CAP. LV.

An Act to enable the Postmaster General to sit in the House of Commons.

[30th *July* 1866.]

'WHEREAS it has been considered that the Office of Postmaster General is a "new "Office or Place of Profit under the Crown" according to the true Intent of the 'Act passed in the Sixth Year of the Reign of Queen *Anne*, Chapter Seven, and that the 'Person holding the same is thereby incapacitated from sitting or voting as a Member of 'the House of Commons, and it is expedient that Provision should be made for enabling 'the Holder of the said Office to sit in the House of Commons:'

Be it therefore 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:

Office of Postmaster General not to disqualify its Holder from sitting as a Member of the Commons House of Parliament.

1. The Office of Postmaster General shall not, after the passing of this Act, be deemed to be a new Office or Place of Profit within the Meaning of the said Act of the Sixth Year of the Reign of Queen *Anne*, or such an Office as disqualifies the Holder thereof from being elected or sitting or voting as a Member of the House of Commons; subject to the Proviso that if a Member of the House of Commons accept the said Office, he shall thereby, though eligible for Re-election, vacate his Seat, and a new Writ shall issue for an Election as if he were dead.

CAP. LVI.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Clynder*, *Hastings*, and *Newlyn*.

[30th *July* 1866.]

24 & 25 Vict. c. 45.

'WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the 'Confirmation thereof by Act of Parliament:

'And whereas it is expedient that the several Provisional Orders made by the Board of 'Trade under the said Act, and set out in the Schedule to this Act, be confirmed by Act 'of Parliament:'

Be it therefore 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:

Orders set out in Schedule confirmed.

1. The several Orders set out in the Schedule to this Act shall be and the same are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1866 (No. 2).

The SCHEDULE of Orders.

1. CLYNDER.—Construction of a Pier.
2. HASTINGS.—Construction of a Pier.
3. NEWLYN.—Construction of a Pier.

CLYNDER.

Clynder.

Order for the Construction, Maintenance, and Regulation of a Pier at Clynder, in the Parish of Roseneath, in the County of Dumbarton.

Undertakers.

1. Archibald Chalmers, of Auchmar, Roseneath, in the County of Dumbarton, his heirs and assigns, shall be the Undertakers of the works authorized by this Order.

Powers to take Lands by Agreement.

2. For the purposes of the works authorized by this Order, the Undertaker may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

3. "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans deposited for the purposes of this Order, as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier on the west bank of the Garelock, opposite Auchmar aforesaid, extending from the shore eastward a distance of 270 feet or thereby:

With all necessary quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, works, and conveniences connected with the proposed pier.

Rates according to Schedule to this Order.

6. The Undertakers may demand and receive in respect of the vessels, goods, persons, animals, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House officers exempt from rates.

7. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, from, and out of the pier by land, and with their vessels and otherwise, without payment.

Certain fishing vessels under stress of weather exempt from rates.

8. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Parts of Harbours Clauses Act excepted.

9. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely Sections 16, 17, 18, and 19.

Borrowing.

10. The Undertakers may borrow from time to time on the security of the works authorized by this Order and of the lands and property connected therewith, and of the rates authorized by this Order, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of five hundred pounds, and the money so borrowed may be re-borrowed as occasion shall require. They shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate.

Application of money borrowed.

11. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates.

12. The rates received under this Order shall be applicable for the purposes and in the Order following, and not otherwise:

(1.) In the maintenance of the works authorized by this Order:

(2.) In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money:

(3.) To the proper use of the Undertakers.

Power to purchase, lease, provide, or hire steam or

13. The Undertakers may for the purposes of the works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish

Clynder.

other dredges, &c.

rubbish lighters, tools, plant, or other materials as they think fit, and may from time to time, as they think fit, sell and dispose of such dredges, tugs, vessels, diving bells, plant, and materials aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order, or some of them.

Short Title.

14. This Order may be cited as The Clynder Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

TABLE I.—RATES ON VESSELS USING THE PIER FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	s.	*d.*
Each passenger landing or embarking	0	1
Do. do. do. under 14 years of age	0	0½
For every vessel under fifteen tons, per ton	0	2
For every vessel of fifteen tons and upwards, per ton	0	4

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED UPON THE PIER.

	s.	*d.*
Cattle, per head	1	0
Coaches:		
Chaises and other four-wheeled carriages, each	1	0
Gigs, carts, and other two-wheeled carriages, each	0	6
Coals, Scotch, English, smithy, and culm, per ton	0	2
Corn:		
Wheat and malt, per ton	0	5
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn, per ton	0	5
Glass, per barrel-bulk	0	1
Household furniture:		
1 cart load	1	0
1 barrow load	0	6
New, per barrel-bulk	0	1
Belonging to parties changing their residence only, per 10 barrels-bulk	0	6
Passengers' luggage, not exceeding 28 lbs., free.		
All above 28 lbs. per barrel-bulk	0	4
Stones:		
Freestone, pavement, and granite, per ton of 16 cubic feet	0	2
Scythe stones, per ton	0	6
Millstones, each	0	4
Limestones and other stones, per ton	0	1
Light goods, per barrel-bulk	0	1
Heavy goods, per ton	0	6

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as barrel-bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel-bulk.

Hastings.

HASTINGS.

Order for the Construction of an additional Pier at Hastings, in the County of Sussex, by the Hastings Harbour Company, and for other Purposes.

Power to take specified lands by agreement.

1. For the purposes of the works authorized by this Order the Hastings Harbour Company (in this Order called the Company) may from time to time, by agreement, enter on,

on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

2. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Lands for extraordinary purposes.

3. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the plans and sections deposited as aforesaid, make and maintain the works shown on the deposited plans, with all proper approaches, landing places, and other conveniences connected therewith.

Description of pier.

5. The works authorized by this Order comprise the following:

A promenade pier (to be called the Alexandra pier) commencing from the esplanade or beach opposite to the centre of Warrior Square, in the parish of Saint Mary Magdalen, in the borough of Hastings and county of Sussex, and extending seawards in a southerly direction for a distance of twelve hundred feet or thereabouts.

Approval by Corporation, &c.

6. Notwithstanding anything in this Order, the site of the pier authorized by this Order (within the limits of deviation) shall be selected and the works for the construction thereof shall be executed in accordance with a plan to be approved by writing under the respective common seals of the Mayor, Aldermen, and Burgesses of the borough of Hastings, and of the Local Board of Health of the borough.

Limiting of date of commencement of certain works.

7. The Company shall, before the 16th day of August 1866, commence the construction of the harbour authorized by the Hastings Pier and Harbour Order, 1862, (in this Order called the Order of 1862,) and shall carry on the same without delay.

Expenditure under Order of 1862 before commencement of pier.

8. Notwithstanding anything in this Order, the Company shall not commence the pier authorized by this Order until they have expended the sum of forty thousand pounds in the execution of the works authorized by the Order of 1862, of which expenditure a certificate under the hand of the Chairman of the Quarter Sessions shall be conclusive evidence, and the Chairman shall sign such a certificate on proof being adduced to him of that expenditure having been made.

Limitation of time for commencement of pier.

9. If the Company have not expended the sum of forty thousand pounds in the execution of the works authorized by the Order of 1862 before the time limited for the completion of those works, then on the expiration of that time the powers by this Order given to the Company for constructing the pier authorized by this Order or otherwise in relation thereto shall absolutely cease.

Like rates as under Order of 1862.

10. The Company may demand and receive for the pier authorized by this Order the like rates as they are by the Order of 1862 authorized to demand and receive for the pier thereby authorized.

Power to levy additional rates for purposes of Order of 1862 and this Order.

11. The Company, in addition to such rates as they are by the Order of 1862 and by the last foregoing provision of this Order authorized to demand and receive, may demand and receive, as well for the pier authorized by the Order of 1862 as for the pier authorized by this Order, any sums not exceeding the rates in the Schedule to this Order specified in respect of the things in that Schedule described.

Restriction as to rates for pier.

12. Notwithstanding anything in this Order, the Company may not, without the consent of the said Mayor, Aldermen, and Burgesses, and Local Board of Health respectively, in writing, under their respective common seals, demand or receive any tolls for the pier and works authorized by this Order until the harbour authorized by the Order of 1862 is completed.

Company may contract with persons for the use of the pier.

13. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket,

Hastings.

ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Certain fishing vessels under stress of weather exempt from dues.

14. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

Exemption of Custom House officers.

15. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Incorporation of parts of Companies Clauses Consolidation Acts 1845 and 1863.

16. The provisions of The Companies Clauses Consolidation Act, 1845, as far as the same are applicable to the purposes of this Order, and Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of The Companies Clauses Act, 1863, are hereby incorporated with this Order, and shall, in all particulars not otherwise provided for by or under this Order, apply to all shares and capital created, and to all money borrowed and mortgages granted under this Order; and in the construction of those provisions in connexion with this Order, the expression "the special Act" shall mean this Order; the expression "the Company" shall mean the Hastings Harbour Company; the expression "the undertaking" shall mean the undertaking of the Company; and the provisions relating to the superior courts shall extend to any county or other court having by law cognizance of the action.

Power to create new shares.

17. The Company may from time to time raise for the purposes of this Order, by the creation and issue of new shares or new stock, the additional capital of thirty thousand pounds.

Shares not to be issued until one-fifth paid up.

18. The Company shall not issue any share created under the authority of this Order, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Amount and number of calls.

19. The amount of any one call to be made upon such new shares shall not exceed two pounds per share, and successive calls shall not be made at a less interval than three months.

New shares and new stock may be of different classes.

20. The new shares and new stock which the Company are by this Order authorized to create and issue may, with the sanction of three-fifths at least of the votes of the shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, be issued either of one class and with like privileges, or of several classes and with different privileges, and of the same or different amounts, and respectively with any fixed, fluctuating, contingent, preferential, perpetual, terminable, or other dividend; and the Company may, as they from time to time think fit, fix the amount and times of payment of the calls on the new shares.

Capital created by Company under Order part of their general capital.

21. The capital from time to time created by the Company under this Order shall be part of the general capital, and the several holders from time to time of the new shares and new stock from time to time issued by the Company under this Order shall be shareholders and stockholders of the Company accordingly, with the same privileges as to voting as shareholders under the Order of 1862.

Restrictions as to new shares.

22. Provided that no new share or new stock issued under this Order shall bear any fixed or preferential dividend beyond the rate of six pounds per centum per annum on the amount from time to time paid thereon, and that all new shares of the same class shall bear like dividend and confer like privileges.

Quorum of general meetings.

23. The quorum of every general meeting of the Company shall be seven shareholders, present personally or by proxy, holding in the aggregate not less than five thousand pounds in the capital of the Company.

Increase of number of directors.

24. The number of directors of the Company shall be not more than seven or less than three.

Power to borrow.

25. The Company may from time to time under this Order borrow on mortgage at interest money required for the purposes of the works authorized by this Order not exceeding the sum of ten thousand pounds, but no money shall be borrowed until the whole

whole of the additional capital of thirty thousand pounds is subscribed for or taken, and until one-half thereof is actually paid up, and until the Company prove to the justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40 (before he so certifies), that the whole of the capital has been issued and accepted, and that one-half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by subscribers or their assigns, and that the subscribers or their assigns are legally liable for the same (of which proof having been given the certificate of such justice under that section shall be sufficient evidence).

Receiver.

26. The mortgagees of the Company under this Order may enforce the payment of the arrears of interest or of the arrears of principal and interest due on their respective mortgages by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be three thousand pounds.

Priority of existing mortgages.

27. All mortgages and bonds granted by the Company under any former Order, and subsisting at the time of the confirmation of this Order, shall, during their respective continuance, have priority over any mortgage to be granted under this Order.

No interest or dividend on calls.

28. The Company shall not, out of any money raised under this Order by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him, but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money to be applied to purposes of Order.

29. Every part of the money raised under this Order shall be applied only for purposes authorized by this Order.

Restriction on use of pier.

30. Nothing in this Order shall entitle any person from any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Limits of harbour.

31. The limits within which the Company shall have authority (which shall be deemed the limits of the Order of 1862, and of The Hastings Harbour Amendment Order, 1865, and of this Order,) shall be the boundaries of the borough of Hastings.

Part of Harbours Clauses Act not incorporated.

32. Sections 16, 17, 18, and 19 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Harbour Authority.

33. The Company shall be the harbour authority for or in connexion with the pier and harbour authorized by the Order of 1862, and the pier authorized by this Order, within the prescribed limits.

Expenses of Order.

34. The costs, charges, and expenses of applying for and obtaining this Order, or preparatory or incident thereto, shall be paid by the Company.

Short Title.

35. This Order may be cited as The Hastings Harbour (Alexandra Pier) Order, 1866.

SCHEDULE to which the foregoing Order refers.

Additional Rates for the Pier authorized by the Order of 1862, and for the Pier authorized by the foregoing Order.

	s.	*d.*
For every Bath or sedan chair, for each time, not exceeding	0	6
For every perambulator, for each time, not exceeding	0	4
For every trunk, portmanteau, box, parcel, or other package of passengers luggage landed or shipped, not exceeding in weight 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8

Newlyn.

NEWLYN.

Order for the Construction, Maintenance, and Regulation of a Pier and Harbour at Newlyn, in the County of Cornwall.

Incorporation of Company.

1. The following persons, namely, Henry Peter Andrewes, Reuben Birch, Charles Lempriere, Charles Arthur Turner, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the harbour and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of The Newlyn Pier and Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Newlyn Pier and Harbour Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Clauses Acts.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, are hereby incorporated with this Order.

Capital.

4. The capital of the Company shall be thirty thousand pounds, in three thousand shares of ten pounds each.

Shares not to be issued until one-fifth paid up.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one-fifth part of the amount of such share has been paid in respect thereof.

Calls.

6. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

Power to create preference shares.

7. The Company, with the sanction of at least three-fifths in value of the votes of the shareholders present, in person or by proxy, at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one-third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

8. The Company, from time to time, may borrow on mortgage at interest, any sum or sums of money not exceeding in the whole ten thousand pounds; but no money shall be so borrowed until the whole of the capital of thirty thousand pounds is subscribed for, and one-half thereof is paid up, and the Company satisfy the justice who certifies under Section 40 of The Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the capital has been issued and accepted, and that one-half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by registered holders thereof, legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9. The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is two thousand pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder interest on money advanced by him beyond the amount of calls actually made in conformity with The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit.

11. The Company shall not, out of any money so raised, pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

12. Every

12. Every part of the money so raised shall be applied only for the purposes authorized by this Order. Money to be applied for purposes of Order.

13. The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine. First general meeting.

14. The number of directors shall not be more than nine or less than five. Number of directors.

15. The quorum of a meeting of directors shall be three. Quorum of directors.

16. Henry Peter Andrews, Reuben Birch, Charles Lempriere, Charles Arthur Turner, with such other shareholders (if any) as they add to their number, shall be the first directors, and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office, and directors shall be elected by the meeting, the retiring directors being eligible. First directors.

17. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds. Qualification.

18. The remuneration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine. Remuneration.

19. For the purposes of the works authorized by this Order the Company may from time to time by agreement enter on, take, and use all such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed pier, harbour, and works, and the conveniences connected therewith. Power to take lands by agreement.

20. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order. Incorporation of Lands Clauses Acts.

21. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (as far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier, harbour, and works authorized by this Order. Power to make works.

22. The works authorized by this Order comprise the following: Description of works.

A pier, jetty, quay, and landing place, commencing at a point on the Green Rock, immediately adjoining the north-east end of the boat-house or fish-cellar in the occupation of Robert James, in Newlyn, in the Parish of Paul, in the County of Cornwall, and extending seawards in a direction east north-east 1250 feet or thereabouts, and thence in a direction north north-east 250 feet or thereabouts;

and all proper works, approaches, and other conveniences for the embarking and landing of passengers, fish, goods, and merchandise, and other purposes connected therewith.

23. The limits of the harbour shall include the lands, fore-shore, and bed of the sea contained within the following lines: Limits of the harbour.

An imaginary line commencing at a point 100 yards south of the Green Rock aforesaid, and running out seawards parallel with the pier, in a direction east north-east to a point 100 yards beyond the seaward termination of the pier, thence in a north-westerly direction to the Larrigan rocks in the parish of Madron, and to the road leading from Penzance to Newlyn, and thence along the south-east side of that road in a southerly direction to Tolcarn in the same parish, and thence along the land line to the causeway leading to the said boat-house or fish-cellar, thence along the extreme south side of the causeway leading to the Green Rock, thence along the land line in a southerly direction, and terminating at the point of commencement.

24. The Company may demand and take in respect of the vessels, persons, fish, animals, and goods in the Schedule to this Order specified any sums not exceeding the rates in that Schedule specified. Power to take rates in Schedule.

Newlyn.

Extra rates for vessels staying in harbour.

25. The Company by a byelaw may fix reasonable periods, not less than fourteen days each, after which vessels shall not be permitted to remain in the harbour without payment of such additional tonnage rates as the Company think reasonable, not exceeding the original rate, for all or any part of every period in excess of the first period.

Pass-tickets for use of pier.

26. The Company may grant to passengers and others pass-tickets for the use of the pier, on such terms and for such periods, not exceeding one year, as are agreed on.

Pass-tickets not transferable.

27. A pass-ticket granted by the Company shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Exemption of custom house officers from rates.

28. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, through, from, and out of the pier, harbour, and works by land, and with their vessels and otherwise, without payment.

Certain fishing vessels under stress of weather exempt from rates.

29. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom, shall, when forced by stress of weather to make use of the pier and harbour authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Application of rates.

30. The rates received under this Order shall be applicable for the purposes and in the Order following, and not otherwise:—

(1.) To the maintenance of the works authorized by this Order:

(2.) In payment to an extent not exceeding one-fifteenth part of the rates of any rent or rent-charge payable in respect of any lands acquired by the Company under this Order:

(3.) In payment of the interest accruing on money borrowed under the authority of this Order:

(4.) For the other purposes of the Company, including repayment of the principal of the money so borrowed when due and payable.

Steam-engines, lighters, &c.

31. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Lifeboats, tide gauges, &c.

32. Notwithstanding anything in The Harbours, Docks and Piers Clauses Act, 1847, it shall not be necessary for the Company to provide any life-boat, mortar, rockets, tide gauge, weather gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

Meters and Weighers.

33. The Company shall have the appointment of meters and weighers within the limits of the harbour, and the works and lands of the Company adjoining or near to the harbour.

Limits of harbour master's authority.

34. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the harbour and the works and lands of the Company adjoining and near to the harbour.

Pilotage.

35. The Company shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities.

Short Title.

36. This Order may be cited as The Newlyn Pier and Harbour Order, 1866.

Newlyn.

The SCHEDULE to which the foregoing Order refers.

I.—RATE ON VESSELS AND BOATS USING THE HARBOUR OR PIERS OR WORKS OF THE COMPANY.

		s.	d.
1.	Fishing boats or smacks, whether wholly or partially decked or open, for each time of using the Harbour	2	6
If compounded for.	Ditto, ditto, where the same are under the burden of 5 tons,—		
	For not exceeding three months	7	0
	For exceeding three months and not exceeding six months	12	0
	For exceeding six months and not exceeding one year	20	0
	Ditto, ditto, where the same exceed 5 tons and are under the burden of 10 tons,—		
	For not exceeding three months	10	6
	For exceeding three months and not exceeding six months	18	0
	For exceeding six months and not exceeding one year	30	0
	Ditto, ditto, where the same exceed 10 tons and are under the burden of 15 tons,—		
	For not exceeding three months	14	0
	For exceeding three months and not exceeding six months	21	0
	For exceeding six months and not exceeding one year	40	0
	Ditto, ditto, where the same exceed 15 tons and are under the burden of 20 tons,—		
	For not exceeding three months	21	0
	For exceeding three months and not exceeding six months	36	0
	For exceeding six months and not exceeding one year	60	0
2.	Open pleasure boats, for each time of using the Harbour	1	6
If compounded for.	Ditto, ditto, for not exceeding three months	15	0
	Ditto, ditto, for exceeding three months and not exceeding six months	20	0
	Ditto, ditto, for exceeding six months and not exceeding one year	30	0
3.	Other vessels taking in or discharging any cargo :—		
	For every vessel under the burden of 15 tons, per ton	0	4
	For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
	For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
	For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
	For every vessel of the burden of 150 tons and upwards, per ton	1	0
	All lighters, for each trip, per ton	0	2
	All boats entirely open, landing or taking on board goods, each	0	6
4.	Other vessels entering the Harbour, but not discharging or taking in any cargo, namely,—		
	Vessels with cargo, per ton	0	6
	Ditto, light or in ballast, per ton	0	4

II.—RATES ON FISH AND GOODS SHIPPED OR UNSHIPPED OR TRANSHIPPED WITHIN THE LIMITS OF THE HARBOUR.

	s.	d.
Ale and porter, per hogshead	0	6
Ditto, per barrel	0	3
Anchors, per cwt.	0	9
Ditto stock, per foot	0	2
Beef or pork, per ton	1	4
Ditto, ditto, per barrel	0	2
Bones, per ton	0	6
Bone dust, per ton	0	8

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	s.	d.
Bricks, per 1,000	0	8
Casks (empty), per puncheon	0	3
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Sheep and pigs, each	0	6
Chalk, per ton	1	0
Chalk, per cwt.	0	4
Carriages (four-wheeled), each	7	6
Ditto, gigs, carts, and other two-wheeled, each	5	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Corn and seeds, per quarter	1	0
Cork, per cwt.	0	6
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs, in casks, hampers, or boxes, per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Eggs, per box	0	3
Fish:—		
Herrings, per basket or pad	0	3
Mackerel, per 120	0	2
Pilchards, per hogshead	0	6
Turbot, per score	1	6
Turtle, each	2	6
Other fish, per cwt.	0	3
Ditto, per basket or pad	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Glass, per small crate or case	1	0
Ditto, per box	0	6
Granite, per ton of 14 cubic feet	1	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Hides	0	3
Ox, cow, or horse (wet or dry), each	0	2
Iron:—		
Bar, bolt, rod and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1

	s.	d.	Newlyn.
Kelp, per ton	2	0	
Lead, per ton	2	6	
Leather, tanned and dressed, per cwt.	0	3	
Lime, per 28 bushels	1	4	
Limestone, per ton	1	0	
Machinery, per ton	2	6	
Manure (not enumerated), per ton	1	0	
Masts and spars, 10 inches in diameter and upwards, each	4	6	
Ditto under 10 inches	3	0	
Meat (fresh), per cwt.	0	6	
Milk, per gallon	0	0½	
Musical instruments, per cube foot	0	1	
Net, per 5 cube feet	0	4	
Oakum, per cwt.	0	2	
Oils, per tun	2	0	
Oilcake, per ton	2	0	
Oranges and lemons, per box	0	6	
Ores, per ton	1	0	
Oysters, per bushel	0	3	
Paint, per cwt.	0	4	
Pitch and tar, per barrel	0	6	
Potatoes, per cwt.	0	2	
Poultry and game, per dozen	0	4	
Rags and old rope, per ton	2	0	
Sails, per cwt.	0	6	
Salt, per cwt.	0	1	
Sand, per ton	1	0	
Shrimp baskets, each	0	2	
Skins:—Calf, goat, sheep, lamb, or dog, per dozen	0	6	
Slates, per ton of 24 cubic feet	2	0	
Spirits (Foreign and British), per hogshead	1	0	
Ditto, ditto, per gallon	0	1	
Stones, per ton of 16 cubic feet	1	6	
Steel, per ton	3	0	
Sugar, per cwt.	0	3	
Tallow, soap, and candles, per cwt.	0	3	
Tea, per chest	1	0	
Tiles, per 1,000	1	6	
Tin and zinc, per ton	3	0	
Tobacco, per cwt.	0	6	
Turnips, per ton	0	6	
Turpentine and varnish, per barrel	0	6	
Vegetables (not enumerated), per cwt.	0	4	
Vinegar, per hogshead	0	6	
Vitriol, per carboy	1	0	
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto, bottled, per dozen	0	2	
Wood:—			
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6	
Oak or wainscot, per load of 50 feet	2	0	
Firewood, per fathom of 216 cubic feet	1	6	
Laths and lathwood, per fathom of 216 cubic feet	2	6	
Handspikes, per 120	3	0	
Oars, per 120	5	0	

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	s.	d.
Wood—*continued.*		
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other goods not particularly enumerated.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight of measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates is to be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rate of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d. Weighing Machines.

For goods weighed, for every ton or part of a ton	0	3

3d. Shed Dues.

For every ton of goods of 40 cubic feet, for every ton of goods of 20 cwt., which remains in the warehouses or sheds, or other works of the Company, for not longer than 48 hours	0	3
And per ton for each day during which the goods remain after first 48 hours	0	1½
For any portmanteau, trunk, parcel, or other article of passengers luggage, for every day or part of a day	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

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V.—RATES ON PASSENGERS AND OTHERS USING THE PIER.

	s.	d.
For every passenger or other person landing on or embarking on the pier from or to any vessel or passage boat, or any other boat not being then employed in the trade of fishing, for every time	0	4
For every person using the pier for pleasure or any purpose, except for so landing or embarking, for every time	0	2
For every Bath or sedan chair taken on the pier, for every time	0	6
For every perambulator taken on the pier, for every time	0	2
For every master of any vessel or boat being an inhabitant of the town of Penzance or Newlyn, and using the pier for going to or returning from his own vessel or boat, for any purpose other than in connexion with the trade of fishing, the yearly sum of	20	0
For every fisherman, being an inhabitant of the town of Penzance or Newlyn, and using the pier for going to or returning from his own vessel or boat then employed in the trade of fishing, the yearly sum of	5	0
For every other fisherman using the pier for coming to or returning from his own vessel or boat then employed in the trade of fishing, for every time	0	2

I.—RATES ON PASSENGERS LUGGAGE LANDED OR EMBARKED OR TRANSHIPPED WITHIN THE HARBOUR.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding	0	2
Exceeding 28 lbs. and not exceeding 84 lbs.	0	4
„ 84 lbs. „ 112 lbs.	0	5
„ 112 lbs. „ 140 lbs.	0	6
„ 140 lbs. „ 196 lbs.	0	7
„ 196 lbs. „ 2 cwt.	0	8
And for every cwt. exceeding 2 cwt.	0	4
And for every 20 lbs. weight in addition	0	1

CAP. LVII.

An Act to make further Provision for the Enrolment of certain Deeds, Assurances, and other Instruments relating to Charitable Trusts.

[30th *July* 1866.]

'WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Second, Chapter Thirty-six, intituled *An Act to restrain the Disposition of Lands whereby the same become inalienable:* And whereas by a Second Act passed in the Twenty-fourth Year of the Reign of Her present Majesty, Chapter Nine, certain Deeds, Assurances, and Instruments theretofore made were, notwithstanding the first-mentioned Act, made valid where the same, or any separate Deed or Instrument declaring the Charitable Uses thereof, had been or should be within the Time therein mentioned enrolled in Her Majesty's High Court of Chancery; and by Two subsequent Acts respectively passed in the Twenty-fifth Year of Her present Majesty, Chapter Seventeen, and the Twenty-seventh Year of Her present Majesty, Chapter Thirteen, the second-mentioned Act was explained and amended, and the Time for making Enrolments thereunder was extended, and has since expired; and it is expedient that further Provision should be made with respect to certain Deeds, Assurances, and Instruments' 9 G. 2. c. 36.