CHAPTER ccxvi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Aldborough, Baltimore and Skibbereen, Carlingford Lough, Chatham, Cromer, Cullen, Dawlish, Eyemouth, Fraserburgh, Hove, and Newlyn. A.D. 1884.

[7th August 1884.]

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 as 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, 1884.

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THE SCHEDULE OF ORDERS.

1. Aldborough.—Revival, with amendments, of powers conferred by former Order.
2. Baltimore and Skibbereen.—Constitution of harbour authority and maintenance of lighthouse.
3. Carlingford Lough.—Amendment of former Orders.
4. Chatham.—Reconstruction and extension of pier.
5. Cromer.—Construction of pier.
6. Cullen.—Constitution of harbour authority and construction of harbour works.
7. Dawlish.—Construction of pier.
8. Eyemouth.—Guarantee of harbour loan by local rating authority.
9. Fraserburgh.—Amendment of Local Act.
10. Hove.—Construction of pier.
11. Newlyn.—Constitution of harbour authority and construction of harbour works.

Aldborough.

ALDBOROUGH.

Order for revising and amending the Aldborough Pier and Improvements Order, 1876.

Short title.

1. This Order shall be construed with the Aldborough Pier and Improvements Order, 1876 (in this Order called the Order of 1876) as one Order, and may be cited as the Aldborough Pier Order, 1884, and the Order of 1876 and this Order may be cited together as the Aldborough Pier Orders, 1876 and 1884.

Undertakers

2. John Hazel Fuller, of No. 92, Watling Street, in the city of London, or other the person or persons deriving title under or from the Aldborough Pier and Improvements Company (Limited) named in the Order of 1876, and the heirs or assigns of John Hazel Fuller, or other the person or persons aforesaid, shall be the Undertakers for the purposes of the Order of 1876 and this Order.

Revival of the Order of 1876.

3. From and after the passing of the Act confirming this Order, section 24 of the Order of 1876 shall be and the same is hereby repealed, and all the powers and provisions of the Order of 1876 shall be and the same are hereby revived, and the powers, privileges, and authorities by that Order conferred on the Undertakers thereunder, and as the same are varied by this Order, may be exercised and carried into execution by the Undertakers under this Order in like manner as if the Undertakers under this Order had been the Undertakers under the Order of 1876, and that Order shall be in force and be read and have effect accordingly.

Length of pier.

4. The length of the Aldborough Pier, as fixed by section five of the Order of 1876 at one hundred and forty-five yards, is by this Order increased to two hundred and four yards, and shall be constructed of the last-mentioned length accordingly.

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5. In addition to the works authorised by section five of the Order of 1876 a pavilion may be erected on the pier.

Pavilion on pier.

6. 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.

Lifeboat crew exempt from toll.

7. 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 and 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 and works.

Life-saving apparatus may be attached to the pier.

8. Sections sixteen to nineteen (inclusive) of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, whenever required 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 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.

Portions of Harbours Clauses Act exempted.

9. In the following cases, that is to say :—

Power to cease in certain events.

(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 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 facts stated in such certificate.

10. 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 first been obtained.

Saving rights under Crown Lands Act, 1866.

11. All the costs, charges, and expenses of and incident to the obtaining of this Order, and otherwise incurred in relation thereto, shall be paid by the said John Hazel Fuller.

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Baltimore and Skibbereen.

Order for the maintenance of a Lighthouse, and for the improvement of the Harbour of Baltimore and Skibbereen, and of the River Ilen, in the county of Cork, and for the constitution of a Harbour Authority.

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution not exceeding thirteen in number, which Commissioners and their successors are hereby for the purposes of this Order incorporated by the name of "The Baltimore and Skibbereen Harbour Commissioners," and by that name shall be a body corporate with perpetual succession and a common seal, and shall have power to sue and be sued, and to purchase, take, hold, and dispose of lands and other property for the purposes and subject to the provisions and restrictions of this Order (which Commissioners are in this Order called "the Commissioners").

Appointment of Commissioners.

2. The appointment, succession, and election of Commissioners shall be regulated as follows, that is to say:—

(1.) The owners of property and other persons rated to the relief of the poor in the Townland of Baltimore and in Sherkin, Calf and Cape Clear Islands, upon a rateable value of not less than four pounds may assemble at Baltimore, or at some other convenient place selected by them, on the third Monday in September, one thousand eight hundred and eighty-four, and on the third Monday in September in every following year, and elect four persons to act as Commissioners for the year commencing on the first day of October, following such election, and thence ensuing, but it shall not be necessary that the persons so elected shall reside on the said Townland or Islands or any of them.

(2.) The Trustees or Trustee for the time being of the will dated twenty-sixth day of April one thousand eight hundred and forty-five of the Right Honourable John, late Lord Baron Carbery, shall as such be Commissioners or a Commissioner.

(3.) The Trustees of the said will of the Right Honourable John, late Lord Baron Carbery, shall, as soon as may be, appoint a person to be a Commissioner, and when and so often as a vacancy is caused by death, resignation, or otherwise in the office of such Commissioner, then the Trustees or Trustee for the time being of the said will, so long as any trusts of the said will shall be subsisting, and when all such trusts have ceased, the person or persons for the time being having or representing the estate or interest of the said John Baron Carbery, in the Townland of Baltimore shall appoint another person to fill the vacancy.

(4.) The Chairman of the Town Commissioners of Skibbereen for the time being shall as such be ex-officio a Commissioner.

(5.) The Town Commissioners of Skibbereen may appoint two persons to be Commissioners.

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(6.) Sir Henry Wrixon Becher Baronet, or the owner for the time being of the estate situate in and about Skibbereen at present belonging or reputed to belong to the said Sir Henry Wrixon Becher, shall be a Commissioner or may appoint a person to be a Commissioner.

(7.) The Board of Trade may, if they think fit, appoint a person to be a Commissioner, and when and so often as a vacancy is caused by death, resignation, or otherwise, in the office of that Commissioner they may, if they think fit, appoint another person to fill the vacancy.

(8.) The Divisional Officer of the Coastguard of the Division for the time being shall be ex-officio a Commissioner.

Provided that the provisions of section 19 of the Commissioners Clauses Act, 1847, shall not apply to any vacancy which may occur in the office of any Commissioner appointed or to be appointed by the said Trustees, the said Town Commissioners of Skibbereen, or by the Board of Trade.

Commencement of powers of Commissioners.

3. The Commissioners shall be deemed fully constituted and have power to act under this Order immediately after the time mentioned in this Order for the election or appointment of Commissioners, whether such have been elected or appointed as provided or not, and any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment or non-election of, or any informality in the appointment or election of, a Commissioner, or by reason of any vacancy in the office of such Commissioner.

Incorporation of parts of Commissioners Clauses Act, 1847.

4. The Commissioners Clauses Act, 1847 (except the following sections six, seven, seventeen, twenty, twenty-four, twenty-five, one hundred and ten, and one hundred and eleven) is hereby (except in so far as not inconsistent with this Order) incorporated with this Order, and the same shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provision :—

With reference to section thirty-nine the prescribed number (constituting a quorum) of the Commissioners shall be three.

Harbour to be maintained by Commissioners

5. From and after the third Monday in September 1884 the care, management, and maintenance of the harbour of Baltimore and the river Ilen below the town of Skibbereen (herein-after called "the harbour") shall be and are hereby vested in the Commissioners, and the harbour and works shall thereafter be maintained, repaired, and regulated and improved by the Commissioners under the authority and subject to the provisions of this Order.

Undertakers.

6. The Commissioners shall be the undertakers of the works authorised by this Order.

Incorporation of Lands Clauses Act.

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

Power to take lands by agreement.

8. For the purposes of the works authorised by this Order the Commissioners may from time to time by agreement enter on, take, and use all or such parts of the lands, and such parts of the foreshore with the consent of the Board of

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Trade, shown on the plans deposited for the purposes of this Order as they think requisite.

Lands for extraordinary purposes.

9. The Commissioners may purchase for extraordinary purposes lands not exceeding in the whole five acres.

Limits of Commissioners powers.

10. The limits within which the Commissioners shall have authority, which limits are in this Order called the Harbour, and which shall, except where otherwise expressly provided, be deemed the limits to which this Order and the power to levy rates and duties extend, shall comprise the area included within the following boundary; that is to say, an imaginary line drawn due east from the east side of the entrance to Horse-shoe Cove in the Island of Sherkin until it meets the coast of the main land on the east side of the entrance to Baltimore Harbour, thence along the line of high-water mark of ordinary spring tides on the main land and on the left bank of the River Ilen to the town of Skibbereen, thence along the line of high-water mark of ordinary spring tides on the right bank of the River Ilen to Turk Head, thence by an imaginary line drawn to the east point of Sandy Island and continued in a due southerly direction till it meets the coast of Sherkin Island, and thence along the line of high-water mark of ordinary spring tides on the east coast of Sherkin Island to Horse-shoe Cove.

Definition of River Ilen and Baltimore Harbour

11. In this Order the expression "the River Ilen" means so much of the harbour as lies between the town of Skibbereen and an imaginary line drawn from the western point of Spanish Island to the Black Rock on the north of Sherkin Island, and thence through the east point of Sandy Island to Turk Head on the main land, and the expression "Baltimore Harbour" means so much of the harbour as is not within the River Ilen.

Power to take easements by agreement.

12. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or re-lease lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Order, grant to the Commissioners any easement, right, or privilege not being an easement of water required for the purposes of this Order, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rent-charges, so far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively.

Power to construct works.

13. 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 from time to time require, the Commissioners may, on the lands or foreshore taken by them, and in the lines and situation and according to the levels and within the limits of deviation as varied by this Order, and according to the deposited plans and sections so far as the same are shown thereon, make and maintain the works authorised by this Order.

Description of works.

14. The works authorised by this Order comprise the following, viz.:

The dredging of Baltimore Harbour and of the Bar of Baltimore, the dredging, scouring, cleansing, and removing any banks of sand and mud within or adjoining Baltimore Harbour, and deepening Baltimore Harbour, and the entrance thereto, and the deepening and improving of the River Ilen or any part thereof, and improving and maintaining the whole Harbour,

and all piers or wharves therein in other respects, together with the maintenance of a lighthouse and the lighting thereof when erected, with the necessary appliances, buildings, and lighting apparatus, at Sherkin Island in Baltimore Bay.

The laying down buoys and moorings and erecting or placing other appliances or conveniences for the use of vessels frequenting the harbour and river, and maintaining and improving all piers, quays, defences, and works of or connected with the harbour and river, and constructing and maintaining warehouses, offices, sheds, weighing machines, cranes, and other conveniences which may be found necessary.

Provided that no works authorised by this section below high-water mark of ordinary spring tides shall be commenced without the assent of the Board of Trade having been first obtained in writing.

Power to levy rates.

15. When and after the lighthouse at Sherkin Island has been erected, and a light has been exhibited therefrom, the Commissioners, subject to the provisions of this Order, may demand and recover, in respect of the construction and maintenance of the lighthouse and the lights therein, any sums not exceeding the duties mentioned in the first part of the schedule to this Order, and may also demand and recover for the use of the harbour works, and for the deepening and improving of the River Ilen in respect of vessels, boats, passengers, animals, fish, goods, matters, and things described in the second part of the schedule to this Order, any sum or sums not exceeding the several rates specified in the second part of that schedule.

Revision of rates.

16. The Commissioners shall from time to time revise the respective sets of rates or duties received by them, and of which separate accounts are to be kept under this Order, so that the income under this Order derived from the set of rates or duties in each account may always be so far as practicable sufficient and not more than sufficient for the purposes for which such rates or duties are respectively applicable under this Order, and if at any time and from time to time the clear annual income derived from any set of rates or duties on the average of the then three last preceding years after payment of all expenses and outgoings shall exceed what is sufficient to answer the purposes for which that set is applicable under this Order, the Board of Trade may, if in their discretion they think fit, reduce that set of rates to such amounts as will be sufficient to provide the amount aforesaid, 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 may be compounded.

17. The Commissioners 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 and 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 of the provisions of this Order.

Rates may be leased.

18. The Commissioners may from time to time lease the rates and duties 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 may think fit, and the lessee shall

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have and may exercise during the continuance of his lease the same powers of levying and recovering rates and duties as the Commissioners 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 the keeping and furnishing the same, and otherwise, to which the Commissioners are made subject by this Order.

Rates for use of warehouses, &c.

19. The Commissioners may demand and receive such rates or other considerations as they may think reasonable for the use of any warehouses, buildings steam or hydraulic cranes, works, and conveniences belonging to the Commissioners, for the use of which rates are not specially fixed in the Schedule to this Order.

Power to purchase or hire machinery and to let the same.

20. The Commissioners may for the purposes of this Order from time to time purchase, lease, hire, or otherwise provide any steam or other dredges, engines, steam tugs, steam or other vessels, diving bells, piling-engines, lighters, cranes, tools, plant, machinery, and things as they may think fit or necessary, and may let the same for use, and demand and recover for the use thereof, such sums as may be agreed on or as they may consider reasonable.

Borrowing powers.

21. The Commissioners may from time to time borrow on mortgage such money as may be required for the purposes of this Order, not exceeding in the whole the sum of ten thousand pounds on the security of the rates authorised by this Order, or any of those particulars, or of any other property of the Commissioners; and if after having borrowed the money by this Order authorised to be borrowed the Commissioners pay off the same or any part thereof, they may again borrow the amounts so paid off, and so from time to time.

Power to borrow on cash account.

22. The Commissioners may accept and take from any bank or banking company credit to such amount as they may deem expedient, not exceeding in the whole the sum of ten thousand pounds on a cash account to be opened and kept in the name of the Commissioners, according to the usage of bankers in Ireland, and they may assign the rates hereby authorised in the second part of the schedule to this Order, the works authorised by this Order, and the lands and property connected therewith, and any other lands and property belonging to them, 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.

Money to be applied for purposes of Order.

23. Every part of any money borrowed or received under this Order shall be applied only for the purposes of this Order, and in the order following, and subject to the conditions and restrictions in this Order:

(1) In payment of all costs, charges, and expenses of and incident to the preparing and promoting the Skibbereen and Baltimore Harbour Board Draft Provisional Order, and the Baltimore Harbour Board Draft Provisional Order, and the costs of and connected with the preparation, procuring, and making of this Order.

(2) In paying the expense of all necessary appliances and lighting apparatus, and of maintaining the Lighthouse on Sherkin Island, and the regular lighting thereof from sunset to sunrise.

(3) In paying the expenses of the collection and receipt of rates and income, and the salary and emoluments payable to the auditor or to any inspector or other officer appointed by the Board of Trade.

(4) In paying the expense of the maintenance, repairs, improvement, management, and regulation of the harbour and of the works authorised by this Order, and the erection and maintenance of such other works, buildings, sheds, wharves, piers, jetties, and conveniences as may from time to time be necessary for the improvement of the harbour and works, or for the accommodation of the shipping resorting thereto, and in paying the expense of any engines, vessels, machinery, tools, plant, or other matter or thing that may be necessary.

(5) In payment of the interest of any money borrowed by the Commissioners.

(6) In creating a sinking fund under the provisions of the Commissioners Clauses Act, 1847.

Accounts and expenditure of Commissioners.

24. The Commissioners shall keep separate accounts of (1) all moneys received for lighthouse duties, and (2) all moneys received from vessels using Baltimore Harbour only and not entering the River Ilen, and (3) all moneys received from vessels entering the River Ilen.

All moneys received for lighthouse duties shall be applied only for paying the expenses of maintaining the lighthouse and the lighting of the same; and all moneys received from rates mentioned in the second part of the Schedule to this Order on vessels using Baltimore Harbour only, and not entering the River Ilen, or received from any other source within Baltimore Harbour, shall be applied only for paying the expenses of maintaining and improving Baltimore Harbour only, and no part thereof shall be applied for the deepening or improving the River Ilen, or for any works within that river; and all moneys received from rates mentioned in the second part of the schedule to this Order on vessels entering the River Ilen, or received from any other source within the river, shall be used only for paying the expenses of deepening and improving the River Ilen, or for any works incidental thereto, and no part thereof shall be used for the improvement of Baltimore Harbour: subject, however, to the following provisions: (1) that the expense of collecting the duties or rates and the salary of any harbour master and any expenses attendant on the audit of accounts or of any inspector or other officer appointed by the Board of Trade shall be defrayed, in proportion to the amounts of the rates received from Baltimore Harbour and from the River Ilen respectively, out of the rates received from both, and (2) that if the lighthouse duties shall be insufficient to defray the cost of maintaining and lighting the lighthouse the deficiency shall be paid out of the rates leviable under this Order in proportion to the amounts of such rates received from Baltimore Harbour and from the River Ilen respectively.

Annual accounts to be sent to Board of Trade.

Audit.

25. The Commissioners shall as soon after the end of each year as possible send to the Clerk of the Peace for the county of Cork a copy of their annual account in abstract, and within one month after sending such copy shall also send a copy of the same to the Board of Trade, who may at any time appoint an auditor to audit and examine such accounts and fix the salary and emoluments to be paid to him, and such salary and emoluments shall be paid to him by

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the Commissioners out of the rates levied under this Order, and the Commissioners shall on demand produce to such auditor all their accounts, books, deeds, papers, writings, and documents, and afford him all reasonable facilities for examining and comparing the same. In case the Commissioners shall refuse or neglect to comply with these provisions or any of them 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.

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

Customs officers and coastguard exempt from rates.

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

Lifeboat crew to be exempt from tolls.

28. 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 harbour and works without payment.

Life-saving apparatus may be attached to pier, &c.

29. 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, harbour, 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, harbour, and works.

Power to make byelaws.

30. The Commissioners 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, and for the supply of ballast or water to vessels and boats, and for the deposit or removal of ballast within the limits of this Order; but such byelaws shall not come into operation until they shall have received the confirmation of the Board of Trade, which shall be sufficient for all purposes, and a copy of such byelaws purporting to be signed by any secretary or assistant secretary of the Board of Trade shall be conclusive evidence in all courts of the existence of said byelaws.

Disposal of dredging.

31. All sand, mud, and other materials dredged up or removed within the limits of this Order shall become and be the property of the Commissioners, who may from time to time sell or otherwise dispose of the same, or remove and lay down the same within those limits, and afterwards from time to time again take up and remove and sell, or otherwise dispose of the same, and all money arising therefrom after payment of the expenses connected therewith shall be applied as

rates received under this Order are applicable. But no sand, mud, stone, or other material shall be laid down or deposited in any place below high-water mark without the consent of the Board of Trade being first obtained.

Lights, buoys, and beacons.

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

Meters and weighers.

33. The Commissioners shall have the appointment of meters and weighers on or in connexion with the harbour and works.

Parts of Harbour, &c. Act excepted.

34. Sections sixteen to twenty-six both inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

New lighthouse to be transferred to Commissioners and lights to be exhibited.

35. The Commissioners of Public Works in Ireland shall, notwithstanding any enactment to the contrary, transfer to the Commissioners the lighthouse about to be erected by them at Sherkin Island when the same has been erected, and the same when transferred shall become part of the harbour works of the Commissioners, and shall thenceforth for ever be maintained by the Commissioners, and all expenses of maintaining the same shall be discharged out of the income of the Commissioners under this Order; and as soon as the lighthouse is completed the Commissioners shall exhibit and continue to exhibit therein from sunset to sunrise such light or lights as shall from time to time be directed by the Commissioners of Irish Lights.

Lights to be exhibited during construction of works.

36. Before commencing any works authorised by this Order the Commissioners 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 Commissioners refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of works they shall for each offence be liable to a penalty not exceeding ten pounds.

Penalty for obstructing or injuring property.

37. Every person who wilfully obstructs any of the Commissioners or any person acting under their authority in any manner whatsoever, or who removes any poles or stakes driven into the ground for the purposes of setting out the lines of any works, or defaces, destroys, or injures any works, or any part thereof, or any property of the Commissioners, shall for every such offence be liable to a penalty not exceeding five pounds.

Saving rights under Crown Lands Act, 1866.

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

Short title.

39. This Order may be cited as "The Baltimore and Skibbereen Harbour Order, 1884."

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SCHEDULE to which the foregoing Order refers.

FIRST PART.

Lighthouse Duties.

	s.	d.
For every vessel entering the harbour for each time - - -	2	6
For every fishing smack or vessel engaged in the fisheries of 15 tons burden and upwards entering the harbour, payable in advance, an annual sum of - - - - - - -	2	6

SECOND PART.

Tonnage Rates.

For every vessel entering the harbour per register ton each time -	0	2
But when such vessel does not break bulk or take in cargo one half the above rate.		
For every fishing smack or vessel of 15 tons and upwards, belonging to or entering and using the harbour for the purpose of the fishery as a composition in full of tonnage duty, payable in advance, the annual sum of - - - - - - -	7	6
Each vessel for waterage where water supplied, per registered ton -	0	0½
Every fishing smack or vessel of 15 tons and upwards using the harbour for the purpose of the fishery, and not paying the aforesaid composition, on each occasion of entering the harbour - -	2	6

Rates on Goods shipped or unshipped, received or delivered within the limits of Order.

Bricks and tiles - - - - -	per 1,000	1	0
Calves, pigs, sheep, and lambs - - - -	each	0	4
Cattle, bulls, cows, oxen, and horses - - -	do.	1	0
Clover, turnip, and other seeds - - - -	per ton	2	0
Coals - - - - - - -	do.	0	10
Deals - - - - - - -	per 120	3	0
Fish, dried, salted, or in pickle - - - -	per ton	2	0
Fish, fresh, when discharged in river above the line referred to in Order	per 1,000	0	10
	per box	0	1
Flour - - - - - - -	per ton	1	6
Guano and all other artificial manures - - -	do.	0	8
Gunpowder - - - - -	per 100 lbs.	0	3
Ice - - - - - -	per ton	0	3

		s.	d.
Iron	per ton	1	0
Lead	do.	1	0
Malt, and grain	do.	2	0
Meal	do.	1	6
Potatoes	do.	1	0
Salt	do.	0	10
Slates	per 1,000	1	0
Timber of all kinds	per 50 cubic feet	0	6

ALL OTHER GOODS NOT ENUMERATED ABOVE.

Light goods	per 2½ cwt. or 5 cubic feet	0	6
Heavy goods	per ton	1	0

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

RATES FOR BALLAST.

All vessels for any quantity taking on board	per ton.	0	4

CARLINGFORD LOUGH.

Carlingford Lough.

Order for the amendment of the Harbour of Carlingford Lough Improvement Orders, 1864, 1868, 1874, *and* 1875.

Short title.

1. This Order may be cited as The Harbour of Carlingford Lough Improvement Order, 1884, and this Order and the following Orders (herein-after referred to as the Orders already made), namely, The Harbour of Carlingford Lough Improvement Order, 1864 (in this Order called "the Order of 1864"), The Harbour of Carlingford Lough Improvement Order, 1868, The Harbour of Carlingford Lough Improvement Order, 1874, and The Harbour of Carlingford Lough Improvement Order, 1875 (in this Order called "the Order of 1875"), shall as respectively varied by this Order be read and construed together as one Order, and the five Orders may be cited together as The Carlingford Lough Improvement Orders, 1864, 1868, 1874, 1875, and 1884.

Amended schedule of rates substituted.

2. On and after the first day of September one thousand eight hundred and eighty-four the schedule to the Order of 1875 shall be and the same is hereby cancelled and repealed, and the schedule to this Order shall be and the same is hereby substituted in place of the schedule so cancelled and repealed; and all the provisions of the several Orders already made having relation to the schedule so cancelled and repealed, or to the rates specified in such schedule, including the provisions having relation to any security over such rates for borrowed money, and also every security given pursuant to those provisions, shall be read and have effect as if the schedule to this Order had originally been the schedule to and formed part of the Order of 1875.

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Carlingford. Lough.

Definition of the word "cargo."

3. The word "cargo" in the schedule to this Order shall include passengers, cattle, goods, or any other thing whatsoever except mails when carried by any vessel for freight, passage-money, or any other consideration.

Saving of duties, rates, &c., become due under the Act of 1878.

4. All duties, rates, and moneys becoming due or payable to the Commissioners on the 1st day of September 1884 and unpaid on that day may be levied, collected, sued for, and recovered by the Commissioners, notwithstanding the repeal of the schedule to the Order of 1875.

Rates to be revised.

5. The Commissioners shall from time to time revise the rates received by them under this Order, so that the income of the Commissioners under this Order may always be so far as practicable sufficient, and not more than sufficient, for the purposes of their several Orders; and if at any time and from time to time the clear annual income derived from the harbour on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer those purposes, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such extent as will be sufficient to provide the amount aforesaid, 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 those authorised by this Order.

Annual account to be sent to Board of Trade.

6. The Commissioners, 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 Commissioners 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.

Application of funds.

7. All moneys received by the Commissioners under this Order, or from the rents, rates, tolls, and dues authorised by this Order, shall be applied for the purposes of this Order and of the Orders already made, and not otherwise.

Provisions in relation to disposal of ballast, &c.

8. No ballast, ashes, cinders, earth, or rubbish of any kind whatever, whether excavated from the bed or shores of Carlingford Lough, Newry River, or Docks, or discharged from any vessel within the limits defined by the Order of 1864, shall under any circumstances whatever be thrown into any part of Carlingford Lough between the north pier at Warrenpoint and the line of twelve fathoms soundings at low water spring tides outside the bar of Carlingford Lough, but all ballast, ashes, cinders, earth, or rubbish which cannot be otherwise disposed of shall, unless the harbour master shall otherwise determine, be carried out to sea in suitable vessels and discharged beyond the line of the said twelve fathoms soundings. Every person who offends against the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds, and such penalty shall be recoverable by the Commissioners in any court of summary jurisdiction.

Commissioners may let on hire steam vessels, &c.

9. In addition to the provisions contained in section twenty-two of the Order of 1864 the Commissioners may for all or any purposes whatsoever, and on such terms and conditions as may be agreed on, let on hire their steam or other vessels, matters, and things, or any of them, mentioned in the said section twenty-two.

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Carlingford Lough.

10. The Commissioners and all persons in their employment in the execution of their duty shall at all times have free access to passage along, and egress from, any pier or wharf within the limits defined by the Order of 1864; and they may also without payment use with their boats, vessels, or otherwise, any of such piers or wharfs for the purpose of landing or embarking thereat, or for shipping or unshipping materials and articles of any description belonging to or destined to be used by the Commissioners in the discharge of their duty as Commissioners.

Power to the Commissioners to land on piers &c. within the harbour.

Provided always, that nothing herein contained shall authorise the Commissioners or their servants to pass along or use any pier or wharf belonging to or occupied by the London and North-western Railway Company, or by the Dundalk, Newry, and Greenore Railway Company, in such a manner as may cause any obstruction to or detention of the proper working of the steamships belonging to the said companies, but they shall only use such berth and in such manner as may be consented to by the said companies.

Provisions for declaring Carlingford Lough free as a port of refuge.

11. The Commissioners may, with the consent of the Board of Trade and the approval of the Public Works Loan Commissioners signified in writing, declare the harbour of Carlingford Lough free as a port of refuge, and thereafter all sailing vessels and steam vessels entering Carlingford Lough for refuge without discharging or loading cargo there shall be exempt from rates.

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

Portions of Harbours Clauses Act exempted.

13. Sections 16, 17, 18, 19, 25, and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

Saving agreement with London and North-western Railway Company.

14. This Order shall not affect prejudicially or otherwise any agreement already made between the Commissioners and the London and North-western Railway Company whereby it is provided that one steam vessel of that company entering Carlingford Lough and discharging or loading cargo there daily shall not until after the first day of May one thousand eight hundred and ninety-three be charged with any greater amount than the sum of threepence per registered ton on the registered tonnage of such steam vessel, but such agreement, if and so far as the same is authority by law, shall be binding on the Commissioners in like manner and to the same extent as if this Order had not been made.

Saving right under Crown Lands Act.

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 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

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

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Carlingford Lough.

The SCHEDULE to which the foregoing Order refers.

	s.	d.
For every sailing vessel of and under three hundred tons register entering Carlingford Lough and discharging or loading cargo there - - - - - - - - per registered ton	0	2
For every sailing vessel exceeding three hundred tons register entering Carlingford Lough and discharging or loading cargo there per registered ton	0	3
For every steam vessel trading to or from ports within the United Kingdom entering Carlingford Lough and discharging or loading cargo there which for loading or unloading is dependent on tidal waters within the harbour - - per registered ton	0	1½
For every steam vessel of and under two hundred tons register trading to or from ports beyond the United Kingdom entering Carlingford Lough and discharging or loading cargo there which for loading or unloading is dependent on tidal waters within the harbour - - - - - per registered ton	0	1½
For every steam vessel over two hundred tons register trading to or from ports beyond the United Kingdom entering Carlingford Lough and discharging or loading cargo there which for loading or unloading is dependent on tidal waters within the harbour per registered ton	0	3
For every steam vessel discharging or loading cargo or any part thereof within any other part of the harbour, per registered ton	0	6
For every vessel entering Carlingford Lough for refuge without discharging or loading cargo there—		
Being sailing vessels exceeding one hundred tons register and steam vessels exceeding one hundred and fifty tons register but not in case of either kind of vessels exceeding five hundred tons register per registered ton	0	2
Being sailing vessels or steam vessels exceeding five hundred tons register - - - - - - - per registered ton	0	3

Exemptions.

All sailing vessels of and under seventy-five tons register and all steam vessels of and under one hundred tons register.

All sailing vessels of and under one hundred and fifty tons register and all steam vessels of and under two hundred tons register discharging or loading the whole of their cargo at the town or in the river of Newry north of Old Narrow Water Castle.

All sailing vessels of and under one hundred tons register and all steam vessels of and under one hundred and fifty tons register entering Carlingford Lough for refuge without discharging or loading cargo there.

CHATHAM.

A.D. 1884.

Chatham.

Order for the rebuilding and extension of the Sun Pier at Chatham in the county of Kent.

Order of 1863 and this Order to be read together.

1. This Order and The Chatham Sun Pier Order, 1863 (in this Order called The Order of 1863), as that Order is varied by this Order, shall be read and construed together as one Order.

Undertakers.

2. The Local Board of Health for the district of Chatham in the county of Kent (in this Order called The Local Board) shall be the Undertakers for carrying this Order into execution, and shall have, and may exercise, the powers and privileges conferred by this Order.

Incorporation of Lands Clauses Acts.

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

Power to take lands by agreement.

4. For the purposes of the works authorised by this Order the Local Board 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 works authorised by this Order, and of the conveniences connected therewith.

Power to execute 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 completion of the works in order to prevent injury to navigation, the Local Board may, 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, construct and maintain the works authorised by this Order.

Description of works authorised.

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

(1.) A reconstruction on the present site and an extension of and addition to the existing pier of the Undertakers commencing at the commencement of that pier and terminating in the River Medway at a point about 200 feet north-west of the solid portion of the existing pier ;

(2.) All such jetties, landing-places, works, walls, approaches, toll-houses, toll-gates, waiting and refreshment rooms, buildings, and conveniences as may be necessary or expedient for landing and embarking of passengers, animals, goods, merchandise, materials, and other things.

Power to deviate.

7. The Local Board in constructing the works authorised by this Order may alter and deviate the same within the limits of deviation shown on the deposited plans to any extent which may be approved in writing by the Board of Trade, and also by the Conservators of the River Medway.

Works to be part of the pier.

8. Subject to the provisions of this Order, the works by this Order authorised shall be deemed part of the pier undertaking of the Local Board, and they may demand, take, and recover rates, rents, and charges in respect of the user thereof accordingly.

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Chatham.

Power to enter into compositions.

9. The Local Board may from time to time confer, vary, or extinguish exemptions from, and enter into compositions with, any person, corporation, or company with respect to the payment of any rates and charges authorised to be taken by this Order, but so that no preference be given.

Separate accounts to be kept.

10. The Local Board shall cause separate accounts to be kept of their receipts and expenditure under the Order of 1863 and this Order.

Rates to be revised.

11. The Local Board shall from time to time revise the pier rates received by them under the Order of 1863 and this Order, so that the pier income of the Local Board thereunder may always be so far as practicable sufficient and not more than sufficient for the pier purposes of that Order and this Order; and 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 the amount sufficient to answer the purposes of the Order of 1863 and this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under that Order and this Order to such extent as will be sufficient to provide the amount aforesaid, 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 those authorised by that Order and this Order.

Annual account to be sent to Board of Trade.

12. The Local Board, 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 and include any and every such account. If the Local Board 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 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 and works, and not breaking bulk while making use thereof, be exempt from rates leviable under the Order of 1863 and this Order.

Custom-house officers exempt from rates.

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

Obstruction to and damage of works.

15. Every person who wilfully obstructs in any manner the execution of or damages in any manner any of the works authorised by this Order shall be guilty of an offence, and for every such offence shall be liable to a penalty not exceeding ten pounds, and to pay to the Local Board such sum of money as the justice before whom the conviction shall take place shall think a reasonable satisfaction for the injury done.

Power to borrow.

16. The Local Board may from time to time borrow at interest for the purposes of this Order such sums as they may require, not exceeding in the whole (except with the consent of the Board of Trade) two thousand pounds, on the

security of the rates, rents, and charges receivable under the Order of 1863 and this Order, subject to existing charges, and for that purpose and subject to existing charges the Local Board may from time to time assign by way of mortgage all or any of such rates, rents, and charges, and may execute and do any deeds, acts, and things necessary or proper for that purpose.

Period for repayment of borrowed moneys.

17. All sums borrowed by the Local Board under this Order shall be repaid within a period not exceeding fifty years after the same are respectively borrowed, either by annual instalments or by means of a sinking fund created and invested and with the accumulations thereof from time to time applied by the Local Board in such manner as to secure the discharges of the sums borrowed within such period as aforesaid. All sums paid into any such sinking fund shall be as soon as may be invested by the Local Board in any securities in which trustees are for the time being authorised by law to invest any sinking fund.

Borrowing under Local Loans Act.

18. If the Local Board decide to borrow in manner provided by the Local Loans Act, 1875, any moneys which they are authorised by this Order to borrow, they may create and issue debenture stock, and may secure the discharge of any moneys borrowed by any of the methods provided by that Act, including a sinking fund, and for the purposes of such discharge fifty years shall be deemed to be the prescribed period.

Reborrowing.

19. All moneys borrowed by the Local Board under this Order and repaid otherwise than by instalments or by means of a sinking fund in manner provided by this Order may be from time to time reborrowed by the Local Board, but so that the same shall be repaid within the period limited by this Order.

Application of borrowed moneys.

20. All moneys borrowed by the Local Board under this Order shall be applied in payment of the costs, charges, and expenses of and incidental to the preparation of and obtaining this Order, and for the purposes of this Order, and not in any other manner.

Priority of former mortgages.

21. All mortgages created under the Order of 1863, and subsisting at the passing of the Act confirming this Order, shall have priority as a charge on the rates and sums included in such mortgages over all mortgages granted after the passing of that Act, and nothing in this Order shall affect the priority of such subsisting mortgages as between themselves.

Consent of owners and ratepayers to works and borrowing.

22. The works authorised by this Order shall not, nor shall any of them, be commenced, nor shall any money be expended by the Local Board on any of such works, nor shall any money be borrowed by the Local Board for the purposes of any such works, except with the consent first obtained of the owners and ratepayers within the district of the Local Board, such consent to be signified by a resolution of owners and ratepayers passed in accordance with Schedule III. to the Public Health Act, 1875.

Application of receipts.

23. The Local Board shall apply all the rates, rents, and charges received under this Order for the purposes and in the order following, and not otherwise ; (that is to say,)

(1.) In paying the costs, charges, and expenses of and incidental to the preparation of and obtaining this Order, or otherwise incurred in relation

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Cromer.

CROMER.

Order for the construction, maintenance, and regulation of a Pier at Cromer in the county of Norfolk.

Undertakers.

1. The Cromer 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 several powers, privileges, and authorities conferred by this Order, 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.

Capital to be subscribed before exercise of powers.

3. The Company shall not exercise any powers conferred by this Order unless and until they have proved to the satisfaction of the Commissioners for carrying into effect the Act of the eighth and ninth years of Her Majesty, chapter twenty (local and personal), intituled "An Act to authorise the erection "of Sea Walls and Works, and a Jetty, at the town or parish of Cromer, in the "county Norfolk, and otherwise to provide for protecting the said town and "parish from further encroachments of the sea," (and which Commissioners are in this Order referred to as "the Commissioners") that at least ten thousand pounds of the authorised capital of the Company has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share (forming part of such capital so issued) has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and also, in so far as such capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same.

Deposit to be made before exercise of powers.

4. Before the Company exercise any powers conferred by this Order they are to deposit the sum of one thousand pounds in a bank to be named by the Commissioners to a joint account in the names of the Commissioners and of the Company, and the sum so to be deposited is from time to time during the progress of the works to be paid out to the Company in proportion of fifty per cent. on the value of the works which at the time of the making of such payments respectively have been properly executed, and the valuation of the works is to be ascertained by writing under the hand of the surveyor to the Commissioners.

Investment of deposit.

5. The sum so to be deposited shall, at the request and risk of the Company, be invested in such securities as the Commissioners may approve, and the interest thereon is to be payable to the Company.

Power to take lands by agreement.

6. For the purposes of the works authorised by this Order the Company may from time to time, by agreement, enter upon and take and use all or any part of the lands shown on the plans deposited for the purpose of this Order.

Cromer.

7. The Commissioners may agree with the Company as to the terms and conditions (pecuniary and otherwise) upon which any land of the Commissioners is to be taken by the Company, or as to any other matters affecting the Commissioners in relation to the undertaking of the Company.

Commissioners may agree with the Company.

8. 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 completion of the works in order to prevent injury to or interference with navigation, the Company may, 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.

Power to execute works.

The works authorised by this Order comprise the following:—

(A) A pier or landing-place situate wholly in the parish of Cromer, in the county of Norfolk, and on the bed and foreshore of the sea adjoining the said parish, commencing on or near the esplanade four hundred and fifty feet or thereabouts west of the existing jetty or pier, and extending seaward in the same direction as the existing jetty or pier for a distance of not more than seven hundred and ninety feet, and there terminating; and no part of the pier is to extend eastward more than one hundred feet from the western limit of deviation:

(B) The making, providing, and maintaining in connexion with the pier of all necessary works and conveniences for the landing, embarking, and accommodation of passengers, and the erection of toll-houses, approaches, saloons, baths, reading, dining, refreshment and other rooms and erections thereon.

9. The Company in constructing the works authorised by this Order may deviate the same to any extent vertically, with the consent in writing of the Board of Trade.

Vertical deviation.

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

Penalty for obstructing works.

11. The limits within which the Company shall have authority, and which shall be deemed the limits to which the provisions of this Order extend, shall comprise the pier and the rest of the area below high-water mark within the distance of fifty feet from any part of the pier in any direction, but the Company shall have no power to restrict or interfere with such rights as the Commissioners may legally have to use the shore within that area, or to restrict the free use of the shore under the pier and within the before-mentioned limits for bathing, walking, boating, or pleasure purposes.

Limits of Order.

12. When a certificate has been obtained from the Board of Trade that all consents and approvals required by them under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have

Power to take rates according to schedule.

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been given, the Company may, subject and according to the provisions of this Order, demand and receive for the use of the pier and works, from and in respect of the persons, vessels, boats, matters, and things specified in the schedule to this Order, any sums not exceeding the rates in the same schedule specified

Power to sell or lease undertaking.

13. The Company may sell or from time to time let or lease their undertaking, or any part or parts thereof, or the tolls and rates hereby authorised to be taken, to any person or persons, company, local authority, commissioners, or corporation, upon such terms (pecuniary or otherwise) and upon such conditions, and subject to such restrictions as the Company may think fit, and a purchaser or lessee, or a mortgagee in possession, shall have and may exercise all the powers of levying and recovering tolls, rates, and dues that 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.

Pass tickets for use of pier.

14. The Company 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.

Power to vary exemptions from rates and to enter into compositions.

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 nothing done under this section shall prejudice the other provisions of this Order.

Pier to be open on Sundays free of charge to promenaders.

16. The pier shall be open to promenaders free of charge on Sundays from two o'clock p.m. until the usual hour for closing.

Board of Trade may reduce rates.

17. If at any time and from time to time it appear to the Board of Trade that 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 for interest or instalments of 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 the 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 the Company may, with the consent of the Board of Trade, at any time and from time to time raise them again to not exceeding the amount specified in the schedule to this Order.

Annual account to be sent to the Board of Trade.

18. The Company within one month after sending to the clerk of the peace a 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.

Contribution of funds, &c. by Commissioners

19. The Commissioners are hereby authorised to subscribe and contribute funds towards the construction and maintenance of the pier and works authorised by this Order, or any part or parts thereof, and to take and hold shares in the capital of the Company, and to guarantee dividends or annual or other payments on shares or stock in the capital of the Company, and the payment of the principal of and interest on any loans to the Company, and to apply their funds and revenues to such purposes and to all or any of the purposes of this Order, and to raise further moneys if necessary, and to appoint directors of the Company, and also to make and carry into effect agreements with the Company with respect to the construction, working, use, and maintenance of the works authorised by this Order, or any of them, and with respect to the acquisition and appropriation by the Company of the existing jetty and the materials thereof, and generally with reference to the purposes of this Order.

Certain fishing vessels under stress of weather exempt from rates.

20. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier or works authorised by this Order, 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 pier and works by land, and with their vessels and otherwise, without payment.

Lifeboat crew

22. 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.

23. 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, 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 or on the pier or works.

Steam cranes, mooring posts, &c.

24. The Company may provide and use such steam and other cranes, buoys, mooring posts, mooring craft, weighing machines, tackle, and other machinery, vessels, apparatus, and conveniences as they think proper for carrying on the

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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.

Restriction on use of pier.

25. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier any cattle, sheep, fish, or merchandise, or to ship or unship there anything which might in any way interfere with the use of the pier for recreation purposes, or for embarking or landing of passengers and their luggage and personal effects.

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

26. Sections sixteen to nineteen 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 required 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.

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

Power to make byelaws.

28. The Company may make byelaws for the regulation and control of the fishermen and others, and goods and traffic, on and at the pier, 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 feet of pier.

29. No vessel or boat shall, without the consent of the pier-master, anchor within a distance of one hundred feet measured in any direction from any part below low-water mark of the pier.

Pier to be deemed within the parish of Cromer.

30. 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 cognisance of any justice of the peace, be deemed and taken to be within or as forming part of the parish of Cromer, in the county of Norfolk, and within the jurisdiction of any justice acting within and for the division of which the parish forms part, and the pier and works by this Order authorised are to be deemed to be within the limits of the Commissioners.

Exhibition of lights during the construction of works.

31. 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.

Exhibition of lights after completion of works.

32. 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 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.

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

(1) If within one year 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 six consecutive calendar months; or

(3) If such works should not be completed within two years from the date of the passing of the Act confirming this Order,

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 with the consent of the Commissioners the time for completion be extended by 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 six consecutive calendar months, shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Recovery of penalties.

34. All penalties for offences against the provisions of this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks, and Piers Clauses Act, 1847, and for all the purposes of that Act this Order shall be deemed the special Act.

Saving rights under Crown Lands Act, 1866.

35. 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.

Saving for Commissioners.

36. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Commissioners.

Costs of Commissioners.

37. All costs, charges, and expenses incurred by the Commissioners in or about the amendments of or otherwise in relation to this Order shall be paid by the Company to the Commissioners.

Costs of Order

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

39. This Order may be cited as the Cromer Pier Order, 1884.

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The SCHEDULE to which the foregoing Order refers.

I.—Rates for use of Pier.

	£	s.	d.
For every passenger or person landing on the pier from or embarking from it on board any vessel or boat, for each time any sum not exceeding - - - - - - - -	0	0	6
For every person using the pier for any purpose except as above mentioned, 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 or boat using the pier for the purpose of going to and from his own vessel or boat, an annual sum not exceeding - - - - - - - -	1	0	0

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

For every article coming within the description of luggage, and not carried by the passenger, not exceeding 28 lbs in weight -	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

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Order for the regulation of the Harbour of Cullen, in the county of Banff, the appointment of Harbour Commissioners, and the construction of works, and for other purposes.

Incorporation of Commissioners.

1. There shall be a body of Commissioners nominated or appointed or elected as by this Order provided, for carrying this Order into execution, which Commissioners and their successors are hereby for the purposes of this Order incorporated by the name of the Cullen Harbour Commissioners, and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions of this Order (which Commissioners are in this Order called "The Commissioners").

Interpretation.

2. The several words and expressions to which by the Acts incorporated with this Order meanings are assigned have in this Order the same respective meanings unless excluded by the subject or context; and in this Order and in the schedule hereto, unless excluded by the subject or context:

"The Owner of the Seafield Estates" means the person for the time being in possession of the Cullen Estates vested in the late Right Honourable Sir Ian Charles Grant-Ogilvie, of Grant, Baronet, Earl of Seafield, and also includes the tutor, curator, guardian, or other party legally acting for the Owner of the Seafield Estates for the time being, in case of incapacity:

"The existing harbour" means and includes the present harbour of Cullen, and all the piers, buildings, works, lands, and conveniences and property, rights, powers, and privileges connected therewith belonging to and vested in the Owner of the Seafield Estates:

"The harbour" means and includes the port and harbour of Cullen, according to the limits defined by this Order:

"The burgh" means the royal burgh of Cullen:

"The council" means and includes the provost, magistrates, and town council of the burgh:

"The ratepayers" means persons qualified to be electors by paying rates to the Commissioners as prescribed by this Order.

Constitution of Commissioners.

3. The constitution of the body of Commissioners shall be as follows:—
Four members to be nominated by the Owner of the Seafield Estates;
Three members to be appointed by the council;
Two members to be elected by the ratepayers.

First Commissioners.

4. The first Commissioners shall be the following nine persons who shall hold office until the first nomination, appointment, and election of Commissioners under this Order; (that is to say,) William Gillespie Bryson, John Thompson, Christopher Young Michie, and Alexander Smith, being nominees of the Owner of the Seafield Estates, Alexander Grant, George Seivwright,

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and John William Stuart, being nominees of the council, and George Findlay and George Harthill, being nominees of the ratepayers.

Commissioners to be nominated by the Owner of the Seafield Estates.

5. The following provisions shall be applicable to the nomination of Commissioners by the Owner of the Seafield Estates; (that is to say,)

(1.) On the third Friday of November next following the passing of the Act confirming this Order, the Owner of the Seafield Estates may, by notice in writing addressed to the council (but if a clerk of the Commissioners has been appointed, then such notice shall be addressed to such clerk), nominate four persons to be Commissioners, and he may, if he pleases, be one of the four Commissioners to be so nominated, and so from time to time at the expiration of every successive period of three years; and in the event of any one of the Commissioners so nominated refusing to accept office, dying, resigning, or becoming disqualified or incompetent to act as or ceasing to be a Commissioner from any other cause than that of going out of office in the regular course as aforesaid, the Owner of the Seafield Estates may at any time, by notice in writing addressed to the clerk of the Commissioners, nominate another person to fill up any such vacancy, and the person so substituted shall continue in office for the same period as the person in whose place he is nominated would in ordinary course have continued when he shall go out of office, but shall be eligible to be re-nominated;

(2.) Any Commissioner nominated by the Owner of the Seafield Estates may at any time resign by notice in writing to that effect addressed to the Owner of the Seafield Estates and to the clerk of the Commissioners;

(3.) In case the Owner of the Seafield Estates for the time being is incapacitated, by reason of minority or otherwise, from exercising the powers with reference to Commissioners hereby conferred on him, all such powers may during his incapacity be exercised by the tutor, curator, or guardian, or other party legally acting for him.

Commissioners to be appointed by the Council.

6. The following provisions shall be applicable to the appointment of Commissioners by the Council; (that is to say,)

(1.) On the said third Friday of November next following the passing of the Act confirming this Order, the Council shall, at an ordinary or special meeting to be held on that day or as soon thereafter as may be convenient, appoint from among themselves three persons to be Commissioners, and so from time to time at the expiration of every successive period of three years: Provided that any Commissioner appointed by the Council going out of office shall, unless disqualified, be capable of being again appointed;

Occasional vacancies among members appointed by the council.

(2.) If any one of the Commissioners appointed by the council refuses to accept office, dies, resigns, or ceases to be a member of the council, or becomes disqualified or incompetent to act as a Commissioner, or ceases to be a Commissioner from any other cause than that of going out of office in the regular course as aforesaid, the council at their next ordinary or special meeting, after notice that such Commissioner has refused office, died, resigned, become disqualified, or incompetent to act, or so ceased to be a member as aforesaid, shall appoint a Commissioner from among themselves in his stead, and the Commissioner so appointed shall continue in office for the same period as the person in whose place he is appointed would in

ordinary course have so continued, and on going out of office may be re-appointed.

Election of Commissioners for the ratepayers.

7. The following provisions shall be applicable to the election of Commissioners for the ratepayers; (that is to say,)

(1.) On the third Friday of November next following the passing of the Act confirming this Order, the ratepayers qualified to vote as herein-after provided shall elect two persons to be Commissioners, and so from time to time at the expiration of every successive period of three years: Provided that any Commissioner appointed by the ratepayers going out of office shall, unless disqualified, be capable of being again elected.

Qualification of electors of Commissioners for the rate payers.

(2.) Every person residing or having his place of business within or adjacent to the burgh who shall have paid, during the year ending the first day of November immediately preceding the election, ten shillings or upwards of rates in respect of vessels, goods, or services leviable by the Commissioners under the provisions of this Order, shall be qualified to vote at the election of Commissioners for the ratepayers.

Mode of conducting election of Commissioners for the ratepayers.

8. The following rules shall be observed with respect to the election of Commissioners for the ratepayers:—

(1.) The election shall take place at a meeting of the ratepayers to be held in the town hall of the burgh or other convenient place suitable for holding such meeting.

(2.) The Commissioners shall cause the day and place of such meeting to be published by notice affixed to the door of the town hall or some other conspicuous place on the outside thereof, and not less than seven clear days before such meeting, and by advertisement in any other convenient manner.

(3.) The election shall be by show of hands at a meeting of the ratepayers, to be notified as aforesaid.

(4.) Any two ratepayers may at such meeting propose any other person as a candidate for the office of Commissioner for the ratepayers. If two persons only are proposed as candidates, the chairman shall declare them elected without taking a show of hands.

(5.) The clerk of the Commissioners, or one of the Commissioners for the time being, shall act as chairman of the meeting of the ratepayers, and shall declare the number of votes given to each candidate, and in case his decision is challenged, shall cause the number of ratepayers voting for any candidate to be ascertained by taking a division, or in some other convenient manner.

(6.) The decision of the chairman, who, in the case of equality, will have a casting vote as to the result of such division or ascertainment of the number of ratepayers voting, shall be final and unimpeachable.

(7.) The two candidates having the greatest number of votes shall be the Commissioners for the ratepayers.

(8.) The chairman of the meeting shall report to the Commissioners the names of the persons elected as Commissioners for the ratepayers.

Appointment by Commissioners in case

9. In case at any time there is a failure to make a valid election, in accordance with the provisions of this Order, of Commissioners for the ratepayers, the

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of failure to elect.

Commissioners shall, within two months thereafter, at a special meeting, appoint as Commissioner or Commissioners for the ratepayers any person or persons, and every Commissioner so appointed shall be deemed a Commissioner for the ratepayers, and shall in all respects be as if he had been actually elected. In case of an equality of votes at any such election by the Commissioners, the chairman of the Commissioners for the time being shall have a second or casting vote.

Commissioners for the ratepayers may resign.

10. Any Commissioner for the ratepayers may resign office at any time, upon giving to the Commissioners not less than three weeks written notice of such his intention.

Occasional vacancies among Commissioners for the ratepayers.

11. If any one of the members elected by the ratepayers refuses to accept office, dies, resigns, or becomes incapable or incompetent to act as or ceases to be a Commissioner from any cause other than that of going out of office in regular course, every such vacancy shall be filled up in manner following; (that is to say,) the other Commissioners shall, as soon as may be thereafter at a meeting of the Commissioners, elect a person in his stead, and in every case the Commissioner so elected shall continue in office for the same period as the person in whose place he is elected would in ordinary course have so continued, and on going out of office may be re-elected. In case of an equality of votes at any such election the chairman of the Commissioners for the time being shall have a second or casting vote.

Acts of the Commissioners not to be invalidated by reason of vacancies.

12. In the event of any vacancy or deficiency in the number of Commissioners, by death, resignation, or otherwise, between the times fixed for nomination, appointment, or election as aforesaid, the Commissioners for the time being shall continue to be as competent to act as if no such vacancy or deficiency in number had occurred, and on the expiration of their term of office the Commissioners for the time being shall be competent to continue to act until their successors are appointed.

Informalities of nomination, appointment, or electionof Commissioners not to invalidate proceedings.

13. Any act of the Commissioners shall not be invalidated or be illegal by reason of the full number or any of the Commissioners not being nominated, or appointed, or elected as hereby authorised, or by reason of any irregularity or omission in any nomination, appointment, or election of any Commissioner.

Incorporation of parts of 10 & 11 Vict. c. 16.

14. The Commissioners Clauses Act, 1847 (except sections six and seven, and except the provisions thereof with respect to the election and rotation of the Commissioners, where the Commissioners are to be elected by the ratepayers or other like class of electors, and except so far as other sections of that Act are inconsistent with this Order), is hereby incorporated with this Order, and that Act shall, so far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally; but with reference to section thirty-nine thereof, the prescribed number (constituting a quorum) of the Commissioners shall be three.

Meetings of Commissioners.

15. Meetings of the Commissioners shall be held in such places as they shall appoint within the burgh upon the first Friday of the months of May and November in each year, at twelve of the clock noon, or at such other hour as the Commissioners may fix.

16. The clerk to the Commissioners, on requisition being made to him stating in writing the object of the intended meeting, and signed by the chairman or two of the Commissioners, shall cause special meetings to be called within forty-eight hours, and to be held within four days after such requisition. Special meetings.

17. The Board of Trade shall from time to time appoint a permanent auditor of the accounts of the Commissioners and fix the salary to be paid to him, and such salary shall be paid to him accordingly by the Commissioners out of the rates levied under this Order. Board of Trade to appoint auditor.

18. The Commissioners shall be the undertakers of the works authorised by this Order. Undertakers.

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

20. From and immediately after the passing of the Act confirming this Order the existing harbour shall become the property of and vested in the Commissioners, free from any claim or demand for any moneys expended thereon by the Owner of the Seafield Estates or by the council, or for any interest on such moneys, and from any other right, title, interest, claim, demand, or encumbrance whatever on the part of the Owner of the Seafield Estates or the council. Vesting of existing harbour.

21. The limits of the harbour shall, for the purposes of this Order, embrace that part of the Bay of Cullen in the Moray Firth below high-water mark which is within the following imaginary lines; (that is to say,) an imaginary line commencing at a point on the seashore two hundred and twenty yards or thereby westwards from the Burn of Cullen, and proceeding due north in a straight line for a length of three hundred and fifty yards, and thence due east for a further length of one thousand and seventy yards, then proceeding due south along another imaginary line for a length of one hundred and twenty-seven yards till it reaches high-water mark of ordinary spring tides at a point on the shore one hundred and seventy yards or thereby eastwards from the east end of the rope work of Cullen, and shall also include the existing harbour and all the piers, buildings, works, lands, and conveniences and property, rights, powers, and privileges presently appertaining thereto, and the piers, works, quays, wharves, warehouses, and lands connected therewith, and all land above high-water mark acquired by the Commissioners under this Order, and the works authorised by this Order, and all works, accommodations, and conveniences connected with, and all additions to and improvements in the harbour from time to time to be made by the Commissioners. Limits of harbour.

22. For the purposes of the works authorised by this Order the Commissioners may from time to time, by agreement, enter on, take, and use all or any part of the lands and foreshore shown on the deposited plans as they may from time to time require for the purposes of this Order. Power to take specified lands by agreement.

23. The Commissioners may purchase and hold for extraordinary purposes any lands not exceeding in the whole ten acres. Lands for extraordinary purposes.

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Power to construct and maintain works, &c.

24. 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 may require from time to time before completion of the works, in order to prevent injury to navigation, the Commissioners may, on the lands belonging to them or acquired by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections, and within the limits of deviation shown on those plans, execute and maintain the works authorised by this Order.

Description of works.

25. The works authorised by this Order comprise—

(1.) An extension of the existing east pier or breakwater commencing at a point thereon one hundred lineal yards or thereby from the extreme south-east corner of the parapet of the said pier, and proceeding from thence in a north-westerly direction for a length of forty lineal yards or thereby, and terminating in the Bay of Cullen forty-five lineal yards or thereby north from the eastmost corner of the sea entrance of the outer harbour of Cullen:

(2.) A northern extension of the existing west pier commencing at the north-east end of the said pier and proceeding in a northerly direction for a length of twenty-six lineal yards or thereby, and terminating on the existing bight of the present east pier twelve lineal yards or thereby east of the north-east side of the sea entrance of the outer harbour:

(3.) A southerly extension of the aforesaid west pier commencing at a point thereon forty lineal yards or thereby from the south-west face of the aforesaid sea entrance to the outer harbour, and proceeding from thence in a south-westerly direction for a length of one hundred and thirty-five lineal yards or thereby, and terminating on the foreshore or beach of the Bay of Cullen seventy-eight lineal yards or thereby from the east end of Lord Seafield's coal store near the harbour:

(4.) A jetty or pier commencing on the south-east side of the outer harbour at a point thereon twenty-five lineal yards or thereby north-westwards from the north-west corner of the building called Clyne's Curing Station, and as occupied by George Clyne, and proceeding in a westerly direction for a length of sixty-six lineal yards or thereby, and terminating in the said outer harbour at a point thereon fourteen lineal yards or thereby eastward of the inner or south face of the sea entrance to the said outer harbour:

(5.) A quay starting from the commencement of the jetty fourthly above described, and proceeding in a southerly direction for a length of thirty-seven lineal yards or thereby, and from thence in a south-west direction for a length of thirty-six lineal yards or thereby, and from this point for a farther length in a westerly direction for forty-two lineal yards or thereby, and terminating on the beach forming the shore end of the inner harbour fourteen lineal yards or thereby westward of the south-west corner of the dwelling-house occupied by John Findlay:

(6.) A sea wall or bulwark commencing from the southern extension of the existing west pier thirdly above described from a point thereon one hundred and sixteen lineal yards or thereby from the north-east end of the said west pier, and proceeding from thence in a westerly direction for a

length of two hundred and thirty lineal yards or thereby and terminating on the seabeach or foreshore at a point thereon thirty-three lineal yards or thereby from the north corner of the Zion Chapel in Seatown :

(7.) An excavation to form a new sea entrance to the outer harbour of Cullen commencing from the termination of the northern extension of the west pier secondly above described, and proceeding from thence in a north-easterly direction for a length of thirteen lineal yards or thereby, and terminating at a point on the bight in line with the inner face of the east quay twenty-six lineal yards or thereby from the north-east face of the sea entrance to the outer harbour :

(8.) All necessary and proper embankments, piers, jetties, wharves, quays, walls, roads, bridges, accesses, approaches, houses, buildings, warehouses, sheds, lights, cranes, machinery, moorings, shipping stages, drains, culverts, sidings, works, and conveniences in connexion with the harbour, and with the works by this Order authorised, and the traffic thereof :

(9.) The Commissioners may excavate, deepen, or dredge the whole of the outer and inner harbours of Cullen to the level of low water of spring tides, and may form slipways and otherwise improve the west pier and the entrance to the inner harbour.

26. The Commissioners may also from time to time improve the harbour by deepening the accesses thereto, and by deepening the adjoining sea, and may maintain all buoys, moorings, lights, beacons, landing-places, approaches, and other works and conveniences, which from time to time they may think necessary for effecting any of the purposes of this Order, and may do any of the works authorised by this Order, either by themselves, their servants, or by others, and generally make such arrangements as may appear to them desirable for carrying out the said work.

Consent of Board of Trade to works.

27. Any works authorised by this Order below high-water mark shall not be commenced without the consent thereto of the Board of Trade having been first obtained in writing.

Power to deviate.

28. In constructing the works by this Order authorised the Commissioners may deviate laterally from the lines of such works delineated on the deposited plans to any extent not exceeding the limits of deviation marked on the deposited plans, and may deviate vertically from the levels of the said works as defined on the deposited sections to any extent not exceeding ten feet.

Local survey may be ordered by Board of Trade at expense of Commissioners.

29. The Board of Trade may at any time or from time to time, as they may deem it expedient, order a local survey and examination of any works of the Commissioners in, over, or affecting any tidal water, or of the intended site thereof, and the Commissioners shall defray all the costs of every such survey and examination, and the amount of such costs shall constitute a debt due from the Commissioners to the Crown, and may be recovered accordingly.

Power to levy rates.

30. 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 Commissioners may, subject and according to the provisions of this Order, for the use of the harbour, and the quays, piers,

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landing-places, works, and conveniences connected therewith, demand and take, in respect of vessels, boats, goods, animals, and other things and services rendered, rates, tolls, and dues not exceeding those specified in the schedule to this Order.

Commissioners may provide and license steam tugs.

31. The Commissioners 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 the harbour, 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.

32. The Commissioners 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 Commissioners, 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 Commissioners, as the 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.

Rates for use of warehouses, &c.

33. The Commissioners may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, yards, works, and conveniences belonging to them.

Power to compound for rates.

34. The Commissioners may from time to time confer, vary, or extinguish exemptions from and enter into compositions with any person or persons or company with respect to the payment of the rates authorised by this Order, in respect of vessels or boats regularly plying to and from the harbour of Cullen, but so that no preference be given to any person or company.

Rates to be revised.

35. The Commissioners shall from time to time revise the rates received by them under this Order, so that the income of the Commissioners under this Order may always be, so far as practicable, sufficient, and not more than sufficient, for the purposes of this Order, and if at any time and from time to time the clear annual income derived from the harbour and works, on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer the purposes of this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such extent as will be sufficient to provide the amount aforesaid, 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 those authorised by this Order.

Annual account to be sent to Board of Trade.

36. The Commissioners, 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 section 16 of the General Pier and Harbour Act,

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

37. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels, when driven 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 exempt from rates.

38. Officers of the Board of Trade and of the Customs, being in the execution of their duties, shall at all times have free ingress, passage, and egress to and from the harbour by land, and with their vessels and otherwise, without payment.

Lifeboat crew exempt from rates.

39. 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 and from the harbour without payment.

Life-saving apparatus may be attached to any part of harbour.

40. 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 harbour 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.

Meters and weighers may be licensed.

41. The Commissioners may appoint and license a sufficient number of persons to be meters and weighers at and within the harbour.

Pilotage and local authorities.

42. For the purposes of this Order, the Commissioners shall be deemed "a pilotage authority" and a "local authority" within the meaning of the Merchant Shipping Acts, 1854 to 1880, and all the powers by those Acts conferred on "pilotage authorities" and on "local authorities" shall be vested in the Commissioners for the purposes of this Order.

Responsibility of pilots.

43. The Commissioners shall not be liable or responsible for any accident loss, or damage which may arise to any vessel or to the cargo thereof, in consequence of the employment of any pilot licensed by the Commissioners but the pilot so employed shall be answerable for any wilful or culpable neglect and mismanagement.

Master of vessel to report arrival.

44. Within twelve hours after the arrival within the harbour of any vessel liable to rates, the master of such vessel shall report such arrival to the collector of rates, and if he fails to make such report within the time aforesaid, and after he has been required to do so by the collector, he shall be liable to a penalty not exceeding ten pounds.

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Masters of fishing boats to report arrival and give account of take of fish.

45. The master or owner or crew of every boat engaged in the white fishery and of every boat delivering herrings (except boats engaged at the herring fishing at Cullen for the regular herring fishing season) shall, on arrival in the harbour, forthwith report the same to the harbour-master or collector of rates, and shall furnish to the collector a true and accurate statement of his or their take of fish, and the names of the persons obtaining delivery of the same and liable for the rates or dues thereon; and he and they shall not leave the harbour without paying to the collector his or their rates or dues, and if he or they fail to do so, they shall be liable to a penalty not exceeding ten pounds.

Harbour-master may prevent sailing of vessels when rates have not been paid.

46. The harbour-master may prevent the removal or sailing out of the harbour of any vessel in respect of which any rate or due shall have been payable, until evidence shall have been produced to him of the payment of such rate or due to the collector of rates, and in case of a boat engaged in the white fishery or delivering herrings, until the master, or owner, or crew shall have given in a statement of his or their take of fish, as required by the last preceding section hereof.

Power to borrow money.

47. The Commissioners may from time to time borrow, at interest, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of fifteen thousand pounds, on the security of the tolls, rates, and dues by this Order authorised to be taken.

Application of money borrowed.

48. The Commissioners shall apply all money borrowed by them under this Order in defraying the cost of the works and conveniences authorised by this Order, and not otherwise.

Reborrowing.

49. Any money borrowed under this Order and discharged otherwise than by means of a sinking fund or by instalments may be reborrowed if required for the purposes of this Order, and so from time to time.

Sinking fund.

50. The Commissioners shall every year appropriate and set apart out of the harbour revenues such a sum as will, with the accumulations thereof by way of compound interest, be sufficient to pay off the whole of the principal moneys borrowed under this Order within sixty years after the same are respectively borrowed.

Contingency fund.

51. The Commissioners shall yearly, for the purpose of forming a contingency fund to meet any unforeseen accident or extraordinary damage which may happen or be caused to the harbour, appropriate and set apart the surplus revenue of the harbour (if any) after meeting the ordinary expenditure and interest and sinking fund as herein-before provided for, 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 required for the aforesaid purposes, and the whole fund must be applied as required for the maintenance of the harbour.

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

52. The clerk to the Commissioners shall within two months after the expiration of each year, during which any sum is required to be set apart for a sinking fund under this Order, transmit to the Board of Trade a return in such form as may be prescribed by that Board, and verified by statutory

declaration, if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purpose to which any portions of the moneys invested for the sinking fund and the interest thereof have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds. If it appear to the Board of Trade, by such return or otherwise, that the Commissioners have failed to set apart, in accordance with the provisions of this Order, the sum required by this Order for the sinking fund, or have applied any portion of the money set apart for that fund, or any interest thereof, to any purposes other than those authorised by this Order, the Board of Trade may, by order, direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by decree of either Division of the Inner House of the Court of Session in Scotland in a summary application presented for that purpose.

Application of revenue.

53. The tolls, rates, and dues received by the Commissioners under this Order, and the other harbour revenues, shall be applied for the purposes and in the Order following, and not otherwise:—

(1.) In paying the expenses of the maintenance, repair, management, and regulation of the harbour and works, and in defraying the other necessary expenses of the Commissioners:

(2.) In paying year by year the interest on money borrowed by the Commissioners for the purposes of the Order:

(3.) In forming a sinking fund for payment of principal moneys borrowed under this Order:

(4.) In forming a contingency fund for providing for accidents to the harbour:

(5.) In paying off any other debts contracted or to be contracted by the Commissioners:

(6.) In executing the works authorised by this Order, and in further improving, deepening, and extending the harbour and works connected therewith, and carrying into effect the purposes of this Order.

Byelaws to be approved by Board of Trade.

54. Byelaws made by the Commissioners shall not come into operation until the same have been confirmed by the Board of Trade, which confirmation shall be sufficient for all purposes.

Portions of Harbours Clauses Act excepted.

55. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Commissioners shall, whenever required by the Board of Trade, provide at their own expense, and to the satisfaction of the Board of Trade, a site near the harbour, and build on such site a house and other 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.

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Lights to be exhibited during construction of works.

56. Before commencing the works authorised by this Order, the Commissioners 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 Commissioners 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.

57. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Commissioners shall, at the outer extremity of their harbour, 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 Commissioners 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.

58. 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 fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

59. 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.

Costs of Order.

60. All costs, charges, and expenses of and incident to the preparation and obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the council, and the council may apply any of their funds to that purpose.

Short title.

61. This Order may be cited as the Cullen Harbour Order, 1884.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON VESSELS EXCLUSIVE OF THEIR CARGOES.

		£	s.	d.
1. Vessels loading or discharging at the harbour	per register ton	0	0	4
2. Pleasure yachts not carrying goods or passengers for hire	per register ton	0	0	3
3. Vessels entering the harbour for safety or wind-bound and which shall not unload any goods or cargo	per register ton	0	0	2

Vessels remaining in the harbour beyond one month shall be liable in repetition of above rates for every month or part of a month they may remain beyond the first month.

II.—RATES FOR BOATS AND OTHER FISHING VESSELS.

			£	s.	d.
1. Boats or vessels employed at the herring fishery at the harbour for the herring fishing season—					
If under 30 tons register (payable on or before the 26th July)			1	5	0
If above 30 tons register (payable on or before the 26th July)			1	10	0
2. Boats or vessels prosecuting the white or other fishing other than the herring fishing at the harbour—					
From the 1st October to 1st January	each		0	10	0
From the 1st January to 1st April	each		0	10	0
From the 1st April to 1st July	each		0	10	0
3. Boats or vessels not employed at the regular fishings at the harbour as above, but which shall load or discharge herrings or other fish on entering the harbour, each time—					
If under 30 tons register			0	2	0
If above 30 tons register			0	3	0
4. Boats or fishing vessels loading or discharging any cargo other than fish, on entering the harbour, each time—					
If under 30 tons register			0	3	0
If above 30 tons register, same as other trading vessels.					
5. Boats and fishing vessels coming into the harbour for safety or wind-bound, but which shall not load or unload any fish or other cargo, each time—					
If under 30 tons register			0	1	0
If above 30 tons and under 50 tons			0	2	6
If above 50 tons, same as trading vessels.					
6. Boats and fishing vessels fitting out for or returning from other fishing stations not paying dues as above, including dues on furniture			0	7	6

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RATES ON GOODS SHIPPED, TRANSHIPPED, OR UNSHIPPED IN HARBOUR.

Articles of Export or Import.	Weight or Measure.	Rates.
		s. *d.*
A.		
Ale and beer	Per gallon	0 0¼
Ditto ditto, bottled	Per gallon	0 0¼
Alum	Per cwt.	0 1¾
Anchors	Per ton	5 0
Ashes	Per ton	2 0
Asphalte and bitumen	Per ton	1 3
Aërated water, all kinds	Per ton	1 8
B.		
Bacon or hams	Per ton	3 4
Ballast	Per ton	0 2
Barrilla	Per ton	3 0
Bark oak	Per ton	2 6
Barley and all other grotts	Per ton	2 0
Barrels, empty, herrings	Per barrel	0 1
Baskets, under 12 inches diameter	Per dozen	0 6
Ditto, above ditto	Per dozen	1 0
Basket rods	Per cwt.	0 2
Beef or pork (fresh or salt)	Per ton	3 6
Beer, black, or spruce	Per 3 galls.	0 2
Billiard table	Per cwt.	0 2
Biscuits	Per ton	3 0
Blacking	Per cwt.	0 6
Bleaching salts	Per cwt.	0 2¼
Blubber	Per 252 galls.	3 0
Boats	Each	5 0
Bones (crushed or uncrushed)	Per ton	1 6
Books and stationery	Per cwt.	0 4
Bottles	Per gross	0 4
Ditto, broken	Per ton	0 6
Boxwood	Per cwt.	0 1¼
Bran	Per ton	1 0
Brass	Per ton	2 0
Bricks	Per 1,000	0 10
Brimstone	Per ton	2 0
Bristles	Per cwt.	0 9
Brooms (common)	Per dozen	0 2
Bulrushes	Per cwt.	0 8
Butter	Per cwt.	0 9
Boxes (empty)	Each	0 1
C.		
Candles	Per ton	3 6
Canvas	Per cwt.	0 2
Carpet rugs and upholstery articles	Per ton	2 6
Cane reeds	Per cwt.	0 3
Carboys (empty)	Each	0 1

Articles of Export or Import.	Weight or Measure.	Rates.	
		s.	*d.*
Carriages with springs under 5 cwt. - -	Each - -	3	0
Ditto 5 cwt. and under 7½ cwt. - -	Each - -	5	6
Ditto 7½ cwt. and under 10 cwt. -	Each - -	7	6
Ditto 10 cwt. and above - -	Each - -	10	0
Carrots - - - - -	Per ton - -	1	0
Casks, boxes, sacks, and kits, empty, except returned empties, as provided for in the notes to this schedule - - -	Each - -	0	1
Cattle - - - - -	Each - -	1	6
Calves - - - -	Each - -	0	6
Horses - - - -	Each - -	2	0
Ponies under 12 hands - -	Each - -	1	0
Asses or mules - - -	Each - -	1	0
Pigs - - - - -	Each - -	0	3
Sheep and lambs - - -	Each - -	0	3
Small cattle - - - -	Each - -	0	8
Cement - - - - -	Per ton - -	1	6
Chalk - - - - -	Per ton - -	1	6
Cheese - - - - -	Per ton - -	2	6
Chesnuts - - - - -	Per cwt. - -	0	4½
Chimney tops - - -	Each - -	0	1
Chocolate - - - - -	Per cwt. - -	1	0
Cider - - - - -	Per gallon - -	0	0¼
Cinders and charcoal - - -	Per ton - -	0	9
Clay, viz., china or stone - - -	Per ton - -	1	0
Clay pipes - - - - -	Per ton - -	1	0
Clocks - - - -	Each - -	1	0
Clothing, haberdashery, silk, mercery, &c., not otherwise enumerated - -	Per ton - -	3	0
Coals - - - - -	Per ton - -	0	6
Cocoa - - - - -	Per ton - -	4	0
Cocoanuts - - - - -	Per 100 - -	0	4
Coffee - - - - -	Per cwt. - -	0	3
Coke - - - - -	Per ton - -	0	10
Confections of all kinds - - -	Per cwt. - -	0	2
Copper - - - - -	Per ton - -	3	0
Copper, old - - - -	Per ton - -	2	0
Copper ore - - - - -	Per ton - -	1	0
Copperas - - - - -	Per cwt. - -	0	1¾
Colours - - - - -	Per cwt. - -	0	1¾
Cordage - - - - -	Per ton - -	2	6
Cordage old not in use - - -	Per ton - -	1	0
Cork wood and corks - -	Per ton - -	3	4
Corn and meal, viz.:—			
Barley and bigg - - -	Per ton - -	1	4
Bere and meal - - -	Per ton - -	1	6
Beans - - - - -	Per ton - -	1	4
Indian corn - - -	Per ton - -	1	4
Indian meal - - - -	Per ton - -	1	6
Malt - - - - -	Per ton - -	2	8
Oats - - - - -	Per ton - -	1	4
Oatmeal - - - -	Per ton - -	1	6

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Articles of Export and Import.	Weight or Measure.	Rates.
		s. d.
Corn and meal—*cont.*		
Peas	Per ton	1 6
Rye	Per ton	1 4
Wheat	Per ton	1 6
Cotton wool, &c.	Per ton	5 0
Crystal	Per ton	5 0
Cutch	Per ton	3 4
D.		
Dogs	Each	0 6
Drugs	Per cwt.	0 4
Dung	Per ton	0 4
E.		
Earthenware	Per ton	2 6
Eggs	Per cwt.	0 3
Emery and emery stones	Per cwt.	0 3
F.		
Feathers	Per ton	10 0
Felt	Per ton	2 6
Fish, dried	Per cwt.	0 3
Ditto, pickled or salt	Per cwt.	0 2
Ditto, fresh haddock, cod, ling, and fish not enumerated	Per 1*l.* value	0 4
Ditto, offal	Per ton	0 6
Flax	Per cwt.	0 2
Flour	Per ton	2 8
Flower roots	Per cwt.	0 2
Flint stones	Per ton	0 6
Fruit, viz. :—		
Apples, pears, and berries	Per cwt.	0 3
Plums, cherries, grapes, and nuts (except cocoa)	Per cwt.	0 4
Melons	Per cwt.	0 2
Peaches	Per 100	0 2
All not enumerated	Per 10*l.* value	0 10
Furniture, household	Per 10*l.* value	1 0
Furriers' waste	Per ton	0 4
G.		
Game, viz. :—		
Hares	Each	0 2
Rabbits	Each	0 1
All others	Each	0 2
Ginger	Per cwt.	0 3
Ditto, preserved	Per cwt.	0 6
Glass of all description	Per cwt.	0 2
Glue	Per cwt.	0 4
Grates, stoves, &c.	Per ton	3 6
Grease	Per ton	2 6
Groceries, all kinds	Per cwt.	0 3

Articles of Export or Import.	Weight or Measure.	Rates.
		s. *d.*
Gunpowder - - - - -	Per cwt. - -	0 3
Guano - - - - -	Per ton - -	1 6
H.		
Hair, all kinds - - -	Per cwt., baken -	0 4½
	Plasterers, per ton -	2 0
Hardware - - - - -	Per cwt. - -	0 2
Hats - - - - -	Each - -	0 0½
Hay - - - - -	Per ton - -	1 6
Hemp - - - - -	Per ton - -	3 6
Herrings, imported, fresh - - -	Per 35 gallons -	0 2
Ditto, cured and exported - -	Per 26⅔ gallons -	0 2
Ditto, in barrels, imported and exported -	Per 26⅔ gallons -	0 3
Hides, raw - - - - -	Per cwt. - -	0 2
Honey - - - - - -	Per cwt. - -	0 3
Hoop of wood - - - -	Per 1,000 - -	0 10
Hops - - - - -	Per cwt. - -	0 6
Horns, slugs, and tips - - -	Per 1,000 - -	1 8
Husbandry implements - - -	Per ton - -	1 4
I.		
Iron, viz. :—		
Bar, plate, bolt, and rod - -	Per ton - -	2 0
Forged made work and hoops - -	Per ton - -	3 4
Old - - - - -	Per ton - -	1 3
Old and broken goods - - -	Per ton - -	0 6
Cast-iron goods - - -	Per ton - -	2 6
Wire - - - - -	Per cwt. - -	0 2
Pig - - - - -	Per ton - -	1 0
K.		
Kelp - - - - -	Per ton - -	1 0
Kiln pavement - - - -	Per 30 feet -	0 4
L.		
Lard - - - - -	Per ton - -	2 0
Lead - - - - -	Per ton - -	2 0
Lead, black - - - -	Per ton - -	2 0
Lead ore - - - - -	Per ton - -	2 0
Lead, red and white - - -	Per ton - -	2 0
Lead, shot - - - - -	Per ton - -	3 0
Lead, sugar of - - - -	Per cwt. -	0 2
Leather, tanned and dressed - -	Per cwt. -	0 3
Lemons - - - - -	Per cwt. - -	0 4
Lignum vitæ - - - -	Per ton - -	3 0
Lime - - - - -	Per ton - -	0 6
Loam - - - - -	Per ton - -	0 4

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Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
M.			
Machinery - - - - -	Per cwt. - -	0	2
Manures, manufactured and not otherwise enumerated - - - -	Per ton - -	1	6
Mats and basses - - - -	Per dozen - -	0	1
Mill waste - - - -	Per ton - -	2	0
Molasses - - - - -	Per ton - -	2	0
Mussels - - - - -	Per ton -	0	6
N.			
Nuts, all kinds - - - -	Per cwt. - -	0	3
O.			
Oakum - - - - -	Per ton - -	3	0
Ochre - - - - -	Per cwt. - -	0	1½
Oil, all kinds - - - -	Per ton - -	3	4
Ditto, cakes - - - -	Per ton - -	2	0
Onions - - - - -	Per cwt. - -	0	3
Oranges - - - - -	Per cwt. - -	0	4
Oysters - - - - -	Per cwt. - -	0	3
P.			
Peats - - - - -	Per ton - -	0	3
Paper - - - - -	Per cwt. - -	0	2
Passengers entering or leaving harbour, baggage of - - - -	Per cwt. - -	0	2
Pewter - - - - -	Per ton - -	2	0
Ditto, old - - - -	Per ton - -	1	8
Pianoforte - - - - -	Per 10*l.* value -	1	0
Pictures under 2 feet square - -	Per picture -	0	6
Ditto, 2 feet and under 4 feet - -	Per picture -	1	0
Ditto, 4 feet and upwards - -	Per picture -	2	0
Pigs' head - - - - -	Per cwt. - -	0	0¾
Pitch - - - - -	Per cwt. - -	0	2
Plaster of Paris - - - -	Per ton - -	2	8
Plants, nursery and garden, all kinds -	Per cwt. - -	0	4
Porter - - - - -	Per gallon -	0	0¼
Ditto, bottled - - - -	Per gross - -	1	0
Potatoes - - - - -	Per ton - -	1	0
Poultry, all kinds - - - -	Each - -	0	1
Pumice stones - - - -	Per cwt. - -	0	3
Pipes, drain, under 3 inches diameter -	Per 1,000 - -	0	6
Ditto, above - - - -	Per 1,000 - -	0	9
Ditto, collars - - - -	Per 1,000 - -	0	3
Pipes, spigot and faucet, clay, glazed -	Per ton - -	1	0
NOTE.—Drain tiles and mugs one third less.			
Pipes, tobacco - - - -	Per cwt. - -	0	4
Provisions, preserved, all kinds - -	Per cwt - -	0	2

Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
R.			
Rags and old ropes	Per ton	2	0
Rice	Per cwt.	0	2
Ropes, all kinds	Per ton	2	6
Rosin	Per ton	2	6
S.			
Saddlery, all kinds	Per cwt.	0	3
Salt, in bulk	Per ton	1	0
Ditto, rock	Per ton	0	9
Ditto, salt petre and Glauber salt	Per ton	3	4
Ditto, in barrel, including dues of barrel	Per ton	1	4
Salmon	Per cwt.	0	6
Seed, viz. :—			
Rape and flax	Per cwt.	0	1
Clover	Per cwt.	0	3
Rye grass	Per ton	3	4
Shoes of all kinds	Per ton	3	0
Sheep skins, with wool	Per cwt.	0	3
Ditto, pelts	Per cwt.	0	2
Slates, large	Per 1,000	1	4
Ditto, sizable	Per 1,000	0	10
Ditto, small	Per 1,000	0	6
Snuff	Per cwt.	0	6
Soap	Per ton	2	0
Soda	Per ton	0	6
Spades or shovels	Per dozen	0	1
Spirit of all kinds	Per gallon	0	0¼
Starch	Per cwt.	0	3
Steel	Per ton	3	0
Straw	Per ton	1	0
Stones, viz. :—			
Freestone, building	Per ton	0	5
Polished granite	Per ton	2	6
Causeway granite	Per ton	0	3
Kerb, pavement and building	Per ton	0	5
Rubble and chips	Per ton	0	2
Rigging stones	Per 100 running feet	1	6
Flagstones	Per ton	0	9
Gravestones	Each	3	0
Marble	Per ton	3	0
Scythe stones	Per cwt.	0	2
Grindstones	Each	0	4
Millstones	Each	0	6
All other descriptions	Per ton	1	0
Stucco	Per ton	1	8
Sugar, all kinds	Per ton	1	8
Stoneware, all kinds	Per cwt.	0	2
T.			
Tallow	Per ton	2	0
Tanners' waste	Per ton	1	1
Tar coal	Per 39 gallons	0	1

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Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
Tar coal, Archangel - - -	Per 26½ gallons -	0	2
Tea - - - - -	Per cwt. - -	0	6
Tiles, roofing - - - -	Per 1,000 - -	1	0
Tin of all kinds - - - -	Per ton - -	2	0
Ditto, plates - - - -	Per ton - -	2	0
Tobacco, in leaf - - - -	Per cwt. - -	0	2¼
Tobacco, manufactured - - -	Per 100 lb. -	0	4½
Ditto, stalks - - - -	Per cwt. - -	0	3
Tongues, smoked - - - -	Per dozen - -	0	1½
Ditto, pickled - - - -	Per cwt. - -	0	4
Toys - - - - -	Per cwt. - -	0	3
Tree nails - - - - -	Per 1,000 - -	1	6
Turnery - - - - -	Per 10*l.* value -	0	10
Turnips - - - - -	Per ton - -	0	6
Twine - - - -	Per cwt. - -	0	3
Tow, all kinds - - - -	Per ton - -	1	6
V.			
Vases or sculptured marble - - -	Per cwt. - -	0	3
Vinegar - - - - -	Per gallon - -	0	0¼
Vitriol - - - - -	Per gallon - -	0	0½
Varnish - - - - -	Per cwt. - -	0	2
Veneers, all kinds - - - -	Per cwt. - -	0	4
Vegetables - - - - -	Per ton - -	0	6
W.			
Whalebone or whale fins - - -	Per ton - -	3	4
Wheels, coach, carriage, or cart - -	Per pair - -	0	9
Whitening - - - - -	Per ton - -	0	10
Willow reeds - - - -	Per cwt. - -	0	2
Wine - - - - -	Per gallon - -	0	0¼
„ bottled - - - -	Per dozen - -	0	1
Wood :—			
Herring barrel billets - - -	Per ton - -	1	0
Herring barrel staves - - -	Per 1,000 superficial feet.	1	4
All other kinds not enumerated -	Per 1*l.* value -	0	4
Wool - - - - -	Per ton - -	3	4
Y.			
Yarn, viz. :—			
Lint and cotton - - -	Per ton - -	4	6
Tow - - - - -	Per ton - -	3	4
Hemp - - - - -	Per ton - -	3	6
Worsted - - - -	Per ton - -	4	6
Z.			
Zinc - - - - -	Per ton - -	2	0
All goods or articles not enumerated in the foregoing schedule - - -	Per cwt. - -	0	2

NOTES WITH REFERENCE TO THE FOREGOING SCHEDULE.

1. All empty boxes, barrels, sacks, and packages, returned to the original shipper within three months from the date of import, are exempted from duties.
2. All goods landed from any vessel and re-shipped in the same or another vessel in the original packages, and without being transferred from the lander, or if the said goods have been put into other packages from the original packages having been destroyed or damaged, shall only pay duties on landing, and may be re-shipped in the same or another vessel upon her departure outwards without paying duties again.
3. The personal luggage of each passenger landing from any vessel within the harbour, not exceeding two hundredweight in weight, shall be exempted from duties.
4. If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded, no rates shall be charged a second time for such goods on being re-loaded.
5. Goods of all descriptions rated by weight shall be charged according to gross weight; fractional parts of any weight, measure, number, or value shall be charged proportionally, and the minimum charge for a single package shall be one penny.

RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES, WARPS, OR PLANKS.

These to be paid by persons using the same.

1. Sheds.

For each ton of goods which shall remain in any shed or on any quay or pier for a longer time than 24 hours the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 24 hours.

2. Cranes.

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

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3. Weighing Machines.

	s.	d.
For potatoes, salt, and coals, each ton or part of a ton - - -	0	4
Goods in quantities of 20 tons and upwards of same cargo, per ton -	0	3
Other goods, per ton or part of a ton - - - - -	0	6

4. Warps or Planks.

Harbour warps, all vessels, per register ton - - - -	0	$0\frac{1}{4}$
Harbour planks, long, per pair - - - - -	3	0
Harbour planks, short, per pair - - - - -	1	0
The long planks to be paid for by vessel and short planks by merchant.		
Lights, flags, and signals for all vessels, per registered ton -	0	$0\frac{1}{4}$

PILOTAGE.

1. For every ship or vessel piloted into or out of harbour with a boat and four men, per registered ton - - - -	0	$3\frac{1}{2}$
Laying out a kedge - - - - - -	5	0
Hawlers on board, each - - - - - -	1	0
Hawlers on quays or piers, each - - - - -	0	6
To be paid only by vessels requiring these services.		
2. Tides work—		
For every tide's work within the harbour, per man employed, each	2	6
3. Berthing masters or captain pilots' fees—		
For all vessels under 40 tons register - - - -	0	6
40 tons and under 80 tons register, each - - - -	1	0
80 tons and under 120 tons register, each - - -	1	6
120 tons and under 160 tons register, each - - -	2	0
160 tons and upwards register, each - - - -	2	6

To be paid only by vessels requiring berthing or masters' or captain pilots' services.

WATER MONEY.

For each 100 gallons or part thereof, for all vessels - -	0	6

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Order for the Construction, Maintenance, and Regulation of a Pier at Dawlish, in the County of Devon.

Undertakers.

1. Lockington Dale Bunn, of Dawlish, in the county of Devon, his heirs, successors, and assigns (in this Order called "the Undertakers") shall be the Undertakers of the works authorised by this Order.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation Acts, 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 Undertakers may from time to time by agreement enter on, take, and use all or such parts of the land 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 Undertakers 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 Undertakers 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 authorized by this Order.

Description of works authorised.

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

A pier, jetty, and landing place in the parish of Dawlish, commencing at or near the centre of the railway viaduct south-west of Dawlish station, and extending thence in a south-easterly direction for a distance of not exceeding three hundred yards into the sea, together with all proper landing stages, landing 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 The pier shall not be constructed of masonry or otherwise as a solid pier, but shall be constructed on iron or wooden piles.

For protection of Dawlish Local Board.

7. In the execution of the works by this Order authorised, and in the exercise of the other powers by this Order conferred upon the Undertakers, the following provisions for the protection of the Dawlish Local Board (herein-after called the local board), shall be observed and have effect.—

(1.) The eastern shore or boundary of the stream shown on the deposited plans, as it now flows under the viaduct of the Great Western Railway

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also shown on those plans, shall be deemed to be the south-western limit of deviation of the works by this Order authorised, and no part of any work made or executed by the Undertakers shall extend south-west of the said stream, but anything in this section contained shall not prevent the Undertakers placing and maintaining in the centre and at the extreme end of the pier, bays or crossing places, as shown on the deposited plans, provided that neither of such bays or crossing places extends to within one hundred feet of the present groin, or of a continued straight line drawn seawards therefrom.

(2.) The Undertakers shall not, without the previous consent of the local board, construct any work which, or any part of which, projects or extends landwards of the dwarf wall situate between the viaduct of the Great Western Railway and the sea.

(3.) No buoy of any description or mooring shall be laid down, kept, or maintained at a greater distance than twenty feet from any part of the pier.

(4.) If the pier or any part thereof, or any other work constructed by the Undertakers under this Order is abandoned, or suffered to fall into decay, the Undertakers shall, at their own expense in all things, abate and remove the work so abandoned or suffered to fall into decay, and restore the site thereof to the former condition, and if they fail so to do within the period fixed and prescribed by the Board of Trade for that purpose (which period the Board of Trade are hereby authorised to fix and prescribe), the local board may abate and remove the work so abandoned or suffered to fall into decay, and restore the site thereof to its former condition at the expense of the Undertakers, and the expense incurred by the local board in so doing may be recovered by them from the Undertakers, with full costs of suit, in any court of competent jurisdiction, and the local board may, if they think fit, sell the materials so removed belonging to the Undertakers, and apply the proceeds of such sale in or towards the repayment of the expense so incurred by them.

For protection of the Great Western Railway Company

8. For the protection of the Great Western Railway Company (herein-after called "the Great Western Company") the following provisions shall have effect:—

1. The Undertakers shall not execute any works affecting the railway works or land of the Great Western Company until they shall have delivered to the Great Western Company plans, drawings, and specifications of such intended works, and those plans, drawings, and specifications shall have been reasonably approved in writing by the engineer for the time being of the said Company, or in the event of his failure for one calendar month after the delivery of the plans, drawings, and specifications, to approve the same until the same shall have been approved by an engineer to be appointed on the application of the Undertakers by the Board of Trade, and all such intended works shall be executed by the Undertakers at their sole expense in all things according to such approved plans, drawings, and specifications, and to the reasonable satisfaction of the engineer for the time being of the Great Western Company.

2. The pier, jetty, and landing place shall be constructed in such a manner as to prevent the possibility of the railway works or land of the Great Western Company being injured thereby or in any way affected by the sea in consequence thereof.

3. Notwithstanding anything in this Order contained, the Undertakers shall from time to time be responsible for and make good to the Great Western Company all losses, costs, damages, and expenses, which may be occasioned to them or to their railway works or property, or to the traffic on their railway, or to any Company or persons using the same, or otherwise during the execution or by reason of the failure of any of the intended works, or any act or omission of the Undertakers, or of any person or persons in their employ, or of their contractors, or otherwise, and the Undertakers shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure, and of any such act or omission.

Vertical deviation.

9. The Undertakers in constructing the works authorised by this Order may deviate the same to any extent vertically with the consent in writing of the Board of Trade.

Power to levy rates.

10. 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 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.

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

11. The Undertakers may from time to time erect upon the pier or landing place tramways, toll-houses, seats, waiting rooms, pavilions, or assembly rooms, concert rooms, aquaria, shops, saloons, and bazaars, refreshment, reading, 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.

Undertakers may contract with persons for the use of pier.

12. The Undertakers 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

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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.

Board of Trade may reduce rates.

13. 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 other than payments for 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 Undertakers in executing the 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.

Annual account to be sent to Board of Trade.

14. The Undertakers, 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 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.

15. 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.

Custom House officers exempt from rates.

16. Officers of the Board of Trade and of the 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.

17. 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, on, along, and from the pier, without payment.

Life-saving apparatus may be attached to the pier.

18. 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.

Steam engines, diving bells, lighters, &c.

19. The Undertakers 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.

Portions of Harbours Clauses Act exempted.

20. Sections 16 to 19 and 21 to 24 of the Harbours Docks and Piers Clauses Act, 1847, shall not be incorporated in this Order, but the Undertakers shall, whenever required 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 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.

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

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

Restriction on use of pier.

22. 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 Undertakers or any person to use the pier and works for the shipping or unshipping of animals, merchandise, and goods.

As to lights during the construction of the works.

23. 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 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 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 the completion of the works.

24. 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 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, of Deptford Strond, and shall apply to that Corporation 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.

Kisby life buoy to be kept.

25. The Undertakers 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.

Pier to be deemed within parish of Dawlish.

26. 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

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peace be deemed and taken to be within or as forming part of the parish of Dawlish, and within the jurisdiction of the justices of the peace for that division of the county of Devon.

Powers to cease in certain events.

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 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.

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

Power to enter into Agreements with the Great Western Railway Company and the Dawlish Local Board.

29. The Undertakers may, with consent of the Board of Trade, make and carry into effect agreements with the Great Western Railway Company and the Dawlish Local Board or either of them, with reference to giving effect to all or any of the powers by this Order conferred.

Costs of Order.

30. 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 Undertakers.

Short title.

31. This Order may be cited as the Dawlish Pier Order, 1884.

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 of embarking or disembarking, for each and every time any sum not exceeding - -	0	4

	s.	d.
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

EYEMOUTH.

Eyemouth.

Order for enabling the Commissioners of Police of the Burgh of Eyemouth, in the County of Berwick, to guarantee Payment of Money raised by the Eyemouth Harbour Trustees.

Short title and construction.

1. This Order may be cited as the Eyemouth Harbour Order, 1884; and this Order and the Eyemouth Harbour Act, and the Eyemouth Harbour Order, 1874, and the Eyemouth Harbour Order, 1882, shall be read and construed together as one Act or Order.

Interpretation of terms.

2. In this Order, unless the context otherwise requires, "the Harbour" means the harbour of Eyemouth; "the Trustees" means the Eyemouth Harbour Trustees, as constituted under the Eyemouth Harbour Order, 1882; "the Commissioners" means the Commissioners of Police of the Burgh of Eyemouth, in the county of Berwick; "person" includes Corporation.

Powers to Commissioners to give guarantee.

3. The Commissioners, being a rating Authority, as defined by section 7 of the Public Works Loans Act, 1882, may (subject to the provisions of this Order), if they think it expedient for the inhabitants at large of their District, charge any fund or rate under their control for the purpose of aiding the Trustees in raising a loan from the Public Works Loan Commissioners, and may give such aid by guaranteeing the principal and interest of the loan, or by borrowing the sum required and advancing it to the Trustees, or partly in one way and partly in the other.

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But only under special resolution.

4. The Commissioners shall not give any charge under the power conferred on them by this Order, except in pursuance of a special resolution for the purpose, passed at one meeting of the Commissioners, and published once at least in each of two successive weeks in a local newspaper circulating in Eyemouth, and confirmed at a second meeting of the Commissioners, held not less than fourteen days after the first publication of notice of such resolution, and not less than three months after the meeting at which the resolution is passed.

Trustees to furnish accounts to Commissioners.

5. The Trustees shall, in the month of October in every year, so long as any guarantee of the Commissioners under this Order is in force, ascertain whether their resources will enable them, after retaining in hand a proper balance for current expenditure and claims, and a reserve not exceeding 200*l.* for contingencies, to meet the interest on, and any instalments due or falling due towards repayment of principal of any loan raised by them from the Public Works Loan Commissioners under the Order of 1882; and if, in the judgment of the Trustees, their resources will, after retaining such balance and reserve as aforesaid, be insufficient, they shall, before the end of the same month of October, by writing under the hand of their clerk, claim payment of such sum as they shall deem to be the amount of the deficiency from the Commissioners. The Commissioners shall, in order to enable them to judge of the propriety of such claim, be at liberty, by themselves or by any person or persons on their behalf, to examine the books, accounts, and papers of the Trustees so far as they relate to or affect the subject-matter of the claim, and the Trustees shall give to the Commissioners, or such person or persons as aforesaid, all other information in their possession or power relating to or affecting the said subject-matter. If the Commissioners should be of opinion that the amount of the claim is incorrect, or that the claim is otherwise improper, and should signify such opinion under the hand of their clerk to the Trustees, the matter in difference shall be referred to the determination of an arbitrator to be appointed by the Board of Trade, as herein-after provided. If, in manner aforesaid, it should be found that there is a deficiency, it shall be the duty of the Commissioners to fulfil their guarantee by providing and paying the amount of such deficiency to the Trustees; but the Commissioners shall, in respect of any claim to be made by the Trustees in any month of October, be allowed, as respects one half of the amount, till the end of the then following month of April, and as respects the other half of the amount till the end of the then following month of October, during which to raise and provide the amount payable by them. Such amount when paid to the Trustees, shall be applied by them in meeting the actual deficiency, and for no other purpose, and if there is any surplus of such amount after paying the actual deficiency, such surplus shall be repaid to the Commissioners.

Proceedings in case of default.

6. If the Commissioners make default in fulfilling their guarantee in manner by this Order provided, the Trustees may recover the amount due thereunder as a simple contract debt by action in any court of competent jurisdiction; or the Board of Trade may, on the application of the Trustees, or of the Public Works Loan Commissioners, order the Commissioners to remedy their default, and such order may, on the application of the Trustees or of the Public Works

Loan Commissioners, be made a rule of the Court of Session or of the High Court of Justice.

Eyemouth.

Sums paid under guarantee to be repaid.

7. All sums paid by the Commissioners in fulfilment of their guarantee shall be repaid by the Trustees to the Commissioners, with interest at the rate of four per cent. per annum from the date of payment, as soon as the resources of the Trustees will admit; and any doubt or difference as to the time and amount of any such repayment shall, on the application of the Commissioners, stand referred to and be settled by an arbitrator to be named by the Board of Trade.

Application of money repaid.

8. All money repaid by the Trustees to the Commissioners shall be carried to the credit of the fund or rate out of which any payments have been made by the Commissioners on account of their guarantee.

Powers of Commissioners to provide sums for purpose of guarantee.

9. The Commissioners shall provide out of the police assessment any sums from time to time required for the fulfilment of their guarantee, and shall from time to time raise and levy, as part of the police assessment, such sums as may be necessary for that purpose.

Time for repayment of loans to Commissioners.

10. Money borrowed by the Commissioners for the purposes of this Order shall be repaid within fifty years from the time of borrowing, by equal annual instalments of principal or of principal and interest.

Saving for existing charges.

11. All charges existing at the time of the passing of the Act confirming this Order on the police assessment shall, during the continuance thereof, have priority over any guarantee or security given by the Commissioners under the authority of this Order.

Reference of disputes.

12. Any dispute arising between the Trustees and the Commissioners with respect to the construction of this Order, or the giving effect to the same, or with respect to their duties or obligations under this Order, shall, on the written application of either party to the Board of Trade, stand referred to, and be determined by, an arbitrator to be appointed by that Board; and the determination of such arbitrator shall be binding on the Trustees and the Commissioners and final for all purposes.

Saving for Trustees and Commissioners

13. Save as herein expressly otherwise provided, nothing in this Order shall abridge, affect, or interfere with any powers, rights, or privileges of the Trustees or of the Commissioners.

Costs of Order.

14. 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.

FRASERBURGH.

Fraserburgh.

Order for the amendment of the Fraserburgh Harbour Act, 1878, *and for conferring further powers on the Commissioners, and making further provisions with reference to the Harbour.*

Order to be construed with Act of 1878.

1. This Order shall be construed with the Fraserburgh Harbour Act, 1878 (in this Order called "the Act of 1878"), and that Act as amended by this Order, and this Order shall be read and construed together as one Act or Order.

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Fraserburgh.

Interpretation.

Commissioners.

Elected Commissioners.

Harbour.

2. In this Order the expression "the Commissioners" means (subject to the provisions of this Order) the Commissioners appointed under the Act of 1878 for executing that Act. The expression "elected Commissioners" means the Commissioners to be elected under the Act of 1878 and this Order, (1) by proprietors of lands and heritages, (2) by the harbour ratepayers, and (3) by the shipowners of Fraserburgh. The expression "the harbour" means the harbour of Fraserburgh referred to in the Act of 1878.

Undertakers.

3. The Commissioners shall be the Undertakers for carrying this Order into execution.

Repeal of section 29, sub-sections 2, 3, 4, 5, and 6, and enactment of other provisions in lieu thereof.

4. From and after the passing of the Act confirming this Order sub-sections 2, 3, 4, 5 and 6 of section 29 of the Act of 1878 shall be and the same are hereby repealed, and the following sub-sections shall be and are hereby substituted in lieu and place thereof respectively :—

(2.) The acting chief magistrate or provost of the burgh shall fix the place of the election of elected Commissioners which shall be within the burgh, and also the time and place for the nomination of candidates.

(3.) The Commissioners shall cause the days and places of the nomination and election to be advertised in at least one newspaper published in Fraserburgh or Aberdeen not less than six days previous to the nomination.

(4.) At the time and place fixed for the nomination any person qualified as an elector in a particular class may nominate for election as a Commissioner any other person qualified to be elected for that class, and such nomination may be seconded by any other qualified elector in the same class. Provided that such elector so nominating shall at once satisfy the returning officer that the person so nominated will accept office if elected, otherwise the nomination shall be invalid.

(5.) If no more candidates are nominated than the number to be elected in the class the returning officer shall, on or before the Wednesday immediately preceding the election, cause public notice to be given of the persons so nominated, which notice shall be affixed to the doors of the principal office of the Commissioners and advertised in one or more newspapers published in Aberdeen or Fraserburgh, and shall notify that as the number of persons proposed for election in such class does not exceed the number of vacancies to be supplied at the election there will be no poll for that class, and shall further declare that the persons so proposed will, on the day of election, be deemed to be the elected Commissioners; and on the day of election the persons so proposed shall accordingly be deemed to be duly elected: but if more candidates are nominated for any of the classes than the number to be elected the returning officer shall order a poll.

(6.) When a poll is required the returning officer shall direct the same to be taken on the day fixed for the election, and shall give notice thereof in the same manner as is provided for the notice referred to in the immediately preceding sub-section. The election shall be by open poll, and votes shall be given personally.

Repeal of certain schedules annexed to Act of 1878 and enactment

5. On and after the 1st day of September, 1884, the Schedules A., B., C., and D. annexed to the Act of 1878 shall be and the same are hereby cancelled and repealed, and the Schedules A., B., C., and D. annexed to this Order shall be and

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of other schedules in lieu thereof.

the same are hereby substituted in place of the schedules so cancelled and repealed respectively; and all the provisions of the Act of 1878 having relation to the schedules annexed to that Act or to the rates specified in such schedules including the provisions having relation to the security over such rates for borrowed money, shall be read and have effect as if the Schedules A., B., C., and D. annexed to this Order had been annexed to and formed part of the Act of 1878 and were respectively the schedules to that Act designated by such letters in the Act of 1878.

Saving of duties, rates, &c., become due under the Act of 1878.

6. All duties, rates, and monies becoming due or payable to the Commissioners and unpaid on the 1st day of September 1884, and all fines, penalties, and costs incurred under the Act of 1878 and unpaid on that day may be levied, collected, sued for, and recovered by the Commissioners, notwithstanding the repeal of the Schedules A., B., C., and D. annexed to the Act of 1878.

Pilotage.

7. The words "and not being one of the crew of the vessel" in section 116 of the Act of 1878 shall be and the same are hereby cancelled and repealed.

Rates to be revised.

8. The Commissioners shall from time to time revise the rates received by them under the Act of 1878 and this Order, so that the income of the Commissioners under that Act and this Order may always be so far as practicable sufficient, and not more than sufficient, for the purposes of the Act of 1878 and this Order, and if at any time and from time to time the clear annual income derived from the harbour and works on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer the purposes of the Act of 1878 and this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under that Act and this Order to such extent as will be sufficient to provide the amount aforesaid, 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 those authorised by this Order.

Annual account to be sent to Board of Trade.

9. The Commissioners, 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 Commissioners 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.

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

Custom house officers exempt from rates.

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

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Fraserburgh. Lifeboat crew exempt from tolls.

12. 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 harbour and works without payment.

Life-saving apparatus may be attached to pier.

13. The officers of the coastguard and all other persons for the time being actually employed in connection 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 harbour and 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 harbour and works.

Portions of Harbours Clauses Act exempted.

14. Sections 16, 17, 18 and 19 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Commissioners shall, whenever required by the Board of Trade, provide at their own expense and 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 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.

Power to lease warehouses and other subjects.

15. The Commissioners may let on lease any warehouse, buildings, sheds, cranes, and weighing or other machines and conveniences provided by them at such rents and upon such terms and conditions as shall be agreed upon by the Commissioners.

Power to act as warehousemen, &c.

16. The Commissioners may, within the harbour, act as warehousemen, wharfingers, and storekeepers, and render such services as are usually rendered by dock companies on payment by the owners of the goods warehoused or deposited, or the person in charge of such goods of such rents or charges as shall from time to time be fixed by the Commissioners.

Power to issue certificates of deposit and warrants for delivery of goods.

17. The Commissioners shall from time to time at the request of any person warehousing or depositing goods in any warehouse or vault, or on or in any of the quays or yards of the Commissioners specially appropriated for the purpose, or entitled to any goods so warehoused or deposited issue and deliver to him a certificate (in a form approved by the Commissioners) of the goods or a warrant (in a form approved by the Commissioners) for delivery of the goods so warehoused or deposited, or any specified part thereof.

Goods to be deemed property of person named in certificate.

18. Goods specified in any such certificate shall for all the purposes of this Order be deemed the property of the person in that behalf named in the certificate.

Rules with respect to issue and transfer of warrants.

19. Every such warrant for delivery shall be transferable by special endorsement, and shall entitle the person named therein or the last endorser thereof named in the endorsement to the delivery of the goods specified therein

and the following rules shall have effect with reference to the issue of such warrants, namely:—

(*a.*) No warrant shall be given unless and until all liens and claims for freight and all other liens or claims to which the goods were liable on board any vessel, and before the warehousing or depositing thereof, and of which the Commissioners have notice in writing before the date of such warrant, are paid and discharged, and the goods mentioned in such warrant shall not be delivered up until the harbour rates on the goods and all rents, charges, and expenses payable to the Commissioners with respect to the warehousing or depositing of the goods or for services performed by the Commissioners in respect thereof are paid or discharged.

(*b.*) Before a warrant is issued the certificate (if any such has been issued) shall be delivered up to the Commissioners to be cancelled.

(*c.*) If the warrant is for delivery of part only of the goods the Commissioners shall issue to the person delivering up the certificate a new certificate with respect to the goods not specified in the warrant.

Provision for payment of rates on goods deposited and for sale of the goods in default of such payment.

20. The owner or person having the charge of any goods warehoused, stored, or yarded within the harbour shall, before the removal of such goods from the warehouses, stores, or yards of the Commissioners, and at such date or dates as shall from time to time be fixed by the Commissioners, pay such rates and charges as shall be then due and payable on such goods, and in case such owner or person shall fail or neglect so to do the Commissioners or such persons as shall be appointed by them may, at their own hand, cause all such goods to be publicly sold, and the produce of such sale shall be applied, first, in discharge of all such duties of customs or excise as may be due in respect of such goods, next in payment of the rates and charges imposed by or payable under this Order, or of any other sums which may be owing to the Commissioners or for which they may be liable or have undertaken liability, and the overplus arising from such sale shall be paid to such owner or person, provided that the said goods shall not be sold until the Commissioners shall have given one month's previous notice in writing to such owner or person, and shall have inserted such notice twice at least in a newspaper published in Aberdeen or Fraserburgh, and have affixed the same in a conspicuous place in the office of the Commissioners.

Saving rights under Crown Lands Act.

21. 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 the Act of 1878 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.

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

Short title.

23. This Order may be cited as The Fraserburgh Harbour Order, 1884.

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SCHEDULES referred to in the foregoing Order.

SCHEDULE A.

I.—Rates for Vessels.

CLASS I.

	£	s.	d.
(1.) For all vessels to or from any port or place in Great Britain or Ireland - - - - - per register ton	0	0	4
(2.) For all pleasure yachts not carrying goods or passengers for hire to or from any port or place in Great Britain or Ireland - - - - - per register ton	0	0	2

CLASS II.

(1.) For all vessels to or from all other places not in Great Britain or Ireland - - - - - per register ton	0	0	8
(2.) For all pleasure yachts not carrying goods or passengers for hire to or from any port or place not in Great Britain or Ireland - - - - - per register ton	0	0	3

For any vessel included under Class I., being a regular trader, which shall have made thirty voyages in any one year, from January to December inclusive, a deduction shall be allowed at the end of the year of twopence per register ton for each voyage, and no rates shall be charged on any voyages after the thirtieth made by it within such year, and if any such vessel shall be lost or sold during any such year, any vessel substituted in the trade for such lost or sold vessel shall in computing the number of voyages in that year be deemed to be the vessel for which it is so substituted. One sailing inwards and the one sailing outwards next following shall constitute a voyage.

For vessels launched at Fraserburgh half rates shall be paid on the first sailing thereafter outwards if in ballast only, but if loading goods or passengers full rates shall be paid.

For vessels entering the harbour for safety or wind-bound and not breaking bulk nor taking in goods (stores for their own use excepted) the following rates shall be paid namely:—

One penny per register ton if on a voyage to or from any port or place in Great Britain or Ireland, and twopence per register ton if on a voyage to or from any other port or place.

But in the case of all classes if they break bulk or take in goods (except stores as aforesaid) full rates shall be paid.

The rates above specified shall not be charged both on the arrival of a vessel inwards and on her next following sailing outwards but shall be charged only on

one of them, and it shall be in the option of the Commissioners to charge the said rates according to the class, either on the sailing inwards or on the sailing outwards.

If the rates shall be charged on the sailing outwards, there shall be deducted therefrom the amount of rates that may have been previously paid on the sailing inwards, but if any vessel having sailed inwards sail outwards in ballast the rates shall be charged only on the sailing inwards.

For vessels sailing from the harbour and put back by stress of weather or other cause without having accomplished the voyage, no additional rates shall be charged on such return.

For vessels remaining in the harbour there shall be paid in advance a rate of 3*d.* per register ton for each month or for any period less than a month in which such vessels shall remain in the harbour after the expiration of six weeks from their arrival, and 1*d.* per register ton per month, after the expiration of any entire month beyond the six weeks above mentioned.

Any period less than a month after the expiration of any entire month shall for the purposes of the above rate be deemed a month, and the rate shall not be chargeable for any vessels while under repair on slips or in graving or dry docks, and if any vessel be used as a store or stores, or if goods, wares, or merchandise are received into the same for sale or sold out thereof, or if herrings or other fish are cured on board of the same, then shall be paid 4*d.* per register ton per week or any part of a week after the first two weeks that such vessels have lain in the harbour.

EXEMPTION.

No rate shall be charged for tug steamers plying by the authority or license of the Commissioners while such tug steamers are employed only in towing vessels into or out of the harbour.

II.—Rates for Fishing Vessels and Boats.

	£	s.	d.
For all boats, whether decked or undecked, engaged at Fraserburgh in the prosecution of the herring fishery in any fishing season thereat, 2*s.* per register ton for the season, payable in advance, or in the option of the Commissioners also payable in advance for each boat - - - - - - - -	1	10	0
For all boats, whether decked or undecked, not engaged in the herring fishery at Fraserburgh, for the season, loading or discharging herrings, on entering the harbour, each time - - - -	0	2	6
For all boats, whether decked or undecked, loading or discharging fresh fish at any season of the year, except boats engaged at the herring fishing during the regular season thereof, on entering the harbour each time:—			
If under 25 tons - - - - - - - - -	0	1	6
If above 25 tons, including sailing and steam trawlers, 2*d.* per register ton.			

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		£	s.	d.
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	If under 25 tons - - - - - - -	0	3	0
	If above 25 tons the same as coasting vessels.			
	For all boats, whether decked or undecked, coming into the harbour wind-bound, or on account of stress of weather with or without cargoes :—			
	If under 20 tons - - - - - - -	0	1	0
	If above 20 and under 30 tons - - - - -	0	1	6
	For all above 30 tons the same as coasting vessels.			

NOTE.—The rates on the three last classes for any one year may be compounded for in respect of any boats under 25 tons, by a payment to the Commissioners of 25*s.*, and in the case of sailing or steam trawlers under 25 tons by a payment of 3*l.* 10*s.*, and on such payment being made no further rates shall be levied for such boat or trawler within the year so long as employed as described in these three classes.

For all boats remaining in the harbour after the expiration of two weeks from the date of their arrival, for the purpose of being fitted out, or for any purpose whatever, if not engaged in fishing 2*s.* per boat for each week or part of a week over and above the dues exigible on arrival.

The foregoing shall apply not only to boats and trawling vessels belonging to Great Britain and Ireland, but also to boats and fishing vessels belonging to foreign countries.

SCHEDULE B.

RATES FOR GOODS.

Description of Goods.	Quantity.	Rate. £	s	d.
Ale and beer - - - - -	per 54 gallons	0	0	6
Ditto in bottles - - - -	per ton	0	2	6
Alkali - - - - - -	per ton	0	1	6
Alum - - - - - -	per ton	0	1	6
Ammonia water - - - -	per ton	0	1	0
Animalized carbon - - - -	per ton	0	1	0
Apples and pears - - - -	per ton	0	2	0
Ashes, viz. :—				
Pot and pearl - - - -	per ton	0	2	0
Weed - - - - -	per ton	0	1	0
Asphalte or bitumen - - - -	per ton	0	1	0
Bacon - - - - - -	per ton	0	2	0
Barilla - - - - - -	per ton	0	1	6
Bark - - - - - -	per ton	0	1	8

Description of Goods.	Quantity.	Rate. £	s.	d.
Barley, hulled	per ton	0	1	6
Barley dust	per ton	0	1	0
Barrels, empty herring	each	0	0	1
Barytes	per ton	0	1	6
Beef, fresh and salted	per ton	0	2	0
Beer, spruce or black	per 3 gallons	0	0	1
Bleaching salts and powder	per ton	0	1	6
Blood of cattle	per ton	0	1	0
Blubber	per 250 gallons	0	6	6
Boats, viz. :—				
12 to 14 feet keel	each	0	2	6
14 to 16 „	each	0	3	0
16 to 18 „	each	0	3	6
18 to 20 „	each	0	4	0
20 and above	each	0	5	0
Cobbles, viz. :—				
12 to 14 feet long	each	0	2	0
14 to 16 „	each	0	2	6
16 to 18 „	each	0	3	0
18 to 20 „	each	0	3	6
Other cobbles in proportion.				
Bones of cattle, bone ash, and bone meal	per ton	0	1	0
Bones of cattle ground (export)	per ton or 48 bushels	0	0	6
Books and stationery	per ton	0	2	6
Bottles	per ton	0	2	0
Ditto, broken and cullet	per ton	0	0	6
Boxes, empty salmon	each	0	0	1
Bran, pollard and sharps	per ton	0	1	0
Brass	per ton	0	2	0
Bricks, common fireclay and bath	per ton	0	0	4
Brimstone	per ton	0	1	6
Butter	per ton	0	2	6
Calamine or zinc ore	per ton	0	1	0
Candles	per ton	0	2	0
Carpets, rugs, and upholstery articles	per ton	0	2	6
Carriages with springs, viz. :—				
Under 5 cwt.	each	0	2	6
5 cwt. and under 7½ cwt.	each	0	5	0
7½ cwt. and under 10 cwt.	each	0	7	6
10 cwt. and above	each	0	10	0
Carrots	per ton	0	1	0
Carts and waggons, with or without springs	per ton	0	2	6
Casks, boxes, and kits empty	per ton	0	2	6
Cattle and live animals :—				
Asses and mules	each	0	1	0

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Description of Goods.	Quantity.	Rate. £	s.	d.
Cattle and live animals—*cont.*				
Bulls, cows, and oxen	each	0	1	0
Calves	each	0	0	2
Sheep, lambs, swine, pigs, and goats	each	0	0	1½
Horses	each	0	2	0
Horses and cattle (Orkney or Shetland breed)	each	0	0	6
Ponies under 12 hands high	each	0	0	6
Dogs and foxes	each	0	0	6
Ferrets and rabbits	each	0	0	1
Ducks, hens, and other fowls	each	0	0	1
Cement	per ton	0	1	6
Chalk	per ton	0	0	6
Charcoal and charcoal blacking	per ton	0	2	0
Cheese	per ton	0	2	6
Chimney tops or cans (clay)	each	0	0	1
China	per ton	0	2	6
Chrome ore	per ton	0	1	0
Clay, viz.:—				
China or stone clay	per ton	0	0	9
Fire clay and loam clay	per ton	0	0	6
Pipe clay	per ton	0	1	0
Clocks	each	0	0	6
Clothery, haberdashery, and silk mercery	per ton	0	2	6
Clover seeds	per ton	0	1	0
Coal dust	per ton	0	0	8
Coals	per ton	0	0	8
Coffee	per ton	0	2	6
Confections	per ton	0	2	6
Copper, viz.:—				
Bars, rods, sheets, and nails	per ton	0	2	0
Utensils for distilleries and other purposes	per ton	0	2	6
Old	per ton	0	2	0
Ore	per ton	0	1	0
Copperas	per ton	0	1	6
Coprolites	per ton	0	0	9
Cordage and wire rope	per ton	0	2	6
Corks and corkwood	per ton	0	4	0
Corn, viz.:—				
Barley or bere, malt, oats, wheat, rye, beans, peas, and maize	per ton	0	2	0
Cotton seed	per ton	0	1	0
Cotton wool	per ton	0	2	4
Ditto manufactured	per ton	0	2	6
Crystal	per ton	0	2	6
Currants, raisins, and dried fruits	per ton	0	2	3
Cutch and gambia	per ton	0	1	6
Drain pipes under 3 inches diameter	per 1000	0	0	6

Description of Goods.	Quantity.	Rate. £	*s.*	*d.*
Drain pipes of other sizes	per ton	0	1	0
Ditto pipe collars	per 1,000	0	0	3
Drugs, medicines, and medicinal oils	per ton	0	2	6
Dung	per ton	0	0	4
Earthenware	per ton	0	2	6
Earthenware pipes, glazed	per ton	0	1	0
Eggs	per ton	0	2	6
Esparto grass	per ton	0	1	0
Feathers	per ton	0	5	0
Felt	per ton	0	2	3
Fire-clay retorts, flue covers, quarls, vent linings, and other manufactures of fire-clay, except bricks	per ton	0	1	0
Fish, salted and dry	per 37 gallons salted	0	0	3
	per ton dry	0	2	6
Ditto in bulk, salted	per 100*l.* value	1	0	0
Ditto, fresh haddocks, cod, ling, and all fish not enumerated	per £ value	0	0	4
Flax	per ton	0	2	4
Flax, codilla	per ton	0	1	6
Ditto, manufactured	per ton	0	2	6
Flint for potters	per ton	0	0	6
Flour	per ton	0	1	6
Furniture	per ton	0	2	6
Gelatine of screws	per ton	0	2	0
Ginger	per ton	0	2	3
Glass, window and plate	per ton	0	2	0
Grapes and plums	per ton	0	2	3
Grease	per ton	0	2	0
Guano	per ton	0	1	6
Gunpowder, dynamite and other explosives	per ton	0	6	0
Gypsum, ground	per ton	0	1	0
Ditto unground	per ton	0	0	6
Hair, dry, wet, or plaster	per ton	0	2	0
Hams	per ton	0	2	0
Hardware	per ton	0	2	6
Hats	per ton	0	2	6
Hay and straw	per ton	0	1	0
Hemp	per ton	0	2	4
Ditto, dressed	per ton	0	2	6
Ditto, codilla	per ton	0	1	6
Herrings, viz.:—				
Fresh, direct from sea	per 37 gallons	0	0	6
Ditto (cured) exported	per 26⅔ gallons	0	0	3

Note.—When dues have been paid on herrings imported fresh, no dues shall be paid for same herrings exported cured.

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Description of Goods.	Quantity.	Rate. £	s.	d.
Herrings—*cont.*				
Imported, cured or partially cured, smoked or partially smoked, 2*s.* per ton in bulk or boxes, or in Commissioners option (no export dues to be paid)	per 37 gallons	0	0	4
Hides and skins, raw and undressed	per ton	0	2	0
Hoofs	per ton	0	2	0
Hoops of wood	per 120	0	0	0¾
Hops	per ton	0	2	6
Horns	per ton	0	2	6
Horn tips, sloughs, shavings, and waste	per ton	0	1	0
Husbandry implements, viz.:—				
Ploughs	each	0	0	9
Harrows	per pair	0	0	9
Wheelbarrows	each	0	0	4
Other implements	per ton	0	2	6
Ice	per ton	0	1	0
Iron, viz.:—				
Bar, bolt, angle, rod, plate, sheet, hoop, nails, and wire	per ton	0	1	0
Forged ironwork and machinery	per ton	0	2	0
Steam boilers, whole or in pieces	per ton	0	2	0
Grates, stoves, and tinned work, pots, and other hollow cast-iron work	per ton	0	2	6
All other castings	per ton	0	2	0
Rust	per ton	0	1	0
Pig	per ton	0	0	6
Old	per ton	0	0	6
Ore	per ton	0	0	2
Junk or old ropes	per ton	0	1	0
Jute	per ton	0	1	0
Ditto manufactured	per ton	0	1	0
Kelp	per ton	0	1	0
Lard	per ton	0	2	6
Lead, viz.:—				
Sheet, pipe, pigs, and shot	per ton	0	2	0
Red, white, and black	per ton	0	2	0
Ore	per ton	0	1	0
Leather	per ton	0	2	6
Lemons	per ton	0	2	0
Lime	per ton or 30 bushels	0	0	7½
Linen yarn	per ton	0	2	6
Linseed	per ton	0	1	0
Locust beans, whole or ground	per ton	0	1	0
Lucifer matches	per ton	0	2	0
Madder, ground	per ton	0	2	6

Description of Goods.	Quantity.	Rate. £	s.	d.
Madder root	per ton	0	2	6
Manganese	per ton	0	1	6
Mangold wurzel	per ton	0	0	6
Manures, manufactured (import)	per ton	0	1	6
Ditto do. (export)	per ton	0	1	0
Mats, cargo and dunnage	per ton	0	0	9
Meal, viz.:—				
Oatmeal, pease-meal, maize-meal	per ton	0	1	6
Mill waste	per ton	0	1	0
Molasses	per ton	0	1	6
Musical instruments	per ton	0	2	6
Mussels	per ton	0	0	8
Nutmegs	per ton	0	2	3
Nuts	per ton	0	2	3
Oakum	per ton	0	1	6
Ochre	per ton	0	1	0
Oil not otherwise enumerated	per ton	0	2	0
Oilcake (import)	per ton	0	1	6
Ditto (export)	per ton	0	1	0
Onions	per ton	0	2	0
Oranges	per ton	0	2	0
Oysters and shell fish not otherwise enumerated	per ton	0	1	6
Packthread and twine	per ton	0	2	6
Paper	per ton	0	2	6
Paper shavings	per ton	0	1	0
Paste or mill boards	per ton	0	2	6
Pearl harding	per ton	0	1	6
Peats	per ton	0	0	6
Pepper and pimento	per ton	0	2	3
Pewter	per ton	0	2	0
Phosphates, manufactured	per ton	0	1	0
Pipes, tobacco	per ton	0	2	6
Pitch	per ton	0	1	0
Pitch oil	per ton	0	1	0
Plants, trees, and shrubs	per ton	0	2	6
Plaster of Paris	per ton	0	1	0
Pork (fresh and salted)	per ton	0	2	0
Porter	per 54 gallons	0	0	6
Ditto in bottles	per ton	0	2	6
Potatoes	per ton	0	1	4
Preserved provisions	per ton	0	2	0
Pyrites	per ton	0	0	6
Ditto burnt or spent	per ton	0	0	3
Rags	per ton	0	1	3
Rails, composite, or steel, and iron	per ton	0	1	0

A.D. 1884. *Fraserburgh.*	Description of Goods.	Quantity.	Rate. £	*s.*	*d.*
	Rapeseed and rubenseed	per ton	0	1	0
	Rice	per ton	0	1	6
	Rosin	per ton	0	1	6
	Rye grass seeds	per ton	0	1	0
	Saddlery articles	per ton	0	2	6
	Sago	per ton	0	1	6
	Sailcloth	per ton	0	2	6
	Saltpetre, refined	per ton	0	2	0
	Salt, rock and white	per ton	0	1	0
	Imported	per ton	0	1	0
	Exported in bulk	per ton	0	0	5
	Ditto in barrels (barrels included)	per 26⅔ gallons	0	0	2
	Salts, muriates, nitrates, sulphates, saltpetre, and other salts for manures not otherwise enumerated	per ton	0	1	6
	Sand	per ton	0	0	4
	Screws of hides, viz. :—				
	Dry	per ton	0	2	0
	Wet	per ton	0	1	0
	Scythes	per ton	0	2	6
	Sealskins	per score	0	0	4
	Seeds not otherwise enumerated	per ton	0	2	0
	Shakes of casks, pipe, or puncheon	each	0	0	2
	Others in proportion.				
	Sheffield and Birmingham wares	per ton	0	2	6
	Shumac	per ton	0	2	6
	Sids or oat husks	per ton	0	0	6
	Slates	per ton	0	0	10
	Slate slabs	per ton	0	1	6
	Smalts and ultramarine	per ton	0	2	6
	Snuff	per ton	0	2	6
	Soap	per ton	0	2	0
	Soda and soda ash	per ton	0	1	6
	Soot	per ton	0	0	6
	Spades and shovels	per ton	0	2	6
	Spanish and Italian juice	per ton	0	2	3
	Spirits	per ton	0	2	6
	Starch	per ton	0	2	6
	Steel	per ton	0	2	0
	Stones, viz. :				
	Carriage-way granite	per ton	0	0	2
	Kerb pavement and building	per ton	0	0	5
	Rubble and chips	per ton	0	0	2
	Road metal	per ton	0	0	2
	Freestone building	per ton	0	0	5
	Rigging stones	per ton	0	1	6

Description of Goods.	Quantity.	Rate. £	s.	d.
Stones—*cont.*				
Millstones, grindstones, and scythe stones	per ton	0	1	6
Marble stones	per ton	0	2	6
Flag stones, Turin or Caithness	per ton	0	0	9
Polished granite stones	per ton	0	1	6
All other description of stones	per ton	0	1	0
Stoneware	per ton	0	2	6
Stucco	per ton	0	1	0
Sugar, raw	per ton	0	2	0
Ditto refined	per ton	0	2	6
Tallow and paraffin wax	per ton	0	2	0
Tanners' waste	per ton	0	0	6
Tar	per 31½ gallons	0	0	2
Tares	per ton	0	1	0
Teas	per ton	0	2	6
Terra alba or sulphate of lime	per ton	0	1	0
Tiles	per 1,000	0	1	0
Tin	per ton	0	2	0
Tin plates	per ton	0	1	0
Tobacco	per ton	0	2	6
Tow	per ton	0	1	6
Toys	per ton	0	2	6
Turnips	per ton	0	0	6
Umber	per ton	0	1	0
Varnish	per ton	0	2	6
Vinegar	per ton	0	1	8
Vitriol and acids in carboys	per ton	0	1	6
Whalebone or whale fins	per ton	2	0	0
Whitening	per ton	0	1	0
Wine in casks or in bottles	per ton	0	2	6
Wood, viz.:—				
Fir, larch, beech, oak, ash, elm, and all other hard woods, rough or round, or in plank or sided	per 50 cubic feet	0	1	0
Masts and spars	per 50 cubic feet	0	1	0
Fir, deals, planks, and boards or battens	per 50 cubic feet	0	1	0
Railway sleepers	per 50 cubic feet	0	1	0
Lathwood, sawn	per 1,000 superficial feet	0	1	0
Cart wheel spokes and felloes	per 40 pieces	0	0	3
Wedges	per 1,000 pieces	0	1	0
Pit props not exceeding 6 inches in average diameter	per 50 cubic feet	0	0	9
1 Wainscot	per 50 cubic feet	0	1	3
Deal ends, 3 inches thick and under 4 feet in length, and firewood	per 50 cubic feet	0	0	6

A.D. 1884.	Description of Goods.	Quantity.	Rate. £	s.	d.
Fraserburgh.	Rickers under 30 feet in length and under 4 inches diameter	per dozen	0	0	3
	Oars	per dozen	0	0	4
	Handspokes	per dozen	0	0	4
	Treenails	per 1,000 lineal feet	0	0	6
	Wood by weight—				
	Bar wood, box wood, Brazil wood, cam wood, ebony, fustic lignum, vitæ, log wood, Nicaragua wood, red wood, sassafras, &c.	per ton	0	2	0
	Mahogany	per 40 feet or ton	0	2	0
	Wood staves and billets—				
	Herring barrel billets	per 50 cubic feet	0	1	0
	Herring barrel staves	per 1,000 super. feet	0	1	2
	All other kinds not enumerated	per £ value	0	0	4
	Wool pulp	per ton	0	1	6
	Wool, sheep's	per ton	0	2	6
	Ditto manufactured	per ton	0	2	6
	Yeast	per ton	0	2	0
	Zinc	per ton	0	2	0
	All goods not otherwise enumerated in the foregoing schedule	per ton	0	2	6

Notes with reference to the foregoing Schedule.

The ton mentioned in the foregoing Schedule is the ton of twenty hundred weight.

Goods of all descriptions rated by the ton shall be charged according to gross weight, fractional parts of a ton shall be charged proportionately, and the minimum charge for a single package shall be one penny. Where rates shall have been paid for goods on importation, and such goods shall be re-shipped in the original packages, and shall not have changed ownership, but shall continue to belong to the same owner as when imported, such goods shall be exempt from the payment of rates on exportation.

If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded, no rates shall be charged a second time for such goods on being reloaded if they belong to the original owner.

Where any goods shall have been shipped and the rates therefor paid, and such goods shall thereafter be relanded within the harbour by reason of the detention therein of the vessel by stress of weather and shall not be re-shipped, such rates shall be repaid.

EXEMPTIONS.

Empty boxes, casks, bags, and pack sheet returned to the original shipper after importation or exportation with goods.

Empty casks or other stores shipped for or on being returned from the seal and whale fishing, as also all ships provisions necessary for the voyage.

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

SCHEDULE C.

Fraserburgh.

Rates for Lights, Flags, and Signals.

		£	s.	d.
For all vessels - - - - -	per register ton	0	0	$0\frac{1}{4}$

These rates shall only be demanded and received during so long as lights, flags, and signals are exhibited, in accordance with the provisions of the Act of 1878.

SCHEDULE D.

Rates for the Lifeboat and the Lifeboat Establishment.

		£	s.	d.
For all vessels from any port or place in Great Britain or Ireland	each vessel	0	1	0
For all vessels from any other port or place - -	each vessel	0	2	0
For all boats engaged in the prosecution of the herring fishing for the season - - - - - -	per boat	0	1	0
For sailing or steam trawlers - - - -	per year	0	3	6

These rates shall only be demanded and received during so long as the lifeboat and lifeboat establishment shall be maintained in efficient order, as to which a certificate of the Board of Trade shall be conclusive.

HOVE.

Hove.

Order for the construction, maintenance, and regulation of a Pier at Hove in the county of Sussex.

Undertakers.

1. Walter Sidney Livesay, of No. 7, Pavilion Buildings, Brighton, and Robert Nunn, of No. 28, Theobald's Road, Gray's Inn, London, and the survivor of them, and the heirs of such survivor, and their or his assigns or successors in title, shall be the Undertakers for carrying the works authorised by this Order into execution, and are in this Order referred to as "the Undertakers."

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation Acts, 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 acquire lands by agreement.

3 For the purposes of the works authorised by this Order, the Undertakers may from time to time by agreement enter on, take, and use all or such part of the lands shown on the deposited plans for the purposes of this Order as they think requisite for the purposes of the proposed pier, and the works and conveniences connected therewith.

Lands for extraordinary purposes.

4. The Undertakers may purchase and hold for extraordinary purposes any lands 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 as the Board of Trade require from time to time

A.D. 1884.

Hove.

before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands acquired 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 pier, jetty, and landing and shipping place, with all proper sea walls, groynes, terraces, approaches, toll houses, toll gates, and other buildings, erections, works, and conveniences connected therewith, for the accommodation of steam and other vessels, and the embarking and landing of passengers, and also for a promenade and other purposes, in the parish of Hove, in the county of Sussex, and on the foreshore and bed of the sea adjoining that parish, commencing at or near the north side of the sea wall at the southern end of the inclosure known as St. Aubyn's Square on the south side of the Shoreham Road at a point nearly opposite the centre of the square, thence extending in a southerly direction across the foreshore and into the sea, and terminating at a distance of one thousand four hundred feet or thereabouts from the road adjoining the southern end of St. Aubyn's Square.

Provided that the height of any building erected is not to exceed twenty feet above the floor of the pier, except in the case of a saloon or music room at the outer end of the pier, which may exceed that height, provided the part above that height be constructed of iron and glass, and not of any other material.

Plans to be sent to Hove Commissioners for approval.

7. One month before depositing at the Harbour Department of the Board of Trade the working drawings of the works authorized by this Order, the Undertakers shall deposit the plans, sections, and working drawings of the same at the Town Hall, Hove, for approval by the Hove Commissioners, but this provision shall not in any way alter or abridge the power of the Board of Trade to deal with such working drawings as to the Board of Trade may seem fit. Any alteration or extension of such plans, sections, and working drawings not made by or by direction of the Board of Trade shall also be first submitted for the approval of the Commissioners in like manner.

If any work be commenced, constructed, altered, or extended, contrary to this provision or to the plans, sections, or working drawings, or to any alteration or extension of the same as finally approved by the Board of Trade, the Hove Commissioners may, with the consent of the Board of Trade, at the expense of the Undertakers, abate and remove it or any part of it, and restore the site thereof to its former condition.

Power to levy rates.

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 the vessels, persons, and things in the schedule to this Order specified any sums not exceeding the rates in that schedule mentioned.

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Hove.

Board of Trade may reduce pier rates.

9. If at any time and from time to time the clear annual income derived from the pier and works authorised by this Order, 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 pounds 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, on application in writing from six or more of the owners of vessels or boats resorting to the pier, and after hearing the Undertakers, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten pounds per centum per annum, 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 and Hove Commissioners.

10. The Undertakers, 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 Hove Commissioners; 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.

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

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

12. The Undertakers may grant to passengers and promenaders or others pass tickets for the use of the pier on such terms and for such period, not exceeding one year, as are agreed on, but so that no preference shall 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.

Custom House officers exempt from rates.

13. 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.

14. 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

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Hove.

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 on and from the pier without payment.

Life-saving apparatus may be attached to the pier.

15. 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.

Steam engines, diving bells, lighters, &c.

16. The Undertakers may provide such steam engines, steam vessels, tugs, piling engines, diving-bells, ballast 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.

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

17. 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; 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 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 to do so by the Board of Trade.

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

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

Restriction on use of pier.

19. The Undertakers are not to permit any vessel or boat to ship or unship at the pier authorised by this Order any sheep, cattle, or merchandise, or any goods of any kind, except passengers luggage, or to ship or unship there any other thing which might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

As to lights during construction of works.

20. Before commencing the works authorised by this Order, the Undertakers shall apply to the Board of Trade for directions as to 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 Undertakers refuse or neglect to observe any direction of the Board of Trade as to lights during construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of the works.

21. After completion or permanent discontinuance of the works authorised by this Order the Undertakers 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 Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Kisby life buoy to be kept.

22. The Undertakers 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.

Pier to be deemed within borough of Hove.

23. 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 and as forming part of the county of Sussex, and within the jurisdiction of the justices of that county, and shall for sanitary and police and local government and rating purposes be deemed and taken to be within and as forming part of the district of the Hove Commissioners, but shall not be deemed to be within the limits of any harbour authority, nor shall the persons or vessels using the pier be liable to any other payments than those authorised by this Order.

Powers to cease in certain events.

24. 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 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.

25. 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 the Hove Commissioners.

26. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Hove Commissioners.

Costs of Order.

27. 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 Undertakers.

Short title.

28. This Order may be cited as The Hove Pier Order, 1884.

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Hove.

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	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, &c.

For every trunk, portmanteau, box, parcel, or package 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

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons register - per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons register per ton register	0	6
For every vessel of the burden of 50 tons and under 100 tons register per ton register	0	8
For every vessel of the burden of 100 tons and under 150 tons register per ton register	0	10
For every vessel of the burden of 150 tons register and upwards per ton register	1	0
For every lighter for each trip - - - - per ton	0	2

IV.—Rates for Supplying Water.

Fresh water on pier, per 100 gallons, not exceeding - - -	1	6
Sea water, per 3 gallons, not exceeding - - - - -	0	2

NEWLYN.

A.D. 1884.

Newlyn.

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

Constitution of Commissioners.

1. There shall be a body of twenty-three Commissioners for carrying this Order into execution, which Commissioners and their successors are hereby for the purposes of this Order incorporated by the name of the Newlyn Pier and Harbour Commissioners (in this Order called the Commissioners), and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, lease, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The Commissioners shall be the Undertakers for carrying this Order into execution.

Incorporation of general enactments.

3. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (except with respect to the purchase and taking of lands otherwise than by agreement), and the Commissioners Clauses Act, 1847 (except sections eighty-four and eighty-five), are hereby, save so far as any of their provisions respectively may be varied by or inconsistent with this Order, incorporated with this Order.

Interpretation.

4. Words and expressions to which meanings are assigned by the enactments incorporated herewith have in this Order (unless the context otherwise requires) the same respective meanings; provided that the expression "superior courts," or "court of competent jurisdiction," or any like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Power to take lands by agreement.

5. For the purposes of the works authorised by this Order the Commissioners 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 may from time to time require for the purposes of the works authorised by this Order, and of the conveniences connected therewith.

Land for extraordinary purposes.

6. The Commissioners may from time to time purchase and hold for extraordinary purposes any lands not exceeding in the whole five acres.

First Commissioners.

7. The first Commissioners shall be Richard Bath, William Tonkin, Henry Kitchen, Samuel Payne, Peter Smith, William Oates Strick, John Oates Strick, Richard Pollard, junior, Thomas Kergwin Harvey, John Roberts, Stephen Hichens, Silas Bath, Fishermen; John Blewett, Boat-builder; James Morrish, Boat-owner; James Runnalls, Merchant; Peter Thomas, John Weeks, Masons; James Philips Cattran, Thomas Harvey, Richard Boase Kelynack, Master Mariners; George Marrack, Ropemaker; Wladislaw Somerville Lach-Szyrma, Clerk; Richard Toman, Builder; all of Newlyn aforesaid.

Retirement of first Commissioners and

8. The first Commissioners shall hold office till the first Tuesday in the month of October in the year one thousand eight hundred and eighty-five:

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Newlyn.

and on that day in the year one thousand eight hundred and eighty-five, and on the same day in every succeeding year, the Commissioners in office shall retire, and an election of Commissioners to supply their places shall be held; but a retiring Commissioner shall (if qualified) be re-eligible.

election of future Commissioners.

Qualification of Commissioners.

9. A person shall not be eligible to be a Commissioner unless he shall possess one of the following qualifications (that is to say):—

(1.) Shall reside within an imaginary circle having a radius of a mile, measured from a ring-bolt placed near the north-east end of the boat-house at or near the spot marked E on the deposited plans, and shall possess one or more mackerel boats of a length of not less than forty feet keel measurement; or

(2.) Shall reside within the circle aforesaid, and shall be the owner of property within the same of the annual rateable value according to the valuation list for the time being in force, or if there is no valuation list in force then according to the last rate for the relief of the poor, of not less than seven pounds.

For the purposes of the above enactment the term "owner" means any person for the time being in the actual occupation of any kind of property rateable to the relief of the poor, within the circle aforesaid, and not let to him at a rack-rent, or any person receiving on his own account, or as mortgagee or other incumbrancer in possession, the rack-rent of any such property.

Qualification of electors.

10. The Commissioners (other than the first Commissioners) shall be elected by such persons as are by this Order made eligible to be Commissioners, each such elector being entitled to one vote only and no more.

Questions to voters at poll.

11. In lieu of the questions mentioned in section twenty-eight of the Commissioners Clauses Act, 1847, the returning officer may, if he thinks fit, and shall, if he be required so to do by any person entitled to vote at the election, put to any voter the following questions, or either of them:—

(1.) Are you now possessed of such qualification to vote as is required by the Newlyn Pier and Harbour Order, 1884; and if so, describe that qualification?

(2.) Have you already voted at the present election?

And no person required to answer either of the said questions shall be permitted or qualified to vote until he has answered the same; and if any person wilfully make a false answer to either of the questions aforesaid he shall be deemed guilty of a misdemeanour.

Power to require proof of qualification.

12. If the returning officer has reason to believe that any person claiming to vote is not duly qualified, he may postpone the reception of the vote till proof to his satisfaction of the requisite qualification has been given, and, if such proof is not forthcoming before the close of the poll, he may, in his discretion, reject the vote altogether. The decision of the returning officer shall in any such case be final.

Form of voting paper

13. The voting papers for use at elections of Commissioners under this Order shall be in the form in the First Schedule to this Order, or to the like effect.

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Newlyn.

Limits of harbour.

14. The limits within which the Commissioners shall have authority (which shall be deemed to be the limits to which this Order extends) comprise the harbour of Newlyn and the pier and works by this Order authorised.

15. The limits of the harbour of Newlyn are as follows, namely :—

An imaginary line, commencing at a point on the beach at the high water ordinary spring tide mark distant in the direction of Mousehole, in a direct line four hundred feet from point E on the deposited plans, such point being the commencement of the proposed pier, and running in the direction thirty-eight and a half degrees east of true north in a straight line for a distance of one thousand feet or thereabouts, thence in the direction of true north in a straight line for a distance of one thousand feet or thereabouts, thence in a direction forty-nine degrees west of true north in a straight line for a distance of one thousand six hundred feet or thereabouts, to the slipway on or near the high road leading from Penzance to Newlyn, in the parish of Madron, thence along the land line of the coast in the direction of Mousehole, and terminating on the beach at high water ordinary spring tide mark four hundred feet distant from the point E aforesaid, which harbour will be situate within or abut upon all or some of the parishes or places of Newlyn, Paul, Tolcarne, and Madron, in the county of Cornwall.

Power to execute works.

16. 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 from time to time require before the completion of the works, in order to prevent injury to navigation, the Commissioners may, 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, construct and maintain the works authorised by this Order.

Description of works.

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

(1.) A pier, breakwater, slipway, jetty, quay, and landing place, with all proper works, approaches, and other conveniences connected therewith, for the embarking and landing of passengers, goods, fish, and merchandise, and for other purposes, commencing at point on the Green Rocks, near the north end of the boat-house or fish cellar in the occupation of Peter Thomas, in Newlyn, in the parish of Paul, in the county of Cornwall, and extending in an easterly direction four hundred feet, thence in a north-easterly direction three hundred and sixty feet, making in length altogether seven hundred and sixty feet or thereabouts, which said pier, breakwater, slipway, jetty, quay, landing place, works, and approaches will be situate in or abut upon the place and parish of Newlyn and Paul aforesaid ; and all proper works, approaches, and conveniences for the embarking and landing of passengers, fish, goods, and merchandise, and other purposes connected therewith.

(2.) The dredging, scouring, cleansing, and removing of any rocks, banks of sand or mud, within or adjoining the said intended pier, harbour, and works, or in the approach thereto.

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But no works below high-water mark are to be commenced without the consent of the Board of Trade having been first obtained.

Power to deviate.

18. The Commissioners in constructing the works authorised by this Order may alter and deviate the same 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, except with the consent in writing of the owner of any land which may be affected by such alteration or deviation.

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

19. The Commissioners may from time to time construct and erect upon or in connexion with the works authorised by this Order, docks, tramways, toll-houses, waiting, refreshment, and other rooms, and may lease such docks, tramways, houses, and rooms, and may also lease the tolls, rates, and duties authorised to be taken by this Order, upon such terms and conditions and for such period (not exceeding seven years), as they think fit; and the lessee shall have and may exercise during the continuance and subject to the provisions of his lease the same powers of levying and recovering the said tolls, rates, and duties as the Commissioners for the time being have or might exercise.

Obstruction of and damage to works.

20. Every person who wilfully obstructs in any manner the execution of, or damages in any manner, any of the works authorised by this Order, shall be guilty of an offence, and for every such offence shall be liable to a penalty not exceeding five pounds.

Power to take rates according to schedule to this Order.

21. 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 Commissioners may, subject and according to the provisions of this Order, for the use of the pier, harbour, and works connected therewith, demand and take in respect of the vessels, boats, persons, fish, animals, and goods in the Second Schedule to this Order specified, any sums not exceeding the rates in that schedule mentioned.

Revision of rates.

22. The Commissioners shall from time to time revise the rates authorised by this Order, so that the income of the Commissioners under this Order may always be, so far as practicable, sufficient, and not more than sufficient for the purposes of this Order; and if at any time and from time to time the clear annual income derived from the harbour and works on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer the purposes of this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such extent as will be sufficient to provide the amount aforesaid, 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 those authorised by this Order.

Annual account to be sent to the Board of Trade.

23. The Commissioners, 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 (1861) Amendment Act shall apply to such account If the Commissioners 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.

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

Exemption of Customs officers,

25. Officers of the Board of Trade and of the 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, harbour, and works by land, and with their vessels and otherwise without payment.

Life-boat crews exempt from tolls.

26. 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, harbour, and works, without payment.

Life-saving apparatus may be attached to the pier.

27. 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, harbour, and 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, harbour, and works.

Power to make byelaws.

28. The Commissioners may make, vary, and rescind byelaws for regulating the collection and levying of the rates authorised by this Order, and for regulating the persons, vessels, boats, goods, and traffic on or near the pier, harbour, and works authorised by this Order, and generally for regulating and controlling the use of the pier, harbour, and works; but byelaws under this Order, or under the Harbours, Docks, and Piers Clauses Act, 1847, in relation to the works authorised by this Order, shall not come into operation till they have been confirmed by the Board of Trade, and shall not require any other confirmation or allowance.

Commissioners may provide dredges, engines, &c.

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

Commissioners may contract with persons for use of pier.

30. The Commissioners may grant to passengers, promenaders, and others, pass-tickets for the use of the pier, harbour, and works, at such rates, on such

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terms, and for such periods, not exceeding one year, as may be agreed upon, but so that no preference be given to any one. 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 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.

Powers to compound for rates.

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

Power to borrow.

32. The Commissioners may from time to time borrow at interest, for the purposes of this Order, such sums as they may require, not exceeding in the whole (except with the consent of the Board of Trade) fifteen thousand pounds on the security of the pier, harbour, and works authorised by this Order, and the land and property connected therewith, and of the rates authorised by this Order, and any other property of the Commissioners. And for securing any money borrowed under this Order the Commissioners may from time to time convey, assign, and charge, by means of mortgages or debentures, the said pier, harbour, and works, and the land and property connected therewith, and the rates authorised under this Order, and any other property of the Commissioners, and may execute and do any deeds, acts, and things necessary or proper for that purpose.

Period for repayment of money borrowed.

33. All sums borrowed by the Commissioners under this Order shall be repaid within a period not exceeding fifty years after the same are respectively borrowed, either by annual instalments or by means of a sinking fund created and invested, and with the accumulations thereof from time to time applied by the Commissioners in such manner as to secure the discharge of the sums borrowed within such period as aforesaid. All sums paid into any such sinking fund shall be, as soon as may be, invested by the Commissioners on securities in which trustees are for the time being authorised by law to invest trust money.

Reborrowing.

34. All money borrowed by the Commissioners under this Order and repaid otherwise than by instalments or by means of a sinking fund in manner provided by this Order, may be from time to time reborrowed by the Commissioners, but so that the same shall be repaid within the period limited by this Order.

Application of borrowed moneys.

35. All money borrowed by the Commissioners under this Order shall be applied in payment of the costs, charges, and expenses preliminary to and of and incidental to preparing and obtaining the confirmation of this Order, and for the purposes of this Order, and not otherwise.

Application of rates.

36. The Commissioners shall apply all the rates 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 obtaining the confirmation of this Order, so far as the same may not be paid out of money borrowed under this Order.

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

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

(4.) In paying the cost of the pier, harbour, and works authorised by this Order.

(5.) In payment of principal money borrowed, or in creating a sinking fund for that purpose in the manner directed by this Order.

(6.) In the further general improvement of the pier, harbour, and works authorised by this Order.

Pilotage.

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

Parts of Harbours, Docks, and Piers Clauses Act, 1847, excepted.

38. Sections sixteen, seventeen, eighteen, and nineteen, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Commissioners 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 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.

Appointment of meters and weighers.

39. The Commissioners shall have the appointment of meters, weighers, and other officers on and in connexion with the pier, harbour, and works authorised by this Order.

Offences, &c., jurisdiction.

40. The pier, harbour, and works, shall in respect of all matters, crimes, or offences, arising or committed thereon be deemed and taken to be within the same jurisdiction as that part of the shore with which they shall immediately communicate.

As to lights during the construction of the works.

41. Before commencing the works authorised by this Order the Commissioners 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 on 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 Commissioners refuse or neglect to observe any directions 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.

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As to lights after completion of works.

42. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Commissioners shall, at the outer extremity of the pier, or the completed portions 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 Commissioners 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.

43. 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 fact stated in such certificate.

Saving rights under Crown Lands Act, 1866.

44. 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.

Saving right of Duchy of Cornwall.

45. 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 Miss Lemon.

46. Nothing in this Order contained shall prejudice or affect any property, rights, powers, authorities, or privileges of Miss Susan Clarke Lemon, or of any person claiming under her.

Costs of Order.

47. All the costs, charges, and expenses of and incident to the obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Commissioners.

Short title.

48. This Order may be cited as "The Newlyn Pier and Harbour Order, 1884."

THE FIRST SCHEDULE.

FORM OF VOTING PAPER.

ELECTION OF NEWLYN HARBOUR AND PIER COMMISSIONERS.

Name of person voted for as Commissioner.	Christian name and Surname of Voter.	Description of Qualification.

I vote for the person named in the first column above.

_____ Signature of Voter.

Dated _____

THE SECOND SCHEDULE.

RATES FOR FISH AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED.

		s.	*d.*
Acid water	per 10 gallons	0	3
Ale, beer, or porter	per 108 gallons	1	0
" " "	per 54 gallons	0	6
" " "	per 36 gallons	0	3
" " "	per 18 gallons	0	1½
" " " in bottles, quarts	per doz.	0	1
Alabaster	per cubic foot.	0	1½
Alkanet root	per cwt.	0	4
Alum	per cwt.	0	1
Almonds	per cwt.	0	3
Alves	per cwt.	0	4
Amber	per cwt.	0	4
Ambergris	per cwt.	0	4
Anchors	per cwt.	0	1
Anvils	per cwt.	0	1
Apples	per cwt.	0	3
Arrow-root and powder	per cwt.	0	3
Arsenic	per cwt.	0	2
If a ton or upwards	per ton	1	0
Ashes	per cwt.	0	1
Bacon or pork	per cwt.	0	2

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		s.	d.
Bagging	per cwt.	0	2
Ballast	per ton	0	3
Bark	per ton	1	6
Baskets	per doz.	0	1
Basket rods	per thousand	0	3
Bedsteads or beds	each	0	3
Beef or pork	per 304 lbs.	0	6
„ „	per 200 lbs.	0	4
„ „	per 100 lbs.	0	2
Beer, spruce	per 32 gallons	0	8
Bell-metal	per cwt.	0	2
Bellows, smiths'	each	0	6
„ common	per doz.	0	6
Biscuit or bread	per cwt.	0	1
Black Jack	per ton	0	6
Blocks	per doz.	0	1
Blubber	per cwt.	0	1
Bones and bone dust	per ton	1	6
Books	per cwt.	0	4
Bottles loose, empty	per gross	0	2
Boxes, iron, for wheels	per cwt. or dozen	0	2
Bran	per ton	1	0
Brandy	per 63 gallons	1	6
Brass, new	per cwt.	0	2
„ old	per cwt.	0	1
Bricks	per 1,000	1	0
Brimstone	per cwt.	0	1
Brooms, birch	per gross	0	2
Broom and brush handles	per gross	0	3
Brush heads and stocks	per 100	0	1
Brushes (hair, rush, or whalebone)	per doz.	0	1
Buckets	per doz.	0	1
Bullion	per 112 lbs.	1	0
Butter	per 112 lbs.	0	3
„	per 84 lbs.	0	1½
„	per 56 lbs.	0	1
Cakes, linseed or rape	per cwt.	0	1
Candles	per chest of 14 doz.	0	4
„	per half-chest of 7 doz.	0	2
Canes	per bundle of 12 doz.	0	3
Can goods	per case of 6 doz.	0	1
Catechu or catch	per cwt.	0	1
Capers	per cwt.	0	3
Carriages or coaches (with four wheels or more)	each	5	0
„ „ gigs, with two wheels	each	2	6
Carts	each	2	6

		s.	d.
Carts, handcarts	each	1	0
Casks, empty	each	0	0½
Cattle, viz.:—			
Asses and mules	each	1	0
Bulls, cows, and oxen	each	1	6
Calves and lambs	each	0	6
Horses	each	2	0
Pigs, sheep, and dogs	each	0	6
Sucking pigs	each	0	3
Cement	per cwt.	0	1
Chairs, common	per doz.	0	3
„ mahogany or other best chair	each	1	0
Charcoal	per 112 lbs.	0	1
Cheese	per cwt.	0	1½
Chemicals, not enumerated	per cwt.	0	3
Cocoa	per cwt.	0	3
Chocolate	per cwt.	0	3
Cider or perry	per 54 gallons	0	6
„	per doz. quart bottles	0	1
Citron preserves	per cwt.	0	3
China clay	per ton	0	6
Cloth	per cwt.	0	4
Cloths, linen, woollen, or cotton, in boxes	per foot	0	1
Clocks	per doz.	2	0
Clog soles	per gross	0	6
Clover seed	per cwt.	0	2
Coals, culm, cinders, or coke	per ton	0	4
Cocoa-nuts	per hundred	0	2
Coffee	per cwt.	0	3
Copper	per cwt.	0	2
„ ore	per ton	0	6
Copperas	per cwt.	0	2
Cordials	per case of 1 doz.	0	1
„	per 63 gallons	1	0
Corks	per 10 gross	0	2
Cork	per cwt.	0	2
Corn, viz.:—			
Wheat	per quarter	0	3
Barley	per quarter	0	2
Oats	per quarter	0	2
Flour	per 280 lbs.	0	2
„	per 196 lbs.	0	1½
Bere and bigg	per quarter	0	2
Barley meal	per 200 lbs.	0	1½
Indian corn	per quarter	0	2
„ meal	per 224 lbs.	0	2

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Corn, viz.—*cont.*		*s.*	*d.*
Oatmeal - - - - - -	per 224 lbs.	0	2
Beans and peas - - - - -	per quarter	0	3
Rye - - - - - -	per quarter	0	2
Cotton, raw - - - - -	per cwt.	0	3
Cradles - - - - - -	each	0	2
Currants - - - - - -	per cwt.	0	2
Dates - - - - - -	per cwt.	0	2
Down, Eider - - - - -	per cwt.	0	9
Drugs, in casks, hampers, or boxes - - -	at per foot	0	1
Dynamite - - - - - -	per cwt.	0	3
Earthenware, in crates - - - -	at per foot	0	$0\frac{1}{4}$
Eggs - - - - per package,	at per foot	0	$0\frac{1}{2}$
Emery - - - - - -	per cwt.	0	1
Empty bags and sacks, not returned - - -	per cwt.	0	2
Epsom salts - - - - - -	at per cwt	0	1
Feathers - - - - - -	at per cwt.	0	6
Felt - - - - - -	at per cwt.	0	1
Figs - - - - - -	at per cwt.	0	1
Fish, viz. :—			
Pilchards, fresh, whether for salting or for consumption,	per 476 lbs.	0	4
Pilchards, for less quantities - - -	per 120	0	$0\frac{1}{4}$
Pilchard shipping dues - - - -	per 476 lbs.	0	4
Mackerel - - - - - -	per 120	0	2
Herrings - - - - - -	per 120	0	$0\frac{1}{2}$
Other fish - - - - -	per cwt.	0	2
Stock, dry - - - - -	per cwt.	0	1
Cod-fish - - - - -	per cwt.	0	1
Flagstone - - - - -	at per 100 feet	1	2
Flax, rough - - - - -	per ton	2	0
„ in hanks - - - - -	per 56 lbs.	0	1
Flower roots, plants, or trees, in package - -	at per foot	0	1
Freestones - - - - -	per ton	1	2
Fruit, fresh - - - - -	per cwt.	0	1
Furniture, household - - -	at per cubic foot	0	1
Gates, iron or wood - - - - -	each	0	2
Ginger - - - - - -	per cwt.	0	2
„ bread - - - - -	per 224 lbs.	0	4
Glass - - - - - -	per 100 feet	0	6
„ - - - - - -	per 50 feet	0	3
„ plate - - - - - -	per foot	0	1
Glue - - - - - -	per cwt.	0	2
Grapes - - - - - -	per cwt.	0	3
Grates or stoves - - - - -	per foot	0	1
Gravel, sand, broken stone, and macadam - -	per ton	0	4
Granite - - - - - -	per ton	0	6

		s.	d.
Grease or greaves	per cwt.	0	1
Groceries, not enumerated	per cwt.	0	2
Gunpowder	per 100 lbs.	0	3
Guano	per ton	1	0
Haberdashery and hosiery, in bales	per cwt.	0	4
Ditto ditto boxes	per foot	0	1
Hair, tanners'	per cwt.	0	2
,, bull, cow, ox, goat, and horse	per cwt.	0	2
Hams	per cwt.	0	2
Hardware	per cwt.	0	1½
Harrows	each	0	4
Hats, in boxes	per foot	0	1
Hay	per ton	0	6
Hares and rabbits	per doz.	0	2
Hay rakes	per doz.	0	2
Hemp	per ton	2	0
Hides, wet or dry	for every hundred in number	2	6
Hide fleshings	per cwt.	0	2
,, roundings or glue pieces	per cwt.	0	2
Honey	per cwt.	0	6
Hoofs	per cwt.	0	1
Hoops for mast, or white hoops	per doz.	0	1
Hoops	per ton	1	6
Hops	per 112 lbs.	0	6
,,	per 56 lbs.	0	3
,,	per 28 lbs.	0	1½
Horns, ox and cow	per 100	0	2
Hurdles	per doz.	0	2
Ice	per ton	0	6
Indigo	per cwt.	1	0
Iron, new bar, angle, and boiler plates	per ton	1	6
,, pig, old mine materials, and scrap iron	per ton	0	9
,, manufactured	per cwt.	0	2
,, ore	per ton	0	6
Ivory	per cwt.	1	0
,, black	per cwt.	0	1
Junk, or old rope	per cwt.	0	1
Lard	per cwt.	0	2
Laths	per 1,000 of 4 feet and other lengths in proportion	0	2
Lead ore	per ton	0	6
,, pigs of	per ton	1	6
,, sheet	per cwt.	0	1
,, red, white, and black	per cwt.	0	1
Leather, tanned	per cwt.	0	2
,, wrought	per cwt.	0	3
Lemons	per chest	0	4

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		s.	d.
Lemons	per box	0	2
Lemon, lime, and orange juice	per 63 gallons	1	0
Lime, burnt	per ton	0	9
Limestone	per ton	0	4
Linen or woollen rags	per cwt.	0	1
„ cloth „	per cwt.	0	2
Linseed cake, or meal and oil cake	per cwt.	0	1½
Logwood chips	per cwt.	0	3
Machinery, steam, and other engines, any portions of same.	per cwt.	0	1½
Malt	per quarter	0	4
Manganese	per ton	1	0
Manure	per ton	1	0
Meat, fresh	per cwt.	0	3
Mineral waters	per gross of 12 doz.	0	4
Milk	per gallon	0	0½
Mops and brushes	per doz.	0	2
Mouldings, in cases	per cubic foot	0	2
Muriate of lime, potash, and soda	per cwt.	0	1
Musical instruments	per foot	0	1
Muskets	per doz.	0	6
Mustard	per cwt.	0	3
Nails	per cwt	0	1
Nutmegs	per cwt.	0	6
Nuts	per cwt.	0	2
Nets	per 5 cubic feet	0	2
Oakum	per cwt.	0	1
Oars	per doz.	0	3
Ochre	per cwt.	0	1
Oil, castor	per cwt.	0	2
„ mineral	per 36 gallons	0	4
„ sperm, and other oils	per 54 gallons	1	0
„	in chests of 12 dozen flasks	0	4
„	in half-chests of 6 dozen flasks	0	2
„	in jars of 24 gallons, per jar	0	6
„	in jars of 12 gallons, per jar	0	3
Olives	per 12 gallons	0	1
Onions	per cwt.	1	0
Oranges	per 56 lbs.	0	2
„ in case	per 112 lbs.	0	4
Orange and lemon peel	per cwt.	0	2
Oysters	per bushel	0	3
Paints	per cwt.	0	2
Paintings and pictures	per foot	0	3
Paper	per cwt	0	1½
Pepper	per cwt.	2	0

		s.	d.
Pick hilts	per gross	1	0
Pickles	per dozen bottles	0	1
Pipes, for smoking, in cases or barrels	per foot	0	1
„ draining	per ton	1	0
Plaster of Paris	per cwt.	0	1
Pitch, tar, or resin	per 224 lbs.	0	2
Potatoes	per ton	1	0
Preserves	per cwt.	0	2
Preserved meat and fish, in cases	per cwt.	0	2
Prunes	per cwt.	0	2
Puncheons, empty, and pipes	each	0	2
Poultry and game	per doz.	0	2
Putty	per cwt.	0	1
Raisins and figs	per cwt.	0	1
Rape seed	per quarter	0	4
Rags	per cwt.	0	2
Rice	per cwt.	0	1
Rope wire	per cwt.	0	2
„ yarn	per cwt.	0	2
„ manufactured	per cwt.	0	2
Rum	per 84 gallons	2	0
Rye grass seed	per quarter	0	3
Rails	per cwt.	0	2
Sago	per cwt.	0	2
Salt, fine	per ton	1	0
„ coarse, for curing fish	per ton	0	6
Sand	per ton	0	4
Saltpetre	per cwt.	0	2
Scythe stone	per 100	0	3
Scythes	per doz.	0	2
Scuttles, coal, copper or tin-plate	per doz.	0	3
Scoops	per doz.	0	1
Seeds, garden or agricultural	per cwt.	0	3
Segars	per cwt.	0	6
Shakes	per 112 lbs.	0	3
Shot, bird	per cwt.	0	2
Shovel and handles	per doz.	0	1
Shovels	per cwt.	0	2
Sieves	per doz.	0	3
Silk, raw	per cwt.	1	0
„ thrown	per cwt.	2	0
„ waste	per cwt.	0	6
„ maufactured in package	per foot	0	2
Skins	per doz.	0	3
Slates, writing	per gross	0	3
Slates, rag	per doz.	0	1

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		s.	d.
Slates, scantle	per 1,000	0	6
,, common helling	per 1,000	0	4
,, hearth or tombstones	per foot	0	0½
Snuff	per cwt.	0	4
Soap	per cwt.	0	2
Soda, sal	per ton	1	0
Solder and spelter	per cwt.	0	1½
Soda, carbonate	per cwt.	0	2
Spermaceti	per cwt.	0	4
Spirits and wines (alcoholic) of all sorts	per 63 gallons	1	6
Spirits and wines (alcoholic) in quart bottles	per doz.	0	2
Spokes	per cwt.	0	2
Sponge	per cwt.	1	0
Starch	per cwt.	0	2
Steel	per cwt.	0	2
Stones, grinding	per cwt.	0	1
Sugar and sweets	per cwt.	0	1
Sulphur	per cwt.	0	2
Tallow	per cwt.	0	1
Tea	per cwt.	0	4
Threshing machines	each	2	6
Timber, viz. :—			
Fir, pine, and other descriptions not enumerated	per 50 feet	0	9
Oak, or wainscote	per 50 feet	1	0
Staves, pipe	per 100	0	6
All other staves	per 1,000	1	0
Wrought	per 20 cwt.	1	0
Boxwood, lignum vitæ, and all other fancy woods	per cwt.	0	1
Spars under 22 feet long, above 2½ inches and under 4 inches in diameter	per 120 feet	5	0
Spars 2½ inches in diameter and under	per 120 feet	4	0
,, 22 feet in length and upwards	per 120 feet	9	0
Treenails	per 1,000	1	6
Wedges	per 1,000	1	6
Mahogany plank	per 20 cwt.	1	6
Oak plank	per 20 cwt.	1	0
Handspikes	per 100 cwt.	0	6
Lathwood	per 216 feet	1	6
Thrums	per cwt.	0	4
Tiles	per ton	1	0
Tin in block, ingots, or barrels	per cwt.	0	1½
,, ore	per ton	1	0
,, plate	per 112 lbs.	0	2
Toys, in boxes	per foot	0	1
Treacle	per ton	1	0

		s.	d.
Trees for saddles	per doz.	0	3
Trucks, hand	each	0	3
Turnips, mangold wurtzels	per ton	1	0
Turpentine	per cwt.	0	8
Twine or netting	per cwt.	0	2
Types	per cwt.	0	4
Valonia	per ton	2	0
Varnish	per 36 gallons	0	6
Vegetables, not enumerated	per cwt.	0	2
Venice turpentine	per cwt.	0	4
Vinegar	per 126 gallons	1	0
„	per 63 gallons	0	6
Waste	per cwt.	0	1
Wax	per cwt.	0	2
Wheelbarrows	each	0	2
Whiting	per cwt.	0	1
Winnowing machines	each	2	6
Wool	per cwt.	0	3
Zinc	per cwt.	0	2

And all other goods and merchandise not herein enumerated shall pay dues at the rate of 2*l.* 10*s.* per cent. on their invoiced prices.

Rates of Vessels.

	£	s.	d.
For all vessels discharging or loading cargo, if bound from or to any place not in the United Kingdom or Isle of Man, per registered ton	0	0	3
If otherwise	0	0	2
For all vessels seeking refuge	0	0	1½

Fishing Boats.

Fishing boats with their punts, not compounding, 28 feet keel and under, each visit	0	1	0
Not exceeding 3 months	0	7	0
Exceeding 3 and not exceeding 6 months	0	12	0
„ 6 months and for one year	1	0	0
„ 28 feet keel and not exceeding 36 feet, each visit	0	2	0
Not exceeding 3 months	0	10	6
Exceeding 3 and not exceeding 6 months	0	18	0
„ 6 months and for one year	1	10	0
„ 36 feet keel and not exceeding 50 feet, each visit	0	2	6
Not exceeding 3 months	1	1	0

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	£	s.	d.
Exceeding 3 and not exceeding 6 months - - - -	1	16	0
„ 6 months and for the whole year - - -	3	0	0
„ 50 feet keel, each visit - - - - -	0	5	0
Not exceeding 3 months - - - - -	1	10	0
Exceeding 3 and not exceeding 6 months - - - -	2	10	0
„ 6 months and for the whole year - - -	4	0	0
Gigs and other rowing boats not compounding on each occasion on entering harbour - - - - - -	0	0	6
Same, by the year, per oar - - - - - -	0	1	0
Pleasure boats with sails, not exceeding 20 feet keel, for each visit	0	1	0
By the year - - - - - - -	0	10	0
Exceeding 20 and not exceeding 30 feet, for each visit - -	0	2	0
By the year - - - - - - -	1	0	0
Exceeding 30 and not exceeding 40 feet, for each visit - -	0	4	0
By the year - - - - - - -	2	0	0
Exceeding 40 feet, per ton register - - - -	0	0	3
Pilot cutters „ - - - - -	0	0	2

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