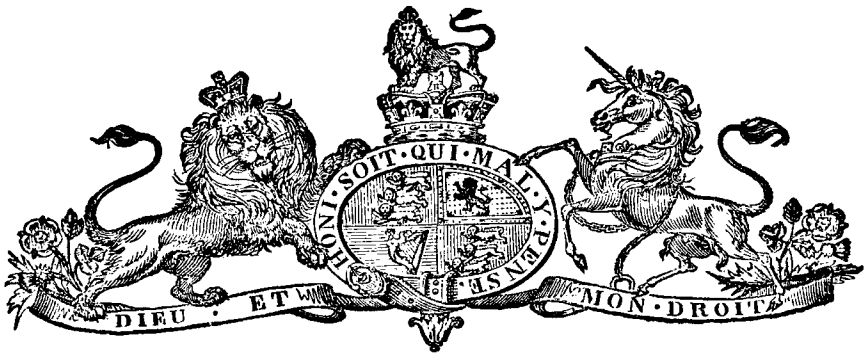


ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LXXIII.

An Act for confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to *Bray* and *Irvine*. [12th *August* 1867.]

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: 24 & 25 Vict. c. 45.

And whereas the Board of Trade have made certain Provisional Orders relating to a Pier at *Bray* and to the Harbour of *Irvine*: And whereas the *Bray* Order has been amended by Parliament, and that Order as so amended and the *Irvine* Order as made by the Board of Trade are set out in the Schedule to this Act: And whereas it is expedient that the said Orders 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:

1. The Orders set out in the Schedule to this Act shall be and the same are hereby confirmed, and all the Provisions thereof in Confirmation of Orders in Schedule.

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, 1867, (No. 2.)

The SCHEDULE of Orders.

1. BRAY.—Construction of a Pier.
2. IRVINE.—Improvement of Harbour.

BRAY.

Bray.

Order for the Construction, Maintenance, and Regulation of a Pier at Bray in the County of Wicklow.

1. The Bray Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order. — The undertakers.

2. 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 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. — Power to take specified lands by agreement.

3. "The Lands Clauses Consolidation 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. — Lands Clauses Acts incorporated.

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 for the purposes of this Order, make and maintain the works shown on the deposited plans. — Power to make works.

5. The works authorized by this Order comprise the following:— — Description of pier.

The construction of a Pier, commencing at or near a point on the foreshore, distant seven chains, or thereabouts, eastward from the eastern rail of the level crossing of the Dublin and Wicklow Railway, at the Bray Station of the said Railway, in the township of Bray, parish of Bray, and the county of Wicklow, and extending thence seaward in an easterly direction one thousand feet or thereabouts, with a landing place, and all necessary works, sea-walls, promenades, approaches, and conveniences for the embarking and landing of passengers.

6. In constructing the Works authorized by this Order, the Company may deviate from the lines thereof laid down on the deposited plans to any extent within the limits of deviation shown on those plans, but not so as to authorize the construction of the Pier and Works beyond the limits of the esplanade as at present demised to the Bray Township Commissioners. — Power to deviate within Limits.

7. The Pier shall be constructed and maintained of open timber or iron work, and shall not be at any time solidified to any extent, except with the previous approval in writing of the Board of Trade. — Pier to be open.

8. Vessels or Boats shall not be allowed to be moored alongside of the Pier, or to remain there longer than is necessary for landing or embarking passengers or goods. — Vessels not to be moored at pier.

9. The

Bray.

Power to take rates according to Schedule.

9. The Company may demand and receive in respect of the vessels, persons, and things described in the Schedule hereto any sums not exceeding the Rates in that Schedule specified, provided that vessels or boats shall not ship or unship at the Pier any matters or things other than those described in Sections One, Three, and Four of the said Schedule.

Certain fishing vessels under stress of weather exempt from rates.

10. 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 the rates leviable under this Order.

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

11. 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 shall not be transferable, and shall not be used by any person except 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 ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied 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).

Custom House officers exempt from rates.

12. 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.

Lands for extraordinary purposes.

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

Meters and weighers.

14. The Company shall have the appointment of Meters and Weighers on or in connexion with the Pier.

Parts of Harbours, &c. Act, 1847, excepted.

15. The following Sections of "The Harbour, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order, namely, Sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Steam vessels, diving bells, lighters, &c.

16. The Company may provide such steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

17. Part V. of "The Harbours and Passing Tolls, &c. Act, 1861," shall apply to the Works authorized by this Order.

Restriction on use of pier.

18. Nothing in this Order shall entitle any person with 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.

Toll-houses, &c.

19. The Company may erect on the Pier or Promenade toll-houses, waiting, refreshment, and other rooms, and demise the same either wholly or in part for any term or terms of years.

20. "The

Bray.

Repeal of previous Orders relative to Bray.

20. "The Bray Pier and Harbour Order, 1863," confirmed by "The Pier and Harbour Orders Confirmation Act, 1863," and "The Bray Pier and Harbour (Extension) Order, 1864," confirmed by "The Pier and Harbour Orders Confirmation Act, 1864," shall be and the same Orders respectively are hereby from and after the passing of the Act confirming this Order repealed: Provided always, that the repeal of the said Orders shall be held to deprive and take away from the Bray Pier and Harbour Company all powers, rights, privileges, and authorities of every description conferred upon or vested in or reserved to the said Company, whether by the said Orders or by any Local or other Act of Parliament.

Saving Rights (if any) of the Right Hon. the Earl of Meath.

21. This Order shall not operate to take away or abridge such right, title, or interest (if any) as the Right Honourable William Earl of Meath, his heirs or assigns, may have in, to, or over the foreshore within the limits affected by this Order: Provided always, that nothing herein contained shall be held to recognize or confirm any right, title, or claim of the said Earl of Meath to the foreshore aforesaid, it being the intention of this Order that the right and title to such foreshore shall remain in the same state as if this Order had not been made.

Saving of rights under management of Board of Trade.

22. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving for corporations, &c.

23. Except as herein-before expressly provided, this Order shall not operate to take away or abridge any right, privilege, power, jurisdiction, or authority given or reserved to any person or corporation by any Local or other Act of Parliament without the consent in writing of such person under his hand, or of such corporation under their seal.

Short title.

24. This Order may be cited as "The Bray Promenade Pier Order, 1867."

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
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

II.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - -	10	0

Bray.

III.—RATES ON PASSENGERS AND PROMENADERS USING THE PIER.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding - - -	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - -	0	4
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - -	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Bray, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

IV.—RATES ON PASSENGERS LUGGAGE.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 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
And for every cwt. beyond - - - - -	0	4
And for every 20 lbs. weight in addition - - -	0	1

Irvine.

IRVINE.

Order for the Management and Improvement of the Harbour of Irvine in the County of Ayr.

Repeal of certain sections of the Local Act relating to the harbour.

1. From and after the second day of September one thousand eight hundred and sixty-seven the sections of the Local Act seventh George the Fourth, chapter one hundred and seven, relating to the harbour of Irvine, in the county of Ayr (in this Order termed "the Local Act"), which are specified in the Schedule (A.) annexed to this Order, shall be and are hereby repealed in whole or in part as therein mentioned: Provided, that sections 88 to 97, both inclusive, of the Local Act are repealed only in so far as the same apply to the harbour of Irvine and the harbour trustees appointed by the Local Act, and that the last-mentioned sections shall remain in force in so far as the same apply to the bridge of Irvine and the trustees appointed for executing the purposes of the Local Act relating to the said bridge and accesses leading thereto.

Appointment and incorporation of trustees.

2. The Magistrates and Town Council of the burgh of Irvine, and the convener of the incorporated trades of Irvine, and their and his successors in office respectively, and such number of owners of vessels registered as belonging to the harbour of Irvine, not exceeding seven, as may annually be elected in the

Irvine.

the manner herein-after prescribed, shall be the trustees for carrying the Local Act, so far as it relates to the harbour and this Order, into execution; and the trustees and their successors shall be and are hereby, for the purposes of the Local Act relating to the harbour and of this Order, incorporated by the name of "The Irvine Harbour Trustees," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, lease, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of the Local Act relating to the harbour and of this Order.

Interpretation.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated therewith shall have the same respective meanings; and in this Order and in the said Acts as incorporated therewith the following expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such constructions respectively; that is to say, the expression "the Special Act" shall mean this Order; the expression "the harbour" shall mean the harbour of Irvine and the works in and connected therewith; and the expression "the trustees" shall mean the Irvine Harbour trustees incorporated by this Order.

Qualification of shipowners.

4. For the purposes of the election of the said seven or any less number of shipowners to be trustees under the Local Act and this Order, any person who is the owner or part owner to the extent of at least twenty tons of or in any vessel or vessels registered in the books of the Custom House as belonging to the port of Irvine shall be qualified to vote in the election of the said trustees, and to be elected one of the said trustees.

Election of trustees by shipowners.

5. A meeting of shipowners, qualified as aforesaid, shall be held in the burgh of Irvine on the first Monday of August one thousand eight hundred and sixty-seven, and on the first Monday of August in every year thereafter; and at every such meeting the shipowners present may choose one of their number to be chairman of the meeting, and may thereafter elect such number of persons qualified as aforesaid, not exceeding seven, as they think fit, to be trustees under the Local Act and this Order; and a copy of the minutes of the meeting, signed by the chairman, shall be sufficient evidence of the election of the trustees therein stated to be elected.

Notice of meeting for re-election of trustees.

6. Notice of every meeting of shipowners for the election of trustees, stating the time and place and the object of the meeting, shall be inserted by the clerk or treasurer of the trustees in one newspaper published in the county of Ayr fourteen days at the least previous to such meeting.

Proceedings not to be invalidated by non-election of trustees.

7. Any proceeding of the trustees shall not be invalidated or be illegal by the non-election of any trustee, or by the want of qualification of any person acting as a trustee, or by any informality in the election of any trustee.

Harbour and works vested in the trustees.

8. From and after the second day of September one thousand eight hundred and sixty-seven all the estate, right, and interest, and all the powers, of the harbour trustees appointed by the Local Act in or over the harbour of Irvine, and in, over, or in respect of the lands, works, wharves, quays, property, rights, and privileges connected therewith, shall be and are hereby vested in the Irvine harbour trustees incorporated by this Order, subject to the debts, contracts, obligations, and liabilities affecting the same; and the said harbour and works shall

Irvine.

shall thereafter be maintained, repaired, regulated, extended, and improved by the trustees, under the authority and subject to the provisions of this Order and the Acts incorporated therewith, and of the Local Act so far as not repealed by this Order; and the trustees shall have and may exercise all the powers conferred by the Local Act on the harbour trustees thereby appointed, so far as not repealed by this Order; and the expression "harbour trustees" in the Local Act, and expressions therein referring to the said harbour trustees, shall mean the Irvine harbour trustees incorporated by this Order.

Provision for payment of debts.

9. Any money borrowed on the credit or security of the harbour rates and duties leviable under the authority of the Local Act, and all other debts and money due or payable by the harbour trustees thereby appointed at the second day of September one thousand eight hundred and sixty-seven, shall be payable and paid by the trustees; and all harbour rates and duties, and arrears of harbour rates and duties, and all other debts and money belonging, due, or payable to the said harbour trustees at the same date, shall be payable to the trustees, and shall be recoverable by them in the same way as such rates and duties and arrears of rates and duties and other debts and money would or might have been payable to or recoverable by the said harbour trustees if this Order had not been made.

Conveyances and contracts to remain in force.

10. All conveyances, contracts, and other deeds granted by, to, or in favour of the harbour trustees appointed by the Local Act shall be and remain as valid and effectual as if this Order had not been made, and may be enforced by and against the trustees in the same way and to the same extent and effect as such conveyances, contracts, and other deeds might or could have been enforced by or against the said harbour trustees if this Order had not been made.

Trustees to be the undertakers.

11. The trustees shall be the undertakers of the works authorized by this Order.

Limits of harbour.

12. The limits within which the trustees shall have authority, and which shall be deemed the limits to which the provisions of the Local Act relating to the harbour and this Order extend, shall comprise the harbour of Irvine and the works in and connected therewith, and the beds or channels of the rivers Irvine and Garnock in and through and from the harbour to the bay of Irvine, and the works by this Act authorized, and the lands, foreshore, and sea on which the same are or may be situate.

Incorporation of Commissioners Clauses Act.

13. "The Commissioners Clauses Act, 1847," so far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order, and shall, so far as the nature and circumstances of the case will admit, apply to the trustees collectively and severally, subject to the following provisions:—

(1.) Sections 6 and 7, and sections 17 to 35, both inclusive, of the said Act, shall not be incorporated with this Order:

(2.) With reference to sections 36 and 40 of the said Act, the first meeting of the trustees shall be held in the council room of the burgh of Irvine on the third Tuesday of September One thousand eight hundred and sixty-seven at twelve o'clock noon, and an annual meeting of the trustees shall be held on the third Tuesday of

Irvine.

of September in every year thereafter at the place and hour above mentioned:

(3.) With reference to section 37 of the said Act, the provost of the burgh of Irvine for the time being shall ex officio be the chairman of the trustees:

(4.) Sections 54 and 84 of the said Act shall not be incorporated with this Order:

(5.) With reference to section 90 of the said Act it shall not be obligatory on the trustees to cause the statement and account therein mentioned to be printed:

(6.) With reference to section 92 of the said Act, the sheriff of the county of Ayr, or the sheriff substitute at Kilmarnock, shall, from time to time, on the application of the trustees, appoint a properly qualified person not being one of the trustees or holding office under them, to be the permanent auditor of the accounts of the trustees; and if the office of such auditor become vacant by death or any other cause, the said sheriff or sheriff substitute shall from time to time, on the application of the trustees, appoint a person properly qualified as aforesaid to supply the vacancy:

(7.) The word "Commissioners" in the said Act, as incorporated with this Order, shall mean the Irvine harbour trustees incorporated by this Order.

Power to take lands by agreement.

14. For the purposes of the works authorized by this Order, the trustees may from time to time, by agreement, enter on, take, and use such lands in and around the harbour as may be required for the said works, not exceeding in the whole twenty acres.

Incorporation of Lands Clauses Acts.

15. "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.

Power to execute works.

16. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plan as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the trustees may, on the lands vested in or purchased or acquired by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the works shown on the deposited plan and sections and hereinafter described.

Description of works.

17. The works authorized by this Order comprise the following:—

(1.) A breakwater on the north side of the river Irvine, commencing at or near high-water mark, and extending seven hundred and seventy yards or thereabouts in a south-westerly direction into the bay of Irvine; and

(2.) A breakwater on the south side of the river Irvine, commencing at or near the outer end of the existing breakwater, and extending six hundred and sixteen yards or thereabouts in a westerly direction into the bay of Irvine.

18. The

Irvine.

Further powers as to works.

18. The trustees may also make, execute, and maintain the following works authorized by this Order:—

(1.) All embankments, piers, jetties, piles, wharves, loading berths, landing places, roads, approaches, and other works and conveniences in and connected with the harbour and the breakwaters before described; and

(2.) The sufficient and effectual dredging, scouring, cleansing, and removing of any banks of sand or mud within or adjoining the harbour or works, or in the river Irvine or the river Garnock, or in the approaches to the harbour.

Power to levy rates.

19. The trustees may demand and receive in respect of vessels, animals, fish, and goods described in the Schedule (B.) annexed to this Order, any sums not exceeding the several rates specified in the said Schedule.

Certain fishing vessels under stress of weather exempt from rates.

20. 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 harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Customs officers.

21. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, through, and out of the harbour and the works of the trustees, by land and with their vessels, and otherwise, *without* payment.

Rates may be leased.

22. The trustees may from time to time lease the rates authorized by this Order for any period not exceeding ten years, and for such rent or consideration, and on such terms and conditions, as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering the said rates as the trustees have or might exercise under "The Harbours, Docks, and Piers Clauses Act, 1847," and this Order.

Borrowing powers.

23. The trustees may from time to time borrow on mortgage such money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of ten thousand pounds, on the security of the harbour and existing works, and of the works authorized by this Order, and of the lands and property connected therewith respectively, and of the rates authorized by this Order, and any other property of the trustees; and any money borrowed under this Order, and discharged otherwise than by means of the sinking fund, may be re-borrowed, if required, for the purposes of this Order, and so toties quoties.

Trustees may borrow on cash account.

24. The trustees may accept and take from any bank or banking company in Scotland credit on a cash account to be opened and kept with such bank or banking company in the name of the trustees, according to the usage of bankers in Scotland, to the extent of the sum which the trustees are by this Order authorized to borrow, or any part thereof, and may assign the rates authorized by this Order in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account, with interest thereon.

Money to be applied for the purposes of Order.

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

26. It

Irvine.

Power to Town Council of Irvine to borrow money on security of the burgh property.

26. It shall be lawful for the Magistrates and Council of the burgh of Irvine, and they are hereby authorized, if they think fit, from time to time to borrow any sum or sums of money not exceeding ten thousand pounds on the security and credit of the common good, or corporate property, funds, or revenue of the said burgh, for the purpose of defraying or contributing to defray the expense of the works at and in connexion with the harbour authorized by the Local Act and this Order, and to grant bonds and dispositions in security and all other deeds necessary for that purpose.

Money borrowed by Town Council to be paid to the trustees.

27. Every part of the money to be borrowed by the said Magistrates and Council under the authority of this Order shall be advanced and lent to the trustees, and shall be applied by them only for the purposes of the works authorized by this Order; and the trustees may assign the rates authorized by this Order to the said Magistrates and Council in security of the payment of the principal money so advanced and lent and the interest thereon, and may grant mortgages or assignations in security and all other deeds necessary for that purpose.

Limitation of borrowing powers of trustees and Town Council.

28. Any money advanced and lent by the said Magistrates and Council to the trustees shall be held as part of the said sum of ten thousand pounds which the trustees are by this Order authorized to borrow; and the whole sums borrowed by the trustees on mortgage or on cash account, and by the said Magistrates and Council, or either of them, under the authority of this Order, shall never when taken together exceed the said sum of ten thousand pounds.

Form of assignations in security and transfers.

29. The mortgages or assignations in security to be granted by the trustees for money borrowed under the authority of this Order, and all transfers thereof, may be in the forms contained in the Schedule (B.) annexed to "The Burgh Harbours (Scotland) Act, 1853," or to the like effect.

Application of rates and income.

30. The trustees shall apply all money received by them from the rates authorized by this Order, and all other income coming into their hands in respect of the harbour and existing works, and of the works authorized by this Order, or from lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order;

(2.) In paying year by year the interest accruing on money borrowed under the authority of the Local Act;

(3.) In paying the expense of the maintenance, repair, management, and regulation of the harbour and works connected therewith;

(4.) In paying year by year the interest accruing on money borrowed under this Order;

(5.) In paying the cost of the works authorized by this Order, and of purchasing and acquiring lands and property for the purposes thereof, and generally in paying any expense incurred in improving the harbour;

(6.) The surplus revenue of the harbour (if any), after providing for the purposes aforesaid, shall be applied in creating a sinking fund for the repayment of the principal monies borrowed by the trustees or by the said Magistrates and Council.

31. The

Irvine.

Trustees may provide dredges, engines, &c.

31. The trustees may from time to time purchase, lease, provide, or hire such dredges, engines, tugs, vessels, lighters, tools, plant, or other materials as they think fit, and may from time to time demand and receive such sums for the use of the same as they think fit, or may sell or dispose of the same, and the money thereby realized shall be applied for carrying into effect the purposes of this Order, or some of them.

Pilotage, lights, buoys, and beacons.

32. The trustees shall be a pilotage authority and local authority within the meaning of "The Merchant Shipping Act, 1854," and the Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Meters and weighers.

33. The trustees shall have the appointment of meters and weighers within the limits of the harbour.

Lands for extraordinary purposes.

34. The trustees shall not acquire for extraordinary purposes lands exceeding in extent in the whole three acres.

Exception of parts of Harbours Clauses Act.

35. Sections sixteen, seventeen, eighteen, nineteen, twenty-five, and twenty-six of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order.

Commencement of Order.

36. The provisions contained in clauses four, five, and six of this Order, with respect to the election of trustees by shipowners, shall take effect and be in force from and after the passing of the Act confirming this Order; and all the other clauses and provisions of this Order shall take effect and be in force from and after the second day of September one thousand eight hundred and sixty-seven.

Saving Clauses.

37. Nothing in this Order contained shall prejudice any security given for money borrowed under the Local Act and remaining due at the time of the passing of the Act confirming this Order, and every security so given shall have priority over securities given for money borrowed under this Order.

Saving of rights under Crown Lands Act, 1866.

38. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short title.

39. This Order may be cited as "The Irvine Harbour Improvement Order, 1867."

SCHEDULES to which the foregoing Order refers. *Irvine.*

SCHEDULE (A.)

Title of Local Act.	Sections repealed in whole or in part.
An Act for widening and improving the bridge of Irvine, for making streets communicating thereto, and for more effectually enlarging, deepening, improving, and maintaining the harbour of Irvine, in the county of Ayr. —7 George IV., chapter cvii.	Sections 46, 47, 48, 49, 51 to 80, both inclusive, 86, and 87, wholly repealed. Sections 88 to 97, both inclusive, repealed in so far as the same apply to the harbour of Irvine and the harbour trustees appointed by the Local Act.

SCHEDULE (B.)

I.—RATES ON VESSELS ENTERING OR USING THE HARBOUR.

	Per Register Ton. s.	d.
For every vessel under the burden of 15 tons	0	4
For every vessel of the burden of 15 tons, and under 50 tons	0	6
For every vessel of the burden of 50 tons, and under 100 tons	0	8
For every vessel of the burden of 100 tons, and under 150 tons	0	10
For every vessel of the burden of 150 tons and upwards	1	0
All lighters from any vessel in the roads shall be exempted from rates; but if the vessel do not enter the harbour, every lighter shall pay for each trip	0	2
All boats, entirely open, landing or taking on board goods, or dried or salted fish, one shilling each.		
All drave or large boats entering the harbour or precincts thereof with fresh fish, fourpence each.		

II.—RATES ON ANIMALS, FISH, AND GOODS SHIPPED, UNSHIPPED, OR TRANSSHIPPED WITHIN THE HARBOUR.

Albertite or Bitumen, per ton	1	6
Ale, per hogshead	0	6
Do., bottled, per barrel bulk		3
Bark, per ton	1	0
Beef or pork, per ton	1	4
Do., per barrel	0	2
Blubber, per tun of 252 gallons	1	0
Bone dust, per ton	2	0

Irvine.

	s.	d.
Bones of cattle, per ton	0	6
Bottles, per gross	0	2
Bricks, per 1,000	0	8
Casks:—		
Empty, not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, each	0	3
Cows and oxen, each	0	2
Calves, each	0	0½
Horses, each	0	3
Pigs, each	0	0½
Sheep, per score	0	6
Lambs, per score	0	3
Chalk, per ton	0	8
Chimney cans, per 100	1	4
Clay, fire, manufactured, per ton	0	6
Do., common, per ton	0	2
Cloth, haberdashery, &c. per barrel bulk	0	2
Coaches:—		
Chaises and other four-wheeled carriages, each	0	8
Gigs, carts, and other two-wheeled carriages, each	0	6
Coal—Scotch, English, smithy, or culm, per ton	0	4
Coke, per ton	0	4
Copper, per ton	1	4
Coprolites, per ton	2	0
Corks, per barrel bulk	0	3
Corn:—		
Wheat and malt, per quarter	0	3
Barley, oats, rye, beans, pease, tares, buckwheat, and Indian corn, per quarter	0	2
Crystal, per barrel bulk	0	2
Dissolved bones and other artificial manures, per ton	2	0
Dogs (sporting only), each	0	2
Drugs, per barrel bulk	0	4
Earthenware, per crate	0	8
Eggs, per barrel bulk	0	2
Fish:—		
Dried and salted, per ton	2	6
Haddock cod, salmon, and all fresh fish not enumerated, per barrel	0	2
Flax, per ton	2	6
Flour, per sack	0	3
Ditto, per barrel	0	1½
Glass, per barrel bulk	0	3
Groceries: Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	3
Guano, per ton	0	8
Gunpowder per barrel	0	3
Hardware, per barrel bulk	0	3
Hares and rabbits, per dozen	0	2
Any less quantity	0	1
Hay, per ton	1	0
Hemp, per ton	2	6

Irvine.

	s.	d.
Herrings:—		
Fresh, per cran	0	1
Cured, per barrel	0	3
Hides:—		
Ox, cow, or horse, salted or dried, per ton	3	4
Calf skins, per 120	0	10
Sheep skins, per 120	0	10
Lamb skins, per 120	0	5
Hoops of wood, per 100	0	1
Hops, per barrel bulk	0	3
Household furniture (new), per barrel bulk	0	3
Ditto, belonging to parties changing their residence only, per 10 barrels bulk	0	6
Husbandry utensils, per ton	1	4
Ditto, per barrel bulk	0	3
Iron:—		
Bar, bolt, and rod, per ton	1	4
Pig, or old, per ton	0	8
Pots and all hollow cast-iron goods, per ton	1	4
Ditto, commonly called ironmongery, per ton	1	4
Kelp, per ton	1	0
Lead: All kinds, per ton	1	4
Leather: Tanned and dressed, per ton	1	8
Lime, per chaldron of 16 bolls	1	6
Limestone, per ton	0	3
Loam or moulding sand, per ton	0	3
Machinery, per ton	1	4
Ditto, per barrel bulk	0	3
Manure: Street, per ton	0	2
Marl, per ton	0	8
Meal, per 140 lbs.	0	2
Musical instruments, per barrel bulk	0	3
Oils, per tun	1	0
Ores: Copper, iron, lead, and others, per ton	1	0
Passengers luggage:—		
Not exceeding one barrel bulk, free.		
All above one barrel bulk, per barrel bulk	0	3
Peats, per ton	0	3
Pitch, per barrel	0	3
Porter, per hogshead	0	4
Ditto, bottled, per barrel bulk	0	2
Potatoes, per ton	1	0
Poultry, including pigeons, game, &c., per dozen	0	1
Any less quantity	0	0½
Rags:—		
Linen, per ton	1	8
Other rags, old rope, and the like, per ton	0	10
Rape, cotton, or linseed cakes, per ton	2	0

Irvine.

	s.	d.
Salt, per ton	0	10
Seeds:—		
Clover, per barrel bulk	0	3
Flax and rape, per barrel bulk	0	3
Flax in bulk, per barrel bulk	0	3
Garden seeds, per barrel bulk	0	3
Hemp and canary, per barrel bulk	0	3
Rye grass, per 8 bushels	0	3
Skins: Seal, per 120	0	8
Slates:—		
Under size, per 1,000	0	8
Sizeable, per 1,000	1	0
Over size, per 1,000	1	6
Soda, per barrel bulk	0	3
Spirits:—		
Foreign or British, imported, per gallon	0	1
Ditto, exported, per gallon	0	0½
Stones:—		
Rubble, per ton of 16 cubic feet	0	2
Hewn ashlar freestone, per ton of 16 cubic feet	0	4
Rough ashlar freestone, per ton of 16 cubic feet	0	3
Pavement, not exceeding 3 inches thick, per 70 feet superficial	0	4
Ditto, above three inches thick, per 16 cubic feet	0	4
Scythe stones, per score	0	2
Mill stones, each	2	6
Burr stones, per ton	5	0
Steel, per ton	2	0
Sugar, per ton	2	0
Tallow, per ton	2	0
Tar, per barrel	0	3
Tea, per chest	0	4
Tiles, roofing, per 1,000	0	9
Tiles or pipes for draining, per 1,000	0	8
Tin of all kinds, per ton	2	0
Tobacco, per ton	2	6
Treenails, under 2 feet in length, per 1,000	1	6
Ditto, exceeding 2 feet in length, per 1,000	2	6
Turnips, per ton	1	0
Turpentine, per hogshead	0	8
Vegetables, per cart load	0	2
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	3
Whalebone, per ton	2	6
Whitening, per ton	1	0
Wine, per hogshead	1	6
Ditto, bottled, per barrel bulk	0	6
Wood:—		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
Oak or wainscot, per load of 50 feet	1	0
Firewood, per fathom of 216 cubic feet	1	6
Laths or lathwood, per fathom of 216 cubic feet	1	6
Handspokes, per 120	3	0

	s.	d.
Wood—*continued.*		
Oars, per 120	5	0
Spars, under 22 feet in length, and above 2½ and under 4 inches in diameter, per 120	4	0
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	6	6
Spars, of all lengths, above 4 and under 6 inches in diameter, per 120	12	0
Barrel staves, per 120	3	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	2	6
Wedges, per 1,000	2	0
Pipe staves, per 120	1	2
Hogshead staves, per 120	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	1	4
Coalpit props, common, per dozen	0	1½
Ditto, crowns, per dozen	0	2
Wool, per cwt.	0	6
Yarn, per ton	1	4
Zinc, per ton	1	4

All other goods not particularly enumerated in the above table.

Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

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 to be charged.

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

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

1st, Cranes.

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton and not exceeding two tons	0	4
Exceeding two tons and not exceeding three tons	0	6
Exceeding three tons and not exceeding four tons	0	8
Exceeding four tons and not exceeding five tons	0	10
Exceeding five tons and not exceeding six tons	1	0
Exceeding six tons and not exceeding seven tons	1	2
Exceeding seven tons and not exceeding eight tons	1	4
Exceeding eight tons and not exceeding nine tons	1	8
Exceeding nine tons and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2nd, Hurries.

All goods, per ton	0	2

3rd, Weighing Machines.

For goods weighed, one penny for each ton or part of a ton.

Irvine.

4th, Shed Dues.

For each ten of goods of eight barrels bulk, or for each ton of goods of twenty hundredweight, which shall remain in the sheds or on the quays of the harbour for a longer time than forty-eight hours, the sum of threepence; and the sum of one penny halfpenny per ton for each day during which such goods shall remain after the first forty-eight hours.

IV.—RATES FOR PILOTAGE.

For all vessels entering or leaving the harbour, per registered ton, twopence.

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