CHAPTER cxxi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Melfort and Portencross. A.D. 1905.

[4th August 1905.]

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 King'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 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 working class. 60 & 61 Vict. c. 38.

2. The Undertakers mentioned in the said Orders shall not under the powers of this Act or of the said Orders purchase or acquire in any district in Scotland within the meaning of the Public Health (Scotland) Act 1897 any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to the working class as tenants or lodgers or except with the consent of the Secretary

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for Scotland any house or houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If any Undertakers acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

For the purposes of this section the expression "labouring class" means 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 and the expression "house" means any house or part of a house occupied as a separate dwelling.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1905.

THE SCHEDULE OF ORDERS.

1. MELFORT.—Levying of rates &c.
2. PORTENCROSS.—Construction of pier &c.

MELFORT PIER.

A.D. 1905.

Melfort.

Provisional Order authorising the levying of rates at and the regulation of the pier known as Melfort Pier situate in Fearnach Bay Loch Melfort in the County of Argyll and for other purposes connected therewith.

Preliminary.

Short title.

1. This Order may be cited as the Melfort Pier Order 1905.

Commencement of Order.

2. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

Interpretation.

3. In this Order the expression "the pier" shall mean the pier and works which at the commencement of this Order are known as Melfort Pier and are situate in Fearnach Bay and Loch Melfort in and ex adverso of the Parish of Kilninver and Kilmelfort in the County of Argyll.

Undertakers.

Undertakers.

4. Charles Macdonald Williamson Writer in Glasgow Mrs. Jessie Mary McDonnel or Maclellan residing at Temple Mount Wargrave Berkshire widow of Keith Maclellan of Melfort in the county of Argyll Walter Stoddart-Maclellan residing at Melfort aforesaid Mrs. Isabella Marcella Mary Maclellan or Stoddart-Maclellan wife of the said Walter Stoddart-Maclellan and daughter of the said Keith Maclellan and Hugh Peter Macpherson wine merchant in Glasgow the sole accepting original and assumed trustees acting under the Trust Disposition and Deed of Settlement of the said deceased Keith Maclellan of Melfort dated the sixth day of August one thousand eight hundred and eighty-four and recorded in the Books of Council and Session the third day of January one thousand eight hundred and ninety-one and their successors in office as trustees aforesaid and assigns shall be the Undertakers for carrying this Order into execution and are in this Order referred to as "the Undertakers."

Limits.

Limits of Order.

5. The limits within which the Undertakers shall have authority and within which the powers of the piermaster and the power to levy rates may be exercised shall comprise the pier and an area below high-water mark within a distance of two hundred yards measured in any direction seawards

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Management.

Power to maintain and improve pier.

6.—(1) The Undertakers may maintain and improve the pier and may also within the limits of this Order dredge scour deepen widen enlarge improve and maintain the entrances and channels of the pier provided that no work authorised by this section below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained in writing.

(2) No sand mud or other materials dredged up or removed shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

Power to make byelaws.

7.—(1) The Undertakers may without prejudice to the power to make byelaws under the Harbours Docks and Piers Clauses Act 1847 make byelaws for the regulation and control of vessels boats and other craft to take effect within the limits of this Order and also of persons and of goods and traffic embarking disembarking frequenting or resorting to or employed embarked disembarked loaded or unloaded at the pier or within the limits of this Order.

(2) The byelaws may provide for imposing and recovering a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws.

(3) A byelaw under this section shall not come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(4) Sections 84 and 85 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

Meters and weighers.

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

Penalty for damaging pier or works.

9. Every person who wilfully defaces or damages the pier or any part thereof shall for every offence be liable to a penalty not exceeding five pounds.

Rates.

Power to levy rates.

10.—(1) Sections 25 and 26 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

(2) The Undertakers may subject and according to the provisions of this Order demand recover and receive for the use of the pier in respect of the vessels persons animals fish goods matters and things specified in the schedule to this Order any sums not exceeding the rates specified in that schedule.

Rates for warehouses &c.

11. The Undertakers may (so far as the rates specified in the schedule to this Order do not extend) demand receive and recover such rates or other consideration as they think reasonable for the use of any warehouses sheds buildings yards weighing machines mooring posts cranes buoys works and conveniences belonging to or provided by the Undertakers or in respect of any services rendered by them.

Rates for ballast.

12. The Undertakers may take such rates as they think proper for the supply and removal of ballast for the accommodation of vessels.

Undertakers may supply and charge for water.

13. If and so long as the Undertakers shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the pier a supply of pure and wholesome water they shall be entitled to make and recover such reasonable charges as they may think fit not exceeding the rates specified for that purpose in the schedule to this Order for pure and wholesome water supplied by them.

Pass tickets for use of pier.

14.—(1) The Undertakers may grant to any persons pass tickets for landing or embarking at the pier at such rates on such terms and for such periods not exceeding one year as may be agreed on but so that no preference be given to any person.

(2) A pass ticket shall not be transferable and shall not be used by any person except the person to or for whom it is granted or by any person after the period limited for its use.

(3) If any person act in any way in contravention of this section or use or attempt to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

Power to compound for rates.

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

Exemption of lifeboat crew.

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

Board of Trade may reduce rates.

17. If at any time the clear annual income derived from the pier on the average of the then three last preceding years after payment of all expenses and outgoings (other than payments of interest or principal in respect of money borrowed under this Order) shall exceed interest at the rate of ten per centum per annum on the sum of one thousand five hundred pounds representing the cost of the construction of the pier and also on any sums from

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time to time appearing to the Board of Trade to have been expended by the Undertakers for the purposes of this Order the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum but with power to the Board of Trade at any time and from time to time to raise the rates again to any sum not exceeding the sums respectively specified in the schedule to this Order.

Piers and works and rates may be leased.

18. The Undertakers may from time to time lease or let the pier and the rates authorised by this Order for any period not exceeding seven years for such rent or consideration and on such terms and conditions as they think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of levying collecting recovering and receiving rates and dues as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all such provisions as to accounts and otherwise as the Undertakers are made subject to by this Order.

Master of fishing vessel to report take of fish.

19.—(1) The master or owner of every vessel with a take or cargo of fish shall on the arrival of the vessel within the limits of this Order forthwith furnish to the collector of rates a true and accurate statement of his take or cargo of fish and the name of every person obtaining delivery thereof.

(2) If the master or owner of a vessel fails to comply with this section he shall be liable for each offence to a penalty not exceeding ten pounds.

Piermaster may prevent sailing of vessels.]

20. The piermaster may prevent the removal or sailing from within the limits of this Order of any vessel in respect of which or of the goods imported or exported therein any rates are payable until evidence has been produced to him of the payment of those rates to the collector and in the case of a vessel with a take or cargo of fish until the master or owner of the vessel has given in the account of his take or cargo of fish required by this Order.

Finance.

Power to borrow money

21. The Undertakers may borrow and re-borrow at interest such money as may be required for the purposes of this Order and of improving the pier not exceeding in the whole the sum of one thousand pounds on the security of the rates authorised by this Order or they may accept and take from any bank or banking company credit for any amount not exceeding in the whole the said sum of one thousand pounds on a cash account to be opened and kept in the names of the Undertakers according to the usage of bankers in Scotland but so that the sum owing by the Undertakers on such cash account and for other money borrowed and for the time being unpaid shall not exceed in the whole the sum of one thousand pounds exclusive of interest and the Undertakers may grant bonds and assignations of the rates in security of the repayment of the sum or sums so borrowed or of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon respectively and such bonds and assignations and any transfers

thereof may be in the forms contained in Schedules (B) and (C) annexed to the Burgh Harbours (Scotland) Act 1853 or to the like effect and shall be recorded in the Division of the General Register of Sasines at Edinburgh applicable to the county of Argyll Provided that any heritable debt affecting the lands and estate of Melfort or the pier at the commencement of this Order shall have priority over any moneys to be borrowed under the authority of this Order.

Application of money borrowed.

22. All money borrowed under this Order shall be applied only for the purposes of this Order for which capital money may properly be applied and not otherwise.

Appointment of a judicial factor.

23.—(1) The holders of any security given in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor.

(2) In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than three hundred and fifty pounds in the whole.

(3) Sections 86 and 87 of the Commissioners Clauses Act 1847 shall be incorporated with this Order and in such sections as so incorporated the expression "the Commissioners" shall mean the Undertakers the expression "receiver" shall mean judicial factor and the expressions "mortgage" and "mortgagee" shall respectively include any security for money borrowed under this Order and the holder of any such security.

Application of rates received.

24. The revenue received from rates or otherwise under this Order shall be applied for the purposes and in the order following and not otherwise (that is to say):—

(1) In paying the costs of and connected with the preparation obtaining and making of this Order;

(2) In defraying the expense properly chargeable to revenue of the management repair and maintenance of the pier and of carrying into effect any powers given by this Order for the management and regulation of the traffic within the limits of this Order;

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

(4) Any surplus shall be applicable to and for the proper use of the Undertakers.

Annual account to be sent to Board of Trade.

25.—(1) The Undertakers within one month after sending to the sheriff clerk the copy of their annual account in abstract (which account shall be made up to the thirty-first 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.

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(2) If the Undertakers refuse or neglect to comply with this section they shall be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

Life-Saving Apparatus.

Portions of Harbours Clauses Act excepted. 10 & 11 Vict. c. 27.

26.—(1) Sections 16 to 19 inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

(2) 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 that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(3) If the Undertakers fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life-saving apparatus may be attached to pier.

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 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.

Lifebuoy to be kept.

28. The Undertakers shall at all times keep at convenient places on the pier and in obedience to any requirements which may from time to time be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

Lights.

As to lights.

29.—(1) The Undertakers shall exhibit at the outer extremity of the pier or in such other places as may be required by the Commissioners of Northern Lighthouses from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and shall take such other steps for the prevention of danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such directions.

Buoys and lights in case of decay.

30.—(1) In case of injury to or destruction or decay of the pier or any part 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 Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken. A.D. 1905. *Melfort.*

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such directions.

Miscellaneous.

Recovery of penalties. 10 & 11 Vict. c. 27.

31. All penalties 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.

Extension of 10 & 11 Vict. c. 27 (ss. 28 and 99) to all Government departments.

32. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Saving rights of Crown.

33. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular nothing herein contained shall authorise the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any lands hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained (which consent those Commissioners and the Board of Trade are hereby authorised to give).

Costs of Order.

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

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The SCHEDULE referred to in the foregoing Order.

PART I.—TONNAGE RATES ON VESSELS EXCLUSIVE OF THEIR CARGOES.

	£	s.	d.
1. Vessels loading or discharging at the pier per register ton ...	0	0	2
2. Pleasure yachts not carrying goods or passengers for hire using the pier per register ton	0	0	3

Note.—Rowing boats and sailing boats under ten tons register shall be exempt from the rates in Part I. of this Schedule.

PART II.—RATES ON FISHING BOATS AND OTHER FISHING VESSELS USING THE PIER.

	£	s.	d.
1. Boats or vessels employed at the herring fishery for the herring fishing season payable on or before the 26th July :—			
If under thirty tons register each	1	0	0
If thirty tons register or above each	1	5	0
2. Boats or vessels prosecuting the white or other fishing other than the herring fishing :—			
If manned by six hands or more—			
From the 1st October to 1st January each ...	0	10	0
From the 1st January to 1st April each ...	0	10	0
From the 1st April to 1st July each	0	10	0
If manned by less than six hands for each of those periods each	0	5	0
3. Boats or vessels not employed at the regular fishings as above but which shall load or discharge herrings or other fish each	0	2	0
4. Boats or fishing vessels loading or discharging any other cargo than fish at the pier or within the limits of this Order on entering such limits :—			
If under thirty tons register each	0	3	0
If thirty tons register or above same as other trading vessels.			

	£	s.	d.
5. Boats and fishing vessels fitting out for or returning from other fishing stations not paying dues as above including dues on furniture each	0	2	6

Note.—Fishing boats and other fishing vessels shall be exempt from the rates in Part II. of this schedule if under ten tons register.

PART III.—RATES FOR PERSONS LANDING OR EMBARKING AT THE PIER.

	£	s.	d.
For every master or member of the crew of any ship vessel or boat going to or returning from his ship vessel or boat an annual sum not exceeding	0	10	0
Or if the annual sum is not paid for each time	0	0	1
For every other person for each time any sum not exceeding ...	0	0	2

Provided always that the master and every member of the crew of any ship vessel or boat coming within the limits of this Order in respect of which rates have been duly paid under this Order shall be entitled to use the pier free of charge for the purpose of landing from or embarking on board his ship vessel or boat.

PART IV.—RATES ON GOODS SHIPPED TRANSHIPPED OR UNSHIPPED AT THE PIER.

Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
Ale and beer	per 3 gallons	0	0½
„ „ (bottled)	per gross	1	0
Alum	per cwt.	0	1¾
Anchors	per ton	5	0
Ashes	per ton	2	0
Asphalte and bitumen	per ton	1	3
Aerated water (all kinds)	per ton	1	8
Bacon or hams	per ton	3	4
Barilla	per ton	3	0
Bark oak	per ton	2	6
Barley and other groats	per ton	2	0
Barrels (empty herring)	each	0	1
Baskets under 12 inches in diameter	per dozen	0	6
„ above „ „	per dozen	1	0
Basket rods	per cwt.	0	2
Beef or pork (fresh or salt)	per ton	3	6
Beer (black or spruce)	per 3 gallons	0	2
Billiard table	per cwt.	0	2
Biscuits	per ton	3	0
Blacking	per cwt.	0	6
Bleaching salts	per cwt.	0	2¼
Blubber	per 252 gallons	3	0
Bones (crushed or uncrushed)	per ton	1	6

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Articles of Export or Import.	Weight or Measure.	Rates.
		s. *d.*
Books and stationery	per cwt.	0 4
Bottles	per gross	0 4
„ (broken)	per ton	0 6
Boxwood	per cwt.	0 1¾
Bran	per ton	1 0
Brass	per ton	2 0
Bricks	per 1000	0 10
Brimstone	per ton	2 0
Bristles	per cwt.	0 9
Brooms (common)	per dozen	0 2
Bulrushes	per cwt.	0 2
Butter	per cwt.	0 3
Boxes (empty)	each	0 1
Candles	per ton	3 6
Canvas	per cwt.	0 2
Carpets rugs and upholstery articles	per ton	2 6
Cane reeds	per cwt.	0 2
Carboys (empty)	each	0 1
Carriages with springs under 5 cwt.	each	3 0
„ 5 cwt. and under 7½ cwt.	each	5 6
„ 7½ cwt. and under 10 cwt.	each	7 6
„ 10 cwt. and above	each	10 0
Carrots	per ton	1 0
Casks boxes sacks and kits (empty) except returned empties as provided for in the notes to this schedule	each	0 1
Cattle :—		
Bulls cows and oxen	each	0 6
Calves	each	0 1
Horses	each	1 0
Ponies under 12 hands	each	0 6
Asses or mules	each	1 0
Pigs	each	0 3
Sheep and lambs	each	0 1
Small cattle and ponies from Orkney and Shetland	each	0 8
Cement	per ton	1 6
Chalk	per ton	1 6
Cheese	per ton	2 6
Chimney tops	each	0 1
Chocolate	per cwt.	0 3
Cider	per 3 gallons	0 0½
Cinders and charcoal	per ton	0 9
Clay viz. china or stone	per ton	1 0
Clay pipes	per ton	1 0
Clocks	each	1 0
Clothing haberdashery silk mercery &c. not otherwise enumerated	per ton	3 0
Coals	per ton	0 4
Cocoa	per cwt.	0 3
Cocoa nuts	per 100	0 4
Coffee	per cwt.	0 3
Coke	per ton	0 10
Confections of all kinds	per cwt.	0 2
Copper	per ton	3 0
„ (old)	per ton	2 0
„ ore	per ton	0 1

Articles of Export or Import.	Weight or Measure.	Rates.
		s. *d.*
Copperas - - - -	per cwt. - -	0 1½
Colours - - - -	per cwt. - -	0 1¾
Cordage - - - - -	per ton - -	2 6
„ old not in use - - -	per ton - -	1 0
Cork wood and corks - - -	per ton - -	3 4
Corn and meal viz.:—		
Barley and bigg - - -	per ton - -	1 4
Bere and meal - - -	per ton - -	1 6
Beans - - - - -	per ton - -	1 4
Indian corn - - - -	per ton - -	1 4
„ meal - - -	per ton - -	1 6
Malt - - - - -	per ton - -	2 8
Oats - - - - -	per ton - -	1 4
Oatmeal - - - -	per ton - -	1 6
Peas - - - - -	per ton - -	1 6
Rye - - - - -	per ton - -	1 4
Wheat - - - - -	per ton - -	1 6
Cotton wool &c. - - -	per ton - -	5 0
Crystal - - - - -	per ton - -	5 0
Catch - - - - -	per ton - -	3 4
Dogs - - - - -	each - -	0 6
Drugs - - - - -	per cwt. - -	0 4
Dung - - - - -	per ton - -	0 4
Earthenware - - - -	per ton - -	2 6
Eggs - - - - -	per cwt. - -	0 3
Emery and emery stones - -	per cwt. - -	0 3
Feathers - - - - -	per ton - -	10 0
Felt - - - - -	per ton - -	2 6
Fish dried - - - - -	per cwt. - -	0 2
„ pickled or salted - - -	per cwt. - -	0 2
„ fresh haddock cod ling and fish not enumerated - - -	per cwt. - -	0 2
„ large fresh cod ling and skate - -	per 20 - -	0 3
„ offal - - - -	per ton - -	0 4
Flax - - - - -	per cwt. - -	0 2
Flour - - - - -	per ton - -	2 8
Flower roots - - - - -	per cwt. - -	0 2
Flint stones - - - - -	per ton - -	0 6
Fruit viz.:—		
Apples pears and berries - - -	per cwt. - -	0 3
Plums cherries and grapes - - -	per cwt. - -	0 4
Melons - - - -	per cwt. - -	0 2
Peaches - - - - -	per 100 - -	0 2
All not enumerated - - -	per 10*l.* value -	0 10
Furniture household - - -	per 10*l.* value -	1 0
Furriers' waste - - - -	per ton - -	0 4
Game - - - - - -	per head - -	0 0½
Ginger - - - - -	per cwt. - -	0 3
„ preserved - - - -	per cwt. - -	0 6
Glass of all descriptions - - -	per cwt. - -	0 2
Glue - - - - - -	per cwt. - -	0 4
Grates stoves &c. - - -	per ton - -	3 6
Grease - - - - -	per ton - -	2 6
Groceries all kinds not enumerated - -	per cwt. - -	0 3
Gunpowder - - - - -	per cwt. - -	0 3
Guano - - - - -	per ton - -	1 6

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Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
Hair all kinds { baken	per cwt.	0	4½
Hair all kinds { plasterers'	per ton	2	0
Hardware	per cwt.	0	2
Hats	per dozen	0	6
Hay	per ton	1	6
Hemp	per ton	3	6
Herrings fresh imported or exported	per 37½ gallons	0	3
„ cured „ „	per 26⅔ gallons	0	2
Hides raw	per cwt.	0	2
Honey	per cwt.	0	3
Hoops of wood	per 1000	0	10
Hops	per cwt.	0	6
Horns slugs and tips	per 1000	1	8
Husbandry implements	per ton	1	4
Iron viz.:—			
Bar plate bolt and rod	per ton	2	0
Forged made work and hoops	per ton	3	4
Old	per ton	1	3
Old and broken goods	per ton	0	6
Cast-iron goods	per ton	2	6
Wire	per cwt.	0	2
Pig	per ton	1	0
Kelp	per ton	1	0
Kiln pavement	per 30 feet	0	4
Lard	per ton	2	0
Lead	per ton	2	0
„ black	per ton	2	0
„ ore	per ton	2	0
Lead red and white	per ton	2	0
„ shot	per ton	3	0
„ sugar of	per cwt.	0	2
Leather (tanned and dressed)	per cwt.	0	3
Lemons	per cwt.	0	4
Lignum vitæ	per ton	3	0
Lime	per ton	0	6
Loam	per ton	0	4
Machinery	per ton	0	2
Manures manufactured and not otherwise enumerated	per ton	1	6
Mats and basses	per dozen	0	1
Mill waste	per ton	2	0
Molasses	per ton	2	0
Mussels	per ton	0	6
Nuts all kinds (except cocoa)	per cwt.	0	3
Oakum	per ton	3	0
Ochre	per cwt.	0	1½
Oil of all kinds	per ton	3	4
„ cakes	per ton	2	0
Onions	per cwt.	0	3
Oranges	per cwt.	0	2
Oysters	per cwt.	0	3
Peats	per ton	0	3
Paper	per cwt.	0	2
Pewter	per ton	2	0
„ (old)	per ton	1	8
Pianoforte	per 10*l.* value	1	0

Articles of Export or Import.	Weight or Measure.	Rates. s.	Rates. d.
Pictures under 2 feet square	each	0	6
„ 2 feet and under 4 feet	each	1	0
„ 4 feet and upwards	each	2	0
Pigs' head	per cwt.	0	0¾
Pipes drain under 3 inches diameter	per 1000	0	6
„ above „ „	per 1000	0	9
„ collars „ „	per 1000	0	3
„ spigot and faucet clay glazed	per ton	1	0
NOTE.—Drain tiles and mugs one-third less.			
Pipes tobacco	per cwt.	0	4
Pitch	per cwt.	0	2
Plaster of Paris	per ton	2	8
Plants nursery and garden (all kinds)	per cwt.	0	4
Porter	per 3 gallons	0	0½
„ (bottled)	per gross	1	0
Potatoes	per ton	1	0
Poultry (all kinds)	each	0	0½
Provisions preserved (all kinds)	per cwt.	0	2
Pumice stone	per cwt.	0	3
Rags	per ton	2	0
Rice	per cwt.	0	2
Rosin	per ton	2	6
Saddlery (all kinds)	per cwt.	0	3
Salt in bulk	per ton	0	9
„ rock	per ton	0	9
„ saltpetre and Glauber salt	per ton	3	4
„ in barrel including dues of barrel	per ton	1	4
Salmon	per cwt.	0	6
Seed viz.:—			
Rape and flax	per cwt.	0	1
Clover	per cwt.	0	3
Ryegrass	per ton	3	4
Shoes of all kinds	per ton	3	0
Sheep skins with wool	per cwt.	0	3
„ pelts	per cwt.	0	2
Slates large	per 1000	1	4
„ sizeable	per 1000	0	10
„ small	per 1000	0	6
Snuff	per cwt.	0	6
Soap	per ton	2	0
Soda	per ton	1	6
Spades or shovels	per dozen	0	1
Spirits of all kinds	per gallon	0	0¼
Starch	per cwt.	0	3
Steel	per ton	3	0
Straw	per ton	1	0
Stones viz.:—			
Freestone building	per ton	0	5
Polished granite	per ton	2	6
Causeway granite	per ton	0	3
Kerb pavement and building	per ton	0	5
Rubble and chips	per ton	0	2
Rigging stones	per 100 running feet	1	6
Flagstones	per ton	0	9
Gravestones	each	3	0
Marble	per ton	3	0
Scythe stones	per cwt.	0	2

Articles of Export or Import.	Weight or Measure.	Rates.
		s. *d.*
Stones—*cont.*		
Grindstones	each	0 4
Millstones	each	0 6
All other descriptions except flint	per ton	1 0
Stucco	per ton	1 8
Sugar (all kinds)	per ton	1 8
Stoneware (all kinds)	per cwt.	0 2
Tallow	per ton	2 0
Tanners' waste	per ton	1 0
Tar coal	per 39 gallons	0 1
„ Archangel	per 26½ gallons	0 2
Tea	per cwt.	0 6
Tiles roofing	per 1000	1 0
Tin of all kinds	per ton	2 0
„ plates	per ton	2 0
Tobacco in leaf	per cwt.	0 2¼
„ manufactured	per 100 lbs.	0 4½
„ stalks	per cwt.	0 3
Tongues smoked	per dozen	0 1½
„ pickled	per cwt.	0 4
Toys	per cwt.	0 3
Treenails	per 1000	1 6
Turnery	per 10*l.* value	0 10
Turnips	per ton	0 6
Twine	per cwt.	0 3
Tow (all kinds)	per ton	1 6
Vases or sculptured marble	per cwt.	0 3
Vinegar	per 3 gallons	0 0½
Vitriol	per gallon	0 0½
Varnish	per cwt.	0 2
Veneers (all kinds)	per cwt.	0 4
Vegetables	per ton	0 6
Whalebone or whalefins	per ton	3 4
Wheels coach carriage or cart	per pair	0 9
Whitening	per ton	0 10
Willow reeds	per cwt.	0 2
Wine	per gallon	0 0¼
„ bottled	per gross	1 0
Wood viz.:—		
Herring barrel billets	per ton	1 0
Herring barrel staves	per 1000 superficial feet.	1 4
All other kinds not enumerated	per 1*l.* value	0 4
Wool	per ton	3 4
Yarn viz.:—		
Lint and cotton	per ton	4 6
Hemp	per ton	3 6
Worsted	per ton	4 6
Zinc	per ton	2 0

All goods or articles not enumerated in the foregoing schedule per cwt. 2*d.*

Notes with reference to the foregoing Schedule.

1. All empty boxes barrels sacks and packages returned to original shipper within three months from the date of import are exempted from rates.

2. All goods landed from any vessel and reshipped in the same or another vessel in the original packages and without being transferred from the lander or if the said goods have been put into other packages from the original packages having been destroyed or damaged shall only pay rates on landing and may be reshipped in the same or another vessel upon her departure outwards without paying rates again.

3. The personal luggage of each passenger landing from any vessel not exceeding two hundredweight in weight shall be exempted from rates.

4. If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded no rates shall be charged a second time for such goods on being reloaded.

5. Goods of all descriptions rated by weight shall be charged according to gross weight fractional parts of any weight measure number or value shall be charged proportionally and the minimum charge for a single package shall be one penny.

Part V.—Rates for the use of Sheds Cranes Weighing Machines Warps &c.

(1) *Sheds.*

For each ton of goods which shall remain in any shed or on the pier for a longer time than 24 hours the sum of three pence and the further sum of three halfpence per ton for each day or part of a day during which such goods shall remain after the first 48 hours.

(2) *Cranes.*

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

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(3) *Weighing Machines.*

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

(4) *Warps or Planks where used.*

Harbour warps all vessels per registered ton	0	$0\frac{1}{4}$
Harbour planks long per pair	3	0
Harbour planks short	1	0

The long planks to be paid for by vessel and short planks by merchant.

(5) *Water Money.*

For every 25 gallons or part of 25 gallons of pure and wholesome drinking water supplied to any vessel or boat	0	$1\frac{1}{2}$

(6) *Pier Lights.*

For every fishing boat under 30 tons payable in advance per season	2	6
For every fishing boat of 30 tons or above payable in advance per season	5	0
For all other boats each	0	6
For every ship under 100 tons register each	2	0
For every ship 100 tons register or above each	2	6

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

PORTENCROSS PIER AND HARBOUR.

A.D. 1905.

Provisional Order for the construction and maintenance of the new Pier and the widening and extension of the existing Harbours at Portencross in the Parish of West Kilbride in the County of Ayr constituting the Harbour Authority the levying of rates the maintenance and regulation of the Harbour and for other purposes.

Portencross.

Preliminary.

Short title commencement and interpretation.

1.—(1) This Order may be cited as the Portencross Pier and Harbour Order 1905.

(2) This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Act referred to as "the commencement of this Order."

(3) In this Order unless the context otherwise requires—

The expression "the existing harbours" means the harbours at Portencross known and shown on the twenty-five inch scale revised Ordnance Survey Map of the parish of West Kilbride marked second edition one thousand eight hundred and ninety-six as the old and new harbours as existing at the commencement of this Order and the quays works roads and conveniences connected therewith;

The expression "the harbour" includes the existing harbours and the works authorised by this Order;

The expression "the deposited plan" and "the deposited sections" mean respectively the plan and sections deposited with reference to this Order with the Board of Trade.

Undertakers.

Undertakers.

2. William Adams of Overton and Auchenames in the parish of West Kilbride and county of Ayr or other the owner or owners for the time being of the pier herein-after mentioned shall be the Undertakers for carrying this Order into execution and are in this Order referred to as "the Undertakers."

Limits.

Limits of Order.

3. 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 the harbour and also the area below the line of high water mark of ordinary

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Portencross.

spring tides as delineated on the Ordnance Survey Map within one hundred yards from any part of the harbour and those limits are in this Order referred to as "the limits of this Order."

Deposit of plan.

4. A map or plan showing the limits of this Order having been signed in triplicate by an Assistant Secretary of the Board of Trade one copy thereof shall within two weeks after the commencement of this Order be deposited at the Board of Trade another copy thereof shall within the same period be deposited at the office of the Principal Sheriff Clerk for the county of Ayr at Ayr and the third copy thereof shall within the same period be deposited at the office of the harbour-master In case of any discrepancy between the limits of this Order as shown on the said map or plan and the limits of this Order as described in the last preceding section of this Order the said map or plan shall be deemed to be correct and shall prevail.

Works.

Power to construct works.

5. Subject to the provisions of this Order and subject also to such alterations (if any) in the deposited plan and deposited sections as the Board of Trade require before completion of the works authorised by this Order in order to prevent injury to navigation the Undertakers may in the lines and situations 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 said plan or specified in the Order make and maintain the works authorised by this Order.

Description of works.

6. The works authorised by this Order comprise—

A pier commencing at high water mark opposite a point one hundred and seventy-five yards or thereabouts northwards from the entrance gate of Auchenames House Portencross West Kilbride measuring along the existing roadway and terminating in the bed of the sea at a point sixty yards or thereabouts westwards from the said point of commencement The said pier will be constructed partly solid and partly open.

Power to deviate.

7. In constructing the works authorised by this Order the Undertakers may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation marked on the deposited plan and may with the like consent deviate vertically to any extent.

Penalty for obstructing works.

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

Portencross.

Extension and improvement of existing harbours.

9. The Undertakers may at any time with the previous consent in writing of the Board of Trade extend widen and otherwise improve the existing harbours or either of them.

Power to construct or lease warehouses and other buildings.

10.—(1) Subject to the provisions of this Order the Undertakers may construct and maintain or take on feu or lease all warehouses offices sheds weighing machines cranes and other works buildings and conveniences which may be found necessary or convenient in connexion with the existing harbours and the said pier for the accommodation of vessels and traffic landed at or embarked from the existing harbours and the said pier and they may also lay down and maintain lighting apparatus rails tramways sidings and turntables on and along the existing harbours the said pier and other works and the lands connected therewith.

(2) A line of rails or tramway constructed under the powers of this Order shall not be used for the public conveyance of passengers unless and until it has been inspected and certified by the Board of Trade to be fit for that use.

Power to cease in certain events.

11.—(1) If within two years from the commencement of this Order the works authorised by this Order are not substantially commenced the powers given by this Order for executing those works or otherwise in relation thereto shall cease unless the time for commencement is extended by the special direction of the Board of Trade.

(2) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by this Order for executing those works or otherwise in relation thereto shall cease except as to so much of the works as are then completed unless those powers are by the special direction of the Board of Trade 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 that certificate.

Power to make embankments &c.

12. The Undertakers may make and maintain in connection with the works all necessary and proper embankments excavations quays jetties landing-places slips roads approaches sheds and gas and water pipes electric mains and other works and conveniences.

For protection of telegraphs and telephones.

13. Any electric lighting apparatus or other electric mains and works constructed or maintained under this Order shall be so constructed used and worked as to prevent any interference with telegraphic or telephonic communication by means of any telegraphic or telephonic line of the Postmaster-General or with any telephonic communication by means of any apparatus of the National Telephone Company Limited.

Portencross.
Consent of Board of Trade to works.

14. Any works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade and shall be executed only in accordance with the terms of such consent.

Acquisition of Lands.

Incorporation of Lands Clauses Acts.

15. The Lands Clauses Acts (except so much thereof as relates to the taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) are hereby incorporated with this Order.

Power to take lands by agreement for extraordinary purposes.

16.—(1) For the purposes of the works authorised by this Order and for other extraordinary purposes connected with this Order the Undertakers may by agreement enter upon and take for a freehold feuhold leasehold or other interest and use any lands not exceeding in the whole three acres.

(2) This section or anything contained therein shall not exempt the Undertakers from any proceedings for nuisance caused or permitted by them on lands taken by them under the powers conferred by this Order.

Owners may grant servitudes &c.

17. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Undertakers any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands feu-duties or ground annuals so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Supplemental Provisions with regard to Management.

Maintenance of pier &c.

18. Subject to the provisions of this Order the Undertakers may hold and maintain and with the consent of the Board of Trade alter and improve the pier and harbour.

Dredging &c.

19.—(1) The Undertakers in connection with the works authorised by this Order may within the limits to which this Order extends dredge scour deepen enlarge alter and improve the entrances channels and approaches to the existing harbours and the works authorised by this Order and for these purposes may remove gravel sand or other materials.

(2) All sand mud gravel and other materials dredged up or removed within the limits of this Order shall be the property of the Undertakers and they may sell or otherwise dispose of the same or lay down the same in another place within those limits as they think fit.

(3) All money arising from any sale or other disposition of sand mud and other materials under this section after payment of the expenses

connected therewith shall be applied in the same manner as the revenue received from rates under this Order is to be applied.

(4) Sand mud stone or other material shall not be laid down or deposited in any place below high water mark without the consent of the Board of Trade.

Power to purchase or hire dredgers &c.

20. The Undertakers may for the purposes of the works authorised by this Order provide purchase lease or hire such steam or other dredgers engines tugs lighters and other vessels diving bells ballast lighters rubbish lighters tools plant or other materials and machinery as they think fit and may demand and receive such sums for the use of them as they think fit and may sell or dispose of them and the money thereby realised shall be applied towards carrying into effect any purposes of this Order to which capital is properly applicable.

Meters and weighers.

21. The Undertakers shall have the appointment of meters and weighers within the limits to which this Order extends.

Power to make byelaws.

22.—(1) The Undertakers may in addition to the power to make byelaws under the Harbours Docks and Piers Clauses Act 1847 make byelaws for the regulation and control—

Of vessels and boats within the limits to which this Order extends;

Of the fishermen and others frequenting or resorting to or employed at the pier or within the limits to which this Order extends;

Of the embarking disembarking loading or unloading of any goods or traffic at the pier or within the limits to which this Order extends.

(2) The byelaws may provide for imposing and recovering a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws.

(3) A byelaw under this section shall not come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(4) Sections 84 and 85 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

Rates.

Power to levy rates. 10 & 11 Vict. c. 27.

23. When in addition to the certificate to be granted under section 26 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 recover and receive in respect of vessels persons animals fish goods matters and things and services rendered described in the schedule to

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this Order any sums not exceeding the several rates specified in that schedule.

Rates may be levied though works not complete.

24. If it is at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade but to be paid by the Undertakers that the works authorised by this Order have been so far completed as to afford accommodation for the landing and embarking of passengers and goods by means of those works the Undertakers may notwithstanding section 25 of the Harbours Docks and Piers Clauses Act 1847 and although the whole of the works authorised by this Order have not then been completed demand recover and receive such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall in the opinion of the Board of Trade be commensurate with the accommodation afforded.

Rates for use of warehouses &c.

25. The Undertakers may (so far as the rates specified in the schedule to this Order do not extend) demand and receive such rates or other consideration as they think reasonable for the use of any warehouses buildings works and conveniences belonging to or provided by the Undertakers or in respect of any services rendered by them in connexion with the harbour.

Power to vary exemptions and compound.

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

Power to lease rates.

27. The Undertakers may from time to time lease the rates and other charges authorised by this Order and in the case of leasing for any period not exceeding seven years and for such rent and consideration and on such terms and conditions as they think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and charges as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all the provisions as to accounts and otherwise to which the Undertakers are made subject under this Order.

Pass tickets for use of pier.

28.—(1) The Undertakers may grant to any persons pass tickets for the use of the pier at such rates on such terms and for such periods not exceeding one year as may be agreed upon but so that no preference be given to any person.

(2) A pass ticket shall not be transferable nor be used by any person except the person to or for whom it is granted nor by any person after the period limited for its use.

(3) If any person act in any way in contravention of the provisions of this section or uses or attempts to use any false or counterfeit pass ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

Rates for ballast.

29. The Undertakers may take such rates as they think proper for the supply and the removal of ballast for the accommodation of vessels.

Reductions of rates by Board of Trade.

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

Master or owner to report take of fish.

31.—(1) The master or owner of every vessel (not being a pleasure boat) with a take or a cargo of fish shall on the arrival of the vessel within the limits to which this Order extends forthwith furnish to the collector of rates a true and accurate statement of his take or cargo of fish and the name of every person obtaining delivery thereof.

(2) If the master or owner of a vessel fails to comply with this section he shall be liable for each offence to a penalty not exceeding ten pounds.

Provisions as to collection of rates on white fish and fresh herrings.

32.—(1) The Undertakers may levy demand recover and receive the rates for white fish and for fresh herrings direct from the sea transhipped or unshipped within the harbour (without prejudice to their rights to levy demand recover and receive the rates from any other person) either from the fish salesmen or auctioneers who dispose of the fish or from the persons purchasing or receiving delivery of the fish (otherwise than as carriers) from any vessel.

(2) Any such fish salesman auctioneer purchaser or receiver respectively shall be entitled to deduct the amount of the rates from the price at which the fish were sold or purchased but shall when required furnish the Undertakers or their collector of rates with an account under their hands of the quantity of the fish and verify the account by the production of their books accounts or other documents to the Undertakers or to their collector of rates.

(3) If any such fish salesman auctioneer purchaser or receiver when so required refuses or fails to give and verify an account under this section or gives or subscribes a false account he shall for each offence be liable to a penalty not exceeding ten pounds.

Harbour-master may prevent sailing of vessels.

33. The harbour-master may prevent the removal or sailing from within the limits of this Order of any vessel in respect of which or the goods imported or exported therein any rates are payable until evidence has been produced to him of the payment of those rates to the collector and in the case of a

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vessel with a take or cargo of fish until the master or owner of a vessel has given in the account of his take or cargo of fish required by this Order.

Undertakers may supply and charge for water.

34. If and so long as the Undertakers shall make and maintain such provisions and appliances as may be necessary for furnishing to vessels resorting to the pier a supply of pure and wholesome water they shall be entitled to make and receive such reasonable charges as they may think fit not exceeding the rates specified for that purpose in the schedule to this Order for pure and wholesome water supplied by them.

Certain fishing vessels under stress of weather exempt from rates.

35. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those 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 not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Extension of 10 & 11 Vict. c. 27 (ss. 28 and 99) to all Government Departments.

36. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Lifeboat crew exempt from rates.

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

Finance.

Power to borrow money.

38. The Undertakers may borrow and reborrow at interest such money as may be required for the purposes of this Order not exceeding in the whole the sum of three thousand pounds on the security of the rates authorised by this Order or they may accept and take from any bank or banking company credit for any amount not exceeding in the whole the said sum of three thousand pounds on a cash account to be opened and kept in the name of the Undertakers according to the usage of bankers in Scotland but so that the whole sums owing by the Undertakers on such cash account and for other money borrowed and for the time being unpaid shall not exceed in the whole the sum of three thousand pounds exclusive of interest and the Undertakers may grant bonds and assignations of the rates under this Order in security of the repayment of the sum or sums so borrowed or of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon respectively and such bonds and assignations and any transfers thereof may be in the forms contained in Schedules (B) and (C) annexed to the Burgh Harbours (Scotland) Act 1853 or to the

16 & 17 Vict. c. 93.

like effect and shall be recorded in the Division of the General Register of Sasines at Edinburgh applicable to the county of Ayr.

Application of money borrowed.

39. All money borrowed under this Order shall be applied only for the purposes of the Order for which capital money may properly be applied and not otherwise.

For appointment of a judicial factor.

40.—(1) The mortgagees of the Undertakers in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor.

(2) In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than five hundred pounds in the whole.

10 & 11 Vict. c. 16.

(3) Sections 86 and 87 of the Commissioners Clauses Act 1847 shall be incorporated with this Order and in such sections the expression "commissioners" shall mean the Undertakers and the expression "receiver" shall mean judicial factor and the expressions "mortgage" and "mortgagee" shall respectively include any security for money borrowed under this Order and the holder of any such security.

Application of rates received.

41. The revenue received from rates or otherwise under this Order shall be applicable for the purposes and in the order following and not otherwise:—

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

(2) In paying the expense properly chargeable to revenue of the maintenance repair and management of the pier and of carrying into effect any powers given by this Order for works and the management and regulation of traffic within the limits of this Order;

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

(4) The surplus (if any) after providing for the purposes aforesaid shall belong to the Undertakers for their own use.

Annual account to be sent to Board of Trade.
25 & 26 Vict. c. 19.

42.—(1) The Undertakers within one month after sending to the sheriff-clerk the copy of their annual account in abstract shall send a copy of it to the Board of Trade and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

(2) The account shall be made up to the thirty-first day of March in each year.

(3) The Undertakers shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

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Portions of Harbours &c. Clauses Act excepted. 10 & 11 Vict. c. 27.

Life-Saving Apparatus.

43.—(1) Sections 16 to 19 inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

(2) 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 that site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(3) If the Undertakers fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life saving apparatus may be attached to pier.

44. 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 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.

Lifebuoys to be kept.

45. The Undertakers shall at all times keep at convenient places on the pier and in obedience to any requirements which may from time to time be made by the Board of Trade lifebuoys and life lines in good order and fit and ready for use.

Lights.

As to lights during construction of works.

46.—(1) 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 other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or afterwards from time to time given as to like matters 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 those matters during the construction of the works.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such direction.

As to lights after completion of works.

47.—(1) After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall exhibit at the outer extremity of the pier or the completed portion thereof or in such other places as may be required from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) and take such other steps for the prevention of danger to navigation as are directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such directions.

As to buoys and lights in case of decay of works.

48.—(1) In case of injury to or destruction or decay of the pier or the works or any part 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 Commissioners of Northern Lighthouses and shall apply to those Commissioners for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such directions.

Miscellaneous.

Recovery of penalties. 10 & 11 Vict. c. 27.

49. All penalties 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 of Crown.

50. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular nothing herein contained shall authorise the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any lands hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained (which consent those Commissioners and that Board are hereby respectively authorised to give).

Works to be in parish of West Kilbride.

51. The works authorised by this Order shall be deemed to be for all purposes within the parish of West Kilbride in the county of Ayr.

Costs of Order.

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

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Portencross.

The SCHEDULE to which the foregoing Order refers.

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

	s.	d.
For every passenger or other person who shall land on the pier or harbour or embark therefrom on board of any ship vessel packet or passage boat or steamer for each and every time any sum not exceeding	0	2
Children under twelve years of age in charge of parent guardian or servant or servants going for or with luggage free but the luggage to be paid for.		

II.—Rates on Passengers' Luggage &c.

For every trunk portmanteau box parcel or package within the description of luggage and not carried by the passenger not exceeding 28 lbs.	0	1
For every trunk portmanteau box parcel or package within the description of luggage over 28 lbs. and not exceeding 112 lbs. ...	0	2
Over 112 lbs. and not exceeding 2 cwts.	0	4
And for every cwt. beyond	0	2

III.—Rates on Vessels using the Pier and Harbour.

For every steamer using the pier or harbour for discharging or shipping passengers or goods—per ton register	0	2
For every other vessel decked or undecked using the pier or harbour for discharging or shipping goods—per ton register	0	2
No vessel shall be charged rates for more than one call on the same day and if the vessels of the owner or owners of any steam or other vessels engaged in a regular trade with the pier or harbour shall collectively make in any one year from January to December inclusive fifty or more calls at the pier or harbour one-half of the rates for the time being levied shall be chargeable on each of such steam or other vessels in respect of such year.		
For the use of gangways or fastening of ropes provided or rendered by the Undertakers by the desire of the owner or person in charge of any vessel such sum as may be agreed upon between the Undertakers and such owner or person in charge.		

IV.—Rates on Goods &c.

Articles of Export and Import.

	s.	d.
Ale beer and porter per 54 gallons	0	6
Ale beer and porter per 9 gallons	0	1
Ale beer and porter (bottled in pint bottles) per dozen	0	1
Anchors per cwt.	0	9
Ashes of all kinds per ton	1	0
Bark per ton	2	0
Barley (pot shelled or pearl) per ton	1	8
Bedding per cwt.	0	3
Beef or pork per cwt.	0	2
Biscuits or bread per ton	2	0
Bones and bone dust per ton	1	6
Bottles per gross	0	6
Bran per ton	1	8
Bricks per 1,000	1	4
Butter and lard per ton	3	4
Cables (iron or hempen) per ton	1	6
Candles per ton	1	6
Canvas per 56 lbs.	0	1
Carrots per ton	1	0
Casks and barrels empty not being returned packages each	0	1
Carriages—		
Chaises and other four-wheeled carriages each	2	6
Gigs and other two-wheeled carriages each	1	0
Carts each	1	0
Hand-carts and perambulators each	0	2
Cattle—		
Bulls each	1	0
Cows and oxen each	0	6
Calves each	0	3
Horses asses and mules each	1	0
Ponies under 12 hands each	0	6
Pigs each	0	3
Sheep each	0	0½
Lambs each	0	0½
Cement per ton	1	0
Cheese per cwt.	0	2
Chimney cans each	0	2
Cinders and charcoal per ton	0	6
Clay (manufactured) per ton	0	3
Clay (common) per ton	0	1
Cloth haberdashery &c. per cwt.	0	2
Coals per ton	0	4

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	s.	d.
Copper per ton	2	0
Copper (old) per ton	1	3
Cordage per ton	2	0
Cork per cwt.	0	2
Crabs per dozen	0	1
Crystal per cwt.	0	2
Cutch per ton	0	10
Dogs each	0	2
Drugs (in casks hampers or boxes) per ton	4	0
Earthenware or chinaware (in casks hampers or boxes) per cwt. ...	0	2
Earthenware or chinaware (in crates) per cwt.	0	2
Eggs per ton	2	0
Fish (dried and salted) per cwt.	0	2
Fish (fresh in bulk) per cwt.	0	1½
Flax per ton	2	6
Flour per 2½ cwt.	0	2½
Fruit per cwt.	0	2
Furniture (household) per cwt.	0	2
Game of all kinds per cwt.	0	6
Glass of all descriptions per cwt.	0	1
Groceries viz.—		
Tea coffee confections dried fruits spices rice tobacco snuff &c. per cwt.	0	3
Guano per ton	1	0
Gunpowder per 100 lbs.	0	3
Hams bacon or tongues per ton	2	0
Hardware per ton	1	6
Hay and straw per ton	1	6
Hemp per ton	3	0
Herrings cured per 26⅔ gallons	0	2
Herrings (fresh) per 37½ gallons	0	2
Hides—		
Ox cow or horse (wet or dry) each	0	1
Hoops of wood per 1,500	1	0
Hoops of iron per cwt.	0	2
Husbandry implements of per cwt.	0	2
Iron—		
Bar bolt and rod plate sheet and forged iron gates stoves nails and other ironmougery and rails per cwt.	0	1
Old per cwt.	0	0½
Pig and unmanufactured per ton	1	0
Lead per ton	0	10
Leather (tanned and dressed) per ton	2	0
Lime per ton	0	6
Limestone per ton	0	6
Lobsters per dozen	0	1

	s.	d.
Machinery of all kinds per cwt.	0	1
Manure not enumerated per ton	1	0
Masts and spars 10 inches in diameter and upwards each	1	6
Meal per 2½ cwt.	0	2½
Meat (fresh) per cwt.	0	2
Milk per 3 gallons	0	1
Musical instruments per cubic foot	0	1
Oils per ton	1	6
Oilcake per ton	1	6
Oranges and lemons per cwt.	0	2
Paint per cwt.	0	3
Pitch per cwt.	0	2
Potatoes per ton	0	6
Poultry each	0	0½
Rabbits per dozen	0	4
Rags and old rope per ton	1	8
Sails per cwt.	0	6
Salmon per cwt.	0	6
Salt per ton	0	6
Sand and gravel per ton	0	8
Seeds per quarter	0	3
Sheep skins with wool per cwt.	0	3
Slates per ton	1	0
Soap per cwt.	0	1
Spirits per 54 gallons	2	0
Spirits per gallon	0	1
Stones—		
Rubble per ton	0	2
Hewn Ashlar per ton	0	6
Rough per ton	0	4
Pavement per ton	0	4
Kerb per ton	0	4
Paving and causeway stones per ton	0	2
Grindstones each	0	4
Millstones each	0	6
Gravestones each	1	0
Sugar of all kinds per ton	1	6
Tallow per cwt.	0	2
Tar per cwt.	0	1
Tiles roofing per ton	0	6
Tin per ton	1	6
Tow per cwt.	0	2
Turnips per ton	0	6
Turpentine per cwt.	0	1

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	s.	d.
Varnish per cwt.	0	1
Vegetables (not enumerated) per cwt.	0	2
Vitriol per cwt.	0	1
Wheels coach or cart per pair	0	3
Wine per 54 gallons	1	0
Wine bottled per dozen quarts	0	2
Wine bottled per dozen pints	0	1
Wood fir beech oak ash elm and other hard woods rough and round or in plank or sided per 50 cubic feet	1	0
Wool per cwt.	0	2
Yarn—		
Cotton lint and worsted per cwt.	0	2
Other kinds per cwt.	0	1
Zinc per ton	1	6

ALL OTHER GOODS NOT 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 including the packages to be taken and for any less weights measures and quantities than those above specified a proportion of the respective rates shall be charged and the minimum charge for a single packet shall be one penny.

Empty boxes casks and packages returned to the original shipper after importation or exportation with goods are exempted from dues.

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

(1) *Rates on Cranage.*

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

(2) *Weighing Machines.*

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

(3) *Shed Dues.*

	s.	d.
For each 40 cubic feet of goods or for each ton of goods which shall remain in any shed or on the pier for a longer time than 48 hours the sum of 8*d.* and the sum of 2*d.* for each 40 cubic feet or per ton for each 24 hours during which such goods shall remain after the first 48 hours.		
For any portmanteau trunk parcel or other article of passengers' luggage for each day or part of a day after the first 24 hours—per package	0	2

VI.—Water Money.

For every 25 gallons or part of 25 gallons of pure and wholesome drinking water supplied to any vessel	0	1½

Printed by Eyre and Spottiswoode,

for

Rowland Bailey, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
Wyman and Sons, Ltd., Fetter Lane, E.C.; or
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