CHAPTER lv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Ramsgate, St. Anne's-on-the-Sea, Skegness, Strachur (Loch Fyne), Totland Bay, Westgate, Whitehall (Stronsay), Cromarty, Fortrose, Lybster, Penzance, and Torquay. [3d July 1879.]

A.D. 1879.

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 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:

Confirmation of Orders in schedule.

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, 1879.

A.D. 1879.

THE SCHEDULE OF ORDERS.

1. Ramsgate.—Construction of pier.
2. St. Anne's-on-the-Sea.—Construction of pier.
3. Skegness.—Construction of pier.
4. Strachur (Loch Fyne).—Construction of pier.
5. Totland Bay.—Construction of pier.
6. Westgate.—Construction of pier.
7. Whitehall (Stronsay).—Extension of pier and construction of harbour works.
8. Cromarty.—Construction of harbour works and amendment of Local Acts.
9. Fortrose.—Construction of pier and regulation of harbour.
10. Lybster.—Construction of harbour works and amendment of former Order.
11. Penzance.—Construction of harbour works and amendment of Local Acts.
12. Torquay.—Construction of pier.

Ramsgate.

RAMSGATE.

Order for the construction, maintenance, and regulation of a Pier and Works at Ramsgate, in the parish of Saint Lawrence, in the county of Kent.

The Undertakers.

1. The Ramsgate Promenade Pier Company (Limited), in this Order called "the Company," shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order.

Power to take specified lands by agreement.

3. For the purpose of the works authorised 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 deposited plans which they may think requisite for the purposes of this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and sections 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, or on any of such lands, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works authorised by this Order.

Description of works.

5. The works authorised by this Order are wholly situate in the parish of Saint Lawrence, in the county of Kent, and comprise the following:—

A pier commencing in the new carriage-road leading from the Granville Marina to the Victoria Parade at a point near and above high-water mark

and forty feet or thereabouts from and to the north-east of the entrance to the building called the "Etablissement," and thence extending seaward in a south-easterly direction for a distance of and terminating at about six hundred feet or thereabouts from its commencement;

together with all necessary approaches, landing-places, machinery, toll-gates, buildings, works, and conveniences connected therewith or incidental thereto.

Limits of Order.

6. The limits within which the Company shall have authority and within which the powers of the pier-master shall be exercised, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the works by this Order authorised, and the lands, accesses, works, and conveniences connected therewith.

Power to levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and other works, demand and receive in respect of the persons and things in the Schedule to this Order specified any sum not exceeding the rates in that Schedule mentioned.

Power to erect toll-houses and lease same, and tolls, &c.

8. The Company may from time to time erect upon or near to the pier and works and approaches thereto, or any of them, toll-houses, saloons, reading and waiting rooms, and may lease the same, or any of them, for any period not exceeding three years, to take effect in possession, as the Company think fit; and the Company may also lease the rates authorised to be taken by this Order for any period not exceeding three years, to take effect in possession, and upon such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease all the same power of levying and recovering rates as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise to which the Company are subject under this Order.

Board of Trade may reduce rates.

9. If at any time, and from time to time, the clear annual income derived from the pier on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of principal and interest in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum upon the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, and otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amount as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the Schedule to this Order.

Company to send annual account to Board of Trade.

10. The Company within one month after sending to the clerk of the peace for the county the copy of their annual account in abstract shall send a copy of the same to the Board of Trade, and section sixteen of the General Pier and Harbour Act, 1861, Amendment Act shall apply to such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Ramsgate.

Company may contract with persons for the use of pier.

11. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier and works, on such terms and conditions, and for such a period, not exceeding one year, as may be agreed on, but so that no preference be given to any person. A pass ticket 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.

Lifeboat crew exempt from tolls.

13. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment.

Life-saving apparatus may be attached to the pier.

14. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat, or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Passengers, goods, or merchandise not to be landed at the pier.

15. No vessel or boat, except open pleasure boats or open boats landing any of the crew or passengers of any vessel or boat, shall land or embark any passengers at the pier, unless in cases where it may be necessary so to do in order to save life, and no vessel or boat, except open boats landing passengers luggage only, shall ship or unship goods or merchandise at the pier; and every master of a vessel or boat who shall land or embark any passenger, or ship or unship any goods or merchandise contrary to this provision of this Order, shall be liable to a penalty not exceeding ten pounds, and the Company shall also be liable to a penalty not exceeding twenty pounds in respect of every vessel or boat from or on which any passenger shall be landed or embarked, or any goods or merchandise shall be shipped or unshipped, contrary to this provision of this Order.

As to lights during construction of the works.

16. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during

the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

17. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier or the completed portion thereof, exhibit from sunset to sunrise such light or lights, if any, as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

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

18. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, inclusive, and twenty-one to twenty-four, inclusive.

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

19. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

Power to make byelaws.

20. The Company may make byelaws for the regulation of the persons and traffic frequenting or resorting to the pier and other works authorised by this Order to be constructed, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaws, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Vessels not to anchor within fifty yards of pier.

21. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to be moored to pier.

22. No vessel or boat shall be allowed to be moored alongside the pier without the consent of the Company or their pier-master.

Penalty for obstructing works.

23. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works, or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Power to enter into composition for payment of tolls, &c.

24. The Company may from time to time enter into composition with any person or persons with respect to the payment of any tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice any other provision of this Order.

Pier to be deemed within parish of Saint Lawrence.

25. The pier and works shall in respect of all matters, crimes, or offences arising or committed thereon or within the limits of this Order requiring the cognizance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of Saint Lawrence, in the county of Kent, and within the jurisdiction of the justices acting within and for that parish.

A.D. 1879.

Ramsgate.

Power to cease in certain events.

26. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purpose of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under Harbours Act, 1861, and Crown Lands Act, 1866.

27. This Order shall not prejudice or affect the estate, rights, and powers of the Board of Trade under the Harbours and Passing Tolls, &c. Act, 1861, nor 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.

Costs of Order.

28. All costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise incurred in relation thereto, shall be paid by the Company.

Short title.

29. This Order may be cited as the Ramsgate Promenade Pier Order, 1879.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	s.	*d.*
For every passenger or other person who shall land on the pier from or embark from it on board of any open pleasure boat or any open boat belonging to any vessel or boat, for each and every time any sum not exceeding - - - - - -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time any sum not exceeding -	0	3
For every Bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - -	0	6
For every perambulator, for each and every time any sum not exceeding - - - - - - -	0	2
For every master of any vessel, boat, or wherry, 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

II.—Rates on Passengers Luggage.

	s.	d.
For every trunk, portmanteau, box, parcel, or 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

Ramsgate.

SAINT ANNE'S-ON-THE-SEA.

St. Anne's-on-the-Sea.

Order for the construction, maintenance, and regulation of a Pier and other Works at Saint Anne's-on-the-Sea, in the county of Lancaster.

Undertakers.

1. The Saint Anne's-on-the-Sea Land and Building Company, Limited, in this Order called "the Company," shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the powers, privileges, and authorities by this Order conferred on the Undertakers, and may carry this Order in all respects into effect.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to take specified lands by agreement.

3. For the purposes of the works authorised 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.

Lands for extraordinary purposes.

4. The Company may purchase and hold for extraordinary purposes any land not exceeding in the whole five acres.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require from time to time before the execution 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 (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and other works authorised by this Order.

Description of pier.

6. The works authorised by this Order comprise the following :—

A pier, jetty, and landing-place commencing at the south-western extremity of Saint Anne's Road at Saint Anne's-on-the-Sea, in the parish of Lytham, in the county of Lancaster, as shown on the deposited plans, and extending seaward in a south-westerly direction for a distance not exceeding three hundred and eighty yards, together with all proper landing stages, landing

A.D. 1879.

St. Anne's-on-the-Sea.

places, tramways, roads, footpaths, sheds, toll-houses, toll-gates, or bars, cranes, hydraulic lifts, buoys, moorings, sewers, drains, and other works and conveniences connected therewith, for promenade, and for the embarking and landing of passengers, fish, cattle, goods, and merchandise, and for the safe keeping of boats and other purposes, but so that any works under this Order shall not extend further seaward than a distance of three hundred and eighty yards from the south-western extremity of Saint Anne's Road, which said pier, jetty, and landing-place are herein-after referred to as "the pier."

Power to deviate.

7. The Company, in constructing the pier and works by this Order authorised, may alter and deviate the same vertically to any extent not exceeding five feet, and laterally to any extent which may be approved in writing by the Board of Trade, but not beyond the limits of deviation marked on the deposited plans, and not further seaward from Saint Anne's Road than the distance of three hundred and eighty yards herein-before in this Order specified.

Power to take rates according to Schedule to this Order.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works and conveniences connected therewith, demand and receive in respect of the persons, vessels, goods, and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule mentioned.

Penalty for obstructing works.

9. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Further powers as to works and to sell or lease undertaking.

10. The Company may from time to time construct and erect upon or near the pier, but not further seaward than the distance of three hundred and eighty yards herein-before in this Order specified, pavilions or assembly rooms, concert rooms, aquaria, shops, saloons, bazaars, and reading, refreshment, and other rooms, and baths, wash-houses, and other conveniences, and may sell, let, or lease their undertaking, works, and property, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit, and a mortgagee in possession, purchaser, or lessee shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

Board of Trade may reduce rates.

11. If at any time, and from time to time, the clear annual income derived from the pier and works on the average of the then three last preceding years, after payment of all expenses and outgoings other than payment of interest

or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in constructing the pier and works for the use whereof the said tolls and rates are received, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding the amounts specified in the Schedule to this Order.

Company to send annual account to Board of Trade.

12. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act shall apply to such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

13. 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 works authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Pass tickets or use of pier.

14. The Company may grant to passengers and promenaders, or others pass tickets for the use of the pier and works, at such rates, on such terms and conditions, and for such periods, not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to or 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.

Powers to vary exemptions from rates and to enter into compositions, &c.

15. The Company may from time to time confer, vary, or extinguish exemptions from, and enter into composition with any person or persons with respect to, the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Exemption of Custom House officers from rates.

16. 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 and works by land, and with their vessels and otherwise, without payment.

Life-boat crew exempt from tolls.

17. All persons going to or returning from any life-boat, or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually

A.D. 1879.

St. Anne's-on-the-Sea.

employed in saving life or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier and works without payment.

Life-saving apparatus may be attached to pier.

18. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works of the Company spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Restriction on use of pier.

19. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised by this Order any sheep, cattle, or merchandise, or to ship or unship 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.

Pier to be deemed within the parish of Lytham.

20. The pier and works shall in respect of all matters, crimes, or offences arising or committed thereon or within the limits of this Order requiring the cognizance of any justice of the peace, be deemed and taken to be within or forming part of the parish of Lytham, and within the jurisdiction of the justices acting within and for the petty sessional division of Kirkham.

Meters and weighers.

21. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act exempted.

22. The sections 16 to 19, inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the pier, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Power to make byelaws.

23. The Company may make byelaws for the regulation and control of the fishermen and others using the pier and works and goods and traffic on the pier and works authorised by this Order, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Vessels not to anchor within one hundred yards of pier.

24. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of one hundred yards from the pier on the north-westerly or south-easterly sides thereof respectively:

Vessels not to be moored to pier.

25. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their pier-master.

Power to appoint pier-master and other officers and servants.

26. The Company shall have power to appoint and remove a pier-master and such other officers and servants (if any) as may be required for the management and regulation of the pier and the works connected therewith.

Prohibiting the removal of shingle.

27. From and after the passing of the Act confirming this Order, it shall not be lawful for any person, without the consent of the Company, to remove any shingle, cobbles, stone, or sand from the foreshore within the distance of nine hundred yards on each side of the pier, and any person so removing any such shingle, cobbles, stone, or sand as aforesaid shall upon conviction be liable to a penalty not exceeding ten pounds.

Agreements with the Ribble Navigation Company.

28. The Company may, with the consent of the Board of Trade, make and carry into effect agreements with the Ribble Navigation Company with reference to any removal of the existing lighthouse of that Company at Stanner Point which may be hereafter required or sanctioned by the Corporation of Trinity House, Deptford Strond.

Steam engines, cranes, mooring posts, steam vessels, &c.

29. The Company may, but not further seaward than the distance of three hundred and eighty yards herein-before in this Order specified, provide and use such steam and other engines, 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, and the Company may also provide, charter, or build, and may maintain and use and sell, steam and other vessels and boats for passengers or pleasure traffic to and from the pier, and may let the same for hire or convey passengers for hire thereby.

As to lights during the construction of works.

30. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and give notice of such intended application to the Ribble Navigation Company, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

31. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall at the outer extremity of the pier, or the completed portion thereof, exhibit from sunset to sunrise such light or lights, if any, as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and give notice of such intended application to the Ribble Navigation Company, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers of Order to cease in certain cases.

32. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works after having been commenced should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purpose of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights of the Board of Trade.

33. 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 rights of the Duchy of Lancaster.

34. Nothing in this Order contained shall extend or operate to authorise the Company to take, use, enter upon, or in any manner interfere with any land, soil, water, or hereditaments, or any manorial rights, or any other rights of whatsoever description, belonging to Her Majesty in right of her Duchy of Lancaster, without the consent in writing of the chancellor for the time being of the duchy first obtained (which consent the said chancellor is hereby authorised to give), or take away, prejudice, or diminish any estate, right, privilege, power, or authority vested in or enjoyed or exerciseable by Her Majesty, her heirs or successors, in right of her said duchy.

As to future accretions.

35. If any land not required for the purposes of the works authorised by this Order shall at any time after the execution of any works under the authority of this Order become raised in height or reclaimed, or by any other means cease to be subject to the flow and re-flow of the ordinary tides, or cease to be permanently covered with water (and that whether gradually or imperceptibly, or otherwise), the Company shall not, by virtue of the ownership of any lands which they are by virtue of this Order empowered to take or acquire, have any estate, right, or interest in or to the land so raised in height or reclaimed, or ceasing to be so subject or to be so covered as aforesaid, by reason that such raising, reclamation, or cesser has been gradual or imperceptible, or has been wholly or partially caused either by the works by this Order authorised or otherwise.

Saving rights of the lord of the manor of Lytham.

36. Nothing in this Order contained shall take away or abridge any right or privilege of the lord of the manor of Lytham further or otherwise than is in this Order expressly mentioned.

Saving rights of the Ribble Navigation Company.

37. Nothing in this Order contained shall take away or abridge any right, privilege, power, jurisdiction, or authority given or reserved to the Ribble Navigation Company by any local, general, or special Act of Parliament, or otherwise howsoever.

Costs of Order.

38. All the costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise incurred in relation thereto, shall be paid by the Company.

Title of Order.

39. This Order may be cited as the Saint Anne's-on-the-Sea Pier Order, 1879.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, passage, or pleasure boat, for each time not exceeding - -	0	0	4
For every person who shall use 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	0	2
For every Bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	1	0	0

II.—Rates on Passengers Luggage.

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

III.—Rates on Vessels using the Pier.

All lighters, for each trip, per ton - - - -	0	0	6
All boats entirely open landing or taking on board passengers or goods, each - - - - -	0	0	6
For every other vessel under the burden of 15 tons, per ton -	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton register - - - - -	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton register - - - - -	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton register - - - - -	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton register - - - - - -	0	1	0

IV.—Rates for supplying Water on Pier.

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

A.D. 1879.

Skegness.

SKEGNESS.

Order for the construction, maintenance, and regulation of a Pier and Works at Skegness, in the county of Lincoln.

The Undertakers.

1. The Skegness Pier Company, Limited, in this Order called "the Company," shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the power, privileges, and authorities conferred by this Order.

Incorporation of Lands Clauses Consolidation Acts.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order.

Power to take specified lands by agreement.

3. For the purposes of the works authorised 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 deposited plans as they may think requisite for the purposes of this Order.

Land for extraordinary purposes.

4. The Company may purchase and hold, or take on lease or otherwise, for extraordinary purposes, any land not exceeding in the whole five acres.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and sections 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 deposited plans and sections, make and maintain the works authorised by this Order.

Description of pier.

6. The works authorised by this Order comprise the following:—

A pier, jetty, and landing-place, with all proper works, tramways, approaches, and other conveniences connected therewith, for promenade, and for the embarking and landing of passengers, fish, cattle, goods, and merchandise, and for the safe keeping of boats and other purposes, commencing at or near a point in the public promenade or esplanade in the parish of Skegness, in the county of Lincoln, forty-five feet or thereabouts, measuring in an easterly direction, from the west side of the curb of the foot pavement on the said promenade or esplanade and opposite the new road called Scarborough Avenue, and extending thence seawards in an easterly direction for a distance of one thousand eight hundred feet, or thereabouts.

Penalty for obstructing works.

7. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Skegness.

Power to take rates according to Schedule to Order.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier, jetty, and landing-place, and works connected therewith, demand and receive in respect of the persons, vessels, fish, animals, goods, and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified.

Power to erect toll-houses, shops, &c., and lease same, and tolls, &c.

9. The Company may erect upon or near to the pier and works or approaches, toll-houses, baths, shops, saloons, bazaars, and reading, refreshment, bath, and other rooms, and may lease the same, or any of them, upon such terms and conditions, and for such period not exceeding three years, to take effect in possession, as the Company think fit; and the Company may also lease the tolls, rates, and dues authorised to be taken by this Order, upon such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

Board of Trade may reduce rates.

10. If at any time, and from time to time, the clear annual income derived from the pier and works on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per cent. per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, or otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per cent. per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Company to send annual account to Board of Trade.

11. The Company, within one month after sending to the clerk of the peace for the division of the county the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act shall apply to such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

12. 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 works authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of pier.

13. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier and works, on such terms and conditions, and for such a period not exceeding one year, as may be agreed on, but so that no preference be given to any person. A pass ticket 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.

Power to vary exemptions and to enter into composition.

14. The Company may from time to time confer, vary, or extinguish exemptions from, and enter into composition with any person or persons with respect to, the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Custom House officers exempt from rates.

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.

Life-boat crew exempt from tolls.

16. All persons going to or returning from any life-boat, or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier and works without payment.

Life-saving apparatus may be attached to pier.

17. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Steam engines, diving bells, lighters, &c.

18. 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, dredging machines, weighing machines, tackle, and other machinery, vessels, apparatus, and convenience 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.

Restrictions on use of pier.

19. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, jetty, or landing-place authorised by this Order, any sheep, cattle, or merchandise, or to ship or unship anything which, in the judgment of the Company, might in any manner interfere with the use

of the pier, jetty, or landing-place for recreation or for the embarking or landing of passengers.

Skegness.

Meters and weighers.

20. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

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

21. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 inclusive, and 21 to 23 inclusive, but the Undertakers shall, whenever directed by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the pier, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Power to make byelaws.

22. The Company may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic on the pier, approaches, and other works authorised by this Order to be constructed, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Vessels not to anchor within fifty yards of pier.

23. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised.

Vessels not to be moored on pier.

24. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their pier-master.

As to lights during construction of the works.

25. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

26. After completion or permanent discontinuance of the works authorised by this Order, the Company shall, at the outer extremity of the pier, or the completed portion thereof, exhibit from sunset to sunrise such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers of Order to cease in certain cases.

27. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming

this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

28. 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 the limits affected by any such rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

Costs of Order.

29. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Company.

Short title.

30. This Order may be cited as the Skegness Pier Order, 1879.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON PASSENGERS AND PROMENADERS.

	£	*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	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	0	2
For every Bath or sedan chair taken on the pier, for each time any sum not exceeding - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - -	0	0	2
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	1	0	0

II.—RATES ON PASSENGERS LUGGAGE LANDED OR SHIPPED.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - -	0	0	2

	£	s.	d.
Over 28 lbs. and not exceeding 84 lbs. - - -	0	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - -	0	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - -	0	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - -	0	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - -	0	0	8
And for every 20 lbs. weight in addition - - - -	0	0	1

III.—Rates on Vessels using the Pier.

For every vessel under 15 tons, per ton - - -	0	0	4
For every vessel of 15 tons and under 50 tons, per registered ton	0	0	6
For every vessel of 50 tons and under 100 tons, per registered ton -	0	0	8
For every vessel of 100 tons and under 150 tons, per registered ton	0	0	10
For every vessel of 150 tons and upwards, per registered ton -	0	1	0
All lighters, for each trip, per ton - - - -	0	0	2
All boats entirely open, landing or taking on board goods, each -	0	0	6

IV.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per 55 gals. - - - -	0	0	6
Ale, bottled, per 32 gals. - - - - - -	0	0	4
Ditto, per dozen bottles - - - - -	0	0	1
Anchors, per cwt. - - - - - -	0	0	9
Anchor stock, per foot run - - - -	0	0	2
Bark, per ton - - - - - - -	0	2	0
Bedding, per 56 lbs. - - - - -	0	0	3
Beef or pork, per cwt. - - - - - -	0	0	3
Biscuits or bread, per cwt. - - - -	0	0	3
Blubber, per 252 gallons - - - -	0	3	0
Bones and bone dust, per ton - - -	0	1	6
Bottles, per gross - - - - -	0	0	9
Bricks, per 1,000 - - - - -	0	1	6
Butter and lard, per cwt. - - - -	0	0	6
Cables, iron or hempen, per ton - - - -	0	3	0
Canvas, per cwt. - - - - -	0	0	6
Carriages :—			
Chaises and other four-wheeled carriages, each - -	0	7	6
Gigs, carts, and other two-wheeled carriages, each - -	0	5	0
Hand carts and perambulators, each - - - -	0	1	0
Casks (empty), not being returned packages, per 84 gallons -	0	0	3
Cattle :—			
Bulls, cows, and oxen, each - - - - -	0	3	0
Calves, each - - - - - -	0	1	0
Horses, each - - - - - -	0	4	0
Pigs, each - - - - - -	0	0	6
Sheep, each - - - - - -	0	0	6
Chalk, per ton - - - - -	0	1	0

A.D. 1879.

Skegness.

	£	s.	d.
Cheese, per cwt.	0	0	4
Chimney pots, each	0	0	3
Clay, per ton	0	1	0
Cloth, haberdashery, &c., per package, not exceeding 1 cwt.	0	0	6
Coals, per ton	0	1	0
Copper, per ton	0	3	0
Cordage, per cwt.	0	0	3
Corks, per cwt.	0	0	6
Crystal in packages, per foot	0	0	2
Dogs, each	0	0	6
Drugs (in casks, hampers, or boxes), per foot	0	0	2
Earthenware (in crates), per foot	0	0	1
Eggs, per cwt.	0	2	6
Fish (dried and salted), per cwt.	0	0	3
Ditto (fresh), not enumerated	0	0	2
Flax, per ton	0	2	0
Flour and meal, per cwt.	0	0	4
Furniture (household), per 5 cubic feet	0	0	4
Fruit, per bushel	0	0	4
Glass, in packages, per foot	0	0	2
Grains and seeds, per 100 lbs.	0	0	1½
Groceries, not enumerated, per cwt.	0	0	6
Guano, per ton	0	1	6
Gunpowder, per 56 lbs.	0	0	6
Hams, bacon, or tongues, per cwt.	0	0	4
Hardware, per ton	0	2	6
Hares and rabbits, per dozen	0	0	4
Hay, per ton	0	1	6
Ditto, per 56 lbs.	0	0	2
Hemp, per ton	0	2	0
Herrings (fresh), per 1,000	0	0	3
Ditto (cured), per cwt.	0	0	3
Hides:—			
Ox, cow, or horse (wet or dry), each	0	0	2
Iron:—			
Bar, bolt, rod, and shots, per ton	0	1	6
Pig and old, per ton	0	1	0
Manufactured, per ton	0	2	6
Pots, each	0	0	1
Kelp, per ton	0	2	0
Lead, per ton	0	2	6
Leather (tanned and dressed), per cwt.	0	0	4
Lime, per 28 bushels	0	1	4
Limestone, per ton	0	1	0
Machinery, per ton	0	2	6
Manure (not enumerated), per ton	0	1	0

	£	s.	d.
Masts and spars (10 inches in diameter and upwards), each	0	4	6
Masts and spars, under 10 inches, each	0	3	0
Meat (fresh), per cwt.	0	0	6
Milk, per gallon	0	0	0½
Musical instruments, per cubic foot	0	0	1
Nets, per 5 cubic feet	0	0	4
Oakum, per cwt.	0	0	2
Oils, per 252 gallons	0	2	0
Oil cake, per ton	0	2	0
Oranges and lemons, per cwt.	0	0	6
Ores, per ton	0	1	0
Oysters, per bushel	0	0	3
Paint, per cwt.	0	0	4
Pitch and tar, per cwt.	0	0	6
Potatoes, per cwt.	0	0	2
Poultry and game, per dozen	0	0	4
Rags and old rope, per ton	0	2	0
Sails, per cwt.	0	0	6
Salt, per cwt.	0	0	1
Sand, per ton	0	1	0
Shrimp baskets, each	0	0	2
Skins—calf, goat, sheep, lamb, or dog, per dozen	0	0	6
Slates, per 24 cubic feet	0	2	0
Spirits, per 52½ gallons	0	1	0
Ditto, per gallon	0	0	1
Stones, per 16 cubic feet	0	1	6
Steel, per ton	0	3	0
Sugar, per cwt.	0	0	3
Tallow, soap, and candles, per cwt.	0	0	3
Tea, per 126 lbs.	0	1	0
Tiles, per thousand	0	1	6
Tin and zinc, per ton	0	3	0
Tobacco, per cwt.	0	0	6
Turbot, per score	0	0	3
Turnips, per ton	0	0	6
Turpentine and varnish, per cwt.	0	0	6
Turtle, each	0	2	6
Vegetables (not enumerated), per cwt.	0	0	4
Vinegar, per 54 gallons	0	0	6
Vitriol, per 5 gallons	0	0	1
Water, per 34 gallons	0	0	3
Wine, per 52½ gallons	0	1	0
Ditto (bottled), per dozen bottles	0	0	2
Wood :—			
Fir, pine, and other descriptions not enumerated, per 50 feet	0	1	6

		£	s.	d.
Skegness.	Wood—*cont.*			
	Oak or wainscot, per 50 feet - - - -	0	2	0
	Firewood, per 216 cubic feet - - - - - -	0	1	6
	Laths and lathwood, per 216 cubic feet - - -	0	2	6
	Handspikes, per 120 - - - - -	0	3	0
	Oars, per 120 - - - - -	0	5	0
	Spars under 22 feet in length and under $2\frac{1}{2}$ inches in diameter, per 120 - - - - - - -	0	4	0
	Ditto, $2\frac{1}{2}$ inches and under 4 inches in diameter, per 120 -	0	5	0
	Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120 - - - - -	0	9	0
	Ditto, above 4 and under 6 inches in diameter, per 120 -	0	14	0
	Spokes of wheels, not exceeding 2 feet in length, per 120 -	0	2	0
	Ditto, exceeding 2 feet in length, per 120 - - -	0	3	0
	Ditto, treenails, per 1,000 - - -	0	2	6
	Ditto, wedges, per 1,000 - - - - -	0	2	6
	Pipe staves, and others in proportion, per 120 - -	0	2	6
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	2	0
Wool, per cwt. - - - - - - -		0	0	4
Yarn, per cwt. - - - - - - -		0	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cubic foot - - - - - -	0	0	1
Heavy goods, per ton - - - - - -	0	2	0

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

V.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1.—*Rates on Craneage.*

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

2.—*Weighing Machines.*

For goods weighed, for each ton or part of a ton - - -	0	0	2

3.—*Shed Dues.*

	£	s.	d.
For each 40 cubic feet of goods, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer period than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per 40 cubic feet or per ton for each day during which such goods shall remain after the first 48 hours.			
For every portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - -	0	0	2

VI.—Rates for laying Water Main on Pier.

Water, per ton - - - - - -	0	0	6

VII.—Rates for the use of Reading Room.

For each and every person who shall use the reading room, for each and every time any sum not exceeding - - -	0	0	6

VIII.

For each and every person who shall use any bath room, any sum not exceeding - - - -	0	3	0

A.D. 1879.

Skegness.

STRACHUR (LOCH FYNE).

Strachur.

Order for the construction, maintenance, and regulation of a Pier at Strachur on Loch Fyne, in the county of Argyll.

Undertakers.

1. The Strachur Pier Company (incorporated under the Companies Acts, 1862 and 1867) (in this Order called "the Company") shall be the Undertakers for carrying this Order into execution.

Limits of pier.

2. The limits within which the Company shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the works by this Order authorised, and the whole lands, accesses, works, and conveniences connected therewith.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plan and section deposited with reference to 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 Company may, in the lines and situation and according to the levels shown on the deposited plan and section, so far as the same are shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier, accesses, and works authorised by this Order.

Description of works.

4. The works authorised by this Order are:—

A pier at Creggans Point, on Loch Fyne, commencing at a point forty-two and a half yards or thereby westward from the west side of Creggans

House, and extending in a westerly direction across the foreshore into Loch Fyne thirty-five and a half yards or thereby from the said point of commencement, and there terminating, together with all necessary works, accesses, and conveniences in connexion with the said pier, all situate in the parish of Strachur and county of Argyll.

Power to maintain and improve pier.

5. The Company may dredge, scour, deepen, widen, enlarge, improve, and maintain the entrances and channels of the said pier; provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

Penalty for obstructing works.

6. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Rates for warehouses, &c.

7. The Company may demand and receive such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the Company, for the use of which rates are not specially fixed in the Schedule to this Order.

Power to take rates according to Schedule in Order.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works, demand and receive in respect of vessels, boats, passengers, animals, goods, matters, and things described in the Schedule to this Order any sum not exceeding the several rates specified in the same Schedule.

Board of Trade may reduce rates.

9. If at any time, and from time to time, the clear annual income derived from the pier and works and conveniences, on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, on application in writing from six or more of the owners of vessels or boats resorting to the pier, and after hearing the Company, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Annual account to be sent to Board of Trade.

10. The Company, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds; and section 16 of the General Pier and Harbour

Act, 1861, Amendment Act shall apply to and include any and every such account.

Certain fishing vessels under stress of weather exempt from rates.

11. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues 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 or works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Power to vary exemption and to enter into composition.

12. The Company may from time to time confer, vary, or extinguish exemption from, and enter into composition with any person or persons with respect to, the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Exemption of Custom House officers from rates.

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

Rates may be leased.

14. The Company may from time to time lease the rates authorised by this Order for any period not exceeding ten years, 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 receiving rates and dues as the Company have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the Company are made subject by this Order.

Power to make byelaws.

15. The Company may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic on the pier, approaches, and other works authorised by this Order, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Application of receipts.

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

(1.) In paying the costs of and in connexion with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the pier and works authorised by this Order:

(3.) The surplus revenue (if any) of the pier and works, after providing for the purposes aforesaid, shall belong to the Company for their own use.

Portions of Harbours Clauses Act excepted.

17. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Vessels not to anchor within certain limits.

18. No vessel or boat shall, without the consent of the Company or their pier-master, anchor within a distance of fifty yards, measured in any direction

from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to moor alongside pier without consent.

19. No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier without the consent of the Company or their pier-master.

Meters and weighers.

20. The Company shall have the appointment of meters and weighers within the limits of this Order.

Lights after completion of works.

21. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting; and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

22. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

23. 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 the limits affected by any such rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.

Costs of Order.

24. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the Company.

Short title.

25. This Order may be cited as the Strachur (Loch Fyne) Pier Order, 1879.

The SCHEDULE to which the foregoing Order refers.

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

		s.	*d.*
For every vessel under fifteen tons register - - -	per ton	0	4
For every vessel of fifteen tons register and upwards	per register ton	0	6
All boats entirely open, landing or taking on board goods or passengers		0	4

TABLE II.—RATES ON PASSENGERS.

For each person above 12 years of age using the pier or landed thereon or embarked therefrom - - - - - -	0 1
For each person under 12 years of age with parent, master, or servant	Free
Servants going with or for luggage - - - - -	Free
(But the luggage to be paid for.)	

PASSENGERS LUGGAGE.

Every person allowed 28 pounds of luggage, if carried by themselves -	Free
Every parcel or article of luggage, except as above - - -	0 1

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

		s.	*d.*
Ale and beer of all kinds - - - -	per 54 gallons	0	3
Ditto - - - -	per 28 gallons	0	2
Ditto - - - -	per 9 gallons or less	0	1
Ditto (bottled) - - - -	per 4 dozen	0	6
Anchors - - - - -	per cwt.	0	4
Bacons or hams - - - -	per cwt.	0	3
Beef, mutton, or pork - - - -	per cwt.	0	3
Bone dust - - - - -	per 40 bushels	1	0
Bricks - - - - -	per 1,000	1	0
Butter - - - - -	per cwt.	0	3
Candles - - - - -	per cwt.	0	2
Carriages :—			
Chaises and other four-wheeled vehicles -	each	1	0
Carts, gigs, and other two-wheeled vehicles -	each	0	6
Carts, loaded - - - -	each	1	0
Casks, full or empty - - - -	each	0	1
Cheese - - - - -	per cwt.	0	2

A.D. 1879.

Strachur.

		s.	d.
Cattle :—			
Bull, cow, or ox	each	0	6
Ditto, if more than one belonging to the same person	each	0	4
Calves	each	0	1
Horses	each	1	0
Ditto, if more than one belonging to the same person	each	0	9
Pony, donkey, or mule	each	0	6
Lambs	per 20	0	6
Sheep	per 20	0	6
Ditto, if fewer than ten	each	0	0½
Swine	each	0	1
Coals and culm	per ton	0	2
Corn :—			
Barley, beans, buckwheat, flour, Indian corn, meal, oats, peas, rye, and tares	per 2 cwt.	0	1
Malt and wheat	per 2 cwt.	0	1
Earthenware	per 7 cwt.	0	4
Eggs	per 2 cwt.	0	2
Fish, dried or salted	per ton	0	4
Haddocks, cod, salmon, and all fresh fish not enumerated	per 2 cwt.	0	2
Fruit of all kinds	per bushel	0	3
Glass	per 2 cwt.	0	3
Groceries, viz. :—Coffee, confections, dried fruit, molasses, rice, snuff, soap, spices, tea, tobacco, &c.	per cwt.	0	4
Heavy goods, not otherwise enumerated	per ton	1	0
Herrings (salted)	per 3 cwt.	0	1
Ditto (fresh)	per 2 cwt.	0	1½
Household furniture	per 15 cwt.	1	0
Any less quantity	per 6 cwt.	0	6
New	per 2 cwt.	0	2
Belonging to parties changing their residence only	per 10 cwt.	0	6
Husbandry utensils	per cwt.	0	4
Iron, viz. :—Bar, bolt, and rod; iron grates, stoves, rails, and other ironmongery	per cwt.	0	2
Old	per cwt.	0	1
Old or broken cast iron	per cwt.	0	0½
Kelp	per cwt.	0	1
Lead of all kinds and zinc	per cwt.	0	2
Leather, dressed and tanned	per cwt.	0	6
Light goods, not otherwise enumerated	per 2 cwt.	0	3
Lime	per 2 cwt.	0	1
Manures, including guano, &c.	per ton	1	0
Potatoes	per ton	0	6
Peats	per 500	0	1
Poultry	each	0	1

		s.	*d.*
Salt	per ton	1	0
Seed, viz.:—Canary	per 2 cwt.	0	3
Clover	per 3 cwt.	0	6
Flax and rape	per 2 cwt.	0	4½
Ditto	per 4 cwt.	0	9
Garden seeds	per 2 cwt.	0	6
Hemp seed	per 2 cwt.	0	3
Rye grass	per 100 lbs.	0	1
Slates, viz.:—			
Over size	per 1,000	3	0
Sizeable	per 1,000	2	0
Under size	per 1,000	1	0
Spirits	per 50 gallons	0	6
Stones:—			
Freestone, granite, and pavement	per 16 cubic feet	0	4
Limestones and other stones	per ton	0	1
Millstones	each	0	4
Scythe stones	per ton	0	6
Sugar	per cwt.	0	1
Tar	per 3 cwt.	0	2
Tallow	per ton	2	0
Tiles or pipes for draining	per 1,000	1	0
Wheelbarrows, one-wheeled	each	0	2
,, two-wheeled	each	0	3
Wine	per 54 gallons	1	0
Wine (bottled)	per dozen bottles	0	2
Wood of all kinds	per £1 value	0	6
Wool	per cwt.	0	3

All returned empty boxes, barrels, casks, bags, sacks, and pack sheets are exempted from dues.

All goods not enumerated in the above Schedule to be charged in proportion to other goods of similar bulk and value specified in the above Schedule.

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, but no such proportional charge shall be less than one penny.

TABLE IV.—RATES FOR SUPPLY OF WATER ON PIER.

		s.	*d.*
Water	per 1,000 gallons	10	0

A.D. 1879.

Totland Bay.

TOTLAND BAY.

Order for the construction, maintenance, and regulation of a Pier at Totland Bay, in the parish of Freshwater, in the Isle of Wight and county of Southampton.

Undertakers.

1. The Totland Bay Pier and Hotel Company, Limited, in this Order called the Company, shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the several powers, privileges, and authorities by this Order conferred on the Undertakers, and may carry this Order in all respects into effect.

Lands Clauses Acts incorporated.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement), shall be incorporated with this Order.

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order the Company from time to time may, by agreement, enter upon and take, and may use, such of the lands and such parts of the foreshore shown on the plans deposited for the purpose of this Order as they think expedient.

Land for extraordinary purposes.

4. The Company may purchase for extraordinary purposes lands not exceeding in the whole five acres.

Power to execute works.

5. Subject to the provisions of this Order, and subject also to such alteration (if any) in the plans and sections deposited with reference to 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 Company may on the lands or foreshore taken by them under this Order, and in the lines and situations and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorised by this Order.

Description of works authorised.

6. The works authorised by this Order comprise the following:

(A.) A pier, jetty, and landing-place, with all proper works, tramways, approaches, and other conveniences connected therewith, for promenade, and for the embarking and landing of passengers, fish, cattle, goods, and merchandise, and for the safe keeping of boats and other purposes, commencing at a point on the foreshore below the Coast-guard Watch House, and between the said Watch House and a road leading down to the foreshore, and which point of commencement is about 624 feet north-east of the present wooden pier, and extending across the foreshore into the sea in a north-westerly direction for a distance of 550 feet or thereabouts:

(B.) The dredging, scouring, or deepening the bed or shore of the sea at or near the said intended works.

Power to deviate.

7. The Company, in constructing the pier, may alter and deviate the same (with the consent in writing of the Board of Trade) to any extent within the limits of deviation marked on the deposited plans.

8. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

9. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works and conveniences connected therewith, and other property of the Company, demand and take in respect of the vessels, boats, goods, animals, fish, persons, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule mentioned.

Power to take rates in Schedule.

10. The Company may from time to time erect upon or near the pier, or the approaches thereto, tramways, toll-houses, shops, saloons, bazaars, and reading, waiting, refreshment, and other rooms, and may sell, mortgage, let, or lease their undertaking, works, and property, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise), and under such restrictions and conditions as they think fit, and a mortgagee in possession, purchaser, lessee, or tenant, and his or their heirs, executors, administrators, or assigns thereof, shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order. The Company may also from time to time enter into working arrangements with any pier company, steamboat company, railway company, or tramway company, or person, upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit, but so that no preference be given to any company or person.

Further powers as to works and to sell or lease undertaking.

11. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and outgoings, other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, and otherwise in relation to the undertaking of the Company, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the Schedule to this Order.

Board of Trade may reduce rates.

Steam engines, diving bells, lighters, &c.

12. 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.

Annual account to be sent to the Board of Trade.

13. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Company may contract with persons for the use of pier.

14. The Company may grant to passengers and promenaders, or others, pass tickets, not transferable, for the use of the pier, on such terms and for such a period not exceeding one year as are agreed on. The Company may also grant to its own shareholders, and to members of the family or household of its own shareholders, pass tickets for the use by them of the pier, during such period, upon such terms, and subject to such restrictions as the Company may from time to time prescribe. Pass tickets to shareholders shall be granted without preference between them, and pass tickets to other persons shall also be granted without preference between them. A pass ticket shall not be used by any person except the person to or for whom it is granted, or by any person after the period limited for its use. If any person act in any way in contravention of this provision, or use or attempt 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.

Power to vary exemptions and to enter into composition.

15. The Company may from time to time confer, vary, or extinguish exemptions from, and enter into composition with any person or persons with respect to, the payment of tolls, rates, or duties authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Certain fishing vessels under stress of weather exempt from rates.

16. 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 authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Custom House officers exempt from rates.

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

Lifeboat crew exempt from tolls.

18. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the

lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment.

Life-saving apparatus may be attached to pier.

19. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars or other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Power to borrow money.

20. The Company may from time to time borrow and re-borrow at interest such sums as may be required for the purposes of this Order on the security of the works authorised by this Order, and of the lands and property connected therewith, and of the tolls, rates, and duties authorised by this Order, or any of those particulars, and the Company may grant bonds, debentures, or mortgages of such property, or of any part or parts thereof, in security of the repayment of the money so borrowed, with interest thereon.

Application of money borrowed.

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

Parts of Harbours, &c. Act excepted.

22. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; but the Company shall, at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the pier, and build on such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Meters and weighers.

23. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Power to make byelaws.

24. The Company may make byelaws for the regulation and control of the fishermen and others, and goods and traffic, on the pier and works authorised by this Order, but such byelaws shall not come into operation until the same shall have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all the purposes.

Vessels not to anchor within fifty yards of pier.

25. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of fifty yards, measured in any direction from any part below low-water mark, of the works by this Order authorised to be constructed.

Vessels not to be moored to pier.

26. No vessel or boat, except steamboats and pleasure boats embarking or disembarking passengers and their luggage, shall be allowed to be moored alongside the pier without the consent of the Company or their pier-master.

Restriction on use of pier.

27. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised by this Order, except with the consent of the Company, 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.

Pier to be deemed within the contiguous jurisdiction.

28. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon requiring the cognizance of any justices of the peace, be deemed and taken to be within or as forming part of the parish of Freshwater, in the Isle of Wight, and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

As to lights during the construction of works.

29. Before commencing the works authorised by this Order, the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

30. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

31. In the following cases; (that is to say,)

1. If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or
2. If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

32. 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.

33. All the costs, charges, and expenses of and incidental to the preparation and making of this Order, and otherwise incurred in relation thereto, shall be paid by the Company. Costs of Order.

34. This Order may be cited as the Totland Bay Pier Order, 1879. Short title.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders.

	£	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	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	0	2
For every Bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - -	0	0	6
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - -	1	0	0

II.—Rates on Passengers Luggage landed or shipped.

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

III.—Rates on Passenger Steamers calling at fixed Intervals at Pier.

For every steamer landing or embarking passengers, not exceeding the following number of passengers the following rates per ton:			
Not exceeding 12 passengers, per ton register - -	0	0	$0\frac{1}{2}$
Exceeding 12 and not exceeding 25 passengers, per ton register	0	0	1
Exceeding 25 and not exceeding 50 passengers, per ton register	0	0	2
Exceeding 50 and not exceeding 75 passengers, per ton register	0	0	3
Exceeding 75 and not exceeding 100 passengers, per ton register	0	0	4
Exceeding 100 passengers, per ton register - - -	0	0	6

A.D. 1879.

Totland Bay.

IV.—RATES ON VESSELS OTHER THAN SUCH PASSENGER STEAMERS AS ARE MENTIONED IN PART III. USING THE PIER.

	£	s.	d.
For every vessel or boat under the burden of 15 tons, per ton -	0	0	4
For every vessel or boat of the burden of 15 tons and under 100 tons, per ton register - - - - - -	0	0	6
For every vessel of the burden of 100 tons and upwards, per ton register - - - - - - -	0	0	8
All lighters, for each trip, per ton - - - -	0	0	6
All boats entirely open, landing or taking on board goods, each -	0	0	6

V.—RATES ON GOODS SHIPPED OR UNSHIPPED AT THE PIER.

Ale, beer, and porter - - - -	per 54 gallons	0	0	6
Ale, bottled - - - - -	per dozen bottles	0	0	1
Anchors - - - - - - -	per cwt.	0	0	9
Anchor stock - - - - -	per foot run	0	0	2
Bark - - - - - - -	per ton	0	2	0
Bedding - - - - - -	per bundle	0	0	3
Beef or pork - - - - -	per cwt.	0	0	3
Biscuits or bread - - - - -	„	0	0	3
Blubber - - - - -	per 252 gallons	0	3	0
Bones and bone dust - - - -	per ton	0	1	6
Bottles - - - - - -	per gross	0	0	9
Bricks - - - - - -	per 1,000	0	1	0
Butter and lard - - - - -	per 84 lbs.	0	0	6
„ „ - - - - -	per 56 lbs.	0	0	3
Cables, iron or hempen - - - -	per ton	0	3	0
Carriages :				
Chaise and other 4-wheeled carriages - - -	each	0	7	6
Gigs, carts, and other 2-wheeled carriages - -	„	0	5	0
Hand carts and perambulators - - -	„	0	1	0
Casks (empty), not being returned packages -	per cask of 80 gallons	0	0	3
Other casks in proportion.				
Cattle :				
Bulls, cows, and oxen - - - -	each	0	3	0
Calves - - - - - -	„	0	1	0
Horses - - - - - -	„	0	4	0
Pigs - - - - - -	„	0	0	6
Sheep - - - - - -	„	0	0	6
Ponies, asses, or mules - - - -	„	0	2	0
Chalk - - - - - -	per ton	0	1	0
Cheese - - - - - -	per cwt.	0	0	4
Chimney pots - - - - -	each	0	0	3
Clay - - - - - -	per ton	0	1	0
Cloth, haberdashery, &c. -	per package not exceeding 1 cwt.	0	0	6
Coals - - - - - -	per ton	0	1	0
Codfish - - - - - -	per cwt.	0	0	2½

		£	s.	d.
Copper - - - - - -	per ton	0	3	0
Cordage - - - - - -	per cwt.	0	0	3
Corks - - - - - -	„	0	0	6
Dogs - - - - - -	each	0	0	6
Drugs (in casks, hampers, or boxes) - -	per foot	0	0	6
Earthenware (in crates) - - - -	„	0	0	1
Fish (dried and salted) - - - -	per cwt.	0	0	3
Fish (fresh), not enumerated - - -	„	0	0	2
Flax - - - - - -	per ton	0	2	0
Flour and meal - - - - -	per 280 lbs.	0	0	4
„ „ - - - - -	per 196 lbs.	0	0	3
Furniture (household) - - -	per 5 cubic feet	0	0	4
Fruit - - - - -	per bushel	0	0	4
Glass (in crates) - - - - -	per foot	0	0	2
Grains and seeds - - - - -	per 100 lbs.	0	0	1½
Groceries, not enumerated - - - -	per cwt.	0	0	6
Guano - - - - - -	per ton	0	1	6
Gunpowder - - - - -	per 50 lbs.	0	0	6
Hams, bacon, or tongues - - - -	per cwt.	0	0	4
Hardware - - - - - -	per ton	0	2	6
Hares and rabbits - - - - -	per dozen	0	0	4
Hay - - - - - -	per ton	0	1	6
Hemp - - - - - -	„	0	2	0
Herrings (fresh) - - - -	per 1,000	0	0	3
„ (cured) - - - - -	per cwt.	0	0	1
Hides:				
Ox, cow, or horse (wet or dry) - -	each	0	0	2
Hurdles - - - - - -	per dozen	0	0	2
Ice - - - - - -	per ton	0	2	6
Iron:				
Bar, bolt, rod, and shots - - -	„	0	1	6
Pig and old - - - - -	„	0	1	0
Manufactured - - - - -	„	0	2	6
Pots - - - - - -	each	0	0	1
Kelp - - - - - -	per ton	0	2	0
Lead - - - - - -	„	0	2	6
Leather (tanned and dressed) - - -	per cwt.	0	0	4
Lime - - - - -	per 28 bushels	0	1	4
Limestone - - - - -	per ton	0	1	0
Machinery, not exceeding 5 tons - - -	„	0	2	6
„ exceeding 5 tons - - -	„	0	4	0
Manure (not enumerated) - - - -	„	0	1	0
Masts and spars, 10 inches in diameter and upwards -	each	0	4	6
„ „ under 10 inches - - - -	„	0	3	0
Meat (fresh) - - - - -	per cwt.	0	0	6
Milk - - - - -	per gallon	0	0	0½

A.D. 1879.

Totland Bay.

		£	s.	d.
Musical instruments	- per cubic foot	0	0	1
Nets	per 5 cubic feet	0	0	4
Oakum	- per cwt.	0	0	2
Oils	per 252 gallons	0	2	0
Oil cake	- per ton	0	2	0
Oranges and lemons	- per cwt.	0	0	6
Ores	- per ton	0	1	0
Oysters	- per bushel	0	0	3
Paint	- per cwt.	0	0	4
Pitch and tar	- per 27 gallons	0	0	6
Potatoes	- per cwt.	0	0	2
Poultry and game	- per doz.	0	0	4
Rags and old rope	- per ton	0	2	0
Sails	- per cwt.	0	0	6
Salt	- „	0	0	1
Sand	- per ton	0	1	0
Shrimp baskets	- each	0	0	2
Skins:				
Calf, goat, sheep, lamb, or dog	- per doz.	0	0	6
Slates	per 24 cubic feet	0	2	0
Spades and shovels	- per dozen	0	0	6
Spirits	- per 63 gallons	0	1	0
„	- per gallon	0	0	1
Stones	per 16 cubic feet	0	1	6
Steel	- per ton	0	3	0
Sugar	- per cwt.	0	0	3
Tallow, soap, and candles	- „	0	0	3
Tea (in chest)	- per 80 lbs.	0	1	0
Threshing machines	- each	0	4	0
Tiles	- per thousand	0	1	6
Tin and zinc	- per ton	0	3	0
Tobacco	- per cwt.	0	0	6
Trucks	- each	0	0	6
Trundlesticks	- per thousand	0	0	6
Turbot	- per score	0	0	3
Turnips	- per ton	0	0	6
Turpentine and varnish	- per cwt.	0	0	3
Turtle	- each	0	2	6
Vegetables (not enumerated)	- per cwt.	0	0	4
Vinegar	per 63 gallons	0	0	6
Vitriol	- per 5 gallons	0	0	1
Water (in cask)	per 80 gallons	0	0	3
Wheelbarrows	- each	0	0	4
Wheels	- per pair	0	0	6
Wine	per 63 gallons	0	1	0
„ bottled	per doz. bottles	0	0	2
Winnowing machines	- each	0	2	6

	£	s.	d.	A.D. 1879.
Wood:				*Totland Bay.*
Fir, pine, and other descriptions (not enumerated) per 50 feet	0	1	6	
Oak or wainscot - - - - „	0	2	0	
Firewood - - - - per 216 cubic feet	0	1	6	
Laths and lathwood - - - „ „	0	2	6	
Handspikes - - - - per 120	0	3	0	
Oars - - - - - „	0	5	0	
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter - - - - per 120	0	4	0	
Ditto, 2½ inches in diameter and under - - „	0	5	0	
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter - - - - „	0	9	0	
Ditto, above 4 and under 6 inches in diameter - „	0	14	0	
Spokes of wheels not exceeding 2 feet in length - „	0	2	0	
„ „ exceeding 2 feet in length - - „	0	3	0	
„ „ treenails - - - per 1,000	0	2	6	
„ „ wedges - - - - „	0	2	6	
Pipe staves and others, in proportion - - per 120	0	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood per ton	0	2	0	
Wool - - - - - - per cwt.	0	0	4	
Yarn - - - - - - - „	0	0	2	
All goods and packages, articles and things, which are most usually or may be most conveniently or fairly measured by weight, not herein enumerated, to pay at the rate of, if less than a cwt. -	0	0	1	
If one cwt. and less than two cwt. - - - -	0	0	2	
If two cwt. and less than three cwt. - - - -	0	0	3	
If three cwt. and less than four cwt. - - - -	0	0	5	
And so upwards.				
All goods and packages, articles and things, which are most usually or may be most conveniently or fairly measured by superficial extent, not herein enumerated, to pay at the rate of, if less than one cubic foot - - - - - - -	0	0	0½	
If one cubic foot and less than two - - - -	0	0	1	
If two cubic feet and less than three - - - -	0	0	1½	
If three cubic feet and less than four - - - -	0	0	2	
And so upwards.				
All live animals not herein enumerated - - - each	0	0	1	

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

1*st*.—*Rates 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

A.D. 1879.

										s.	d.
Totland Bay.	Exceeding	4 tons	and not exceeding	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

2nd.—Weighing Machines.

For goods weighed, for each ton or part of a ton - - -	0	2

3rd.—Shed Dues.

For each 40 cubic feet of goods, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per 40 cubic feet or per ton for each day during which such goods shall remain after the first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - -	0	2

VII.—RATES FOR SUPPLY OF WATER ON PIER.

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

VIII.—RATES FOR LAYING WATER MAIN ON PIER.

Water - - - - - -	per ton	0	6

IX.—RATES FOR THE USE OF READING AND CONCERT ROOMS.

For each and every person who shall use any reading or concert or other room, for each and every time any sum not exceeding -	0	6

Westgate.

WESTGATE.

Order for the construction, maintenance, and regulation of a Pier at Westgate, in the Isle of Thanet, in the county of Kent.

Undertakers.

1. Edmund Francis Davis, of Saint Peter's Cottage, Saint Peter's, Isle of Thanet, in the county of Kent, his heirs, assignees, successors, and assigns, shall be the Undertakers for carrying this Order into execution.

Limits of pier.

2. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the works by this Order authorised, and the whole lands, accesses, works, and conveniences connected therewith.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations (if any), vertical or lateral, in the plan and section deposited with reference to

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 situation and according to the levels shown on the deposited plan and section, so far as shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier, accesses, and works authorised by this Order.

Description of works.

4. The works authorised by this Order are—

(*a.*) A pier commencing in the parish of Saint John the Baptist, in the Isle of Thanet, in the county of Kent, at a point on the cliff known as Ledge Point, situate between Saint Mildred's Bay and Westgate Bay, such point being 120 yards or thereabouts, measured in a due northerly direction, from the north-western corner of the boundary wall of Ledge Point House to the cliff aforesaid, and extending thence across the foreshore in the parishes of Saint John the Baptist and Acol, or one of them, in the Isle of Thanet, in the county of Kent, seaward in a north-westerly direction for a distance of 1,000 yards or thereabouts from the point of the commencement of the pier above described:

(*b.*) The making, providing, and maintaining in connexion with the said pier of all necessary and convenient shipping and landing places, roads, warehouses, depôts, toll gates or bars, cranes, weighing machines, lifts, buoys, moorings, sewers, drains, and other works and conveniences, and the dredging, scouring, and deepening the bed or shore of the sea near the pier.

Limits of vertical deviation.

5. The Undertakers in constructing the pier may alter and deviate the same vertically (with the consent in writing of the Board of Trade) to any extent within the limits of deviation marked on the deposited plan.

Penalty for obstructing works.

6. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works, or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Rates for warehouses, &c.

7. The Undertakers may demand and recover such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the Undertakers, for the use of which rates are not specially fixed in the Schedule to this Order.

Power to take rates according to Schedule in Order.

8. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the pier and works, demand and receive in respect of vessels, boats, passengers, animals, goods, matters, and things described in the Schedule to this Order any sum not exceeding the several rates specified in the same Schedule.

A.D. 1879.

Westgate.

Further powers as to works and to sell or lease undertaking.

9. The Undertakers may from time to time erect upon or near the piers or landing-places, or the approaches thereto, tramways, toll-houses, seats, waiting, refreshment, reading, concert, and other rooms, and may sell, let, and lease their undertaking and works, or any part or parts thereof, or the tolls, rates, duties, and other charges authorised to be taken by this Order, to such person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise), and under such restrictions and conditions as they think fit; and the purchaser or lessee shall have and may exercise all the same powers of levying and recovering tolls, rates, and dues as the Undertakers have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are subject to under this Order.

Board of Trade may reduce rates.

10. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Annual account to be sent to Board of Trade.

11. The Undertakers, within one month after sending to the clerk of the peace the copy of their annual account and abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

12. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues 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 or works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Pass tickets for use of pier.

13. The Undertakers may grant to passengers, promenaders, and others, pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor used by any person except the person to or for whom it is granted, nor 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, 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.

Power to charge for use of sundry conveniences or services.

14. The Undertakers may charge for the use of any works and conveniences provided by them, or in respect of any services rendered by them other than those specified in the Schedule hereto, such sums as may be agreed upon between the Undertakers and the person desiring to avail himself of such works or conveniences or services, but so that no preference be in any case given to any person.

Exemption of Custom House officers from rates.

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

Lifeboat crew exempt from tolls.

16. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier and works without payment.

Life-saving apparatus may be attached to pier.

17. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Power to make byelaws.

18. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of fishermen and others, and goods and traffic on the pier, approaches, and other works authorised by this Order, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Application of receipts.

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

(1.) In paying the costs of and in connexion with the preparation and making this Order:

(2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the pier and works authorised by this Order:

(3.) The surplus revenue (if any) of the pier and works, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

Portions of Harbours Clauses Act excepted.

20. Sections 16 to 19 inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Vessels not to anchor within certain limits.

21. No vessel or boat shall anchor within the limits to which this Order extends without the consent of the Undertakers or their pier-master.

Vessels not to moor alongside pier without consent.

22. No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier without the consent of the Undertakers or their pier-master.

Restriction on use of pier.

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

Meters and weighers.

24. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

Pier to be deemed within the parish of Birchington.

25. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon, or within the limits of this Order, requiring the cognizance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of Birchington, in the Isle of Thanet, and within the jurisdiction of any justice acting within and for the division of which that parish forms part.

As to lights during construction of works.

26. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights and fog signals to be exhibited or maintained, and shall in all respects obey any direction given upon such application, or afterwards from time to time given, as to lights or fog signals by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to lights or fog signals during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights or fog signals during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

27. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights, and exhibit or maintain in action during foggy weather such fog signal, as shall from time to time be directed by the corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting and fog signalling, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

28. In the following cases; (that is to say,)

(1) If within two years from the date of the passing of the Act confirming this Order, the works authorised by this Order should not be substantially commenced; or

(2) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for

twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

29. 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 consent of the Board of Trade having been first obtained.

Costs of Order.

30. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the Undertakers.

Short title.

31. This Order may be cited as the Westgate Pier Order, 1879.

The SCHEDULE to which the foregoing Order refers.

I.—Rates for Use of 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	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	0	2
For every Bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - - -	0	0	2
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - -	1	0	0

II.—Rates on Passengers Luggage landed, shipped, or transhipped at the Pier.

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

A.D. 1879.

Westgate.

III.—Rates on Vessels coming within the limits specified in the Order.

	£	s.	d.
For every vessel under 15 tons, per ton	0	0	4
For every vessel of 15 tons and under 50 tons, per ton register	0	0	6
For every vessel of 50 tons and under 100 tons, per ton register	0	0	8
For every vessel of 100 tons and under 150 tons, per ton register	0	0	10
For every vessel of 150 tons and upwards, per ton register	0	1	0
All lighters, for each trip	0	0	6
All boats entirely open, landing or taking on board goods, each	0	0	6

IV.—Rates on Goods shipped, transhipped, or unshipped.

Ale, beer, and porter in cask, per 54 gallons	0	0	6
Ale, bottled, per 36 gallons	0	0	4
Ale, bottled, per dozen bottles	0	0	1
Anchors, per cwt.	0	0	9
Anchor stock, per foot run	0	0	2
Bark, per ton	0	2	0
Bedding, per bundle	0	0	3
Beef or pork, per cwt.	0	0	3
Biscuits or bread, per cwt.	0	0	3
Blubber, per 250 gallons	0	3	0
Bones and bone dust, per cwt.	0	1	6
Bottles, per gross	0	0	9
Bricks, per 1,000	0	1	6
Butter and lard, per cwt.	0	0	6
Cables, iron or hempen, per ton	0	3	0
Canvas, per 40 yards	0	0	1
Carriages :			
Chaises and other four-wheeled carriages, each	0	7	6
Gigs, carts, and other two-wheeled carriages, each	0	5	0
Hand-carts and perambulators, each	0	1	0
Casks (empty), not being returned packages, each	0	0	3
Cattle :			
Bulls, cows, and oxen, each	0	3	0
Calves, each	0	1	0
Horses, each	0	4	0
Pigs, each	0	0	6
Sheep, each	0	0	6
Chalk, per ton	0	1	0
Cheese, per cwt.	0	0	4
Chimney pots, each	0	0	3
Clay, per ton	0	1	0
Cloth, haberdashery, &c., per package not exceeding 1 cwt.	0	0	6
Coals, per ton	0	1	0
Copper, per ton	0	3	0
Cordage, per cwt.	0	0	3

	£	s.	d.
Corks, per cwt.	0	0	6
Crystal, per 56 lbs.	0	0	6
Dogs, each	0	0	6
Drugs (in casks, hampers, or boxes), per foot	0	0	2
Earthenware (in crates), per foot	0	0	1
Eggs, per cwt.	0	2	0
Fish (not sold by auction), turbot, brill, halibut, soles, cod, and ling, per cwt.	0	0	3
Fish (not sold by auction), herrings (fresh), per 1,000	0	0	3
„ „ herrings (salt), per cwt.	0	0	3
„ „ oysters, crabs, and lobsters, per half cwt.	0	0	2
„ „ (dried and salted), per cwt.	0	0	3
„ „ (fresh), not enumerated, per cwt.	0	0	2
Fish of all kinds (sold by auction), one pound per cent. upon the gross amount realised by the sale. Any fraction of a shilling to be reckoned as a shilling.			
Flax, per ton	0	2	0
Flour and meal, per 4 bushels	0	0	4
„ „ per cwt.	0	0	3
Furniture (household), per 5 cubic feet	0	0	4
Fruit, per bushel	0	0	4
Glass, per cwt.	0	1	0
Grains and seeds, per 100 lbs.	0	0	1½
Groceries, not enumerated, per cwt.	0	0	6
Guano, per ton	0	1	6
Gunpowder, per cwt.	0	0	6
Hams, bacon, or tongues, per cwt.	0	0	4
Hardware, per ton	0	2	6
Hares and rabbits, per dozen	0	0	4
Hay, per ton	0	1	6
Hemp, per ton	0	2	0
Hides:			
Ox, cow, or horse (wet or dry), each	0	0	2
Ice, per ton	0	2	6
Iron:			
Bar, bolt, rod, and shots, per ton	0	1	6
Pig and old, per ton	0	1	0
Manufactured, per ton	0	2	6
Pots, each	0	0	1
Kelp, per ton	0	2	0
Lead, per ton	0	2	6
Leather (tanned and dressed), per cwt.	0	0	4
Lime, per 28 bushels	0	1	4
Limestone, per ton	0	1	0
Machinery, per ton	0	2	6
Manure (not enumerated), per ton	0	1	0

A.D. 1879.

Westgate.

	£	s.	d.
Masts and spars, 10 inches in diameter and upwards, each	0	4	6
,, under 10 inches, each	0	3	0
Meat (fresh), per cwt.	0	0	6
Milk, per gallon	0	0	0½
Musical instruments, per cubic foot	0	0	1
Nets, per 5 cubic feet	0	0	4
Oakum, per cwt.	0	0	2
Oils, per ton	0	2	0
Oilcake, per ton	0	2	0
Oranges and lemons, per cwt.	0	0	6
Ores, per ton	0	1	0
Paint, per cwt.	0	0	4
Pitch and tar, per cwt.	0	0	6
Potatoes, per cwt.	0	0	2
Poultry and game, per dozen	0	0	4
Rags and old rope, per ton	0	2	0
Sails, per cwt.	0	0	6
Salt, per cwt.	0	0	1
Sand, per ton	0	1	0
Shrimp baskets, each	0	0	2
Skins :			
Calf, goat, sheep, lamb, or dog, per dozen	0	0	6
Slates, per 24 cubic feet	0	2	0
Spirits, per 54 gallons	0	1	0
Spirits, per gallon	0	0	1
Steel, per ton	0	3	0
Stones, per 16 cubic feet	0	1	6
Sugar, per cwt.	0	0	3
Tallow, soap, and candles, per cwt.	0	0	3
Tea, per 56 lbs.	0	1	0
Tiles, per 1,000	0	1	6
Tin and zinc, per ton	0	3	0
Tobacco, per cwt.	0	0	6
Turnips, per ton	0	0	6
Turpentine and varnish, per cwt.	0	0	6
Turtle, each	0	2	6
Vegetables (not enumerated), per cwt.	0	0	4
Vinegar, per 54 gallons	0	0	6
Vitriol, per 36 gallons	0	0	1
Water, per 54 gallons	0	0	3
Wine, per 54 gallons	0	1	0
Wine (bottled), per dozen bottles	0	0	2
Wood :—			
Per 50 feet	0	1	6
Firewood and laths and lathwood, per 216 cubic feet	0	2	0
Spars and oars, per 120	0	5	0

	£	s.	d.
Treenails and wedges, per 1,000	0	2	6
Pipe-staves and others in proportion, per 120	0	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	0	2	0
Wool, per cwt.	0	0	4
Yarn, per cwt.	0	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

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

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.

V.—For the Use of Cranes, Weighing Machines, and Sheds.

1.—*Rates of Craneage.*

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

2.—*Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	0	2

3.—*Shed Dues.*

For each 40 cubic feet of goods, or for each ton of goods, which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per 40 cubic feet or per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day, or part of a day, per package	0	0	2

A.D. 1879.

Whitehall (Stronsay).

WHITEHALL (STRONSAY).

Order for the enlargement, maintenance, and improvement of the Pier and Harbour at Whitehall in the Island of Stronsay and county of Orkney.

Undertakers.

1. Colonel David Balfour, of Balfour and Trenabie, in the county of Orkney, his heirs, assignees, and successors, shall be the Undertakers for carrying this Order into execution.

Limits of Order.

2. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the existing pier and the extension thereof (in the Order referred to together as "the pier"), and the works authorised by this Order, and the accesses, works, and conveniences connected therewith, and the following areas below the line of high water; (that is to say,)

The area between the lands of the said Colonel David Balfour in the Island of Stronsay, and his lands, and Island of Papa, Stronsay, bounded on the east by an imaginary straight line commencing at the extreme low-water mark of Griceness Point in the Island of Stronsay, and drawn true north to the extreme low-water mark at the point of Easthouse in the Island of Papa, Stronsay, and on the west by an imaginary straight line commencing at the extreme low-water mark at the point of Huipsness on the said Island of Stronsay, and drawn in a south-easterly direction to the extreme low-water mark at the point of Outer Grand in the Island of Papa, Stronsay.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plans and sections deposited with reference to this Order as the Board of Trade may require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands belonging to them or acquired under this Order, and in the lines and situation and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the piers, accesses, and works authorised by this Order.

Description of works.

4. The works authorised by this Order are—

(1.) The raising or heightening of the existing pier at Whitehall to the extent of eighteen inches or thereabouts.

(2.) An extension of the existing pier belonging to the Undertakers, commencing at the present seaward or northern termination of that pier, and extending thence seawards in a northerly direction for a distance of one hundred and fifty feet or thereabouts, and there terminating.

(3.) A fish-curing platform commencing at the east side of the southern termination of the existing pier, and extending thence in an easterly

direction for a distance of forty yards or thereabouts, and there terminating.

(4.) A fish-curing platform commencing on the west side of the southern termination of the existing pier, and extending thence in a westerly direction for a distance of forty yards or thereabouts, and there terminating.

(5.) A fish-curing platform at the Lower Station, Whitehall, in connexion with the existing storehouse there belonging to the Undertakers, commencing at a point fifty feet or thereabouts, measuring in a south-westerly direction, from the west end of the said storehouse, and extending thence in an easterly direction for a distance of ninety-three yards or thereabouts, and there terminating.

(6.) A fish-curing platform at Huipsness, in connexion with the existing storehouse there belonging to the Undertakers, commencing at a point sixty feet or thereabouts, measuring in a south-westerly direction, from the west end of the said storehouse, and extending thence in a south-easterly direction for a distance of one hundred and three yards or thereabouts, and there terminating.

(7.) A fish-curing platform upon the Island of Papa, Stronsay, at that part thereof below the farm buildings upon Papa, Stronsay, commencing at a point ninety-five feet or thereabouts, measuring in a southerly direction, from the south end of the said farm buildings, and extending thence in a southerly direction for a distance of ninety yards or thereabouts, and there terminating.

Each fish-curing platform will be situate partly above and partly below high-water mark, and will respectively have a jetty or landing-place for boats.

Each undertaking shall be a separate and distinct undertaking, and all the provisions of this Order shall apply to each undertaking separately in the same manner as if it had alone been authorised by this Order.

Power to maintain and improve works.

5. Subject to the provisions of this Order, the Undertakers may from time to time construct and maintain all warehouses, offices, sheds, weighing-machines, cranes, and other works, buildings, and conveniences which may be found necessary for the accommodation of vessels and traffic landed at the pier, or at any fish-curing platform; and they may also from time to time lay down and maintain rails, tramways, sidings, and turn-tables on and along the pier and other works, and lands connected therewith respectively, and they may dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrances and channels to the pier and works respectively: Provided that no works authorised by this section below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained in writing.

Penalty for obstructing works.

6. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

A.D. 1879.

Whitehall (Stronsay).

Power to levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the harbour, pier, and works, demand and receive in respect of vessels, boats, passengers, animals, fish, goods, matters, and things described in the Schedule to this Order any sum or sums not exceeding the several rates specified in the same Schedule.

Power to compound for rates.

8. The Undertakers may from time to time confer, vary, or extinguish exemptions from, and enter into compositions with any person or persons with respect to, the payment of the rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Board of Trade may reduce rates.

9. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the three last preceding years, after payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall be thereupon reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Rates for use of fish-curing platforms, warehouses, &c.

10. The Undertakers may demand and receive such rates or other consideration as they may think reasonable for the use of any fish-curing platforms constructed under this Order, or for any warehouses, buildings, steam or hydraulic cranes, works, and conveniences belonging to the Undertakers for the use of which rates are not specially fixed in the Schedule to this Order.

Annual account to be sent to Board of Trade.

11. The Undertakers within one month after sending to the sheriff clerk the copy of their annual account in abstract shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

12. 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 or works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of Customs officers.

13. Officers of Customs being in the execution of their duty shall at all times have free ingress to, and passage and egress on, into, along, through, and

out of the pier and works by land, and with their vessels and otherwise, without payment.

Life-boat crew exempt from tolls.

14. All persons going to or returning from any life-boat or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the piers and works without payment.

Life-saving apparatus may be attached to pier.

15. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the piers or works of the Undertakers spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Rates may be leased.

16. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding ten years, to take effect in possession, at the best rent to be reasonably obtained without fine, and on such other 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 rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to make byelaws.

17. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic, for the supply of ballast to vessels and boats, and for the deposit or removal of ballast within the limits of this Order, and on the pier approaches and other works authorised by this Order to be constructed, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Application of receipts.

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

1. In paying the cost of and connected with the preparation and making of this Order:
2. In paying the expenses of the maintenance, repairs, improvement, management, and regulation of the harbour, pier, and works authorised by this Order, and the execution and maintenance of such other works, buildings, sheds, warehouses, wharves, jetties, works, and conveniences as may from time to time be necessary for the improvement of the said harbour, pier, and works, or the accommodation of the shipping resorting thereto, and in payment of the interest of any money borrowed under this

A.D. 1879.

Whitehall (Stronsay).

Order for these purposes, and in or towards repayment of the principal of such money:

3. The surplus revenue (if any) of the harbour, pier, and works, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

Power to borrow.

19. The Undertakers may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of eight thousand pounds, on the security of the rates and dues authorised by this Order, or they may accept and take from any bank or banking company credit to such amount as they deem expedient, not exceeding in the whole the said sum of eight thousand pounds, on a cash-account to be opened and kept in name of the Undertakers according to the usage of bankers in Scotland, and they may assign the rates and dues hereby authorised in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash-account with interest thereon respectively, by dispositions and assignations, which dispositions and assignations, and all transfers thereof, may be in the form as near as may be in the Schedule (B.) annexed to the Burgh Harbours (Scotland) Act, 1853, and shall be recorded in the division of the General Register of Sasines at Edinburgh applicable to the county of Orkney and Shetland, and have preference according to the priority of their registrations therein, except in so far as a pari passu preference may by the dispositions and assignations have been established among all or some of them as being assignations of parts of one capital sum which the Undertakers may by a resolution of a specified date have determined to borrow in parts.

Money to be applied to purposes of Order.

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

Arrears of interest, &c. may be enforced by the appointment of a judicial factor.

21. If within two months after the interest on any mortgages granted by the Undertakers has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) shall not be paid, the holders of such mortgages may, without prejudice to any rights, remedy, or security otherwise competent to or held by them, require the appointment of a judicial factor by an application to be made as herein-after provided.

Appointment of a judicial factor.

22. Every application for a judicial factor under the provisions of this Order shall be made to the sheriff of the sheriffdom of Caithness, Orkney, and Shetland, or any of his substitutes. On any such application the said sheriff, or any of his substitutes, may by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the rates authorised by this Order until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages, together with all costs, including the charges of receiving the said rates, be fully paid. Upon such appointment being made, all such rates as aforesaid shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees; and so soon as the full amount of any interest or principal in arrear and costs has been so

received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear the rates and other moneys which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgages.

Amount to authorise application for judicial factor.

23. The amount to authorise the application for the appointment of a judicial factor shall be eight hundred pounds in one or more mortgages.

Portions of Harbours Clauses Act exempted.

24. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, whenever called upon by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the pier, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation.

Vessels not to anchor within the limits without consent.

25. No vessel or boat shall anchor within the limits to which this Order extends without the consent of the harbour-master.

No vessel to be moored alongside the pier.

26. No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the pier without the consent of the Undertakers or the pier-master.

Meters and weighers.

27. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

Undertakers to be a pilotage authority.

28. Within the limits of this Order the Undertakers shall be a pilotage authority and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Lights to be exhibited during construction of works.

29. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in the place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

Lights after completion of works.

30. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall at the outer extremity of the pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

A.D. 1879.

Whitehall (Stronsay).

Powers to cease in certain events.

31. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works after having been commenced shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving of rights under Crown Lands Act, 1866.

32. 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 consent of the Board of Trade having been first obtained.

Costs of Order.

33. All costs, charges, and expenses of and incident to the preparing for and obtaining this Order, or otherwise in relation thereto, shall be paid by the Undertakers.

34. This Order may be cited as the Whitehall (Stronsay) Pier and Harbour Order, 1879.

The SCHEDULE to which the foregoing Order refers.

I.—Tonnage Duties.

		£	s.	d.
For all steam or other vessels to or from all ports or places in Great Britain or Ireland to load or unload - - - - -	per register ton	0	0	6
For all such vessels windbound or otherwise, and not loading or unloading - - - - -	„	0	0	3
For all vessels to load or unload to or from foreign ports or places - - - -	„	0	0	8
For all such vessels windbound or otherwise, and not loading or unloading - - - - -	„	0	0	4
Each such vessel shall pay for waterage money -	„	0	0	$0\frac{1}{2}$
And for the harbour lights - - - -	each	0	1	0

But if the vessels of the owners of any steam or other vessel engaged in a regular trade with the harbour shall collectively make in any one year from January to December inclusive fifty or more

		£	s.	d.
voyages to or from the harbour, one-half of the above rates shall be leviable on each of such vessels in respect of such year.				
For vessels sailing from the harbour and put back by stress of weather without having accomplished the voyage, no additional rates shall be charged on such return.				

II.—Duties for Boats exclusive of their Cargoes.

Every boat engaged in the herring fishery as a composition in full of tonnage duty for the period of the fishing season, payable in advance		1	5	0
Every boat loading or discharging herrings not paying the aforesaid composition shall on each occasion of entering the harbour pay - -	each	0	2	6
And when windbound or otherwise, and not loading or unloading - - - - -	„	0	1	3
Other boats loading or discharging - - - -	„	0	3	0
Other boats windbound or otherwise, and not loading or unloading - - - - -	„	0	1	6
Other boats when above 15 tons register to be charged according to tonnage dues for vessels as above.				
Each white-fishing boat for season commencing 1st October, and payable annually in advance:—				
If manned by not less than four hands -	„	0	15	0
If manned by less than four hands - -	„	0	7	6
Each boat engaged in the herring fishery shall pay for the period of the fishing season two shillings and sixpence in name of waterage money, and one shilling for light money.				

III.—Rates on Goods, &c.

Ale or beer - - - - - -	per 56 gallons	0	0	4
„ „ - - - - - -	bottled, per 2½ cwt.	0	0	2
Bacon - - - - - -	per ton	0	1	4
Bark - - - - - - - -	„	0	1	0
Beef or pork - - - - -	„	0	1	4
„ „ - - - - - - -	per 224 lbs.	0	0	2
Biscuits - - - - -	per ton	0	1	0
Blocks - - - - -	under 10 inches, per dozen	0	0	3
„ - - - -	10 inches and above, per dozen	0	0	6
Blubber - - - - - - -	per 252 gallons	0	1	0
Boats - - - - - -	each	0	1	0
Bone dust - - - - - - -	per ton	0	0	8
Bones - - - - - -	„	0	0	6
Bottles - - - - - - -	per gross	0	0	2
Bricks - - - -	of all sorts, per 1,000	0	1	0
Brooms - - - - - - -	per dozen	0	0	1

A.D. 1879.

Whitehall (Stronsay).

		£	s.	d.
Butter	per 224 lbs.	0	0	3
Carriages, four wheels	each	0	1	0
„ two „	„	0	0	10
Carts	„	0	0	6
Casks, empty, not being returned packages	„	0	0	3
Cattle, viz.:—				
Bulls	„	0	1	0
Calves	„	0	0	4
Cows and oxen	„	0	0	8.
Horses	„	0	1	0
Pigs	„	0	0	4
Sheep	„	0	0	4
Lambs	„	0	0	2
Chalk	per ton	0	0	8
Cinders	„	0	1	0
Clay, fire, manufactured	„	0	0	6
Clay, common	„	0	0	2
Cloth, haberdashery, &c.	per $2\frac{1}{2}$ cwt.	0	0	2
Clover seeds	per ton	0	2	0
Coals	„	0	0	10
Copper	„	0	1	4
Corks	per $2\frac{1}{2}$ cwt.	0	0	2
Corn, viz.:—				
Wheat and malt	per 100 lbs.	0	0	1
Barley, bere, beans, peas, tares, oats, rye, buckwheat, and Indian corn	„	0	0	2
Crystal	per $2\frac{1}{2}$ cwt.	0	0	2
Dissolved bones and other artificial manures	per ton	0	0	8
Dogs	each	0	0	2
Drugs	per $2\frac{1}{2}$ cwt.	0	0	3
Earthenware	„	0	0	2
Eggs	„	0	0	2
Empty barrels, not being returned	each	0	0	$0\frac{1}{2}$
Feathers	per cwt.	0	0	2
Fish, dried or salted	per ton	0	1	4
„ in pickle and undried	„	0	0	8
„ fresh, brought for sale	for every shilling in value	0	0	$0\frac{1}{2}$
Flax and tow	per ton	0	1	4
Flour	per 280 lbs.	0	0	2
„	per 100 lbs.	0	0	$1\frac{1}{2}$
Geese, alive	each	0	0	$0\frac{1}{2}$
Glass	per $2\frac{1}{2}$ cwt.	0	0	3
Grass seeds	per 100 lbs.	0	0	$0\frac{1}{2}$
Groceries, viz.:—				
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per $2\frac{1}{2}$ cwt.	0	0	3

		£	*s.*	*d.*
Guano and other manures	per ton	0	0	8
Gunpowder	per 100 lbs.	0	0	3
Hardware	per 2½ cwt.	0	0	3
Hares and rabbits	per dozen	0	0	2
Any less quantity		0	0	1
Harrows	per pair	0	0	2
Hay	per ton	0	1	0
Hemp	„	0	1	4
Herrings, fresh	per 37 gall.	0	0	1
„ cured	per 26 gallons	0	0	3
Hides :—				
Ox, cow, or horse, salted or dried	per dozen	0	0	6
Sheep, lamb, or calves skins	„	0	0	3
Hooks, reaping	„	0	0	2
Hoops of wood { Bent, Dutch, per 24 / Straight, per 120 }		0	0	0½
Household furniture, new	per 2½ cwt.	0	0	2
„ „ belonging to parties changing their residences only	per 25 cwt.	0	0	6
Husbandry utensils, not enumerated	per ton	0	1	4
„ „ „ „	per 2½ cwt.	0	0	2
Iron :—				
Bolt, bar, rod, or hoop	per ton	0	1	0
Manufactured	„	0	1	4
Old or pig	„	0	0	8
Kelp	„	0	0	8
Lead, all kinds	„	0	1	4
Leather	per ton	0	1	4
Lime	„	0	1	4
Limestone	„	0	0	3
Lobsters	per dozen	0	0	6
Machinery	per ton	0	1	4
„	per 2½ cwt.	0	0	3
Manures	per ton	0	0	8
Meal	per 280 lbs.	0	0	2
Musical instruments	per 2½ cwt.	0	0	3
Oakum	per ton	0	1	0
Oilcake	„	0	0	8
Oils	per 252 gallons	0	1	0
„	per 36 gallons	0	0	3
Ores :—				
Copper, iron, lead, and other ores	per ton	0	0	8
Paints	„	0	0	8
Peats	„	0	0	3
Pitch	per 36 gallons	0	0	3
Ploughs	each	0	0	2
Porter	per 56 gallons	0	0	4

A.D. 1879.

Whitehall (Stronsay).

		£	s.	d.
Porter, bottled	per 2½ cwt.	0	0	2
Potatoes	per 187 lbs.	0	0	1
"	per ton	0	1	0
Pot barley	per 280 lbs.	0	0	2
Pots, pans, kettles	per ton	0	1	4
Poultry, including pigeons, game, &c.	per dozen	0	0	3
Any less quantity		0	0	1
Rags	per ton	0	4	1
Rape cakes	"	0	0	8
Ropes and cordage, old	"	0	1	8
" "	"	0	1	0
Salt	"	0	0	10
Scythes	per dozen	0	0	3
Seed, flax and rape, in bulk	per 100 lb.	0	0	2½
" garden	per ton	0	1	4
Shellfish	per bushel	0	0	6
Slates, under size	per 1,000	0	0	6
" sizeable	"	0	0	10
" over size	"	0	1	4
Soap	per ton	0	1	8
Snuff	per cwt.	0	0	4
Spades and shovels	per dozen	0	0	3
Spirits	per 56 gallons	0	1	0
Stones, viz. :—				
Rubble	per 16 cubic feet	0	0	2
Hewn ashlar freestone	"	0	0	4
Rough ashlar freestone	"	0	0	3
Pavement, not exceeding 3 inches thick	per 70 feet	0	0	4
Pavement, above 3 inches thick	per 16 cubic feet	0	0	4
Scythe stones	per score	0	0	1
Millstones	each	0	0	8
Steel	per ton	0	1	4
Stucco	"	0	0	6
Sugar	per cwt.	0	0	2
"	per ton	0	1	4
Tar	per 36 gallons	0	0	2
Tea	per 80 lbs.	0	0	4
Tiles, roofing	per 1,000	0	1	0
Tiles or pipes for draining	"	0	1	0
Tin of all kinds	per ton	0	1	3
Tobacco	per cwt.	0	0	4
Treenails, under 2 feet in length	per 1,000	0	0	6
" exceeding 2 feet in length	"	0	1	0
Turnips	per ton	0	0	6
Turpentine	per 36 gallons	0	0	3
Vegetables	per 14 lbs.	0	0	2
Vinegar	per 56 gallons	0	0	6

		£	s.	d.
Vitriol	per 36 gallons	0	0	2
Whalebone	per ton	0	2	6
Wheels	per pair	0	0	4
Whitening	per ton	0	0	6
Wine	per 56 gallons	0	1	0
„ bottled	per 2½ cwt.	0	0	4
Wood of all kinds, for every pound sterling value (including invoice, freight, and duty when landed)		0	0	4
Or, in the option of the Undertakers, the rates following —				
Fir, pine, and other descriptions not enumerated	per 50 feet	0	0	10
Oak or wainscot	„	0	1	0
Firewood	per 216 cubic feet	0	0	4
Lath and lathwood	„	0	2	6
Handspokes	per 120	0	0	10
Oars	„	0	2	6
Spars under 22 feet in length, above 2½ and under 4 inches in diameter	„	0	2	6
Spars 2½ inches in diameter and under	„	0	1	4
Spars 22 feet in length and upwards, and not exceeding 4 inches in diameter	„	0	6	6
Spars of all lengths above 4 and under 6 inches in diameter	„	0	12	0
Spokes of wheels not exceeding 2 feet in length	„	0	0	4
Spokes of wheels exceeding 2 feet in length	per 120	0	0	6
Wedges	per 1,000	0	1	0
Pipe staves and others in proportion	per 100	0	1	0
Lignum-vitæ, fustic, logwood, mahogany, and rosewood	per ton	0	1	4
Wool	per cwt.	0	0	2
Yarn	per ton	0	1	4
Zinc	„	0	1	4
All other goods not particularly enumerated in the above Table—				
Light goods	per 2½ cwt.	0	0	2
Heavy goods	per ton	0	1	4

A.D. 1879.

Whitehall (Stronsay).

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

IV.—Passengers.

For each passenger landing from or embarking on any vessel	0	0	2

V.—Rates for Ballast.

For all ballast supplied by the Undertakers to vessels or discharged from vessels within the harbour	per ton	0	1	0

A.D. 1879.

Whitehall (Stronsay).

VI.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

	£	s.	d.
1. Rates of Craneage:			
All goods of packages not exceeding 1 ton	0	0	4
Exceeding 1 ton and not exceeding 2 tons	0	0	6
Exceeding 2 tons and not exceeding 3 tons	0	0	8
Exceeding 3 tons and not exceeding 4 tons	0	0	10
Exceeding 4 tons and not exceeding 5 tons	0	1	0
Exceeding 5 tons and not exceeding 6 tons	0	1	2
Exceeding 6 tons and not exceeding 7 tons	0	1	4
Exceeding 7 tons and not exceeding 8 tons	0	1	6
Exceeding 8 tons and not exceeding 9 tons	0	1	10
Exceeding 9 tons and not exceeding 10 tons	0	2	4
Exceeding 10 tons	0	3	6
2. Weighing Machines:			
For goods weighed, for each ton or part of a ton	0	0	2
3. Shed Dues:			
For each 40 cubic feet of goods or for each ton of goods which shall remain in the sheds, or on the pier, or other works for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per 40 cubic feet or per ton for each day during which such goods shall remain after the first 48 hours.			
For any portmanteau, trunk, or other article of passengers luggage, for each day or part of a day after the first 24 hours	0	0	2

VII.—EXEMPTIONS.

No rate shall be charged for the following goods, namely:—Returned empty bottles, casks, bags, and packsheets, and goods returned to the original shippers in the original state.

The luggage of each passenger not exceeding two and a half cwt., but for all above the rate of two shillings per ton shall be paid by each passenger.

In weighing and measuring goods for ascertaining the shore dues payable, the weight or measurement of the packages is to be included.

CROMARTY.

Order for the improvement, maintenance, and regulation of the Harbour of Cromarty, in the county of Cromarty; and for Amending the Acts relating thereto.

Order to be read with Harbour Acts.

1. This Order shall be construed with the Act (local) of the twenty-fifth year of George the Third, chapter thirty-nine, so far as that Act is in force at the date of making this Order, and also with the Act of the fourth year of the reign of His late Majesty King William the Fourth, chapter forty-eight, intituled "An Act for preserving and maintaining the Piers and Harbours of Cromarty," (in this Order called "the Act of 1834,") and (except so far as the Act of 1834 is repealed, varied, and amended by, or inconsistent with, this Order, and with the provisions of the Harbours, Docks, and Piers Clauses Act, 1847) the Act of 1834 and this Order shall be read and construed together as one Act or Order.

Appointment of additional trustees of harbour.

2. The persons following, viz., the senior bailie of Cromarty for the time being, and the local or resident factor on the Estate of Cromarty for the time being, and their successors in these offices respectively, shall be additional trustees under the Act of 1834 and this Order, and shall have and may exercise, along with the trustees appointed in the Act of 1834, all the powers and privileges by that Act and by this Order conferred, in the same manner as if the said additional trustees had been appointed in the Act of 1834; and any three trustees shall, for all purposes whatsoever, be a quorum; and the trustees under the Act of 1834 and this Order, and their successors, and the quorum of trustees, are in this Order called "the trustees."

The Undertakers.

3. The trustees shall be the Undertakers for carrying the Act of 1834 and this Order into execution, and shall have and may exercise the powers conferred by the Act of 1834 on the trustees under that Act, or conferred by this Order.

Limits of harbour.

4. The limits of the harbour or port of Cromarty (in this Order called "the harbour"), within which the trustees shall have authority, and within which the provisions of the Act of 1834 and this Order shall extend and be put in force, shall include and comprise the existing harbour, and the piers, quays, beaching ground, and all the works, roads, accesses, and conveniences connected therewith, and the works to be constructed under this Order, and also the area below the line of high-water mark lying within a distance of two hundred yards from any part of the harbour works.

Incorporation of Lands Clauses Acts.

5. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and

the Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to acquire lands, &c. by agreement.

6. For the purposes of the works authorised by this Order, the trustees from time to time may by agreement acquire, enter upon, and use such of the lands and such parts of the foreshore shown on the plans deposited for the purpose of this Order as they think expedient.

Lands for extraordinary purposes.

7. The trustees may purchase for extraordinary purposes such lands and others as they may deem necessary, but not exceeding in the whole two acres.

Power to construct works.

8. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans and sections 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, in the lines and situation and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works authorised by this Order, or such part or parts thereof as the trustees may deem necessary.

Description of works.

9. The works authorised by this Order comprise the following, namely :—

(1.) A bridge eighty feet or thereby in length, to connect the South Pier, locally called the West Pier, of the existing harbour with the southern end of the existing breakwater.

(2.) A landing stage in connexion with and along the seaward or westerly side of the said breakwater, commencing at or near the northern end of the said breakwater, and extending sixty feet or thereby in length, and extending in breadth seaward to twenty-four feet or thereby.

(3.) A second landing stage in connexion with and along the seaward or westerly side of the said breakwater, and commencing at the southern termination of the first landing stage above mentioned, and extending sixty-six feet or thereby in length, and extending in breadth seaward twenty-four feet or thereby.

(4.) To line with fender piling the whole inside face of the said breakwater.

Power to deviate.

10. The trustees may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and may deviate vertically from the levels defined on the deposited sections to any extent not exceeding six feet.

Construction of additional works.

11. The trustees may from time to time divert drains and watercourses, gas and other pipes, and may provide, lay down, and maintain rails, tramways, and others on or along the quays and piers and other works of the harbour and the lands connected therewith, and may provide, maintain, and use such steam engines, cranes, dredges, barges, boats, buoys, mooring posts, weighing machines, machinery, appliances, and conveniences as they may deem necessary for the purposes of the harbour: Provided that no works authorised by this Order below high-water mark shall be commenced without the consent of the Board of Trade having been first obtained.

Penalty for obstructing works.

12. Every person who wilfully obstructs any person acting under the authority of the trustees in setting out the lines of any works which may be executed under the Act of 1834, or which are by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purposes of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Power to take rates in Schedule.

13. At the expiration of one calendar month from the time when both the following certificates have been obtained, namely:—

(1.) A certificate from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given:

(2.) A certificate in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been either completed or so far completed as to afford adequate increased accommodation for the landing and embarking of passengers and goods by means of such works,

then, notwithstanding the 25th section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole works authorised by this Order shall not have been completed, the trustees may, subject to the provisions of this Order, for the use of the harbour, piers, quays, beaching ground for boats, and works, demand and receive in respect of vessels and boats, persons, animals, fish, goods, matters, and things described in the Schedule to this Order any sums not exceeding the several rates specified in that Schedule.

Existing rates to cease.

14. When and so soon as under this Order the trustees shall become entitled to demand and receive the rates specified in the Schedule to this Order, the several rates specified in section 2 of the Act of 1834 shall cease to be demanded or levied.

Rates for use of warehouses, &c.

15. The trustees may demand and receive such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the trustees, for the use of which rates are not specially fixed in the Schedule to this Order.

Debts charged on rates.

16. The rates by this Order authorised shall be liable to and be charged with all the debts, claims, and demands whatsoever to which the rates and moneys leviable and payable under the Act of 1834 shall be subject and liable under the provisions thereof; and all assignments or other securities granted under the authority of the said Act shall be as effectually charged upon the rates by this Order authorised as if such rates had been specifically and expressly conveyed and charged by such assignments or other securities.

Trustees may supply ballast.

17. The trustees may supply ballast for the accommodation of vessels within the harbour, or permit the master or owner of any vessel within the harbour to lift and convey ballast from any place where it may be lawfully obtained, and to use

A.D. 1879.

Cromarty.

the same in ballasting such vessel, on payment to the trustees of such rates as shall from time to time be fixed by them subject to the approval of the Board of Trade; but no rates shall be demanded or received in respect of ballast not supplied by the trustees which may be used in ballasting vessels or boats not exceeding twenty-five tons register.

Certain fishing vessels under stress of weather exempt from rates.

18. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues 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.

Exemption of Custom House Officers from rates.

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

Life-boat crew exempt from tolls.

20. All persons going to or returning from any life-boat or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat, or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the harbour and works without payment.

Life-saving apparatus may be attached to pier.

21. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the piers spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the harbour and works.

Master of fishing vessels to report to collector amount and description of fish.

22. The master of every fishing vessel or fishing boat entering or landing or otherwise disposing of fish within the limits of the harbour, shall report to the collector of rates particulars as to the amount and description of fish brought by him into the harbour, and every such master failing to make such report within four hours after landing the same, or who shall deliver or give any false particulars, shall for every such offence be liable to a penalty not exceeding ten pounds.

Power to vary exemption and to enter into composition.

23. The trustees may from time to time confer, vary, or extinguish exemption from, and enter into composition with any person or persons with respect to, the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Annual account to be sent to Board of Trade.

24. The trustees, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the trustees refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty

pounds, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account.

Rates may be leased.

25. The trustees may from time to time lease the rates authorised by this Order for any period not exceeding ten years, 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 receiving rates and dues as the trustees have or might exercise under the Act of 1834, the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the trustees are made subject by this Order.

Power to compound for rates.

26. In addition to the powers of compounding for and varying rates contained in the Act of 1834 and in the Harbours, Docks, and Piers Clauses Act, 1847, the trustees may from time to time agree, for any time not exceeding one year, with the owners or masters of vessels engaged as regular packets or traders, or with any other persons using the harbour, for the payment of rates and duties less than the rates and duties which the trustees are authorised to levy under this Order as a composition by the year, or such other short period, for such rates and duties: Provided that, besides the persons so compounding or agreeing, all other persons using or frequenting the harbour in the same or similar circumstances may compound for any rates or duties leviable from them under this Order on the like terms as shall be contained in such agreement.

Application of receipts.

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

(1.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the existing harbour and the existing works thereof:

(2.) In paying year by year the interest and arrears of interest on money borrowed before the passing of the Act confirming this Order on the security of the harbour of Cromarty and of the rates and duties authorised by the Act of 1834:

(3.) In paying the costs of and in connexion with the preparation and making of this Order:

(4.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the works authorised by this Order:

(5.) In paying, if and when required, the principal of the money borrowed as aforesaid:

(6.) In paying year by year the interest and arrears of interest on any money borrowed under this Order:

(7.) In paying, if and when required, the principal of any money borrowed under this Order:

(8.) In creating a sinking fund in manner herein-after in this Order specified:

(9.) The surplus revenue (if any) of the harbour which may remain after making the several payments before in the present clause directed,

A.D. 1879.

Cromarty.

shall be applied for the general improvement of the harbour and for no other purpose.

Rates to be revised.

28. The trustees shall keep separate accounts of money received by them for rates under this Order, and shall revise such rates from time to time, so that the income of the trustees under this Order may always be as far as practicable sufficient, and not more than sufficient, for the purposes of the Act of 1834 and this Order, and money received by the trustees for rates under this Order shall be applied only for the purposes of the harbour and works connected therewith, and not for any other purpose.

Power to borrow money.

29. Subject always and postponed to the securities granted for the money borrowed before the passing of the Act confirming this Order, the trustees may from time to time borrow and re-borrow at interest such sums, in addition to the sum of three thousand pounds authorised to be borrowed by the Act of 1834 (of which sum there remains due at present eleven hundred pounds), as may be required for the purposes of this Order, not exceeding in the whole the sum of three thousand five hundred pounds, on security of the harbour and the rates and duties authorised by this Order, or they may accept and take from any bank or banking company credit for any amount not exceeding the said sum of three thousand five hundred pounds, on a cash account to be opened and kept in the name of the trustees according to the usage of bankers in Scotland; and the trustees may grant bonds and assignations of the said rates and duties in security of the repayment of the moneys so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively; and such bonds and assignations, and any transfers thereof, may be in the forms contained in Schedules (B.) and (C.) annexed to the Burgh Harbours (Scotland) Act, 1853, or to the like effect, and shall be recorded in the division of the General Register of Sasines at Edinburgh applicable to the county of Cromarty.

Application of money borrowed.

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

Sinking fund.

31. In order to create a sinking fund for the discharge of the principal money borrowed under the Act of 1834, and remaining unpaid, or under this Order, the trustees shall, in the event of their borrowing otherwise than on the condition of repayment by way of annuity or instalments, yearly set aside the surplus revenue of the harbour, and shall deposit the same in some joint stock bank of issue in Scotland, to be increased by accumulation in the way of compound interest or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof as the trustees may think ought to be then paid off; and the trustees shall then apply such accumulated fund in such payment accordingly, but so that the trustees shall not allow any sum exceeding 500*l.* to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

Payment of arrears of interest and

32. If within two months after the interest on any bond and assignation granted by the trustees has become due, or after the period prescribed for the

payment of the principal sum in any such bond and assignation has expired, such interest or principal, as the case may be, shall not be paid, the holders of such bonds and assignations may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, apply for the appointment of a judicial factor as herein-after provided.

Principal may be enforced by appointment of a judicial factor.

33. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the sheriff of the united counties of Ross and Cromarty, and on any such application the said sheriff, or any of his substitutes, may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order, until the arrears of interest or of principal, or of principal and interest, as the case may be, then due on the outstanding bonds and assignations, with all costs, including the charges of receiving the said rates, be fully paid; and upon such appointment being made the rates shall be paid to and received by the judicial factor, and so soon as the full amount of interest or of principal, or of principal and interest, as the case may be, and costs, has been so received, the power of the judicial factor shall cease; and after payment of the said costs the judicial factor shall distribute among all the holders of the said bonds and assignations to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him, having regard in such distribution to the priorities (if any) of such bonds and assignations.

Appointment of a judicial factor.

34. The amount to authorise the application for appointment of a judicial factor shall be one thousand pounds in one or more bonds and assignations.

Amount to authorise application for judicial factor.

35. Sections 16, 17, 18, and 19, and sections 25 and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, at their own expense, when directed by the Board of Trade, provide, to the satisfaction of the Board of Trade, a site near the harbour, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do, in writing, by the Board of Trade.

Portions of Harbours Clauses Act excepted.

36. No vessel or boat shall, without the consent of the trustees or their harbour-master, anchor within the limits of the harbour.

Vessels not to anchor within certain limits.

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

Meters and weighers.

38. Within the limits of this Order the trustees shall be a pilotage authority and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Trustees to be pilotage authority.

39. Before commencing the works authorised by this Order, the trustees shall apply to the Board of Trade for directions as to the lights, if any, to be exhibited, and shall in all respects obey any direction given upon such applica-

As to lights during construction of works.

A.D. 1879.

Cromarty.

tion, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every statutory requirement as to lights during the construction of the works. If the trustees refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

40. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the trustees shall, at the outer extremity of the works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights, if any, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting; and the trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

41. In the following cases; (that is to say,)

(1.) If within two years from the date of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights under the Crown Lands Act, 1866.

42. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained.

Costs of Order.

43. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the trustees.

Short title.

44. This Order may be cited as the Cromarty Harbour Order, 1879.

SCHEDULE referred to in the foregoing Order.

I.—Rates on Vessels using the Harbour as defined in the foregoing Order.

(1.) Tonnage Duties.

	s.	d.
For all vessels whatever entering the harbour to load or unload, per ton register	0	2
For all vessels, windbound or otherwise, and not loading or unloading, per ton register	0	1

(2.) Duties for Boats, exclusive of their Cargoes.

Every boat engaged in the herring fishery at the port, in full of tonnage duty for the period of the fishing season, payable in advance		10	0
Every boat loading or discharging herrings, not engaged at the port as above, shall on each occasion of entering the harbour pay		1	0
And when windbound		0	6
Other boats loading or discharging	each	1	0
Other boats windbound	„	0	6
Other boats when above twenty-five tons register to be charged according to tonnage dues on vessels as above.			
Each fishing boat engaged in the white fishery :—			
For the season commencing on 1st October, and payable in advance—			
If manned by not fewer than six hands		5	0
If manned by fewer than six hands		3	6
For season commencing on 1st April, and payable in advance		3	6
Each boat engaged in the fishery at the port, laid up or beached at Cromarty from the expiry of the respective fishing seasons until the commencement of the ensuing fishing season, payable in advance		3	6
Each boat not engaged in the fishery at the port, laid up or beached at Cromarty from the expiry of the respective fishing seasons until the commencement of the ensuing fishing season, payable in advance		5	0

II.—Rates on Goods Shipped or Unshipped in the Harbour as defined in the foregoing Order.

Ale and beer of all kinds	per 9 gallons	0	2
Anchors	per ton	2	0
Anvils	per cwt.	0	1
Ashes, all kinds	per ton	1	0
Bacon or hams	per cwt.	0	3
Bark	per ton	2	0
Barley (*see* Corn).			
Shelled or pearl ditto	per cwt.	0	2
Barrels, empty herring	each	0	1
Baskets, small	per doz.	0	4½
Baskets, large	„	0	9
Beef or pork	per cwt.	0	1

A.D. 1879.

			s.	d.
Cromarty.	Biscuits	per cwt.	0	3
	Bones	per ton	1	0
	Bone dust	„	1	0
	Bottles of green or common glass, not less than pints	per gross	0	4
	Bottles, broken	per ton	0	6
	Bran	per 100 lbs.	0	0½
	Bricks	per 1,000	1	0
	Butter	per cwt.	0	3
	Candles	„	0	2
	Carrots	per ton	0	6
	Casks, empty, not being returned packages	each	0	1
	Cattle, viz. :—			
	Bulls, cows, and oxen	„	0	6
	Calves	„	0	3
	Horses	„	1	0
	Pigs	„	0	3
	Sheep	„	0	2
	Lambs	„	0	2
	Cement	per cwt.	0	1½
	Cheese	„	0	2
	Cinders and charcoal	per ton	0	6
	Cloth	per 48 yards	0	1
	Clothiery, silks, hosiery, &c.	per cwt.	0	1
	Coals	per ton	0	6
	Cordage	„	3	0
	Corks	per cwt.	0	1
	Corn, viz. :—			
	Barley, beans, Indian corn, malt, oats, peas, rye, and wheat	per 100 lbs.	0	1
	Earthenware	per cwt.	0	1
	Eggs	„	0	1
	Fish :—			
	Herrings, landed	„	0	2
	Cured herrings, shipped	„	0	2
	Salmon	per ton	1	8
		or per cwt.	0	1
	Salted dry fish	per ton	1	0
	Flax	per cwt.	0	2
	Flour	„	0	1
	Fruit of all kinds	per bushel	0	3
	Game	per cwt.	0	2
	Glass of all descriptions	„	0	1
	Groceries, viz. :—			
	Tea, coffee, sugar, confections, dried fruits, molasses, spices, rice, soap, tobacco, snuff, &c.	„	0	4
	Hay	„	0	1

		s.	*d.*
Hemp, rough	per ton	3	0
Hides	per cwt.	0	4
Hoops :—			
Hoops of wood, all of the size of puncheon hoops, and under	per 1,200	0	9
All above that size	„	1	0
Hoops of iron	per cwt.	0	2
Household furniture	„	0	1
Husbandry utensils	„	0	1
Iron, viz. :—			
Bar, bolt, and rod, plate, sheet, and forged, iron gates, stoves, and other ironmongery, and rails	per cwt.	0	1
Hoop (*see* Hoops).			
Old iron	„	0	0½
Old or broken cast-iron	„	0	0½
Pig iron and unmanufactured iron	per ton	1	0
Kelp	per cwt.	0	1
Lead	„	0	2
Leather, tanned and dressed	„	0	6
Lime	per ton	0	8
Machinery of all kinds	per cwt.	0	1
Manures, including guano, &c.	per ton	1	0
Meal	per cwt.	0	1
Oakum	per ton	4	6
Oil of all kinds	„	3	0
Oilcake	per cwt.	0	1
Peats	per 500	0	1
Pitch	per cwt.	0	1
Potatoes	per ton	1	0
Poultry	each	0	1
Ropes	per ton	2	6
Salt	„	1	0
Saltpetre	„	3	0
Seeds, viz. :—			
Flax and rape	per bushel	0	0½
Clover	per cwt.	0	2
Garden seeds	„	0	2
Hemp and canary	per cwt.	0	1
Rye grass	per 100 lbs.	0	1
Slates	per ton	1	0
Soap	„	2	6
Soda	„	2	6
Spirits	per gallon	0	1
Staves, herring barrel	per 1,000 superficial feet	1	2
Stones, viz. :—			
Rubble	per ton	0	2

		s.	*d.*
Stones—*cont.*			
Hewn ashlar	per ton	0	9
Rough ashlar	„	0	6
Large stones	„	0	6
Causeway stones, dressed	„	0	3
Pavement	„	0	6
Curb	„	0	6
Scythe stones	per score	0	0½
Grindstones	each	0	6
Millstones	each	3	0
Polished granite	per ton	5	0
Sugar, raw	„	2	0
„ refined	„	4	0
Tallow	per cwt.	0	2
Tar	„	0	1
Tares	per 100 lbs.	0	0½
Tiles	per 1,000	1	3
Tin of all kinds	per ton	2	6
Tow	per cwt.	0	2
Turnips	per ton	0	6
Whalebone or whale fins	„	20	0
Wheels, coach or cart	per pair	0	9
Whitening	per ton	1	0
Wine	per gallon	0	1
Wire of all kinds	per cwt.	0	1
Wood of all kinds	per 1*l.* value	0	6
Wool	per cwt.	0	6
Yarn	per ton	3	0

All goods having paid shore dues outwards are exempted from dues when brought inwards, if they be returned goods to the original shipper, and in the original state.

All returned empty boxes, barrels, bags, sacks, and pack sheets are exempted from dues.

All goods not enumerated in the above Schedule to be charged in proportion to other goods of similar bulk and value specified in the above Schedule.

In weighing and measuring goods for ascertaining the shore dues payable, the weight and measurement of the packages is to be included.

III.—RATES ON PASSENGERS AND PASSENGERS LUGGAGE.

For every passenger or other person who shall land from or embark on board of any ship, vessel, packet, or passage boat, for each time a sum not exceeding	0	1
Crews of boats and vessels to be exempt from this rate.		
Articles of the nature and description of luggage, for every cwt. after the first 112 lbs.	0	1

IV.—Rates for supplying Water.

	s.	d.
Water, per 1,000 gallons - - - - - -	10	0
Each boat engaged at the herring or white fishing shall pay for the period of their fishing season in name of water money, payable in advance - - - - - - - -	2	6
Each boat engaged at the herring fishing and each large boat engaged at the white fishing shall pay for the period of their fishing season in name of light money, payable in advance - - - -	5	0
Each small white fishing boat shall pay for light money, payable in advance - - - - - - - -	2	6

FORTROSE.

Fortrose.

Order for the improvement, maintenance, and regulation of the Harbour of Fortrose, in the county of Ross.

The Undertakers.

1. The provost, bailies, dean of guild, treasurer, and remanent members of the town council of the burgh of Fortrose, otherwise the united burghs of Fortrose and Rosemarkie, in the county of Ross, as representing the community of the said burgh or united burghs, shall be the Undertakers of the works authorised by this Order.

Trustees of the harbour.

2. The Undertakers and their successors in office shall be the trustees of the harbour (in this Order called "the trustees"), and shall have and may exercise all the rights, powers, and privileges relating to the harbour which now belong to or are vested in the said burgh or united burghs, as well as all the powers conferred by this Order.

The harbour committee.

3. The trustees may, and they are hereby empowered, at their first meeting after the passing of the Act confirming this Order, and in the month of November in every subsequent year, to appoint a committee consisting of five of their number, of whom one shall be the provost for the time being of the burgh, and the remaining four shall be elected by the trustees present at the meeting; and such committee, subject to the approval and supervision of the trustees, shall have power on behalf of the trustees to carry into effect all the provisions of this Order until the annual meeting in November in the following year.

Limits of harbour.

4. The limits of the Harbour of Fortrose (in this Order called "the harbour") within which the trustees shall have authority, and within which the provisions of this Order shall extend and be put in force, shall include the existing harbour, and the piers, quays, beaching ground, and all the works, roads, accesses, and conveniences connected therewith, and the works to be constructed under this Order, and also the area below the line of high-water mark lying within a distance of 200 yards from any part of the harbour, piers, and works.

Incorporation of Lands Clauses Acts.

5. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and the Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to use or acquire lands, &c. by agreement.

6. For the purposes of the works authorised by this Order, the trustees may from time to time, by agreement, acquire, enter upon, and use such of the lands and such parts of the foreshore shown on the plans deposited for the purpose of this Order as they think expedient.

Lands for extraordinary purposes.

7. The trustees may purchase for extraordinary purposes such lands and others as they may deem necessary, but not exceeding in the whole two acres.

Power to construct works.

8. Subject to the provisions of this Order, and subject also to such alterations, if any, in the said deposited plans and sections 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, in the lines and situation and according to the levels and within the limits of deviation shown on the said deposited plans and sections, make and maintain the works authorised by this Order, or such part or parts thereof as the trustees may deem necessary.

Description of works.

9. The works authorised by this Order comprise:—

A pier commencing at a point at or near the south-west corner of the present harbour works, and extending seawards, in a south or south-easterly direction, for a distance of two hundred and thirty yards, or thereby, having a principal landing stage commencing at the southmost, or seaward end, and extending landwards twenty-two yards in length along said pier, and extending in breadth ten yards, or thereby, and having also an intermediate landing stage, commencing on said pier, one hundred and three yards, or thereby, from the southernmost, or seaward end, and extending landwards for twenty-two yards, or thereby, along said pier, and extending in breadth eight yards.

Power to deviate.

10. The trustees may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and may deviate vertically from the levels defined on the deposited sections to any extent not exceeding six feet.

Construction of additional works.

11. The trustees may from time to time divert drains and watercourses, and gas and other pipes, and may make and provide all necessary approaches, embankments, roads, jetties, wharves, sheds, warehouses; may lay down and maintain rails, tramways, and others on or along the quays and piers and other works of the harbour and the lands connected therewith; may provide, maintain, and use such steam engines, cranes, dredges, water and other pipes, barges, boats, buoys, mooring posts, weighing machines, machinery, appliances, and conveniences as they may deem necessary for the purposes of the harbour; and they may from time to time construct, maintain, alter, and improve the harbour and works and conveniences thereof; and may alter, dredge, deepen, and otherwise improve the entrance channels and waterways of the harbour:

Provided that no works authorised by this Order below high-water mark shall be commenced without the consent of the Board of Trade having been first obtained.

Penalty for obstructing works.

12. Every person who wilfully obstructs any person acting under the authority of the trustees in setting out the lines of any works which are by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purposes of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Power to levy rates.

13. At the expiration of one calendar month from the date when a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, and that the works authorised by this Order, with the exception of the intermediate landing stage, have been completed, the trustees may, subject and according to the provisions of this Order, for the use of the harbour, piers, quays, beaching ground for boats, and works, demand, levy, and receive in respect of vessels and boats, persons, animals, fish, goods, matters and things described in the Schedule to this Order any sums not exceeding the several rates specified in that Schedule..

Old rates to cease.

14. At the expiration of one calendar month from the date when a certificate has been obtained from the Board of Trade under the last preceding section of this Order, all rates, dues, and sums leviable by the trustees in respect of the harbour and works before or at the time of the passing of the Act confirming this Order shall cease to be levied or demanded.

Rates for use of warehouses, &c.

15. The trustees may demand and receive such rates or other consideration as they think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the trustees, for the use of which rates are not specially fixed in the Schedule to this Order.

Debts charged on rates.

16. The rates by this Order authorised shall be liable to and be charged with all the debts, claims, and demands whatsoever to which the rates and moneys at present leviable and payable are subject and liable, and all assignments or other securities granted previous to the passing of the Act confirming this Order shall be as effectually charged upon the rates by this Order authorised as if such rates had been specifically and expressly conveyed and charged by such assignments or other securities.

Trustees may supply ballast.

17. The trustees may supply ballast for the accommodation of vessels within the harbour, or permit the master or owner of any vessel within the harbour to lift and convey ballast from any place where it may be lawfully obtained, and to use the same in ballasting such vessel, on payment to the trustees of such rates as shall from time to time be fixed by them, subject to the approval of the Board of Trade; but no rates shall be demanded or received in respect of ballast not supplied by the trustees which may be used in ballasting vessels or boats not exceeding twenty-five tons register.

.D. 1879.

Fortrosé.

ertain fishing essels under ress of eather exempt rom rates.

18. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues 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.

Exemption of Custom House officers from rates.

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

Life-boat crew exempt from tolls.

20. All persons going to or returning from any life-boat, or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat, or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment.

Life-saving apparatus may be attached to pier.

21. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Masters of fishing vessels to report to collector of rates amount and description of fish.

22. The master of every fishing vessel or fishing boat entering and landing or otherwise disposing of fish within the limits of the harbour, shall report to the collector of rates particulars as to the amount and description of fish brought by him into the harbour, and every such master failing to make such report within four hours after landing the same, or who shall deliver or give any false particulars, shall for every such offence be liable to a penalty not exceeding ten pounds.

Annual account to be sent to Board of Trade.

23. The trustees, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the trustees refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account.

Power to vary exemption and to enter into composition.

24. The trustees may from time to time confer, vary, or extinguish exemption from, and enter into composition with any person or persons with respect to, the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Rates may be leased.

25. The trustees may from time to time lease the rates authorised by this Order for any period not exceeding ten years, 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 rates and dues as

the trustees have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the trustees are made subject by this Order.

Power to compound for rates.

26. In addition to the powers of compounding for and varying rates contained in the Harbours, Docks, and Piers Clauses Act, 1847, the trustees may from time to time agree, for any time not exceeding one year, with the owners or masters of vessels engaged as regular packets or traders, or with any other persons using the harbour, for the payment of rates and duties less than the rates and duties which the trustees are authorised to levy under this Order as a composition by the year, or such other short period, for such rates and duties: Provided that, besides the persons so compounding or agreeing, all other persons using or frequenting the harbour in the same or similar circumstances may compound for any rates or duties leviable from them under this Order on the like terms as shall be contained in such agreement.

Application of receipts.

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

(1.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the existing harbour and the existing works thereof:

(2.) In paying year by year the interest and arrear of interest on money borrowed, if any, before the passing of the Act confirming this Order on the security of the Harbour of Fortrose, and of the rates and duties leviable thereat:

(3.) In paying the costs of and in connexion with the preparation and making of this Order:

(4.) In paying the expenses of the execution, maintenance, repair, improvement, management, and regulation of the works authorised by this Order:

(5.) In paying, if and when required, the principal of the money borrowed, if any, as aforesaid:

(6.) In paying year by year the interest and arrears of interest on any money borrowed under this Order:

(7.) In paying, if and when required, the principal of any money borrowed under this Order:

(8.) In creating a sinking fund in manner herein-after in this Order specified:

(9.) The remaining surplus revenue (if any) shall be applied for the general improvement of the harbour and for no other purpose.

Rates to be revised.

28. The trustees shall keep separate accounts of money received by them for rates under this Order, and shall revise such rates from time to time, so that the income of the trustees under this Order may always be, as far as practicable, sufficient and not more than sufficient for the purposes of this Order, and money received by the trustees for rates under this Order shall be applied only for the purposes of the harbour and works connected therewith, and not for any other purpose.

Power to borrow money.

29. Subject always and postponed to securities granted for money borrowed, if any, before the passing of the Act confirming this Order, the trustees may from time to time borrow and re-borrow at interest such sums as may be required for the purposes of this Order, not exceeding in the whole the sum of three thousand pounds, on security of the harbour and the rates and duties authorised by this Order, or they may accept and take from any bank or banking company credit for any amount not exceeding the said sum of three thousand pounds, on a cash account to be opened and kept in the name of the trustees according to the usages of bankers in Scotland; and the trustees may grant bonds and assignations of the said rates and duties in security of the repayment of the moneys so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively; and such bonds and assignations, and any transfers thereof, may be in the forms contained in Schedules (B.) and (C.) annexed to the Burgh Harbours (Scotland) Act, 1853, or to the like effect, and shall be recorded in the division of the General Register of Sasines at Edinburgh applicable to the county of Ross.

Application of money borrowed.

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

Sinking fund.

31. In order to create a sinking fund for the discharge of the principal money already borrowed, and remaining unpaid, if any, or which may be borrowed under this Order, the trustees shall, in the event of their borrowing otherwise than on condition of repayment by way of annuity or instalments, yearly set aside not less than one half of the surplus revenue of the harbour, and shall deposit the same in some bank in Scotland, to be increased by accumulation in the way of compound interest or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof as the trustees may think ought to be then paid off; and the trustees shall then apply such accumulated fund in such payment accordingly, but so that the trustees shall not allow any sum exceeding five hundred pounds to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

Payment of arrears of interest and principal may be enforced by appointment of a judicial factor.

32. If within two months after the interest on any bond and assignation granted by the trustees has become due, or after the period prescribed for the payment of the principal sum in any such bond and assignation has expired, such interest or principal, as the case may be, shall not be paid, the holders of such bonds and assignations may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, apply for the appointment of a judicial factor as herein-after provided.

Appointment of a judicial factor.

33. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the sheriff of the county of Ross; and on any such application the said sheriff or his substitute may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order until the arrears of interest or of principal, or of principal and interest, as the case may be, then due on the outstanding bonds and assignations, with all costs,

including the charges of receiving the said rates, be fully paid; and upon such appointment being made the rates shall be paid to and received by the judicial factor, and so soon as the full amount of interest or of principal, or of principal and interest, as the case may be, and costs, has been so received, the power of the judicial factor shall cease; and after payment of the said costs the judicial factor shall distribute among all the holders of the said bonds and assignations to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him, having regard in such distribution to the priorities (if any) of such bonds and assignations.

Amount to authorise application for judicial factor.

34. The amount to authorise the application for appointment of a judicial factor shall be one thousand pounds in one or more bonds and assignations.

Portions of Harbours Clauses Act excepted.

35. Sections 16, 17, 18, and 19, and sections 25 and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Trustees to be a pilotage authority.

36. Within the limits of this Order the trustees shall be a pilotage authority and local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Vessels not to anchor within certain limits.

37. No vessel or boat shall, without the consent of the trustees or their harbour-master, anchor within the limits of the harbour.

Meters and weighers.

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

Byelaws.

39. The trustees may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and others, and goods and traffic on the harbour and works, and conveniences pertaining thereto, but such byelaws shall not come into operation until the same shall have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

As to lights during construction of works.

40. Before commencing the works authorised by this Order, the trustees shall apply to the Board of Trade for directions as to the lights, if any, to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

A.D. 1879.

Fortrose.

As to lights after completion of works.

41. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the trustees shall, at the outer extremity of the works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights, if any, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

42. In the following cases; (that is to say,)

(1.) If within two years from the date of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, and also except as to the intermediate landing stage, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

Saving rights under the Crown Lands Act, 1866.

43. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained.

Costs of Order.

44. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in reference thereto, shall be paid by the trustees.

Short title.

45. This Order may be cited as the Fortrose Pier and Harbour Order, 1879.

SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS USING THE HARBOUR AS DEFINED IN THE FOREGOING ORDER.

(1.) TONNAGE DUTIES.

	s.	*d.*
For all vessels whatever entering the harbour to load or unload, per register ton - - - - - - - - -	0	4
For all vessels windbound or otherwise, and not loading or unloading, per register ton - - - - - - - -	0	2

(2.) Duties for Boats, exclusive of their Cargoes.

	s.	d.
Every boat engaged in the herring fishery at the port in full of tonnage duty for the period of the fishing season, payable in advance -	20	0
Every boat loading or discharging herrings, not engaged at the port as above, shall on each occasion of entering the harbour pay -	2	6
And when windbound - - - - - -	1	3
Other boats loading or discharging - - - - each	2	6
Other boats windbound - - - - „	1	6
Other boats when above 25 tons register to be charged according to tonnage dues for vessels as above.		
Each fishing boat engaged in the white fishery:—		
For the season commencing on 1st October, and payable in advance,—		
If manned by not fewer than six hands - - -	7	6
If manned by fewer than six hands - - - -	5	0
For season commencing on 1st April, and payable in advance -	5	0
Each boat engaged in the fishery at the port, laid up or beached at Fortrose from the expiry of the respective fishing seasons until the commencement of the ensuing fishing season, payable in advance -	5	0
Each boat not engaged in the fishery at the port, laid up or beached at Fortrose from the expiry of the respective fishing seasons until the commencement of the ensuing fishing season, payable in advance	10	0

II.—Rates on Goods Shipped or Unshipped in the Harbour as defined in the foregoing Order.

Ale and beer of all kinds - - - -	per 9 gallons	0	2
Anchors - - - - - - -	per ton	2	0
Anvils - - - - - - -	per cwt.	0	1
Ashes, all kinds - - - -	per ton	1	0
Bacon or hams - - - - -	per cwt.	0	3
Bark - - - - - -	per ton	2	0
Barley (*see* Corn).			
Shelled or pearl ditto - - - - -	per cwt.	0	2
Barrels, empty herring - - - - -	each	0	1
Baskets, small - - - - - -	per doz.	0	4½
„ large - - - - - -	„	0	9
Beef or pork - - - - -	per cwt.	0	1
Biscuits - - - - - - -	„	0	3
Bones - - - - -	per ton	1	0
Bone dust - - - - -	„	1	0
Bottles of green or common glass, not less than pints -	per gross	0	4
Bottles, broken - - - - - -	per ton	0	6
Bran - - - - - - -	per 100 lbs.	0	0½
Bricks - - - - - - -	per 1,000	1	0
Butter - - - - - - -	per cwt.	0	3
Candles - - - - - -	„	0	2

Fortrose.

		s.	d.
Carrots	per ton	0	6
Casks, empty, not being returned packages	per each 9 gallon cask	0	1
Other casks in proportion.			
Cattle, viz.:—Bulls, cows, and oxen	each	0	6
Calves	„	0	3
Horses	„	1	0
Pigs	„	0	3
Sheep	„	0	2
Lambs	„	0	2
Cement	per cwt.	0	1½
Cheese	„	0	2
Cinders and charcoal	per ton	0	6
Cloth	per 48 yards	0	1
Clothiery, silks, hosiery, &c.	per cwt.	0	1½
Coals	per ton	0	6
Cordage	„	3	0
Corks	per cwt.	0	1½
Corn, viz.:—			
Barley, beans, Indian corn, malt, oats, peas, rye, and wheat	per 100 lbs.	0	1
Earthenware	per cwt.	0	1½
Eggs	„	0	1½
Fish:—			
Herrings, landed	„	0	1
Cured herrings, shipped	„	0	1
Salmon	per ton	1	8
	or per cwt.	0	1
Salted dry fish	per ton	1	0
Flax	per cwt.	0	2
Flour	„	0	1
Fruit of all kinds	per bushel	0	3
Game	per cwt.	0	2
Glass of all descriptions	„	0	1
Groceries, viz.:—			
Tea, coffee, sugar, confections, dried fruits, molasses, spices, rice, soap, tobacco, snuff, &c.	„	0	4
Hay	„	0	1
Hemp, rough	per ton	3	0
Hides	per cwt.	0	4
Hoops:—			
Hoops of wood, all of the size of puncheon hoops, and under	per 1,200	0	9
All above that size	„	1	0
Hoops of iron	per cwt.	0	2
Household furniture	„	0	1½
Husbandry utensils	„	0	1½

		s.	d.
Iron, viz. :—			
Bar, bolt, and rod, plate, sheet, and forged, iron gates, stoves, and other ironmongery, and rails -	per cwt.	0	1
Hoop (*see* Hoops).			
Old iron - - - - - -	„	0	0½
Old or broken cast-iron - - - -	„	0	0½
Pig iron and unmanufactured iron - - -	per ton	1	0
Kelp - - - - - - -	per cwt.	0	1
Lead - - - - - - -	„	0	2
Leather, tanned and dressed - - - -	„	0	6
Lime - - - - - -	per ton	0	6
Machinery of all kinds - - - -	per cwt.	0	1
Manures, including guano, &c. - - -	per ton	1	0
Meal - - - - -	per cwt.	0	1
Oakum - - - - - -	per ton	4	6
Oil of all kinds - - - -	„	3	0
Oil cake - - - - -	per cwt.	0	1
Peats - - - - - -	per 500	0	1
Pitch - - - - - -	per cwt.	0	1
Potatoes - - - - -	per ton	0	6
Poultry - - - - -	each	0	1
Ropes - - - - -	per ton	2	6
Salt - - - - - -	„	1	0
Saltpetre - - - - -	„	3	0
Seed, viz. :—			
Flax and rape - - - -	per bushel	0	1
Clover - - - - -	per cwt.	0	2
Garden seeds - - - - -	„	0	2
Hemp and canary - - - - -	„	0	1
Rye grass - - - - - -	per 100 lbs.	0	1
Slates - - - - - - -	per ton	1	0
Soap - - - - - - -	„	2	9
Soda - - - - - -	„	2	9
Spirits - - - - -	per gallon	0	1
Staves, herring barrel - -	per 1,000 superficial feet	1	2
Stones, viz. :—			
Rubble - - - - -	per ton	0	2
Hewn ashlar - - - - -	„	0	9
Rough ashlar - - - - -	„	0	6
Large stones - - - - - -	„	0	6
Causeway stones, dressed - - - -	„	0	3
Pavement - - - - - -	„	0	6
Curb - - - - - -	„	0	6
Scythe stones - - - -	per score	0	0½
Grindstones - - - - -	each	0	6
Millstones - - - - -	each	3	0
Polished granite - - - -	per ton	5	0

A.D. 1879.

Fortrose.

		s.	*d.*
Sugar, raw	per ton	2	0
„ refined	„	1	6
Tallow	per cwt.	0	2
Tar	„	0	1
Tares	per 100 lbs.	0	0½
Tiles	per 1,000	1	3
Tin of all kinds	per ton	2	6
Tow	per cwt.	0	2
Turnips	per ton	0	6
Whalebone or whale fins	„	20	0
Wheels, coach or cart	per pair	0	9
Whitening	per ton	1	0
Wine	per gallon	0	1
Wire of all kinds	per cwt.	0	1
Wood of all kinds	per 1*l.* value	0	6
Wool	per cwt.	0	6
Yarn	per ton	3	0

All goods having paid shore dues outwards are exempted from dues when brought inwards, if they be returned goods to the original shipper, and in the original state.

All returned empty boxes, barrels, bags, sacks, and pack sheets are exempted from dues.

All goods not enumerated in the above Schedule to be charged in proportion to other goods of similar bulk and value specified in the above Schedule.

In weighing and measuring goods for ascertaining the shore dues payable, the weight and measurement of the packages is to be included.

III.—Rates on Passengers and Passengers Luggage.

	s.	*d.*
For every passenger or other person who shall land from or embark on board of any ship, vessel, packet, or passage boat, for each time a sum not exceeding	0	1
Crews of boats and vessels to be exempt from this rate.		
Articles of the nature and description of luggage, for every cwt. after the first 112 lbs.	0	2

IV.—Rates for supplying Water.

Water, per 1,000 gallons	10	0
Each boat engaged at the herring or white fishing shall pay for the period of their fishing season in name of water money, payable in advance	2	6
Each boat engaged at the herring fishing and each large boat engaged at the white fishing shall pay for the period of their fishing season in name of light money, payable in advance	5	0
Each small white fishing boat shall pay for light money, payable in advance	2	6

LYBSTER.

Order for the improvement of the Harbour of Lybster, in the parish of Latheron, in the county of Caithness. *Lybster.*

Short title. 1. This Order may be cited as the Lybster Harbour Order, 1879, and this Order and the Lybster Harbour Order, 1874 (in this Order called the Order of 1874), as amended and varied by this Order, shall be read and construed together as one Order, and may be cited collectively as the Lybster Harbour Orders, 1874 and 1879.

Power to construct works. 2. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plan and section deposited with reference to 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 situation and according to the levels shown on the deposited plan and section, so far as the same are shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier, accesses, and works authorised by this Order.

The works authorised by this Order are :—

(1.) A quay along the north side of the existing harbour, commencing at a point twenty-five yards or thereabouts in an easterly direction from the bridge over the stream at the western end of the harbour, and terminating at the eastern side of the existing jetty at the entrance to the harbour, together with an approach road between the said bridge and the commencement of the said quay.

(2.) A sea wall commencing at a point sixteen yards or thereabouts in a south-easterly direction from the south-east corner of the existing harbour, and terminating at or near the eastern end of the existing pier on the south side of the entrance to the harbour.

Power to deviate. 3. The Undertakers may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and vertically from the levels shown on the deposited sections to any extent not exceeding five feet.

Power to maintain and improve harbour. 4. The Undertakers may deepen and excavate the harbour and the entrance thereto, and may make good the ground on the landward side of the said intended sea wall, and may remove the rocks at or near the entrance to the harbour, and may make and maintain in connexion with the aforesaid works all necessary and proper embankments, quays, jetties, roads, bridges, tramways, lights, approaches, wharves, sheds, warehouses, cranes, buoys, beaches for hauling boats, and other works and conveniences, and may divert or stop up roads, drains, and watercourses, provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

A.D. 1879.

Lybster.

Penalty for obstructing works.

5. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Power to take rates according to Schedule in Order.

6. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, and that the works authorised by this Order have been completed, the Undertakers may, subject and according to the provisions of this Order and the Order of 1874, for the use of the harbour and works, demand and receive in respect of vessels, boats, passengers, animals, goods, matters, and things described in the Schedule to this Order any sum not exceeding the several rates specified in the same Schedule, and the third section of the Order of 1874 shall apply to the rates authorised to be levied by this Order.

Rates under Order of 1874 to cease, and certain sections of Order of 1874 repealed.

7. When and so soon as the Undertakers shall become entitled to demand and receive the rates specified in the Schedule to this Order, all the rates specified in the Schedule to the Order of 1874 shall cease to be levied and shall no longer be demanded or received, and sections four and ten of the Order of 1874 shall be and the same are hereby repealed, and section six of that Order shall thereupon be read and have effect as if the annual sum named therein had been one thousand five hundred pounds instead of six hundred pounds, and thenceforth the Undertakers shall no longer be bound by or liable to perform the obligations of the bond referred to in section ten of the Order of 1874, and granted in or about the month of October in the year 1849 by Andrew Snody and the Honourable Robert Dunbar (then trustees for the estate in which the harbour is situate) to the Commissioners for the British White Herring Fishery.

Life-boat crew exempt from tolls.

8. All persons going to or returning from any life-boat, or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the quays, harbour, and works without payment.

Life-saving apparatus may be attached to pier.

9. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier, quays, or works spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets from the quays and over the harbour and works.

Repeal of sect. 13 of Order of 1874.

10. From and after the date of the passing of the Act confirming this Order, section 13 of the Order of 1874 shall be and the same is hereby repealed.

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

11. Sections 6 to 11, both inclusive, 16 to 19, both inclusive, and sections 25 and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order or the Order of 1874, but the Undertakers shall, whenever directed by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the pier, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

As to lights during construction of works.

12. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

13. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of and within the harbour and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights, and in such position or positions, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers to cease in certain events.

14. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

15. 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 the limits affected by any such

A.D. 1879. rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.

Lybster.

SCHEDULE to which the foregoing Order refers.

I.—Dues on Vessels.

	£	s.	d.
For every vessel each time of entering the harbour:			
If under the burden of fifteen tons, per ton measurement -	0	0	1
From fifteen tons to forty-five tons register, per ton register -	0	0	3½
From forty-five tons register upwards, per ton register - -	0	0	7
For vessels coming in ballast, per ton register - - -	0	0	3½
(But no vessel having a part of a cargo or any article cleared out at a custom house shall be considered in ballast.)			
For any vessel that may remain in the harbour for a longer period than ten days at any one time during the fishing season from fifteenth May to eleventh November, one additional tonnage rate not exceeding the amount of the above rates shall be paid.			
For any vessel that may lie up or winter in the harbour, per ton register - - - - - -	0	0	10½
For all such vessels, wind-bound or otherwise, and not loading or unloading, per ton register - - - -	Half of above rates.		
Steam vessels carrying goods or passengers to pay the same rates as sailing vessels.			
For harbour lights (if any) under clause 13, each vessel - -	0	1	0

II.—Dues on Boats using the Harbour.

For every boat using the harbour during the fisbing season, which shall be held as commencing on fifteenth May and terminating eleventh November in each year, there shall be paid as harbour dues - - - - - - -	1	5	0
For every boat using the harbour during the white fishing and winter herring fishing season, which shall be held as commencing eleventh November and terminating fifteenth May in each year, there shall be paid as harbour dues - - - -	0	15	0
For every boat that may lie up or winter in the harbour -	0	7	6
For every boat, whether wind-bound or otherwise, each time of entering the harbour (except those paying the above compositions) - - - - - -	0	2	6

III.—Dues on Cargoes, Shipped or Unshipped.

For salt or coal, per ton - - - - -	0	0	7
For lime, per cwt. - - - - -	0	0	0½
For meal or flour, per 140 lbs. - - - -	0	0	1¾
For grain, per 100 lbs. - - - - -	0	0	0¾

	£	s.	d.
For potatoes, per 5 cwt. - - - - -	0	0	3½
For all kinds of wood, exclusive of staves and hoops, one and a half per centum on price.			
For staves (herring and haddock barrel), per 1,000 - -	0	1	6
For hoops, viz.:			
Each 120 whole barrel hoops - - - -	0	0	0¾
Each 180 half barrel hoops - - - -	0	0	0¾
Each 240 whole pink hoops - - - -	0	0	0¾
Each 300 half pink hoops - - - -	0	0	0¾
Each 120 hoops of any other description - - -	0	0	0¾
For cement, per ton - - - - -	0	1	6
For slates, per 1,000 - - - - -	0	1	9
For tiles, per 1,000 - - - - -	0	0	10½
For ale or beer, per 36 gallons - - - -	0	0	3½
For cured herrings or other fish, per 320 lbs. - -	0	0	1¾
For empty barrels, each - - - - -	0	0	1
For bark in bulk, per ton - - - - -	0	1	9
For Cutch bark, per ton - - - - -	0	2	7½
For hemp, per ton - - - - -	0	1	9
For bricks, per 1,000 - - - - -	0	1	9
For burnwood, per ton - - - - -	0	1	2
For freestone, per ton - - - - -	0	0	7
For pavement, per ton - - - - -	0	0	7
For tar, per cwt. - - - - - -	0	0	2¼
For oil cake, per ton - - - - -	0	0	7
For manures, per ton - - - - -	0	0	7
For other articles or commodities not specially named, per 5 cubic feet - - - - - - -	0	0	3½
For cattle, viz.:—			
Bulls, cows, and oxen, each - - -	0	1	0
Calves, each - - - - - -	0	0	6
Horses, each - - - - - -	0	1	6
Pigs, each - - - - - -	0	0	6
Sheep and lambs, each - - - - -	0	0	1
Dogs, each - - - - - -	0	0	6
Other animals not here specified, each - - -	0	0	2

Goods transferred from one vessel to another within the harbour without being landed on quays to pay same rates as if landed.

EXEMPTIONS.

1. All returned empty boxes, barrels, sacks, and packages.

2. Passengers luggage not exceeding ten cubic feet. All above to pay the ordinary rates.

3. The furniture and luggage of fishermen coming to and returning from the herring fishing at the commencement or end of the fishing season.

4. Dogs used by servants in charge of live stock.

A.D. 1879.

Lybster.

IV.—Rates for the use of Cranes and Weighing Machines.

Cranes.

	£	s.	d.
All goods or packages not exceeding 1 ton	0	0	7
Exceeding 1 ton and not exceeding 2 tons	0	0	10½
Exceeding 2 tons and not exceeding 3 tons	0	1	2
Exceeding 3 tons and not exceeding 4 tons	0	1	5½
Exceeding 4 tons and not exceeding 5 tons	0	1	9
Exceeding 5 tons and not exceeding 6 tons	0	2	0½
Exceeding 6 tons and not exceeding 7 tons	0	2	4
Exceeding 7 tons and not exceeding 8 tons	0	2	7½
Exceeding 8 tons and not exceeding 9 tons	0	3	2½
Exceeding 9 tons and not exceeding 10 tons	0	4	1
Exceeding 10 tons	0	6	1½
Or in lieu of the above rates—			
For each hour or part of an hour	0	1	9

Weighing Machines.

For goods weighed, for each ton or part of a ton	0	0	3½

V.—Gangways.

For each horse	0	1	3¾
For each bull, cow, ox, or calf	0	0	10½
For each score or part of a score of sheep or lambs	0	0	10½
For each pig or other animal not here specified	0	0	5¼

VI.—Shed Dues.

For each 40 cubic feet of goods, or for each ton of goods, which shall remain in the sheds or on the pier for a longer time than 48 hours, for the first day or part of a day	0	0	5¼
And for each day thereafter, per 40 cubic feet or per ton	0	0	2½
For each portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day	0	0	3½

VII.—Ballast Dues.

Receiving, per ton	0	1	5½
Discharging, per ton	0	1	2

PENZANCE.

Order for the construction, maintenance, and regulation of a Floating Dock, Quays, and other Works for the improvement of the Harbour of Penzance, in the county of Cornwall.

Order to be read with existing Harbour Acts.

1. This Order shall be construed with the following Acts (in this Order referred to as "the Harbour Acts"); that is to say, the Act 57 George Third, chapter 31, intituled "An Act for fixing the dues, duties, and payments for all "goods, wares, and merchandise landed on or shipped from the pier or quay of the "town of Penzance, in the county of Cornwall, and on all ships and vessels "resorting to the said pier or quay or to the harbour of Penzance" (which Act is in this Order called the Act of 1817), and with the Act 3 & 4 Victoria, chapter 72, intituled "An Act to amend an Act of the fifty-seventh year of King "George the Third, intituled 'An Act for fixing the dues, duties, and payments "'for all goods, wares, and merchandise landed on or shipped from the pier or "'quay of the town of Penzance, in the county of Cornwall, and on all ships and "'vessels resorting to the said pier or quay or to the harbour of Penzance,' and "for making and maintaining an additional pier and dock within the said "harbour," which last-mentioned Act is in this Order called the Act of 1840; and the Act of 1817, except so far as altered or repealed by the Act of 1840, and the Act of 1840, except so far as altered or repealed by this Order, and this Order shall be read and construed together as one Act or Order.

The Undertakers.

2. The mayor, aldermen, and burgesses of the borough of Penzance in the county of Cornwall (in this Order referred to as the Corporation), acting by the council of the said borough, shall be the Undertakers of the works authorised by this Order, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Limits.

3. The limits within which the Corporation shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the dock and other works to be constructed under this Order, with all works and conveniences connected therewith, and also the existing tidal harbour of the Corporation, which limits are in this Order referred to as the limits of this Order.

Incorporation of Lands Clauses Acts.

4. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, shall be incorporated with this Order.

Power to take specified lands by agreement.

5. For the purpose of the works authorised by this Order the Corporation may from time to time, by agreement, enter on, take, and use all or any part of the lands, foreshore, and hereditaments shown on the deposited plans as they may think requisite for the purposes of this Order.

Lands for extraordinary purposes.

6. The Corporation may purchase and hold for extraordinary purposes any land not exceeding in the whole two acres.

A.D. 1879.

Penzance.

Power to make works.

7. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Corporation may on the lands now belonging to them and on the lands taken by them under this Order, or on any of such lands, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works authorised by this Order.

Description of works.

8. The works authorised by this Order comprise the following works situate within the tidal harbour of Penzance and in the borough of Penzance, and chapelry of St. Mary's, Penzance, and parish of Madron, in the county of Cornwall; (that is to say,)

(1.) A floating dock, intended to occupy a space of three acres or thereabouts, and to be situate in the southern corner of the said tidal harbour, and to be formed by the construction of the following quays, walls, or embankments; viz., a quay wall or embankment, commencing at or near a point one hundred and twenty yards from the lighthouse at the eastern end of the extension of the old or south pier, thence extending in a south-westerly direction alongside the said pier for a distance of ninety yards or thereabouts, thence extending in a westerly direction alongside the said existing pier for a distance of ninety yards or thereabouts, thence extending in a northerly direction for a distance of one hundred and fifty yards or thereabouts, and thence extending in an easterly direction for a distance of one hundred and thirty yards or thereabouts, and thence extending in a south-easterly direction for a distance of ninety yards or thereabouts, with an opening therein of fifty feet at a distance of thirty yards from the existing southern pier:

(2.) A quay wall or embankment, commencing by a junction with the north-western corner of the quay walls of the intended dock, thence extending for a distance of seventy-five yards or thereabouts in a northerly direction, with an opening therein of thirty-six feet and a swing-bridge over the same:

(3.) A viaduct, commencing at the termination of the intended quay wall or embankment lastly described, and thence extending in a northerly direction for a distance of one hundred and twenty yards, with a swing-bridge in connexion therewith:

(4.) A quay wall, embankment, or roadway, commencing at the termination of the viaduct, and thence extending for a distance of one hundred and sixty yards in a north-easterly direction to its termination with the northern wharves or quays of the Corporation at a point twenty yards or thereabouts from the stairs or landing-place adjoining the foundry in the occupation of Messrs. Nicholas Holman and Sons:

(5.) A retaining wall, commencing by a junction with the quay wall or embankment last described at its commencement, and thence running in a westerly direction for a distance of sixty yards or thereabouts, to and terminating on the shore:

(6.) The removing of so much of the western wall of the harbour as will be rendered unnecessary by the construction of the intended dock:

(7.) All necessary and convenient entrances, gates, swing-bridges, caissons, culverts, roads, approaches, slips, quays, shipping-places, stairs, stages, wharves, sheds, railways, tramways, cranes, drops, dolphins, buoys, walls, warehouses, buildings, and conveniences in connexion with the intended works or any of them, or any part or parts thereof respectively.

Power to deviate.

9. The Corporation may, in constructing the dock and works, alter and deviate the same (with the consent in writing of the Board of Trade) to any extent within the limits of deviation marked on the deposited plan.

Penalty for obstructing works.

10. Every person who wilfully obstructs any person acting under the authority of the Corporation in setting out the lines of the works by this Order authorised, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or effaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds.

Powers to dredge, &c. with consent of Board of Trade.

11. The Corporation may from time to time, for the purposes of this Order, dredge, scour, and deepen the bed of their tidal harbour and the approaches thereto, and to the dock and works authorised by this Order, but so that any works under this clause of this Order, below the line of high-water mark, shall not be commenced without the consent in writing of the Board of Trade having been first obtained, nor be executed otherwise than in the form and manner approved in writing by the Board of Trade.

Corporation may provide steam-engines, dredgers, &c.

12. The Corporation may provide, maintain, and use such steam-engines, steam-vessels, piling-engines, steam and other cranes, diving-bells, dredgers, ballast-lighters, barges, boats, buoys, mooring-posts, mooring-craft, weighing-machines, warps, warping ropes, tackle, machinery, appliances, and conveniences as they think proper for carrying on the business of their harbour, docks, and works, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Corporation may provide and license steam-tugs.

13. The Corporation may from time to time build, purchase, contract for or hire, and may maintain, use, and let steam-tugs or other power for the use and accommodation of vessels frequenting their harbour, dock, and works, and may also from time to time license such number of steam-tugs or other power belonging to any person for such period and on such terms and conditions as they think fit.

Charges for steam-tugs.

14. The Corporation may from time to time, with the approval of the Board of Trade, fix such rates or charges as appear to them reasonable for or in respect of the use of such steam-tugs or other power maintained, used, and let or licensed by them, and such rates or charges shall be paid by the owner, agent, master, consignee, or other person having charge of the vessel obtaining the assistance of such steam-tug or other power to the Corporation, or to their lessee, or to the person with whom they may contract, or to the owner of such steam-tug or other power, if licensed by the Corporation, as the

A.D. 1879.

Penzance.

case may be, and such rates and charges shall be due and payable whether such steam-tug or other power shall be actually employed or not, provided the assistance thereof shall have been required, and shall in consequence of a requisition have been tendered by the master or other person having the command of such steam-tug or other power.

Power to take rates, dues, &c. in Schedule.

15. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Corporation may, subject and according to the provisions of this Order, for the use of the harbour, pier, dock, and works and conveniences connected therewith, demand and take in respect of the vessels, goods, wares, merchandise, and things described in the Schedule to this Order any sums not exceeding the rates, dues, and duties in the said Schedule mentioned or referred to.

Rates may be levied though works not completed.

16. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Corporation, that the works authorised by this Order have been so far completed as to afford increased accommodation for vessels, or for the shipping and unshipping of goods by means of such works, then, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, the Corporation may demand and receive such of the rates or such proportion of all or any of the rates specified in the Schedule to this Order as shall by the officer certifying under this section be stated in his certificate to be commensurate to the increased accommodation afforded.

Repeal of parts of Acts of 1817 and 1840.

17. When and so soon as the Corporation shall become entitled to receive the rates or any part of the rates specified in the Schedule to this Order, section seven of the Act of 1817 and section forty-seven of the Act of 1840 shall be and the same are hereby repealed.

Powers to take rates, &c. for use of warehouses, &c.

18. The Corporation may demand and take such rates or other considerations as they think reasonable for the use of any warehouses, sheds, rooms, cranes, works, and conveniences for the use of which rates are not specially fixed by the Schedule to this Order.

Annual account to be sent to Board of Trade.

19. The Corporation, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade; and section sixteen of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Corporation refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

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 dues 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.

Custom-house officers.

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

Life-boat crew, coastguard, &c.

22. All persons going to or returning from any life-boat or using any apparatus for saving life, and being persons either belonging to the crew of the life-boat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the life-boat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the dock and works without payment.

Life-saving apparatus may be attached to pier.

23. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, attach or cause to be attached to any part of the pier, dock, or works, spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over or in the harbour, pier, dock, or works.

Power to borrow money.

24. The Corporation may from time to time borrow at interest such money as may be required for carrying into effect the purposes of this Order, not exceeding in the whole the sum of twenty-five thousand pounds, on the security of the dock and works, and the rates, dues, and duties authorised by this Order and the Harbour Acts, or of either of them; and any money borrowed under the provisions of this Order which shall become charged on the rates, dues, and duties authorised by this Order, and shall be discharged otherwise than by means of the sinking fund in this Order mentioned, may be re-borrowed from time to time if required for the purposes of this Order.

Former mortgages, &c. to have priority.

25. All mortgages and bonds granted by the Corporation, and which shall be subsisting at the time of the passing of the Act confirming this Order, and all mortgages hereafter granted by the Corporation under the powers of the Harbour Acts or any other Act relating to the Corporation, and passed before the passing of the Act confirming this Order, shall during the continuance of such mortgages and bonds, and as to the rates or property comprised therein, have priority over all mortgages or other securities to be granted, created, or issued by virtue of this Order.

Application of money borrowed.

26. Every part of the money borrowed under this Order shall be applied only in payment of the costs, charges, and expenses of and incidental to obtaining this Order and for the other purposes of this Order, and the Corporation may apply to such purposes, or any of them, any of the moneys which they now have in their hands or which they have power to raise under the Harbour Acts, and which may not be required for the purposes to which they are by such Acts made specially applicable.

A.D. 1879.

Penzance.

Application of rates and income.

27. The Corporation shall apply all the rates, dues, and duties received under this Order for the purposes and in the order following, and not otherwise; (that is to say,)

(1.) In paying the costs of and connected with the preparation and making of this Order, so far as the same may not be paid out of moneys borrowed under this Order:

(2.) In paying the expenses of the maintenance, repair, management, and regulation of the harbour, pier, dock, and works:

(3.) In paying year by year the interest accruing on money borrowed under this Order, or otherwise becoming a charge on the rates, dues, and duties received under this Order:

(4.) In paying the costs of the works authorised by this Order:

(5.) In payment of principal money borrowed, or in creating a sinking fund for that purpose, in the manner and, so far as the nature and circumstances of the case will admit, in the proportion directed by the Commissioners Clauses Act, 1847:

(6.) In repayment to the Corporation of all sums advanced or expended by the Corporation on or after the first day of January one thousand eight hundred and seventy-three for the purposes of the harbour or any works connected therewith, together with interest on such sums at the rate of four per cent. per annum from the date of advance, or of so much of such sums and interest as remains due:

(7.) The surplus (if any) shall be applied for the general improvement of the harbour, pier, dock, and works, or for other shipping purposes connected with the harbour.

Separate accounts to be kept, and rates to be revised.

28. The Corporation shall keep separate accounts of the moneys received and expended by them in respect of the harbour, and shall from time to time revise the rates and duties received by them under the Harbour Acts and this Order, so that the total produce thereof may always be, as far as practicable, sufficient and not more than sufficient to meet the payments and expenditure authorised by the Harbour Acts and this Order.

Power to make and alter byelaws.

29. The Corporation may make, and from time to time alter, byelaws for the purpose of levying the said rates, dues, and duties payable under this Order, and for the regulation and control of the persons, vessels, boats, goods, and traffic on the dock and works authorised by this Order, but byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

To appoint meters, weighers, and other officers.

30. The Corporation shall have the appointment of meters and weighers and other officers on and in connexion with the harbour, pier, dock, and works.

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

31. Sections sixteen to nineteen inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; but the Corporation shall at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide

such accommodation after having been required so to do by the Board of Trade.

As to lights during the construction of works.

32. Before commencing the works authorised by this Order, the Corporation shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Corporation refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works.

33. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Corporation shall, at the outer extremity of the harbour and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Corporation shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Powers of Order to cease in certain cases.

34. In the following cases; (that is to say,)

(1.) If within three years from the date of the passing of the Act confirming this Order the works authorised by this Order shall not be substantially commenced; or

(2.) If such works, after having been commenced, shall be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Powers to Corporation and Great Western Railway Company to enter into agreements.

35. The Corporation and the Great Western Railway Company may from time to time enter into and carry into effect agreements and arrangements for or with respect to the construction, use, maintenance, and working of railways or tramways to connect the works of the Corporation with the railways of the Great Western Railway Company in the Penzance station, and all incidental matters, on such terms and conditions, pecuniary and otherwise, as they from time to time think fit.

Saving rights under Crown Lands Act.

36. 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 the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

A.D. 1879.

Penzance.

Saving for the Duchy of Cornwall.

37. The consent of His Royal Highness the Prince of Wales, in right of his Duchy of Cornwall, signified to this Order, shall not be taken as a consent to the surrender of, and nothing in this Order contained shall prejudice or affect, any property, rights, powers, authorities, or privileges of His Royal Highness, or of the possessor of the Duchy of Cornwall for the time being.

Saving rights of the Corporation.

38. Except as in this Order is otherwise expressly provided, nothing in this Order contained shall extend or be construed to extend to take away, alter, abridge, infringe, lessen, or interfere with any of the estates, rights, interests, powers, privileges, authorities, or jurisdictions of the Corporation.

Costs of Order.

39. All the costs, charges, and expenses of and incidental to the obtaining of this Order, or otherwise in relation thereto, shall be paid by the Corporation.

Short title.

40. This Order may be cited as the Penzance Harbour Order, 1879.

SCHEDULE to which the foregoing Order refers.

RATES ON VESSELS USING THE DOCK.

	s.	*d.*
For all vessels using the dock (in addition to the harbour rates or dues) - - - - - per registered ton	0	2
And if any such vessel remains in the dock for a longer period than one month, then for the period during which the same remains beyond that period the further rates following; (that is to say,)		
For every week or part of a week - per registered ton	0	1

RATES ON GOODS SHIPPED OR UNSHIPPED IN THE DOCK.

Wheat (in addition to harbour dues) - - per 100 lbs.	0	0¼
All other goods, wares, merchandise, and other things (ballast excepted) the like amount of rates, dues, and charges, determined conformably to the Weights and Measures Act, 1878, as the Corporation are empowered to demand and take in respect of the landing, discharging, or shipping of like goods, wares, merchandise, and other things in any other part of the harbour, and an additional sum of twenty-five per centum on the amount of such harbour rates and dues.		

Torquay.

TORQUAY.

Order for the construction, maintenance, and regulation of a Pier at Torquay, in the county of Devon.

Undertakers.

1. The Torquay Promenade Pier Company (Limited), in this Order called "the Company," shall be the Undertakers of the works authorised by this Order.

Incorporation of Lands Clauses Act.

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

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order, the Company may from time to time, by agreement, enter on, take, and use all or 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 and works, and the conveniences connected therewith.

Lands for extraordinary purposes.

4. The Company may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole five acres.

Power to make works.

5. 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 (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorised by this Order.

Description of works authorised.

6. The works authorised by this Order comprise the following:—

A promenade pier, jetty, and landing-place, with all proper works and conveniences suitable for the embarking and landing of passengers, and for other purposes, in the parish of Tormoham, otherwise Tormoham with Torquay, in the county of Devon, and on the foreshore and bed of the sea adjoining that parish, commencing at a point on the north side of the New Road, distant ten chains or thereabouts in a westerly direction from the south-west corner of Cumper's Hotel, on the New Road aforesaid, and extending thence seaward in a south-westerly direction for a distance of nine hundred feet or thereabouts. The pier shall not be constructed of masonry or otherwise as a solid pier, but shall be constructed on iron or wooden piles.

Power to levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and other works, demand and receive in respect of the persons and things in the Schedule to this Order specified any sums not exceeding the rates in that Schedule mentioned.

Board of Trade may reduce rates.

8. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum

A.D. 1879.

Torquay.

per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the Schedule to this Order.

Annual account to be sent to Board of Trade.

9. The Company, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Company may contract with persons for the use of pier.

10. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier on such terms and for such periods not exceeding one year as are agreed on, but so that no preference be given to any person. 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 act in any way in contravention of this provision, or use or attempt 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.

Certain fishing vessels under stress of weather exempt from rates.

11. 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 and works authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

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.

Lifeboat crew exempt from tolls.

13. All persons going to or returning from any life-boat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier without payment.

Life-saving apparatus may be attached to the pier.

14. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

15. The Company may provide such steam engines, 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.

Steam engines, diving bells, lighters, &c.

16. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen inclusive, and twenty-one to twenty-four inclusive.

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

17. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

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

18. Except as is by this Order otherwise expressly provided, the pier and works by this Order authorised shall be used exclusively for recreation and for the embarking and landing of passengers and passengers luggage, and it shall not be lawful for the Company or any person to use the pier and works for the shipping or unshipping of animals, merchandise, or goods.

Restriction on use of pier.

19. Before commencing the works authorised by this Order, the company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works. If the Company refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works, they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights during the construction of the works.

20. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

As to lights after completion of the works.

21. The Company shall at all times keep at the outer extremity of the pier a Kisby life-buoy and line in good order, and fit and ready for use.

Kisby life-buoy to be kept.

22. The pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon requiring the cognizance of any justices of the peace, be deemed and taken to be within or as forming part of the parish of Tormoham otherwise Tormoham with Torquay, and within the jurisdiction of the justices of the peace for that division of the county of Devon.

Pier to be deemed within parish of Tormoham.

23. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

Powers to cease in certain events.

A.D. 1879.

Torquay.

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works or otherwise in relation thereto shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

24. 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 Duchy of Cornwall.

25. The consent of His Royal Highness the Prince of Wales, in right of his Duchy of Cornwall, signified to this Order, shall not be taken as a consent to the surrender of, and nothing in this Order contained shall prejudice or affect, any property, rights, powers, authorities, or privileges of His Royal Highness or of the possessor of the Duchy of Cornwall for the time being.

Company to make good damage to Torquay Harbour.

26. If by reason of any of the works or operations of the Company any damage or loss shall be occasioned to the existing Torquay Harbour, or to the owner thereof for the time being, the Company shall make good to such owner all such damage or loss: Provided that if any difference shall arise between the Company and such owner as to the liability of the Company under this section, such difference shall be determined by an arbitrator to be on the application of either party appointed by the Board of Trade, and all the costs of the reference shall be in the discretion of the arbitrator. And the Company shall pay to such owner the amount of damage and costs (if any) directed to be paid to him by the award of such arbitrator, and such owner shall pay to the Company the amount of all costs (if any) directed to be paid to them by the award of such arbitrator.

For the protection of the Torquay Local Board of Health.

27. This Order shall not authorise the Company to erect any bridge, arch, or other erection or building over the Torbay Road, herein-before in this Order called the "New Road," or to take, use, or interfere with such road or the footway or sea wall or fence adjacent or belonging thereto, or any part or parts thereof, or any portion of the ground above high-water mark, without the consent in writing of the Torquay Local Board of Health first obtained.

Costs of Order.

28. All the costs, charges, and expenses of and incidental to the obtaining of this Order, and otherwise in relation thereto, shall be paid by the Company.

Short title.

29. This Order may be cited as the Torquay Promenade Pier Order, 1879.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding - - -	0	6
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time any sum not exceeding -	0	4
For every Bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - -	0	6
For every perambulator, for each and every time any sum not exceeding - - - - - - - - -	0	2
For every master of any vessel, boat, or wherry 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

II.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or 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

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1879.