# CHAPTER cxv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Ardglass, Boddam, Lochmaddy, Montrose, Southsea, and Youghal. [4th July 1878.]

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

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

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

Confirmation of Orders in schedule.

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

Short title.

**2.** This Act may be cited as the Pier and Harbour Orders Confirmation Act, 1878 (No. 2).

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# The SCHEDULE of ORDERS.

1. Ardglass.—Maintenance and regulation of dock.
2. Boddam.—Maintenance and regulation of harbour.
3. Lochmaddy.—Construction of harbour works and regulation of harbour.
4. Montrose.—Amendment of Local Acts of Parliament.
5. Southsea.—Construction of pier.
6. Youghal.—Maintenance and regulation of harbour.

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*Ardglass.*

## ARDGLASS DOCK.

*Order for the repair, maintenance, and regulation of a Dock at Ardglass in the county of Down.*

Undertakers.

1. Aubrey de Vere Beauclerk, Esquire, of Ardglass in the county of Down, his heirs, assigns, and successors, shall be the Undertakers for carrying this Order into execution.

Incorporation of Lands Clauses Acts.

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

Limits.

3. 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 inside dock described in section 4 of the Ardglass Harbour Act, 1876.

Description of works.

4. Subject to the provisions of this Order, the Undertakers may execute and maintain the works authorised by this Order.

Works authorised.

5. The works authorised by this Order comprise:—

(1.) Repairing, deepening, and maintaining the before-mentioned inside dock, and repairing and maintaining the quay wall round the same;

(2.) Dredging, scouring, widening, deepening, enlarging, improving, and maintaining the entrance to the dock;

(3.) The erection of such mooring posts as may be necessary.

Provided that the 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.

Power to take rates according to schedule.

6. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this

Order or otherwise necessary to the due construction of the works authorised by this Order have been given, the Undertakers may for the use of the dock and works demand and receive in respect of vessels, animals, goods, matters, and things described in the schedule to this Order any sum not exceeding the several rates specified in the same schedule, but nothing in this Order contained shall prevent the Undertakers from taking at the now existing works before the completion of the proposed works any rates which they would have been entitled to take if this Order had not been made.

Power to borrow.

7. The Undertakers may borrow on mortgage or bond at interest such sum or sums of money as may be required for the purposes of the works authorised by this Order, not exceeding in the whole the sum of two hundred pounds.

Application of money borrowed.

8. All the money borrowed under this Order shall be applied only for the purposes of this Order, and not otherwise.

Application of rates.

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

(1.) In paying the expenses of and connected with the applying for, obtaining, and making this Order;

(2.) In paying the expenses of the maintenance, management, and regulation of the existing dock and works connected therewith;

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

(4.) In payment of the principal of money borrowed so as to discharge the same within fifty years from the date of borrowing:

(5.) The surplus revenue of the dock and works shall belong to the Undertakers for their own use.

Power to vary exemptions from rates and to enter into composition, &c.

10. The Undertakers may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of rates or dues 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.

Exemptions of Custom House officers from rates.

11. Officers of Customs in the execution of their duty shall at all times have free egress, passage, and ingress from, to, and over the dock and works without payment.

Steam engines, diving bells, lighters, &c.

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

Dock to be deemed within the contiguous jurisdiction.

13. The dock and works connected therewith 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 the same jurisdiction as that part of the shore with which it shall immediately communicate.

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Parts of Harbours, &c. Act excepted.

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

Meters and weighers.

15. The Undertakers shall have the appointment of meters and weighers on or in connexion with the dock.

Power to make byelaws.

16. The Undertakers may make byelaws for the regulation and control of goods and traffic in connexion with the dock, 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 the purposes.

Mortgagees may appoint receiver.

17. The mortgagees of the Undertakers may enforce the payment of arrears of interest, or of arrears of principal and interest, by the appointment of a receiver, and the amount to authorise the requisition for a receiver shall be one hundred pounds.

Saving rights under Crown Lands Act, 1866.

18. 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.

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

Short title.

20. This Order may be cited as the Ardglass Dock Order, 1878.

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## SCHEDULE to which the foregoing Order refers.

### I.—DUES ON VESSELS USING THE DOCK.

For every vessel or boat each time of entering the dock there shall be paid :—

| | £ | s. | d. |
|---|---|---|---|
| If under the burden of fifteen tons register - - - | 0 | 1 | 0 |
| From fifteen tons to forty-five tons - - - - | 0 | 2 | 0 |
| From forty-five tons upwards - - - - - | 0 | 3 | 0 |

### II.—RATES ON GOODS SHIPPED OR UNSHIPPED AT THE DOCK.

| | | £ | s. | d. |
|---|---|---|---|---|
| Salt, coal, lime, or slates - - - - | per ton | 0 | 0 | 2 |
| Grain or meal - - - - - | „ | 0 | 0 | 2 |
| Potatoes - - - - - - | „ | 0 | 0 | 2 |
| Wood, two-and-a-half per cent. on the price. | | | | |
| Slates, "countess" - - - - | per thousand | 0 | 1 | 0 |
| Tiles - - - - - - | „ | 0 | 0 | 6 |
| Ale or beer - - - - - | per barrel bulk | 0 | 0 | 2 |
| Cured herrings or other fish - - - | per barrel | 0 | 0 | 1 |

| | | £ | s. | d. |
|---|---|---|---|---|
| Empty barrels | each | 0 | 0 | 0½ |
| Bark in bulk | per ton | 0 | 1 | 0 |
| Cutch bark | ,, | 0 | 1 | 6 |
| Hemp | ,, | 0 | 1 | 0 |
| Bricks | per thousand | 0 | 0 | 6 |
| Burnwood | per ton | 0 | 0 | 8 |
| Freestone | ,, | 0 | 0 | 2 |
| Pavement | ,, | 0 | 0 | 4 |
| Tar | per barrel | 0 | 0 | 3 |
| Oilcake | per ton | 0 | 0 | 4 |
| Manures | ,, | 0 | 0 | 4 |
| Other articles or commodities | per barrel bulk | 0 | 0 | 2 |
| Cattle, viz. :— | | | | |
| Bulls | each | 0 | 0 | 3 |
| Cows and oxen | ,, | 0 | 0 | 2 |
| Calves | ,, | 0 | 0 | 0½ |
| Horses | ,, | 0 | 0 | 2 |
| Pigs | ,, | 0 | 0 | 1 |
| Sheep | per score | 0 | 0 | 6 |
| Lambs | ,, | 0 | 0 | 3 |
| Other animals not here specified | each | 0 | 0 | 0½ |

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

The barrel bulk shall be held to contain five cubic feet.

## III.—Rates for Weighing.

### 1. *Cranes.*

| | £ | s. | d. |
|---|---|---|---|
| All goods or packages not exceeding one ton | 0 | 0 | 4 |
| Exceeding one ton and not exceeding two tons | 0 | 0 | 6 |
| ,, two tons ,, ,, three ,, | 0 | 0 | 8 |
| ,, three ,, ,, ,, four ,, | 0 | 0 | 10 |
| ,, four ,, ,, ,, five ,, | 0 | 1 | 0 |
| ,, five ,, ,, ,, six ,, | 0 | 1 | 2 |
| ,, six ,, ,, ,, seven ,, | 0 | 1 | 4 |
| ,, seven ,, ,, ,, eight ,, | 0 | 1 | 6 |
| ,, eight ,, ,, ,, nine ,, | 0 | 1 | 10 |
| ,, nine ,, ,, ,, ten ,, | 0 | 2 | 4 |
| ,, ten ,, | 0 | 3 | 6 |
| Or in lieu of the above rates :— | | | |
| For each hour or part of an hour | 0 | 1 | 0 |

### 2. *Weighing Machines.*

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

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IV.—Rates for Gangways.

| | £ | s. | d. |
|---|---|---|---|
| For each horse - - - - - - | 0 | 0 | 9 |
| For each bull, cow, ox, or calf - - - - | 0 | 0 | 6 |
| For each score or part of a score of sheep or lambs - - | 0 | 0 | 6 |
| For each pig or other animal not here specified - - - | 0 | 0 | 3 |

V.—Shed Dues.

| | | | |
|---|---|---|---|
| For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or on the pier for a longer time than 48 hours, for the first day or part of a day - | 0 | 0 | 3 |
| And for each day thereafter - - - - per ton | 0 | 0 | 1½ |
| For each portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day - - - - - | 0 | 0 | 2 |

VI.—Ballast Dues.

| | | | |
|---|---|---|---|
| Receiving - - - - - - per ton | 0 | 0 | 10 |
| Discharging - - - - - „ | 0 | 0 | 8 |

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*Boddam.*

# BODDAM.

*Order for the improvement, maintenance, and regulation of the Harbour of Boddam in the county of Aberdeen, and for amending the Act relating thereto.*

This Order and the Act of 1845 to be read together.

1. This Order shall be construed with the Act of the eighth and ninth years of the reign of Her present Majesty, chapter twenty-five, intituled "An Act "for improving and maintaining the Harbour or Port of Boddam, in the "county of Aberdeen" (in this Order called "the Act of 1845"), and the Act of 1845 (except so far as inconsistent with any of the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, or of this Order) and this Order shall be read and construed together as one Act or Order.

Undertakers.

2. William Aiton, Esquire, of Boddam, in the county of Aberdeen, his heirs and assigns, or other the persons or person from time to time entitled to the possession or to the receipt of the rents, rates, and profits of the harbour or port of Boddam, in the parish of Peterhead, in the county of Aberdeen, shall be the Undertakers for carrying the Act of 1845 and this Order into execution, and shall have the powers by the Act of 1845 conferred on the deceased Right Honourable George Earl of Aberdeen, and his heirs and successors therein mentioned, and also the powers by this Order conferred on the Undertakers.

Extending limits of harbour.

3. The limits of the harbour or port of Boddam (in this Order called "the harbour") within which the Undertakers shall have authority, and within

which the provisions of the Act of 1845 and this Order shall extend and be put in force, shall include the area below the line of high water bounded by an imaginary straight line drawn from the most southern point on the line of high water of the peninsula of Buchan Ness true west to the shore; by another imaginary line drawn from the most eastern point on the line of high water of the said peninsula (for a distance of about one thousand and seventy yards) to the southern point of the Skerries Rock, and thence by another imaginary straight line drawn true west to the high-water line of the shore on the southern side of Invernetty Bay; and the expressions "the harbour" and "the limits of the harbour" in the Act of 1845 shall mean the harbour as defined by this Order.

Incorporation of Acts.

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

Power to take lands by agreement.

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

Power to construct works.

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

Description of works.

7. The works authorised by this Order comprise—

1. A quay (herein-after called "quay No. 1") commencing at a point on the south face of the existing north pier of the north harbour of Boddam, about forty-seven yards north-westward from the seaward end of that pier, and extending thence in a south-westerly direction for a distance of about eighty-eight yards, and thence in a north-westerly direction for a distance of about ninety-seven yards, and there terminating; with an entrance in the said quay, near its north-eastern end, to the intended outer harbour herein-after described.
2. A quay (herein-after called "quay No. 2") commencing at a point on the south face of the said existing north pier, about one hundred and fifty-seven yards north-westward from the seaward end of that pier, and extending thence in a south-westerly direction for a distance of about seventy yards, and thence in a north-westerly direction for a distance of about eighty-three yards, and thence in a northerly direction for a distance of about forty-three yards, and there terminating; with an entrance in the said quay, near its north-eastern end, to the intended inner harbour herein-after described.

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3. A quay (herein-after called "quay No. 3") commencing at the landward end of the south face of the said existing north pier, and extending thence in a north-westerly direction for a distance of about forty-three yards, and there terminating.

4. An outer harbour lying between quay No. 1, the south-eastern side of quay No. 2, and the existing north pier, and the excavation and deepening of the whole area of that harbour included within the said quays and pier to the level of low-water mark of ordinary spring tides, with the exception of so much of such area as may be necessary for the construction of a boat slip in the south-west corner of such harbour.

5. An inner harbour lying between quay No. 2, quay No. 3, and the said existing north pier.

6. An isolated breakwater commencing at a point on the rock called Land Mackie, about forty-three yards in a south-westerly direction from the seaward end of the said existing north pier, and extending thence in a south-westerly direction for a distance of about eighty yards, and there terminating.

7. A bulwark commencing at the landward end of the Poddly Brow Quay, and extending thence in a north-easterly direction for a distance of about fifty yards, and there terminating.

Power to remove existing quay and to improve harbour.

8. The Undertakers may remove the existing quay, called the Balaclava Quay, and may from time to time improve the harbour by excavating and deepening the same, and the accesses thereto and the sea adjoining: Provided always, 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.

Beaching ground to be provided.

9. The Undertakers shall not interfere with the ground at present used for beaching and laying up boats at Boddam, until they shall proceed to construct the harbour described in sub-section 5 of section 7 of this Order; and inasmuch as, in order to enable that harbour to be constructed, it will be necessary to remove a portion of the ground, the Undertakers shall, before proceeding to interfere with or remove any part thereof, prepare and provide other safe and suitable accommodation for beaching and laying up boats, either within the limits of the harbour or elsewhere at Boddam of equal extent with the portion so interfered with or removed: Provided that the Undertakers shall be bound to make up and otherwise protect from the sea the ground to be so prepared and provided to the reasonable satisfaction of Thomas Stevenson, civil engineer, Edinburgh, whom failing, of a person to be named by the Sheriff of Aberdeen and Kincardine on the application of the Undertakers, or of not less than six fishermen of Boddam.

Further powers as to works.

10. The Undertakers may from time to time divert drains and watercourses, and construct and maintain such locks, gates, bridges, quays, piers, jetties, wharves, sheds, warehouses, cranes, buoys, sewers, drains, roads, rails, tramways, turntables, beaches for hauling boats, and other works and conveniences, as they may think necessary.

11. The Undertakers may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and, subject to effecting the excavation and deepening provided for in sub-section 4 of section 7 of this Order, may deviate vertically from the levels defined on the deposited sections to any extent not exceeding six feet.

Power to deviate.

12. 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.

Penalty for obstructing works.

13. The Undertakers 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 Undertakers, for the use of which rates are not specially fixed in the schedule to this Order.

Rates for warehouses, &c.

14. Prior to the completion of the works fourthly and sixthly by this Order authorised, the Undertakers may demand and receive for every vessel which shall enter the harbour as defined by this Order the tonnage duties specified in Schedule (A.) annexed to the Act of 1845, and for goods, articles, or things shipped or unshipped, received or delivered, within the harbour as so defined, the rates specified in Schedule (B.) annexed to that Act: Provided that no rates or duties shall be leviable from any ship or vessel merely passing through the limits of the harbour outside Mackie Rocks bound to or from another port; and provided also that after the passing of the Act confirming this Order, and notwithstanding anything to the contrary contained in the Act of 1845, or the schedules thereto, no higher rates or duties shall be demanded or received on foreign ships or foreign goods than are by that Act or the schedules thereto authorised to be demanded and received on English ships and English goods.

Power to levy rates.

15. When and so soon as it shall be 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 fourthly and sixthly by this Order authorised have been completed, the rates and duties specified in the schedule annexed to this Order shall be substituted for the rates and duties specified in Schedules (A.) and (B.) annexed to the Act of 1845, and may be demanded and received by the Undertakers, 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.

16. The Undertakers 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 Undertakers 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

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received in respect of ballast not supplied by the Undertakers which may be used in ballasting vessels or boats not exceeding 25 tons register.

Board of Trade may reduce rates.

17. If at any time, and from time to time, the clear annual income derived from the harbour and the works and conveniences connected therewith, 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 the annual income derived from the existing harbour and the works and conveniences connected therewith, on the average of the three years immediately preceding the confirmation of this Order, and 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 an annual income equivalent to the aforesaid average annual income of the existing harbour and the aforesaid interest at the rate of ten per centum per annum, with power for 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.

18. The Undertakers, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade; and 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.

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

Exemption of Custom-house officers from rates.

20. 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, and with their vessels and otherwise, without payment.

Life-boat crew exempt from tolls.

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

Life-saving apparatus may be attached to pier.

22. The officers of the coast-guard, and all other persons for the time being actually employed in connexion with the life-boat or the apparatus for saving

life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Power to vary exemption and to enter into composition.

23. The Undertakers 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.

24. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding ten years on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and receiving rates and dues as the Undertakers have or might exercise under the Act of 1845, 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 Undertakers are made subject by this Order.

Power to make byelaws.

25. The Undertakers may make byelaws for the regulation and control within the limits of the harbour as herein-before defined of persons, vessels, boats, goods, and traffic frequenting or resorting to, or employed, embarked, disembarked, loaded, or unloaded within those limits, and may impose and recover penalties for the breach or non-observance of such byelaws; but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Application of receipts.

26. The rates received under this Order, or, as the case may be, the rents received for the lease thereof, if the same are leased, shall be applicable for the purposes and in the order following, and not otherwise:—

1. In paying the expenses of the maintenance, repair, improvement, management, and regulation of the existing harbour and the existing works thereof:
2. In paying the interest heretofore accrued or hereafter to accrue on money borrowed before the passing of the Act confirming this Order on the security of the harbour of Boddam and of the rates and duties authorised by the Act of 1845:
3. In paying the costs of and in connexion with the preparation and making of this Order:
4. In paying the expenses of the maintenance, repair, improvement, management, and regulation of the works authorised by this Order:
5. In paying, if and when required, the principal sum of the money borrowed as aforesaid:
6. In paying the interest accruing on any money borrowed under this Order:
7. In paying, if and when required, the principal sum of any money borrowed under this Order:
8. The surplus revenue (if any) of the harbour, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

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Power to borrow money.

27. Subject always, and postponed to the securities granted for the money borrowed before the passing of the Act confirming this Order, the Undertakers 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 fifteen thousand pounds, on security of the rates and works 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 fifteen thousand pounds, on a cash account to be opened and kept in the name of the Undertakers according to the usage of bankers in Scotland; and the Undertakers may grant bonds and assignations of the said rates and works 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 Aberdeen.

Application of money borrowed.

28. 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 judicial factor.

29. If within two months after the interest on any bond and assignation granted by the Undertakers 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.

30. Every application for the appointment of a judicial factor under the provisions of this Order shall be made to the Sheriff of Aberdeen and Kincardine; and on any such application the said sheriff 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.

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

Portions of Harbours Clauses Act excepted.

32. 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 at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such site a house and other proper accommodation for a life-boat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Vessels not to anchor within certain limits.

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

Meters and weighers.

34. The Undertakers shall have the appointment of meters and weighers within the limits of the harbour.

As to lights during construction of works.

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

As to lights after completion of works.

36. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the works, or the completed portion thereof, exhibit from sunset to sunrise such light or lights, if any, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the 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.

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

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

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

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

Saving rights under the Crown Lands Act, 1866.

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

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

Costs of Order.

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

Short title.

40. This Order may be cited as the Boddam Harbour Order, 1878.

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## SCHEDULE referred to in the foregoing Order.

### I.—Rates on Vessels using the Harbour.

#### (1.)—Tonnage Duties.

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

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

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

II.—Rates on Goods shipped or unshipped in the Harbour.

| | | s. | d. |
|---|---|---|---|
| Ale and beer of all kinds | per 50 gallons | 1 | 0 |
| Anchors | per ton | 2 | 0 |
| Anvils | per cwt. | 0 | 1 |
| Ashes, all kinds | per ton | 1 | 0 |
| Bacon or hams | per cwt. | 0 | 3 |
| Bark | per ton | 2 | 0 |
| Barley (*see* Corn). | | | |
| Shelled or pearl ditto | per cwt. | 0 | 2 |
| Barrels, empty herring | each | 0 | 1 |
| Baskets, small | per doz. | 0 | 4½ |
| Baskets, large | per doz. | 0 | 9 |
| Beef or pork | per barrel bulk | 0 | 3 |
| Biscuits | per cwt. | 0 | 3 |
| Bones | per ton | 1 | 0 |
| Bone dust | per ton of 40 bushels | 1 | 0 |
| Bottles of green or common glass, not less than pints | per gross | 0 | 4 |
| Bottles, broken | per ton | 0 | 6 |
| Bran | per quarter | 0 | 2 |
| Bricks | per 1,000 | 1 | 0 |
| Butter | per cwt. | 0 | 3 |
| Candles | per cwt. | 0 | 2 |
| Carrots | per ton | 0 | 6 |
| Casks, empty, not being returned packages | per puncheon | 0 | 6 |
| Other casks in proportion. | | | |
| Cattle, viz. :—Bulls, cows, and oxen | each | 1 | 0 |
| Calves | each | 0 | 6 |
| Horses | each | 2 | 0 |
| Pigs | each | 0 | 6 |
| Sheep | each | 0 | 3 |
| Lambs | each | 0 | 2 |
| Cement | per cwt. | 0 | 1½ |
| Cheese | per cwt. | 0 | 2 |
| Cinders and charcoal | per ton | 0 | 6 |
| Cloth | per piece | 0 | 1 |
| Clothiery, silks, hosiery, &c. | per barrel bulk | 0 | 4 |
| Coals | per ton | 0 | 8 |
| Cordage | per ton | 3 | 0 |
| Corks | per barrel bulk | 0 | 4 |
| Corn, viz. :—Barley, beans, Indian corn, malt, oats, peas, rye, and wheat, | per quarter | 0 | 3 |
| Earthenware | per barrel bulk | 0 | 4 |
| Eggs | per barrel bulk | 0 | 4 |
| Fish :— | | | |
| Herrings, landed | per cran | 0 | 2 |
| Cured herrings, shipped | per barrel | 0 | 2 |
| Salmon | per ton | 3 | 4 |
| Salted dry fish | per ton | 1 | 0 |

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| | | | |
|---|---|---|---|
| | | *s.* | *d.* |
| Flax | per cwt. | 0 | 2 |
| Flour | per sack | 0 | 4 |
| Fruit of all kinds | per bushel | 0 | 3 |
| Game | per score of all kinds | 3 | 0 |
| Glass of all descriptions | per barrel bulk | 0 | 3 |
| Groceries, viz.:—Tea, coffee, sugar, confections, dried fruits, molasses, spices, rice, soap, tobacco, snuff, &c. | per cwt. | 0 | 4 |
| Hay | per ton | 2 | 0 |
| Hemp, rough | per ton | 3 | 0 |
| Hides | per cwt. | 0 | 4 |
| Hoops:— | | | |
| Hoops of wood, all of the size of puncheon hoops, and under, | per 1,200 | 0 | 9 |
| All above that size | per 1,200 | 1 | 0 |
| Hoops of iron | per cwt. | 0 | 2 |
| Household furniture | per barrel bulk | 0 | 4 |
| Husbandry utensils | per barrel bulk | 0 | 4 |
| Iron, viz.:—Bar, bolt, and rod, plate, sheet, and forged, iron gates, stoves and other ironmongery, and rails | per cwt. | 0 | 2 |
| Hoop (*see* Hoops). | | | |
| Old iron | per cwt. | 0 | 1 |
| Old or broken cast iron | per cwt. | 0 | 0½ |
| Pig iron | per ton | 1 | 0 |
| Kelp | per cwt. | 0 | 1 |
| Lead | per cwt. | 0 | 2 |
| Leather, tanned and dressed | per cwt. | 0 | 6 |
| Lime | per ton | 0 | 8 |
| Machinery of all kinds | per barrel bulk | 0 | 3 |
| Manures, including guano, &c. | per ton | 1 | 0 |
| Meal | per boll | 0 | 1 |
| Oakum | per ton | 4 | 6 |
| Oil of all kinds | per ton | 3 | 0 |
| Oil cake | per ton | 3 | 0 |
| Peats | per 500 | 0 | 1 |
| Pitch | per barrel bulk | 0 | 3 |
| Potatoes | per ton | 1 | 0 |
| Poultry | each | 0 | 1 |
| Ropes | per ton | 2 | 6 |
| Salt | per ton of 40 bushels | 1 | 0 |
| Saltpetre | per ton | 3 | 0 |
| Seed, viz.:— | | | |
| Flax and rape | per hogshead | 0 | 9 |
| Flax and rape | per barrel | 0 | 4½ |
| Clover | per bag of 3 cwt. | 0 | 6 |
| Garden seeds | per barrel bulk | 0 | 6 |
| Hemp and canary | per barrel bulk | 0 | 3 |
| Rye grass | per quarter | 0 | 3 |
| Slates | per ton | 1 | 0 |

| | | | |
|---|---|---|---|
| | | *s.* | *d.* |
| Soap - - - - - - - | per ton | 2 | 9 |
| Soda - - - - - - - | per ton | 2 | 9 |
| Spirits - - - - - - | per 50 gallons | 0 | 9 |
| Staves, herring barrel - - | per thousand superficial feet | 1 | 2 |
| Stones, viz.:— | | | |
| Rubble - - - - - - | per ton | 0 | 2 |
| Hewn ashlar - - - - - | per ton | 0 | 9 |
| Rough ashlar - - - - - | per ton | 0 | 6 |
| Large stones - - - - - | per ton | 0 | 6 |
| Causeway stones, dressed - - - - | per ton | 0 | 3 |
| Pavement - - - - - - | per ton | 0 | 6 |
| Curb - - - - - - | per ton | 0 | 6 |
| Gravestones - - - - - - | each | 3 | 0 |
| Scythe stones - - - - - | per score | 0 | 0½ |
| Grindstones - - - - - - | each | 0 | 6 |
| Millstones - - - - - - | each | 3 | 0 |
| Polished granite - - - - - | per ton | 5 | 0 |
| Sugar, raw - - - - - - | per ton | 2 | 0 |
| „ refined - - - - - - | per ton | 4 | 0 |
| Tallow - - - - - - - | per cwt. | 0 | 2 |
| Tar - - - - - - - | per barrel | 0 | 4 |
| Tares - - - - - - - | per quarter | 0 | 2 |
| Tiles - - - - - - - | per 1,000 | 1 | 3 |
| Tin of all kinds - - - - - | per ton | 2 | 6 |
| Tow - - - - - - - | per cwt. | 0 | 2 |
| Whalebone, or whale fins - - - - | per ton | 20 | 0 |
| Wheels, coach or cart - - - - - | per pair | 0 | 9 |
| Whitening - - - - - - | per ton | 1 | 0 |
| Wine - - - - - - | per 50 gallons | 1 | 0 |
| Wire of all kinds - - - - - - | per cwt. | 0 | 1 |
| Turnips - - - - - - | per ton | 0 | 6 |
| Wood of all kinds - - - - - - | per 1*l.* value | 0 | 6 |
| Wool - - - - - - - | per cwt. | 0 | 6 |
| Yarn - - - - - - - | per ton | 3 | 0 |

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

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

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

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

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

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## LOCHMADDY.

*Lochmaddy.* ***Order for the construction, maintenance, and regulation of a Pier, Harbour, and Works at Lochmaddy, in the parish of North Uist and county of Inverness.***

Undertakers.

1. Sir John Powlett Orde, of Kilmory, in the county of Argyll, and North Uist, in the county of Inverness, Baronet, and John William Powlett Orde, son of the said Sir John Powlett Orde, their heirs, assignees, and successors, shall be the Undertakers for carrying this Order into execution.

Limits of harbour.

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 present pier and the quay and works authorised by this Order, with all the works, roads, accesses, and conveniences connected therewith, and also the area below the high-water line bounded by the following imaginary lines; (that is to say,)

(1.) On the west an imaginary straight line commencing at a point on the high-water line about thirty yards west of the present pier, and extending about two hundred and sixty-three yards from thence in a south-westerly direction to the high-water line on the opposite shore of Camaird;

(2.) On the south the high-water line of the shore of Camaird, in the Island of North Uist, lying between the most southern point of the last-mentioned line and the most eastern point on the high-water line of Camaird point, and an imaginary straight line one hundred yards in length, drawn seawards true east from the same most eastern point;

(3.) On the east an imaginary straight line drawn true north from the most eastern point of the last-mentioned imaginary straight line till it meets the next-mentioned imaginary line;

(4.) On the north an imaginary straight line drawn true east from the most eastern point of the high-water line on the point of Ard-a-Vaile until it meets the last-mentioned imaginary straight line;

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 lines 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, quay, accesses, and works authorised by this Order.

Description of works.

4. The works authorised by this Order are:

(1.) A wharf or quay on the site of the present pier of Lochmaddy, commencing at a point about five feet to the westward of the western end

of the crosshead of the said pier, and extending in an easterly direction a distance of seventy-five feet, or thereabout, to a point twenty-nine feet, or thereabout, to the eastward of the eastern end of the said crosshead and there terminating.

(2.) A retaining wall commencing at the western end of the said proposed wharf or quay, and extending in a northerly direction a distance of thirty-seven feet, or thereabout, and terminating at a point twenty feet, or thereabout, from the southern end of the existing building called the "Large Store."

(3.) A retaining wall commencing at the eastern end of the proposed wharf or quay, and extending in a northerly direction a distance of ninety-four feet, or thereabout, till it meets the sea wall of the main road, near the existing building called the "Eastern Store."

(4.) The space to be enclosed by the said wharf or quay, and the said two retaining walls to be filled up with hearting to the level, or thereabout, of the adjoining road.

Power to construct warehouses and other buildings, and to maintain and improve pier.

5. Subject to the provisions of this Order, the Undertakers may construct and maintain all warehouses, offices, sheds, weighing machines, cranes, and other works, buildings, and conveniences which may be found necessary in connexion with the pier for the accommodation of vessels and traffic landed at or embarked from the same, and they may also from time to time lay down and maintain on the pier rails, tramways, sidings, and turntables, and may dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrances and channels of 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.

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, quay, and works, demand and receive in respect of vessels, boats, animals, fish, goods, persons, 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 and goods by

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means of such works, the Undertakers may, notwithstanding the 25th 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 and receive such of the rates or such proportion of all or any of the rates specified in the Schedule to this Order as shall by the officer certifying under this section be stated in his certificate to be commensurate to the increased accommodation afforded.

Board of Trade may reduce rates.

9. If at any time, and from time to time, the clear annual income derived from the pier and works, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the 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.

Rates for warehouses, &c.

10. The Undertakers 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 Undertakers, for the use of which rates are not specially fixed in the Schedule to this Order.

Annual account to be sent to the Board of Trade.

11. The Undertakers, within one month after sending to the sheriff clerk the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the 16th 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.

Pass tickets for use of pier.

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

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

13. The Undertakers may from time to time confer, vary, or extinguish exemptions from and enter into composition with any person or persons with respect to the payment of tolls, rates, or duties authorised by this Order, but

so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Certain fishing vessels under stress of weather exempt from rates.

14. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in 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.

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

Lifeboat crew to be exempt from tolls.

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

Life-saving apparatus may be attached to pier.

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

Power to lease rates.

18. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding ten years, to take effect in possession, at the best rent to be reasonably obtained without fine, and on such other terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering the said rates 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.

19. 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 on the pier, approaches, and other works authorised by this Order to be constructed, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Application of rates received.

20. The Undertakers shall apply all rates received by them under this Order 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:

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

(3) Subject to and after answering the purposes aforesaid, the surplus income (if any) shall belong to the Undertakers for their own use.

Power to borrow money.

21. The Undertakers may from time to time borrow and re-borrow, at interest, such money as may be required for the purposes of this Order, not exceeding in the whole the sum of one thousand pounds, on the security of the rates and works authorised by this Order; or may accept and take from any bank or banking company credit for any amount not exceeding in the whole the said sum of one thousand pounds, on a cash account to be opened and kept in the name of the Undertakers, according to the usage of bankers in Scotland; and the Undertakers may grant bonds and assignations of the said rates and works 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, and such bonds and assignations and all 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 Inverness, and have preference according to the priority of their registration therein, except in so far as a pari passu preference may by the bonds and assignations have been established among all or some of them as being assignations or parts of one capital sum which the Undertakers may by a resolution of a specified date have determined to borrow in parts.

Application of borrowed money.

22. 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 judicial factor.

23. If within two months after the interest of any bond and assignation granted by the Undertakers 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.

24. 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 Inverness or his substitute, and on any such application the said sheriff or his said 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 all the arrears of interest or of principal, as the case may be, then due on the outstanding bonds and assignations, together with all costs, including the charges of receiving the said rates, be fully paid; and upon such appointment being made all such rates shall be paid to and received by the judicial factor so appointed, and the moneys so received shall be so much money received by or for the use of the holders of the bonds and assignations, and so soon as the full amount of any interest or principal in arrear and costs has been so received the power of the judicial factor shall

cease; and after payment of 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.

25. The amount to authorise the application for the appointment of a judicial factor shall be five hundred pounds in one or more bonds or assignations.

Portions of Harbours Clauses Act excepted.

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

Undertakers to be pilotage authority.

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

Vessels not to anchor within certain limits.

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

Vessels not to moor alongside pier without consent.

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

Meters and weighers.

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

As to lights during the construction of works.

31. 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 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.

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

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Powers to cease in certain events.

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

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

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

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall 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.

34. 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.

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

Short title.

36. This Order may be cited as the Lochmaddy Pier and Harbour Order, 1878.

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## SCHEDULE to which the foregoing Order refers.

### I.—Rates on Vessels other than Fishing Vessels.

| | £ | s. | d. |
|---|---|---|---|
| All vessels entering the harbour to load or unload, under fifty tons, per registered ton - - - - - | 0 | 0 | 4 |
| Vessels of fifty tons and under one hundred tons, per registered ton - - - - - - - | 0 | 0 | 6 |
| All vessels of one hundred tons and upwards, per registered ton - | 0 | 0 | 7 |

Steam vessels same rates as sailing vessels.

But if the vessels of the owner or owners of any steam or other vessels engaged in a regular trade with the harbour or bay of Lochmaddy shall collectively make in any one year fifty or more voyages to or from such harbour or bay, one half of the above rates shall be leviable on each of such vessels in respect of such year.

Vessels wind-bound or in ballast to pay half rates.

*Pilot Rate.*



| | £ | s. | d. |
|---|---|---|---|
| Every vessel above twenty tons entering or leaving the harbour, per registered ton | 0 | 0 | 4 |

II.—Rates on Fishing Vessels.

| | | | |
|---|---|---|---|
| Every boat engaged in the herring fishery at the port in full of tonnage duties for the period of the fishing season, payable in advance | 1 | 5 | 0 |
| Or per month in advance | 0 | 5 | 0 |
| Every such boat shall pay in each fishing season not less than 10*s.* although not engaged two months. | | | |
| Every boat loading or discharging herrings, not engaged at the port as above, shall on each occasion of entering the harbour pay, each | 0 | 2 | 6 |
| And where wind-bound, each | 0 | 1 | 3 |
| Other boats loading or discharging, each | 0 | 3 | 0 |
| And where wind-bound | 0 | 1 | 6 |
| Each fishing boat engaged in fishing at the port, other than herring boat, for season commencing 1st October, and payable annually in advance, if 20 feet in keel or upwards | 1 | 5 | 0 |
| Or per month | 0 | 5 | 0 |
| If less than 20 feet in keel | 0 | 10 | 0 |
| Or per month | 0 | 1 | 0 |
| For every large herring or white fishing boat, beached for the season | 0 | 10 | 0 |
| Every small herring or white fishing boat, beached for the season | 0 | 5 | 0 |

III.—Rates on Articles of Export and Import.

| | | | |
|---|---|---|---|
| Ale, beer, and porter, per hogshead | 0 | 0 | 6 |
| Ale, bottled, per dozen bottles | 0 | 0 | 1 |
| Anchors, per cwt. | 0 | 0 | 9 |
| Anchor stock, per foot run | 0 | 0 | 2 |
| Bark, per ton | 0 | 2 | 0 |
| Bedding, per bundle | 0 | 0 | 3 |
| Biscuit or bread, per cwt. | 0 | 0 | 3 |
| Blubber, per tun of 252 gallons | 0 | 3 | 0 |
| Bones and bone dust, per ton | 0 | 1 | 6 |
| Bottles, per gross | 0 | 0 | 9 |
| Bricks, per 1,000 | 0 | 1 | 6 |
| Butter and lard for smearing, or other smearing grease, per barrel | 0 | 0 | 6 |
| Butter, eating, per firkin, salt or fresh | 0 | 0 | 3 |
| Cables, iron or hempen, per ton | 0 | 3 | 0 |
| Canvas, per bolt | 0 | 0 | 1 |
| Carriages : | | | |
| Chaises and other four-wheeled carriages, each | 0 | 5 | 0 |
| Gigs and other two-wheeled carriages, each | 0 | 3 | 6 |
| Carts | 0 | 2 | 0 |
| Hand carts and perambulators, each | 0 | 0 | 6 |

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| | £ | s. | d. |
|---|---|---|---|
| Casks (empty) not being returned packages, per puncheon - | 0 | 0 | 6 |
| Other casks in proportion. | | | |
| Cattle: | | | |
| Bulls, cows, and oxen, each - - - - | 0 | 0 | 6 |
| Horses, each - - - - - - | 0 | 3 | 0 |
| Sheep, per score - - - - - | 0 | 2 | 6 |
| For any smaller number than a score, each sheep - | 0 | 0 | 2 |
| Pigs, each - - - - - | 0 | 0 | 6 |
| Chalk, per ton - - - - - | 0 | 1 | 0 |
| Cheese, per cwt. - - - - - - | 0 | 0 | 2 |
| Chimney-pots, each - - - - - | 0 | 0 | 3 |
| Cinders and charcoal, per ton - - - - | 0 | 0 | 6 |
| Clay, per ton - - - - - | 0 | 1 | 0 |
| Cloth, haberdashery, &c., per package not exceeding 1 cwt. - | 0 | 0 | 6 |
| Coals, per ton - - - - - - | 0 | 1 | 0 |
| Copper, per ton - - - - - | 0 | 3 | 0 |
| Cordage, per cwt. - - - - - - | 0 | 0 | 3 |
| Cork, per cwt. - - - - - | 0 | 0 | 6 |
| Crystal, per box or package - - - - - - | 0 | 0 | 6 |
| Clams, per cran - - - - - - | 0 | 1 | 0 |
| Crabs, per dozen - - - - - - - | 0 | 0 | 2 |
| Dogs, each, when not the property of those in charge of cattle or sheep being shipped or unshipped - - - | 0 | 0 | 2 |
| Drugs (in casks, hampers, or boxes), per foot - - - | 0 | 0 | 2 |
| Earthenware (in casks, hampers, or boxes), per cubic foot - | 0 | 0 | 2 |
| Earthenware (in crates), per cubic foot - - - | 0 | 0 | 1 |
| Eggs, per box or barrel - - - - - - - | 0 | 0 | 3 |
| Fish (dried or salted), per cwt. - - - - | 0 | 0 | 3 |
| Fish (fresh): | | | |
| Boxes containing not more than two cwt., each - | 0 | 0 | 4 |
| Boxes containing not more than one cwt. - - - | 0 | 0 | 2 |
| Cod, ling, skate, turbot, and halibut, per score - | 0 | 1 | 0 |
| Salmon, grilse, sea-trout, or bull-trout, each - - | 0 | 0 | 1 |
| Salmon, grilse, sea-trout, or bull-trout, per cwt. - | 0 | 1 | 0 |
| Flax, per ton - - - - - - | 0 | 3 | 4 |
| Flour and meal, per sack or barrel - - - - - | 0 | 0 | 2 |
| Fruit of all kinds, per box or barrel - - - | 0 | 0 | 6 |
| Furniture (household), per five cubic feet - - | 0 | 0 | 4 |
| Game of all kinds, per score - - - - - - | 0 | 3 | 0 |
| Glass, per large crate - - - - - | 0 | 1 | 6 |
| Glass, per small crate or case - - - - - - | 0 | 1 | 0 |
| Glass, per box - - - - - - | 0 | 0 | 6 |
| Grains, including barley, beans, Indian corn, malt, oats, pease, rye, and seeds of all kinds, per quarter - - - - - | 0 | 0 | 3 |
| Groceries not enumerated, per cwt. - - - - | 0 | 0 | 6 |
| Guano, per ton - - - - - - | 0 | 0 | 6 |
| Gunpowder, per barrel or keg - - - - | 0 | 0 | 6 |

| | £ | s. | d. |
|---|---|---|---|
| Haddocks (smoked), per barrel - - - - - | 0 | 0 | 4 |
| Hams, bacon, or tongues, per cwt. - - - - | 0 | 0 | 4 |
| Hardware, per ton - - - - - - | 0 | 2 | 6 |
| Hay, per ton - - - - - - | 0 | 1 | 6 |
| Hay, per truss - - - - - - | 0 | 0 | 2 |
| Hemp, per ton - - - - - - | 0 | 3 | 0 |
| Herrings (fresh), per cran - - - - | 0 | 0 | 4 |
| Herrings (cured), per barrel - - - - | 0 | 0 | 4 |
| Herrings (red, bloaters, and kippers), per barrel - | 0 | 0 | 4 |
| Herrings (red, bloaters, and kippers), per box - - - | 0 | 0 | 0½ |
| Hides : | | | |
| Ox, cow, or horse (wet or dry), each - - - | 0 | 0 | 2 |
| Hoops of wood, all of the size of puncheon hoops and under, per 1,200 | 0 | 0 | 9 |
| All above, per 1,200 - - - - - - - | 0 | 1 | 0 |
| Iron hoops, per cwt. - - - - - | 0 | 0 | 2 |
| Iron : | | | |
| Bar, bolt, rod, and sheet, per ton - - - - - | 0 | 1 | 6 |
| Pig and old, per ton - - - - - | 0 | 1 | 0 |
| Manufactured, per ton - - - - - - - | 0 | 2 | 6 |
| Pots, each - - - - - - - | 0 | 0 | 1 |
| Grates, stoves, and other ironmongery, per cwt. - - - | 0 | 0 | 2 |
| Kelp, per ton - - - - - - - | 0 | 1 | 0 |
| Lead, per ton - - - - - - - - - | 0 | 2 | 6 |
| Leather, tanned and dressed, per cwt. - - - - | 0 | 0 | 6 |
| Lime, per 28 bushels - - - - - - - - | 0 | 1 | 4 |
| Limestone, per ton - - - - - - - | 0 | 1 | 0 |
| Lobsters, per dozen - - - - - - - - | 0 | 0 | 2 |
| Machinery, per ton - - - - - - - | 0 | 2 | 6 |
| Manure (not enumerated), per ton - - - - - - | 0 | 0 | 6 |
| Masts and spars, 10 inches in diameter and upwards, each - | 0 | 2 | 6 |
| Meat, fresh, per cwt. - - - - - - - - | 0 | 0 | 6 |
| Meat, salted or otherwise preserved, per cwt. - - - | 0 | 0 | 9 |
| Milk, per gallon - - - - - - - - | 0 | 0 | 0½ |
| Musical instruments, per cubic foot - - - - | 0 | 0 | 1 |
| Nets, per 5 cubic feet - - - - - - - - | 0 | 0 | 4 |
| Oakum, per cwt. - - - - - - | 0 | 0 | 2 |
| Oils, per tun - - - - - - - | 0 | 2 | 0 |
| Oilcake, per ton - - - - - - | 0 | 1 | 0 |
| Ores, per ton - - - - - - - | 0 | 1 | 0 |
| Oysters, per long hundred - - - - - | 0 | 0 | 3 |
| Paint, per cwt. - - - - - - - | 0 | 0 | 4 |
| Peats, per ton - - - - - - - | 0 | 0 | 1 |
| Pitch, per cwt. - - - - - - - | 0 | 0 | 4 |
| Potatoes, per cwt. - - - - - - | 0 | 0 | 1 |

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| | £ | s. | d. |
|---|---|---|---|
| Poultry, per dozen | 0 | 0 | 6 |
| Any smaller number than a dozen, each | 0 | 0 | 1 |
| Rags and old rope, per ton | 0 | 2 | 0 |
| Rabbits, per dozen | 0 | 0 | 4 |
| Sails, per cwt. | 0 | 0 | 6 |
| Salt, per cwt. | 0 | 0 | 1 |
| Sand, per ton | 0 | 1 | 0 |
| Shell fish, other than those herein particularly specified, per bag of one cwt. | 0 | 0 | 2 |
| Shrimps, baskets, each | 0 | 0 | 2 |
| Skins:—Calf, goat, sheep, lamb, or dog, per dozen | 0 | 0 | 6 |
| Slates, per ton of 24 cubic feet | 0 | 2 | 0 |
| Snuff, per cwt. | 0 | 0 | 6 |
| Spirits, per hogshead | 0 | 2 | 6 |
| Spirits, per gallon | 0 | 0 | 1 |
| Sprats or garvies, per cran | 0 | 0 | 4 |
| Stones, per ton of 16 cubic feet | 0 | 1 | 6 |
| Steel, per ton | 0 | 3 | 0 |
| Sugar, per cwt. | 0 | 0 | 3 |
| Tallow, soap, and candles, per cwt. | 0 | 0 | 3 |
| Tar, per barrel | 0 | 0 | 2 |
| Tea, per chest | 0 | 1 | 0 |
| Tiles, per 1,000 | 0 | 1 | 6 |
| Tin and zinc, per ton | 0 | 3 | 0 |
| Tobacco, per cwt. | 0 | 0 | 6 |
| Turnips, per ton | 0 | 0 | 6 |
| Turpentine and varnish, per barrel | 0 | 0 | 6 |
| Turtle, each | 0 | 2 | 6 |
| Vegetables (not enumerated), per cwt. | 0 | 0 | 1 |
| Vinegar, per hogshead | 0 | 0 | 6 |
| Vitriol, per carboy | 0 | 1 | 0 |
| Wine, per hogshead | 0 | 1 | 0 |
| Ditto bottled, per dozen bottles | 0 | 0 | 2 |
| Wood: | | | |
| Fir, pine, and other descriptions not enumerated, per load of 50 feet | 0 | 1 | 6 |
| Oak or wainscot, per load of 50 feet | 0 | 2 | 0 |
| Firewood, per 216 cubic feet fathom | 0 | 1 | 6 |
| Laths and lathwood, per fathom of 216 cubic feet | 0 | 2 | 6 |
| Handspikes, per 120 | 0 | 3 | 0 |
| Oars, per 120 | 0 | 5 | 0 |
| Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120 | 0 | 5 | 0 |
| Ditto, 2½ inches in diameter and under, per 120 | 0 | 4 | 0 |
| Ditto 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120 | 0 | 9 | 0 |
| Ditto above 4 and under 6 inches in diameter, per 120 | 0 | 14 | 0 |

| | £ | s. | d. |
|---|---|---|---|
| Spokes of wheels not exceeding 2 feet in length, per 120 - | 0 | 2 | 0 |
| Ditto exceeding 2 feet in length, per 120 - - - - | 0 | 3 | 0 |
| Trenails, per 1,000 - - - - - | 0 | 2 | 6 |
| Wedges, per 1,000 - - - - - | 0 | 2 | 6 |
| Pipe staves, and others in proportion, per 120 - - | 0 | 2 | 6 |
| Herring-barrel staves, per 1,000 superficial feet - - | 0 | 1 | 2 |
| Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton - - - - - - | 0 | 2 | 0 |
| Wool, per cwt. - - - - - - | 0 | 0 | 4 |
| Yarn: | | | |
| Lint, per cwt. - - - - - - | 0 | 0 | 2 |
| Cotton, per cwt. - - - - - | 0 | 0 | 2 |
| Tow, per cwt. - - - - - | 0 | 0 | 1½ |
| Hemp, per cwt. - - - - - | 0 | 0 | 1½ |
| Worsted, per cwt. - - - - - | 0 | 0 | 4 |
| All other goods not particularly enumerated above: | | | |
| Light goods, per cubic foot - - - - | 0 | 0 | 1 |
| Heavy goods, per ton - - - - - | 0 | 2 | 0 |
| In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged. | | | |
| In weighing and measuring, packages to be included. | | | |
| Animals (live), other than those particularly enumerated, each - | 0 | 1 | 0 |

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

### 1.—*Rates of Craneage.*

| | | | |
|---|---|---|---|
| All goods, of packages not exceeding one ton - - - | 0 | 0 | 4 |
| Exceeding one ton and not exceeding two tons - - | 0 | 0 | 6 |
| Exceeding two tons and not exceeding three tons - - | 0 | 0 | 8 |
| Exceeding three tons and not exceeding four tons - - | 0 | 0 | 10 |
| Exceeding four tons and not exceeding five tons - - | 0 | 1 | 0 |
| Exceeding five tons and not exceeding six tons - - | 0 | 1 | 2 |
| Exceeding six tons and not exceeding seven tons - - | 0 | 1 | 4 |
| Exceeding seven tons and not exceeding eight tons - - | 0 | 1 | 6 |
| Exceeding eight tons and not exceeding nine tons - - | 0 | 1 | 10 |
| Exceeding nine tons and not exceeding ten tons - - | 0 | 2 | 4 |
| Exceeding ten tons - - - - - - | 0 | 3 | 6 |

### 2.—*Weighing Machines.*

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

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3.—*Shed Dues.*

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

V.—Rates for supplying Water on Pier, &c.

| | | | |
|---|---|---|---|
| Water, per 100 gallons - - - - - - | 0 | 1 | 0 |
| Each vessel shall pay on each occasion of entering the harbour for harbour lights, per register ton - - - - - | 0 | 0 | 0½ |
| Fishing boats not to be charged for harbour lights, and to have water supplied free. | | | |
| For all ballast supplied by the Undertakers to vessels or discharged from vessels within the harbour, per ton - - - - | 0 | 1 | 6 |

VI.—Rates on Passengers and Passengers Luggage.

| | | | |
|---|---|---|---|
| For every person landing from or embarking in any vessel - | 0 | 0 | 2 |
| For all luggage not exceeding 56 lbs. in weight - - - | 0 | 0 | 2 |
| For all luggage exceeding 56 lbs. in weight, per cwt. - - | 0 | 0 | 4 |
| Merchandise carried by passengers not to be considered luggage, but to be charged same rates as goods. | | | |

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*Montrose.*

## MONTROSE.

*Order for amending the Acts relating to the Harbour of Montrose, and for conferring further Powers on the Trustees of that Harbour.*

Short title. Order to be read with Harbour Acts.

1. This Order may be cited as the Montrose Harbour Order, 1878, and shall be construed with the Montrose Harbour Act, 1837, in this Order called "the Act of 1837," the Montrose Harbour Act, 1850, in this Order called "the Act of 1850," and the Montrose Harbour Act, 1866, in this Order called "the Act of 1866," all of which three Acts are in this Order called "the Harbour Acts;" and this Order and the Harbour Acts as amended and varied by this Order shall be read and construed together as one Act, and may be cited collectively as the Montrose Harbour Acts and Order, 1837–1878.

Sections of Harbour Acts repealed.

2. From and after the passing of the Act confirming this Order, sections three, four, and five, and sections nineteen to twenty-three, both inclusive; sections twenty-six to thirty-nine, both inclusive; sections forty-two, forty-three, forty-four, forty-seven, fifty-three, and fifty-five; and sections sixty-five to eighty, both inclusive; and sections ninety-six and one hundred and thirteen of the Act of 1837; sections thirty-four, thirty-nine, forty, forty-two, forty-three, forty-seven, forty-eight, and fifty-two of the Act of 1850; and sections five to twenty-three, both inclusive; and sections twenty-six, twenty-seven, thirty, and thirty-five of the Act of 1866 shall be and the same sections are hereby repealed.

Number of trustees, three ex officiis.

3. On and after the date or dates on which the trustees in office at the passing of the Act confirming this Order shall go out of office the twenty-three persons to be elected annually as trustees shall be the following; viz., the provost and eldest bailie of the burgh of Montrose for the time, ex officiis, and two other of the members of the town council of the said burgh to be elected by the town council of the said burgh; nine merchants or shipowners, municipal electors of the said burgh, to be elected by the municipal electors of the said burgh, these nine trustees being also called in this Order "the municipal trustees;" five persons being commissioners of supply of the county of Forfar, to be elected by the said county; four persons to be elected by the magistrates and town council of the city of Brechin, and the sheriff of the county of Forfar for the time, ex officio.

Election of Montrose council trustees.

4. The two members of the town council of the burgh of Montrose to be elected by the town council of the said burgh shall be so elected upon the day appointed for the election of magistrates of the said burgh by the Acts of Parliament for the time subsisting and in force for such election in the month of November one thousand eight hundred and seventy-eight, and in the month of November in every year thereafter, and shall hold office for the year ensuing such election.

Election of Montrose municipal trustees.

5. The nine persons to be elected municipal trustees by the municipal electors of the burgh of Montrose shall be municipal electors and merchants or shipowners, and shall be elected by the municipal electors in the manner prescribed by the Acts of Parliament subsisting and in force for the election of town councillors of the burgh of Montrose, on the first Tuesday of November one thousand eight hundred and seventy-eight; and on the first Tuesday of November one thousand eight hundred and seventy-nine, and in every succeeding year, one third of the nine municipal trustees shall go out of office; and in the said year one thousand eight hundred and seventy-nine the one third who shall go out shall consist of the municipal trustees who had the smallest number of votes in the present year one thousand eight hundred and seventy-eight; and in the succeeding year one thousand eight hundred and eighty, the one third of the municipal trustees first elected under this Order who shall go out of office shall consist of the municipal trustees who at such first election under this Order had the next smallest number of votes (the majority of the trustees in a stated or special meeting always determining where the votes for any such municipal trustees shall have been equal who shall be the persons to retire), and thereafter the one third of the municipal trustees so

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annually going out of office shall always consist of the municipal trustees who have been longest in office: Provided that any municipal trustee so going out of office shall be capable of being immediately re-elected: Provided also, that no person who is a member of the town council of the said burgh shall be capable of being elected a municipal trustee, and that in case any such trustee shall become a member of the said town council, he shall cease to be qualified to act as a trustee, and shall thereby be held, ipso facto, to have resigned his office.

Same procedure as town councillors election.

6. The election of municipal trustees by the municipal voters of the burgh of Montrose shall proceed and be conducted as nearly as possible in the same manner as the election of councillors for the said burgh is for the time appointed to proceed and be conducted by the existing law.

Trustees to settle order of municipal trustees retiring.

7. Where two or more municipal trustees have been elected on the same day under the provisions of the Municipal Elections Amendment (Scotland) Act, 1870, or have been elected by an equality of votes under the provisions of the Election Acts, the majority of the trustees assembled in a stated or special meeting (including the municipal trustees so elected) shall determine the order in which the municipal trustees so elected shall go out of office.

Election of county trustees.

8. The five persons to be elected county trustees shall be so elected by and in the Michaelmas meeting of the county of Forfar, to be held in the year one thousand eight hundred and seventy-eight; and such county trustees shall remain in office until the Michaelmas meeting of the said county next ensuing, and in like manner in every year thereafter the Michaelmas meeting of the said county shall elect five persons to be county trustees in the room of those going out of office under the provisions of this Order: Provided that no member of the town council of the burgh of Montrose, or of the city of Brechin, shall be capable of being a county trustee, and that no person shall be qualified to be elected by the said county as a trustee under this Order unless he be a commissioner of supply of the said county.

Election of Brechin trustees.

9. The four persons to be elected by the magistrates and town council of the city of Brechin shall be so elected upon the day appointed for the election of magistrates of the said city by the Acts of Parliament for the time subsisting and in force for such election in the month of November one thousand eight hundred and seventy-eight, and in the month of November in every year thereafter, and shall hold office for the year ensuing such election.

Officers to be continued.

10. The officers appointed by the trustees under the Harbour Acts shall continue to hold their offices during the terms of their respective appointments, or until they resign or are removed, and shall be subject to the provisions of the Harbour Acts and of this Order, and all bonds or securities granted for the conduct and intromissions of such officers shall be and remain valid, and may be enforced by the trustees to the same extent and effect as such bonds and securities might have been enforced by the trustees if the Act confirming this Order had not been passed; and in making appointments after the resignation or removal of the officers appointed under the Harbour Acts, the trustees may from time to time combine and consolidate, or may separate the offices.

Byelaws to remain in force till altered

11. The byelaws, rules, and regulations made under the authority of the Harbour Acts, or any of them, which are in force at the passing of the Act

confirming this Order, shall be the byelaws, rules, and regulations of the trustees, and shall continue in force until altered or recalled by the trustees. In regard to sales by the trustees authorised or required by the Harbour Acts, the trustees may direct such advertisements as they think necessary, and the provision as to advertising sales contained in section 51 of the Act of 1837 shall be and the same is hereby repealed, from and after the passing of the Act confirming this Order.

Advertisements on sales.

12. For the purpose of preventing any injury to navigation the trustees shall not commence or construct any quay, pier, wharf, or other work whatever below the line of high-water mark without the consent of the Board of Trade having been first obtained in writing under the hand of one of their secretaries or assistant secretaries, and shall not construct any such work otherwise than as may be approved of by the Board of Trade in writing as aforesaid; and where any such work shall have been constructed the trustees shall not at any time alter or extend the same without having first obtained the like consent or approval; and if any such work shall be commenced, completed, altered, or extended without such consent or approval having been first obtained, it shall be lawful for the Board of Trade, at the costs and charges of the trustees, to abate and remove the same and to restore the site thereof to its former condition, and the amount of such costs and charges shall constitute a debt due from the trustees to the Crown, and may be recovered accordingly.

Works below high-water mark not to be commenced without consent.

13. If any work or portion of a work constructed or to be constructed by the trustees in, under, over, through, or across any tidal water or navigable river, and which affects or may affect any such water or river or access thereto, shall be abandoned or suffered to fall into disuse or decay, it shall be lawful for the Board of Trade, at the costs and charges of the trustees, to abate and remove the same or any part thereof, and to restore the site thereof to its former condition, and the amount of such costs and charges shall constitute a debt due from the trustees to the Crown, and may be recovered accordingly.

Works affecting tidal waters, &c. abandoned may be removed at expense of the trustees.

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

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

15. At the expiration of one calendar month from the passing of the Act confirming this Order the several rates specified in the Schedules (A.) and (B.) to the Act of 1850 shall cease to be demanded or received by the trustees, and the several rates specified in the Schedules (A.) and (B.) to this Order shall, subject to the power of increasing or reducing the same herein contained, be levied and received in lieu thereof.

Repeal of existing rates and commencement of new rates.

16. After the expiration of one calendar month from the passing of the Act confirming this Order, and subject to the provisions of this Order and of Schedule (A.) to this Order, it shall be lawful for the trustees to levy on and in respect of all vessels entering or departing from the harbour the rates

Rates on vessels.

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specified in the said Schedule (A.); and all such rates shall be paid by the owner, agent, master, consignee, or other person in charge of such vessels.

Rates on goods.

17. After the expiration of one calendar month from the passing of the Act confirming this Order, and subject to the provisions of this Order and of Schedule (B.) to this Order, it shall be lawful for the trustees to levy on and in respect of all goods, animals, and things shipped, unshipped, or trans-shipped in the harbour, the rates specified in the said Schedule (B.); and all such rates shall be paid by the owner or consignee of such goods.

Power to increase or reduce rates.

18. The trustees may from time to time increase or reduce the rates and duties specified in the Schedules (A.) and (B.) to this Order, according to what may be required for the sinking fund, and the several purposes of the Harbour Acts and this Order; and with that view, at some stated or special meeting of the trustees to be held in the month of August one thousand eight hundred and seventy-eight, and in the month of August annually thereafter, the trustees shall fix and declare the increase (if any) to be levied, or reduction (if any) to be made upon such rates and duties specified in the said Schedules (A.) and (B.) for the year, to commence on the first day of October following, which increased or reduced rates and duties shall commence to be levied on the first day of October following any such meeting, and shall continue to be levied and paid from year to year, until otherwise expressly ordered by the trustees at any stated or special meeting to be held in the month of August as aforesaid; and notice of any resolution of the trustees authorising such increase or reduction shall within ten days after such resolution is adopted be given in at least one newspaper published in Montrose: Provided that the increase made in rates or duties shall not in any year exceed one-fourth part of the original rates or duties specified in the Schedules (A.) and (B.) to this Order in addition to such original rates or duties.

Power to compound for rates.

19. In addition to the powers of compounding for and varying rates contained in the Act of 1850 and in the Harbours, Docks, and Piers Clauses Act, 1847, the trustees may from time to time agree, for any time not exceeding one year, with the owners or masters of vessels engaged as regular packets or traders, or with any other persons using the harbour, for the payment of rates and duties less than the rates and duties which the trustees are authorised to levy under the Harbour Acts and this Order as a composition by the year, or such other shorter 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 the Harbour Acts and this Order on the like terms as shall be contained in such agreement, and that no preference shall be given to any person.

Annual account to be sent to Board of Trade.

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

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21. 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.

Certain fishing vessels under stress of weather exempt from rates.

22. 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, and with their vessels and otherwise.

Custom House officers.

23. 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 of the trustees.

Lifeboat crew.

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

Life-saving apparatus may be attached to pier.

25. The trustees may from time to time build, purchase, contract for, or hire, and may maintain, use, and let steam tugs for the use and accommodation of vessels frequenting the harbour, and may also from time to time license such number of steam tugs or other towing vessels belonging to any person for such period and on such terms and conditions as they think fit: Provided always, that it shall not be lawful for any other person or persons without the license and authority of the trustees first applied for and obtained in writing, to use or employ any steam tug or other towing vessel within the said harbour, and every person offending against this provision shall forfeit and pay for each such offence any sum not exceeding ten pounds.

Trustees may provide and license steam tugs.

26. The trustees may from time to time fix and make such rates or charges as appear to them reasonable, for or in respect of the use of such steam tugs or other towing vessels maintained, belonging, used, or let or licensed by them, and such rates or charges shall be paid by the owner, agent, master, consignee, or other person having charge of the vessel obtaining the assistance of such steam tug or other towing vessel, to the trustees, or to their lessee, or to the person with whom they may contract, or to the owner of such steam tug or other towing vessel, if licensed by the trustees, as the case may be, and shall be due and payable whether such steam tug or other towing vessel 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 towing vessel.

Steam tugs.

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Power to borrow money.

27. The trustees from time to time may borrow for the purposes of the harbour, on the security of the rates and duties and other revenues and property, other than light dues, payable and belonging to them in virtue of the Harbour Acts and this Order, any sum or sums of money not exceeding thirty thousand pounds, including the amount of the debt authorised by the Harbour Acts and due by the trustees at the passing of the Act confirming this Order.

Transfer and equal ranking of securities.

28. All moneys to be borrowed under the authority of this Order shall be secured, and such security may be transferred in the same manner and form as is directed by the Harbour Acts with respect to the money borrowed or to be borrowed under the authority thereof; and all the provisions of the Harbour Acts, so far as subsisting and in force with respect to the borrowing, and to the security, and to the transfer or assignment, and to the repayment of the sums thereby authorised to be borrowed, shall extend and apply to the moneys by this Order authorised to be borrowed; and the respective assignees, in security under assignments granted by the trustees under the authority of the Harbour Acts or either of them or of this Order, shall be entitled one with another to their respective proportions of the rates and duties, and other property comprised in such assignments respectively, according to the respective sums in such assignments mentioned to be advanced by such assignees respectively, and to be repaid the sums so advanced, with interest, without any preference one above another by reason of the priority of advancing such moneys, or of the dates of any such assignments respectively.

Debts charged on rates.

29. The rates and duties by this Order authorised shall be liable to and be charged with all the debts, claims, and demands whatsoever to which the rates and moneys leviable and payable under the Harbour Acts, or either of them, shall be subject and liable under the provisions thereof at the time of the passing of the Act confirming this Order; and all assignments or other securities granted under the authority of the Harbour Acts, or either of them, 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.

Notice to be given to creditors before exercising borrowing powers.

30. The power of borrowing conferred by this Order shall not be exercised by the trustees until they shall have intimated their intention to exercise such power to the creditors holding mortgages or assignments for money borrowed or due by the trustees by notices in writing delivered personally to such creditors, or sent by post in registered letters to their respective addresses in the register of mortgages or assignments and transfers, in order that such creditors may, if they think fit, receive payment of the amount due to them respectively on such securities, within a time to be specified in such notices, nor until the trustees shall have paid the moneys required to be paid by any such creditor by an answer in writing left at the office of the clerk of the trustees within two months after the date of delivery or posting of such notices, and a certificate under the hands of any two justices of the peace of the county of Forfar that such notices have been given, and that the moneys so required to be paid have been paid, shall be sufficient evidence that the provisions of this section have been duly observed.

Re-borrowing.

31. If after having borrowed any part of the money by this Order authorised to be borrowed, the trustees pay off the same, except by means of the sinking fund, it shall be lawful for them again to borrow the amount so paid off, and so from time to time.

Bonds to be personal estate.

32. All assignments to be granted by the trustees under the authority of the Harbour Acts or this Order, and all moneys to be advanced and lent on the security of the property and works of the trustees, and the rates authorised to be levied by them, shall be moveable or personal estate, and transmissible as such, and shall not be of the nature of heritable or real estate.

Trustees may borrow on credit of cash account.

33. The trustees may accept and take from any bank or banking company in Scotland, credit on a cash account to be opened and kept with such bank or banking company in the name of the trustees, according to the usage of bankers in Scotland, to the extent of the sums which the trustees are by the Harbour Acts and this Order authorised to borrow, or any part thereof, and may assign the several rates leviable under this Order, other than light dues, in security of the payment of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon: Provided that the whole sum due and owing by the trustees on such cash account and for money borrowed by them on bonds, or other securities or vouchers of debt, shall never, when taken together, exceed the amount which they are authorised to borrow as aforesaid.

Sinking fund.

34. From and after the thirty-first day of May one thousand eight hundred and seventy-eight the trustees shall annually set apart as a sinking fund, out of the rates and revenues other than light dues to be received by them under the authority of the Harbour Acts and this Order, a sum not less than three hundred pounds, and such sinking fund shall be applied by the trustees from time to time, and at least once in every three years, in paying off borrowed money and to no other purpose whatsoever.

Deposit of sinking fund in bank.

35. The trustees shall annually deposit the sums directed by this Order to be set apart as a sinking fund in any bank in Scotland, having a branch or agency in Montrose and incorporated under Act of Parliament or Royal Charter, until such sinking fund shall be paid and applied in manner hereinbefore provided.

Application of money borrowed.

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

Portions of Harbours Clauses Act excepted.

37. Sections 16 to 19 inclusive and sections 25 and 26 of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; but the Undertakers shall at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such site a house and other proper accommodation for a 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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Lighthouses and light dues.

38. The lighthouses, lighting apparatus, lands, buildings, buoys, beacons, and other property, and all the rights and powers regarding the lighting and buoying of the harbour and the approaches and entrance thereto, acquired by the trustees under the Act of 1837, are and shall remain vested in the trustees; and are and shall remain part of their undertaking and be kept in repair and maintained by the trustees under the Harbour Acts and this Order, but subject to the provisions of this Order; and the trustees may, with the consent of the Commissioners of Northern Lighthouses first obtained, establish other lighthouses and beacons in such convenient situations as they shall think proper for directing the safe approach to the said harbour, and under such regulations as they shall with such consent from time to time make and provide, and keep in repair and maintain the same in like manner.

Separate account to be kept of light dues.

39. It shall be lawful to the trustees to levy and receive, on all ships, vessels, or other craft entering the said harbour, light dues of such amount as they shall annually fix and determine, not exceeding the amount specified in Schedule (C.) to this Order.

A separate account shall be kept by the trustees of the light dues received under this Order and the application thereof, and the trustees shall revise the same from time to time so that the income derived from such light dues may be as far as practicable sufficient and not more than sufficient to meet the expenditure of the trustees on lighthouses, beacons, and lighting apparatus connected with the harbour.

As to lights after completion of works.

40. The trustees 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 trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Saving rights under the Crown Lands Act, 1866.

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

Costs of Order.

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

## The SCHEDULES to which the foregoing Order refers.

### SCHEDULE (A.)

#### Tonnage Rates on Vessels.

| For all vessels navigating, as follows: | *s.* | *d.* |
|---|---|---|
| 1. To the southward of the Tropic of Capricorn, per register ton - | 1 | 6 |
| 2. Between the equator and the Tropic of Capricorn - - | 1 | 3 |
| 3. Between the Tropic of Cancer and the Equator - - - | 1 | 0 |
| 4. To or from any port in North America, Greenland, Davis Straits Fisheries, and all within the Straits of Gibraltar - - | 0 | 8 |
| 5. To or from any port to the north of Dronthiem in Norway or from Azores, Madeira, or Teneriffe Islands - - - - - | 0 | 7 |
| 6. To or from any port between Gibraltar and Dunkirk, including Dunkirk, and from any port in the Baltic - - - | 0 | 5 |
| 7. To or from any port in Great Britain or Ireland, including the Islands of Guernsey, Jersey, Alderney, Sark, Man, the Shetland Islands, and Orkneys - - - - - - - - | 0 | 3 |
| 8. All vessels loaded with coals or lime only from any port in the United Kingdom - - - - - | 0 | 2 |
| 9. All vessels while engaged in the herring trade - - - | 0 | 1½ |
| 10. All steam vessels from any port in Great Britain or places enumerated in No. VII. carrying passengers and their luggage exclusively - - - - - - - | 0 | 2 |
| 11. All steam vessels carrying goods and passengers to pay the same rates as sailing vessels. | | |

It shall be in the option of the trustees to charge either the tonnage dues on the voyage inwards or on the voyage outwards, and, if the charge be made on the voyage outward, there shall be deducted from it the amount of the dues that may have been previously paid on the voyage inwards; but vessels leaving the harbour in ballast shall be charged with dues on the inward voyage only.

All vessels with cargoes entering the harbour for safety or convenience, and not breaking bulk or taking goods on board except stores for ships use, to pay one half of tonnage dues only.

Any vessel remaining in harbour more than two calendar months to pay in advance one penny per register ton for every month or part of a month beyond such two months.

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Each vessel entering the harbour and loading or unloading goods or ballast within the same or performing both operations before leaving the harbour to pay in name of plank money (whether a plank be used or not) as follows:—

| | | s. | d. |
|---|---|---|---|
| Vessels amounting to and not exceeding 20 tons register | - - | 1 | 0 |
| exceeding 20 tons and not exceeding 50 tons register | - | 1 | 6 |
| 50 | 100 - - - | 2 | 0 |
| 100 | 150 - - - | 2 | 6 |
| 150 | 200 - - - | 3 | 0 |
| 200 | 250 - - - | 3 | 6 |
| 250 | 300 - - - | 4 | 0 |
| 300 | 350 - - - | 4 | 6 |
| 350 | 400 - - - | 5 | 6 |
| 400 and upwards - - - - - | | 6 | 6 |

Vessels leaving the harbour for the purpose of taking on board ballast in any part of the River South Esk, and returning to the said harbour with ballast shall be exempt from dues for such return.

Vessels sailing from the port and put back by stress of weather or any other cause without having accomplished their voyage shall be exempt from any dues on such return.

Vessels arriving in ballast for the purpose of being repaired and departing in ballast shall be exempt from dues.

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## SCHEDULE (B.)

### Rates on Goods.

| | s. | d. |
|---|---|---|
| Acorns, per quarter - - - - - - | 0 | 3 |
| Alabaster, per ton - - - - - - | 2 | 0 |
| Ale and beer, in casks, per barrel bulk - - - | 0 | 2 |
| „ in bottles, per ton - - - - | 0 | 8 |
| Alkali, per ton - - - - - - | 1 | 6 |
| Almonds. *See* Grocery. | | |
| Alum—Rock, per ton - - - - - | 1 | 0 |
| „ Cake, per ton - - - - - | 1 | 6 |
| Apples, per ton - - - - - | 1 | 0 |
| Argol, per ton - - - - - - | 2 | 0 |
| Ashes—pot, pearl, weed, and wood, per ton - - - | 1 | 6 |
| Asphalte and bitumen, per ton - - - - | 0 | 4 |
| Bacon or hams, per ton - - - - - | 2 | 0 |
| Barilla, per ton - - - - - | 1 | 6 |
| Bar iron. *See* Iron. | | |
| Bark, viz.:— | | |
| Oak, per ton - - - - - | 1 | 6 |
| Quercitron, per ton - - - - - | 2 | 0 |
| Barley—pot, shelled, or pearl: see Corn, per ton - - - | 1 | 8 |

| | s. | d. |
|---|---|---|
| Barrels, empty herring, per dozen | 0 | 3 |
| Basket rods, per cwt. | 0 | 1 |
| Baskets, viz. :— | | |
| under 12 inches in diameter, per doze | 0 | 1 |
| above 12 „ „ per dozen | 0 | 2 |
| Bay berries. *See* Berries. | | |
| Beans. *See* Corn. | | |
| Beef or pork, per ton | 2 | 0 |
| Beer, spruce. *See* Ale and beer, per barrel bulk | 0 | 2 |
| Berries, viz. :— | | |
| Bay, juniper, yellow, and cran, per cwt. | 0 | 2 |
| Biscuits, per ton | 1 | 0 |
| Blacking, per ton | 2 | 8 |
| Black lead. *See* Lead. | | |
| Bleaching powder, per ton | 1 | 6 |
| Bones, per ton | 0 | 3 |
| Bone dust and bone ash, per ton of 40 bushels | 0 | 6 |
| Books and stationery. *See* Paper, per ton | 4 | 0 |
| Boots and shoes, per ton | 2 | 0 |
| Bottles, glass, per ton | 1 | 0 |
| Bottles, broken, per ton | 0 | 3 |
| Boxes and kits, empty, if not returned, per puncheon | 0 | 3 |
| Bran, per ton | 0 | 10 |
| Brandy. *See* Spirits. | | |
| Brass, per ton | 1 | 8 |
| Bricks, per 1,000 | 0 | 10 |
| Brimstone, per ton | 1 | 6 |
| Bristles, per cwt. | 0 | 6 |
| Broom and brush handles, heads, and stocks, per ton of 40 cubic feet | 0 | 8 |
| Brooms, birch and heather, per dozen | 0 | 0½ |
| Brushes, per ton of 40 cubic feet | 1 | 0 |
| Bulrushes, per load | 0 | 1 |
| Bulls. *See* Cattle. | | |
| Butter, per ton | 2 | 8 |
| Blubber, per ton or per 252 gals. | 1 | 0 |
| Boats and cobles, new, viz. :— | | |
| under 12 feet keel, each | 1 | 6 |
| 12 to 14, each | 2 | 0 |
| 14 to 16, each | 2 | 6 |
| 16 to 18, each | 3 | 0 |
| 18 to 20, each | 3 | 6 |
| 20 and above, each | 4 | 6 |
| Calves' velves, per ton | 3 | 4 |
| Candles, per ton | 2 | 8 |
| Cane reeds, per 1,200 | 0 | 6 |
| Carrots, per ton | 0 | 4 |

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| | s. | d. |
|---|---|---|
| Carpets. *See* Cloth. | | |
| Casks, empty, not being returned packages, per puncheon | 0 | 3 |
| Other casks in proportion. | | |
| Cattle, viz.:— | | |
| Bulls, each | 0 | 6 |
| Cows and oxen, each | 0 | 6 |
| Calves, each | 0 | 3 |
| Horses, each | 1 | 0 |
| Pigs, each | 0 | 2 |
| Sheep, each | 0 | 2 |
| Lambs, each | 0 | 1 |
| Asses and mules, each | 0 | 6 |
| Wild animals, each | 1 | 0 |
| Cattle food, manufactured, per ton | 1 | 8 |
| Caviare, per ton | 4 | 0 |
| Cement, per ton | 1 | 0 |
| Chalk, per ton | 0 | 3 |
| Charcoal (wood), per ton | 0 | 6 |
| Cheese, per ton | 2 | 0 |
| Chestnuts, per ton | 4 | 0 |
| Chimney cans, per 100 | 1 | 0 |
| China ware, per ton | 2 | 0 |
| Chrome ore, per ton | 0 | 6 |
| Cider, per ton | 1 | 4 |
| Cigars, per ton | 4 | 0 |
| Cinders and coke, per ton | 0 | 6 |
| Cinnamon. *See* Grocery. | | |
| Clay; viz.—china stone, pipe, or fire, per ton | 0 | 6 |
| Cloth, comprehending all fabrics of flax, tow, hemp, jute, coir, &c., whether pure, or mixed, such as sheeting, hessians, dowlas, sailcloth, canvas, sacking, bagging, tarpauling, pocketing, carpeting, &c., and bags and sacks of all kinds, per ton | 2 | 0 |
| Clothiery and clothes made. *See* Haberdashery. | | |
| Coaches, chaises, gigs, and other similar carriages, per ton | 2 | 8 |
| Coals—Scotch, English, and Smithy, per ton | 0 | $2\frac{3}{4}$ |
| Cochineal, per cwt. | 1 | 0 |
| Cocoa, per ton | 3 | 0 |
| Cocoa nuts, per 100 | 0 | 3 |
| Cocoa fibre, per ton | 0 | 8 |
| Coffee, per cwt. | 0 | 2 |
| Condensed milk, per cwt. | 0 | 2 |
| Copper, per ton | 3 | 0 |
| „ old, per ton | 1 | 6 |
| „ ore, per ton | 0 | 6 |
| Codilla, per ton | 1 | 0 |
| Copperas, per ton | 0 | 6 |

| | s. | d. |
|---|---|---|
| Coprolites, per ton | 0 | 6 |
| Coral, per cwt. | 0 | 6 |
| Cordage, per ton | 1 | 6 |
| Corks, per ton | 2 | 0 |
| Corkwood, per ton | 2 | 0 |
| Corn, viz.:— | | |
| Barley, per quarter | 0 | 1½ |
| Beans, per quarter | 0 | 1½ |
| Indian corn, per quarter | 0 | 1½ |
| Malt, per quarter | 0 | 2 |
| Oats, per quarter | 0 | 1½ |
| Pease, per quarter | 0 | 1½ |
| Rye, per quarter | 0 | 1½ |
| Wheat, per quarter | 0 | 2 |
| Corn flour, per cwt. | 0 | 2 |
| Cotton wool, per ton | 1 | 6 |
| Cow, ox, or bull hair. *See* Hair. | | |
| Cows. *See* Cattle. | | |
| Cranberries. *See* Berries. | | |
| Crystal, per ton | 2 | 6 |
| Culm, per ton | 0 | 4 |
| Currants. *See* Grocery. | | |
| Cutch, per ton | 1 | 0 |
| Dates, per cwt. | 0 | 2 |
| Dogs, each | 0 | 6 |
| Draff, per quarter | 0 | 0½ |
| Drugs and all merchandise for druggists, per ton | 4 | 0 |
| Dye stuffs not enumerated, per ton | 1 | 4 |
| Earthenware, per ton | 1 | 6 |
| Eels, per cwt. | 0 | 1 |
| Eggs, per ton | 2 | 0 |
| Elephant's teeth, per cwt. | 0 | 6 |
| Emery stones, per cwt. | 0 | 1 |
| ,, paper, per cwt. | 0 | 1 |
| Esparto grass, per ton | 1 | 0 |
| Feathers, per ton | 5 | 0 |
| Figs. *See* Grocery. | | |
| Fish oil. *See* Oil. | | |
| Felt, per ton | 1 | 4 |
| Fish, salted, per ton | 1 | 0 |
| Flax, per ton | 1 | 6 |
| Flint stones, per ton | 0 | 4 |
| Flour, per sack | 0 | 2 |
| Flower roots, per ton | 2 | 0 |
| Furriers' waste, per ton | 0 | 3 |
| Game, per ton | 2 | 6 |
| Garden seeds. *See* Seeds. | | |

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| | s. | d. |
|---|---|---|
| Geneva. *See* Spirits. | | |
| Ginger, per cwt. | 0 | 2 |
| „ preserved, per cwt. | 0 | 3 |
| Glass, per crate | 0 | 6 |
| „ broken, per ton | 0 | 4 |
| Glue, per ton | 2 | 0 |
| Goat's hair. *See* Hair. | | |
| Ginseng, per cwt. | 0 | 6 |
| Grapes, per ton | 2 | 6 |
| Grease, per ton | 1 | 0 |
| Green fruit, per ton | 1 | 0 |
| Grocery, viz. :— | | |
| Almonds, per cwt. | 0 | 2 |
| Cinnamon, per cwt. | 0 | 2 |
| Currants, per cwt. | 0 | 2 |
| Figs, per cwt. | 0 | 2 |
| Pepper, per cwt. | 0 | 2 |
| Pimento, per cwt. | 0 | 2 |
| Plums, per cwt. | 0 | 2 |
| Prunes, per cwt. | 0 | 2 |
| Raisins, per cwt. | 0 | 2 |
| and not otherwise rated, per cwt. | 0 | 2 |
| Guano and patented and chemically prepared manures, per ton | 1 | 0 |
| Gunpowder, per cwt. | 0 | 3 |
| Gypsum, per ton | 0 | 6 |
| Hair, viz. :— | | |
| Cow, ox, bull, goats' hair or wool, horse, per cwt. | 0 | 2 |
| Haberdashery and clothiery, comprehending silk, flannel, and hosiery goods, &c., per ton | 2 | 6 |
| Hair powder, per cwt. | 0 | 6 |
| Hardware, per ton | 2 | 6 |
| Hats, per barrel bulk | 0 | 4 |
| Hay, per ton | 1 | 0 |
| Hemp, rough, per ton | 1 | 6 |
| Herrings, per barrel | 0 | 1½ |
| Hides, per 100 | 2 | 0 |
| Honey, per cwt. | 0 | 2 |
| Hoops of wood, all of the size of puncheon hoops and under, per 1,200 | 0 | 9 |
| All above, per 1,200 | 1 | 0 |
| Iron, per ton | 1 | 0 |
| Hops, per cwt. | 0 | 4 |
| Horns, slugs, tips, and hoofs, per ton | 2 | 6 |
| Horse. *See* Cattle. | | |
| Household furniture, per ton | 3 | 4 |
| Husbandry utensils, per ton | 1 | 8 |
| India rubber, per cwt. | 0 | 2 |
| Indian corn. *See* Corn. | | |

| | s. | d. |
|---|---|---|
| Indigo, per cwt. | 1 | 0 |
| Ice, per salmon box | 0 | 1 |
| Ink, per cwt. | 0 | 1 |
| Iron; viz.:— | | |
| Bar, bolt, and rod, per ton | 0 | 6 |
| Old, per ton | 0 | 6 |
| Made work, per ton | 1 | 6 |
| Cast-iron goods, commonly called ironmongery, per ton | 1 | 6 |
| Other cast-iron goods, per ton | 0 | 9 |
| Pig, per ton | 0 | 4 |
| Old or broken cast-iron, per ton | 0 | 4 |
| Plate, sheet and forged, per ton | 1 | 0 |
| Ore, per ton | 0 | 2 |
| Ivory, per cwt. | 0 | 6 |
| Joiner work, per ton | 1 | 6 |
| Juniper berries. *See* Berries. | | |
| Junk, old, per ton | 0 | 6 |
| Jute, per ton | 1 | 0 |
| Kelp, per ton | 0 | 6 |
| Lard, per ton | 2 | 0 |
| Latten black, per ton | 2 | 0 |
| Lead, per ton | 0 | 9 |
| „ black, per ton | 2 | 0 |
| „ ore, per ton | 1 | 0 |
| „ red and white, per ton | 2 | 0 |
| „ shot, per ton | 1 | 0 |
| Leather, per ton | 2 | 0 |
| Lemons. *See* Grocery, per cwt. | 0 | 2 |
| Limes. *See* Grocery, per cwt. | 0 | 2 |
| Linseed. *See* Seed. | | |
| „ *See* Oil. | | |
| Linseed, rape, cotton, &c., cakes, per ton | 1 | 6 |
| Lime, per chaldron | 0 | 6 |
| Loam, per ton | 0 | 1 |
| Locust beans and meal, per ton | 0 | 9 |
| Machinery, per ton | 1 | 6 |
| Madder, per ton | 2 | 0 |
| „ roots, per ton | 1 | 6 |
| Malt. *See* Corn. | | |
| Manganese, per ton | 1 | 0 |
| Mangold-wurzell, per ton | 0 | 4 |
| Manure, street, per ton | 0 | 1 |
| Manure, blood, manufactured, per ton | 1 | 0 |
| „ „ unmanufactured, per ton | 0 | 6 |
| Marble, per ton | 1 | 0 |
| Mats, bass, per 120 | 0 | 3 |
| „ dunnage, per 100 | 0 | 6 |

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*Montrose.*

| | s. | d. |
|---|---|---|
| Matting of fibre and other material, per ton | 1 | 4 |
| Marmalade, per cwt. | 0 | 2 |
| Matches, per ton of 40 cubic feet | 1 | 0 |
| Meal, per boll | 0 | 1½ |
| Medicines. *See* Drugs. | | |
| Metal, patent sheathing, per ton | 2 | 6 |
| Mill waste, per ton | 0 | 3 |
| Mohair yarn, per cwt. | 0 | 2 |
| Molasses, per ton | 0 | 9 |
| Morels, per cwt. | 0 | 4 |
| Moss, rock, per ton | 1 | 6 |
| Mum, per ton | 2 | 0 |
| Musical instruments, per cwt. | 0 | 3 |
| Mussels, winkles, &c., per cwt. | 0 | 1 |
| Naphtha, per ton | 2 | 0 |
| Nitrate of soda, per ton | 1 | 0 |
| Nuts, per ton | 2 | 8 |
| Nutmegs, per cwt. | 1 | 0 |
| Oakum, per ton | 1 | 0 |
| Oats. *See* Corn. | | |
| Oats, dust, per ton | 0 | 6 |
| Ochre, per ton | 1 | 0 |
| Oils: | | |
| Linseed, palm, rape, turpentine, and sperm, per ton | 2 | 0 |
| Whale or train, per tun of 252 gallons | 1 | 6 |
| Onions, per ton | 1 | 0 |
| Oranges, per ton | 2 | 0 |
| Orchella weed, per cwt. | 2 | 0 |
| Ore of iron. *See* Iron. | | |
| Ore of lead. *See* Lead. | | |
| Oysters, per cwt. | 0 | 1 |
| Paints, per ton | 2 | 0 |
| Paper, viz.:— | | |
| Writing and printing paper, per ton | 2 | 6 |
| Packing paper, per ton | 1 | 8 |
| Paper pulp, per ton | 0 | 9 |
| Passengers luggage:— | | |
| If under 5 cwt., free. | | |
| All above, per ton | 4 | 0 |
| Pears, per ton | 1 | 6 |
| Pease. *See* Corn. | | |
| Peats, per 100 | 0 | 1 |
| Pelts, per ton | 2 | 0 |
| Pepper. *See* Grocery. | | |
| Perry, per ton | 1 | 4 |
| Pig iron. *See* Iron. | | |
| Pigs. *See* Cattle. | | |

| | s. | d. |
|---|---|---|
| Pigheads, per ton | 2 | 0 |
| Pimento. *See* Grocery. | | |
| Pitch, per barrel | 0 | 2 |
| Plants of trees or shrubs, per ton | 1 | 0 |
| Plaster of Paris, per ton | 1 | 0 |
| Plums. *See* Grocery. | | |
| Periwinkles. *See* Mussels, per cwt. | 0 | 1 |
| Pork. *See* Beef. | | |
| Porter in casks, per barrel bulk | 0 | 2 |
| in bottles, per ton | 0 | 8 |
| Potatoes, per ton | 0 | 4 |
| Powder of lead. *See* Lead. | | |
| Prunelloes, per ton | 4 | 0 |
| Prunes. *See* Grocery. | | |
| Poultry, per dozen | 0 | 1 |
| Pumice stones, per ton | 1 | 0 |
| Putty, per ton | 2 | 0 |
| Pyrites, per ton | 0 | 6 |
| Quercitron bark. *See* Bark. | | |
| Quills, undressed, per 1,000 | 0 | 1 |
| Rabbits, per cwt. | 0 | 1 |
| Rags, viz.:— | | |
| Linen, per ton | 0 | 6 |
| Other rags, old ropes, and old leather, per ton | 0 | 3 |
| Raisins. *See* Grocery. | | |
| Rape cakes, per ton | 1 | 6 |
| Rape seed. *See* Seed. | | |
| Red lead. *See* Lead. | | |
| Rice, per ton | 2 | 0 |
| Rock moss. *See* Moss. | | |
| Rosin, per ton | 1 | 4 |
| Rubbings and sweepings, per ton | 0 | 6 |
| Rum. *See* Spirits. | | |
| Rye. *See* Corn. | | |
| Saddlery, not enumerated, per ton | 2 | 6 |
| Sago, per ton | 2 | 0 |
| Salmon, per box of 4 kits | 0 | 3 |
| Salt, per ton | 0 | 8 |
| Salt rock, in lump, per ton | 0 | 6 |
| Saltpetre, per ton | 2 | 6 |
| Sand, per ton | 0 | 1 |
| Sawdust, per ton | 0 | 6 |
| Seeds of all kinds, except those for crushing, per ton | 1 | 6 |
| ,, for crushing, per ton | 1 | 0 |
| Shoddy, per ton | 0 | 3 |

A.D. 1878.

*Montrose.*

| | s. | d. |
|---|---|---|
| Skins, viz.:— | | |
| Calf, per score | 0 | 3 |
| Sheep, per score | 0 | 3 |
| Deer, per score | 0 | 3 |
| Kid, per score | 0 | 3 |
| Lamb, per score | 0 | 3 |
| Seal, per score | 2 | 0 |
| Sheep, dressed, per barrel bulk | 0 | 3 |
| Hare and rabbit, per score | 0 | 1 |
| Slates, viz.:— | | |
| Under size, per 1,200 | 0 | 8 |
| Sizeable, per 1,200 | 1 | 3 |
| Over size, per 1,200 | 2 | 0 |
| Moss and drain slates and slate slabs, drains and cisterns, vent-linings, per ton | 1 | 6 |
| Slates, school and slate pencils, per ton | 2 | 6 |
| Smalts, per ton | 2 | 6 |
| Smelts, per cwt. | 0 | 2 |
| Snuff, per ton | 0 | 4 |
| Soap, per ton | 1 | 6 |
| Soapers' waste, per ton | 0 | 3 |
| „ salts, per ton | 0 | 6 |
| Soda, per ton | 1 | 6 |
| Spermaceti, per ton | 2 | 0 |
| Spirits, per ton | 2 | 8 |
| Starch, per cwt. | 0 | 2 |
| Steel, per ton | 1 | 6 |
| Stones, viz.:— | | |
| Rubble freestone, per ton | 0 | $0\frac{1}{4}$ |
| Hewn ashlar freestone, per ton | 0 | $0\frac{1}{2}$ |
| Rubble causeway, per ton | 0 | $0\frac{1}{4}$ |
| Causeway stones, dressed, per ton | 0 | $0\frac{1}{2}$ |
| Pavement, per ton | 0 | $0\frac{1}{2}$ |
| Curb, per ton | 0 | $0\frac{1}{2}$ |
| Gravestones, each | 2 | 6 |
| Scythe stones, per score | 0 | $0\frac{1}{2}$ |
| Grindstones, each | 0 | 1 |
| Millstones, each | 1 | 0 |
| Straw, per ton | 0 | 10 |
| Stucco, per ton | 0 | 6 |
| Sugar, raw, per ton | 1 | 6 |
| „ refined, per ton | 2 | 0 |
| Sugar moulds, per 100 | 0 | 9 |
| Tallow, per ton | 1 | 6 |
| Tamarinds, per cwt. | 0 | 3 |
| Tanners' waste, per ton | 0 | 3 |
| Tar, per barrel | 0 | 2 |

| | *s.* | *d.* |
|---|---|---|
| Tares, per quarter | 0 | 2 |
| Tea, per cwt. | 0 | 3 |
| Thread, per ton | 2 | 0 |
| ,, old, per ton | 0 | 6 |
| Tiles, drain or roofing, per 1,200 | 1 | 0 |
| Tin, of all kinds, per ton | 2 | 0 |
| Tobacco, per ton | 2 | 6 |
| Tobacco pipes, per ton | 2 | 6 |
| Tongues, smoked, per dozen | 0 | 1 |
| Tongues, pickled, per barrel | 0 | 3 |
| Tortoiseshell, per cwt. | 0 | 6 |
| Tow, per ton | 1 | 3 |
| Toys, per cwt. | 0 | 2 |
| Treenails, per 1,200 | 0 | 6 |
| Turmeric, per cwt. | 0 | 1 |
| Turnips, per ton | 0 | 4 |
| Twine and twisted yarn, per ton | 2 | 6 |
| Valonia, per ton | 2 | 0 |
| Varnish, per ton | 2 | 0 |
| Vases or sculptured marble, per ton | 4 | 0 |
| Vegetables, per cwt. | 0 | 1 |
| Veneers of all kinds, per ton | 2 | 6 |
| Verdigris, per ton | 2 | 0 |
| Vermillion, per cwt. | 0 | 6 |
| Vinegar, per ton | 1 | 4 |
| Vitriol, per bottle | 0 | 2 |
| Water soda, per cwt. | 0 | 1 |
| Whalebone dressed or undressed, per ton | 1 | 6 |
| Whitening, per ton | 0 | 6 |
| Willow reeds, per bundle | 0 | 0½ |
| Wine in casks, per ton | 4 | 0 |
| Wine in bottles, per ton | 2 | 0 |
| Wood, from or to places out of the United Kingdom: | | |
| Caliper measure, viz.: | | |
| Batons, per 50 cubic feet | 0 | 9 |
| Boards, oak or wainscot, per 50 cubic feet | 1 | 0 |
| Boards, paling, per 120 | 0 | 4 |
| Deals, per 50 cubic feet | 0 | 9 |
| Deal ends, per 50 cubic feet | 0 | 9 |
| Firewood, per fathom | 0 | 4 |
| Handspikes, per 120 | 0 | 3 |
| Laths, per fathom | 0 | 6 |
| Masts, yards, or bowsprit wood, viz.: | | |
| 6 inches in diameter and under 8 inches, per 50 cubic feet | 0 | 6 |
| 8 inches and under 12 inches, per 50 cubic feet | 0 | 9 |
| 12 inches and upwards, per 50 cubic feet | 1 | 0 |

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*Montrose.*

| | s. | d. |
|---|---|---|
| Oak planks, per 50 cubic feet | 1 | 0 |
| Oars and oar rafters, per 120 | 1 | 0 |
| Rickers, boat hooks, and hoops, per 120 | 0 | 9 |
| Spars, per 50 cubic feet | 0 | 9 |
| Cartwheel spokes, per 60 pieces | 0 | 2 |
| Staves, pipe, above 50 inches long, per 120 | 0 | 10 |
| Under 50 inches long, per 120 | 0 | 6 |
| Fir, per 50 cubic feet | 0 | 9 |
| Oak, per 50 cubic feet | 1 | 0 |
| Pine, per 50 cubic feet | 0 | 9 |
| Hard wood, per 50 cubic feet | 1 | 0 |
| Ufers, per 50 cubic feet | 0 | 9 |
| Wainscot logs, per 50 cubic feet | 1 | 6 |
| Delivered by weight, viz.: | | |
| Barwood, per ton | 1 | 6 |
| Boxwood, per ton | 1 | 6 |
| Brazilwood, per ton | 2 | 0 |
| Camwood, per ton | 2 | 0 |
| Ebony, per ton | 1 | 6 |
| Fustic, per ton | 1 | 6 |
| Lignumvitæ, per ton | 1 | 6 |
| Logwood, per ton | 1 | 6 |
| Mahogany, per ton | 1 | 6 |
| Nicaragua wood, per ton | 2 | 0 |
| Red wood, per ton | 1 | 6 |
| Sassafras, per ton | 1 | 6 |
| Wood, from or to places in the United Kingdom, viz.: | | |
| Fir and pine, per 50 cubic feet | 0 | 6 |
| Hard wood, per 50 cubic feet | 0 | 8 |
| Planks and deals Fir } per 50 cubic feet | 0 | 6 |
| Planks and deals Hard wood } per 50 cubic feet | 0 | 8 |
| Cart wheel spokes, per 60 pieces | 0 | 1 |
| Hogshead staves, per 120 | 0 | 2 |
| Barrel staves, per 120 | 0 | 1 |
| Wool, per cwt. | 0 | 2 |
| Worsted yarn. *See* Yarn. | | |
| Yarn, viz.: | | |
| Cotton, tow, or hemp, per ton | 1 | 6 |
| Worsted, per cwt. | 0 | 2 |
| Jute, per ton | 1 | 4 |
| Lint, per ton | 2 | 0 |
| Yeast, per cwt. | 0 | 1 |
| Zinc, per ton | 1 | 0 |

All goods shipped overside, or sent direct from one vessel to another for the purpose of being exported, to pay one half dues only; but no goods landed and deposited in the sheds belonging to the trustees or remaining on the quays over-night shall be entitled to this exemption.

All goods having paid shore dues inwards shall be exempted from paying shore dues outwards if they be in the original state and in the original packages; or if at the time when the goods are landed it be reported to the collector that they are imported for the purpose of being packed, press-packed, or cylindered, they shall be allowed to be exported free of dues within one month from the date of such report. Herrings imported to be cured, packed, and exported, and which shall have paid shore dues inwards, shall, on exportation, if such take place within four months of the date of importation, be exempted from all shore dues, provided it be reported to the collector at the time of their importation that they are imported for the purpose of being cured, packed, and exported.

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

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

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

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

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

## SCHEDULE (C.)

### Light Dues on Vessels.

| | *s.* | *d.* |
|---|---|---|
| On each vessel, per ton register - - - - - - | 0 | $0\frac{3}{4}$ |

## SOUTHSEA.



*Order for the construction, maintenance, and regulation of a Pier and other Works at Southsea, in the county of Southampton.*

1. The South Parade Pier Company, Limited, in this Order called "the Company," shall be the Undertakers of the works authorised by this Order. Undertakers.

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

A.D. 1878.

*Southsea.*

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order the Company may from time to time, by agreement, enter on, take, and use all or such parts of the lands within the limits of deviation shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of this Order.

Lands for extraordinary purposes.

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

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may on the lands taken by them under this Order, 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 at Southsea, in the county of Southampton, with a landing-place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and for other purposes, commencing at a point on the sea-wall about 930 yards eastward of Southsea Castle, and thence extending seaward in a southerly direction across the foreshore and into the sea for a distance not exceeding 580 feet or thereabouts: Provided that no part of the pier shall be to the westward of a line drawn westward of and parallel to the line of eastward limit of deviation as marked on the deposited plan at a distance of 400 feet from such line of eastward limit.

Power to take rates in schedule.

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

Further powers as to works and lease of tramways, rooms, tolls, &c.

8. The Company may from time to time erect in or upon or near the pier or the approaches thereto, tramways, toll-houses, bath, waiting, refreshment, and other rooms, and may sell, mortgage, lease, or let such tramways, houses, and rooms, and may also sell, mortgage, lease, or let the tolls, rates, and duties authorised to be taken by this Order, upon such terms and conditions and for such period as they think fit, and the purchaser or mortgagee, lessee, or tenant, and his or their heirs, executors, administrators, or assigns thereof, shall have and may exercise during the continuance of his or their tenure all the same powers of levying and recovering tolls, rates, and dues as the Company have or might exercise under this Order, and shall be subject to the same provisions as to accounts and otherwise as the Company are subject to under this Order.

Board of Trade may lower and raise rates in certain contingencies.

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

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

Annual accounts to be sent to the Board of Trade.

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

Pass tickets for use of pier.

11. The Company may grant to passengers, promenaders, and others pass tickets for the use of the pier and works, at such rates, on such terms, and for such periods, not exceeding one year, as may be agreed upon, but so that no preference be given to any person except shareholders of the Company, each of whom shall be entitled, in respect of the share or shares of the said Company held by him, to admission to the pier for himself or members of his family or household, or both, during such periods, upon such terms, and subject to such restrictions as the Company may from time to time agree or prescribe among themselves. A pass ticket, except as aforesaid, shall not be transferable nor used by any person except the person to or for whom it is granted, nor by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under the Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

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

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

Certain fishing vessels under stress of weather exempt from rates.

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

*Southsea.*

Exemption of Custom-house officers from rates.

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

Steam engines, diving bells, lighters, &c.

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

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 Company, might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Pier to be deemed within the contiguous jurisdiction.

17. 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 the same jurisdiction as that part of the shore with which it shall immediately communicate.

As to lights during the construction of works.

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

As to lights after completion of works.

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

Parts of Harbours, &c. Act excepted.

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

Meters and weighers.

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

Power to make byelaws.

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

*Southsea.*

Vessels not to anchor within fifty yards of pier.

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

Vessels not to be moored to pier.

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

Powers to cease in certain events.

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

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

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

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

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

Saving rights under Crown Lands Act, 1866.

26. 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.

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

Short title.

28. This Order may be cited as the Southsea South Parade Pier Order, 1878.

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## SCHEDULE to which the foregoing Order refers.

### I.—Rates on Vessels using the Pier.

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

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| | s. | d. |
|---|---|---|
| For every vessel of the burden of 100 tons and under 150 tons, per ton register | 0 | 10 |
| For every vessel of the burden of 150 tons and upwards, per ton register | 1 | 0 |

II.—Rates for Goods shipped or unshipped at the Pier.

| | | |
|---|---|---|
| Light goods, per cubic foot | 0 | 1 |
| Heavy goods, per ton | 2 | 0 |
| In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged. | | |

III.—Rates for Use of Weighing Machines.

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

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

| | | |
|---|---|---|
| For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, passage or pleasure boat, for each time any sum not exceeding | 0 | 6 |
| For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding | 0 | 3 |
| For every bath or sedan chair taken on the pier, for each time any sum not exceeding | 0 | 6 |
| For every perambulator taken on the pier, for each time any sum not exceeding | 0 | 6 |
| 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 |

V.—Rates on Passengers Luggage.

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

VI.—Rates for supplying Water on Pier.

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

VII.—Animals.

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| | *s.* | *d.* |
|---|---|---|
| For every animal, any sum the Company may from time to time think fit, not exceeding - - - - - - - - | 10 | 0 |

*Southsea.*

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## YOUGHAL.

*Youghal.*

### *Order for the maintenance and regulation of the Port and Harbour of Youghal, in the counties of Cork and Waterford.*

Constitution of harbour authority.

1. The Commissioners of the town of Youghal, in the county of Cork, appointed by virtue of the Act passed in the 9th year of George the Fourth, chapter 82, and also acting in execution of the provisions of the Act passed in the third and fourth years of Her Majesty, chapter 108 (in this Order referred to as "the Local Acts"), commonly called the Town Commissioners of Youghal, and in this Order called "the Commissioners," shall be the Undertakers of the works authorised by this Order.

Limits of Order.

2. The limits within which the Commissioners shall have authority, and which shall be deemed the limits to which this Order extends, shall, except where otherwise expressly provided, comprise the area below the line of high water included within the two following imaginary straight lines; that is to say,

(1.) A straight line drawn from the south-west corner of the road at Moll Goggins Corner, due east to the shore on the opposite side of the River Blackwater:

(2.) An imaginary straight line drawn from the south-east corner of the townland of Ardsallagh on the eastern bank of the River Blackwater, due south to the western bank.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except so much thereof respectively as relates to the purchase and taking of land otherwise than by agreement, are hereby incorporated with this Order, and the words "special Act" in such Acts mentioned shall apply to and include this Order.

Incorporation of Commissioners Clauses Act.

4. The following sections of the Commissioners Clauses Act, 1847, shall be incorporated with this Order; (that is to say,) section 8 (no bankrupt or insolvent to be a commissioner); section 10 (shareholders in companies established by Act of Parliament not disqualified by reason of contracts); section 11 (commissioner not incapable of acting as a justice); and also the clauses with respect to the mortgages to be executed by the Commissioners.

Works authorised.

5. The works by this Order authorised, and which may be executed and maintained by the Commissioners, comprise the dredging and deepening of the existing harbour of Youghal and River Blackwater, within the limits of this Order, the improving of the harbour and quays, the laying down buoys and moorings, and the erecting or placing of sheds, weighing machines, cranes, and

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other appliances or conveniences for the use of the vessels frequenting the harbour.

Discretionary power to dredge River Blackwater to Cappoquin.

6. The Commissioners, with the consent of the owner of the soil for the time being, may, whenever at any time they in their absolute discretion think fit, dredge, scour, deepen, and improve the channel and waterway of the River Blackwater beyond the limits of this Order up the river as far as the town of Cappoquin, in the county of Waterford.

Assent of Board of Trade to works.

7. No works for dredging, deepening, or improving the harbour or River Blackwater, under this Order, shall be commenced without the assent of the Board of Trade having been first obtained.

Power to levy tolls.

8. On and after the first day of September one thousand eight hundred and seventy-eight, and subject and according to the provisions of this Order, the Commissioners may, for the use of the harbour and works, demand and receive, in respect of the vessels, goods, fish, animals, and things described in the schedule hereto, any sums not exceeding the rates in that schedule specified.

Present rates to cease.

9. On and after the day appointed by this Order for commencing to demand the rates by this Order authorised, all other rates, tolls, or dues capable previously of being levied or received under any Act of Parliament, charter, or custom, or otherwise in respect of the harbour, shall cease to be payable or paid: Provided that nothing herein contained shall affect the right of the Town Commissioners of Youghal to receive the tolls and profits of the ferry in the said harbour, but the same shall continue to be received and paid as if this Order had not been made.

Charges on old rates.

10. Every person having at the time of the passing of the Act confirming this Order any charge on any rates, tolls, or dues then capable of being levied or received in respect of the harbour, for securing money borrowed, shall, from and after the time when under this Order such rates, tolls, and dues cease to be capable of being levied, have in priority to every security made for moneys borrowed under this Order the like charge and security on the rates authorised by this Order as such person had on the rates, tolls, and dues capable of being levied and received at the time of the passing of the Act confirming this Order.

Recovery of dues.

11. Dues on a vessel may be recovered by action in any court of competent jurisdiction, or in a summary way before the justices of the peace of the Youghal petty sessions district, from the owner or any part owner or skipper thereof, or from the consignee or owner of the goods therein, and this provision shall be without prejudice to the powers of the Undertakers under section forty-four of the Harbours, Docks, and Piers Clauses Act, 1847.

Rates for cranes, &c.

12. The Commissioners may demand and receive such sums as they think fit for the use of any cranes and other appliances and conveniences for which rates are not specially fixed in the schedule to this Order.

Commissioners to send annual account to Board of Trade.

13. The Commissioners, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to such account. If the

Commissioners refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Customs officers.

14. Officers of Customs, being in execution of their duty, and boatmen or others actually engaged in and about the lifeboat, or any life-saving apparatus, shall at all times have free ingress, passage, and egress on, into, along, through, and out of the quay, piers, harbours, and works by land, and with their vessels, and otherwise, without payment.

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 coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour to which this Order relates, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Power to borrow.

16. The Commissioners may from time to time or at any time borrow, and, if paid off otherwise than by means of a sinking fund, re-borrow on mortgage on the security of the estate and property of the Commissioners, and of all or any part or parts of the rates, dues, and tolls by this Order authorised to be taken, or any of such estates, property, rates, dues, or tolls, such money as may be required for the purposes of the works by this Order authorised, not exceeding in the whole the sum of eight thousand pounds.

Application of money borrowed.

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

Application of tolls.

18. The Commissioners shall apply all rates and other income received under this Order for the purposes and in the order following, and not otherwise:

1. In paying the expenses connected with the preparation and making of this Order:
2. In paying the salary of the harbour-master and the expenses of maintaining in proper condition all buoys, moorings, appliances, and other conveniences belonging to the harbour, and paying all other current annual expenses incurred by the Commissioners in relation to the harbour:
3. In paying year by year the interest on money borrowed under this Order:
4. In paying the cost of the works authorised by this Order:
5. In creating a sinking fund in manner and, so far as circumstances will admit, in the proportion specified in the Commissioners Clauses Act, 1847:
6. In paying the cost of the dredging of the River Blackwater beyond the limits of this Order.

Rates to be revised from time to time.

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

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Commissioners may provide dredges, engines, &c.

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

Part 5 of 24 & 25 Vict. c. 47. to apply to this Order.

21. Part 5 of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to this Order.

Pilotage authority.

22. The Commissioners shall be a pilotage authority and a local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, for the purpose of appointing, licensing, and regulating pilots for the harbour, and for conducting vessels departing from or coming into the harbour; and the Commissioners shall have all the powers conferred by those Acts on pilotage authorities and on local authorities.

Pilots to be under direction of harbour-master.

23. All pilots acting within the limits of this Order shall, as regards the berthing and mooring of vessels, be subject to and shall obey the directions of the Commissioners or their harbour-master; but any pilot who shall misconduct himself shall be amenable only to, and punishable only by, the pilotage authority of the port of Youghal, which authority is by this Order required to act accordingly on any complaint preferred to that authority by the Commissioners or their harbour-master.

Meters and weighers.

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

Parts of Harbours, Docks, &c. Act not incorporated.

25. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order; namely, sections 6 to 11, inclusive; sections 16 to 19, inclusive; sections 25 and 26; sections 37 to 42, inclusive; and section 45; and, notwithstanding anything in that Act contained, bye-laws made under that Act and this Order 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.

Justices of the peace to have jurisdiction.

26. Her Majesty's justices of the peace acting in and for the petty sessions district of Youghal shall have and exercise jurisdiction in all matters and things arising within the limits of this Order.

Saving rights under Crown Lands Act, 1866.

27. 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.

Rights of Commissioners of Irish Lights.

28. Nothing in this Order contained shall prejudice or interfere with the rights, authority, or jurisdiction of the Commissioners of Irish Lights.

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29. Nothing contained in this Order, or in the Act confirming the same, shall operate to take away or abridge such right, title, or interest (if any) as His Grace the Duke of Devonshire may have in, to, or over the foreshore or bed of the river within the limits of this Order: Provided always, that nothing herein contained shall be held to recognise or confirm any right, title, or claim of the Duke of Devonshire to such foreshore or river bed aforesaid, but the right and title thereto shall remain in the same state as if this Order had not been made.

As to rights of Duke of Devonshire.

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

Costs of Order.

31. This Order may be cited as the Youghal Harbour Order, 1878.

Short title.

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## SCHEDULE referred to in the foregoing Order.

### I.—Rates on Vessels.

| | *s.* | *d.* |
|---|---|---|
| On all coasting vessels and steamers entering the harbour wind-bound, per registered ton - - - - - - | 0 | 0½ |
| On all coasting vessels and steamers entering the harbour to discharge or load cargo, of 10 tons registered or upwards, per registered ton - | 0 | 1 |
| On all foreign-going ships anchoring in the harbour, per registered ton - - - - - - - - | 0 | 1 |
| On all foreign-going ships entering the harbour to discharge or load cargo, per registered ton - - - - - - | 0 | 3 |
| For every fishing hooker and sailing fishing vessel, whether partially or wholly decked, entering or using the harbour for the purpose of fishing, payable in advance, annually, the sum of - - - - | 10 | 0 |

### II.—Rates on Animals and Goods, whether landed on or shipped from the Quays, or loaded from or unloaded into Lighters or Barges.

| | | |
|---|---|---|
| Ashes, loose, the ton - - - - - - | 0 | 1 |
| Artificial manure, the ton - - - - | 0 | 6 |
| Bacon and hams, the cwt. - - - - - | 0 | 1 |
| Bark oak, the ton - - - - - | 1 | 0 |
| Beef, the barrel - - - - - - | 0 | 2 |
| Beef, the tierce - - - - - - - | 0 | 3 |
| Beer and ale, the barrel - - - - - - | 0 | 2 |
| Bones, the ton - - - - - - | 0 | 6 |
| Bottles, empty, the gross - - - - - - | 0 | 2 |
| Bran, the cwt. - - - - - - - | 0 | 0½ |
| Bricks, the thousand - - - - - - | 0 | 3 |
| Brimstone, the ton - - - - - - | 1 | 0 |
| Burr or millstones, the cwt - - - - - | 0 | 1 |
| Butter, the firkin - - - - - - | 0 | 1 |
| Calves, each - - - - - - | 0 | 1 |

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| | s. | d. |
|---|---|---|
| Candles, the cwt. | 0 | 1 |
| Cheese, the cwt. | 0 | 1 |
| Cider and perry, the ton | 0 | 6 |
| Coals, the ton | 0 | 1 |
| Coffee, the tierce | 0 | 6 |
| Coffee, the barrel or bag | 0 | 3 |
| Copper and brass, the ton | 1 | 0 |
| Cordage, the ton | 0 | 6 |
| Cork, the ton | 1 | 0 |
| Cement, the barrel | 0 | 1 |
| Corn, viz.: Barley, per barrel | 0 | 1 |
| Oats, per barrel | 0 | 1 |
| Wheat, per barrel | 0 | 1½ |
| Other grain, the barrel | 0 | 1 |
| Cloth of all kinds, bale cotton, the bale | 0 | 3 |
| Cotton wool or yarn, the cwt. | 0 | 1½ |
| Cows, bulls, and bullocks, each | 0 | 1 |
| Drugs of all kinds, the package | 0 | 1½ |
| Earthenware, the crate | 0 | 3 |
| Feathers, the bag | 0 | 3 |
| Flax, the ton shipped | 0 | 6 |
| Flax, the ton landed | 1 | 0 |
| Flax seed or linseed, the hogshead | 0 | 2 |
| Flour or oatmeal, the sack | 0 | 1 |
| Farm manure, in bulk, the lighter | 1 | 0 |
| Glass, the crib | 0 | 3 |
| Glue, the cwt. | 0 | 1 |
| Groceries of all kinds, the package | 0 | 1½ |
| Guano, per ton | 0 | 6 |
| Hay, the load | 0 | 6 |
| Hair and brushes, the cwt. | 0 | 2 |
| Hardware, the cask | 0 | 6 |
| Hats, the box | 0 | 6 |
| Hemp, the ton landed | 1 | 0 |
| Hemp, the ton shipped | 0 | 6 |
| Herrings, the barrel | 0 | 1 |
| Hides, the bale | 0 | 2 |
| Hops, the bag | 0 | 2 |
| Horns, the ton | 0 | 6 |
| Horses and mules, each | 1 | 0 |
| Ice, per ton | 0 | 2 |
| Iron, the ton | 1 | 0 |
| Kelp, the ton | 0 | 6 |
| Lard, the barrel | 0 | 2 |
| Lead, or lead ore, the ton | 1 | 0 |
| Leather, the bale | 0 | 2 |

| | s. | d. |
|---|---|---|
| Lime or limestone, the ton | 0 | 2 |
| Linens and linen yard, the cwt. | 0 | 2 |
| Manure, the ton | 0 | 1 |
| Marble, the ton | 1 | 0 |
| Maize, the ton | 0 | 2 |
| Oakum, the ton | 0 | 6 |
| Oil, the ton | 1 | 0 |
| Paper or books, the package | 0 | 4 |
| Pitch, the barrel | 0 | 1 |
| Pork, the barrel | 0 | 1 |
| Potatoes, the ton | 0 | 1 |
| Rags, the ton | 0 | 6 |
| Salt, the ton | 0 | 2 |
| Seeds, the cwt. | 0 | 1 |
| Sheep, each | 0 | 1 |
| Slates, the ton | 0 | 2 |
| Soap, the cwt. | 0 | 1 |
| Spirits of all sorts, viz.: the puncheon | 0 | 6 |
| the hogshead | 0 | 3 |
| the cask | 0 | 2 |
| Starch, the cwt. | 0 | 1 |
| Stones, the ton | 0 | 1 |
| Flags, the ton | 0 | 3 |
| Sugar, the hogshead | 0 | 6 |
| Sugar, the tierce | 0 | 4 |
| Sugar, the barrel or bag | 0 | 2 |
| Swine, each | 0 | 1 |
| Tallow, the barrel | 0 | 2 |
| Tin, the box | 0 | 2 |
| Timber of all kinds, per ton register | 0 | 3 |
| Tanner's waste, the ton | 0 | 6 |
| Tar, the barrel | 0 | 1 |
| Tea, the chest | 1 | 0 |
| Tiles, the thousand | 1 | 0 |
| Tobacco, the hogshead | 1 | 0 |
| Tow, the ton | 0 | 6 |
| Vinegar, the cask | 0 | 1 |
| Wine, the pipe | 1 | 6 |
| Wine, the hogshead | 1 | 0 |
| Wine, the quarter cask | 0 | 3 |
| Whitening, per ton | 0 | 4 |
| Wood, per ton | 0 | 6 |
| Wood hoops, the thousand | 0 | 3 |
| Wool, the ball | 0 | 6 |
| Woollens, the bale | 1 | 0 |
| Yarn linen, the cwt. | 0 | 2 |

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| | s. | d. |
|---|---|---|
| And all other goods not enumerated:— | | |
| Per ton | 1 | 0 |
| Barrel | 0 | 2 |
| Piece | 0 | 1 |
| Hogshead | 0 | 6 |
| Tierce | 0 | 3 |
| Crates | 0 | 3 |
| Hampers and bags | 1 | 0 |
| Deals, the 120, 12 × 9 × 3 | 1 | 0 |
| Goods, wares, merchandises, or commodities not specified or enumerated in the foregoing table, in every 2*s.* of the amount of the freight of such goods, wares, merchandises, or commodities loaded or unloaded, exported or imported | 0 | 6 |

### III.—Rates to be paid for Ballast.

| | | |
|---|---|---|
| For every ton of ballast furnished and put into any ship or vessel in the harbour of Youghal | 1 | 4 |
| For every ton of ballast landed or discharged | 0 | 6 |

### IV.—Weighing Machines.

| | | |
|---|---|---|
| For goods weighed, for each ton or part of a ton, any sum not exceeding | 0 | 6 |

### V.—Shed Dues.

For each ton of goods 40 cubic feet, or for each ton of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and a further sum of 1½*d.* per ton for each day during which such goods shall remain after the first 24 hours.

| | | |
|---|---|---|
| For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package | 0 | 1 |

### VI.—Rates for Pilotage.

| | | |
|---|---|---|
| For every vessel bound from or to foreign parts, which shall be piloted into the harbour of Youghal, the sum per foot of draft | 1 | 6 |
| For every cross-channel trader, per foot of draft | 1 | 6 |
| For every coaster, per foot of draft | 1 | 6 |
| For every vessel which shall be piloted from the harbour of Youghal, if bound to or from foreign parts, the sum per foot | 1 | 6 |
| If a cross-channel trader | 1 | 6 |
| If a coaster | 1 | 6 |

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