CHAPTER xciv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Birchington Bexhill Herne Bay Penzance Porthgain Stonehaven and Studland. A.D. 1896.

[2nd July 1896.]

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

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

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

Confirmation of Orders in schedule.

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

Special provisions as to houses of labouring class.

2. The undertakers mentioned in the said Orders shall not under the powers of this Act or of the said Orders or of any Orders revived thereby purchase or acquire in any city borough or other urban district or in any parish or part of a parish not being within an urban district in England or in any district in Scotland within the meaning of the Public Health (Scotland) Act 1867 as the case may be ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or which were not so

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occupied on the said fifteenth day of December but have been or shall be subsequently so occupied :

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

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1896.

THE SCHEDULE OF ORDERS.

1. Birchington.—Construction of pier.
2. Bexhill.—Construction of pier.
3. Herne Bay.—Revival of powers for construction of pier.
4. Penzance.—Amendment of local Act.
5. Porthgain.—Construction of dock and constitution of Harbour Authority.
6. Stonehaven.—Revival of powers for construction of harbour works.
7. Studland.—Construction of pier.

BIRCHINGTON.

Order for the Construction Maintenance and Regulation of a Pier at Birchington-on-Sea in the County of Kent. *Birchington.*

Undertakers.

1. The Birchington and Westgate-on-Sea Pier Company Limited shall be the Undertakers for carrying this Order into execution and are in this Order referred to as the Company.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) so far as they are applicable for the purposes of and not varied by this Order are incorporated with and form part of this Order.

Power to take lands by agreement.

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

Lands for extraordinary purposes.

4. The Company may purchase and hold for extraordinary purposes any additional land not exceeding in the whole one acre but this section shall not exempt the Company from any proceedings for nuisance caused or permitted by them upon any land acquired by them under this section.

Power to make works.

5. 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 (hereinafter respectively referred to as the deposited plan and deposited sections) as the Board of Trade may require from time to time before the completion of the works in order to prevent injury to navigation the Company may on the lands and 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 deposited plan make and maintain the pier and works authorised by this Order.

Description of works.

6. The works authorised by this Order include :—

A pier of open work situated on the west side of Epple Bay in the parish of Birchington and county of Kent and on the foreshore and bed of the sea adjacent thereto commencing at a point on the shore one hundred and forty-five yards or thereabouts measured in a northerly direction from the north-east corner of the Epple Bay coastguard station and extending thence seawards in a northerly direction in a straight line for a distance of one thousand yards or thereabouts and there terminating and having a pier-head of solid work one arm of which will extend in a westerly and south-westerly direction for a distance of thirty yards or thereabouts and the other arm in an easterly and south-easterly direction for a distance of thirty yards or thereabouts from the termination of the proposed pier.

Power to provide landing stages &c.

7. The Company may construct and provide all proper landing-stages landing-places lamps lamp-posts tramways roads footpaths sheds toll-houses toll-gates or bars cranes hydraulic lifts buoys moorings sewers drains and other works and conveniences connected with the pier and works Provided that no line of

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tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic

Power to erect pavilions &c.

8. The Company may erect and construct upon the pier pavilions or assembly rooms concert rooms aquaria shops saloons bazaars and reading refreshment and other rooms and swimming and other baths lavatories and other conveniences and may make such reasonable charges for the use thereof or for admission thereto as they may from time to time think fit and they may furnish stock and equip such pavilions rooms and buildings.

Powers of deviation.

9. The Company in constructing the works authorised by this Order may with the consent in writing of the Board of Trade deviate laterally from the lines of such works delineated on the deposited plan to any extent not exceeding the limits of deviation marked on that plan and may with the like consent deviate vertically to any extent.

Penalty for obstructing works.

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

Limits of Order.

11. The limits within which the Company shall have authority and which shall be deemed the limits to which the provisions of this Order extend shall comprise the pier and works and the area below high-water mark lying within one hundred feet of any part of the pier.

Power to levy rates.

12. When in addition to the certificate to be granted under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 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 demand recover and receive for the use of the pier and other works in respect of the persons vessels matters and things in the schedule to this Order specified any sums not exceeding the rates in that schedule mentioned.

Rates may be levied though works not completed.

13. 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 Company that the works authorised by this Order have been so far completed as to afford accommodation either for persons walking on the pier or for the landing and embarking or shipping of passengers animals minerals and goods by means of such works the Company may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order shall not then have been completed demand receive and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate to the accommodation afforded.

Power to sell or lease undertaking.

14. The Company may lease for any term not exceeding seven years or may with the consent in writing of the Board of Trade sell their undertaking or the

rates and other charges authorised to be taken by this Order or may let for hire or lease as aforesaid any pavilions rooms shops bazaars baths or buildings thereon separately from any other part of the pier and works to any company body or person upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit and the lessee during the continuance of his lease and to the extent provided in such lease or the purchaser as the case may be shall have and may exercise all or any of the powers conferred upon the Company by this Order (including powers of levying and recovering rates and charges) as the Company have or might exercise under the Harbours Docks and Piers Clauses Act 1847 or this Order and shall be subject to the same provisions as to accounts and otherwise as the Company are made subject to by this Order.

Agreements as to dues &c.

15. The Company may enter into and carry into effect agreements with respect to the rates and charges on ships animals minerals and goods and with respect to the use of the pier by vessels and boats and the landing and shipping of animals minerals and goods thereon and therefrom and the charges to be made therefor but so that no preference be given to any person company or vessel.

Company may grant pass tickets.

16. The Company may grant to passengers and promenaders or others pass tickets or family tickets for the use of the pier on such terms and for such periods not exceeding one year as may be agreed on or may issue books containing any number of tickets at a reduced rate but so that no preference shall be given to any person A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted and a family ticket shall not be used to admit to the pier any person not being one of the family in respect of which it is granted and no such pass ticket or family ticket shall be used by any person after the period limited for its use If any person act in any way in contravention of the foregoing provisions of this section or use or attempt to use any false or counterfeit ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847.

Board of Trade may reduce rates.

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

Annual account to be sent to the Board of Trade.

18. The Company within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and the sixteenth section of the General

Birchington. 25 Vict. c. 19.

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 ten 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 duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the pier and works and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Board of Trade officers exempt from rates.

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

Lifeboat crews exempt from rates.

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

Life-saving apparatus may be attached to the pier.

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

Steam tugs engines diving bells lighters &c.

23. The Company may provide and use let or sell such steam tugs engines diving bells ballast lighters rubbish lighters moorings dredging-machines and other machinery vessels and things as they may think necessary for effecting any of the purposes of this Order and may demand recover and receive such sums for the use of the same as they think reasonable.

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

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

Portions of Harbours Clauses Act excepted.

25. Sections sixteen to nineteen inclusive and twenty-one to twenty-three inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated in this Order but the Company shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds for every month during which they omit to provide such accommodation after being required to do so by the Board of Trade.

Meters and weighers.

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

Restriction on use of pier.

27. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorised by this Order any sheep cattle minerals goods 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 and their luggage and personal effects.

Power to close pier on special occasions.

28. The Company may on any special occasions but not exceeding twelve days in any one year close the pier against the public and may if they think fit on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Company may from time to time think fit Provided that on all such occasions the Company shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

Power to make byelaws.

29. The Company may make byelaws for the regulation and control of persons using the pier and works and of the goods and traffic on and at the pier but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Vessels not to anchor within 100 feet of pier.

30. No vessel or boat shall without the consent of the piermaster anchor within a distance of one hundred feet measured in any direction from any part of the pier.

Temporary lights on works.

31. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights (if any) to be exhibited and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works and compliance with the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any directions so given.

As to lights after completion of works.

32. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Company shall at the outer extremity of the pier and works or the completed portions thereof exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for directions as to lighting and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any such direction.

Provision against danger to navigation.

33. In case of injury to or destruction or decay of the pier or works of the Company or any parts thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation 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 the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any such direction.

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Powers to cease in certain events.

34.—(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 the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order after having been substantially commenced should be virtually suspended for twelve consecutive months the powers by this Order given for executing such works or otherwise in relation thereto shall cease except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Pier and works to be deemed within the parish of Birchington.

35. The pier and works shall in respect of all matters crimes or offences arising or committed thereon or within the limits of this Order requiring the cognizance of any justice of the peace be deemed and taken to be within or as forming part of the parish of Birchington in the county of Kent and within the jurisdiction of any justice acting within that parish and for the Cinque Ports Liberty of Dover.

Recovery of penalties.

36. All penalties for breach of any of the provisions of or byelaws made under this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 and for all the purposes of that Act this Order shall be deemed the special Act.

Saving rights under the Crown Lands Act 1866.

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

Saving rights of the Crown.

38. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interests rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Woods or either of them.

Costs of Order.

39. All the costs charges and expenses of and incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Company.

Short title.

40. This Order may be cited as the Birchington-on-Sea Pier Order 1896.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	£	s.	d.
For every vessel not exceeding the burden of fifteen tons per ton register	0	0	4
For every vessel exceeding the burden of fifteen tons and under fifty tons per ton register	0	0	6
For every vessel of the burden of fifty tons and under one hundred tons per ton register	0	0	8
For every vessel of the burden of one hundred tons and under one hundred and fifty tons per ton register	0	0	10
For every vessel of the burden of one hundred and fifty tons and upwards per ton register	0	1	0
All lighters for each trip each	0	0	6
All boats of steamers or yachts using the pier for taking in stores and provisions each	0	0	6

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

		£	s.	d.
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 and measures than those above specified a portion of the respective rates shall be charged.				
Horses	each	0	1	6
Asses mules bulls cows and oxen	,,	0	1	0
Calves sheep and pigs	,,	0	0	3
Lambs dogs and other small animals	,,	0	0	2

III.—Rates for Use of Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from or embark from it on board of any ship vessel packet or passage boat for each and every time any sum not exceeding	0	0	4
For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except of embarking or disembarking for each and every time any sum not exceeding	0	0	2
For every bath or sedan chair (including the driver or carriers) taken on the pier for each and every time any sum not exceeding	0	0	4
For every perambulator (including the person in charge) for each and every time any sum not exceeding	0	0	3
For every master of any vessel boat or wherry using the pier for the purpose of going to or returning from his own vessel boat or wherry for each and every time a sum not exceeding	0	0	1
Or as a composition for one year a sum not exceeding	0	10	0

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

	£	s.	d.
For every trunk portmanteau box parcel or package within the description of luggage and not borne by the passenger not exceeding twenty-eight pounds	0	0	2
Over twenty-eight pounds and not exceeding fifty-six pounds	0	0	3
Over fifty-six pounds and not exceeding eighty-four pounds	0	0	4
Over eighty-four pounds and not exceeding one hundred and twelve pounds	0	0	5
Over one hundred and twelve pounds and not exceeding one hundred and forty pounds	0	0	6
Over one hundred and forty pounds and not exceeding one hundred and ninety-six pounds	0	0	7
Over one hundred and ninety-six pounds and not exceeding two hundredweight	0	0	8
And for every hundredweight beyond	0	0	4
And for every twenty pounds' weight in addition	0	0	1
For every four-wheeled carriage	0	4	0
For every two-wheeled carriage	0	2	6
For every bicycle or tricycle for each and every time	0	0	3

V.—Rates for supplying Water.

	£	s.	d.
Fresh water on pier per one hundred gallons	0	1	6
Sea water per three gallons	0	0	1

BEXHILL.

Bexhill.

Order for the Construction Maintenance and Regulation of a Promenade and Landing Pier at Bexhill in the County of Sussex.

Undertakers.

1. John William Webb of Brockley House Bexhill and his heirs and assigns shall be the Undertakers of the works authorised by this Order and are in this Order referred to as "the Undertakers" and shall have and may exercise the powers privileges and authorities conferred by this Order and may carry this Order in all respects into effect.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) so far as they are applicable for the purposes of and not varied by this Order are incorporated with and form part of this Order.

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order the Undertakers may from time to time by agreement enter on take and use all or such parts

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

Lands for extraordinary purposes.

4. The Undertakers may purchase and hold for extraordinary purposes any land not exceeding in extent in the whole one acre but nothing in this section shall exempt the Undertakers from any proceedings for nuisance caused or permitted by them on land taken by them under the power conferred by this section.

Limits of Order.

5. The limits within which the Undertakers shall have authority and which shall be deemed the limits to which this Order extends shall comprise the pier and works authorised by this Order and the area below high water mark lying within 100 feet from any part of the pier.

Power to make works.

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

Description of works.

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

A promenade pier and landing place and approaches thereto in the parish of Bexhill in the county of Sussex and on the foreshore and bed of the sea adjoining thereto the pier commencing at a point upon the beach on the seaward side of and adjoining the existing concrete sea wall upon the property of the said John William Webb distant three hundred and sixty yards or thereabouts west of the south-west boundary stone of the War Department's land now used as the Bexhill Coastguard Station and extending thence in a southerly direction and terminating at a distance of one thousand four hundred feet or thereabouts from the said point of commencement.

The pier shall be constructed as an open work for the whole of its length.

Power to provide landing stages &c.

8. The Undertakers may construct and provide all proper landing stages landing places lamps lamp posts tramways roads footpaths sheds toll houses toll gates or bars cranes hydraulic lifts buoys moorings sewers drains and other works and conveniences connected with the pier and works Provided that no line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

Power to erect pavilions &c.

9. The Undertakers may erect construct and furnish upon the pier pavilions or assembly rooms concert rooms aquaria shops saloons and bazaars and reading refreshment and other rooms baths lavatories and other conveniences and may make such reasonable charges for the use thereof or for admission thereto as they may from time to time think fit and they may furnish stock and equip such pavilions rooms and buildings.

Powers of deviation.

10. The Undertakers in constructing the works authorised by this Order may with the consent in writing of the Board of Trade deviate laterally from the lines of such works delineated on the deposited plan to any extent not

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exceeding the limits of deviation marked on that plan and vertically to any extent not exceeding five feet.

Penalties for obstructing works.

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

Power to levy rates.

12. When in addition to the certificate to be granted under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 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 demand and receive for the use of the pier and works and in respect of the persons and things in the schedule to this Order specified any sums not exceeding the rates in that schedule mentioned.

Power to sell or lease undertaking.

13. The Undertakers may lease for any term not exceeding seven years or may with the consent in writing of the Board of Trade sell their undertaking or the tolls rates duties and other charges authorised to be taken by this Order or may let for hire or lease as aforesaid any pavilions rooms shops bazaars baths or buildings thereon separately from any other part of the pier and works to any company body or person upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit and the lessee during the continuance of his lease and to the extent provided in such lease or the purchaser as the case may be shall have and may exercise all or any of the powers conferred upon the Undertakers by this Order (including powers of levying and recovering tolls rates and dues) as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 or this Order and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are made subject to by this Order.

Undertakers may grant pass tickets.

14. The Undertakers may grant to passengers and promenaders or others pass tickets or family tickets for the use of the pier on such terms and for such periods not exceeding one year as may be agreed on or may issue books containing any number of tickets at a reduced rate but so that no preference be given to any person A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted and a family ticket shall not be used to admit to the pier any person not being one of the family in respect of which it is granted and no such pass ticket or family ticket shall be used by any person after the period limited for its use If any person act in any way in contravention of the foregoing provisions of this section or use or attempt to use any false or counterfeit ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847.

Board of Trade may reduce rates.

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

Annual account to be sent to Board of Trade.

16. The Undertakers within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

25 Vict. c. 19.

Certain fishing vessels under stress of weather exempt from rates.

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

Board of Trade officers exempt from rates.

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

Lifeboat crew exempt from tolls.

19. 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 along and from the pier and works without payment.

Life-saving apparatus may be attached to the pier.

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

Steam engines diving bells lighters &c.

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

Bexhill.

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

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

Portions of Harbours Clauses Act excepted.

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

Meters and weighers.

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

Life buoy.

25. The Undertakers shall at all times keep at the outer extremity of the pier and works a life buoy and line in good order and ready for use.

Restriction on use of pier.

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

Power to close pier on special occasions.

27. The Undertakers may on any special occasions but not exceeding twelve days in any one year close the pier against the public and may if they think fit on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Undertakers may from time to time think fit Provided that on all such occasions the Undertakers shall reserve a sufficient passage along the pier from the landing steps to the shore for any persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

Power to make byelaws.

28. The Undertakers may make byelaws for the regulation and control of persons using the pier and of the goods and traffic on and at the pier but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Vessels not to anchor within 100 feet of pier.

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

Temporary lights on works.

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

As to lights after completion of works.

31. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall at the outer extremity of the pier and works or the completed portion thereof or in such other place or places as may be required exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any such direction.

Provision against danger to navigation.

32. In case of injury to or destruction or decay of the pier or works of the Undertakers or any part thereof the Undertakers shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation 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 the means to be taken and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any such direction.

Powers to cease in certain events.

33.—(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 the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order after having been substantially 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 except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Recovery of penalties.

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

Saving rights under Crown Lands Act 1866.

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

A.D. 1896.

Bexhill.

Saving rights of the Crown.

36. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interests rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Her Majesty's Woods or either of them.

Costs of Order.

37. All the costs charges and expenses of or incidental to the obtaining of this Order or otherwise incurred in reference thereto shall be paid by the Undertakers.

Short title.

38. This Order may be cited as the Bexhill Promenade and Landing Pier Order 1896.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Persons using the Pier.

	s.	*d.*
For every passenger or other person who shall land on the pier from or embark from it on board of any ship vessel packet or passage boat for each and every time any sum not exceeding - - -	0	4
For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except of embarking or disembarking for each and every time any sum not exceeding - -	0	2
For every bath or sedan chair including the person in charge taken on the pier for each and every time any sum not exceeding - -	0	4
For every perambulator including the person in charge taken on the pier for each and every time any sum not exceeding - -	0	3
For every master of any vessel or boat or wherry using the pier for the purpose of going to or returning from his own vessel boat or wherry each time - - - - - -	0	1
Or as a composition for one year a sum not exceeding - -	10	0

II.—Rates on Passengers' Luggage.

	s.	*d.*
For every trunk portmanteau box parcel or package within the description of luggage not exceeding 28 lbs. - - -	0	2
Over 28 lbs. and not exceeding 56 lbs. - - - -	0	3
Over 56 lbs. and not exceeding 84 lbs. - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - -	0	8
And for every cwt. beyond - - - - -	0	4
And for every 20 lbs. weight in addition - - -	0	1

HERNE BAY.

A.D. 1896.

Order for reviving the powers conferred by the Herne Bay Pier Order 1891 *for the construction of the Extension of the Pier and other Works at Herne Bay in the County of Kent.* *Herne Bay.*

Short title.

1. This Order and the Herne Bay Pier Order 1891 confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1891 (in this Order called "the Order of 1891") as amended by this Order shall be read and construed together as one Order and this Order may be cited as The Herne Bay Pier Order 1896 and the Order of 1891 and this Order may be cited as The Herne Bay Pier Orders 1891 and 1896.

Undertakers.

2. The Herne Bay Pier Company Limited (in this Order called "the Company") shall be the Undertakers for carrying this Order into execution and shall have and may exercise the powers and privileges conferred by the Order of 1891 and by this Order.

Powers revived and time for exercise of powers extended.

3. The powers given by the Order of 1891 for executing the extension of the pier and the other works authorised by that Order or otherwise in relation thereto are by this Order revived and may be exercised in like manner as if the extension of the pier and the other works had been authorised by this Order and the time for completion of the extension of the pier and the other works is by this Order extended for a period of five years from the date of the passing of the Act confirming this Order and all the consequential powers and all the provisions of the Order of 1891 shall have effect accordingly except that the thirteenth and forty-first sections of that Order shall be and the same are hereby cancelled and repealed from and after the passing of the Act confirming this Order.

Power to levy rates.

4. When in addition to the certificate to be given under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under the Order of 1891 or otherwise necessary to the due construction of the works authorised by the Order of 1891 and this Order have been given the Company may subject and according to the provisions of the Order of 1891 demand receive and recover for the use of the pier and works and in respect of the persons matters and things described in the schedule to the Order of 1891 any sums not exceeding the several rates in that schedule specified.

Tramway to be certified before used for passengers.

5. Any line of tramway constructed under the powers of the Order of 1891 shall not be used for the conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

A.D. 1896.

Herne Bay.

Restrictions on use of electrical power.

6. The following provisions shall apply to the use by the Company of electrical power under the provisions of the Order of 1891 as revived by this Order unless such power is entirely contained in and carried along with the carriages :—

(1.) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance ;

(2.) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances ;

(3.) The powers by the Order of 1891 as revived by this Order conferred with respect to the use of electrical power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (hereinafter referred to as "the prescribed regulations") and to any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return ;

(4.) If the Company use electrical power contrary to the provisions of this Order or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any Order made by the Board of Trade under the authority of this Order they shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade in case in their opinion the Company in the use of electrical power under the authority of the Order of 1891 as revived by this Order have made default in complying with the provisions of this Order or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such Order ;

(5.) The Company shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communi-

cation or the currents in such wire line or apparatus Provided always that the Company shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking Provided also that at the expiration of two years from the passing of the Act confirming this Order nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents If any difference arises between the Company and any other party with respect to anything in this sub-section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be ;

(6.) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or Provisional Order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes ;

(7.) The expression "the Company" in this section shall include their lessees and the licensees and any person owning or using any tramways of the Company.

Life buoys to be kept.

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

Powers to cease in certain events.

8.—(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by the Order of 1891 as revived by this Order should not be substantially commenced the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by the Order of 1891 as revived by this Order after having been substantially 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 except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

A.D. 1896.

Herne Bay.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Costs of Order.

9. All the costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Company.

PENZANCE.

Penzance. *Order for making certain Provisions of the Penzance Corporation Act* 1883 *applicable to moneys borrowed under the Penzance Harbour Order* 1879.

Short title.

1. This Order may be cited as the Penzance Harbour Order 1896 and this Order and the Penzance Corporation Act 1883 (in this Order called "the Act of 1883") shall be read and construed together as one Act or Order.

Application of Penzance Corporation Act 1883 to Penzance Harbour Order 1879.

2. Notwithstanding anything contained in section 13 of the Act of 1883 section 5 so far as it relates to re-borrowing and also sections 6 7 8 10 and 32 (3) of that Act shall apply to and include the sum of twenty-five thousand pounds borrowed by the Penzance Corporation under the Penzance Harbour Order 1879 in like manner as if that sum were a sum borrowed under section 5 of the Act of 1883 but nevertheless for the purpose of fixing the time of payment off thereof that sum shall be considered as having been borrowed at the date when it was actually borrowed.

Costs of Order.

3. The Corporation shall pay the costs of or incidental to the preparation and making of this Order out of the rates dues and duties and other income arising from the Harbour and Dock undertakings of the Corporation such costs to be taxed by the proper officer.

PORTHGAIN.

A.D. 1896.

Porthgain.

Order for the Improvement Maintenance and Regulation of the Harbour of Porthgain in the County of Pembroke and authorising the construction of a Wet Dock in connexion therewith.

Undertakers.

1. Herbert Birch of Marple Bridge in the County of Derby his heirs assigns and successors (in this Order called "the Undertakers") shall be the Undertakers for the purposes of this Order and shall have and may exercise the powers privileges and authorities conferred by this Order and may carry this Order in all respects into effect.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Acts except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry on lands by the promoters of the undertaking shall be incorporated with this Order.

Interpretation.

3. In this Order unless excluded by the subject or context the expression "the harbour" means and includes the existing harbour of Porthgain the piers quays wharves houses warehouses sheds buildings machinery cranes works and conveniences the lands and foreshore and property rights including any existing right to levy harbour rates and dues powers and privileges connected therewith or appertaining thereto The expression "works" means and includes the wet dock and works by this Order authorised.

Power to take lands by agreement.

4. For the purposes of the works the Undertakers may from time to time by agreement purchase enter on take and use all or any part of the land shown on the plan deposited with reference to this Order and may acquire by agreement any easement over or interest in or right of using such land as they may think requisite for the purposes of this Order.

Power to execute works.

5. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plan and sections as the Board of Trade may from time to time before the completion of the works require in order to prevent injury to navigation the Undertakers may on the land and in the lines and situations and according to the levels shown on the plan and sections deposited with reference to this Order (which plan and sections are hereinafter referred to respectively as the deposited plan and deposited sections) and within the limits of deviation shown on the deposited plan construct and maintain the works by this Order authorised.

Description of works.

6. The works authorised by this Order include –

(1.) A wet dock one-third of an acre or thereabouts in extent with all necessary and convenient basins locks entrance gates quays wharves shipping and landing places tramways roads approaches warehouses sheds toll houses toll gates and bars cranes hydraulic lifts buoys moorings sewers drains and other works and conveniences connected therewith situate partly in the existing harbour of Porthgain and partly on land adjoining thereto in the parish of Llanrhian and county of Pembroke.

(2.) Deepening dredging and otherwise improving the waterway of the harbour and the entrance channels and waterways thereof as shown on the deposited plan or as may be sanctioned by the Board of Trade.

A.D. 1896.

Porthgain.

Power to erect refreshment &c. rooms.

7. The Undertakers may from time to time erect acquire lease or rent at the harbour waiting refreshment reading and other rooms and conveniences and may make such reasonable charges for the use thereof or for admission thereto as they may from time to time think fit and they may furnish stock and equip such rooms.

Powers of deviation.

8. The Undertakers with the consent in writing of the Board of Trade may in constructing the works reduce enlarge or alter the same and deviate laterally from the lines of such works delineated on the deposited plan to any extent not exceeding the limits of deviation marked on that plan and may with the like consent deviate vertically to any extent.

Maintenance and improvement of harbour and works.

9. Subject to the provisions of this Order the Undertakers may from time to time maintain widen enlarge alter and improve the harbour and works and may lay down construct maintain and alter tramways on or along the harbour and works and the lands connected therewith.

Consent of Board of Trade to works.

10. Any works authorised by this Order below high-water mark shall not be commenced without the consent of the Board of Trade in writing.

Passenger tramways to be certified.

11. No line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

Penalty for obstructing works.

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

Limits of Order.

13. The limits within which the Undertakers shall have authority and within which the powers of the harbour master may be exercised and which shall be deemed the limits to which this Order extends shall comprise—

(1.) As regards the power to levy rates and charges the harbour and works and the area below high-water mark within a distance of one hundred yards measured from the centre of the head of the existing East Pier.

(2.) As regards all other matters the harbour and works and the area below high-water mark within a distance of two hundred and fifty yards from the same centre

which last-mentioned limits are in this Order termed "the limits of the Order."

Power to Undertakers to levy rates.

14. Subject and according to the provisions of this Order and so long as the existing east and west piers are maintained by the Undertakers in fit and proper condition as to which a certificate from the Board of Trade that they are so maintained shall be conclusive evidence at any time within five years from the date of the certificate the Undertakers may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 for the use of the harbour and works within the limit for rates and charges demand and recover in respect of the vessels persons animals goods and things and for the use of the cranes weighing machines and sheds described in the schedule hereto any sums not exceeding the rates and charges in that schedule specified.

A.D. 1896.

Porthgain.

15. Provided that no rates or charges shall be demanded or received under this Order for the use of the harbour until the works authorised by this Order of deepening dredging and improving the harbour have been completed as to which a certificate from the Board of Trade shall be conclusive evidence and no rates or charges shall be demanded or received in respect of the dock and other works authorised by this Order until in addition to the certificate to be granted under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on their part required in reference thereto under this Order have been given.

No rates to be taken without certificate from Board of Trade.

16. When and so soon as the Undertakers are entitled to demand and receive all or any of the rates and charges specified in the schedule to this Order all other rates tolls dues duties or charges shall cease to be demanded in respect of the harbour piers or works of the Undertakers or conveniences connected therewith but without prejudice to the right of the Undertakers to recover any money actually and legally due at the time of cesser and all exemptions from payment of rates tolls dues or duties shall cease to be operative.

Existing rates to cease when new rates are leviable.

17. The Undertakers may lease for any term not exceeding seven years or may with the consent in writing of the Board of Trade sell their undertaking or the rates and charges authorised to be taken by this Order or may let for hire or lease for any term not exceeding seven years any rooms or buildings connected with the harbour separately from any other part of the harbour and works to any company or body or person upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit and the lessee during the continuance of his lease and to the extent provided in such lease or the purchaser as the case may be shall have and may exercise all or any of the powers conferred upon the Undertakers by this Order (including powers of levying and recovering rates and charges) as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 or this Order and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are made subject to by this Order.

Power to sell or lease undertaking.

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

Board of Trade may reduce rates.

19. The Undertakers shall within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) send a

Annual account to be sent to the Board of Trade.

Porthgain. 25 Vict. c. 19.

copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Power to purchase or hire machinery tugs &c. and to let or sell the same.

20. The Undertakers may from time to time build purchase contract for lease hire or otherwise provide and maintain use let or sell any steam tugs engines diving bells lighters ballast lighters moorings dredgers tools plant machinery or steam or such other vessels and power or things as they may think necessary for effectuating any of the purposes of this Order and the accommodation of vessels frequenting the harbour and may demand receive and recover for them or the use thereof such sums as may be agreed upon or as they may consider reasonable and may also from time to time license such number of steam tugs or other power belonging to any person for such period and on such terms and conditions as they may think fit.

Charges for steam tugs or other power.

21. The Undertakers may fix such rates or charges as appear to them reasonable for or in respect of the use of such steam tugs or other power maintained used and let or licensed by them and such rates or charges shall be paid by the owner agent master consignee or other person having charge of the vessel obtaining the assistance of such steam tug or other power to the Undertakers or to their lessee or to the person with whom they may contract or to the owner of such steam tug or other power if licensed by the Undertakers as the case may be and such rates and charges shall be due and payable whether such steam tug or other power shall be actually employed or not provided the assistance thereof shall have been required and shall in consequence of a requisition have been tendered by the master or other person having the command of such steam tug or other power.

Ballast for vessels.

22. The Undertakers may supply and remove ballast for the accommodation of vessels or permit the master or owner of any vessel to lift or convey ballast from or to any place where it may be lawfully obtained or deposited for the purpose of supplying or removing the ballast of such vessel on payment to the Undertakers of such rates as they shall deem proper not exceeding the rates specified in the schedule to this Order.

Power to compound rates.

23. The Undertakers may from time to time confer vary or extinguish exemptions from and enter into compositions with any person or persons with respect to the payment of the rates and charges 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.

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

Board of Trade officers exempt from rates.

25. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress passage and egress in on to through and out of

the harbour and works by land and with their vessels and otherwise without payment.

Lifeboat crews exempt from rates.

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

Life-saving apparatus may be attached to the harbour and works.

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

Portions of Harbours Clauses Act excepted.

28. Sections sixteen to nineteen inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Undertakers shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the harbour and build on such site a house or 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 month during which they omit to provide such accommodation after being required to do so by the Board of Trade.

Life buoys to be kept.

29. The Undertakers shall at all times keep at the outer extremities of the piers and works life buoys and lines in good order and fit and ready for use.

Owners liable for costs of removal of wrecks.

30. The Undertakers may within the limits of this Order raise remove and if necessary destroy any wreck or other obstruction and also any floating timber which impedes the navigation of the harbour and the expense of removing any such wreck or obstruction or floating timber shall be paid by the owner of the same to the Undertakers and the Undertakers may detain such wreck or floating timber for securing such expenses and on non-payment of such expenses on demand may sell the same and out of the proceeds of such sale may pay such expenses rendering the overplus if any to the owner on demand.

Meters and weighers.

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

Power to make byelaws.

32. The Undertakers may make and from time to time alter byelaws for all or any of the purposes of this Order and in particular for the purpose of levying the rates and other charges payable under this Order and for the regulation and control of vessels and boats using the harbour and works and for the regulation and control of the persons goods and traffic and for the supply of ballast or water to vessels and boats using the harbour and works grounds or property of the Undertakers but such byelaws shall not come into operation until they have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes and a copy of such byelaws purporting to be signed by any Secretary or Assistant Secretary to the Board of Trade

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shall be primâ facie evidence of the existence and due making of the said byelaws.

As to lights in the harbour.

33. The Undertakers shall at the outer extremity of the harbour exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any such directions.

Provision against danger to navigation.

34. In case of injury to or destruction or decay of the harbour or works or any parts thereof the Undertakers shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation 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 the means to be taken and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any such direction.

Powers to cease in certain events.

35.—(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 the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order after having been substantially commenced should be virtually suspended for twelve consecutive months the powers by this Order given for executing such works or otherwise in relation thereto shall cease except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases 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 months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Harbour and works to be deemed within the parish of Llanrhian.

36. The harbour and works and area within the limits of this Order shall in all matters crimes or offences arising or committed therein or thereon requiring the cognisance of any justice of the peace be deemed and taken to be within or as forming part of the parish of Llanrhian in the county of Pembroke and within the jurisdiction of any justice acting within and for the petty sessional division of which that parish forms part.

Recovery of penalties.

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

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

39. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interests rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Woods or either of them. Saving rights of Crown.

40. All the costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Undertakers. Costs of Order.

41. This Order may be cited as the Porthgain Harbour Order 1896. Short title.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Harbour or Dock.

	s.	*d.*
Vessels under fifteen tons burden per ton burden - - - -	0	4
Vessels above fifteen tons burden and under fifty tons register per ton register - - - - - - - -	0	4
Vessels above fifty tons register and under one hundred tons register per ton register - - - - - -	0	6
Vessels above one hundred tons register per ton register - - -	0	8
Lighters per ton burden - - - - - -	0	4
Boats each - - - - - -	0	6

If any sailing steam or other vessel shall remain within the dock for a period longer than seven days then for the period during which the vessel remains beyond seven days the further rates following (that is to say) :—

For every day or part of a day in the first week one farthing per ton register.

For every day or part of a day in the second week one half-penny per ton register.

For every day or part of a day in any week after the second week one penny per ton register.

Every day entered on but not completed shall be deemed a day.

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II.—Rates for Wharfage.

	s.	d.
Ale beer and porter per 54 gallons	0	6
Ale in bottles per cwt.	0	4
Anchors per cwt.	0	9
Anchor stock per foot run	0	2
Ballast per ton	1	0
Bark per ton	2	0
Bedding per cwt.	0	3
Beef or pork (fresh or salt) per cwt.	0	3
Biscuit or bread per cwt.	0	3
Blubber per ton of 252 gallons	3	0
Bones and bone dust per ton	1	6
Bottles per gross	0	9
Bricks per 1,000	1	6
Butter and lard per 224 lbs.	0	6
Butter and lard per 56 lbs.	0	1½
Cables iron or hempen per ton	3	0
Canvas per ton	3	0
Casks (empty) not being returned packages per 72 gallon cask	0	3
Other casks in proportion.		
Cattle:		
Bulls cows and oxen each	3	0
Calves each	1	0
Horses each	4	0
Pigs each	0	6
Sheep each	1	0
Cement per ton	1	0
Chalk per ton	1	0
Cheese per cwt.	0	4
Chimney-pots each	0	3
Clay per ton	1	0
Cloth haberdashery &c. in packages per cwt.	0	6
Carriages:		
Chaises or other four-wheeled carriages each	7	6
Gigs carts and other two-wheeled carriages each	5	0
Hand carts and perambulators each	1	0
Coals per ton	1	0
Copper per ton	3	0
Cordage per cwt.	0	3
Cork per cwt.	0	6
Crystal per cwt.	0	6
Culm per ton	0	6
Dogs each	0	6
Drugs (in casks hampers or boxes) per cwt.	0	2
Earthenware (in crates) per cwt.	0	1
Eggs per cwt.	0	3
Fish (dried or salted) per cwt.	0	3
Fish fresh (not enumerated) per cwt.	0	2

	s.	d.
Flax, per ton	2	0
Flour and meal per 280 lbs.	0	4
Flour and meal per cwt.	0	2
Fruit per bushel	0	4
Furniture (household) per five cubic feet	0	4
Glass per cwt.	0	1½
Grains and seeds per quarter	0	6
Groceries (not enumerated) per cwt.	0	6
Guano per ton	1	6
Gunpowder per 100 lbs.	0	6
Hams bacon or tongues per cwt.	0	4
Hardware per ton	2	6
Hares and rabbits per dozen	0	4
Hay per ton	1	6
Hemp, per ton	2	0
Herrings (fresh) per 1,000	0	3
Herrings (cured) per 26⅔ gallons	0	3
Hides :		
Ox cow or horse (wet or dry) each	0	2
Iron :		
Bar bolt rod and shots per ton	1	6
Pig and old per ton	1	0
Manufactured per ton	2	6
Pots each	0	1
Kelp per ton	2	0
Lead per ton	2	6
Leather (tanned and dressed) per cwt.	0	3
Lime per 28 bushels	1	4
Limestone per ton	1	0
Machinery per ton	2	6
Manure including artificial manures per ton	1	0
Masts and spars under 10 inches in diameter each	3	0
Masts and spars 10 inches in diameter and upwards each	4	6
Meat (fresh) per cwt.	0	6
Milk per gallon	0	0½
Musical instruments per cubic foot	0	1
Nets per five cubic feet	0	4
Oakum per cwt.	0	2
Oils per ton	2	0
Oilcake per ton	2	0
Oranges and lemons per cwt.	0	6
Ores per ton	1	0
Oysters, per bushel	0	3
Paint per cwt.	0	4
Pitch and tar per ton	2	6
Potatoes per cwt.	0	2
Poultry and game per dozen	0	4
Rags and old rope per ton	2	0

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	s.	d.
Sails per cwt.	0	6
Salt per cwt.	0	1
Sand per ton	1	0
Shrimp baskets each	0	2
Skins :		
Calf goat sheep lamb or dog per dozen	0	6
Slates and slate slabs per ton of 24 cubic feet	2	0
Spirits per 54 gallons	1	0
Spirits per gallon	0	1
Stones per ton of 16 cubic feet	1	6
Road stones per ton	0	9
Steel per ton	3	0
Sugar per cwt.	0	3
Tallow soap and candles per cwt.	0	3
Tea per chest of 80 lbs.	1	0
Tiles per 1,000	1	6
Tin and zinc per ton	3	0
Tobacco per cwt.	1	6
Turbot per score	0	3
Turnips per ton	0	6
Turpentine and varnish per ton	2	6
Turtle each	2	6
Vegetables (not enumerated) per cwt.	0	4
Vinegar per ton	2	0
Vitriol per gallon	0	1
Water per 36 gallons	0	3
Wine per 54 gallons	1	0
Wine bottled per cwt.	0	6
Wood :		
Fir pine and other descriptions not enumerated per 50 cubic feet	1	6
Oak or wainscot per 50 cubic feet	2	0
Firewood per fathom of 216 cubic feet	1	6
Laths and lathwood per fathom of 216 cubic feet	2	6
Handspikes per 120	3	0
Oars per 120	5	0
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120	5	0
Spars 2½ inches in diameter and under per 120	4	0
Spars 22 feet in length and upwards and not exceeding 4 inches in diameter per 120	9	0
Spars above 4 and under 6 inches in diameter per 120	14	0
Spokes of wheels not exceeding 2 feet in length per 120	2	0
Spokes exceeding 2 feet in length per 120	3	0
Trenails per 1,000	2	6
Wedges per 1,000	2	6
Pipe staves and others in proportion per 120	2	6
Lignum vitæ fustic logwood mahogany and rosewood per ton	2	0

	s.	d.
Wool per cwt.	0	4
Yarn per cwt.	0	2
All other goods not particularly enumerated above :		
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 Cranes Weighing Machines and Sheds.

For Cranes lifting up to six tons.

	For the First Lift.		For each succeeding Lift.	
	s.	d.	s.	d.
Under one ton	2	6	0	4
One ton and under two tons	3	0	0	6
Two tons and under three tons	3	6	0	8
Three tons and under four tons	4	0	0	10
Four tons and under five tons	4	6	1	0
Five tons and under six tons	5	0	1	2

For Cranes lifting up to ten tons.

	For the First Lift.		For each succeeding Lift.	
	s.	d.	s.	d.
Under six tons	5	0	2	6
Six tons and under seven tons	10	0	5	0
Seven tons and under ten tons	20	0	10	0

The labour to be done by the parties requiring the use of the cranes.

In addition to the above rates for cranes sixpence per hour to be paid for wages to craneman attending while the crane is in use.

For Steam Cranes lifting up to six tons.

	For the First Lift.		For each succeeding Lift.	
	s.	d.	s.	d.
Under one ton	3	0	0	6
One ton and under two tons	3	6	0	8
Two tons and under three tons	4	0	0	10
Three tons and under four tons	4	6	1	0
Four tons and under five tons	5	0	1	2
Five tons and under six tons	5	6	1	4

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For use of Weighing Machines.

	s.	d.
For goods weighed for every ton or part of a ton - - - -	0	2

Shed Dues.

For every ton of goods of forty cubic feet or for every ton of goods of twenty hundredweights which remains in the warehouses or sheds or other works of the Undertakers for not longer than forty-eight hours - - - - - - - -	0	3
And per ton for each day during which the goods remain after first forty-eight hours - - - - - - -	0	1½
For any portmanteau trunk parcel or other article of passengers' luggage for every day or part of a day - - - - - - -	0	2

IV.—RATES FOR PASSENGERS.

For every passenger disembarking from any vessel entering the harbour	0	2

STONEHAVEN.

Stonehaven. *Order for reviving the powers and extending the time for the construction of Works at the Harbour of Stonehaven in the County of Kincardine authorised by the Stonehaven Harbour Order* 1891.

Short title. 1. This Order and the Stonehaven Harbour Order 1891 confirmed by the Pier and Harbour Orders Confirmation (No. 2) Act 1891 (in this Order called "the Order of 1891") as amended by this Order shall be read and construed together as one Order and this Order may be cited as the Stonehaven Harbour Order 1896 and the Order of 1891 and this Order may be cited as the Stonehaven Harbour Orders 1891 and 1896.

Undertakers. 2. The Trustees constituted and appointed under the Order of 1891 shall be the Undertakers for carrying this Order into execution and shall have and may exercise the powers and privileges conferred by the Order of 1891 and by this Order.

Powers revived and time for exercise of powers extended. 3. The powers given by the Order of 1891 for commencing and executing the works authorised by that Order or otherwise in relation thereto are by this Order revived and may be exercised in like manner and the time for completion of the works is by this Order extended for a period of five years from the date of the passing of the Act confirming this Order with the same effect as if the works had been authorised by this Order and all the consequential powers and all the provisions of the Order of 1891 shall have effect accordingly except that the

twenty-ninth and sixty-ninth Sections of that Order shall be and the same are hereby cancelled and repealed from and after the date of the passing of the Act confirming this Order.

Power to levy rates.

4. When in addition to the certificate to be given under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under the Order of 1891 or otherwise necessary to the due construction of the works authorised by that Order and this Order have been given the trustees may within the limits of the harbour and subject to the provisions of the Order of 1891 for the use of the harbour quays works lights and conveniences connected therewith levy recover and receive in respect of vessels boats passengers animals fish goods minerals and generally all imported or exported goods described in the Schedule to the Order of 1891 any sums not exceeding the several rates specified in that Schedule.

Tramways to be certified before used for passengers.

5. Any line of tramway constructed under the powers of the Order of 1891 and this Order shall not be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

As to Harbour Docks &c. Act 1847.

6. The Harbours Docks and Piers Clauses Act 1847 is incorporated with this Order with the like exceptions and reservations as mentioned in the Order of 1891.

Powers to cease in certain events.

7.—(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 the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order after having been substantially 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 except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Costs of Order.

8. All the costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Trustees.

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STUDLAND.

Order for the Construction Maintenance and Regulation of a Promenade Pier at Studland in the County of Dorset and for other purposes.

Undertakers.

1. Walter Ralph Bankes of Kingston Lacy near Wimbourne in the county of Dorset esquire his heirs assigns and successors in title shall be the Undertakers for carrying into execution the works authorised by this Order and are in this Order referred to as "the Undertakers."

Rural District Council defined.

2. In this Order the expression "the rural district council" means the rural district council for the rural district of Wareham in the county of Dorset.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking shall be incorporated with this Order.

Power to acquire lands by agreement.

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

Lands for extraordinary purposes.

5. The Undertakers may purchase and hold for extraordinary purposes any additional land not exceeding in the whole one acre but this section shall not exempt the Undertakers from any proceedings for nuisance caused or permitted by them upon any land acquired by them under this section.

Power to construct works.

6. Subject to the provisions of this Order and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade may from time to time require before the completion of the works in order to prevent injury to navigation the Undertakers may on the lands acquired by them under this Order and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon) and within the limits of deviation shown on those plans construct and maintain the pier and works authorised by this Order.

Description of works authorised.

7. The works authorised by this Order include :—

A pier and landing-place (in this Order called "the pier") in the parish of Studland in the county of Dorset and on the foreshore and bed of the sea adjoining that parish commencing at a point one thousand two hundred and ten feet or thereabouts measured from the north-east corner of the Harry Warren House in an east-south-east direction and eight hundred and forty-eight feet or thereabouts measured in a west-north-west direction from the Ordnance Bench Mark 68·1 which is at the corner of fields numbered 178 and 180 on the 25-inch Ordnance Map of the said parish and extending seawards in a north-easterly direction five hundred yards or thereabouts and terminating in the sea.

The pier is to be constructed of open creosoted timber pile work.

Subsidiary works.

8. The Undertakers may make provide and maintain in connection with the pier and works all necessary and convenient roads approaches slips quays shipping and landing places tramways roads footpaths sheds toll-houses toll-gates and bars cranes hydraulic lifts buoys moorings sewers drains groynes breakwaters and other works and conveniences and they may also from time to time with the consent in writing of the Board of Trade first obtained dredge scour and deepen the bed and shore of the sea at or near any part of the pier and works and appropriate any rock mud or other material so dug and excavated and generally use the same for the construction and maintenance of the pier and works Provided that no line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for traffic.

Power to deviate.

9. Subject to the provisions of this Order the Undertakers may in the execution of the works authorised by this Order deviate laterally within the limits shown on the deposited plans from the lines of such works to any extent which may be approved in writing from time to time by the Board of Trade and may and shall deviate vertically from the levels of such works as shown on the deposited sections to any extent which may be approved or required in writing from time to time by the Board of Trade.

Consent of Board of Trade to works.

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

Power to erect rooms &c. on pier.

11. The Undertakers may from time to time erect and construct upon the pier saloons pavilions waiting refreshment reading and other rooms shops bazaars baths and other conveniences and may furnish stock and equip the same and may make such reasonable charges for the use thereof or admission thereto respectively as the Undertakers think proper.

Power to levy tolls and rates.

12. When in addition to the certificate to be given under the twenty-sixth section of the Harbours Docks and Piers Clauses Act 1847 a certificate has been obtained from the Board of Trade that all consents approvals and requirements on the part of the Board of Trade necessary under this Order or otherwise necessary for the due construction of the works authorised by this Order have been given the Undertakers may subject and according to the provisions of this Order for the use of the pier and works demand recover and receive in respect of the persons vessels boats matters and things in the schedule to this Order specified any sums not exceeding the rates in such schedule specified.

Rates may be levied though works not completed.

13. 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 accommodation either for persons walking on the pier or for the landing and embarking or shipping of passengers and goods by means of such works the Undertakers may notwithstanding the twenty-fifth section of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order shall not then have been completed demand receive and recover such of the tolls and rates

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or such proportion of all or any of the tolls and rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate to the accommodation afforded.

Power to sell or lease pier and works or tolls and rates.

14. The Undertakers may with the consent of the Board of Trade in writing sell the pier and works or any part or parts thereof or the tolls rates dues and other charges authorised to be taken by this Order or may let or lease the same for any term not exceeding seven years to take effect on possession to such person or persons company local authority commissioners or corporation upon such terms pecuniary or otherwise and under such restrictions and conditions as they may think fit and the purchaser or lessee shall have and may exercise all the same powers of levying and recovering tolls rates and dues as the Undertakers have or might exercise under this Order and shall be subject to all the provisions as to accounts and otherwise to which the Undertakers are subject under this Order.

Agreements as to dues &c.

15. The Undertakers may enter into and carry into effect agreements with respect to the dues and charges on ships and goods and with respect to the use of the pier by vessels and boats and the landing and shipping of goods and other things thereon and therefrom and the charges to be made therefor but so that no preference be given to any person company or vessel.

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

16. The Undertakers may grant to passengers landing at or embarking from the pier for the use of the pier pass tickets on such terms and for such period not exceeding one year as may be agreed on but so that no preference shall be given to any person A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted or by any person after the period limited for its use If any person act in any way in contravention of this provision or use or attempt to use any false or counterfeit ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 for all the purposes of which Act this Order shall be deemed the Special Act.

Board of Trade may reduce pier rates.

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

Annual account to be sent to Board of Trade.

18. The Undertakers within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall include all receipts from the pier and works and shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to

the Board of Trade and to the rural district council and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding ten 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 duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the pier or works authorised by this Order and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Board of Trade officers exempt from rates.

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

Lifeboat crew exempt from tolls.

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

Life-saving apparatus may be attached to pier.

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

Power to make byelaws.

23. The Undertakers may make byelaws for the regulation and control of vessels and boats to take effect below high-water mark and seaward within twenty-five yards of any part of the pier or works and also for the regulation and control of persons embarking disembarking frequenting or resorting to or employed at the pier approaches and other works authorised by this Order and may impose and recover a penalty not exceeding forty shillings in any case of the breach or non-observance of any byelaw but byelaws made under this Order shall not come into operation until the same have been submitted to and received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Parts of Harbours &c. Act 1847 excepted.

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

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

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

Life-buoys to be kept.

26. The Undertakers shall at all times keep at the outer extremity of the pier sufficient life buoys and lines in good order and fit and ready for use.

The pier to be deemed within jurisdiction of county justices.

27. The whole of the pier and works shall in respect of all matters crimes or offences arising or committed thereon requiring the cognisance of any justices of the peace be deemed and taken to be within the jurisdiction of any justices acting within and for the county of Dorset.

As to lights during construction of works.

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

As to lights after completion of works.

29. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall at the outer extremity of the pier and works or the completed portion thereof exhibit during all or any part of the time from sunset to sunrise and according to the season of the year and the requirements of the traffic such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to lighting and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any such directions.

Provision against danger to navigation.

30. In case of injury to or destruction or decay of the pier or works or any part thereof the Undertakers shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation 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 the means to be taken and the Undertakers shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to observe any such direction.

Powers to cease in certain events.

31.—(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 the powers by this Order given for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order after having been substantially 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 except as to so much of such works as shall be then completed unless such powers shall by the special direction of the Board of Trade

be continued and directed to remain in force for any period not exceeding five years from the date of the passing of the Act confirming this Order.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act 1866.

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

Saving rights of the Crown.

33. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interests rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Her Majesty's Woods or either of them.

Costs of Order.

34. All the costs charges and expenses of or incidental to the preparation and obtaining of this Order or otherwise incurred in relation thereto shall be paid by the Undertakers.

Short title.

35. This Order may be cited as the Studland Pier Order 1896.

The SCHEDULE to which the foregoing Order refers.

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

	s.	*d.*
For every passenger or person who shall land on the pier from or embark from it on board of any ship vessel packet or passage boat for each and every time any sum not exceeding - - - -	0	3
For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each and every time any sum not exceeding -	0	2
For every bath or sedan chair including the person drawing or propelling the same taken on the pier for each and every time any sum not exceeding - - - - - - -	0	4
For every perambulator including the person in charge of the same taken on the pier for each and every time any sum not exceeding - -	0	3
For every master of any vessel boat or wherry using the pier for the purpose of going to or returning from his own vessel boat or wherry for each and every time - - - - - -	0	1
Or an annual sum not exceeding - - - - -	10	0

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II.—Rates on Passengers' Luggage landed on the Pier or embarked from it on Board any Ship or Vessel.

	s.	d.
For every trunk portmanteau box parcel or package not exceeding 28 lbs. and not carried by hand	0	2
Over 28 lbs. and not exceeding 56 lbs.	0	4
Over 56 lbs. and not exceeding 112 lbs.	0	6
Over 112 lbs. and not exceeding 168 lbs.	0	7
Over 168 lbs. and not exceeding 196 lbs.	0	8
Over 196 lbs. and not exceeding 2 cwt.	0	9
And for every additional 28 lbs. weight up to the limit of 5 cwt.	0	1
For every bicycle or tricycle including the person in charge thereof every time	0	3

III.—Rates for Supplying Water.

	s.	d.
Fresh water on the pier per 100 gallons	1	6
Sea water per 3 gallons	0	1

IV.—Rates on Vessels mooring or anchoring within the Limits specified in the Order.

	s.	d.
For every vessel not exceeding 15 tons per ton burden	0	4
For every vessel exceeding 15 tons and under 50 tons register per ton register	0	5
For every vessel of 50 tons and under 100 tons per ton register	0	6
For every vessel of 100 tons and under 150 tons per ton register	0	8
For every vessel of 150 tons and upwards per ton register	1	0
For every barge or lighter for each trip per ton	0	2
All boats entirely open landing or taking on board goods each	0	6
All vessels mooring or anchoring within the limits of the Order for refuge or for fishing provided they do not break bulk	Free	

V.—Rates on Goods shipped transhipped or unshipped at the Pier.

	s.	d.
Ale beer and porter in cask per 54 gallons	0	6
Ale beer or porter bottled per 36 gallons	0	4
Ale beer or porter bottled per dozen quart bottles	0	2
Ale beer or porter bottled per dozen pint bottles	0	1
Anchors per cwt.	0	9
Anchor stock per foot run	0	2
Ballast per ton	1	6
Bark per ton	1	6
Beef or pork per cwt.	0	3
Bicycles and tricycles each	1	6
Biscuits or bread per cwt.	0	3
Blubber per 250 gallons	3	0

	s.	d.
Bones and bone dust per ton	1	0
Bottles per gross	0	9
Bricks per 1,000	1	0
Butter and lard per cwt.	0	2
Cables iron or hempen per ton	3	0
Canvas per 40 yards	0	1
Carriages :—		
Chaises and other four-wheeled carriages each	7	6
Gigs carts and other two-wheeled carriages each	5	0
Hand-carts and perambulators each	1	0
Casks (empty) not being returned packages each	0	3
Cattle :—		
Bulls cows and oxen each	2	0
Calves each	0	9
Horses each	3	0
Mules ponies or donkeys each	2	0
Pigs each	0	3
Sheep each	0	3
Chalk per ton	1	0
Cheese per cwt.	0	4
Chimney pots each	0	2
Clay per ton	1	0
Cloth haberdashery per cwt.	0	6
Coals per ton	0	6
Copper per ton	3	0
Cordage per cwt.	0	3
Corks per cwt.	0	6
Crystal per ton	5	0
Dogs each	0	6
Drugs (in casks hampers or boxes) per cubic foot	0	3
Earthenware (in crates) per cubic foot	0	1
Eggs per cwt.	1	0
Fish (not sold by auction) turbot brill halibut soles cod and ling per cwt.	0	3
Fish (not sold by auction) herrings (fresh) per 1,000	0	3
Fish (not sold by auction) herrings (salt) per cwt.	0	3
Fish (not sold by auction) oysters crabs and lobsters per half cwt.	0	2
Fish (not sold by auction) (dried and salted) per cwt.	0	3
Fish (not sold by auction) (fresh) not enumerated per cwt.	0	2
Fish of all kinds (sold by auction) one pound per cent. upon the gross amount realised by the sale Any fraction of a shilling to be reckoned as a shilling.		
Flax per ton	2	0
Flour and meal per 4 bushels	0	3
Flour and meal per cwt.	0	3
Fruit per bushel	0	4
Fuel manufactured per ton	0	6
Furniture (household) per 5 cubic feet	0	4
Glass per cwt.	1	0

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	s.	d.
Grain and seeds per 100 lbs.	0	1½
Groceries not enumerated per cwt.	0	6
Guano per ton	1	0
Gunpowder per cwt.	0	6
Hams bacon or tongues per cwt.	0	4
Hardware per ton	2	6
Hares and rabbits per dozen	0	4
Hay per ton	1	6
Hemp per ton	2	0
Hides :—		
Ox cow or horse (wet or dry) each	0	2
Ice per ton	1	0
Iron :—		
Bar bolt rod and shots per ton	1	6
Pig and old per ton	1	0
Manufactured per ton	2	6
Pots each	0	1
Kelp per ton	2	0
Lead per ton	2	0
Leather (tanned and dressed) per cwt.	0	3
Lime per twenty-eight bushels	1	4
Limestone per ton	0	6
Machinery per ton	2	6
Manure (not enumerated) per ton	1	0
Masts and spars 10 inches in diameter and upwards each	4	6
Masts and spars under 10 inches in diameter each	3	0
Meat (fresh) per cwt.	0	6
Milk per gallon	0	0½
Musical instruments per cubic foot	0	1
Mussels or other bait for fish per ton	1	0
Nets per 5 cubic feet	0	4
Oakum per cwt.	0	2
Oils per ton	2	0
Oilcake per ton	1	6
Oranges and lemons per cwt.	0	6
Ores per ton	1	0
Paint per cwt.	0	2
Peat per ton	0	6
Pitch and tar per cwt.	0	2
Potatoes per cwt.	0	2
Poultry and game per dozen	0	4
Rags and old rope per ton	2	0
Sails per cwt.	0	6
Salt per cwt.	0	1
Sand per ton	1	0
Shrimp baskets each	0	2
Skins :—		
Calf goat sheep lamb or dog per dozen	0	6

	s.	d.
Slates per 24 cubic feet	0	3
Spirits per 54 gallons	2	0
Spirits per gallon	0	2
Steel per ton	3	0
Stones per 16 cubic feet	1	6
Sugar per cwt.	0	3
Tallow soap and candles per cwt.	0	3
Tea per 56 lbs.	1	0
Tiles per 1,000	1	0
Tin and zinc per ton	3	0
Tobacco per cwt.	0	6
Turnips per ton	0	6
Turpentine and varnish per cwt.	0	2
Turtle each	2	6
Vegetables (not enumerated) per cwt.	0	4
Vinegar per 54 gallons	0	6
Vitriol per 36 gallons	0	1
Water per 54 gallons	0	3
Wine per 54 gallons	1	0
Wine (bottled) per gallon	0	1
Wood :—		
Per 50 feet	1	0
Firewood and laths and lathwood per 216 cubic feet	1	6
Spars and oars per 120	5	0
Treenails and wedges per 1,000	2	6
Pipe-staves and others in proportion per 120	2	6
Lignum vitæ fustic logwood mahogany and rosewood per ton	2	0
Wool per cwt.	0	2
Yarn per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

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.

VI.—FOR THE USE OF CRANES WEIGHING MACHINES AND SHEDS.

1.—*Rates of Craneage.*

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

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		s.	d.
Exceeding 6 tons and not exceeding 7 tons	- - - - -	1	4
„ 7 „ „ 8 „	- - - -	1	6
„ 8 „ „ 9 „	- - - -	1	10
„ 9 „ „ 10 „	- - - -	2	4
„ 10 tons	- - - - - - -	3	6

2.—*Weighing Machines.*

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

3.—*Shed Dues.*

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

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

It shall be at the option of the Undertakers to ascertain the amount of dues payable on goods either by weight or by measurement at their option 40 cubic feet being held equal to one ton.

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