CHAPTER cxvii.

An Act for confirming certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Brixham, Carrickfergus, Macduff, and Rosehearty. [19th July 1875.]

A.D. 1875.

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

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

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

Confirmation of Orders in schedule.

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

Short title.

2. This Act may be cited as the Pier and Harbour Orders Confirmation Act, 1875 (No. 3).

A.D. 1875.

THE SCHEDULE OF ORDERS.

1. Brixham.—Amendment of Local Acts.
2. Carrickfergus.—Construction of harbour works and amendment of former Orders.
3. Macduff.—Construction of harbour works and amendment of Local Act.
4. Rosehearty.—Construction of harbour works and amendment of former Order.

Brixham.

BRIXHAM.

Order for amending the Acts with respect to the Harbour of Brixham in the County of Devon, and for making further provision in regard to the said Harbour.

Order and Harbour Acts to be read together.

1. This Order and the Acts incorporated herewith shall be read along with the Act of the thirty-ninth year of George III., chapter 6, intituled "An "Act to enable the Lords of the Manor of Brixham, in the county of Devon, "to repair and enlarge or rebuild the Pier or Quay at Brixham Quay, within the "said manor; to improve the Harbour there, to regulate the mooring of Vessels "therein, and to establish a Market there" (which Act is in this Order called "the Act of 1799"): And also along with the Act of the first year of Her present Majesty, chapter 75, (local and personal,) intituled "An Act for im-"proving, enlarging, and maintaining the Pier, Harbour, and Market of Brixham, "in the county of Devon, and for the formation of a Breakwater in Torbay," (which last-mentioned Act is in this Order called "the Act of 1837,") and the Act of 1799, and the Act of 1837, and this Order and the incorporated Acts shall be read and construed together as one Act or Order.

Undertakers.

2. The Commissioners for the time being under the Act of 1837, or under that Act and this Order, (in this Order called the Commissioners,) shall be the Undertakers for the purposes of this Order, and shall exercise all the powers and be subject to all the provisions of the Act of 1799, the Act of 1837, and this Order.

Commissioners incorporated.

3. The Commissioners shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of but subject to the restrictions of this Order.

Transfer of property and liabilities to Corporation.

4. All conveyances made to, and all contracts entered into with, the Commissioners or any person on their behalf, before the passing of the Act confirming this Order, shall be deemed to have been made to or entered into with the Commissioners as incorporated by this Order, and shall have effect accordingly; and all property, choses in action, rights, and interests belonging to or recoverable by the Commissioners under the Act of 1799 and the Act of 1837 shall vest in and be recoverable by the Commissioners as incorporated by this

Order; and the Commissioners as incorporated by this Order shall be subject to and shall undertake and perform all the liabilities and obligations of the Commissioners under the Act of 1799 and the Act of 1837.

Harbours, Docks, &c. Act incorporated.

5. Notwithstanding anything contained in the Act of 1799 or the Act of 1837, the whole of the Harbours, Docks, and Piers Clauses Act, 1847, except sections 25 and 26, shall be incorporated with this Order; and so much of the Act of 1799 and of the Act of 1837 as is inconsistent with the Harbours, Docks, and Piers Clauses Act, 1847, shall be and is hereby repealed on and after the 1st day of September 1875, but without prejudice to and so as not to affect the securities or rights of any mortgagee or creditor of the Commissioners at the time of the passing of the Act confirming this Order.

Incorporation of Lands Clauses Acts.

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

Powers not to fail from informality, &c.

7. Any proceeding of the Commissioners shall not be invalidated or be illegal by reason of the non-appointment of or any informality in the appointment of a Commissioner, or by reason of the infancy or any other disability of any Commissioner.

Power to take lands by agreement.

8. The Commissioners may from time to time, by agreement, enter on, take, and use, or may take on lease, for the purposes of the Act of 1799, the Act of 1837, or this Order, any lands adjoining or adjacent to the harbour; provided that the Commissioners shall not purchase or lease any land, except under the authority of a resolution passed by a majority of not less than three fifths of the Commissioners present at a meeting specially convened for the purpose.

Power to lease wharfs, &c.

9. Notwithstanding anything contained in the Harbours, Docks, and Piers Clauses Act, 1847, and with the consent of the Board of Trade, the Commissioners may at any time and from time to time lease or grant the use of any wharf or yard, or any other land, not being a breakwater, for the construction or formation of dry docks, patent slips, shipbuilding yards, or other conveniences for the building or repairing of vessels, or for building lifeboat houses, boathouses, warehouses, or sheds, for such term of years, at such rent, and upon such terms and conditions as they think fit.

Schedules to Act of 1837 cancelled, and new rates substituted. Rates in schedule.

10. On and after the first day of September one thousand eight hundred and seventy-five, sections 64 and 65 of the Act of 1837, and also the schedules (B.) and (C.) to that Act, shall be and are hereby repealed; and, subject and according to the provisions of this Order, the Commissioners may, for the use of the harbour and works, demand and take, in respect of the vessels, persons, fish, animals, goods, and things described in the schedule to this Order, any sums not exceeding the several rates in such schedule specified: Provided that any rates or duties due to the Commissioners before the first day of September one thousand eight hundred and seventy-five may be recovered as the rates and duties contained in the schedule to this Order are recoverable.

Certain fishing vessels under stress of weather exempt from rates.

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

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Custom House officers exempt from rates.

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

Fish salesmen to be licensed.

13. Every person, not being a fisherman, or a licensed or registered owner of a fishing boat, selling fish, whether by auction or otherwise, in the town or harbour of Brixham, shall apply to the Commissioners annually, in such manner as they shall from time to time appoint, for a license, and shall pay for such license such sum, not exceeding ten shillings, as the Commissioners shall from time to time order; and such license shall remain in force for one year from the day to be therein mentioned, and shall be granted by the Commissioners without preference or favour to every person applying for the same, and not under this Order incapable of holding a license.

Declaration and returns to be made by fish salesmen.

14. Every person applying for a license under this Order to sell fish within the town or harbour of Brixham shall sign an undertaking in writing, in such form as the Commissioners shall require, to deliver weekly, on the day appointed for the purpose by the Commissioners, to the clerk to the fish market, or other person appointed by the Commissioners for the purpose, a true account in writing of the gross value of all fish sold by the licensee during the preceding week, and along with such account to pay and hand over to such clerk the amount of dues payable in respect of such sales under this Order.

Penalty for selling fish without license.

15. Any person, not being a fisherman, or a licensed or registered owner of a fishing boat, selling fish within the town or harbour of Brixham, whether by auction or otherwise, without license issued pursuant to this Order, shall be liable to a penalty not exceeding forty shillings for each offence, to be recovered in a summary manner before any two justices of the peace in petty sessions.

Penalty for not making returns.

16. Any person licensed under this Order who shall not make a true and correct return as required by this Order of the amounts received by such person for fish sold shall for the first offence be liable to a penalty not exceeding ten pounds or less than forty shillings, to be recovered in a summary manner before the justices in petty sessions assembled, and for a second offence shall be liable to a penalty not exceeding ten pounds, to be recovered in like manner, and also, at the discretion of such justices, to forfeiture of license, and to be declared incapable of obtaining another license for a period not exceeding two years from the date of the offence.

Fishermen selling their own fish to make return.

17. Every fisherman or licensed or registered owner of a fishing boat selling within the town or harbour of Brixham any fish caught by him or by his boat shall, within forty-eight hours from the sale thereof, make a true and correct return to the clerk to the fish market of the amount or value of the fish so sold, and shall pay to such clerk the amount of the dues payable in respect of such sale under this Order, and in case of neglect or omission so to do shall be liable for each offence to a penalty not exceeding five pounds, to be recovered in a summary manner before the justices in petty sessions assembled, in addition to the amount payable by him under this Order.

Fishermen only to sell their own fish unless licensed.

18. A fisherman or licensed or registered owner of a fishing boat shall not, unless duly licensed under this Order, be entitled to sell within the town or harbour of Brixham any fish not caught by him or by the boat of which he is the licensed or registered owner, and in respect of fish not so caught shall be

subject to the same license, regulations, and penalties as a person not being a fisherman or a licensed or registered owner of a fishing boat.

Power to borrow.

19. The Commissioners may from time to time borrow and re-borrow at interest, on mortgage of the rates authorised by this Order, any sum or sums of money which, with the sum of five thousand seven hundred and eighty pounds already borrowed and now due from the Commissioners, and secured on the existing harbour rates, shall not in the whole exceed together at one time the sum of twenty-five thousand pounds.

Existing mortgages to have priority.

20. All mortgages of rates or moneys paid or derived in respect of or from the harbour which have been granted by the Commissioners under the Act of 1799 or the Act of 1837, for securing money borrowed and remaining due at the time of the passing of the Act confirming this Order, shall operate and have effect as mortgages of the rates authorised by this Order, and shall have priority over all mortgages of such last-mentioned rates granted by the Commissioners for securing money borrowed after the passing of the Act confirming this Order.

Sinking fund under this Order.

21. The amount to be set apart annually as a sinking fund for the discharge of money borrowed under this Order shall not be less in each year than one per centum on the money borrowed under this Order, and shall be applied in paying off the principal money borrowed, as the Commissioners may think fit.

Application of money borrowed.

22. The Commissioners shall apply all money borrowed by them under this Order for the purposes and in the order following; that is to say,

(1.) In payment of the costs and expenses of and incident to the preparation and making of this Order:

(2.) In payment of the principal sum of five thousand seven hundred and eighty pounds now due from the Commissioners and secured on the existing harbour rates:

(3.) In paying the cost of constructing, enlarging, and repairing the breakwater and works authorised by the Act of 1837.

"Commissioners Clauses Act, 1847" (part of), &c. incorporated.

23. The clauses of the "Commissioners Clauses Consolidation Act, 1847," with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Order.

Sect. 59 of Act of 1837 repealed.

24. Section 59 of the Act of 1837, except so far as the same relates to the transfer of any mortgage remaining in force at the time of the passing of the Act confirming this Order, and except so far as the same relates to borrowing on the security only of the market tolls specified in Schedule D. to that Act, and to mortgages and transfers of mortgages on such market tolls, shall be and is hereby repealed.

Application of money borrowed.

25. Every part of the money borrowed under this Order shall be applied only for the purposes of the Act of 1799 and the Act of 1837 relating to the harbour and the purposes authorised by this Order.

Re-borrowing.

26. Any money borrowed under this Order, and discharged otherwise than by means of a sinking fund or by instalments, may be re-borrowed, if required, and so from time to time.

Receiver.

27. The mortgagees of the Commissioners may enforce the payment of arrears of interest, or of arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver; and the amount to authorise a requisition for a receiver is two thousand pounds.

'A.D. 1875.

'*Brixham.*

Application of rates.

28. Without prejudice to the rights of any creditor under a security made before the passing of the Act confirming this Order, section 75 of the Act of 1837, so far as the same relates to tolls, rates, and dues specified in Schedules (B.) and (C.) to that Act, shall be and the same section is hereby repealed; and the Commissioners shall apply all the rates received under this Order, and all other income coming to their hands from the harbour and works, or the lands or property connected therewith, 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 applying for, obtaining, and making of this Order:
2. In paying year by year the interest accruing on money borrowed under the Act of 1799, the Act of 1837, and this Order, having regard to priority of security as fixed under this Order:
3. In paying the cost of the maintenance, repair, management, and regulation of the harbour:
4. In payment of principal money borrowed, having regard to priority of security as fixed by this Order, or in creating a sinking fund for that purpose, in the proportion required by this Order:
5. In paying the cost of constructing, enlarging, repairing, and maintaining the breakwater and works authorised by the Act of 1837, and in the further general improvement of the harbour of Brixham.

Rates may be revised from time to time.

29. The Commissioners shall keep separate accounts of the rates received by them under this Order, and shall from time to time, if and when required by the Board of Trade, revise such rates, so that the total produce of the rates received by the Commissioners under this Order may always be, as far as practicable, sufficient, and not more than sufficient, to meet the payments and expenditure for harbour purposes directed or authorised by the Act of 1799, the Act of 1837, or this Order.

Commissioners to furnish accounts to Board of Trade.

30. The Commissioners shall, in the month of January in every year, furnish to the Board of Trade a statement or account, in such form as the Board of Trade from time to time direct, showing the income, expenditure, credits, and liabilities of the Commissioners in and for the year ending on the preceding thirty-first day of December, and the total amount of money borrowed and of capital expended by the Commissioners up to the expiration of that year, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to include every such statement or account. If the Commissioners refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Board of Trade to appoint auditor.

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

Commissioners may provide engines, lighters, &c.

32. The Commissioners may, for the purposes of works authorised by this Order or any other purposes of this Order, from time to time purchase, lease, hire, or otherwise provide such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, piling engines, dredging machines, ballast lighters, rubbish lighters, tools, plant, machinery, and things,

as they think fit, and may let the same for use, and may demand and receive for the use thereof such sums as they think reasonable.

Lights, buoys, and beacons.

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

Meters and weighers.

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

Confirmation of byelaws, and provision for management of harbour.

35. Byelaws made under this Order and the Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes.

As to lights during construction of works.

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

As to lights after completion of works.

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

Consent to works below high-water mark.

38. Notwithstanding anything contained in the Act of 1799 or the Act of 1837, all works which, after the passing of the Act confirming this Order, shall be executed by the Commissioners under their Acts or this Order below high-water mark shall be executed only after obtaining the like consent of the Board of Trade or any other authority, and subject to the like control by the Board of Trade or any other authority as if such works had been executed only under powers given by this Order, and the several Acts under which this Order is made, and not under powers given by the Act of 1799 or the Act of 1837.

Saving rights under "Crown Lands Act, 1866."

39. 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 or operations under the Harbour Act or this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the consent of the Board of Trade having been first obtained.

Costs of Order.

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

Short title.

41. This Order may be cited as "The Brixham Harbour Order, 1875."

A.D. 1875.

Brixham.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Ships.

	s.	*d.*
For the first time any vessel enters the harbour in any twelve months commencing on the first of September, per ton register - -	0	6
Each subsequent time within the twelve months, per ton register -	0	2
But no vessel to pay a greater sum during any twelve months than 1*s.* per ton register.		
For every vessel laid up unemployed within the harbour for any term exceeding one month, per ton register per month, after the first month, in addition to all other dues payable under this Schedule -	0	1
But no vessel to pay during any twelve months annually more than 10*l.*, and any vessel having repairs executed to the amount of 10*l.* to be exempt from this toll for three months after entering the harbour.		
For every yacht, boat, or open fishing boat, each time of entering the harbour:—		
Five tons burden and upwards - - - - -	3	4
Under five tons and exceeding two tons burden - -	2	0
Two tons burden and under - - - - -	1	0
But not more than three payments to be made within any twelve months.		
For every vessel laid up within the harbour, and employed as a store, per register ton per month, in addition to the yearly payment -	0	2
For every vessel putting into the harbour for orders or refuge only, each time per register ton - - - - -	0	3
For any other purpose, each time per registered ton - -	0	4
But no vessel to pay more than once on each voyage.		
For every vessel discharging or taking in ballast:—		
For discharging ballast, per ton of ballast discharged - -	0	4
For taking in ballast, per ton loaded - - -	0	4
But if discharging ballast for the purpose of being overhauled or repaired, provided a notice in writing to that effect be given to the harbour-master before the discharge commences, only to pay on discharging, and not on taking in the same or any less quantity.		

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

		s.	*d.*
Alum - - - - - - -	per cwt.	0	1
Anchors - - - - -	per ton	1	0
Apples - - - - - -	per bushel	0	0½
Ashes, of all sorts - - - -	per ton	1	0
Bales or packages - - - -	per ton measurement	1	6

		s.	d.
Barley	per quarter	0	2
Barrels (empty)	each	0	1
Barrel staves (double)	per 120	0	9
Ditto (single)	ditto	0	5
Basket rods	per score bundles	0	6
Baskets	per dozen	0	1
Battens	per 120, and so in proportion	1	6
Beans	per quarter	0	3
Beer, ale, or porter	per barrel	0	2
And so in proportion for a greater or a less quantity.			
Bones	per ton	1	0
Bottles	per gross	0	6
Bricks	per ton of 500	1	0
Brooms	per dozen	0	0½
Bullocks or oxen	per head	1	0
Calves	per head	0	4
Candles	per cwt.	0	1
Carriages	per wheel	1	6
Casks, packed	per ton measurement	1	6
Chain cables	per ton	1	0
Chairs	per chair	0	1
Cheese	per cwt.	0	1
Chests or trunks	each	0	6
Cider	per pipe	0	6
Ditto	per hogshead	0	3
Coals	per ton	1	0
Coopers' flags or rushes	per bundle	0	0½
Copper	per cwt.	0	1
Cork	per cwt.	0	3
Culm	per ton	0	6
Deals	per 120 of 12 feet, and in that proportion	3	0
Deal ends	ditto	1	6
Earthenware chimney tops	each	0	1
Earthenware and glass	per crate	1	0
Eggs	per 1,000	0	6
Feathers	per cwt.	2	6

Fish (other than cured fish) brought into the harbour, or to any place within the limits of the Acts or this Provisional Order, and sold, whether in the harbour market or elsewhere, the following tolls on the gross proceeds of the fish :—

Where the gross proceeds amount to—

20*s.* and upward	3*d.*	in the pound sterling on the gross value.
15*s.* and less than 20*s.*	the sum of	3*d.*
5*s.* and less than 15*s.*	„	2*d.*
Under 5*s.*	„	1*d.*

Fish (cured)	per ton	1	0

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		s.	d.
Flax	per cwt.	0	1½
Flour	per sack	0	3
Ditto	per barrel	0	2
Furniture, household, 40 feet to the ton, per measurement	per ton	1	6
Glass	per crate of 12 tables, and in that proportion	0	6
Glue	per cwt.	0	2
Groceries or other dry goods not herein-before mentioned	per cwt.	0	1
Handspikes	per 100	0	6
Hats, in case	per ton measurement	1	6
Hemp	per cwt.	0	1
Herrings	per barrel	0	2
Hides, raw	per ton	1	6
Ditto, cured	ditto	2	0
Hogsheads, empty		0	1½
Hoops	per bundle of two dozen	0	0½
Hops	per cwt.	0	6
Horses	per head	2	6
Iron metal	per ton	1	0
Iron ore	ditto	0	6
Jars (stone)	per doz.	0	3
Kitchen ranges	each	1	0
Lamb	for every	0	0½
Laths	per 1,000	0	1
Lathwood	per fathom	1	0
Lead	per ton	1	0
Leather	ditto	2	0
Lemons	per chest	0	4
Ditto	per box	0	2
Lime	per ton	0	4
Limestone, if exported from the outer harbour	ditto	0	2
Ditto, imported or exported from or into the inner harbour	ditto	0	4
Malt	per quarter	0	2
Marble (foreign)	per ton of 12 feet	1	0
Mules or asses	each	1	0
Nails	per cwt.	0	1
Nuts	per bushel	0	1
Oak timber for shipbuilding	per ton	0	6
Oakum	ditto	1	0
Oats	per quarter	0	1½
Oil	per ton	1	0
Ditto (salad)	in chests	0	6
Oranges	per chest	0	4
Ditto	per box	0	2
Ores and minerals (except iron ore)	per ton	1	0
Painters' colours	per cwt.	0	1
Paper	per bundle of 4 reams	0	1

		s.	d.
Pigs	per head	0	2
Pipes	empty	0	3
Pipe clay	per ton	0	4
Pipe staves (double)	per 120	1	0
Ditto (single)	ditto	0	8
Pitch or resin	per ton	1	0
Plaster of Paris	ditto	1	0
Potatoes	ditto	1	0
Rags	ditto	1	0
Salt	ditto	1	0
Sand	ditto	0	3
Ditto, if taken to ballast bank	ditto	0	4
Seeds	per bushel	0	1
Sheep	per head	0	1
Shot	per cwt.	0	1
Slates (rag), prepared	per 100 feet	0	4
Ditto, cut and prepared	per 1,000 tale	0	6
Ditto, common	ditto	0	3
Soap	per cwt.	0	1
Spirits and wine	per pipe, butt, or puncheon	2	0
Stone (Portland), 16 feet to the ton	per ton	1	0
Ditto (paving), Swanage or other	per 100 feet superficial	1	0
Sugar	per cwt.	0	1
Tallow	per ton	1	0
Tar	per barrel	0	2
Tea	per chest	0	6
Ditto	per half ditto	0	3
Ditto	per quarter ditto	0	2
Timber	per load	0	6
Tin	per cwt.	1	0
Tin plates	per box	0	1
Tobacco	per cwt.	1	0
Trawl beams	each	0	2
Trees (fruit)	ditto	0	2
Wheat and peas	per quarter	0	3
Wool	per pack	1	0

Stores bonâ fide for the use of any vessel lying in the harbour of Torbay to be exempt.

Goods transhipped or landed, and re-shipped by the same owner on board the same or any other vessel, to be liable to one rate only.

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

For 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 „ 3 „	0	8

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													s.	d.
Exceeding	3	tons	and not exceeding	4	tons	-	-	-	-	0	10
,,	4	,,	,,	5	,,	-	-	-	-	1	0
,,	5	,,	,,	6	,,	-	-	-	-	1	2
,,	6	,,	,,	7	,,	-	-	-	-	1	4
,,	7	,,	,,	8	,,	-	-	-	-	1	6
,,	8	,,	,,	9	,,	-	-	-	-	1	10
,,	9	,,	,,	10	,,	-	-	-	-	2	4
,,	10	,,	-	-	-	-	-	-	-	3	6

For Weighing.

For goods weighed, if exported or imported, for each ton or part of a ton	0	1
,, if neither imported or exported ,, ,,	0	2

For Sheds.

For each ton of goods 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of $1\frac{1}{2}d.$ per ton for each day during which such goods shall remain after first 48 hours.

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

IV.—Rates for supplying Water on Pier.

Water, per ton - - - - - - -	0	6

V.—Rates on Passengers Luggage.

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

VI.—Rates for use of Slips.

For every vessel using the slip, per registered ton per day, in addition to all other dues - - - - - - -	1	0

CARRICKFERGUS.

Order for the Amendment of the Carrickfergus Harbour Orders, 1862 *and* 1865.

Carrickfergus.

Short title.

1. This Order may be cited as "The Carrickfergus Harbour Order, 1875," and this Order and "The Carrickfergus Harbour Orders, 1862 and 1865," shall be read and construed together as one Order, and the three Orders may be cited together as "The Carrickfergus Harbour Orders, 1862, 1865, and 1875."

Repeal of certain sections of the Order of 1865.

2. From and after the day of the date of the passing of the Act confirming this Order, the seventh, ninth, and tenth sections of the Order of 1865 shall be and are hereby repealed.

Power to take lands by agreement.

3. For the purposes of the works authorised by this Order the Commissioners 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 proposed new piers and works and the conveniences connected therewith.

Lands for extraordinary purposes.

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

Power to construct works.

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

Description of works.

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

A new west pier, commencing at the southern end of the quay known as Wilson's Quay, extending in a direction nearly south by east along Wilson's Rue for a distance of five hundred and seventy feet, thence extending in a direction of south-south-east for a further distance of six hundred and twenty feet to a point near the Red Buoy, thence extending in a direction nearly due east for a further distance of one hundred and ninety feet, and terminating with a curved pier-head, the total length of the said pier being one thousand three hundred and eighty feet or thereabouts:

A new east pier, commencing at the south end of the present pier, forming a continuation of the same, extending in a southerly direction for a distance of four hundred and thirty feet, thence extending in a south-west by west direction for a further distance of one hundred and sixty feet, and terminating with a curved pier-head, the total length of the said pier being five hundred and ninety feet or thereabouts.

A.D. 1875.

Carrickfergus.

Power to levy rates.

7. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by the last preceding section of this Order have been given, the Commissioners may, subject and according to the provisions of this Order, for the use of the piers, harbour, and works, demand and receive in respect of vessels, boats, animals, fish, goods, and things described in the schedule to the Order of 1865 any sums not exceeding the several rates specified in the same schedule, but with this variation, that the rate by that schedule made payable on foreign wine shall be reduced to the rate by that schedule made payable on British wine, and thereupon section eleven of the Order of 1865 shall be repealed.

Commissioners may do certain things and exercise certain powers.

8. The Commissioners may do the following things and exercise the following powers; that is to say,

1. They may remove, either in whole or in part, the present wooden gangway and landing-stage on the east side of the harbour:
2. They may remove and rebuild further to the eastward a portion of the east quay wall of Wilson's Quay, so as to widen the said quay:
3. They may dredge, deepen, and excavate such portions of the sea-shore, beach, and bed of the sea as may be necessary:
4. They may divert the stream known as Killycrot, now discharging its waters on the beach near the north end of Wilson's Quay, alongside the new west pier:
5. They may remove the mooring buoys now situated on Wilson's Rue, on the site to be occupied by the new west pier:
6. They may construct all such sea-walls, roads, approaches, landing-places, and other works connected with the new piers for the convenient loading and unloading of vessels, and for embarking and landing of passengers, cattle, goods, and merchandise:
7. They may scour, dredge, and deepen all channels and approaches to the harbour:

Provided that no works below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained.

Power of borrowing.

9. The Commissioners may borrow on mortgage or bond, in addition to the sums which they are already authorised to borrow by the Order of 1865, such further sums of money, not exceeding ten thousand pounds, as may be required for the purposes of the works authorised by this Order.

Commissioners may provide dredges and engines.

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

Annual account to be sent to Board of Trade.

11. The Commissioners, within one month after sending to the clerk of the peace the copy of their annual account in abstract, shall send a copy of the same to the Board of Trade. If the Commissioners refuse or neglect to

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

As to lights during construction of works.

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

As to lights to be exhibited after completion.

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

As to completion of works.

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

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

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

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

Saving rights under "Crown Lands Act, 1866."

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

Costs of Order.

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

A.D. 1875.

Macduff.

MACDUFF.

Order for power to construct additional works, and levy rates and make regulations, in and with respect to the Harbour of Macduff, in the Parish of Gamrie and County of Banff.

Order to be read with Act of 1847.

1. This Order shall be construed with the Act of the tenth and eleventh years of Her present Majesty, chapter one hundred and twenty-seven (in this Order called the Act of 1847), and the Act of 1847 and this Order shall be read and construed together as one Order.

Undertakers.

2. The Right Honourable James Earl of Fife, K.T., his heirs and assigns, or other the persons or person from time to time entitled to the possession or to the receipt of the rents, rates, and profits of the port and harbour of Macduff, in the parish of Gamrie, in the county of Banff, shall be the Undertakers for carrying the Act of 1847 and this Order into execution, and shall have the powers by the Act of 1847 conferred on the trustees therein mentioned, or by this Order conferred on the Undertakers.

Power to construct works.

3. Subject to the provisions of this Order, and subject also to such alterations, if any, in the plan and sections deposited with reference to this Order as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands belonging to them, and in the lines and situation and according to the levels and within the limits of deviation shown on the deposited plan and sections, make and maintain the works authorised by this Order.

4. The works authorised by this Order comprise:

1. A pier or breakwater, commencing by a junction with the existing east pier at a point fifty-seven yards or thereabouts, measuring in a north-easterly direction, from the south-west end of that pier, and terminating by a junction with the existing north pier, at or near the south-west end of that pier:
2. An opening in the existing east pier, commencing at a point one hundred and twenty-four yards or thereabouts, measuring in a north-easterly direction, from the south-west end of that pier, and extending twelve yards or thereabouts in a north-easterly direction, in order to afford a communication between the existing east harbour and the harbour or basin to be formed by the construction of the intended pier or breakwater firstly above described:
3. The excavation of the harbour or basin to be formed by the construction of the pier or breakwater firstly above described:
4. An inner jetty, commencing at the east quay of the existing east harbour, at a point seventy-nine yards or thereabouts, measuring in a north-easterly direction, from the south-east corner of the jetty of the existing east harbour, thence proceeding in a north-westerly direction for a distance of thirty-two yards or thereabouts into the said existing east harbour, and there terminating:
5. An inner jetty, commencing at the southern side of the existing east pier at a point one hundred and nine yards or thereabouts, measuring in a north-easterly direction, from the south-western end of the said east pier, and extending into the existing east harbour three yards or thereabouts, and there terminating.

Power to maintain and improve harbour.

5. Subject to the provisions of this Order, the Undertakers may from time to time construct, maintain, alter, and improve the harbour, locks, gates, bridges, quays, piers, jetties, wharves, sewers, drains, roads, approaches, streets, and other works, machinery, and conveniences; and may lay down and construct rails, tramways, sidings, and turntables on and along the quays, piers, and other works of the harbour and lands connected therewith; and may alter, dredge, scour, deepen, widen, enlarge, improve, and maintain the entrances, channels, and waterways of the harbour.

Penalty for obstructing works.

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

Works to form part of harbour of Macduff.

7. Subject to the provisions of this Order, the works by this Order authorised, and all works executed or lands acquired by the Undertakers for the purposes of the harbour before the passing of the Act confirming this Order, shall, for all purposes of rates and charges, and for all other purposes whatsoever, be and form part of the harbour, as if the Undertakers had, by the Act of 1847, been authorised to make, maintain, and acquire the same.

New schedules of rates.

8. When and so soon as under this Order, and the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, the Undertakers shall become entitled to demand and receive rates in respect of the piers and works authorised by this Order, Schedule B. to the Act of 1847 and the power given by that Act to take the rates mentioned in that schedule shall be and are hereby repealed, and the Schedules A., C., and D. annexed to that Act shall be deemed to be and are hereby cancelled, and thereupon the Schedules A., B., and C. to this Order shall be deemed to be and are respectively hereby substituted in place of the Schedules A., C., and D. to the Act of 1847, and the Act of 1847 shall be construed accordingly: Provided that none of the rates specified in the schedules to this Order shall be demanded or received unless and until a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade have been given which are required under this Order, or are otherwise necessary, up to the date of such certificate, to the due construction of the works authorised by this Order, or of so much of such works as may for the time being have been executed.

Part of new rates may be authorised.

9. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by 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 and receive in substitution for any or all of the rates and duties authorised by the Act of 1847 such of the rates or such proportion of all or any of the rates specified in the schedules to this Order as shall by the officer certifying under this section be stated in his certificate to be commensurate to the increased accommodation afforded.

A.D. 1875.

Macduff.

Board of Trade may reduce rates.

10. If at any time, and from time to time, the clear annual income derived from the harbour on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing works authorised by the Act of 1847 and this Order, the Board of Trade may, if in their discretion they think fit, on application in writing from six or more of the owners of vessels or boats resorting to the harbour, and after hearing the Undertakers, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten 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 schedules to this Order.

Annual account to be sent to Board of Trade.

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

Certain fishing vessels under stress of weather exempt from rates.

12. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under the Act of 1847 and this Order.

Custom House officers exempt from rates.

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

Lifeboat crew exempt from tolls.

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

Life-saving apparatus may be attached to pier.

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

Application of money borrowed.

16. Money borrowed by the Undertakers after the passing of the Act confirming this Order shall be applied for the purposes authorised by the Act of 1847 or this Order, or in repayment of any money proved to the satisfaction of the Board of Trade to have been properly expended by the Undertakers on the

port and harbour, and for no other purpose; and a certificate of the Board of Trade as to the amount properly expended on the port and harbour shall be conclusive evidence of the same having been so expended.

Application of rates.

17. Without prejudice to the rights of any creditor under a security made before the passing of the Act confirming this Order, the Undertakers shall apply all the rates received under the Act of 1847, or this Order, for the purposes and in the order following and not otherwise; (that is to say,)

1. In paying the costs of and connected with the applying for, obtaining, and making of this Order:
2. In paying year by year the interest accruing on money borrowed under the Act of 1847 and this Order, having regard to priority of security as fixed by this Order:
3. In paying the cost of the maintenance, repair, management, and regulation of the harbour:
4. Any surplus shall belong to the Undertakers for their own use.

Meters and weighers.

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

As to lights during construction of works.

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

As to lights after completion of works.

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

Powers to cease in certain events.

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

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

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

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

A.D. 1875.

Macduff.

Saving of rights under "Crown Lands Act, 1866."

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

Costs of Order.

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

Short title.

24. This Order may be cited as "The Macduff Harbour Order, 1875."

SCHEDULES referred to in the foregoing Order.

I.—SCHEDULE A.

Rates on Vessels.

Tonnage Rates.

	£	s.	d.
For all vessels entering to load or unload, per register ton - -	0	0	4
For all vessels windbound or otherwise, and not loading or unloading, per register ton - - - -	0	0	2
For all vessels laid up to winter, for each month or part of a month, (vessels not going to sea within one month after arrival considered laid up,) per register ton - - - -	0	0	3
Vessels launched at the port to pay half dues only on first voyage if sailing in ballast.			

Boats.

Herring boats for the fishing season, payable 26th July, each -	1	5	0
,, windbound or otherwise - - - -	0	1	0
Other boats above two tons burden - - - -	0	0	6

Berthing.

All vessels under 30 tons burden, for each voyage - - -	0	1	0
,, of 30 tons burden and under 60 tons - -	0	1	6
,, of 60 tons ,, ,, 80 tons - -	0	2	0
,, of 80 tons ,, ,, 120 tons - -	0	2	6
,, of 120 tons burden and under 300 tons - -	0	3	6
,, of 300 tons burden and upwards - - -	0	5	0

Plankage.

All vessels requiring the use of planks, for each plank they receive belonging to the harbour - - - - -	0	0	6

Pier Head Light.

Vessels below 30 tons burden, each voyage - - -	0	1	0
,, 30 tons burden and below 50 tons	0	1	6
,, 50 tons ,, ,, 80 tons - - -	0	2	0
,, 80 tons ,, ,, 100 tons -	0	3	0
,, 100 tons burden and upwards - - - -	0	4	0

Water Money.

	£	s.	d.
Per register ton for all vessels - - - - -	0	0	0¼

Weights and Measures.

For every 10 tons of salt - - - - -	0	0	6
,, 10 tons of coals - - - - -	0	0	6
,, 100 quarters of grain - - - -	0	0	6
,, 100 bolls of lime - - - - -	0	1	0

No weights or measures to be used other than those furnished by harbour.

Exemptions.

Vessels which have sailed from the harbour and are put back by stress of weather, or from any other cause, without having accomplished their voyage, not liable in additional rates.

II.—SCHEDULE B.

Rates on Goods.

Description of Goods.	Quantity.	Rate.		
		£	s.	d.
Alabaster - - - - -	B.B.	0	0	3
Ale, strong, and beer - - - -	Hhd. 2 barrels bulk	0	0	6
Ditto, ditto in bottle - - -	B.B. of 4 dozen	0	0	3
Alkali, black - - - - -	Ton	0	2	0
Almonds - - - - -	B.B. of 1¼ cwt.	0	0	3
Alum - - - - - -	Ton	0	2	0
Ammonia water - - - -	Ton	0	1	0
Anchors - - - - - -	Ton	0	3	0
Animalized carbon for manure - - -	Ton	0	1	6
Anvils - - - - - -	Ton	0	1	6
Ardol - - - - -	Ton	0	2	0
Ashes, pot and pearl - - - -	Ton	0	2	0
Ditto of all kinds - - - -	Ton	0	2	0
Bacon or hams - - - - -	B.B. of 200 lbs.	0	0	3
Bagging - - - - -	B.B.	0	0	3
Ballast - - - - - -	Ton	0	0	3
Barilla - - - - -	Ton	0	1	6
Bark - - - - - -	Ton	0	2	0
Barley and all other groats - - -	B.B.	0	0	3
Barrels, empty herring - - - -	Each	0	0	1
Barrels, with fish - - - -	Each	0	0	3
Baskets under 12 inches diameter - -	Dozen	0	0	6
Ditto above ditto - - - -	Dozen	0	1	0
Beef - - - - - -	B.B. of 200 lbs.	0	0	3
Beer, spruce or black - - -	6 kegs of 4 gallons each	0	0	3
Bellows, household and smiths - - -	5 cubic feet	0	0	3

A.D. 1875.

Macduff.

Description of Goods.	Quantity.	Rate. £	s.	d.
Birds :—				
Partridges	Each	0	0	0½
Pheasants	Each	0	0	0½
Pigeons	Dozen	0	0	2
Quails	Dozen	0	0	4
Singing	Each	0	0	3
All not mentioned	Each	0	0	0½
Biscuit	Cwt.	0	0	2
Bleaching salts and powder	Ton	0	2	0
Blubber	B.B. of 27 gallons	0	0	3
Boats :—				
12 to 16 feet keel		0	3	0
16 to 20 feet keel		0	4	6
20 feet keel and above		0	5	0
Cobbles, viz., 12 to 16 feet long		0	2	6
16 to 20 feet long		0	3	0
All other boats and cobbles in proportion.				
Bone meal	Ton	0	1	6
Bones, ground	Quarter	0	0	4
Bones of cattle	Ton	0	1	6
All artificial manures not enumerated	Ton	0	2	0
Book and all stationery not otherwise enumerated	B.B.	0	0	3
Bottles, empty	Gross	0	0	4
Ditto, broken	Ton	0	0	6
Boxes, salmon, empty	Each	0	0	1
Bran	Boll of 80 lbs.	0	0	1
Brass	Ton	0	2	0
Bricks	1,000	0	1	0
Brimstone, rough	Ton	0	2	0
Ditto, in roll or flour	B.B.	0	0	3
Bristles	B.B.	0	0	3
Broom and brush handles, head and stocks	B.B.	0	0	3
Brooms, common	Dozen	0	0	3
Brushes	B.B.	0	0	3
Bulrushes	Per cwt.	0	0	4
Butter	Cwt.	0	0	1
Cakes, ground	Ton	0	2	6
Cakes of lint and rape seed	Ton	0	2	0
Candles	B.B.	0	0	3
Ditto, wicks	B.B.	0	0	3
Cane reeds	120	0	0	3
Carboys, vitriol, and acids	160 lbs. each	0	0	1½
Cards, tow and wool	B.B.	0	0	3
Carpet, rugs, and upholstery articles	B.B.	0	0	3
Carraway seeds	B.B.	0	0	3
Carriages of four wheels	Each	0	12	0
Ditto of two wheels	Each	0	7	6
Carrots	Ton	0	1	0
Casks, boxes, empty, excepting returned packages	B.B.	0	0	1
Cement	Ton	0	1	6

Description of Goods.	Quantity.	Rate. £	s.	d.
Chalk	Ton	0	0	9
Charcoal	Ton	0	3	0
Ditto blacking	B.B.	0	0	3
Cattle and live animals, viz. :—				
Asses and mules	Each	0	2	0
Bulls, cows, and oxen	Each	0	2	0
Calves	Each	0	1	0
Horses	Each	0	4	0
Ponies under 12 hands	Each	0	2	0
Sheep and lambs	Each	0	0	4
Swine and pigs	Each	0	0	4
Chairs :—				
Mahogany	B.B.	0	0	3
Sedan	B.B.	0	0	3
Others	B.B.	0	0	2
Cheese	Per cwt.	0	0	$1\frac{1}{2}$
Chesnuts	B.B.	0	0	3
Chimney tops, or cans, composition, 3 feet high	Each	0	0	1
Ditto ditto of clay, $2\frac{3}{4}$ feet high	Each	0	0	$0\frac{1}{2}$
Others in proportion.				
China	B.B.	0	0	3
Chocolate	B.B.	0	0	3
Cinders	Barrel of $2\frac{1}{2}$ bushels	0	0	$0\frac{1}{2}$
Cinnamon and cassia	B.B.	0	0	3
Clay, viz. :—				
China or stone-clay	Ton	0	0	4
Fire-clay	Ton	0	1	0
Loam ditto	Ton	0	1	0
Pipe-clay	Ton	0	0	4
Clocks, and in case	B.B.	0	0	3
Clothing, haberdashery, silk mercery, and all articles for clothiers and haberdashers	B.B.	0	0	3
Cloth not enumerated	B.B.	0	0	3
Clover seeds	Ton	0	2	0
Coals and coal dust for founders, &c.	Ton	0	0	8
Cocoa nuts	B.B.	0	0	3
Coffee	B.B. of 1 cwt.	0	0	3
Colours	Cwt.	0	0	2
Confections	B.B.	0	0	3
Copper	Ton	0	2	0
Do. utensils for distilleries and other purposes	Cwt.	0	0	3
Do. old	Ton	0	2	0
Do. ore	Ton	0	1	0
Copperas	Ton	0	1	6
Coral	Cwt.	0	1	0
Cordage, white and tarred	Ton	0	2	0
Corks	B.B.	0	0	3
Cork-wood	Ton	0	4	0

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Macduff.

Description of Goods.	Quantity.	Rate. £	s.	d.
Corn, viz. :—				
Barley, bere, or bigg	Quarter	0	0	2
Beans	Quarter	0	0	3
Flour	Sack	0	0	3
Indian corn	Quarter	0	0	2
Malt	Quarter	0	0	2
Meal	Ton	0	1	0
Oatmeal	Ton	0	1	8
Oats	Quarter	0	0	2
Peas :				
Grey	Quarter	0	0	3
White, split, or boilers	Ton	0	2	0
Rye	Quarter	0	0	3
Wheat	Quarter	0	0	3
Corn hooks or sickles	B.B. of 20 dozen	0	0	3
Cotton wool	Ton	0	2	6
Ditto manufactured	B.B.	0	0	3
Crystal	B.B. of 5 cubic feet	0	0	3
Currants	B.B.	0	0	3
Cyder	B.B. of 27 gallons	0	0	3
Drugs, medicines, and all articles for druggists not otherwise enumerated	B.B.	0	0	3
Dung and other manure not enumerated elsewhere	Ton	0	1	6
Eggs	B.B.	0	0	3
Elephants' teeth	Cwt.	0	0	8
Emery stones	Cwt.	0	0	2
Feathers	B.B. of 80 lbs.	0	0	3
Felt	B.B.	0	0	3
Figs	B.B.	0	0	3
Fish, viz. :—				
Cod, pickled	B.B.	0	0	3
Fresh, of all kinds	Per barrel or crane	0	0	3
Haddocks, dried or smoked	B.B.	0	0	3
Ditto pickled	B.B.	0	0	3
Salmon, iced	B.B.	0	0	3
Ditto pickled, in kits	B.B. of 6 kits	0	0	3
Ditto preserved	B.B.	0	0	3
White fish, salted	Ton	0	2	6
Flax	Ton	0	2	6
Codilla	Ton	0	1	6
Manufactured	B.B.	0	0	3
Flint stones	Ton	0	0	4
Flower roots	B.B.	0	0	3
Fruit of all kinds	Per bushel	0	0	2
Furniture, household	B.B.	0	0	3

Description of Goods.	Quantity.	Rate. £	s.	d.
Ginger	B.B.	0	0	3
Ginger-bread	B.B.	0	0	3
Glass of all descriptions	B.B.	0	0	3
Glue	B.B.	0	0	3
Grate, iron, &c.	Cwt.	0	0	3
Grease	Ton	0	2	0
Guano	Ton	0	2	0
Gum, senegal, and other kinds	B.B.	0	0	3
Gunpowder	100 lbs.	0	0	3
Gypsum	Ton	0	1	0
Hair of all kinds	Per ton	0	1	0
Hardware and all articles for hardware merchants not enumerated	B.B.	0	0	3
Hats	5 cubic feet to B.B.	0	0	3
Hay and straw	Ton	0	1	8
Hemp, rough	Ton	0	2	6
Herrings	Barrel	0	0	3
Hides of all kinds	Each	0	0	1
Honey	Cwt.	0	0	1½
Hoops of all kinds	Per bundle	0	0	6
Hops	Cwt.	0	0	4
Horns of all kinds	Ton	0	2	0
Horses. See Cattle.				
Husbandry implements, viz.:—				
Box cart	Each	0	2	6
Harrows	Pair	0	0	9
Plough	Each	0	0	9
Waggon with four wheels	Each	0	5	0
Wheelbarrows	Each	0	0	4
Other implements	B.B.	0	0	3
Ice	Ton	0	0	6
Indigo	B.B.	0	0	3
Ink	Gallon	0	0	0¼
Iron, viz.:—				
Bar and bolt, rod, plate, and sheet	Ton	0	2	0
Forged ironwork	Ton	0	2	0
Girdles, nails, and wire	Ton	0	2	0
Grates, stoves, and tinned work	Ton	0	3	0
Hoops	Ton	0	2	6
Old	Ton	0	1	0
Ore	Ton	0	1	0
Pig	Ton	0	1	0
Pots and other hollow cast ironwork	Ton	0	2	6
All other castings	Ton	0	2	6
Steam boilers and pieces	Ton	0	2	0
Ditto, whole	B.B.	0	0	3
Ivory	Ton	0	1	5
Junks or old ropes	Ton	0	1	0

Description of Goods.	Quantity.	Rate. £	s.	d.
Kelp	Ton	0	1	0
Kiln Pavement	30 superficial feet	0	0	3
Lamp black	B.B.	0	0	2
Lard	Cwt.	0	0	1½
Lead, viz.:—				
Ore	Ton	0	1	0
Red, white, and black	Ton	0	2	0
Sheet, pig, pipes, and shot	Ton	0	2	0
Sugar of	Cwt.	0	0	2
Leather of all kinds	B.B.	0	0	3
Lemons and oranges	B.B.	0	0	3
Lime	Boll of 5 bushels	0	0	1
Limes	B.B.	0	0	3
Linen yarn in bales or other packages	B.B.	0	0	3
Linen yarn in bulk or loose bundles	Ton	0	3	0
Linseed in casks or bags	B.B.	0	0	3
Liquids in casks not otherwise enumerated	B.B. of 27 gallons	0	0	3
Liquorice root	B.B.	0	0	3
Machinery	B.B.	0	0	3
Madder, ground	Ton	0	2	6
Ditto, root	Ton	0	5	0
Manganese	Ton	0	2	0
Matts	100	0	1	0
Medals	£1 value	0	0	1
Mill waste, all kinds	Ton	0	1	6
Molasses	Ton	0	1	6
Moss, rock	Ton	0	2	0
Musical instruments	5 cubic feet per B.B.	0	0	3
Mustard	B.B.	0	0	3
Nutgalls	B.B.	0	0	3
Nutmegs	B.B.	0	0	3
Nuts	B.B.	0	0	3
Oakum	Cwt.	0	0	2
Ochre	Ton	0	2	0
Oil of all kinds	B.B. of 27 gallons	0	0	3
Ditto cakes	Ton	0	3	0
Ditto, rape	Ton	0	4	0
Onions	Bushel	0	0	2
Orchella weed	Cwt.	0	0	3
Oysters and other shell fish	B.B.	0	0	3
Pack thread and twine	B.B.	0	0	3
Paper of all kinds	B.B.	0	0	3
Paretis, refuse of	Ton	0	1	0
Passengers entering or leaving harbour, baggage of	B.B.	0	0	3
Paste or mill boards	B.B.	0	0	3

Description of Goods.	Quantity.	Rate. £	s.	d.
Pavement, all descriptions of	Per £100 value	2	10	0
Peats	Load of 800	0	0	4
Perfumery	B.B.	0	0	4
Perry	B.B. of 27 gallons	0	0	3
Pewter	Ton	0	2	0
Pictures	B.B.	0	0	3
Pipes, tobacco	B.B.	0	0	3
Pitch	Barrel	0	0	2
Plants of trees and shrubs	B.B.	0	0	3
Plaster of Paris	Ton	0	2	0
Pork	B.B. of 200 lbs.	0	0	3
Porter	Hogshead	0	0	6
Ditto in bottles	B.B. 4 dozen	0	0	3
Potatoes	Ton	0	1	6
Poultry of all kinds	Each	0	0	1
Preserved provisions	B.B.	0	0	3
Prunellas	B.B.	0	0	3
Pumice stone	Cwt.	0	0	3
Quills, dressed and undressed	B.B.	0	0	3
Rags, linen	Ton	0	1	6
Ditto, woollen	Ton	0	1	0
Raisins	B.B.	0	0	3
Rice	Ton	0	2	0
Ropes in packages	B.B.	0	0	3
Ditto in coil	Ton	0	2	6
Rosin	Ton	0	1	6
Rye, grass seeds	8 bushels	0	0	3
Saddlery of all kinds	B.B.	0	0	3
Sago	B.B.	0	0	3
Sail cloths, in bolts	5 bolts	0	0	3
Ditto in packages	B.B.	0	0	3
Salt, rock and white	Ton	0	1	0
„ refined, in packages	B.B.	0	0	3
Saltpetre	Ton	0	2	6
Salts, Glauber and Epsom	Cwt.	0	0	1½
Sand for founders	Ton	0	0	4
Screws of hides	Ton	0	2	0
Scythes	Dozen	0	0	0½
Seeds of all sorts	B.B.	0	0	3
Shakes of casks, pipe or puncheon	Each	0	0	2
Sheffield and Birmingham ware	B.B.	0	0	3
Shoes of all kinds	Per dozen pairs	0	0	6
Skins not otherwise enumerated	B.B.	0	0	3
Slates of all kinds	Per 1,200	0	2	0
Slate pencils and slates	B.B.	0	0	3
Smalts	Cwt.	0	0	1½
Snuff	B.B.	0	0	3
Soap, hard and soft	Ton	0	2	0

Description of Goods.	Quantity.	Rate. £	s.	d.
Soaper's salts and muriatic residuum - -	Ton	0	1	6
Soda - - - - - -	Ton	0	2	0
Soda and seltzer water - - - -	B.B.	0	0	3
Spades and shovels - - - -	Dozen	0	0	1
Spanish or Italian juice - - - -	B.B.	0	0	3
Spermaceti - - - - -	Ton	0	2	6
Spirits - - - - - -	B.B.	0	0	3
Starch - - - - -	B.B.	0	0	3
Steel - - - - - -	Ton	0	3	0
Stones, viz. :—				
Freestone or granite for building purposes	Ton	0	0	6
Polished granite - - - -	Ton	0	3	0
Other stones not enumerated - -	Per £100 value	2	10	0
Stone ware - - - - -	B.B.	0	0	3
Stucco - - - - - -	Ton	0	1	6
Sugar of all kinds - - - -	Ton	0	3	0
Tallow - - - - -	Ton	0	2	0
Tanners' waste - - - -	Ton	0	0	6
Tar - - - - -	Barrel	0	0	2
Tares - - - - - -	Quarter	0	0	3
Teas, and all articles for grocers not otherwise enumerated - - -	B.B.	0	0	3
Teazles - - - - -	B.B.	0	0	3
Tiles - - - - - -	1,000	0	1	0
Tin - - - - - -	Ton	0	2	0
Tobacco - - - - -	Cwt.	0	0	1½
Tongues, smoked - - - -	Per dozen	0	0	1
Ditto, pickled - - - -	Cwt.	0	0	4
Tow of all kinds - - - -	Ton	0	1	6
Toys - - - - -	B.B.	0	0	3
Turnery - - - - -	£1 value	0	0	1
Turnips - - - - -	Ton	0	1	0
Varnish of all kinds - - - -	B.B.	0	0	3
Vases, or sculptured marble - - -	B.B.	0	0	6
Veneers of all kinds - - - -	B.B.	0	0	3
Verdigris - - - - -	Cwt.	0	0	1
Vermillion - - - - -	Cwt.	0	0	6
Vinegar - - - - -	B.B. of 27 gallons	0	0	3
Walnuts - - - - -	B.B.	0	0	3
Whalebone or whale fins - - -	Ton	0	2	0
Wheels, coach or cart - - - -	Pair	0	0	8
Whitening - - - - -	Ton	0	0	9
Wine in casks - - - - -	B.B. of 27 gallons	0	0	3
Ditto in bottles - - - -	4 dozen per B.B.	0	0	3
Wood of all kinds, home and foreign - -	Per £100 value	3	0	0
Wood - - - - - -	Ton	0	2	0
Wool, sheep's - - - - -	Ton	0	2	6
Ditto, manufactured - - -	B.B.	0	0	3

Description of Goods.	Quantity.	Rate. £	s.	d.
Yeast - - - - - -	B.B.	0	0	3
Zinc - - - - -	Ton	0	2	0
All goods not enumerated in the foregoing Schedule - - - - -	B.B.	0	0	4

Small packages, though under 56 lbs., shall be reckoned one fourth of a barrel bulk.

The barrel bulk of all articles not otherwise rated to be five cubic feet, excepting when the said measure shall exceed two and a half hundredweight, in which case two and a half hundredweight is to be rated a barrel bulk.

Shore dues at the above rates to be paid on all goods loaded or unloaded or otherwise arriving or leaving the port or district as herein described, viz. :—The harbour or any part of the coast eastward from the Palmer Cove to the east extremity of the estate of Melrose.

Exemptions from the above Rates.

1. All returned empty boxes, casks, barrels, sacks, bags, and packages are exempted from rates.

2. All goods landed from any vessel and re-shipped in the same 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 one rate.

3. All goods landed from one vessel and re-shipped in the original packages by another vessel shall upon re-shipment pay one half of the rate paid upon landing.

4. Passengers luggage not exceeding two barrel bulk, all above to pay the ordinary rates.

5. Any goods which have paid shore dues when loaded and shall from any accident or otherwise be unloaded, shall not be chargeable with a second rate on being re-loaded.

6. The furniture and luggage of fishermen coming to or returning from the herring fishery at Macduff at the commencement or end of the season.

7. Stones, timber, or other materials for the use of the piers.

III.—SCHEDULE C.

Pilot Dues.	£	s.	d.
For every vessel entering the harbour, per registered ton - -	0	0	2
For every vessel leaving the harbour, per registered ton - -	0	0	2
For each tide of four hours work within the harbour, for each man	0	2	0
For laying out kedge and warp to assist vessels to sea - -	0	7	6
For each man employed in hauling a warp on board a vessel hanging to a kedge - - - - - -	0	1	6

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ROSEHEARTY.

Rosehearty.

Order for amending the Rosehearty Harbour Order, 1863.

Order of 1863 and this Order to be construed as one.

1. This Order and the Rosehearty Harbour Order, 1863, confirmed by "The Pier and Harbour Orders Confirmation Act, 1863," (in this Order called "the Order of 1863,") so far as not by this Order repealed, shall be read and construed together as one Order.

Interpretation of terms.

2. In this Order the following expressions shall have the following meanings respectively; that is to say,

"Feuar" means a person who shall for the time being have resided in the burgh for a period of not less than twelve calendar months prior to the first day of September in any year, and who holds in his own right a feu of land within the burgh of the annual value of not less than seven pounds:

"Leaseholder" means a person who shall for the time being have resided in the burgh for a period of not less than twelve calendar months prior to the same date, and who holds in his own right a building lease for ninety-nine years of land situated in the burgh of the annual value of not less than seven pounds granted by the heirs of entail in possession, and feudally invested in the lands and barony of Pitsligo with the burgh or barony of Rosehearty under the Act 10 Geo. 3, cap. 51, entitled "An Act to encourage the improvement of lands, tenements, and hereditaments in that part of Great Britain called Scotland, held under settlement of strict entail," and under the Act 31 & 32 Vict. cap. 84, entitled "An Act to amend in several particulars the law of entail in Scotland":

"Elected commissioner" means the person elected as commissioner under the provisions of this Order:

"Commissioners" means, until the last Tuesday in October one thousand eight hundred and seventy-five, the existing Commissioners under the Order of 1863; and on and from the day last-mentioned means the Commissioners chosen and elected under the provisions of the Order of 1863 and this Order:

"Burgh" means the borough of Rosehearty.

Order how to be carried into effect.

3. This Order shall be carried into effect by the Commissioners.

Addition of elected Commissioners.

4. On and from the last Tuesday in October one thousand eight hundred and seventy-five the body of Commissioners shall include three persons to be elected by the feuars and leaseholders in manner by this Order provided, and such three persons shall be and act as Commissioners in the same manner as if they had been included in the Commissioners incorporated by the Order of 1863.

Qualification of elected Commissioners.

5. The three persons to be elected Commissioners shall themselves be feuars or leaseholders registered on the list of electors to be made as provided by this Order, and the first election shall take place on the second Tuesday in October one thousand eight hundred and seventy-five, and a similar election shall take place on the second Tuesday in every subsequent year; and the three persons elected on the second Tuesday in October in any year shall come into office on the last Tuesday in the same month, and shall go out of office on the last Tuesday

of October in the following year; and any person about to go out of office may, unless disqualified, be re-elected.

Qualification of electors.

6. Every feuar or leaseholder shall be qualified to be an elected Commissioner and to vote at an election of Commissioners, and shall be entitled to be registered as an elector.

List of electors to be made up.

7. On or before the first day of September one thousand eight hundred and seventy-five, and on or before the same day in each succeeding year, the Commissioners shall cause to be made up a list of the electors; and the clerk of the Commissioners shall, on or before such day in each year, certify the list; and the list shall be kept in the Rosehearty Harbour office, and shall be open to the inspection of any person interested, free of expense; and the clerk shall also affix a copy thereof at or near the Rosehearty Harbour office, or some place equally accessible to the public within the burgh, and shall deliver a copy of the list to any person who may apply for the same, on payment of a sum of one shilling for each copy, and any person considering himself qualified to be an elected Commissioner, or an elector whose name is not inserted on the list, may, on or before the fifteenth day of September in such year, apply to the Commissioners, who shall thereupon, if the qualification be proved, cause the name of the applicant to be added to the list; and the list, with any additions so made, shall be the register of electors for the year to which it is applicable.

Objections to insertion in lists.

8. Any person named in the list to be made up by the Commissioners, as provided by this Order, in any year may, by notice in writing signed by him, and given, on or before the fifteenth day of September in any year, to the Commissioners and to the person objected to, and stating shortly the grounds of objection, object to the name of any other person being inserted in the list as not being qualified; and the Commissioners shall, on or before the twenty-second day of September following receipt of the notice, proceed to consider such objection, at a meeting of which not less than twenty-four hours notice in writing by the clerk shall be given to the objector and also to the person objected to; and in case the person objected to shall not prove to the satisfaction of the Commissioners his qualification to be named in the list, the Commissioners shall remove his name from the list; and in case the person objected to shall prove his qualification the Commissioners may direct the objector to pay any sum not exceeding forty shillings costs, and the same shall be paid accordingly in manner directed by the Commissioners.

Amended list to be made up

9. The Commissioners shall cause a list to be made of the names (if any) added to and of the names (if any) removed from the list; and the clerk shall, on or before the first day of October in each year, revise the entire list of electors accordingly, and affix a copy of such revised list at or near the Rosehearty Harbour office, or some place equally accessible to the public within the burgh.

Rules for electing Commissioners.

10. The following rules shall be observed with respect to the election of Commissioners:

First. The chairman of the Commissioners for the time being, or some person appointed by writing under his hand, shall be the returning officer.

Second. The returning officer shall at least six days before the day of the election give public notice by advertisement in one newspaper pub-

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lished or circulated in the burgh, or by posters affixed to some conspicuous places in the burgh, of the day, hour, and place for polling.

Third. Not less than four days before the day of election, any two electors may nominate as a candidate any person qualified, as by this Order provided, by sending to the returning officer, or delivering at his office or place appointed by him, a nomination paper, subscribed by them, and stating the Christian name and surname, with the place of abode and designation, of each subscriber and of the candidate nominated; and the returning officer, on receipt of the nomination paper, shall forthwith send notice of his nomination to the person nominated.

Fourth. No nomination paper shall be received after four o'clock in the afternoon of the fifth day before the day of election, and no person shall be a candidate unless he has been nominated within the time and in the manner aforesaid. The returning officer shall have power to decide whether any nomination is valid, and his decision shall be final.

Fifth. Three days before the day of election the returning officer shall give public notice, by advertisement in a newspaper circulated within the burgh, or by posters affixed at some conspicuous places in the burgh, of the names, designations, and places of abode of the several candidates nominated and not withdrawn.

Sixth. If the number of candidates nominated and not withdrawn shall be equal to or less than the number of Commissioners to be elected, the returning officer shall within two clear days after the last day for nomination publish and return in like manner as after a poll the names of the candidates as nominated, together with a notice that there will be no poll; and that on the day of election the candidates nominated will be held to be duly elected Commissioners.

Seventh. If the full number of candidates has not been nominated, the returning officer shall report to the Commissioners how many vacancies remain unfilled.

Eighth. If, three clear days before the day fixed for the day of election, the number of candidates nominated and not withdrawn shall exceed the number of Commissioners to be elected, the returning officer, or such person or persons as shall be appointed by him for the purpose, shall, on the day of election, proceed to take and collect by ballot the votes of the electors in like manner as a poll at a contested school board election is directed by the "Education (Scotland) Act, 1872," to be taken, or as nearly in accordance therewith as the circumstances permit; and subject to these rules and directions, the provisions of that Act, mutatis mutandis, shall apply to the election.

Ninth. In case of a poll within three clear days after the day of election, the returning officer shall, by advertisement in one newspaper published or circulated within the burgh, or by posters affixed to conspicuous places within the burgh, publish a list of the three persons elected Commissioners by a majority of votes upon the poll; and shall make a return of the names of such persons to the Commissioners.

Penalty on personation of elector.

11. Any person who shall wilfully personate any elector at any election of Commissioners, or falsely assume to act in the name or on behalf of any elector,

or who shall vote without being duly qualified, shall for every such offence be liable to a penalty not exceeding twenty pounds and not less than five pounds.

Vacancy or informalities not to invalidate proceedings.

12. Any act or proceeding of the Commissioners shall not be invalidated or be illegal by reason of any vacancy in the number of Commissioners or by reason of the non-appointment or non-election or of any informality in the appointment or election or any disqualification of any Commissioner.

Meetings of the Commissioners on last Tuesday of each October.

13. The Commissioners shall hold a general meeting on the last Tuesday of the month of October one thousand eight hundred and seventy-five and on the last Tuesday in the month of October in each succeeding year, and on such other days as they may deem fit.

Provision in case of invalid or no election.

14. If the election under this Order of any person as Commissioner shall be invalid, or if the full number of Commissioners to be elected shall not be nominated, or if any elected Commissioner shall die, resign, or decline or refuse or become disqualified or incompetent to act, or cease to be an elected Commissioner from any other cause than that of going out of office in the manner provided by this Order, the Commissioners shall elect a person duly qualified to fill the vacancy thereby arising, and the person so elected shall be an elected Commissioner under this Order during the current year.

Incorporation of portion of Lands Clauses Act, &c.

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

Power to take specified lands by agreement.

16. For the purposes of this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Power to make works.

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

Description of works.

18. The works authorised by this Order comprise the following:

(1.) An extension of the pier called the Port-Rae Pier, commencing at its present east or seaward extremity, and extending in a north and north-easterly direction, and terminating on the sea beach about sixty-seven lineal yards south of the beacon near the Damar Rock.

(2.) An extension of the east pier of the harbour of Rosehearty, commencing at a point thereon about forty lineal yards from the light post on north end of said pier, and terminating on the north wall of the Port-Rae Pier at a point thereon about one hundred lineal yards east of the east end of the building occupied by George Milne Gordon as a curing shed.

(3.) A quay wall commencing at the shore end of the east pier of the said harbour of Rosehearty, and terminating at a point on the Port-Rae

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pier about fifty-four lineal yards from the said curing shed occupied by Mr. Gordon.

(4.) To deepen the access or channel leading to the present Port-Rae Pier to low-water level, commencing said deepening at the seaward extremity of said pier, and terminating at or near the Damar Rock.

(5.) To extend the present harbour eastward by deepening and excavating the space between the east pier of the said harbour and the north face of Port-Rae Pier.

Further powers as to works.

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

Assent of Board of Trade to works.

20. No works under this Order or the Order of 1863 below high-water mark shall be commenced without the assent of the Board of Trade having been first obtained.

Powers to deviate.

21. The Commissioners may deviate laterally from the lines of the works by this Order authorised to the extent marked on the deposited plans for the purposes of this Order, and may deviate vertically from the levels defined on the sections deposited for the purposes of this Order to any extent not exceeding six feet.

Lands for extraordinary purposes.

22. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Part of new rates may be authorised.

23. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers and goods by 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 and receive in substitution for any or all of the rates and duties authorised by the Order of 1863 such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall by the Board of Trade be certified to be commensurate to the increased accommodation afforded.

Power to take substituted rates in schedule.

24. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given, and when, having regard to the 25th section of the Harbours, Docks, and Piers Clauses Act, 1847, the Commissioners shall be entitled to take rates in respect of the works authorised by this Order, the schedule to the Order of 1863 shall be deemed to be and is hereby cancelled, and the schedule to this Order shall be deemed

to be and is hereby substituted in the place of the schedule to the Order of 1863, and the Order of 1863 and this Order shall be construed accordingly.

Certain fishing vessels under stress of weather exempt from rates.

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

Power to borrow.

26. The Commissioners may borrow on mortgage or bond at interest such sums of money, in addition to the sum of three thousand pounds authorised to be borrowed by the Order of 1863 (of which sum there remains due at present two thousand and thirty-three pounds six shillings and eightpence), as may be required for the purposes of the works authorised by this Order, not exceeding in the whole the sum of fifteen thousand pounds.

Existing securities to have priority.

27. Every security made for money borrowed by the Commissioners under the Order of 1863, before the passing of the Act confirming this Order, shall have priority over every security made for money borrowed under this Order.

Sections of Harbours, Docks, and Piers Act not incorporated.

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

Commissioners to furnish accounts to Board of Trade.

29. The Commissioners shall in the month of January in every year furnish to the Board of Trade a statement or account, in such form as the Board of Trade from time to time direct, showing the income, expenditure, credits, and liabilities of the Commissioners in and for the then last preceding year, and the total amount of capital expended by the Commissioners up to the expiration of that year; and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such statement or account. If the company refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Board of Trade may revise rates.

30. The Commissioners shall from time to time, if required by the Board of Trade, revise the rates authorised to be levied by the Commissioners, so that the income of the Commissioners may always be as far as practicable sufficient and not more than sufficient to meet their proper expenditure.

Saving rights under Crown Lands Act, 1866.

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

Costs of Order.

32. All costs of and incidental to the preparation and making of this Order shall be paid by the Commissioners.

Short title.

33. This Order may be cited as "The Rosehearty Harbour Order, 1875."

A.D. 1875.

Rosehearty.

SCHEDULE.

I.—Tonnage Rates on Vessels entering or using the Harbour.

	s.	*d.*
For every vessel whatever entering the harbour to load or unload, per registered ton - - - - - - -	0	4
For every vessel, windbound or otherwise, entering the harbour, not loading or unloading, per registered ton - - - -	0	2

II.—Rates for Boats, exclusive of their Cargoes, entering or using the Harbour.

Every boat using the harbour engaged in the herring fishing, as a composition in full of tonnage duty for the period of the fishing season, payable in advance - - - - -	25	0
Every boat loading or discharging herrings in the harbour, and not paying the aforesaid composition, shall, on each occasion of entering the harbour, pay each - - - - - -	2	6
And when windbound in the harbour - - - -	1	3
Other boats loading or discharging in the harbour - - -	2	6
Other boats windbound in the harbour - - - -	1	6
Other boats, when above 15 tons register, to be charged according to tonnage dues for vessels as above.		
Each white and winter fishing boat using the harbour for any kind of fishing in respect of season commencing 1st October, and payable in advance :—		
If manned by not less than five hands - - - -	10	0
If manned by less than five hands - - - - -	5	0

III.—Rates on Articles of Import and Export by Vessels or Boats.

Ale and porter, per hogshead - - - - -	1	0
Ditto bottled, per barrel bulk - - - - -	0	6
Ballast 6*d.*, ditto at ship's side 10*d.* per ton.		
Bark or cutch, per ton - - - - - -	2	6
Barrels, empty, each - - - - - - -	0	1
Beef or pork, per ton - - - - - -	3	0
Ditto, per barrel - - - - - - -	0	4
Blubber, per tun 252 gals. - - - - - -	3	0
Bone dust, per ton - - - - - - -	1	0
Bones of cattle, per ton - - - - - -	0	9
Bottles, per gross - - - - - - -	0	4
Bricks, per 1,000 - - - - - - -	0	10
Butter, per ton - - - - - - -	3	0
Casks, empty, not being returned packages, per puncheon - -	0	4
Other casks, not enumerated, in proportion.		

	s.	d.
Cattle, viz.:—		
Bulls, each	2	6
Cows and oxen, each	2	0
Calves, each	0	6
Horses, each	1	0
Pigs, each	0	3
Sheep, per score	1	0
Lambs, per score	0	6
Chalk, per ton	1	0
Cheese, per ton	2	6
Chimney cans, per 100	2	0
Clay, fire, manufactured, per ton	1	0
Clay, common, per ton	0	4
Cloth, haberdashery, &c., per barrel bulk	1	0
Coaches, viz.:—		
Chaises and other four-wheeled carriages, each	2	6
Gigs, carts, and other two-wheeled carriages, each	2	0
Coals and culm, per ton	0	6
Copper, per ton	1	4
Corks, per barrel bulk	0	4
Corn, viz.:—		
Wheat and malt, per quarter	0	5
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn, per quarter	0	4
Crystal, per barrel bulk	0	4
Dissolved bones and other artificial manures, per ton	1	0
Drugs, per barrel bulk	0	6
Earthenware, per crate	1	0
Eggs, per barrel bulk	0	2
Fish, dried and salted, per ton	2	6
Fish, fresh—Haddocks, cod, ling, and all fish not enumerated, per barrel bulk of 2½ cwt.	0	6
Flax and hemp, per ton	2	8
Flour, per sack	0	6
Ditto, per barrel	0	4
Glass, per barrel bulk	0	3
Groceries, viz.:—		
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	3
Guano, per ton	1	6
Gunpowder, per barrel	0	3
Hardware, per barrel bulk	0	3
Hay, per ton	1	0
Herrings, fresh, per cran	0	4
Herrings brought here for shipment which have been landed fresh at any other place and have not been charged dues at this harbour, per barrel	0	4

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	s.	d.
Hides, viz.:—		
Ox, cow, or horse, salted or dried, per ton	1	4
Calf skins, per 120	0	10
Sheep skins, per 120	0	10
Lamb skins, per 120	0	5
Hoops of wood, per 1,000	0	10
Ditto, iron, per ton	0	10
Household furniture, per barrel bulk	0	1
Ditto belonging to parties changing their residence only, per 10 barrels bulk	0	6
Husbandry utensils, per ton	1	4
Ditto, per barrel bulk	0	2
Iron, viz.:—		
Bar, bolt, and rod, per ton	1	4
Pig or old, per ton	0	8
Kelp, per ton	1	4
Lead, all kinds, per ton	1	4
Leather, tanned and dressed, per ton	1	6
Lime, per chaldron of 16 bolls	1	4
Limestone, per chaldron of 16 bolls	0	3
Loam or moulding sand, per chaldron of 16 bolls	0	3
Machinery, per chaldron of 16 bolls	1	3
Mussels, per chaldron of 16 bolls	0	6
Machinery, per barrel bulk	0	3
Manure, street, per ton	0	4
Meal, per bag of 280 lbs.	0	4
Oils, per ton	1	0
Ores, viz.:—		
Copper, iron, lead, and other ores, per ton	0	8
Passengers luggage, not exceeding 4 barrels bulk, free; all above 4 barrels bulk, per barrel bulk	0	3
Peat, per ton	0	3
Potatoes, per ton	0	6
Rags of all kinds and old ropes, per ton	0	10
Rape and oilcake, per ton	0	8
Salmon, per cwt.	1	0
Salt, in bulk, per ton	0	9
Salt in barrel, per barrel	0	1½
Seeds of all kinds, not enumerated, per ton	1	4
Skins, seal, per 120	0	8
Slates, under size, per 1,000	0	6
Slates, sizeable, per 1,000	0	10
Slates, over size, per 1,000	1	4
Spirits, per hogshead of 56 gallons	0	8
Stones, viz.:—		
Rubble, per ton of 16 cubic feet	0	2
Hewn ashlar freestone, per ton of 16 cubic feet	0	4

	s.	d.
Stones—*cont.*		
Rough ashlar freestone, per ton of 16 cubic feet	0	4
Pavement, not exceeding 3 inches thick, per ton of 70 feet	0	4
Pavement above 3 inches thick, per ton of 16 feet	0	4
Scythe stones, per score	0	1
Mill stones, each	0	6
Gravestones, each	0	6
Grindstones, each	0	4
Steel, per ton	1	4
Sugar, per ton	1	4
Tallow, per ton	1	4
Tar, pitch, or resin, per barrel	0	2
Tea, per chest	0	3
Tiles, roofing, per 1,000	1	0
Tiles or pipes for draining, per 1,000	1	0
Tin of all kinds, per ton	1	8
Tobacco, per ton	5	0
Treenails, under 2 feet in length, per 1,000	1	0
Treenails, exceeding 2 feet in length, per 1,000	2	0
Turnips, per ton	0	8
Turpentine, per hogshead	1	6
Vegetables, per cartload	0	4
Vinegar, per hogshead	1	0
Vitriol, per carboy	0	2
Whalebone, per ton	5	0
Wine, per hogshead	1	0
Wine, bottled, per barrel bulk	0	4
Wood of all kinds, per 1*l.* value	0	4
Wool, per cwt.	0	2
Yarn, per ton	1	6
Zinc, per ton	2	8
All other goods not particularly enumerated in the above table, viz. :—		
Light goods, per barrel bulk	0	3
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.

Five cubic feet, not exceeding $2\frac{1}{2}$ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than $2\frac{1}{2}$ cwt., then $2\frac{1}{2}$ cwt. to be rated as a barrel bulk.

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

(1.) *Sheds.*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in any shed or on the pier for a longer time than 24 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 24 hours.

(2.) *Cranes.*

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

(3.) *Weighing Machines.*

For potatoes and coals, each ton or part of a ton	0	2
For other goods, ditto	0	4

(4.) *Water for Ships and Boats.*

Water supplied to each ship, each voyage	2	6
Water supplied to herring boats for the fishing season, each	2	6

V.—Pilotage.

1. For every ship or vessel piloted into and out of the harbour with a boat and four men, per registered ton	0	3½
Laying out a kedge	5	0
Haulers on board, each	1	0
Ditto on the pier, each	0	6
2. Tides work—		
For every tides work within the harbour, per man employed, each	2	6
3. Berthing master's or captain pilot's fees—		
For all vessels under 40 tons register, each	0	6
40 and under 80 „ each	1	0
80 „ 120 „ each	1	6
120 „ 160 „ each	2	0
160 and upwards, each	2	6

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