CHAPTER cxcvi.

An Act to constitute a Conservancy Board for the Port and Harbour of King's Lynn to transfer to and vest in such Board the powers of the Corporation of King's Lynn relating to the Port and Harbour and all the powers and property of the Harbour Mooring or Pilot Commissioners of the Port and of the body known as Select Trustees appointed under the Eau Brink Act 1831 and for other purposes. [6th August 1897.] A.D. 1897.

WHEREAS the mayor aldermen and burgesses of the borough of King's Lynn (in this Act called "the corporation") are or claim to be under ancient charters the conservators of the port and harbour of King's Lynn and (among other powers) they have long exercised and continue to exercise powers of buoying and beaconing the entrance channel to the harbour:

And whereas under the unrepealed provisions of an Act passed in the year 1829 "For more effectually supplying the inhabitants "of the borough of King's Lynn with water and for regulating the "markets and vessels using the port thereof" the corporation also have and exercise various powers for regulating moorings and otherwise in and with reference to the harbour: 10 Geo. 4. c. v.

And whereas the corporation as conservators are also charged with the duty of removing wrecks in the port and harbour and by the King's Lynn Corporation Act 1894 further powers for the removal of wrecks were conferred on them: 57 & 58 Vict. c. cxxxviii.

And whereas by the same Act and by the King's Lynn Docks and Railway (Further Powers) Act 1889 certain dues formerly leviable by the corporation were extinguished and the beaconage dues leviable by the corporation were limited as therein mentioned: 52 & 53 Vict. c. lxxx.

And whereas there are certain other dues and tolls leviable or claimed to be leviable by the corporation as conservators which comprise lastage dues on grain shipped outwards petty dues in

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respect of British timber and wool shipped coastwise and petty up-river tolls and lighting dues:

13 Geo. 3. c. xxx.

And whereas under an Act passed in the year 1773 "For the "better regulation and government of the pilots conducting ships and "vessels to and out of the port of King's Lynn and of the bridgemen "conducting gangs of lighters or barges to and from the same and "for laying down moorings in the harbour of the said port and for "preventing mischief by fire therein" a body of commissioners commonly known as the harbour mooring commissioners or as the pilot commissioners were constituted and invested with powers for the regulation and government of pilots conducting vessels into or out of the port of King's Lynn and for laying down moorings in the port and for other purposes and also with power to levy certain tonnage dues on vessels frequenting the port and to borrow money:

4 Vict. c. xlvii.

And whereas the said Act was amended and the powers of the said commissioners were enlarged by an Act passed in the year 1841 "To alter and amend an Act passed in the thirteenth year of the "reign of King George the Third for the better regulation of pilots "and bridgemen and for laying down moorings and preventing "mischief by fire in the port of King's Lynn":

40 & 41 Vict. c. cciii.

And whereas under Part V. of the Norfolk Estuary Act 1877 the said commissioners have powers of putting down mooring posts buoys and beacons on the banks and foreshores of the Ouse Outfall Channel and also powers similar to those of the corporation with respect to the mooring of vessels in the Marsh Cut and Vinegar Middle Cut:

And whereas by eight several Acts of Parliament known as the Eau Brink Acts whereof the first is the Eau Brink Act 1775 and the last is the Eau Brink Act 1831 the Eau Brink Drainage Commissioners were constituted and empowered to make a new cut from the hamlet of Eau Brink to the harbour of King's Lynn for the better drainage of the district called the Bedford Level which said cut is called the Eau Brink Cut:

And whereas soon after the opening of the said cut it was found that by reason of the new direction given thereby to the passage of the waters of the River Ouse the course of the channel in and through the harbour of King's Lynn had been altered and claims for compensation were made by the owners of properties on the east side of the said river for the injury occasioned to such properties by such alteration of the channel as aforesaid:

1 & 2 Will. 4. c. lxxiii.

And whereas by the Eau Brink Act 1831 it was provided that the Eau Brink Drainage Commissioners should pay compensation to the owners enumerated in the First Schedule to that Act and should also raise and pay to the select trustees therein-after mentioned two several sums of twelve thousand two hundred and fifty pounds

whereof one sum of twelve thousand two hundred and fifty pounds was to be divided among the owners of properties adjoining the harbour and described in the Second Schedule to the said Act and the other sum of twelve thousand two hundred and fifty pounds was to be invested by the select trustees in government securities and held or realised and applied for the purpose of defraying the costs charges and expenses of constructing all such works as should be deemed necessary to preserve and secure the said harbour on both sides thereof from the bridge and lower dam across the said Eau Brink Cut and the old channel of the said River Ouse so far as Saint Anne's Fort on the east side and Bentinck's Jetty on the west side and in keeping in repair all the said works and also the several jetties already constructed in the said harbour under the provisions of the said Acts if such jetties should be deemed necessary to be continued for the purpose aforesaid:

And whereas by section fifty-seven of the Eau Brink Act 1831 the mayor for the time being of the borough and the owners for the time being of the several properties mentioned in the Second Schedule to the said Act were appointed select trustees for the management of the expenditure of the last-mentioned sum of twelve thousand two hundred and fifty pounds in constructing and keeping in repair the several works placed under their direction and also of a yearly sum of seven hundred and fifty pounds payable to them by the said commissioners during a period which has now expired:

And whereas the select trustees have executed and maintained since the year 1831 the works placed under their direction and they have now standing to their credit in the books of the Bank of England a sum of sixteen thousand five hundred pounds consolidated bank annuities and have also standing to their credit in the bank of Barclays and Company Limited at King's Lynn the sum of two thousand four hundred pounds or thereabouts:

And whereas it would be of public and local advantage to consolidate the various powers and duties of the different authorities above mentioned in the hands of a single authority and with that object to constitute a conservancy board (herein-after referred to as "the Board") and to transfer such powers and duties to the Board and to make the Board the sole port and harbour authority of King's Lynn:

And whereas it is expedient that the harbour and mooring or pilot commissioners be dissolved and that the select trustees be continued for the purpose of appointing representatives on the Board in manner provided by this Act:

And whereas it is expedient to define the limits of the port and the limits of the harbour:

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And whereas it is expedient to define the limits of compulsory pilotage within the port and to make further provisions with respect to pilotage and pilots:

And whereas it is expedient to authorise the Board to appoint meters and weighers and to provide and regulate tug boats and to confer on the Board powers of making byelaws and other powers necessary or proper for a port and harbour authority:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the first day of January 1897 after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Lynn Advertiser a local newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate:

And whereas such resolution was published twice in the said newspaper and has received the approval of one of Her Majesty's Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the tenth day of February 1897 being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 as follows (that is to say):—

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the King's Lynn Conservancy Act 1897.

Incorporation of general Acts.

2. The Harbours Docks and Piers Clauses Act 1847 (except that the clauses with respect to lifeboats and with respect to keeping a tide and weather gauge shall not be in force for the purposes of this Act except in so far as the Board of Trade by notice in writing to the Board may from time to time require) and the provisions of the

Commissioners Clauses Act 1847 with respect to the appointment and accountability of the officers of the commissioners and with respect to the mortgages to be executed by the commissioners (except section 84) so far as the same respectively are not varied by this Act are incorporated with and form part of this Act And in construing the first-mentioned Act for the purposes of this Act the expression "the harbour" shall mean the limits for compulsory pilotage as defined by this Act and the expression "the undertakers" shall mean the Board and in construing the Commissioners Clauses Act 1847 for the purposes of this Act the expression "the commissioners" shall mean the Board.

Interpretation.

3. In this Act—

"The borough" means the borough of King's Lynn;

"The borough fund" and "borough rate" mean respectively the borough fund and borough rate of the borough;

"The Pilotage Acts" means the recited Acts 13 Geo. III. c. xxx. and 4 Vict. c. xlvii.;

"The recited Acts" means the Acts recited in the preamble to this Act;

The expression "the harbour mooring and pilot commissioners" means the commissioners appointed under the Pilotage Acts;

The expression "the select trustees" means the select trustees appointed under the Eau Brink Act 1831 and reconstituted under this Act;

The expression "the Board" means the King's Lynn Conservancy Board constituted under this Act;

The expressions "the port" and "the harbour" mean respectively the port and harbour of King's Lynn whereof the limits are defined by this Act;

The expression "shipowner" means a person who is on the thirtieth day of November immediately preceding an election and was during three months immediately preceding that day registered at the port of King's Lynn either as sole owner or as joint owner of shipping that is to say of a ship or ships or of a share or shares representing one hundred tons in the aggregate in a ship or ships registered at the port of at least one hundred tons register;

The expression "merchant" means a person who during the twelve months ending on the thirtieth day of November preceding an election was carrying on business in the port as an exporter or importer of goods (foreign or coastwise) amounting in the aggregate to not less than five hundred

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tons with a permanent office and (if not himself resident) with a representative resident in the borough;

The expression "dock company" means the King's Lynn Docks and Railway Company incorporated by the King's Lynn Docks and Railway Act 1865.

Part II.—Conservancy Board.

(i.) *Constitution of Board.*

Establishment of Conservancy Board.

4. For the purposes of the execution of the powers and provisions of this Act and generally of the powers and duties of a port and harbour authority in relation to the port and harbour of King's Lynn there shall be a representative Board and the members of the Board shall be a body corporate by the name of "The King's Lynn Conservancy Board" with perpetual succession and a common seal and with power to acquire and hold lands for the purposes of their constitution without any licence in mortmain.

Constitution of Board.

5. The Board shall consist of twenty-seven members of whom the mayor of the borough for the time being shall be one and eight shall be appointed by the Corporation in manner herein-after mentioned six shall be appointed by the select trustees in manner herein-after mentioned and two shall be appointed by the Board of Trade and two shall be appointed by the dock company and eight shall be elective members and shall be elected by shipowners and by merchants.

(ii.) *Appointment and Election of Members.*

Appointment of members by corporation.

6. The corporation shall at a meeting held on some day between the twentieth day of December in the year 1897 and the first day of February in the year 1898 appoint eight burgesses of the borough (six of whom at least must be members of the council) to be members of the Board and shall at a like meeting in every third succeeding year fill the places of the members so appointed who from time to time retire in pursuance of this Act by the appointment of eight persons qualified as above-mentioned.

Appointment of members by select trustees.

7. The select trustees shall at a meeting held on some day between the first and twentieth days of December in the year 1897 appoint six of the select trustees to be members of the Board and shall at a like meeting in every third succeeding year fill the places of the members so appointed who from time to time retire in pursuance of this Act by the appointment of six persons being select trustees to be their representatives on the Board.

Appointment of members by Board of Trade.

8. The Board of Trade shall between the first and twentieth days of December in the year 1897 and in every third succeeding year appoint two persons to be members of the Board being persons residing or having places of business in the borough or within seven miles thereof.

Appointment of members by dock company.

9. The directors of the dock company shall at a meeting to be held on some day between the first and twentieth days of December in the year 1897 appoint two persons one of whom shall be a director of the dock company to be members of the Board and shall at a like meeting in every third succeeding year fill the places of the members so appointed who from time to time retire in pursuance of this Act by the appointment of two persons one of whom shall be qualified as above-mentioned.

Number of elective members to be elected by respective bodies.

10. Of the eight elective members four shall be elected by registered shipowners and four shall be elected by registered merchants.

Provision as to firms and joint stock companies.

11.—(1) Where a firm or partnership is a shipowner or merchant within the meaning of this Act a member of the firm or partnership must be appointed under the hands of a majority of the members for the purpose of voting on behalf of the firm or partnership and shall be registered accordingly and every such appointment must be produced or sent to the returning officer at the time of claiming to be registered under this Act.

(2) Where a joint stock company is a shipowner or merchant within the meaning of this Act a member or officer of the company must be appointed under the seal of the company for the purpose of voting on behalf of the company and shall be registered accordingly and every such appointment must be produced or sent to the returning officer at the time of claiming to be registered under this Act.

Registration of electors required.

12. An elector whether shipowner or merchant shall not be entitled to vote at any election unless he is registered pursuant to the provisions of this Act.

Register of electors to be kept.

13.—(1) The returning officer (who shall in the case of the first election be the mayor of the borough or some fit person appointed by him and in the case of subsequent elections shall be some officer of the Board or other fit person appointed by the Board) shall keep a register in two parts of shipowners and merchants.

(2) In that register the returning officer shall enter the names addresses and qualifications of all persons claiming during the first fourteen days of the month of December in the year 1897 and in every third succeeding year and appearing to him to be entitled

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under this Act to be registered as a shipowner or merchant or in both capacities as the case may be.

(3) A claim may be made personally or in writing signed by the claimant.

(4) The returning officer may require such evidence in support of any claim whether by production of books or otherwise as he shall see fit and he shall not register a claimant unless and until he shall be reasonably satisfied of the bonâ fides of the claim and of the correctness of the particulars stated therein.

(5) In the month of November immediately preceding such month of December the returning officer shall cause notice to be given in two local newspapers circulating in the borough of the purport of the foregoing provisions of this section.

(6) The returning officer shall on proof to his satisfaction that any unqualified person has been registered or that any person registered has ceased to possess his qualification erase the name of such person from the register Notice of such erasure shall be given by him to such person and such person may at any time within one month after the receipt of such notice appeal to the judge of the county court having jurisdiction in the borough against the decision of the returning officer and the judge may make an order either confirming or reversing the decision of the returning officer.

(7) The returning officer may on proof to his satisfaction that any particular has through inadvertence been incorrectly stated in the register correct the same and thereafter such statement shall be deemed to have been originally entered as so corrected.

Returning officer to have access to books of Customs House.

14. For the purpose of enabling the returning officer to verify any particulars stated by a shipowner claiming to be registered under this Act the officers of the Customs House at King's Lynn shall upon receipt of the fees payable under the Merchant Shipping Act 1894 be bound to afford to the returning officer and his assistants all reasonable facilities for inspection of the books of the customs house so far as may be required by the returning officer to enable him to perform his duties under this Act.

Penalty for false statements in regard to registration.

15. Any claimant who wilfully (whether verbally or in writing) makes any false statement with intent to obtain registration under this Act shall be guilty of a misdemeanour and shall on conviction thereof on indictment be liable to be punished accordingly.

Date of elections.

16. Elections of elective members shall be held in the year 1897 and in every third succeeding year on some day between the twenty-first day of December and the thirty-first day of December to be appointed in the case of the first election by the mayor and in the case of every subsequent election by the Board.

17. The following rules shall be observed with respect to the election of shipowners as elective members :—

Rules for election of shipowners as elective members.

(1) The nomination of candidates shall take place on some day between the first and the twentieth days of the month of December in the year 1897 and in every third succeeding year :

(2) The returning officer shall convene a meeting of registered shipowners for the purpose of such nomination and shall give notice of such meeting and of the time and place at which it is to be held—

by advertisement in some one or more of the local newspapers circulating in the borough ; and

by causing a copy of such notice to be affixed to the outer door of the town hall of the borough :

(3) The returning officer shall preside and regulate the proceedings at such meeting :

(4) At any such meeting any person being a registered shipowner may with his consent be nominated by any registered shipowner and seconded by any other registered shipowner as an elective member :

(5) If more candidates are proposed than the number to be elected the person to be elected may be determined by show of hands or otherwise as the returning officer thinks fit unless a poll is demanded :

(6) A poll if demanded shall be taken in manner herein-after mentioned but if the number of candidates does not exceed the number of vacancies or if no poll is demanded the returning officer shall declare the names of the candidates elected and that declaration shall be evidence of the fact.

18. The following rules shall be observed with respect to taking a poll of shipowners for the election of shipowners as elective members :—

Rules for taking poll of shipowners.

(1) When a poll is demanded the returning officer shall direct the same to be taken at such a place within the borough and on such day after the day of nomination and before the thirty-first day of December as he may determine :

(2) The returning officer shall appoint such number of polling clerks as he deems sufficient and shall cause proper polling books to be provided :

(3) Votes may be given either personally or by proxy and each elector has one vote and no more :

(4) A proxy must be appointed under the hand of the appointor or if such appointor is a corporation under the common seal but he is not entitled to vote unless the instrument appointing him was deposited at the office of the Board on or before the

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fourteenth day of December in the year in which such proxy proposes to vote and no person can be appointed a proxy unless he is a registered shipowner:

(5) The poll shall be open during such hours as the returning officer may appoint:

(6) The returning officers shall cause to be entered in the polling books the name and address of every voter and the manner in which he votes:

(7) At the close of the poll the returning officer shall sum up the votes and shall declare the names of the candidates elected and that declaration shall be evidence of the fact.

Publication of names of candidates elected.

19. As soon as conveniently may be after the close of the poll or after the close of the meeting where there is no poll the returning officer shall publish the names of the candidates elected—

by advertisement in some one or more of the local newspapers circulating in the borough; and

by affixing a list of such candidates to the outer door of the town hall of the borough.

Application of rules to election of merchants.

20. The rules relating to the election of shipowners as elective members of the board which are contained in the last preceding sections of this Act shall apply mutatis mutandis to the election of merchants as elective members of the board.

Election of members by select trustees.

21.—(1) For the purpose of appointing the six members who are to represent the select trustees the clerk to the select trustees shall by notice to be delivered or sent to every trustee at least seven days before the meeting summon a meeting of the select trustees and the trustees present at such meeting shall first choose a chairman and shall then and there proceed to choose six of the select trustees to be their representatives on the Board.

(2) At any such meeting any firm or partnership or trustees may vote by a member of the firm or partnership or trustees appointed under the hands of a majority of the members and any corporation or company may vote by a member or officer of the corporation or company appointed under the seal of the corporation or company and any individual owner may vote by his solicitor or agent appointed under the hand of such individual owner.

(3) In case any of the estates mentioned in the First Schedule to this Act shall be divided in its ownership the trustees may apportion the votes which are allotted in that schedule to the owners of the respective estates to and among the owners of the divided properties.

(4) Subject as aforesaid the select trustees may if they see fit at any meeting held with notice of its object frame rules providing for

the service of the notices to the select trustees and for the mode of appointment of their representatives and in default of any such rules the appointment shall be conducted as the chairman of the meeting shall determine.

(5) The names and addresses of the members elected shall as soon as may be after the election be transmitted by the chairman of the meeting under his hand to the secretary of the Board or in the case of the first appointment to the town clerk.

(6) The costs and expenses to be incurred by the select trustees in the execution of the powers vested in them by this Act shall be paid by the Board such costs in case of difference to be subject to reference to the judge of the county court of Norfolk holden at King's Lynn whose decision shall be final.

(iii.) Time of coming into Office Retirement and other Matters.

Time of coming into office.

22. Members of the Board (except such of them as are appointed or elected to fill casual vacancies) shall come into office on the first day of February succeeding the date of their appointment or election respectively.

Retirement of members.

23.—(1) The mayor of the borough shall retire from the Board on ceasing to be mayor and shall be succeeded as a member of the Board by the incoming mayor.

(2) The other members of the Board whether appointed or elected under this Act shall retire on the thirty-first day of January in the third year after the date of their respective appointment or election.

Resignation of members.

24. A member may resign his office by notifying in writing his intention so to do addressed to the chairman or clerk for the time being of the Board.

Casual vacancies among members and provision for failure to elect.

25.—(1) Any casual vacancy occurring among the members by death resignation or otherwise shall be filled up by the Board within six weeks of the vacancy so occurring or so soon thereafter as practicable by the members of the Board representing the body or class who appointed or elected the vacating member but the member so chosen shall be qualified as the vacating member was qualified and shall retain his office so long only as the vacating member would have retained office if no vacancy had occurred.

(2) In the event of a failure duly to supply the places of the members retiring in any one year one or more (as may be required) of the retiring members shall if willing so to do continue in office until the next election.

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Disqualification of members.

26. If any member—

holds any office or place or place of profit under the Board; or

participates in the profits of any work done by the order of the Board; or

absents himself from the ordinary meetings of the Board for six consecutive months without leave of absence (except in case of illness); or

becomes lunatic or of unsound mind; or

being an elective member ceases to hold his qualification; or

is concerned in or participates in the profits of any contract entered into by the Board; or

becomes bankrupt or compounds with his creditors or submits his affairs to liquidation;

such person shall cease to be a member of the Board and his office shall thereupon become vacant subject to the exceptions following (that is to say):—

(1) A member shall not vacate his office by reason of his being a shareholder in any company interested in any contract with the Board;

(2) A member shall not vacate his office by reason of his being interested in any sale or lease of any lands or any loan of money to the Board:

Nevertheless no member shall be entitled to vote in respect of any contract with any company in which he is a shareholder or in respect of any question connected therewith or in respect of any such sale lease or loan as lastly herein-before mentioned and if he do so vote his vote shall not be counted.

Re-eligibility of members.

27. A member of the Board whether appointed by the corporation or dock company or being an elective member shall if he retains his qualification be re-eligible.

(iv.) General Provisions as to Board.

Appointment of officers by Board.

28. The Board may continue in their respective offices or employments or in like offices or employments such of the existing offices and servants of the corporation and of the harbour mooring and pilot commissioners as they may see fit and may from time to time appoint and remove a clerk and such other officers and servants as they may require for the purposes of this Act and may assign them their duties and award and pay them their salaries or remuneration.

Proceedings and chairman of Board.

29.—(1) The Board shall meet for the despatch of business and shall from time to time make such regulations with respect to the summoning notice place management and adjournment of

their meetings and generally with respect to the transaction and management of business as they think fit subject to the following regulations:—

(A) A meeting shall be held once at least in every month;

(B) No business shall be transacted at any meeting unless at least seven members are present from the commencement to the close of the business;

(C) Every question shall be decided by a majority of votes of the members present and voting on the question;

(D) The names of the members present shall be recorded.

(2) The Board shall at their first meeting and afterwards from time to time at their first meeting in every third year appoint one of their number to be chairman for the three years following such choice but any chairman on vacating his office if continuing a member is re-eligible as chairman.

(3) If any casual vacancy occurs in the office of chairman the Board shall as soon as they conveniently can after the occurrence of such vacancy choose a member to fill such vacancy but a chairman so elected shall continue in office so long only as the person in whose place he is so elected would have been entitled to continue if such vacancy had not happened.

(4) If at any meeting the chairman is not present at the time appointed for holding the same the members present shall choose some one of their number to be chairman of such meeting.

(5) In case of an equality of votes at any meeting the chairman for the time being of such meeting shall have a second or casting vote.

(6) The Board may if they see fit appoint a deputy chairman.

Minutes of proceedings.

30.—(1) The Board shall cause minutes to be entered in proper books of all the proceedings of their meetings and of the names of the members present at each meeting.

(2) Those minutes if appearing to be signed by the chairman of the meeting or of the next succeeding meeting shall be evidence of the matters therein stated.

Committees.

31.—(1) The Board may delegate any of their powers to committees consisting of such two or more members of their body as they think fit Any committee so formed shall in the exercise of the powers delegated conform to any regulations that may be imposed on them by the Board.

(2) A committee shall not be authorised to borrow any money nor shall any committee other than the special works committee under the provisions in that behalf herein-after provided expend any

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money or enter into any contract except with the sanction of the Board.

(3) A committee may elect a chairman of their meetings If no such chairman is elected or if he is not present at the time appointed for holding the same the members present shall choose one of their number to be chairman at such meeting.

(4) A committee may (subject to any regulations of the Board) meet and adjourn as they think proper.

(5) Every question at any meeting shall be determined by a majority of votes of the members present and voting on the question and in case of an equality of votes the chairman shall have a second or casting vote.

Validity of acts.

32. All acts done by any meeting of the Board or by any person acting as a member of the Board shall notwithstanding any vacancy in their number or that it be afterwards discovered that there was some defect in the appointment or election of any member or that any member was disqualified be as valid as if such vacancy defect or disqualification had not existed.

Accounts of Board.

33. Full and true accounts shall be kept by the Board of all their receipts and expenditure and an annual revenue account and balance sheet shall be prepared in such form and published in such manner as the Board of Trade approve and a copy of such account and balance sheet shall be forwarded to the Board of Trade annually within twenty-one days after publication thereof.

(v.) Provisions as to Special Works Committee.

Definition of special works. 1 & 2 Will. 4. c. lxxiii.

34. In and for the purposes of this Act the expression "special works" means the works mentioned in section fifty-six of the Eau Brink Act 1831 that is to say all such works as shall be deemed necessary to preserve and secure the harbour on both sides thereof from the bridge and lower dam across the Eau Brink Cut and the old channel of the said River Ouse so far as Saint Anne's Fort on the east side and Bentinck's Jetty on the west side and also the several existing quays and jetties constructed and maintained in the harbour under the provisions of the Eau Brink Acts.

Appointment of special works committee.

35.—(1) For the purposes of the maintenance repair and renewal of the special works there shall be a special works committee consisting of four of the members of the Board who are appointed by the select trustees to be chosen triennially by the six members so appointed and of three other members of the Board to be chosen by

the members of the Board other than the six members so appointed at the first meeting of the Board after the election of members in every third year.

(2) The special works committee shall be entrusted with the duty of maintaining repairing and renewing so far as may be necessary the special works and may expend in the execution of that duty any sum not exceeding one hundred and fifty pounds in any one year and with the sanction of the Board any further sum or sums that may be requisite.

(3) The expenses of such maintenance repair and renewal shall be a first charge on and shall be provided and paid out of the income arising from the capital sum of sixteen thousand five hundred pounds consolidated bank annuities by this Act transferred from the select trustees and the said capital sum shall be kept intact with that object and shall only be capable of being dealt with in pursuance of concurrent resolutions of the Board and of the select trustees authorising and prescribing the mode of dealing with it or any part of it.

(4) Any balance of such income remaining in any year after providing for all the expenditure required for the special works in that year may be applied by the Board to the general purposes of the Board.

(5) A separate account shall be kept by the Board of the income arising from the said capital sum and of the application thereof.

(6) The provisions of this Act with respect to the meetings and proceedings of other committees of the Board shall so far as they are applicable extend and apply to the meetings and proceedings of the special works committee.

Part III.—As to the Select Trustees.

Continuance of select trustees.

36. For the purpose of electing representatives to the Board in manner provided by this Act the select trustees appointed under the Eau Brink Act 1831 shall be continued as re-constituted by this Act and shall consist of the owners for the time being of the several properties mentioned in the First Schedule to this Act and at any meeting to be called for the purpose of electing representatives to the Board they shall respectively have such number of votes as is set opposite to their respective names in the said schedule subject to the provisions herein-before contained as to the apportionment of votes in division of ownership of the said properties.

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Part IV.—Powers transferred to and other Powers of Board.

Transfer of powers &c. of corporation of Harbour Mooring and Pilot Commissioners and of select trustees.

37. On and from the day of the first meeting of the Board there shall be by virtue of this Act transferred to and vested in the Board subject to the provisions of this Act :—

(1) All the powers rights privileges and duties of the corporation as conservators of the port subsisting at the passing of this Act including the powers under the Act 10 George 4 chapter v. the powers for the removal of wrecks under the King's Lynn Corporation Act 1894 the powers of lighting and buoying and beaconing the port and deeps under any Orders in Council or otherwise and all powers of the corporation to levy in or in respect of the port and harbour any tolls dues rates and charges by virtue of any charter statute or Order in Council or prescription save and except the tolls payable to the corporation in respect of the ferry across the harbour and all the liabilities of the corporation as such conservators of the port other than the debt of eighteen thousand pounds incurred by the corporation in the removal of the steamship "Wick Bay":

(2) All the powers rights privileges duties and liabilities of the harbour mooring and pilot commissioners under the Pilotage Acts and the Norfolk Estuary Act 1877 or any public general Act or any Order in Council (including the right to levy any tolls dues rates or charges) and all property securities for money and moneys belonging to or under the control of the said commissioners immediately before the first meeting of the Board:

(3) All the powers rights privileges duties and liabilities of the select trustees appointed under the Eau Brink Act 1831 and all securities for money and moneys belonging to or under the control of the select trustees immediately before the first meeting of the Board Provided that the said sum of sixteen thousand five hundred pounds consolidated bank annuities and the said sum of two thousand four hundred pounds now belonging to the select trustees shall (subject as to the said sum of two thousand four hundred pounds to all the liabilities of the trustees being deducted therefrom) without any further or other authority than this Act be transferred by the persons in whose names they now stand or the majority of them into the names of six trustees of whom three shall be chosen from among themselves by the six members of the Board appointed by the select trustees and three shall be chosen from among themselves by the members of the Board other than the six members so appointed and as soon as the trustees shall have

been appointed under this enactment their names and addresses shall be certified to the said respective banks by the chairman and clerk of the Board under their hands with a view to the said transfer being effected as soon as practicable.

The transfer and vesting aforesaid is in this Act referred to as "the transfer."

Saving for actions &c.

38. Notwithstanding the transfer any action arbitration or other proceeding or cause of action arbitration or other proceeding existing or pending at the date of the transfer by with against or in favour of the Corporation or the harbour mooring and pilot commissioners or the select trustees shall not abate or be prejudicially affected by the transfer but on the contrary may be commenced continued and carried on by with against or in favour of the Board as if the transfer had not taken place the Board only being substituted in or in relation thereto for the respective bodies aforesaid.

Books &c. admissible in evidence.

39. All books and documents of or concerning any of the three bodies aforesaid which if this Act had not been passed would have been admitted in evidence shall be admitted in evidence for or against the Board in such cases as they would have been admitted for or against the said respective bodies.

Saving for existing officers and servants.

40. Any officer or servant of the Corporation or of the harbour mooring and pilot commissioners or of the select trustees who loses his office or employment by reason of the transfer and is not employed in the same or a similar capacity by the Board shall be entitled to compensation to be paid by the Board the amount whereof shall in case of difference be settled by the judge of the county court having jurisdiction in the borough.

Byelaws.

41. All byelaws rules and regulations relating to the port and harbour or to the pilotage and pilots of the port and made by the Corporation or by the harbour mooring and pilot commissioners shall notwithstanding the transfer remain in force and be enforceable by the Board in their own name as well for the recovery of penalties as for all other purposes but subject to any future repeal or amendment of the same by the Board.

As to mortgage debt of harbour mooring and pilot commissioners.

42. The mortgage debt and all other debts and liabilities of the harbour mooring and pilot commissioners shall be paid and satisfied by the Board.

Dissolution of harbour mooring and pilot commissioners.

43. On and from the transfer the harbour mooring and pilot commissioners shall be dissolved and cease to exist as a corporate body.

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Board to have general powers of a port and harbour authority.

44. The Board shall be for all purposes the port and harbour authority of the port and harbour and shall in addition to the powers by this Act transferred to them or expressly conferred on them have and exercise all such powers rights privileges and duties as are exerciseable by or belong to port and harbour authorities under any general Act of Parliament or otherwise including power to maintain improve and regulate the use of the port and harbour and to remove shoals and obstructions therein or in the approaches thereto and any other like impediments to navigation Nothing in this section shall be deemed to transfer to the Board the rights powers duties or liabilities of the Corporation as the port sanitary authority of the port and harbour.

Part V.—Limits of Port and Harbour.

Limits of port defined.

45. The limits of the port of King's Lynn shall comprise the whole of the area described in the Second Schedule to this Act:

Provided always that such port and harbour shall not by virtue of this Act be deemed to be a port for customs purposes nor shall anything in this Act contained abridge or affect in any way the powers of the Treasury in respect of ports under the Customs Consolidation Act 1876 The said limits of the port seawards are more clearly defined by a red line upon a map or chart signed in triplicate by the Right Honourable Baron Hawkesbury Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred whereof one copy has been deposited in the Parliament Office and the other copies shall within one month after the passing of this Act be deposited with the clerks of the peace for the county of Norfolk and for the parts of Holland in the county of Lincoln respectively.

Limits of harbour defined.

46. The limits of the harbour of King's Lynn shall comprise so much of the port of King's Lynn as lies between the south end of the Norfolk Estuary Marsh Cut and an imaginary line drawn across the harbour representing the northernmost end of the Eau Brink Cut.

Part VI.—Dues.

Power of Board to reduce or abolish certain dues.

47. It shall be lawful for the Board if they see fit to reduce or abolish all or any of the dues now payable to the corporation for the use of the quays respectively known as Common Staith Quay Purfleet Quay and King Staith Quay and also such parts of the up river tolls or dues as may be leviable or may hereafter be leviable by them.

Power of Board to levy consolidated rate.

48.—(1) It shall be lawful for the Board if they see fit to abolish all or any of the dues or rates now leviable as beaconage dues lastage dues petty dues on British timber and wool shipped outwards and harbour mooring dues other than those leviable under the Norfolk Estuary Acts 1857 and 1877 including any dues or parts of dues purchased by the Board under the powers of this Act and in lieu of all or any of the dues so abolished to levy one consolidated tonnage or cargo rate so nevertheless that the total amount of rates leviable be not increased.

(2) For the purpose of the levying of dues in respect of timber or deals a load of timber or deals shall be deemed to be a ton.

As to lighting dues &c.

49.—(1) No authority of Her Majesty in Council or of any general lighthouse authority under or by virtue of the Merchant Shipping Act 1894 with respect to the revision or regulation of the Bar Flat light vessel dues or otherwise shall be affected by the inclusion by this Act of the Bar Flat light within the limits of the port or by the transfer to the Board by this Act of the powers of the corporation to levy such dues under the Order in Council dated the twenty-third day of October one thousand eight hundred and seventy-seven by which such dues were authorised.

(2) The Bar Flat light vessel dues and the Channel lighting dues authorised respectively by two Orders in Council of the twenty-third day of October one thousand eight hundred and seventy-seven and the sixteenth day of March one thousand eight hundred and ninety-two and the dues leviable under the Norfolk Estuary Act 1877 so long as the same or any or any part of the same shall be leviable shall respectively be carried by the Board to separate accounts and applied only to the purposes to which they are now respectively applicable.

Power of Board to agree with Duchy of Cornwall as to dues.

50. It shall be lawful for the Board to acquire by agreement with the Duchy of Cornwall all or any of the dues or portions of dues now payable to the Duchy in or in respect of the port under the names or descriptions of petty dues and lastage dues.

Power of Board to levy refuge dues.

51. In the case of any vessel which owing to stress of weather enters the harbour for refuge it shall be lawful for the Board to demand and recover from the master of such vessel a refuge due not exceeding one penny per ton of the registered tonnage of such vessel.

Additional moorage dues in certain cases.

52. In the case of any vessel using the moorings in the harbour for a period longer than one month it shall be lawful for the Board to demand and recover a due not exceeding one halfpenny per ton of the registered tonnage of such vessel for every week or part of a week during which such vessel shall use the moorings after the expiration of the said period of one month.

Part VII.—Meters and Weighers.

Power to appoint meters and weighers.

53. The Board shall have the appointment of meters and weighers within the limits of the harbour and port.

Part VIII.—Pilotage.

Saving as to pilotage limits.

54. Nothing in this Act shall be deemed to alter or affect the pilotage limits of the port of King's Lynn or the port of Boston as those limits existed immediately before the passing of this Act but those respective limits shall continue for all pilotage purposes as if this Act had not been passed.

Limits for compulsory pilotage.

55. The limits within which pilotage shall be compulsory shall be the harbour and the channel between the entrance to the harbour and the buoy at the west side of the entrance to the said channel and now marked as "No. 1 Gas Lt. Occ. Buoy" on the map or chart referred to in the section of this Act the marginal note whereof is "Limits of port defined" being a copy of the Admiralty chart of the Wash published in the year 1873.

Pilots licensed by the corporation.

56. Every person who at the passing of this Act possesses a licence from the corporation to act as a pilot shall for the purposes of this Act be deemed and taken on and after the first meeting of the Board to have been licensed by the Board and shall be entitled to the same rights and privileges and be subject to the same regulations and be liable to the same penalties for offences committed against this Act or any byelaw continued in force or made in pursuance thereof as he would have been entitled or subject or liable to if he had actually been licensed by the Board.

Limiting liability of pilots.

57. In order to limit the liability of pilots the following provisions shall have effect (that is to say):—

(1) Every pilot of the port now licensed and every pilot hereafter licensed shall on his appointment execute a bond for one hundred pounds conditional for the due performance on his part of the regulations and byelaws of the Board:

(2) A pilot who has executed such bond shall not be liable for neglect or want of skill beyond the penalty of the bond and the amount payable to him on account of pilotage in respect of the voyage in which he was engaged when he became so liable.

In case of non-payment of pilotage dues pilot master may prosecute.

58. In case any master owner agent or consignee or other person who shall be liable to the payment of pilotage dues in respect of any vessel for which the services of a qualified pilot are obtained shall refuse or neglect to pay the pilotage dues and remuneration to which any pilot licensed and authorised to act as a pilot shall

be entitled for the pilotage of or for any other services rendered to such vessel then such pilotage and remuneration shall be recovered by and at the instance of the pilot master or other officer of the Board appointed for the purpose in the same manner as fines of like amount are recoverable under the Merchant Shipping Act 1894.

Powers as to pilot vessels.

59. The Board may purchase or hire proper and efficient pilot boats or vessels for carrying on the pilotage service of the port and may apply such part of the pilotage dues as may be necessary to equip and maintain the same and to provide for the payment of the interest on any money borrowed by the Board for that purpose and for the repayment thereof.

Part IX.—Tugboats—Supply of Ballast and Water.

Powers as to tugboats.

60. The Board may from time to time purchase or hire steam or other tugboats for the purpose of towing vessels into out of or within the port and may make such rules and regulations in respect to those tugboats and such reasonable charges for the user or employment thereof as the Board from time to time think fit.

The Board may also license any tugboats not provided by them and may make byelaws regulating such licensing and prohibiting the use within the port of any tugboat not provided or licensed by them.

Powers as to supply of ballast.

61. The Board may undertake the supply and removal of ballast from and into vessels within the port and may make such reasonable charges in respect of such supply and removal as they from time to time think fit.

Power as to supply of water.

62. The Board may supply water to any vessel within the port and may make such reasonable charge in respect of water supplied by them to any such vessel as they may from time to time think fit so that such charge shall in no case exceed the sum of one shilling per one hundred gallons and such charge in respect of water supplied to any such vessel shall on demand be paid by the master or owner of such vessel to the Board.

For the protection of the dock company.

63. The provisions of the last two preceding sections shall not extend or apply to any vessel being within the docks of the dock company nor shall such provisions be deemed to take away or interfere with the rights of the dock company to supply water or ballast to or to remove ballast from any vessel being within the said docks.

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PART X.—POWER TO BORROW.

Power to corporation to borrow.

64.—(1) The corporation may from time to time in addition to any moneys they are now authorised to borrow or which they are or may be authorised to borrow under the provisions of any other Act borrow at interest on the security of the borough fund and borough rate for paying the costs charges and expenses of and in relation to this Act as herein-after defined the sum necessary for the purpose and in calculating the sums which the corporation may borrow under the provisions of any other enactment the sums they may borrow under this Act shall not be reckoned and the powers of the corporation as to borrowing and reborrowing shall not be restricted by any of the provisions of the Public Health Acts.

(2) The provisions of sections 14 to 21 of the King's Lynn Corporation Act 1896 shall extend and apply mutatis mutandis to and in relation to the borrowing reborrowing and repayment of moneys borrowed by the corporation under the powers of this Act Provided that the prescribed period for repayment of those moneys shall be five years from the date of the borrowing thereof.

Power to Board to borrow.

65.—(1) The Board may from time to time (in addition to any other moneys they may have authority to borrow under any other Act) borrow at interest for the purposes of the recited Acts (so far as the same are respectively in force) and this Act such sums as the Board of Trade may consider expedient for the purposes of this Act and for improving the harbour and facilitating the trade of the port and may sanction accordingly and the Board may mortgage the dues and rates leviable by them accordingly.

(2) The total amount to be borrowed under the powers of this Act shall not exceed forty thousand pounds.

(3) The Board of Trade may hold such local inquiries as they may think requisite for the purposes of this section.

(4) Any costs incurred by or on behalf of the Board of Trade under this section shall be defrayed by the Board and the amount thereof shall be a debt due from the Board to the Crown and be recoverable as a debt due to the Crown is recoverable with costs or the same may be recovered with costs as a penalty is recoverable from the Board.

As to repayment of borrowed moneys.

66. The Board shall make provision to the satisfaction of the Board of Trade for paying off all moneys so borrowed within any time not exceeding sixty years after the date of the borrowing thereof either by equal annual instalments of principal or of principal and interest combined or by means of a sinking fund appropriated and invested and with the accumulations thereof (if

any) from time to time applied in the redemption of such borrowed moneys.

Power to re-borrow.

67. If the Board can at any time borrow any money at a lower rate of interest than any securities given by them and then in force shall bear or if the Board pay off any moneys borrowed by them under the powers of this Act otherwise than by means of instalments or of a sinking fund or out of moneys received on capital account (other than borrowed moneys) they may reborrow the same and so from time to time Provided as follows (that is to say):—

All moneys so reborrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing shall have been made:

Any amounts from time to time reborrowed shall be deemed to form the same loan as the moneys in lieu of which such reborrowing shall have been made and the obligations of the Board with respect to the repayment of such moneys shall not be in any way affected by such reborrowing.

Board not to regard trusts.

68. The Board shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Board shall be a sufficient discharge to the Board in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Board have had notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Board shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

Power to borrow under Local Loans Act 1875.

69. The Board may if they think fit borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed by the Board in manner by this section authorised shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such funds and rates shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875 Every such loan shall be discharged within the time prescribed in that behalf by this Act.

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Sinking fund how to be invested.

70. All sums paid into the sinking fund and the annual income thereof shall be accumulated at compound interest and shall be as soon as may be invested in any manner in which trustees are by law for the time being authorised to invest trust moneys or in any debenture stock issued under the authority of any Act of Parliament by any local authority as defined by the Local Loans Act 1875.

Protection of lenders from inquiry.

71. A person lending money to the Board shall not be bound to inquire as to the observance by the Board of any provision of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent by him or of any part thereof.

Application of money borrowed.

72. All money borrowed under this Act shall be applied for the purposes of this Act only to which capital is properly applicable and not otherwise.

Annual return to Board of Trade with respect to sinking funds.

73. The clerk to the Board shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Board of Trade a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the clerk to the Board shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Board of Trade and shall be recoverable by that Board in a summary manner If it appear to the Board of Trade by such return or otherwise that the Board have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that sinking fund or any interest thereof to any purposes other than those authorised by this Act the Board of Trade may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Board of Trade out of the High Court.

The provisions of this section shall extend and apply mutatis mutandis to appropriations and to annual repayments.

Part XI.—Miscellaneous.

Power to make byelaws.

74. In addition to the purposes for which they are authorised to make byelaws under the Harbours Docks and Piers Clauses Act 1847 the Board may make byelaws for all or any of the purposes following (that is to say):—

For prohibiting removing and regulating the placing of any matters or things which in the judgment of the Board may interfere with the navigation of the port or the safe and convenient user thereof or of the premises or works of the Board;

For regulating the speed of vessels navigating the port;

For regulating the times and manner of paying and the places for payment of the dock rates and of the dues or charges for the use of any machinery or appliances of the Board.

Confirmation of byelaws.

75. All byelaws made by the Board whether in pursuance of the powers conferred by the Harbours Docks and Piers Clauses Act 1847 or of the powers conferred by this Act shall not be valid unless and until they have been confirmed by the Board of Trade and shall not require any other confirmation approval or allowance.

Saving for Duchy of Cornwall.

76. Nothing in this Act shall extend to authorise the Board to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to Her Majesty Her heirs or successors in right of the Duchy of Cornwall without the consent in writing of some two or more of such of the regular officers of the said duchy or of such other persons as may be duly authorised under the provisions of the Duchy of Cornwall Management Act 1863 section 39 to exercise all or any of the rights powers privileges and authorities by the said Act made exercisable or otherwise for the time being exercisable in relation to the said duchy or belonging to the Duke of Cornwall for the time being without the consent of such duke testified in writing under the seal of the Duchy of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by Her Majesty in right of the Duchy of Cornwall or in or by the Duke of Cornwall for the time being.

Works below high water mark not to be commenced without consent of Board of Trade.

77. The Board shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board

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of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Board shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Board and the amount of such costs and charges shall be a debt due from the Board to the Crown and shall be recoverable accordingly with costs.

Saving rights of the Crown in the foreshore.

78. Nothing contained in this Act shall authorise the Board to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty.

Saving for Norfolk Estuary Company.

79. Nothing herein contained shall authorise any alteration of or interference with the Marsh Cut or with the Vinegar Middle Cut or any alteration of or interference with any of the reclamation works lands or other property of the Norfolk Estuary Company and nothing herein contained shall diminish prejudice take away alter suspend or affect any right power authority privilege or jurisdiction of the Norfolk Estuary Company.

As to embanking.

80. Nothing herein contained shall authorise the Board to object to or interfere with the embankment and allotment of the lands mentioned in section 69 of the Norfolk Estuary Act 1877 either by the Norfolk Estuary Company or the landowner or with the works of reclamation and improvement now or at any time heretofore in course of execution.

Saving rights of public bodies.

81. Nothing herein contained shall diminish prejudice take away alter suspend or affect any right power authority privilege or jurisdiction of the Conservators of the Ouse Outfall or of the King's Lynn Docks and Railway Company or of the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House in Kingston-upon-Hull or the pilotage to and from the Ports of Wisbech and Spalding as at present regulated by the said guild and the sub-

commissioners appointed by them or of the mayor aldermen and burgesses of the borough of Boston. A.D. 1897.

Costs of Act.

82. The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act shall be paid by the corporation and by the select trustees in equal moieties and in the case of the corporation out of the borough fund or borough rate.

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THE SECOND SCHEDULE.

LIMITS OF PORT.

The borough of King's Lynn and also all such parts of the Deeps vulgarly called the Lynn Deeps and all and all manner of places and course of waters extending from the borough unto a place called St. Edmund's Ness otherwise Gore Point and from thence in a north-westerly direction to the Lynn Well light vessel and thence in a south-westerly direction to a point opposite the outer Gat Sand End and thence in a southerly direction to the buoy known as the Wisbech Bar buoy and thence in a south-westerly direction to the beacon known as the Westmark Knock beacon and thence in a southerly direction across the Outer Westmark Knock Sand to the Inner Westmark Knock Sand and thence south by east across the Breast Sand or Terrington Main to a point at high-water mark on the main land or sea bank where Terrington St. Clement's Church in the county of Norfolk bears due south and from thence following the line of high-water mark in an easterly and south-easterly direction to the west bank of the Estuary Marsh Cut and from thence along the west bank of that Cut to the River Ouse and from thence southwardly along the west side of that river and the west side of the channel of the Eau Brink Cut but excluding the banks marshes and forelands of that Cut and along the west bank of the River Ouse as far as a place called Staplewear situate two miles and half a furlong measured in a straight line in a southerly direction from the point where the bridge of the Great Eastern Railway on the Lynn and Wisbech Line crosses the River Ouse and thence due east to the eastern bank of the River Ouse and thence in a northerly direction along the east bank of the River Ouse and along the east side of the channel of the said Eau Brink Cut but excluding the banks marshes and forelands of that Cut to the east bank of the Estuary Marsh Cut And all and all manner of places and parts within and upon the aforesaid sands and to the utmost flowing and reflowing of the waters within the limits and bounds aforesaid And also all and singular places within the precincts circuits and liberty of the borough as well by land as by water.

All the herein-before directions are described by true and not by compass points and bearings.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
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