CHAPTER civ.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Cattewater, Dingle, Lee-on-the-Solent, North Sunderland, Plymouth, Saint Leonards, Saint Monance, and Southbourne. [22nd July 1885.] A.D. 1885.

WHEREAS a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

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

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of Orders in schedule.

1. The several Orders set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and force.

Special provision as to houses of labouring class.

2. The Commissioners and undertakers respectively mentioned in the said orders, shall not, under the powers of this Act or of the said orders, without the consent of the Local Government Board in England, of the Secretary of State for the Home Department in Scotland, or of the Local Government Board for Ireland, in Ireland, as the case may be, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district in England, or in

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Scotland in any district within the meaning of the Public Health (Scotland) Act, 1867, or in Ireland in any urban sanitary district as defined by the Public Health (Ireland) Act, 1878, as the case may be, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation Act, 1885.

THE SCHEDULE OF ORDERS.

1. Cattewater.—Amendment of former Orders and acquirement of an undertaking.
2. Dingle.—Constitution of harbour authority and maintenance of lighthouse.
3. Lee-on-the-Solent.—Construction of pier.
4. North Sunderland.—Construction of harbour works.
5. Plymouth.—Amendment of former Orders.
6. St. Leonards.—Construction of pier.
7. Saint Monance.—Constitution of harbour authority.
8. Southbourne.—Construction of pier.

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Cattewater.

CATTEWATER.

Order for amending the Cattewater Harbour Orders, 1874 *and* 1876, *and for conferring further powers on the Cattewater Commissioners.*

Short title.

1. This Order may be cited as "The Cattewater Harbour Order, 1885," and shall be construed with the Cattewater Harbour Order, 1874 (in this Order called "the Order of 1874"), and with the Cattewater Harbour Order of 1876 (in this Order called "the Order of 1876"), as the same is amended and varied by the Pier and Harbour Orders Confirmation Act, 1880, as if the said Orders of 1874 and 1876 and this Order were one Order, and the Orders of 1874 and 1876 and this Order may be cited together as "The Cattewater Harbour Orders, 1874, 1876, and 1885."

Repeal of section 34 of Order of 1874.

2. Section thirty-four of the Order of 1874 is hereby repealed, provided that the emplacement site, which the Commissioners by deed conveyed on the 5th May 1879 to the Secretary of State for War, shall, together with all rights of way and other easements acquired thereby, be fully reserved to that officer.

New schedule of tolls substituted.

3. On and after the 1st day of September 1885 the schedule to the Order of 1874 shall be and the same is 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.

Amendment of the Orders of 1874 and 1876.

4. On and after the 1st day of September 1885 section five of the Order of 1876 repealing section eighteen of the Order of 1874 shall be and the said section five is hereby repealed, and section eighteen of the Order of 1874 shall be and the same is hereby restored and confirmed, and shall take effect, having regard to the substitution of the schedule to this Order in place of the schedule to the Order of 1874.

Provisions of Orders of 1874 and 1876 to apply to substituted schedule.

5. All the provisions, except section thirty-four, of the Order of 1874 and all the provisions, except section five, of the Order of 1876 having relation to the schedule to the Order of 1874 or to the rates specified in such schedule, including the provisions having relation to the security over such rates for borrowed money, shall be read and have effect as if the schedule to this Order had been annexed to and formed part of the Order of 1874.

Saving of duties, &c., becoming due under the Orders of 1874 and 1876.

6. All duties, rates, and moneys becoming due or payable to the Commissioners and unpaid on the 1st day of September 1885, under the Orders of 1874 and 1876, may be levied, collected, sued for, and recovered by the Commissioners, notwithstanding the repeal of the schedule to the Order of 1874.

Rates to be revised.

7. The Commissioners shall from time to time revise the rates received by them under the Orders of 1874 and 1876 and this Order, so that the income of the Commissioners under those Orders may always be so far as practicable sufficient, and not more than sufficient, for the purposes of these Orders, 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 such Orders, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable by the Commissioners 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.

Board of Trade officers exempt from rates.

8. Officers of the Board of Trade 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.

Lifeboat crew exempt from tolls.

9. 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.

10. 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 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.

Power to borrow additional one hundred and fifty thousand pounds.

11. The Commissioners may from time to time borrow at interest in addition to the sums authorised to be borrowed by the Orders of 1874 and 1876 respectively any further sum or sums not exceeding in the whole the sum of one hundred and fifty thousand pounds on the security of the rates, dues, and tolls for the time being authorised.

Application of borrowed money.

12. Every part of the money borrowed under this Order shall be applied for the purposes of the Orders of 1874 and 1876 and this Order, and in payment of the costs of and connected with and incidental to the preparation and making of this Order.

13. All mortgages made by the Commissioners under the powers contained in the Orders of 1874 and 1876, and subsisting at the time of the passing of the Act confirming this Order, shall during the continuance of such mortgages have priority over all mortgages made under this Order; and the powers conferred by the 14th section of this Order shall not be exercised without the previous consent of the holders of mortgages made under the Orders of 1874 and 1876.

Lands for extraordinary purposes.

14. The Commissioners may purchase by agreement for extraordinary purposes lands not exceeding in the whole twenty acres.

Power to acquire or hold Sutton Harbour.

15. The Commissioners may at any time by agreement purchase, take on lease, or otherwise acquire, either absolutely or in perpetuity, or for a term or terms

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of years, or otherwise for any less interest therein than in fee simple, all or some or part or parcel of all the lands, buildings, docks, works, conveniences, easements, or hereditaments, harbour waters, rights, franchises, and privileges of or belonging to or connected with Sutton Harbour or belonging to the Sutton Harbour Improvement Company or belonging to his Royal Highness the Prince of Wales, together with all powers, rights, privileges, and authorities, tolls, rates, and dues in respect of Sutton Harbour, and whether belonging to his said Royal Highness in right of his Duchy of Cornwall or to the Sutton Harbour Improvement Company or any other person or Company, and for effecting the purposes aforesaid the said Company may enter into any agreement with the said Commissioners and may carry the same into effect, either by conveyance, grant, demise, delegation, or otherwise: Provided that any such agreement shall not take effect unless and until it has received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Commissioners to exercise rights in Sutton Harbour.

16. From and after the completion of any such purchase or grant or during the continuance of any lease for any term or terms of years or demise or grant for any interest less than in fee, the Commissioners may collect the same tolls, rates, and dues, and exercise either in their own name or in the name of the Company the same powers of levying and recovering the rates and dues as the said Company might have had or exercised had such sale, lease, or grant not been made and the said Company had continued to act, or the Commissioners may by notice declare their option to levy and recover, and after such notice may, so far as applicable, levy and recover similar rates and dues to those leviable and payable in Cattewater as if Sutton Harbour were a portion of Cattewater, and if they exercise such option all the provisions with respect to rates and dues contained in the Order of 1874, the Order of 1876, and this Order, shall apply and have effect with respect to Sutton Harbour as if it were a portion of Cattewater.

On acquisition Cattewater byelaws to extend to Sutton Harbour.

17. From and after any such purchase or during the continuance of any such term or terms of years or lesser interest than in fee, the Commissioners may exercise all the powers of the Company as to the regulation and control of fishermen and others goods and traffic and every other matter as if such sale or lease or grant had not been made, or they may at their option treat Sutton Harbour as a portion of Cattewater, and may by notice extend all byelaws applicable to Cattewater to Sutton Harbour, provided that such byelaws and extension shall not come into operation until the same shall have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Power to remove obstruction and siltage in Cattewater.

18. The Commissioners may, by notice in writing signed by their clerk, require any person or persons, corporation, body, or authority, whether local or urban, creating, permitting, suffering, or authorising any obstruction or drainage discharge or deposit of any refuse sewage-matter or thing which may obstruct or silt up or be likely to obstruct or silt up the harbour or waters under the jurisdiction of the Commissioners or any part thereof, to remove any such obstruction, refuse, sewage-matter, or thing, and in case of neglect or failure to remove the same within one calendar month after such notice, the Commissioners may either by dredging or otherwise, at their option, remove the same at the expense of the

person or persons, corporation, body, or authority so creating, permitting, suffering, or authorising such obstruction, drainage discharge, or deposit, who shall thereupon become liable to pay to the Commissioners on demand the costs of such dredging or removal, and on nonpayment thereof such costs may be recovered from the person or persons, corporation, or authority liable to pay as if the same were a penalty leviable and recoverable under the provisions of the Harbours, Docks, and Piers Clauses Act, 1847: Provided that such costs shall not be recoverable from the sanitary authority or corporation of the borough of Plymouth on account of the removal of any obstruction, drainage discharge or deposit, in respect of which the Commissioners would not have any right or remedy against such sanitary authority or corporation if this Order had not been made, and the rights or powers of such sanitary authority and corporation shall not be prejudiced or affected by anything in this Order contained.

Portions of Harbours Clauses Act exempted.

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

Saving the rights of the Duchy of Cornwall.

20. 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.

Costs of Order.

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

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Ships, Vessels, and Craft using or entering the Harbour.

		s.	*d.*
On all ships, vessels, or steamers entering the harbour windbound only	per register ton	0	1
On all ships, vessels, or steamers of one hundred and fifty tons register and under entering the harbour for the purpose of discharging or loading cargo	per register ton	0	1
On all ships, vessels, or steamers above one hundred and fifty tons register entering the harbour for the purpose of discharging or loading cargo	per register ton	0	2

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	s.	d.
On all ships, vessels, or steamers entering the harbour for the purpose of coaling only - - - - per register ton	0	1
On every fishing hooker and sailing fishing vessel entering or using the harbour for the purpose of such trade or business only payable in advance annually - - - - the sum of	5	0
On all barges, lighters, and other similar craft above twenty tons burden per annum	10	0
On all barges, lighters, and other similar craft under twenty tons burden per annum	5	0

Every ship, vessel, or craft lying within the harbour more than three calendar months (unless under repair at a shipwright's yard) shall pay at the expiration thereof the same dues as if she had again entered the harbour, and so on at the expiration of every three months she shall continue therein.

II.—Rates on Ships, Vessels, or Steamers using Mooring Chains.

On all ships, vessels, or steamers of and under two hundred tons register per day. - - - - - - - -	1	0

And on all ships, vessels, or steamers above two hundred tons at the rate of sixpence for every one hundred tons register or part thereof per day.

III.—Rates on Goods shipped or unshipped within the Harbour.

For horses and cattle - - - - - each	1	6
For sheep, calves, and pigs - - - - each	0	4
For unworked stone, lime, and sand - - - per ton	0	$0\frac{1}{4}$
For rubble-ballast - - - - - per ton	0	$0\frac{1}{6}$
For every ton of merchandise and other articles and things not particularly enumerated above - - - - -	0	1

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

1. Rate of Cranage.

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

2. Weighing Machines.

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

3. Shed Dues.	*s.*	*d.*
For all goods which remain in the warehouse or sheds or other works of the Commissioners for not longer than forty-eight hours per 40 cubic feet or per ton	0	3
For each day during which the goods remain after the first forty-eight hours - - - - - - per ton	0	2
For any portmanteau, trunk, parcel, or other article of passenger's luggage for every day or part of a day - - - -	0	2

V.—Rates on Passengers and others using the Breakwater.

For every passenger and other person who shall embark on or from the breakwater or the quays connected with the breakwater or use them for any other purpose - - - - - -	0	1
For every passenger's and other person's trunk box or other package within the description of luggage not exceeding twenty-eight pounds	0	1
For every passenger's and other person's trunk, box, or other package within the description of luggage over twenty-eight pounds and not over eighty-four pounds - - - - - -	0	2
For every passenger's and other person's trunk, box, or other package within the description of luggage over eighty-four pounds and not over one hundred and twelve pounds - - - - -	0	3
For every passenger's and other person's trunk, box, or other package within the description of luggage over one hundred and twelve pounds and not over one hundred and forty pounds - - -	0	4
For every passenger's and other person's trunk, box, or other package within the description of luggage over one hundred and forty pounds and not over one hundred and ninety-six pounds - - -	0	5
For every passenger's and other person's trunk, box, or other package within the description of luggage over one hundred and ninety-six pounds and not over two hundred and twenty-four pounds - -	0	6
Every hundredweight beyond - - - - -	0	3

VI.

For every ton of merchandise and other articles and things shipped or unshipped at or from the breakwater or any other pier, quay, jetty, or other property of the Commissioners or leased by them per ton	0	4

EXEMPTION.

All vessels entering or leaving Sutton Harbour or the Great Western Docks at Plymouth, and not anchoring in or using Cattewater Harbour for any longer time than three days immediately before entering or after leaving Sutton Harbour or the Great Western Docks, and not using the moorings or works or conveniences of the Commissioners, and not leaving Cattewater Harbour during such three days except to go into Sutton Harbour or the Great Western Docks and also all cargoes of such vessels unless shipped or unshipped in Cattewater Harbour, shall be exempt from rates and duties under this Order.

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Dingle.

DINGLE.

Order for the Improvement, Maintenance, and Regulation of the Harbour of Dingle, in the County of Kerry.

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 Dingle 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 Commissioner.

2. The appointment, succession, and election of the Commissioners shall be regulated as follows; (that is to say,)

The Right Honourable Dayrolles Blakeney Baron Ventry, or the owner for the time being of the estate or the principal portion of the estate situate at and about Dingle, at present belonging or reputed to belong to the said Dayrolles Blakeney Baron Ventry, shall be a Commissioner, or may from time to time, by writing under his hand, appoint a person to be a Commissioner, and may from time to time rescind any such appointment by writing as aforesaid, and appoint any other person to be a Commissioner:

The divisional officer of the Coastguard of the division of Dingle for the time being shall be an ex-officio Commissioner:

The owner or owners of what is now known as the Townshend Estate, adjoining Dingle Harbour, or of the principal portion of such estate, may from time to time, by writing under hand, appoint a person to be a Commissioner, and may from time to time, by like writing, rescind any such appointment and appoint another person to be a Commissioner, and Edward Day Stokes, Esquire, J.P., shall be the first Commissioner to represent the said estate:

The persons who are for the time being owners respectively of the estates, or of the principal portion of the estates, near to and adjoining Dingle, at present belonging or reputed to belong to the Right Honourable Richard Boyle Earl of Cork, and Samuel M. Hussey, Esquire, and also George Archibald Erskine Hickson, or other the trustees or owners for the time being of the estates or of the principal portion of the estates situated near to and adjoining Dingle, known as the Lough estate, (which several estates are herein-after called "the Cork and other estates,") may appoint, or the majority of such owners may elect, a person to be a Commissioner, and George Archibald Erskine Hickson shall be the first Commissioner to represent such estates:

The magistrates and associated cesspayers assembled at the presentment sessions for the barony of Corkaguinny held next before the third Monday in September in each year may elect a person to be a Commissioner, and Patrick Grey, Esquire, shall be the first Commissioner to represent the magistrates and cesspayers:

The Board of Guardians of Dingle union, at their ordinary meeting held next before the third Monday in September in each year, may appoint a person to be a Commissioner, and the Honourable Edward Alured de Moleyns shall be the first Commissioner to represent that Board:

The persons who under this Order are qualified to vote as ratepayers, and who are in this Order called ratepayers, may elect three ratepayers to be Commissioners, and Richard Latchford, Thomas O'Donoghue, and John W. McCarthy shall be the first Commissioners to represent such ratepayers:

The registered owners for the time being of fishing-boats resident in or within a mile of Dingle, or within a quarter of a mile of the coast of the harbour, where such boats are of a registered tonnage of fifteen tons and upwards, and are engaged or employed in the fishery in and out of Dingle, (herein-after called the boat owners,) may elect three boat owners to be Commissioners; and where there are more registered owners than one the owner whose name is first on the register shall be the registered owner for the purposes of this Order, and any registered owner of more than one boat shall not have more than one vote, and John Burke, John E. Moriarty, and Joseph Flaherty shall be the first Commissioners to represent boat owners:

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:

Provided that the provisions of section nineteen of the Commissioners Clauses Act, 1847, shall apply only to vacancies which may occur in the office of a Commissioner appointed or elected to represent the Board of Guardians, ratepayers, magistrates, and associated cesspayers or boat owners.

As to election of Commissioners to represent owners of Cork estates.

3. The said George Archibald Erskine Hickson is to go out of office on the third Monday in September 1888, and any Commissioner from time to time appointed or elected by the owners of the Cork and other estates shall go out of office at the expiration of three years from the date of his appointment or election, and on any vacancy in the office of such Commissioner by retirement or otherwise the Commissioner (if any) going out, or another person, may be appointed or elected to fill the vacancy.

A certificate under the hands of the majority of the said owners shall be sufficient evidence of the due appointment or election of a Commissioner to fill any vacancy which may occur as aforesaid in the office of the Commissioner representing such owners.

As to Commissioners of represent guardians of the poor of Dingle.

4. The Honorable Edward A. de Moleyns is to go out of office on the third Monday in the month of September 1886, and any Commissioner from time to time appointed by the Board of Guardians of the Dingle Union is to go out of office on the third Monday in the month of September in the year following his appointment. On any vacancy in the office of such Commissioner, by retirement or otherwise, the Commissioner (if any) going out, or another person, may be appointed to fill the vacancy, and the appointment is to be made at an ordinary meeting of the Board of Guardians, and in case of a Commissioner going out of office, is to be made at the meeting held next before the third Monday in September in each year, and is to take effect on such third Monday.

As to continuance in office of certain Commissioners.

5. The Commissioners appointed by this Order to represent the magistrates and cesspayers and the boat-owners respectively are to go out of office on the third Monday in the month of September in the year 1886, and the Commissioners respectively elected by magistrates and cesspayers and by the boat-

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owners under this Order are to go out of office on the third Monday in the month of September in the year following their election, and the places of the Commissioners going out are to be supplied by the election of a like number of Commissioners by the magistrates and cesspayers and by the boat-owners respectively.

As to Commissioners representing ratepayers.

6. The following provisions are to have effect with respect to the election of Commissioners by ratepayers; that is to say,

(i.) The Commissioners named in this Order to represent the ratepayers are to go out of office on the third Monday in the month of September in the year 1886, and the ratepayers are, on the day to be appointed for the purpose as herein-after provided to elect three ratepayers to be Commissioners, and so from time to time, at the expiration of every three years, and the rate payers elected are to take office on the third Monday in the month of September in the year in which they are elected, and are to go out of office at the expiration of three years from the date of their taking office.

(ii.) Every person residing or having his place of business in the parish of Dingle, who has paid, during the year ending the 31st day of December immediately prceding an election, three pounds in the whole for rates leviable under this order, is a ratepayer qualified to vote and also to be elected a Commissioner.

Mode of electing by ratepayers and boat-owners.

7. The following provisions are to have effect with respect to the election of Commissioners by ratepayers and boat-owners respectively :—

(i.) The election is to take place at a meeting of ratepayers or boat-owners to be held on a convenient day and at a convenient placeto be appointed by the Commissioners :

(ii.) The Commissioners are, not less than seven days before the meeting, to cause notice of the day and place of meeting to be affixed to the door of the office of the Commissioners, or to be given by advertisement in such other convenient manner as they think fit :

(iii.) The election is to be by show of hands :

(iv.) Any two ratepayers or boat-owners may at the meeting propose any qualified person as a candidate, and, if not more than three persons are proposed, the chairman is to declare them elected without taking a show of hands :

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

(vi.) The decision of the chairman (who, in case of equality, shall have a casting vote) as to the result of such division, or ascertainment of the number of persons voting, shall be final and conclusive :

(vii.) The three candidates having the greatest number of votes are to be the elected Commissioners :

(viii.) The chairman of the meeting is to report to the Commissioners the names of the persons elected.

Expenses of election.

8. All expenses of and incident to holding any election of Commissioners to represent ratepayers or boat-owners are to be paid by the Commissioners out of the rates received under this Order.

As to occasional vacancies.

9. In case of a vacancy in the office of Commissioner elected to represent the boat-owners or the ratepayers, caused by death, failure to elect, or otherwise than by going out of office under this Order, the vacancy may be filled up in manner provided by section 19 of the Commissioners Clauses Act, 1847, with respect to occasional vacancies.

Evidence of title to vote as ratepayer.

10. The books of the Commissioners shall be evidence as to persons qualified to vote as ratepayers, and the Commissioners shall, two weeks at least before every election of Commissioners to represent the ratepayers, make out and cause to be published in some newspaper published in Tralee, or usually circulating in Dingle, a correct list of the persons qualified to vote.

Commencement of powers of Commissioners.

11. The Commissioners are to be deemed fully constituted and to have power to act under this Order immediately after the third Monday in the month of September 1885; and any proceeding of the Commissioners is not to be invalidated by reason of any vacancy in the office of any Commissioner, or any informality in the appointment or election of any Commissioner.

Incorporation of parts of Commissioners Clauses Act, 1847.

12. The Commissioners Clauses, Act, 1847, except sections six, seven, and seventeen, and twenty to thirty-five (both inclusive), one hundred and ten and one hundred and eleven, is hereby (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; and with reference to section thirty-nine, the prescribed number constituting a quorum of the Commissioners shall be five.

Harbour to be maintained by Commissioners.

13. From and after the third Monday in September 1885 the care, management, and maintenance of the harbour of Dingle (herein-after called "the harbour") shall be and the same are hereby vested in the Commissioners, and the harbour, pier, and all other works constructed or acquired under this Order shall thereafter be maintained, repaired, and regulated and improved by the Commissioners under the authority and subject to the provisions of this Order.

Undertakers.

14. The Commissioners shall be the Undertakers for the purposes of this Order.

Incorporation of Lands Clauses Acts.

15. 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.

Powers to take lands by agreement.

16. For the purpose of carrying this Order into execution the Commissioners may from time to time, with the consent of the Board of Trade, by agreement, enter on, take, and use any lands and foreshore, not exceeding in the whole five acres.

Limits of Commissioners powers.

17. 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 below high-water mark included within the following boundary; that is to say, an imaginary straight line drawn westward from the beacon at Beenbawn Head to Carrigtutea Rock, in the townland of Reenbeg, all in the county of Kerry.

Power to take easements by agreement.

18. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of

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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 execute works.

19. Subject to the provisions of this Order, the Commissioners may from time to time widen, improve, deepen, straighten, dredge, and alter the harbour, and the channels thereof and entrance thereto, and may improve and maintain the existing Dingle pier, and may lay down buoys and moorings, and erect or place other appliances or conveniences for the use of vessels frequenting the harbour, and maintain and improve all piers, quays, defences, and works hereafter constructed by them, within or in connection with the harbour, and construct and maintain warehouses, offices, sheds, weighing-machines, cranes, and other conveniences which may be found necessary, provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

As to existing pier at Dingle.

20. From and after the third Monday in the month of September 1885 the existing pier at Dingle shall be maintained by the Commissioners, and shall be under their exclusive control and jurisdiction, and all tolls and rates now leviable for the use thereof shall, from and after such date, cease to be so leviable, and all byelaws, rules, orders, and regulations now in force in relation to the said pier shall be and the same are by this Order repealed.

As to light-house.

21. The Commissioners may contribute towards the construction or maintenance of, and may maintain and light when erected with the necessary appliances, buildings, and lighting apparatus, any lighthouse which may be erected within or near the harbour.

Powers to levy rate for lights.

22. When and after any such lighthouse has been erected, and a light has been exhibited therefrom, and so long as it continues to be exhibited during proper hours, the Commissioners, subject to the provisions of this Order, may demand and receive in respect of the construction and maintenance of the light-house and the lights therein any sums not exceeding the duties mentioned in the first part of the Schedule to this Order.

Power to levy rates on vessels, &c.

The Commissioners may also demand and receive for the use of the harbour and works in respect of vessels, boats, passengers, animals, fish, goods, matters, and things, described in the second part of the schedule to this Order any sums not exceeding the several rates specified in the second part of the Schedule to this Order.

Revision of rates.

23. The Commissioners shall from time to time revise the rates or duties 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 rates or duties 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 such rates and duties to such sums 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 sums specified in the Schedule to this Order.

Rates may be compounded.

24. 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.

25. 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 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 warehouse.

26. The Commissioners may demand and receive such rates or other considerations as they may think reasonable for the use of any warehouse, 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

27. 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.

28. 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 four thousand pounds, on the security of the rates authorised by this Order, or any of those particulars, 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.

29. 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 five hundred 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, 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.

30. 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, and not otherwise :—

(i.) In payment of all costs, charges, and expenses of and incident to or connected with the preparation, procuring, and making of this Order :

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(ii.) In paying the expense of all necessary appliances and lighting apparatus, and of maintaining any lighthouse which may be erected within or near the harbour, and which may be transferred to or maintained and lighted by the Commissioners, and the regular lighting thereof from sunset to sunrise:

(iii.) In paying the expense of the collection and receipt of rates and income, and the expense of holding any election of Commissioners, and the salary or remuneration of any auditor or inspector or other officer appointed by the Board of Trade:

(iv.) In paying the expense of the maintenance, repairs, improvement, management, and regulation of the harbour and of the works, including the maintenance and improvement of the existing pier at Dingle, 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 dredges, engines, vessels, machinery, tools, plant, or other matter or thing that may be necessary:

(v.) In payment year by year of the interest of any money borrowed by the Commissioners:

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

The Commissioners shall keep a separate account of all moneys received for lighthouse duties; and moneys so received shall be applied only for paying the expenses of maintaining the lighthouse and lighting the same.

All money borrowed under this Order shall be applied for the improvement and maintenance of the harbour and other the purposes of this Order connected therewith, and not otherwise.

Annual accounts to be sent to Board of Trade.

Audit.

31. The Commissioners shall, as soon after the end of each year as possible, send to the clerk of the peace for the county of Kerry 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 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.

32. 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.

33. 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.

34. 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.

35. 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 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.

36. The Commissioners may make byelaws for the regulation and control of vessels and boats within the harbour, 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 harbour, but such byelaws shall not come into operation unless and until they 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.

37. All sand, mud, and other materials dredged up or removed within the harbour 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 the harbour, 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.

Pilotage, lights, buoys, and beacons.

38. The Commissioners shall be a pilotage authority and 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 pilotage authorities and local authorities respectively.

Meters and weighers.

39. The Commissioners shall have the appointment of meters and weighers on or in connection with the harbour.

Parts of Harbour, &c. Act excepted.

40. Sections sixteen to nineteen inclusive, and twenty-five and twenty-six 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.

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

41. The Commissioners of Public Works in Ireland shall, notwithstanding any enactment to the contrary, transfer to the Commissioners any lighthouse which may be erected by them within or near the harbour 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 therein, and continue to exhibit 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.

42. 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.

43. 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.

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

Saving rights of Crown under Crown Lands Act.

45. Nothing contained in this Order, or to be done under the authority thereof, shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities, mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act, 1866, and belonging to or exercisable on behalf of Her Majesty, Her Heirs or Successors.

Short title.

46. This Order may be cited as The Dingle Harbour Order, 1885.

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 fifteen tons burthen and upwards, entering the harbour, payable in advance, an annual sum of - - - - - - - -	2	6
These rates are to be demanded and received only while a light continues to be duly exhibited during the proper hours.		

Second Part.

Tonnage Rates, &c.

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 ; but no vessel is to pay the charge more than once in one calendar month.			
For every fishing smack or vessel of fifteen tons burthen 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 fifteen tons burthen 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.

Beer and porter - - - - -	per 64 gallons	0	2
Bricks and tiles - - - - - -	per 1000	0	3
Butter - - - - - - -	per 54 lbs.	0	1
Calves, pigs, sheep, and lambs - - - - -	each	0	4
Canvas - - - - - - -	per 56 lbs.	0	0½
Cattle, bulls, cows, oxen, and horses - - - -	each	0	6
Cement - - - - - - -	per ton	0	2
Clover, turnips, and other seed - - -	„	1	0
Coals - - - - - - -	„	0	2
Deals - - - - - - - -	per 120	0	4
Eggs - - - - - - -	per 84 score	0	2
Fish, dried, salted, or in pickle - - - -	per ton	1	0
Flour - - - - - - -	„	0	5
Ditto for export, half the above rate - - -	„	0	2½

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		s.	d.
Glass	per 4 cwt.	0	6
Guano and all other artificial manures	per ton	0	3
Gunpowder	per 100 lb.	0	3
Hides	each	0	1
Ice	per ton	0	3
Indian corn	„	0	3
Indian meal	„	0	4
Ditto for export, half rate	„	0	2
Iron	„	1	0
Laths	per 1000	0	1
Lead	per ton	1	0
Leather	per cwt.	0	3
Lime	per ton	0	2
Machinery	„	1	0
Malt	„	1	0
Nets	per 5 cubic feet	0	4
Oakum	per cwt.	0	1
Oils	per ton	0	6
Potatoes	„	0	6
Sails and ropes	per cwt.	0	0½
Salt	per ton	0	3
Slates	per 1000	0	3
Soap	per cwt.	0	1
Spars over 25 feet in length	each	0	4
Spars under 25 feet in length	„	0	2
Staves	per 120	0	4
Stones	per ton	0	2
Sugar	„	0	3
Tar	per 36 gallons	0	1
Tea	per 56 lbs.	0	2
Tiles	per doz.	0	0½
Timber of all kinds	per 50 cubic feet	0	2
Ware	per 4 cwt.	0	6
Wheat, oats, and barley	per ton	0	3
Whisky and other spirits	per 84 gallons	0	6
All other goods not enumerated above:—			
Light goods	per 2½ cwt. or 5 cubic feet	0	4
Heavy goods	per ton	0	6

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 taken on board	per ton	0	1

LEE-ON-THE-SOLENT.

A.D. 1885.

Lee-on-Solent.

Order for the Construction of a Pier and Works at Lee-on-the-Solent, in the Parish of Titchfield and County of Southampton.

Undertakers.

1. John Charles Robinson, Esquire, of Newton Manor, near Swanage, in the county of Dorset, his heirs, assignees, and successors in title, shall be the Undertakers for carrying this Order into execution.

Limits of Order.

2. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the pier and works authorised by this Order, with all the works, accesses, and conveniences connected therewith, and the whole area below the line of high-water mark lying within one hundred yards of any part of the said pier or works respectively, which limits are in this Order and in the schedule thereto termed "the limits of this Order."

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plan 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 Undertakers may, in the line and situation and according to the levels shown on the deposited plan and sections, so far as the same are shown thereon, and within the limits of deviation shown on the plan, make and maintain the pier with all necessary works, accesses, and conveniences.

Description of works.

4. The works authorised by this Order include :—

A pier or jetty at Lee-on-the-Solent, in the parish of Titchfield, in the county of Southampton, and on the foreshore and bed of the sea adjoining that parish, commencing at or near the termination of Lee Lane, otherwise Manor Way on the foreshore, thence extending in a south-west direction across the foreshore and into the sea, and terminating in the sea at a distance of two hundred and fifty yards or thereabouts, measuring in a south-west direction from the point of commencement of the said pier.

Power to construct offices and other buildings and to maintain and improve pier.

5. Subject to the provisions of this Order, the Undertakers may construct and maintain all offices and other works, buildings, and conveniences, which may be found necessary in connexion with the said pier for the accommodation of passengers landed at or embarked from the same, and they may also from time to time dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrances and channels to the said pier, and approaches, works, and conveniences connected therewith : Provided that no works authorised by this section below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained in writing.

Penalty for obstructing works.

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

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Power to levy rates.

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

Rates may be levied though works not completed.

8. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers by means of such works, the Undertakers may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and, although the whole of the works authorised by this Order shall not then have been completed, demand, receive, and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate to the increased accommodation afforded.

Pass tickets for use of pier.

9. The Undertakers may grant to passengers, promenaders, and others pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods not exceeding one year, as may be agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable nor be used by any person except the person to or for whom it is granted, nor by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under the Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

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

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

Board of Trade may reduce rates.

11. If at any time and from time to time the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and out-goings other than principal or interest 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 works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Annual account to be sent to the Board of Trade.

12. 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.

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 this Order.

Exemption of Custom House officers from rates.

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

Lifeboat crew to be exempt from rates.

15. 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.

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

Power to lease rates.

17. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding ten years, to take effect in possession at the best rent to be reasonably obtained without fine, and on such other terms and conditions as they think fit, and the lessee shall have, and may exercise during the continuance of his lease, the same power of levying and recovering rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all and the same provisions as to accounts and otherwise to which the Undertakers are made subject by this Order.

Power to make byelaws.

18. The Undertakers may make byelaws to take effect within the limits of this Order for the regulation and control of vessels and boats, and for the regulation and control of the fishermen and others embarking, disembarking, frequenting, or resorting to or employed at the pier approaches, and other works authorised by this Order, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw, 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

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Application of rates received.

19. The rates received under this Order, whether by the Undertakers or any receiver to be appointed under the provisions of this Order, shall be applicable for the purposes, and in the order following, and not otherwise:—

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

(2.) In paying the expense of the maintenance and repair, management, and regulation of the pier and works within the limits of this Order:

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

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

Power to borrow money.

20. The Undertakers may from time to time borrow and re-borrow on mortgage, at interest, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of five thousand pounds, on the security of the pier and works and the lands and property connected therewith, and the rates authorised by this Order.

Application of money borrowed.

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

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

22. If within two months after the interest on any mortgage granted by the Undertakers has become due, or after the period prescribed for the payment of the principal sum in any such mortgage has expired, such interest or principal, as the case may be, shall not be paid, the holder of such mortgage may, without prejudice to any rights, remedies, or securities otherwise competent to or held by him, apply for the appointment of a receiver as herein-after provided.

Appointment of a receiver.

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

Amount to authorise application for receiver.

24. The amount to authorise the application for appointment of a receiver shall be five hundred pounds in one or more mortgages.

Portions of Harbours Clauses Act excepted.

25. 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.

Undertakers to be local authority.

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

Vessels not to anchor within limits.

27. No vessel or boat shall anchor within the limits of this Order without the consent of the Undertakers or their piermaster.

Vessels not to moor alongside pier without consent.

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

Meters and weighers.

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

As to lights during the construction of works.

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

As to lights after completion of works.

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

Powers to cease in certain events.

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

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

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

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

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

Saving rights under Crown Lands Act, 1866.

33. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the

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Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities or privileges without the consent of the Board of Trade having been first obtained.

Costs of Order

34. All costs, charges, and expenses of and incidental to the preparing for and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Undertakers.

Short title.

35. This Order may be cited as the Lee-on-the-Solent Pier Order, 1885.

SCHEDULE to which the foregoing Order refers.

I. Rates for use of Pier.

	£	s.	d.
For every passenger or other person landing on the pier, from or embarking from it, on board of any ship, vessel, boat, packet, or passage-boat for each time, any sum not exceeding - - - -	0	0	4
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - - -	0	0	2
For every bath or sedan-chair taken on the pier, for each time any sum not exceeding - - - - - - -	0	0	4
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 or returning 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.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding twenty-eight pounds - - - - -	0	2
Over twenty-eight pounds and not exceeding eighty-four pounds -	0	4
Over eighty-four pounds and not exceeding one hundred and twelve pounds - - - - - - - -	0	5
Over one hundred and twelve pounds and not exceeding one hundred and forty pounds - - - - - - -	0	6
Over one hundred and forty pounds and not exceeding one hundred and ninety-six pounds - - - - - -	0	7
Over one hundred and ninety-six pounds and not exceeding two hundred weight - - - - - - -	0	8
And for every twenty pounds weight in addition - - -	0	1

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Order for the Extension and Improvement of North Sunderland Harbour in the County of Northumberland.

Undertakers.

1. The trustees, for charitable purposes, of the will, dated 24th June 1720, of the late Nathaniel Lord Crewe, Bishop of Durham (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 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.

Limits of harbour.

3. The limits of the harbour shall for the purposes of this Order embrace the area below high-water mark lying within the following imaginary lines (that is to say) :—

An imaginary line commencing at a point at high-water mark of ordinary spring tides on the seashore about 150 yards measured in a westerly direction from the south-west or shore end of the old north-west pier and thence proceeding due north in a straight line for a length of 250 yards and thence due east for a further length of 730 yards, thence proceeding due south for a length of about 610 yards to a point on the shore at high-water mark of ordinary spring tides, 240 yards or thereabouts measured in a south-easterly direction from the Sea Houses Point, and shall also include the existing harbour and all the piers, buildings, works, lands, and conveniences, and property, rights, powers, and privileges appertaining thereto, and the piers, works, quays, wharves, warehouses, and lands connected therewith, and all land above high-water mark acquired by the Undertakers 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 Undertakers.

Power to take specified lands by agreement.

4. 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 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 construct and maintain works, &c.

5. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade may require from time to time before completion of the works in order to prevent injury to navigation, the Undertakers 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 in the township of North Sunderland, in the parish of Bamburgh, in the county of Northumberland, the works authorised by this Order.

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Description of works.

6. The works authorised by this Order comprise—

(1.) A pier or breakwater (herein called the "new north-west pier") commencing at or about the south-west or shore end of the old north-west pier, thence proceeding in an easterly direction and terminating below low-water mark, at a point 292 yards or thereabouts from the said point of commencement;

(2.) A pier or breakwater (herein called the "new north-east pier") commencing at the north-west side of a rock called Pace Hill upon the foreshore opposite Sea Houses Point, thence proceeding in a north-westerly direction and terminating below low-water mark at a point 291 yards or thereabouts from the said point of commencement, the said point of termination being 40 yards or thereabouts measured in a north-easterly direction from the point of termination of the new north-west pier herein-before referred to;

(3.) A pier (herein-called the "connecting pier") commencing at a point on the new north-west pier 173 yards or thereabouts, measured in a westerly direction from the eastern extremity of the said new north-west pier, thence proceeding in a southerly direction and terminating at a point 80 yards or thereabouts, measured in a north-westerly direction from the eastern extremity of the old north-west pier, distant 30 yards or thereabouts from the said point of commencement;

(4.) A jetty commencing at a point 16 yards or thereabouts, measured in a westerly direction along the new north-west pier from its easterly extremity and terminating near low-water mark at a point 14 yards or thereabouts, measured in a southerly direction from the said point of commencement;

(5.) A bulwark commencing at the western extremity of the new north-west pier, and terminating near high-water mark, at a point 100 yards or thereabouts, measured in a westerly direction from the said point of commencement;

(6.) The removal of all that part of the old north-west pier from its western extremity, to the point where the connecting pier joins the said old north-west pier;

(7.) 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;

(8.) The Undertakers may excavate, deepen, or dredge the whole of the existing new harbour of North Sunderland, and may remove the limekilns, and remove or repair, improve, and rebuild the existing piers, quays, and jetties.

Subsidiary works.

7. The Undertakers 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.

8. 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.

Consent of Board of Trade to works.

9. In constructing the works by this Order authorised the Undertakers may deviate laterally from the lines of such works delineated on the deposited plans to such extent as the Board of Trade may approve, and may deviate vertically from the levels of the said works as defined on the deposited sections to any extent not exceeding ten feet.

Power to deviate.

10. 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 Undertakers in, over, or affecting any tidal water, or of the intended site thereof, and the Undertakers shall defray all the costs of every such survey and examination, and the amount of such costs shall constitute a debt due from the Undertakers to the Crown, and may be recovered accordingly.

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

11. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the harbour and the quays, piers, landing places, works, and conveniences connected therewith, demand and take in respect of vessels, boats, goods, animals, and other things and services rendered, any rates, tolls, and dues not exceeding those specified in the schedule to this Order.

Power to levy rates.

12. The Undertakers 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 for such purpose 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.

Undertakers may provide and license steam tugs.

13. The Undertakers 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 under this Order, 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 Undertakers, 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 Undertakers 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.

Charges for steam tugs.

14. The Undertakers may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, yards, cranes, weighing-machines, warps, planks, works, and conveniences belonging to them.

Rates for use of warehouses, &c.

15. The Undertakers 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

Power to compound for rates.

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vessels or boats regularly plying to and from the harbour, but so that no preference be given to any person or company.

Board of Trade may reduce rates.

16. If at any time and from time to time the clear annual income derived from the harbour 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, and for interest or principal in respect of any trust moneys of the undertaking which may be required to be replaced 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 amount specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

17. The Undertakers, 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 section 16 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.

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

Custom House officers exempt from rates.

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

Lifeboat crew exempt from rates.

20. 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 and works without payment.

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

21. 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 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 harbour.

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

Meters and weighers may be licensed.

23. 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.

Master of vessel to report arrival.

24. The master or owner or crew of every boat engaged in the white fishery and of every boat delivering herrings, 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 (except in the case of boats engaged at the herring fishing at North Sunderland for the regular herring fishing season) 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.

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

25. 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.

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

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

Power to make byelaws.

27. Sections 16, 17, 18, and 19 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall, whenever 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 the expiration of three months from the date when they receive notice of their having been required so to do by the Board of Trade.

Portions of Harbours Clauses Act excepted

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

Lights to be exhibited during construction of works.

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

Lights after completion of works.

29. After completion, or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the harbour and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of the 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.

Powers to cease in certain events.

30. 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 mouths ;

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.

31. 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.

32. 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 Undertakers, and the Undertakers may apply any of their funds to that purpose.

33. This Order may be cited as the North Sunderland Harbour Order, 1885.

The SCHEDULE to which the foregoing Order refers.

PART I.—TONNAGE DUTIES.

		s.	*d.*
For each vessel to or from any port or place on the east coast of Scotland or England entering the harbour to load or unload	per register ton	0	4
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate -	per register ton	0	2
For each steam tug entering the harbour towing or to tow vessels	per register ton	0	2
For each vessel to or from all other ports or places in Great Britain or Ireland - - - - - -	per register ton	0	6
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate -	per register ton	0	3
For each vessel to or from foreign ports or places -	per register ton	0	8
For each such vessel windbound or otherwise and not loading or unloading and not paying the aforesaid rate -	per register ton	0	4
For each vessel leaving the harbour and put back by stress of weather without having accomplished the voyage no additional rate shall be charged on such return.			
For each vessel or boat remaining in the harbour beyond a fortnight, for each additional week after the first fortnight, a fraction of a week being considered as a week - - -	per register ton	0	1
For each pleasure boat using the harbour the same rates.			

PART II.—RATES FOR VESSELS AND FISHING BOATS EXCLUSIVE OF THEIR CARGOES.

	s.	*d.*
Every boat engaged in the herring fishery as composition in full of tonnage duty for the period of the herring season from 1st May to 1st October, payable in advance, for every foot in length of the boat over all - - - - - - -	1	0
Every boat loading or discharging herrings not paying the aforesaid composition shall on each occasion of entering the harbour pay -	3	0
And when windbound or otherwise and not loading or discharging and not paying the aforesaid rate - - - - -	1	6
Every boat engaged in the white fishery as a composition in full of tonnage duty for the period of the white fishery from 1st October to 1st May, payable in advance, for every foot in length of the boat over all - - - - - - -	1	0
Every boat loading or discharging white fish not paying the aforesaid composition shall on each occasion of entering the harbour pay -	3	0
And when windbound or otherwise and not loading or discharging and not paying the aforesaid rate - - - - -	1	6

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Every boat prosecuting the herring fishery or the white fishery beyond the dates before defined as the limits of the season shall pay duties both as a boat or vessel engaged in the herring fishery and as a boat or vessel engaged in the white fishery.

PART III.—RATES ON ARTICLES OF IMPORT AND EXPORT BY BOATS OR VESSELS.

		s.	*d.*
Acorns	per bushel	0	0½
Alabaster	per cwt.	0	1
Ale, beer, porter, mum, cider, perry, or vinegar	per 10 gallons	0	1
Alum	per cwt.	0	1
Aquafortis	per cwt.	0	1
Ashes, pot, pearl, or soap	per cwt.	0	2
Ashes, fern or wood	per cwt.	0	0½
Ballast:—			
Inward, whether landed or shifted into another vessel	per ton	1	6
Outward, whether taken out of another vessel or from the quay or shore	per ton	1	6
Barilla	per ton	1	0
Bark	per ton	1	0
Bark, Jesuit's	per lb.	0	0½
Barley (see corn).			
Shelled or pearl barley	per 20 stones	0	1
Barrels, kits and boxes (empty)	each	0	0½
Baskets, hand	per dozen	0	3
Battens and ends (see Wood).			
Beef, mutton, pork, veal, bacon, hams, and tripe (fresh, salted, or preserved)	per cwt.	0	1½
Bells and bell metal	per cwt.	0	1
Bellows	per cwt.	0	2
Blankets	per dozen	0	4
Blubber	for every ton of oil produced by it	0	6
Bones and bone ash	per ton	1	0
Books and stationery	per cwt.	0	2
Bottles, glass	per gross	0	4
Bottles, stone	per dozen	0	1
Bottles, broken	per ton	0	6
Bran	per cwt.	0	0½
Brandy	per gallon	0	0½
Brass	per cwt.	0	1
Bread	per cwt.	0	1
Bricks, common	per 1,000	0	6
Bricks, stock or fire, flat or flooring	per 1,000	0	8
Brimstone	per cwt.	0	2
Bulrushes	per cwt.	0	1

		s.	d.
Burnt ore	per ton	0	4
Butter	per cwt.	0	2
Calicoes and other cotton goods	per cwt.	0	2
Candles	per cwt.	0	2
Candles, wax	per cwt.	0	4
Canvas or sail cloth	per 36 yards	0	1
Carpets	per cwt.	0	2
Carriage or cart	2 wheels	1	6
Carriage or cart	4 wheels	3	0
Carrots and cabbages	per ton	0	6
Casks, empty	each	0	2
Casks	if under 36 gallons	0	1
Cattle, viz. :—			
Bulls, cows, and oxen	each	1	0
Calves	each	0	3
Cement and concrete of all kinds	per ton	0	6
Cheese	per cwt.	0	2
Cinders, coke, and charcoal of all kinds	per ton	0	6
Clay	per ton	0	3
Chalk	per ton	0	3
Cloth hair	per cwt.	0	2
Cloth linen	per cwt.	0	4
Cloth sacks	per cwt.	0	2½
Cloth, woollen, and other woollen goods	per cwt.	0	4
Coals	per ton	0	6
Copper, wrought or unwrought	per cwt.	0	1
Copper ore	per ton	0	6
Copperas	per cwt.	0	3
Coprolite	per ton	0	6
Cordage, twine, and netting	per cwt.	0	1
Cork and corks	per cwt.	0	2
Corn and grain, viz. :			
Wheat, barley, beans, oats, peas, tares, rye, Indian corn, and malt,	per quarter	0	2
Cotton	per cwt	0	2
Cream of tartar	per cwt.	0	4
Cutch and Gambia	per cwt.	0	3
Deals and deal ends (see Wood).			
Dimities	per cwt.	0	2
Drugs	per pound	0	0½
Dusters, brooms, and brushes	per dozen	0	1
Dyeing stuffs not otherwise charged	per cwt.	0	1
Earthenware	per cwt.	0	6
Eggs	per chest of 1,600	1	0
Eggs	per 120	0	1
Esparto grass	per ton	1	0

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			s.	d.
North Sunderland.	Feathers, flocks, and quills	per cwt.	0	2
	Fish, viz.:—			
	Herrings, fresh when landed	per 37½ gallons	0	2
	Herrings, cured, export or import	per 26⅔ gallons	0	3
	Salmon, fresh, salt, or dried	per cwt.	0	1½
	Other fish, fresh when landed	per cwt.	0	1½
	Other fish, cured, export or import	per cwt.	0	1½
	Fish offal and refuse	per cwt.	0	0½
	Livers	per cwt.	0	0½
	Flax, dressed or undressed	per cwt.	0	1
	Flax if in bulk	per cwt.	0	1½
	Flour, groats or meal	per 20 stones	0	3
	And if in bulk	per cwt.	0	1½
	Fruit of all kinds not otherwise charged	per cwt.	0	4
	Fruit	per bushel	0	1
	Fuller's earth	per cwt.	0	0½
	Glass, window	per cwt.	0	3
	Glass, broken	per cwt.	0	1
	Glasses, decanters, and other white glass	per cwt.	0	6
	Glue and gum	per cwt.	0	2
	Greaves	per cwt.	0	1
	Groceries, viz.:—			
	Coffee, sugar, confections, dried fruits, molasses, ginger, spices, rice, soap, tobacco, snuff, &c., manufactured or unmanufactured,	per cwt.	0	4
	Gunpowder	per cwt.	0	4
	Haberdashery and millinery goods	per cwt.	0	4
	Hair (horse or cattle)	per cwt.	0	4
	Handscoops	per dozen	0	0½
	Handspikes dressed	per dozen	0	6
	Hats	per stone	0	6
	Hay	per ton	1	6
	Hemp	per ton	1	8
	Hides, skins, and pelts	per cwt.	0	2
	Horses and mules	each	1	0
	Hoops, wooden	per cwt.	0	0½
	Hoops, iron	per cwt.	0	2
	Hops	per cwt.	0	4
	Horns or horn tips	per cwt.	0	2
	Hosiery and clothing of all kinds	per cwt.	1	0
	Household furniture	per cwt.	0	3
	Husbandry implements and utensils	per cwt.	0	2
	Ice	per ton	0	6
	Indigo	per cwt.	0	4
	Iron, viz.:—			
	Pig iron	per ton	0	6

		s.	d.
Iron—*cont.*			
Cast iron	per ton	1	0
Wrought and bar	per cwt.	0	1
Broken or old	per ton	0	6
Ironmongery goods	per cwt.	0	1
Isinglass	per cwt.	0	2
Kipper box wood	per 1,000	1	6
Kelp	per ton	0	6
Lard and grease	per cwt.	0	2
Lathwood (see Wood).			
Lead	per cwt.	0	1
Lead, white, red, or black	per cwt.	0	1
Lead shot	per cwt.	0	1
Leather	per cwt.	0	2
Lemons or oranges	per cwt.	0	6
Lime	per ton	0	6
Live animals not otherwise charged	each	0	3
Manures, artificial guano, bone dust,	per ton	1	0
Manure, street dung, and the like	per ton	0	1½
Marble	per ton	1	6
Mats	per 120	0	6
Musical instruments of all kinds	per cwt.	0	6
Mussels	per ton	0	6
Nuts	per ton	0	2
Oakum	per cwt.	0	0½
Oil	per cwt.	0	1
Oilcake and feeding stuffs not otherwise charged	per cwt.	0	0½
Paints of all kinds	per cwt.	0	1
Paper and millboards of all kinds	per cwt.	0	2
Peats	per ton	0	3
Pewter	per ton	1	8
Pipes, tobacco	per cwt.	0	6
Pitch	per cwt.	0	1
Plaster of Paris	per cwt.	0	1
Potatoes	per ton	0	6
Pyrites	per ton	0	6
Quicks or twigs	per cwt.	0	2
Rags, old ropes, marine stores, &c.	per ton	0	6
Rosin	per cwt.	0	1
Rotten stone	per cwt.	0	1
Rugs	per cwt.	0	4
Sails	per 50 yards	0	2
Salt	per ton	0	6
Salts, Glauber	per cwt.	0	4
Saltpetre	per cwt.	0	2
Seeds, viz.:—			
Clover	per cwt.	0	1

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North Sunderland.

		s.	d.
Seeds—*cont.*			
Flax and rape	per cwt.	0	0½
Hemp and canary	per cwt.	0	1
Mustard	per cwt.	0	2
Ryegrass	per quarter	0	1
Turnip	per bushel	0	1
Garden seeds and all others not before mentioned	per cwt.	0	2
Scythe or whetstones	per 120	0	2
Sheep and lambs	each	0	2
Shoes and boots	per cwt.	0	6
Sickles	per cwt.	0	2
Sieves	per cwt.	0	2
Silks, wrought or unwrought	per cwt.	0	6
Slates	per ton	0	6
Smelts	per cwt.	0	1
Soot	per ton	0	6
Spades and shovels	per dozen	0	2
Spirits and wines of all kinds not otherwise charged, British or Foreign	per 10 gallons	0	4
Spokes, carriage, waggon, or cart	per 120	0	1
Starch	per cwt.	0	2
Staves, barrel	per 120	0	1
Hogshead	per 120	0	2
Pipe	per 120	0	3
Cutting or board ends	per 1,000	0	2
Steel	per cwt.	0	1
Stones, viz.:—			
Rubble	per ton	0	2
Freestone	per ton	0	4
Pavement	per ton	0	4
Curb	per ton	0	4
Paving and causeway stones	per ton	0	2
Grindstones	each	0	4
Millstones	each	1	6
Ragstones	per 120	0	2
Gravestones	each	2	0
Straw	per ton	1	0
Sulphur ore	per ton	0	6
Tar	per cwt.	0	6
Tea	per cwt.	0	6
Tiles, viz.,—			
Drain tiles	per 1,000	0	6
Pan tiles	per 1,000	0	6
Maltsters	per 1,000	0	10
Tin and tin plates of all kinds	per ton	1	0
Tow	per cwt.	0	1
Toys of all kinds	per cwt.	0	2

		s.	d.
Treenails	per 1,000	0	2
Trees, young	per cwt.	0	2
Turnips and mangold, and the like	per ton	0	4
Turpentine	per cwt.	0	1
Varnish	per cwt.	0	1
Vitriol	per cwt.	0	1
Whalebone	per cwt.	0	1
Wheels, carriage or cart	per pair	0	3
Whiting	per ton	0	6
Wire and wire netting	per cwt.	0	1
Wood, on all timber of any denomination not otherwise charged	per 50 feet	0	4
Mahogany	per 40 feet	1	0
Wool	per cwt.	0	6
Yarn, cotton	per cwt.	0	2
Linen	per cwt.	0	2
Wick for candles	per cwt.	0	2
Woolien	per cwt.	0	2
Yeast	per cwt.	0	2
All heavy articles not particularly mentioned in the schedule	per ton	0	6
Every article, however small, not otherwise charged		0	0½

All goods not enumerated in the above schedule to be charged in proportion to other goods of a similar kind specified in the schedule.

In charging the rates on goods for any less weight, measure, or quantity than those above specified, the proper proportion shall be charged.

Goods imported and shifted to another vessel for exportation, and not landed to pay only single duty.

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

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

All articles left on any of the piers or quays or other part of the harbour and works more than twenty-four hours to be charged one-half of the foregoing rates for each twenty-four hours or part thereof of additional time over and above the rates specified in the schedule.

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Plymouth.

PLYMOUTH.

Order for reviving and extending the provisions of the Plymouth Pier Orders, 1878 *and* 1882, *and for other purposes.*

Short title.

1. This Order may be cited as the Plymouth Pier Order, 1885, and this Order, together with the Plymouth Pier Order, 1878 (in this Order called the Order of 1878), and the Plymouth Pier Order, 1882 (in this Order called the Order of 1882), as those two Orders are varied by this Order, shall be read and construed together as one Order, and may be cited together as the Plymouth Pier Orders, 1878, 1882, and 1885, and all the provisions of the Order of 1878, except those of section 24, but including the provision as to lights during construction of the works, shall apply to works authorised by this Order in like manner as if such works had been works authorised by the Order of 1878.

Undertakers.

2. The Plymouth Pier Company, Limited, shall be the Undertakers of the works authorised by this Order.

Provisions of Orders of 1878 and 1882 revived and extended.

3. The powers and provisions of the Order of 1878, and of the Order of 1882, are by this Order revived, confirmed, and extended to the pier and works of the Company so far as constructed in accordance with those Orders on the day of the passing of the Act confirming this Order in like manner as if the pier and works authorised by the Order of 1878 had been completed within the time prescribed by that Order.

Power to execute further works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plans deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, in addition to the works authorised by the Order of 1878 and the Order of 1882, and in the lines and situations shown on the deposited plans (so far as the same are shown thereon) make and maintain the further works authorised by this Order.

The works authorised by this Order comprise the following:—

(*a.*) The widening of a portion of the Plymouth Pier in a seaward direction to an extent not exceeding ten feet on each side thereof for a distance of one hundred and twenty feet or thereabouts from its commencement;

(*b.*) The erection of a new double range of columns, tied and braced together to afford extra support under the deck and set into rock of foreshore similar in all respects to present supports of the pier, also the construction of the other works and conveniences shown upon the deposited plans;

(*c.*) The erection of such of the buildings authorised by the Order of 1878 as have not yet been constructed.

Power to levy rates.

5. 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 the

Orders of 1878 and 1882, or otherwise necessary to the due construction of the works authorised by those Orders, have been given, the Company may, subject and according to the provisions of those Orders for the use of the pier and their other works, demand and receive in respect of the persons and things in the schedule to the Order of 1878 specified any sums not exceeding the rates in that schedule mentioned.

Power to charge for use of additional works.

6. The Company may demand and receive for the use of the buildings, works, and conveniences authorised by this Order, and provided by them, or in respect of any services rendered by them other than those specified in the schedule to the Order of 1878, such sums as may be agreed upon between the Company and the person desiring to avail himself of such works or conveniences, but so that no preference be given to any person, and that access to and user of the pier and works in manner and upon the terms provided for in the Order of 1878 be not prejudiced or affected.

Powers to cease in certain events.

7. In the following cases (that is to say):—

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

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

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

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

Saving rights of Corporation of Plymouth.

8. This Order, or anything in this Order contained, shall not prejudice or affect any right or claim of the Corporation of Plymouth under their agreement with the Company dated the 20th July 1882 or otherwise, against or in relation to the Company or the works authorised to be executed by the Company, and such agreement shall henceforth operate as if the works referred to in the 4th and 5th clauses thereof had comprised the works by this Order authorised, and this Order had been included among the Orders referred to in the 5th clause of that agreement.

Costs of Order.

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

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St. Leonards.

ST. LEONARDS.

Order for the construction, maintenance, and regulation of a Promenade, Pier, and Jetty, at St. Leonards-on-Sea, in the County of Sussex.

Undertakers.

1. Richard James Reed of the Victoria Hotel, St. Leonards-on-Sea, in the county of Sussex, and William Carless of 14, Warrior Square, St. Leonards-on-Sea, and the survivor of them, their heirs and 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 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, terraces, approaches, toll houses, turn stiles, 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 goods, and also for a promenade and other purposes, in the parish of St. Leonard, otherwise Hastings St. Leonard, in the county of Sussex, and on the foreshore and bed of the sea adjoining that parish, such pier or jetty commencing at a point on the sea wall or embankment on the southern side of the Marina at St. Leonards, one hundred yards or thereabouts westward of the baths opposite the Royal Victoria Hotel, thence extending in a southerly and seaward direction across the foreshore and into the sea, and terminating there at a distance of one thousand feet or thereabouts from the aforesaid point of commencement.

The Undertakers may from time to time erect baths, saloons, pavilions, and waiting, refreshment, and other rooms, with all necessary and proper conveniences and appliances upon the pier and works hereby authorised and on the land acquired for the purposes thereof, with suitable approaches thereto.

Power to levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order have been given, the Undertakers may, subject and according to the provisions of this Order for the use of the 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.

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

8. 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.

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.

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 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 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 exempt from rates.

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

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St. Leonards.

Lifeboat crew exempt from tolls.

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

Life saving apparatus may be attached to the pier.

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

Steam engines, diving bells, lighters, &c.

15. 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.

Restriction on use of pier.

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

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-three 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.

Kisby life buoy to be kept.

19. 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 Hastings.

20. 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, though not for any other purposes, be deemed and taken to be within and as forming part of the borough of Hastings, but persons or vessels using the pier shall not be liable to any other payments than those authorised by this Order.

As to lights during construction of works.

21. 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.

22. 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.

Powers to cease in certain events.

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

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

(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.

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

Saving for the Hastings Corporation.

25. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Corporation of Hastings.

Costs of Order

26. 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.

27. This Order may be cited as the St. Leonards Pier Order, 1885.

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St. Leonards.

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	4
For every person who shall use the pier for the purpose of walking, for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time, any sum not exceeding -	0	2
For every bath or sedan-chair taken on the pier, for each and every time, any sum not exceeding - - - - - - -	0	4
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

SAINT MONANCE.

A.D. 1885.

St. Monance.

Order for the improvement, maintenance, and regulation of the Harbour of Saint Monance, in the County of Fife.

Incorporation of Commissioners.

1. The bailies of the burgh of Saint Monance for the time being, as representing the town council and community of the said burgh, together with nine other persons, to be elected as in this Order provided, shall be a body of Commissioners for carrying this Order into execution, which Commissioners and their successors are hereby, for the purposes of this Order, incorporated as a body politic and corporate, by the name of "The Commissioners of Saint Monance Harbour," with perpetual succession and a common seal, and may by that name sue and be sued, take and hold lands, and exercise all other privileges of a body corporate (and are in this Order called "the Commissioners").

Interpretation of terms.

2. The following words and expressions shall, in reference to this Order, have the several meanings hereby assigned to them; (that is to say,)

The word "Commissioners" in the Commissioners Clauses Act, 1847, and this Order shall mean the Commissioners appointed and incorporated by this Order;

The expression "elected Commissioners" means the Commissioners to be elected in the manner provided by this Order;

The word "harbour" in the Harbours, Docks, and Piers Clauses Act, 1847, and this Order shall mean the harbour of Saint Monance within the limits in this Order defined.

Incorporation of Acts.

3. The Commissioners Clauses Act, 1847, with the exception of sections twenty-eight, thirty, thirty-one, thirty-three, and eighty-four, and the Harbours, Docks, and Piers Clauses Act, 1847, with the exception of sections sixteen to nineteen, both inclusive, and sections twenty-five and twenty-six, are hereby incorporated with this Order, and shall apply to the said harbour of Saint Monance, and the works, lands, and property connected therewith; but with reference to section ninety of the Commissioners Clauses Act, 1847, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed: Provided that the Commissioners shall, at their own expense, when directed by the Board of Trade, provide, to the satisfaction of the Board of Trade, a site near the harbour, and build on such site a house and other proper accommodation for a 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.

Undertakers.

4. The Commissioners shall be the Undertakers for the purposes of this Order.

Qualification of elected Commissioners.

5. Every person qualified as an elector as is herein-after prescribed shall be eligible for the office of elected Commissioner, provided that he is resident within the water district after defined.

Election of Commissioners.

6. On the second Saturday of January 1886 the persons who, within the limits of the special water district of Saint Monance, formed at a meeting of the local

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authority of Saint Monance, held on the 6th day of August 1881, in accordance with the provisions of the Public Health (Scotland) Act, 1867, are for the time being qualified to vote in the election of a member of Parliament for the county of Fife, or for the electoral division of the county which includes the said water district, and are duly registered in the roll of voters for the time being of the said county or electoral division, shall meet in the Town House of the burgh of Saint Monance, or other convenient place, at ten o'clock in the forenoon, for the election of nine persons as Commissioners under this Order, of which meeting, and the time and place of holding the same, notice shall be given by advertisement, in the manner herein-after provided, by the senior bailie or acting chief magistrate of the said burgh, printed copies of which notice shall be affixed on the door of the said Town House, and on other public places in the said burgh, and the said election shall proceed in manner also herein-after provided, and each elector shall be entitled to give one vote for each Commissioner to be elected. The senior bailie or acting chief magistrate shall be returning officer at the election under this section.

Mode of election.

The vote at every contested election shall be taken by ballot in like manner as a poll at a contested municipal election is directed to be taken by the Ballot Act, 1872, and any future amendments thereof, which Act, so far as not inconsistent with the provisions of this Order, is hereby incorporated herewith.

Every such election shall be subject to the following further provisions; (that is to say,)

(*a.*) Notice of every such election shall be given eighteen clear days at least before the day fixed for the election by the returning officer, as prescribed by this Order, in the form contained in the First Schedule to this Order, or to the like effect;

(*b.*) After publication of the said notice, but not less than fourteen clear days before the day fixed for the election, any two electors may nominate any person or persons qualified as aforesaid as a candidate or candidates for the office of elected Commissioner, by sending to or delivering at the appointed place a nomination paper subscribed by such two electors as aforesaid, and stating the Christian names and surnames, with the place of abode and designation, of each subscriber, and of the candidates nominated, and the returning officer shall forthwith send notice of such nomination to each candidate;

(*c.*) No nomination paper shall be received after four p.m. of the last day upon which such paper may be received, and no person shall be a candidate unless he has been nominated within the time and in the manner aforesaid;

(*d.*) The returning officer shall decide whether any nomination is valid, and his decision shall be final;

(*e.*) Eleven clear days, at least, before the day fixed for the election, the names, places of abode, and designations of the several candidates nominated as aforesaid shall be published by the returning officer;

(*f.*) After delivery of a nomination paper, but not less than six clear days before the day fixed for the election, any candidate may be withdrawn by the delivery, at the place appointed, of a notice of such withdrawal, addressed to the returning officer, and signed by the candidate, but such notice shall be delivered not later than four p.m. of the last day on which it may be received;

(*g.*) If the number of the candidates nominated and not withdrawn as aforesaid shall equal, but shall not exceed, the number of Commissioners to be elected, such candidates shall be deemed to be elected on the day fixed for the election, and the returning officer shall on that day publish a list of the names, with the places of abode and designations, of the persons so elected, and such publication shall be conclusive evidence of the election;

(*h.*) If after the time herein-before limited for the withdrawal of any candidate more persons remain as candidates than there are Commissioners to be elected, the returning officer shall forthwith publish the names, places of abode, and designations of the several candidates, and give notice that a poll will be taken on the day fixed for the election, between the hours specified in such notice. Sundays are to be counted in reckoning the number of clear days specified in the preceding provisions of this paragraph, but when the last day for receiving nominations or notices of withdrawal so reckoned falls on a Sunday, then no nominations or notices of withdrawal are to be received after twelve o'clock on the previous Saturday;

(*i.*) If the number of candidates nominated and not withdrawn as aforesaid shall be less than the number to be elected, or if from any cause no election take place on the day appointed for the same, the returning officer shall immediately appoint a new election of a Commissioner or Commissioners, and shall give notice of such election as before prescribed, and such election shall be proceeded with in the manner prescribed in this Order; and in such case the elected Commissioners who would on that day have retired from office by rotation shall continue in office until such adjourned election takes place;

(*j.*) In case of an equality of votes at any contested election, the returning officer shall decide by lot the person or persons to be elected;

(*k.*) The ballot papers shall be placed in a sealed cover, and shall be kept among the Commissioners records, and subject to their orders;

(*l.*) The returning officer shall, within twenty-four hours after the election, give notice to the several persons elected of their election as Commissioners, and request their attendance at the first meeting of the Commissioners, which meeting shall not be held later than fourteen days after the date of the election.

Chairman and returning officer.

7. The senior bailie or chief magistrate of the burgh for the time being shall be chairman of the Commissioners under this Order, and the clerk of the Commissioners shall be returning officer at all elections under this Order subsequent to the first election.

Elected Commissioners to retire from office by rotation.

8. On the last Saturday of February 1887, and on the last Saturday of February in every succeeding year, one third of the elected Commissioners shall retire from office; such Commissioners as have had the smallest number of votes at the first election shall retire on the said last Saturday of February 1887, and in succeeding years the elected Commissioners who have been longest in office shall retire; and it is provided that in the event of any questions arising as to who shall be the retiring Commissioners, such questions shall be determined in the manner prescribed by the Commissioners Clauses Act, 1847.

Annual election of Commissioners.

9. A meeting for the election of Commissioners to succeed the elected Commissioners retiring from office by rotation shall be held in the Town House

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of Saint Monance on the last Saturday of February in every year, and persons qualified as aforesaid shall be elected by the majority of the votes of the electors qualified to vote as aforesaid in room of the elected Commissioners so retiring from office; and every such election shall be proceeded with in the same manner as is herein-before provided with respect to the election of Commissioners, and notice of every such election shall be given by the returning officer as herein-before provided.

Meetings of Commissioners.

10. The Commissioners shall hold their first general meeting in the Town House of St. Monance, or in any other convenient place in the burgh, on the 16th day of January 1886, and shall proceed to put this Order into execution; and the Commissioners shall hold an annual general meeting in the said Town House, or in any other convenient place in the burgh, on the last Saturday of December in every year thereafter, and shall also hold quarterly meetings for the transaction of general business on the last Saturday of the months of March, June, September, and December, or at such other convenient time and place as the Commissioners shall from time to time appoint; and at all meetings of the Commissioners the chairman, if present, shall preside; and if at any meeting of the Commissioners the chairman is not present, one of the Commissioners present shall be elected chairman of such meeting by the majority of the votes of the Commissioners present at such meeting.

Quorum of Commissioners.

11. For all purposes whatsoever five Commissioners shall be a quorum of the Commissioners, and shall have and exercise all the powers, rights, and duties of the Commissioners.

Harbour transferred to Commissioners.

12. From and after the 11th day of February 1886, all the rights and privileges of the magistrates and council of the burgh of Saint Monance in and to the existing harbour of Saint Monance, and in and to the quays, piers, and works connected therewith and lands belonging thereto, and the right to levy rates and dues at the said harbour, and all right, title, interest, powers, and privileges of the magistrates and council of the burgh of Saint Monance, or of the feuars and inhabitants thereof, in and with respect to the said harbour, quays, piers, works, lands, and property, shall be and are hereby transferred to and vested in the Commissioners, and shall thereafter be held, used, and enjoyed by the Commissioners for the purpose and subject to the provisions of this Order.

Limits of the harbour.

13. The limits of the harbour of Saint Monance within which the Commissioners shall have authority, and to which the provisions of this Order extend, shall include the existing harbour, and the piers, quays, beaching ground, and all the works, roads, accesses, and conveniences connected therewith, and also the area below high-water mark within 200 yards from any part of either the east or the west pier of the harbour.

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

14. For the purposes of this Order the Commissioners may from time to time, by agreement, acquire, enter upon, and use such lands and such parts of the foreshore as they think expedient.

Lands for extraordinary purposes.

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

Power to levy rates.

16. From and after the 11th day of February 1886, and 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 have been given, the Commissioners may, subject and according to the provisions of this Order, for the use of the harbour, piers, quays, beaching ground for boats, and works, demand, levy, and receive in respect of vessels and boats, persons, animals, fish, goods, matters, and things described in the Second Schedule to this Order, any sums not exceeding the several rates specified in that Schedule.

Existing rates to cease.

17. From and after the 11th day of February 1886, and when a certificate has been obtained from the Board of Trade under the last preceding section of this Order, all rates, dues, sums, and customs leviable in respect of the harbour and works before the said 11th day of February 1886 shall cease to be levied or demanded, save always as is in this Order otherwise provided.

Debt to Bank.

18. Whereas in the year 1878 a cash credit to the extent of 7,500*l.* was obtained from the National Bank of Scotland (now the National Bank of Scotland, Limited), which was expended in the extension and improvement of the harbour, whereon there is due to the said Bank the sum of 7,568*l.* of principal, besides interest; and whereas in the year 1883 an additional cash credit to the extent of 500*l.* was obtained from the said Bank, which was expended towards deepening the harbour and improving the entrance thereof, whereon there is due the sum of 276*l.* of principal, besides interest, and which debts together amount at the date of the application for this Order to the sum of 7,844*l.* of principal, besides interest, and which advances were made on the security of the harbour, and the shore dues, and charges, and customs exigible therefrom, and the common good of the burgh, and the personal security of all the local skippers of boats then trading at the harbour; therefore the said National Bank of Scotland, Limited, shall have and hold the same security and lien on the rates and dues authorised by this Order as the said Bank had and held on the rates and others assigned to them as aforesaid.

And whereas the said cash credits were obtained from the said Bank as aforesaid on the security of the said harbour, and the shore dues, charges, customs, and harbour rates, and the common good of the burgh of Saint Monance, and on the personal security of the skippers of boats; and whereas the personal security of the skippers of boats was given and the said cash credit bonds were subscribed by them on the condition that the whole fishermen residing in Saint Monance should enter into and sign an agreement with respect to the repayment of the debt to the Bank; and whereas an agreement, dated 4th, 5th, and 8th July 1878, was duly signed, by which it was provided that a committee of management of the fishermen of Saint Monance should be appointed from time to time, as they should see fit, to fix and apportion, alter and vary, the proportion of the said sums due under said cash credits, to be annually, periodically, or otherwise, paid by the said fishermen, and to take the necessary measures for collecting and uplifting the same; and whereas the scale of payments at present exigible in terms of the said agreement as fixed by the committee appointed under the same was as follows; that is to say,

1. A payment at the rate of sixpence per man per week for the period from and after the first Saturday of October up to and including the last Saturday of June, and that whether prosecuting the fishing from Saint Monance Harbour or elsewhere, and whether the crew, other than the skipper, belong to Saint Monance or not.

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2. Small yawls at a uniform rate of threepence per man per week throughout the whole year.

Nos. 1 and 2 are payable on the Saturday of each week.

3. A payment of one pound sterling per boat during the spring herring fishing, payable on the last Saturday of February every year.

4. A like sum, at the rate of one pound sterling per boat, for every boat prosecuting the lammas fishing, whether at Saint Monance or elsewhere; large yawls at the rate of ten shillings per yawl.

These payments are exigible in each case from the respective owners or skippers of the boats, or owners and skippers of the boats.

5. A payment of three shillings and sixpence per man for each Saint Monance fisherman who may be employed at the lammas herring fishing in any boat not belonging to or not fishing from Saint Monance Harbour.

Nos. 4 and 5 are payable on the second Saturday of September every year.

Therefore, so long as the sums, or any balance thereof, which may be payable under the said agreement shall remain unpaid, the persons liable for the same shall be exempt from the payment of rates and dues under the Second Schedule to this Order, with the exception of the rate on unemployed fishing boats remaining in the harbour; and any fisherman of Saint Monance who shall hereafter subscribe a memorandum in the following form; namely,

I (or We)

being a fisherman (or fishermen) of Saint Monance, hereby agree to the mode of repayment of the debt due to the National Bank of Scotland, Limited, provided for in the Saint Monance Harbour Order, 1885.

Signed in presence of

(Signature of one Witness.)

shall come within the terms of the said agreement and be similarly exempt from payment of the rates and dues specified in the Second Schedule to this Order.

Provided that the payments under the said agreements shall cease and determine from and after the date when the balance due to the said National Bank of Scotland, Limited, together with all interest payable thereon, has been discharged, and until that event shall happen the sums so received under this section shall be paid and applied towards the reduction of the said debt to the said Bank, and not otherwise.

As to repayment of new loans.

19. If after repayment of the foresaid loans the Commissioners, with the consent of the fishermen of Saint Monance in public meeting assembled, called by handbills affixed on public places in the burgh ten days previous to such meeting, shall deem it necessary to deepen, extend, or improve the said harbour, or if from any unforeseen contingency extensive repairs thereon shall be necessary, and the security of the harbour and rates shall be deemed insufficient security for money to be borrowed to effect the said improvement or repairs, then it shall be lawful, with the consent of the Board of Trade, under the hand of one of their secretaries or assistant secretaries, to revert to the mode of security and repayment referred to in the immediately preceding section, with the like exemption of rates and dues in favour of the persons who may agree, but only so long as any part of such debt shall remain unpaid.

Construction of additional works.

20. The Commissioners may from time to time divert drains and watercourses and gas and other pipes, and may make and provide all necessary approaches, embankments, roads, jetties, wharves, sheds, warehouses; may lay down and maintain rails, tramways, and others on or along the quays and piers, and other works of the harbour, and the lands connected therewith; may provide, maintain, and use such steam engines, cranes, dredges, water and other pipes, barges, boats, buoys, mooring posts, weighing machines, machinery, appliances, and conveniences as they may deem necessary for the purposes of the harbour; and they may from time to time construct, maintain, alter, and improve the harbour and works and conveniences thereof; and may alter, dredge, deepen, and otherwise improve the entrance channels and waterways of the harbour: Provided that works authorised by this Order below high-water mark shall not be commenced without the consent of the Board of Trade having been first obtained.

Rates for use of warehouses, &c.

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

Debts charged on rates.

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

Commissioners may supply ballast.

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

Certain fishing vessels under stress of weather exempt from rates.

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

Custom House officers exempt from rates.

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

Lifeboat crew exempt from rates.

26. 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.

27. 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 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.

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

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

Annualaccount to be sent to Board of Trade.

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

Power to vary exemption and to enter into composition.

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

Rates may be leased.

31. The Commissioners may from time to time lease the rates authorised by this Order for any period not exceeding ten years, on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and dues as the Commissioners have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the same provisions as to accounts and otherwise to which the Commissioners are made subject by this Order.

Power to compound for rates.

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

Application of receipts.

33. Subject to the provisions of this Order, the rates and rents received under this Order shall be applicable for the purposes and in the order following, and not otherwise :—

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

(2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the harbour, and the works thereof ;

(3.) In payment of the interest of the money borrowed from the National Bank of Scotland, Limited ;

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

(5.) In paying the expense of the execution and maintenance of such works, buildings, sheds, warehouses, wharves, jetties, and conveniences as may from time to time be necessary for the purposes of the harbour, or the accommodation of the vessels and boats resorting thereto ;

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

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

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

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

Rates to be revised.

34. The Commissioners shall from time to time revise the rates leviable by them under this Order, so that the same be fixed at amounts as nearly as possible sufficient and not more than sufficient for the purposes of this Order.

Power to borrow money.

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

Application of money borrowed.

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

Sinking fund.

37. In order to create a sinking fund for the discharge of the principal money already borrowed, and remaining unpaid (if any), or which may be borrowed under this Order, the Commissioners shall, in the event of their borrowing otherwise than on condition of repayment by way of annuity or instalments, yearly set aside not less than one half of the surplus revenue of the harbour, and shall

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deposit the same in some bank in Scotland, to be increased by accumulation in the way of compound interest, or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof, as the Commissioners may think ought to be then paid off; and the Commissioners shall then apply such accumulated fund in such payment accordingly, but so that the Commissioners shall not allow any sum exceeding five hundred pounds to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

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

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

Appointment of a judicial factor.

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

Amount to authorise application for judicial factor.

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

Commissioners to be a local authority.

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

Vessels not to anchor within certain limits.

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

Meters and weighers.

43. The Commissioners shall have the appointment of meters and weighers within the limits of the harbour.

Byelaws.

44. 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 on the harbour and works, and conveniences pertaining thereto, but such byelaws shall not come into operation until the same shall have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

As to lights during the construction of works.

45. 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 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.

As to lights after completion of works.

46. The Commissioners shall at the outer extremity of the harbour and works exhibit from sunset to sunrise such light or lights (if any) as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Commissioners shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Saving rights under Crown Lands Act, 1866.

47. 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 rights of the Crown under management of Commissioners of Woods, &c.

48. Nothing contained in this Order shall authorise the Commissioners to take, use, or in any manner interfere with, any land or hereditaments, or any rights, of whatsoever description, belonging to the Queen's most Excellent Majesty in right of Her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent in writing of the said last-mentioned Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such last-mentioned Commissioners are hereby respectively authorised to give); neither shall anything in the said Order contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in, or enjoyed, or exerciseable by the Queen's Majesty, Her heirs or successors.

Saving rights of Crown under Crown Lands Act.

49. Nothing contained in this Order, or to be done under the authority thereof, shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities, mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act, 1866, and belonging to or exerciseable on behalf of Her Majesty, Her heirs or successors.

Saving other rights.

50. Nothing contained in this Order shall prejudice or affect any rights which William Baird, Esquire, may have, either as Superior of the burgh of Saint Monance or otherwise; nor shall anything contained in this Order prejudice or affect the right of the magistrates and town council of Saint Monance to levy any dues, rates, or customs other than those hitherto leviable and exigible in respect of the harbour of Saint Monance.

Costs of Order.

51. 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 Commissioners.

Short title.

52. This Order may be cited as the Saint Monance Harbour Order, 1885.

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The FIRST SCHEDULE to which the foregoing Order refers.

Notice of Annual Election of Commissioners.

Annual Election of Commissioners for executing the Purposes of the Saint Monance Harbour Order, 1885.

In virtue of the provisions of the Saint Monance Harbour Order, 1885, and the powers thereby conferred upon me, I hereby give notice that the annual election of Commissioners under the said Order will take place on the day of February next, being the last Saturday of February.

The number of persons to be elected Commissioners is three (or as the case may be) to succeed *A.B.* (design him), *C.D.* (design him), and *E.F.* (design him), who retire from office by rotation.

Any person qualified within the limits of the water district of Saint Monance to vote in the election of a member of Parliament for the county of Fife, or for the electoral division of the county which includes the said water district, and duly registered in the roll of voters for the time being of the said county or electoral division, is entitled to vote in the election.

Any two electors may nominate any person qualified as aforesaid, and resident within the said water district, to be a candidate by sending or delivering at the office of *H.I.* (design him), whom I have appointed poll clerk, a nomination paper. The nomination paper must be dated and subscribed by two electors, and must contain the Christian names, surnames, and places of abode, and designations of the subscribers and of the candidates nominated.

No nomination paper will be received after four p.m. (or twelve p.m., as the case may be) of the day of .

Public notice will be given of the list of candidates on or before the day of .

Any candidate may be withdrawn by the delivery at the office of the said *H.I.*, not later than four p.m. (or twelve p.m., as the case may be) of the day of , of a notice of withdrawal signed by the candidate and addressed to the returning officer.

The voting or poll at the election will commence in the Town House (or as the case may be) of Saint Monance at ten o'clock a.m., and will close at three o'clock p.m. of the day above mentioned.

The voting shall be by ballot, and each elector is entitled to give only one vote for each Commissioner to be elected.

Commissioners who retire from office are eligible for re-election.

Dated this day of .

Returning Officer.

The SECOND SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels.

	Per ton. s.	d.
For every vessel under the burden of fifteen tons	0	4
Or, optionally, each vessel may compound by an annual payment in advance of	4	0
For every vessel of the burden of fifteen tons and under fifty tons register	0	6
Or, optionally, each vessel may compound by an annual payment in advance of	5	0
For every vessel of the burden of fifty tons and under one hundred tons register	0	8
Or, optionally, each vessel may compound by an annual payment in advance of	6	0
For every vessel of the burden of one hundred tons and under one hundred and fifty tons register	0	10
Or, optionally, each vessel may compound by an annual payment in advance of	7	0
For every vessel of the burden of one hundred and fifty tons register and upwards	1	0
Or, optionally, each such vessel may compound by an annual payment in advance of	8	0
All lighters from any vessel in the roads shall be exempted from rates, but if the vessel do not enter the harbour every lighter shall pay for each trip	0	2
All boats entirely open landing or taking on board goods or dried or salted fish, each	2	6
All fishing boats under the length over all of thirty feet entering the harbour or within the limits thereof	1	3
Or, optionally, each fishing boat under the said length may be compounded for by an annual payment in advance at the rate of, per week	2	0
All fishing boats engaged exclusively at the hand line, crab, or lobster fishings, for the season	2	6
All fishing boats of the length over all of thirty feet and upwards entering the harbour, or the limits thereof, each	2	6
Or, optionally, each such fishing boat may be compounded for by a quarterly payment in advance on the 1st day of January of	40	0
on the 1st day of April of	20	0
on the 1st day of July of	40	0
and on the 1st day of October of	20	0

All vessels or fishing boats when wind-bound shall pay one half the above rates, according to tonnage and length.

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St. Monance.

Laying up in harbour:—

1. All sailing vessels or steamboats remaining in the harbour to pay, after four weeks, sixpence per ton registered per month in advance.
2. All unemployed fishing boats remaining in the harbour to pay, after the expiry of four weeks, at the rate of six shillings each per week in advance.

Exemptions from payment of rates:—

1. Any vessels for which the rates have been paid, and which shall be obliged, from stress of weather or any sufficient cause, after leaving the harbour, to return with same cargo.
2. Any fishing boats for which the rates have been paid which shall be compelled, from stress of weather or any sufficient cause, after leaving the harbour, to return without shooting lines or nets.

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

		s.	d.
Ale and beer of all kinds	per 9 gallons	0	2
Anchors	per ton	2	0
Anvils	per cwt.	0	1
Ashes, all kinds	per ton	1	0
Bacon or hams	per cwt.	0	3
Bark	per ton	2	0
Barley (*see* corn).			
Shelled or pearl ditto	per cwt.	0	2
Barrels, empty herring	each	0	1
Baskets, small	per doz.	0	4½
„ large	„	0	9
Beef or pork	per cwt.	0	1
Biscuits	„	0	3
Bones	per ton	1	0
Bone dust	„	1	0
Bottles of green or common glass, not less than pints	per gross	0	4
Bottles, broken	per ton	0	6
Bran	„	0	10
Bricks	per 1,000	1	0
Butter	per cwt.	0	3
Candles	„	0	2
Carrots	per ton	0	6
Casks, empty, not being returned packages	per each 9 gallon cask	0	1
Other casks in proportion.			
Cattle, viz.:—Bulls, cows, and oxen	each	0	6
Calves	„	0	3
Horses	„	1	0
Pigs	„	0	3
Sheep	„	0	2
Lambs	„	0	2
Cement	per cwt.	0	1½
Cheese	„	0	2
Cinders and charcoal	per ton	0	6
Cloth	per 48 yards	0	1

		s.	d.
Clothiery, silks, hosiery, &c.	per cwt.	0	1½
Coals	per ton	0	6
Cordage	,,	3	0
Corks	per cwt.	0	1½
Corn, viz.:—Barley, beans, Indian corn, malt, oats, peas, rye, and wheat	per quarter	0	2
Earthenware	per cwt.	0	1½
Eggs	,,	0	1½
Fish :—			
Salted	per ton	1	4
Fresh fish of all sorts, not enumerated	,,	1	4
Flax	per cwt.	0	2
Flour	,,	0	1
Fruit of all kinds	per bushel	0	3
Game	per cwt.	0	2
Glass of all descriptions	,,	0	1
Groceries, viz:—Tea, coffee, sugar, confections, dried fruits, molasses, spices, rice, soap, tobacco, snuff, &c.	,,	0	4
Hay	,,	0	1
Hemp, rough	per ton	3	0
Herrings, cured	per 26¾ gallons	0	4
,, fresh	per 37½ ,,	0	4
Hides	per cwt.	0	4
Hoops :—			
Hoops of wood	per 1,500	1	0
Ditto	per 120	0	0½
Hoops of iron	per cwt.	0	2
Household furniture	,,	0	1½
Husbandry utensils	,,	0	1½
Iron, viz.:—Bar, bolt and rod, plate, sheet and forged, iron gates, stoves and other ironmongery, and rails	,,	0	1
Hoop (*see* Hoops).			
Old iron	,,	0	0½
Old or broken cast iron	,,	0	0½
Pig iron and unmanufactured iron	per ton	1	0
Kelp	per cwt.	0	1
Lead	,,	0	2
Leather, tanned and dressed	,,	0	6
Lime	per ton	0	6
Machinery of all kinds	per cwt.	0	1
Manures, including guano, &c.	per ton	1	0
Meal	per cwt.	0	1
Oakum	per ton	4	6
Oil of all kinds	,,	3	0
Oil cake	per cwt.	0	1
Peats	per 500	0	1
Pitch	per cwt.	0	1
Potatoes	per ton	0	6

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		s.	d.
Poultry	each	0	1
Ropes	per ton	2	6
Salt	„	1	0
Saltpetre	„	3	0
Seed, viz. :—			
Flax and rape	per bushel	0	1
Clover	per cwt.	0	2
Garden seeds	„	0	2
Hemp and canary	„	0	1
Rye grass	per 100 lbs.	0	1
Slates	per ton	1	0
Soap	„	2	9
Soda	„	2	9
Spirits	per gallon	0	1
Staves, herring barrel	per 1,000 superficial feet	1	2
„ red herring barrel	per 100 „	0	1
Stones, viz. .—			
Rubble	per ton	0	2
Hewn Ashlar	„	0	9
Rough Ashlar	„	0	6
Large stones	„	0	6
Causeway stones, dressed	„	0	3
Pavement	„	0	6
Curb	„	0	6
Scythe stones	per score	0	0½
Grindstones	each	0	6
Millstones	„	3	0
Polished granite	per ton	5	0
Sugar, raw	„	2	0
„ refined	„	1	6
Tallow	per cwt.	0	2
Tar	„	0	1
Tares	per 100 lbs.	0	0½
Tiles	per 1,000	1	3
Tin of all kind	per ton	2	6
Tow	per cwt.	0	2
Turnips	per ton	0	6
Whalebone, or whale fins	„	20	0
Wheels, coach or cart	per pair	0	9
Whitening	per ton	1	0
Wine	per gallon	0	1
Wire of all kinds	per cwt.	0	1
Wood, viz. :—			
Fir and pine	per 50 cubic feet	0	10
Hard wood	„	1	0
Firewood	per ton	0	6
Laths and lath wood	per 216 cubic feet	2	6
Oars	per 120 „	2	6

		s.	d.
Wood—*cont.*			
Spars under 22 ft. in length, above 2½ and under 4 in. in diameter	per 120	2	6
Spars 22 ft. in length and upwards, and not exceeding 4 in. in diameter	„	6	6
Spars of all lengths above 4 and under 6 in. in diameter	„	12	0
Wool	per cwt.	0	6
Yarn	per ton	3	0
All other goods not particularly enumerated in the above table:—			
Light goods	per 5 cubic feet	0	2
Heavy goods	per ton	1	4

All goods having paid dues, if returned to the original shipper, and in the original state, shall be exempt from repayment of rates.

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

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

III.—Rates on Passengers and Passengers Luggage.

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

IV.—Rates for supplying Water.

Water, per 100 gallons or part thereof	0	6
Each boat engaged at the herring or white fishing shall pay for the period of their fishing season in name of water money, payable in advance, subject to water being supplied	2	6

V.—Rates for Lights.

Each boat engaged at the herring fishing and each large boat engaged at the white fishing shall pay for the period of their fishing season in name of light money, payable in advance	5	0
Each small white fishing boat shall pay for light money, payable in advance	2	6

But dues for lights shall only be demanded and received so long as a lignt or lights are duly exhibited during the proper hours.

A.D. 1885.

Southbourne.

SOUTHBOURNE.

Order for the construction, maintenance, and regulation of a Pier at Southbourne, in the County of Hants.

Undertakers.

1. The Southbourne 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.

Incorporation of Lands Clauses Acts.

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

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order the Company 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 Company may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole five acres.

Power to make works.

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

Description of works authorised.

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

A pier, jetty, and landing place situate in the parish of Christchurch, in the county of Hants, and on the bed and foreshore of the sea adjoining the said parish, commencing at a point four thousand yards or thereabouts east of the brook or stream known as Boscombe Mouth, and twenty yards or thereabouts north of the line of high water of ordinary spring tides, and extending from the said point in a southerly direction for a distance of eight hundred feet or thereabouts into the sea, together with all proper landing stages, landing places, tramway roads, footpaths, sheds, toll-houses, toll-gates or bars, cranes, hydraulic lifts, buoys, moorings, sewers, drains, and other works and conveniences connected therewith.

Vertical deviation.

7. 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.

Penalty for obstructing works.

8. 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 pur-

pose 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.

Limits of order.

9. 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 one hundred feet from any part of the pier in any direction.

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 Company may, subject and according to the provisions of this Order for the use of the pier and other works, demand and receive in respect of the persons and things in the schedule to this Order specified, any sums not exceeding the rates in that schedule mentioned.

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

11. The Company 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 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.

Company may grant pass tickets.

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

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 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 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.

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Southbourne.

Annual account to be sent to the Board of Trade.

14. 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 16th 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.

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 Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effecting 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, inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated in this Order, but the Company 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.

Meters and weighers.

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

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 their luggage and personal effects, and it shall not be lawful for the Company or any person to use the pier and works for the shipping or unshipping of animals, merchandise, and goods.

Power to make byelaws.

23. The Company may make byelaws for the regulation and control of persons using the pier, and of the 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 100 feet of pier.

24. 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.

As to lights during the construction of the works.

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

As to lights after the completion of the works.

26. After completion, or permanent discontinuance, or abandonment of the works authorised by this Order the Company shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House of 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.

Pier to be deemed within parish of Christchurch.

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

Powers to cease in certain events.

28. In the following cases (that is to say) :—

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

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

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

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

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Southbourne.

Recovery of penalties.

29. 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 the Crown Lands Act, 1866.

30. 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.

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

Short title.

32. This Order may be cited as the Southbourne Pier Order, 1885.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Persons 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	4
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	2
For every bath or sedan-chair taken on the pier, for each and every time any sum not exceeding - - - -	0	4
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

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