SECOND SCHEDULE.

SCHEDULE TO CERTIFICATE OF 23RD DECEMBER 1884.

FIRST PART.

A piece of land situate at Twyford in the county of Berks with two buildings thereon one formerly used as a chapel but now used as a school-room and the other formerly used as a schoolroom but now used as a storehouse in hand.

A house and garden situate at Twyford aforesaid used as a schoolmaster's house in hand.

An allotment of land situate at Twyford aforesaid in hand.

SECOND PART.

Copyholds of the Manor of Hampton.

A house coach-house stable cottage and garden two cottages and gardens and two pieces of land with a cottage standing on one of them all situate at Hampton in the county of Middlesex now held by Charles Pemberton under a lease granted to Eliza Johanna Blanchard for the term of twenty-one years from Midsummer one thousand eight hundred and sixty-nine at the yearly rent of eighty pounds.

A piece of garden ground situate at Hampton aforesaid held by the said Charles Pemberton as yearly tenant at the annual rent of ten pounds.

A piece of garden ground situate at Hampton aforesaid held by Thomas Holberton as yearly tenant at the annual rent of three pounds three shillings.

Five cottages and gardens situate at Hampton aforesaid held by James Mason under a lease for the term of twenty-one years from Michaelmas one thousand eight hundred and sixty-six at the yearly rent of twenty pounds.

Three thousand five hundred and sixteen pounds five shillings Consolidated Three Pounds per Centum Annuities in Court on the credit of Attorney-General v. Feillett In the Matter of "The London Central Markets Act 1875."

Seven hundred and fifty-three pounds fourteen shillings and one penny like annuities in Court on the credit of Attorney-General v. Feillet "Ex parte The Metropolitan Railway Company" one hundred and ninety-three pounds twelve shillings and sixpence like annuities in Court on the credit of Ex parte The Thames Valley Railway Company. The account of the parties entitled to the estate of Edward Polehampton deceased.

THIRD PART.

Six thousand and seventy-one pounds eleven shillings and one penny Consolidated Three Pounds per Centum Annuities in Court on the credit of Attorney-General v. Feillett.

CHAPTER 41.

An Act to make provision with respect to the maintenance of certain Piers and other works in the estuary of the River Shannon. [31st July 1885.]

WHEREAS the care and conservancy of the navigation of the River Shannon and certain rivers flowing into the River Shannon, and of the works from time to time executed for the improvement of such navigation, together with all powers, authorities, and privileges, rights, titles, and interests under the Shannon Acts of 1839 and 1846, and the Shannon Act, 1874, in relation to such navigation and works, are vested in the Commissioners of Public Works in Ireland: 2 & 3 Vict. c. 61. 9 & 10 Vict. c. 86. 37 & 38 Vict. c. 60.

And whereas a part of the duties of such care and conservancy consists in the maintenance of certain piers and other works in the estuary of the River Shannon below the city of Limerick (which said piers and works are mentioned in the First Schedule to this Act, and are in this Act referred to as "the said piers"):

And whereas it is expedient that the duty of maintaining the said piers should be distributed among such authorities and in such manner as are in this Act mentioned:

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:

Short titles.

1. This Act may be cited as the Shannon Act, 1885; and the Shannon Acts of 1839 and 1846, and the Shannon Act, 1874, and this Act may be together cited as the Shannon Acts, 1839 to 1885.

Power to Public Works Commissioners to transfer maintenance of piers on estuary of Shannon.

2. (1.) The Commissioners of Public Works in Ireland (herein-after referred to as "the Commissioners of Works") shall have power from time to time upon such conditions as, with the consent of the Treasury, they may think fit, and subject to the provisions of this Act,

(*a.*) By order to commit the maintenance of any one or more of the said piers to any trustees, not less than five in number, willing to undertake the same upon the terms herein-after mentioned; and

(*b.*) By order to direct that any one or more of the said piers shall become the public property of the county, or of the urban or rural sanitary district within the meaning of the Public Health (Ireland) Act, 1878, in which such pier or piers is or are situate, and that the maintenance of such pier or piers shall be committed to the grand jury of the said county, or to the sanitary authority of the said urban or rural sanitary district, or to any properly constituted harbour authority within the meaning of this Act, as the case may be; provided the said county, sanitary, or harbour authority consent to accept the same upon the terms herein-after mentioned.

41 & 42 Vict. c. 52.

(2.) From the date of any such order as aforesaid taking effect in manner herein-after mentioned, or any later date specified in that behalf in such order, and subject to the terms of the order and the provisions of this Act, all property of every description, and all powers, rights, and duties of the Commissioners of Works in relation to any one or more of the said piers whereof the maintenance is committed by such order to the local authority, harbour authority, or trustees therein in that behalf mentioned, (which said local authority, harbour authority, or trustees is or are in this Act referred to as a "pier authority,") shall cease to be vested in, and to be exercised and performed by, and to attach to the Commissioners of Works, and shall devolve upon such pier authority.

Considerations previous to order affecting piers.

3. Before making an order under this Act affecting any one or more of the said piers, the Commissioners of Works shall take into consideration the interests of the district or districts benefited by such pier or piers, and of the classes and persons making use thereof, and shall reasonably satisfy themselves that the duties to be committed to any pier authority by such order will be effectively

discharged by them, with a due regard for all such interests as aforesaid.

Regulations as to making and validity of order.

4. With respect to the making of an order by the Commissioners of Works under this Act and the validity thereof, the following regulations shall have effect; that is to say,

(1.) The Commissioners of Works shall prepare a draft order, and shall specify therein—

(*a.*) The pier or piers, whereof the maintenance is proposed to be committed by such order to a local authority, harbour authority, or trustees, and the local authority, harbour authority, or trustees to whom it is proposed to commit such maintenance, and the mode of supplying from time to time any vacancy caused by the death or incapacity or refusal to act of any such trustee; and

(*b.*) All property of every description, and all powers, rights, duties, interests, and liabilities proposed to be vested in and conferred and imposed on such local authority, harbour authority, or trustees; and

(*c.*) Any other matters which the Commissioners of Works, with the consent of the Treasury, may think fit to insert in such order;

but before making any such order the said Commissioners shall undertake any works which may appear to them necessary for repairing the structure of the pier or piers to which the order relates:

(2.) The Commissioners of Works shall cause the said draft order to be published in such manner as they think best adapted for the purpose of making it known to all persons interested, and shall hear and consider any objections to such draft order which may be made to them in writing within such time, being not less than thirty days from the date of the first publication thereof, as they may by notice published as aforesaid specify:

(3.) Having considered all such objections as aforesaid, the Commissioners of Works shall send the order as finally settled by them to the Treasury, and the Treasury, if they approve thereof (whether with or without modifications), shall cause the same, with such modifications (if any) as they think fit, as soon as possible to be laid upon the table of both Houses of Parliament:

(4.) The order shall be of no validity until it has lain for forty days on the table of both Houses of Parliament; and if during the said forty days either House of Parliament passes a resolution against such order the same shall be void, but if during the said period of forty days no such resolution is passed, the order shall at the expiration of the said period be valid and take effect:

(5.) The passing of a resolution by either House of Parliament against such order shall not prejudice the making of any subsequent order in pursuance of this Act in relation to the same subject-matter or any part thereof.

Power to pier authority to purchase land.

5. (1.) A pier authority shall be bound to maintain and keep in sufficient order and repair the pier or piers so committed to them, and shall have power, subject to the provisions of this Act and of

the order committing to them the maintenance of any one or more of the said piers, from time to time to purchase or take on lease or otherwise acquire any lands required by them for the purpose of such maintenance, and shall be empowered to improve and keep in sufficient order the approaches to any pier named in the First Schedule to this Act.

(2.) With a view to the purchase of lands by a pier authority, the Lands Clauses Acts shall, so far as they are applicable, be incorporated with this Act, with the exception of the provisions of those Acts which relate to the purchase and taking of lands otherwise than by agreement; and, in construing the said Lands Clauses Acts for the purposes of this Act, this Act and the order committing to such authority such maintenance as aforesaid shall together constitute the "special Act," and the pier authority shall be the "promoters of the undertaking."

Power to levy tolls for use of piers.

6. A pier authority shall have power to levy tolls in respect of the several matters mentioned in the Second Schedule to this Act, at such rates, not exceeding the rates mentioned in the said schedule or any other rates mentioned in a schedule to the order, as they from time to time determine; provided that such tolls shall not at any time without the consent of the Treasury be charged in respect of any one of the said piers at higher rates than the rates at which they were charged at the time when the maintenance of such pier was committed to a pier authority in pursuance of this Act.

Application of tolls, &c.

7. All tolls levied by a pier authority to whom the maintenance of any of the said piers or the improvement of the approaches thereunto has been committed in pursuance of this Act, and all moneys otherwise accruing to such authority in pursuance of this Act, shall be held by such authority on trust to dispose thereof in defraying the expenses of and attending such maintenance or improvement of the approaches thereunto, and in repayment of any loan or loans raised by such authority in pursuance of this Act, with the interest thereon; and any surplus from time to time arising shall be applied in reduction of such of the rates fixed in respect of the said tolls as such authority may from time to time think it expedient to reduce; and any surplus from time to time remaining after such reduction of rates as aforesaid shall, in the case of a pier authority being a local authority, be the property of the county or sanitary district (as the case may be), and, in any other case be disposed of in such manner as Parliament may direct.

Power to local authority to levy special rate.

8. Where a pier authority are a local authority within the meaning of this Act, and the moneys at any time available for payment of the expenses incurred by such authority in the maintenance of any of the said piers, or for payment of any sums due in respect of a loan raised by such authority in pursuance of this Act, are insufficient for payment of such expenses or sums, then—

(1.) if such pier authority are the grand jury of a county, such grand jury may present any amount so from time to time required to supply the deficiency, such amount to be raised off the county at large, or off any one or more of the baronies or half baronies in the county; and such amount on being presented shall be applotted, raised, and levied accordingly; provided that a presentment made in pursuance of this sec-

tion shall be subject to the like proceedings at presentment sessions, and otherwise, as other grand jury presentments; and

(2.) if such pier authority are an urban or rural sanitary authority within the meaning of the Public Health (Ireland) Act, 1878, such authority may make a special rate for the purpose of supplying the deficiency; and such authority, if an urban authority, shall have all such powers for making and levying such special rate, and all provisions shall be applicable in respect thereof, as in the case of any rate authorised to be made by such urban authority for the general purposes of the Public Health (Ireland) Act, 1878; and if such authority are a rural authority, the amount required for supplying the said deficiency shall be deemed to be special expenses within the meaning of the Public Health (Ireland) Act, 1878, and sections two hundred and thirty-two and two hundred and thirty-three of that Act shall apply accordingly. 41 & 42 Vict. c. 52.

Provided that an applotment or applotments or a rate or rates made by any local authority for the purposes of this Act shall not in any year exceed sixpence in the pound.

Power to pier authority to borrow.

9. (1.) Subject to the provisions of an order committing the maintenance of any of the said piers to a pier authority, such pier authority may from time to time, with the sanction of the Commissioners of Works, borrow at interest any sum required for any works which such authority are authorized to execute in pursuance of such order, and for that purpose may mortgage the tolls leviable by them under this Act and also (in case such authority are a local authority) any rate which they are by this Act authorised to make, and the mortgagees of any such mortgage may enforce the payment of any arrears of principal and interest due thereon by the appointment of a receiver.

(2.) For the purpose of any such loan the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners shall, so far as such provisions are applicable and are not inconsistent with this Act or the said order, be incorporated with this Act; and in the construction of the said provisions for the purposes of such incorporation the "special Act" shall be deemed to be this Act and the said order, and the "Commissioners" shall be the pier authority, and the "clerk to the Commissioners" shall be the pier authority or any person appointed by the pier authority, and the word "rates" shall include any tolls leviable under this Act. 10 & 11 Vict. c. 16.

(3.) A pier authority being a grand jury may also (subject to the limit herein-before imposed on the amount of any applotments to be made in any year for the purposes of this Act) present any sum, to be raised off the county at large or off any one or more of the baronies or half baronies in the county, for the purpose of obtaining a loan in pursuance of this Act, and the enactments for the time being in force with respect to the presenting of moneys by grand juries for the purpose of obtaining loans for public works, and with respect to the making and repayment of such loans, shall be applicable to any such presentment, and to the making of any loan on the security thereof, and to the repayment of any such loan.

Power to Commissioners to lend to pier authority.

10. The Commissioners of Works may, with the consent of the Treasury, make any loan to a pier authority acting in pursuance of any powers of borrowing conferred by this Act, on the security of any tolls leviable under this Act, and (if they think it expedient) of any presentment or rate which such authority (if a local authority) is authorized by this Act to make, and without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum, or such other rate as may in the judgment of the Treasury be necessary in order to enable the loan to be made without loss to the Exchequer:

Provided that in determining the time when a loan under this section shall be repayable, the Commissioners of Works shall have regard to the probable duration and continuing utility of the works in respect of which the same is required.

Incorporation of certain provisions of 10 & 11 Vict. c. 27.

11. In the application of this Act in the case of any pier authority there shall be incorporated with this Act the following provisions and sections of the Harbours, Docks, and Piers Clauses Act, 1847, so far as those provisions and sections are applicable to and not inconsistent with or modified by this Act or the order committing the maintenance of any one or more of the said piers to such authority as aforesaid; that is to say,

(1.) Section twenty-eight, relating to the exemption of certain vessels, persons, and things, from the liability to be charged with rates and to be regulated and controlled under the said Act or the special Act; and

(2.) The provisions with respect to the collection and recovery of rates, excepting sections thirty-five and thirty-six; and

(3.) Sections seventy-four, seventy-five, and seventy-six, relating to the liability for any damage done, and the recovery of the amount of such damage; and

(4.) The provisions with respect to the byelaws to be made by the undertakers; and

(5.) The provisions with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices:

and in the construction of the said provisions and sections for the purpose of such incorporation, the "special Act" shall be deemed to be this Act and the said order; and the "harbour, dock, or pier" shall be the pier or piers whereof the maintenance is committed by the said order to such pier authority as aforesaid; and the "undertakers" shall be the said pier authority; and the word "rate" shall include any such toll as is mentioned in this Act.

Prohibition of undue preference in use of piers.

12. A pier authority shall not show any undue preference to any person in relation to the use of any of the said piers whereof the maintenance has been committed to such authority, but every person shall be entitled to the use thereof on the same terms on which any other person would be so entitled under similar circumstances.

Accounts and audit.

13. Accounts of the receipts and expenditure of a pier authority shall be made up in such form and to such day or days in every year as may be appointed by the Local Government Board. Such accounts shall be audited by such auditor of the accounts relating to the relief of the poor as the Local Government Board appoint for

the purpose; and such auditor shall have the like powers and be subject to the like obligations, and any person aggrieved by the decision of such auditor shall have the like rights and remedies, as are provided in the case of an audit under section two hundred and forty-eight of the Public Health (Ireland) Act, 1878; and a pier authority shall for the purposes of this section be deemed to be a public body within the meaning of section six of the Local Government Board (Ireland) Act, 1872. 41 & 42 Vict. c. 52. 35 & 36 Vict. c. 69.

14. Every pier authority shall make an annual report, in such form and at such time as the Local Government Board may from time to time direct, of all works executed and of all sums received and expended by them in pursuance of this Act during the preceding year, and shall send a copy thereof to the Local Government Board, and shall publish such report or an abstract thereof in some local newspaper circulating in the district. Report to Local Government Board.

15. (1.) If at any time it appears to the Lord Lieutenant that any one or more of the said piers is or are not maintained in a proper state of repair by any pier authority to whom the maintenance thereof has been committed in pursuance of this Act, the Lord Lieutenant may, if he thinks fit, signify the same to the Treasury, and the Treasury may thereupon, if they think fit, authorize the Commissioners of Works to execute any works which they may consider necessary for the purpose of putting such pier or piers as aforesaid in a proper state of repair, and to advance out of any moneys for the time being in their hands for the purpose of loans any sum or sums necessary for such works; and for the purpose of executing such works the Commissioners of Works shall be invested with all the powers of the pier authority. Maintenance of piers in case of default by pier authority.

(2.) Any sum or sums so advanced by the Commissioners of Works, together with interest thereon at the rate of three and a half per centum per annum, or such other rate as may in the judgment of the Treasury be necessary in order to enable such advance to be made without loss to the Exchequer, shall be repaid by the pier authority out of any moneys in their hands for the purpose of the maintenance of such pier or piers as aforesaid, and shall be a charge upon all tolls levied by such authority until the whole amount due in respect of the advance has been repaid; and such charge shall have priority over all other sums payable by such authority in respect of such maintenance, except any sums payable in respect of expenses incurred previous to the date of the said advance by the Commissioners of Works; and for the recovery of the said advance and the interest thereon, the Commissioners of Works shall have the like rights and remedies as if the sum or sums advanced had been borrowed by the pier authority in pursuance of this Act on the security of a mortgage of the said tolls.

16. Nothing in this Act shall extend to abridge or prejudicially affect any right, power, jurisdiction, or privilege of the Commissioners of Irish Lights. Saving of certain rights.

17. In this Act the following words and expressions shall have the meanings hereby assigned to them, unless there be something in the context repugnant thereto; that is to say, Definitions.

"Lord Lieutenant" includes the Lords Justices or any other chief governor or governors of Ireland for the time being:

"Treasury" means the Commissioners of Her Majesty's Treasury:

"Local Government Board" means the Local Government Board for Ireland:

"Harbour authority" includes all persons or bodies of persons, corporate or unincorporate, being proprietors of or intrusted with the duty, or invested with the power of constructing, improving, managing, maintaining, or lighting any harbour, or any works in or at which vessels can obtain shelter, or ship and unship goods or passengers in the River Shannon or Fergus:

"Local authority" means the grand jury of a county or any urban or rural sanitary authority within the meaning of the Public Health (Ireland) Act, 1878:

41 & 42 Vict. c. 52.

"County" means a county at large, also a county of a city, a county of a town and city, and a city or town and county:

"Grand jury" includes the town council of any borough to whom the powers of a grand jury with respect to the presentment of public money have been transferred:

8 & 9 Vict. c. 18.

"Lands Clauses Acts" means the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, so far as respects Ireland.

SCHEDULES.

THE FIRST SCHEDULE.

Clare Castle Pier, County Clare.
Kilrush Pier, County Clare.
Kildysart Pier (Cahiran), County Clare.
Querin Pier, County Clare.
Kilteery Pier, County Limerick.
Foynes Harbour, County Limerick.
Saleen (Ballylongford) Pier, County Kerry.

THE SECOND SCHEDULE.

I.—QUAYAGE.

ON CRAFT TRADING IN THE RIVER SHANNON.	Rates for entering Pier. 1. For first week.	2. For any time after first week.
Open boats, turf boats, and decked vessels under 20 tons burden.	3*d.* per diem - -	3*d.* per diem.
Decked vessels of 20 tons and under 50 tons register, or 50 tons burden when not registered.	1*s.* ,, - -	6*d.* ,,
Vessels of 50 tons register or burden and under 100 tons register.	2*s.* ,, - -	1*s.* ,,
Vessels of 100 tons register and upwards -	3*s.* ,, - -	1*s.* 6*d.* ,,
ON VESSELS ARRIVING FROM OR DEPARTING TO ANY PORT IN THE UNITED KINGDOM, OUTSIDE THE SHANNON.	3*d.* per ton register for a period of 14 days.	½*d.* per ton for every subsequent week or part of a week.
ON VESSELS ARRIVING FROM OR DEPARTING TO ANY FOREIGN OR COLONIAL PORT.	5*d.* per ton register for a period of 14 days.	Ditto.
Vessels arriving for the purpose of shelter to pay only the rates per diem or per ton as per column No. 2.		

II.—WHARFAGE.

For loading or landing.	Turf, lime, limestone, building stone, flags, sand, gravel, ballast, marl, seaweed, and manures.	½*d.* per ton.
Ditto - -	Timber, coal, iron ores and minerals, corn, meal, malt, flour, potatoes, hay, straw, and all goods not elsewhere enumerated.	1½*d.* per ton.
Ditto - -	Pigs or sheep - - - - -	6*d.* per score.
Ditto - -	Horses or cattle - - - -	1*d.* per head.

CHAPTER 42.

An Act to provide for defraying the Expenditure on account of Greenwich Hospital directly out of the Revenues of Greenwich Hospital; to amend in other respects the Greenwich Hospital Acts, 1865 to 1883; and to amend the law relating to the Naval Knights of Windsor.

[31st July 1885.]

WHEREAS the present practice of defraying the expenditure on account of Greenwich Hospital out of money provided in the first instance by Parliament, and subsequently repaid by Greenwich Hospital, is unnecessary and inconvenient:

And whereas it is expedient to provide for defraying such expenditure directly out of the revenues of Greenwich Hospital, and in other respects to amend the Greenwich Hospital Acts, 1865 to 1883:

28 & 29 Vict. c. 89.
32 & 33 Vict. c. 44.
33 & 34 Vict. c. 100.
35 & 36 Vict. c. 67.
46 & 47 Vict. c. 32.

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:

Short title and construction of Act.

1. This Act may be cited as the Greenwich Hospital Act, 1885; and this Act and the Greenwich Hospital Acts, 1865 to 1883, shall be read and have effect together as one Act, and may be cited together as the Greenwich Hospital Acts, 1865 to 1885.

Expenditure to be defrayed out of revenues of Greenwich Hospital.

2. All expenditure which under the Greenwich Hospital Acts, 1865 to 1883, is in the first instance defrayed out of moneys provided by Parliament for the purpose, shall, as from the thirty-first day of March one thousand eight hundred and eighty-five, be defrayed directly out of the money for the time being standing to the credit of the Greenwich Hospital Income Account.

If in any year the money standing to the credit of that account should prove inadequate to meet the expenditure chargeable on it, it shall be the duty of Her Majesty's Paymaster-General from time to time, under the direction of the Admiralty, to carry over from the Greenwich Hospital Capital Account such sums as may be required to make good any such deficiency.

Annual estimate to be laid before Parliament.

3. A statement showing under proper heads the estimated income and expenditure of Greenwich Hospital for the current financial year shall be annually laid by the Admiralty before Parliament, and be submitted for approval by resolution of the House of Commons.