purchase Money" shall include Compensation as well as Purchase Money, and whether ascertained by Agreement between the Master, Wardens, and Assistants and the Party interested, or by Assessment by a Jury; and the Word "Payment" shall include all Rents, Rent-charges, Annuities, or Sums of Money payable; and the Word "Sheriff" shall include Under Sheriff or other legally competent Deputy; and the Word "Precept" shall include "Warrant;" and the Word "Person" shall include Bodies Politic or Corporate; and in all other Parts of this Act the Word "Lighthouse" shall include Lighthouses, Lights, Sea Marks, Floating Lights, Beacons, Buoys, and other Marks or Signs for the Sea; and the Word "Tolls" shall in every Part of this Act include every Species of Duty or Payment payable by the Owners or Masters of Ships and Vessels in respect of a Lighthouse, Floating Light, Sea Mark, Buoy, or Beacon; and the Word "Vessel" shall include "Ship;" and the Expression "Officer of the Customs" shall include Collector, Comptroller, Receiver of Entries, Surveyor or Searcher, Waiter, or any other Officer of Customs of His Majesty, or his Deputy or Clerk; and the Expression "His Majesty" shall include the Heirs and Successors of His Majesty; and the Expression "His Majesty in Council" shall mean His Majesty acting by and with the Advice of His Most Honourable Privy Council; and the Term "Lord High Treasurer" shall mean also the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, while that Office is performed by Commission; and the Word "Commissioners" shall mean Commissioners of the Northern Lighthouses; and the Word "Corporation" shall mean Corporation for preserving and improving the Port of *Dublin*; and the Word "*England*" shall mean *England* and the Principality of *Wales*; and the Word "County" shall mean any Riding or other like Division of a County; and in describing any Persons or Things any Word importing the Plural Number shall mean also one Person or Thing, and any Word importing the Singular Number shall include several Persons or Things; and any Word importing the Masculine shall include also the Feminine Gender; unless in any of such Cases there

shall be something in the Subject or Context repugnant to such Construction.

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

The SCHEDULE to which the foregoing Act refers.

SKERRIES.
SPURN POINT.
TINMOUTH CASTLE.
SMALLS.
LONGSHIPS.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.