

[3 EDW. 7.]

*Pier and Harbour Orders*  
*Confirmation (No. 4) Act, 1903.*

[Ch. cxxx.]



**CHAPTER cxxx.**

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Sligo Limerick and Dundalk. A.D. 1903.

[11th August 1903.]

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

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

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

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

2. The Undertakers shall not under the powers of this Act granted purchase or acquire in any urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied Special  
provisions as  
to houses of  
labouring  
classes.

A.D. 1903. on the said fifteenth day of December but have been or shall be subsequently so occupied.

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

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

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 4) Act 1903.

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## THE SCHEDULE OF ORDERS.

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1. SLIGO.—Construction of works &c.
  2. LIMERICK.—Alteration in the method of calculating rates &c.
  3. DUNDALK.—Alteration in the method of calculating rates.
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SCHEDULE.

A.D. 1903.

SLIGO HARBOUR.

*Provisional Order for the construction of further Works in the Port and Harbour of Sligo and for conferring further powers upon the Sligo Harbour Commissioners in relation to the said Port and Harbour.* Sligo.

*Preliminary.*

1. Subject to the provisions of this Order the Sligo Harbour Act 1877 (in this Order called "the Act of 1877") and the Sligo Harbour Order 1891 (in this Order called "the Order of 1891") as the same are respectively amended by this Order and this Order shall be read and construed together as one Order and this Order may be cited as the Sligo Harbour Order 1903 and the Act of 1877 the Order of 1891 and this Order may together be cited as the Sligo Harbour Acts 1877 to 1903. Short title.

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

3. In this Order unless the subject or context otherwise requires— Interpretation.

Terms to which meanings are assigned in enactments incorporated with this Order or which have therein special meanings shall have the same respective meanings;

Terms used in this Order to which meanings are assigned by the Act of 1877 shall unless otherwise stated have the same respective meanings as are assigned to them by that Act;

"Animals" mean and include horses mules asses bulls oxen cows calves pigs sheep lambs goats dogs and poultry;

"Articles" mean and include all wares merchandise commodities vehicles matters and things of every description in respect of which the Commissioners may for the time being demand dues;

"Cargo" "goods" respectively mean and include articles and animals;

"Crane" means and includes cranes lifts elevators conveyers overhead carriers shearlegs winches and capstans by whatsoever power worked;

"The Lands Clauses Acts" shall mean and include the Lands Clauses Consolidation Act 1845 the Lands Clauses Consolidation Acts Amendment Act 1860 the Railways Act (Ireland) 1851 the Railways Act (Ireland) 1860 the Railways Act (Ireland) 1864 and the Railways Traverse Act and any Acts for the time being in force amending the same.

A.D. 1903.

*Undertakers.**Sligo.*  
Undertakers.

4. The Sligo Harbour Commissioners as incorporated by the Act of 1877 shall be the Undertakers for carrying this Order into execution and they are in this Order referred to as "the Commissioners."

*Limits and Works.*

Limits.

5.—(1) The limits to which the Act of 1877 and the Order of 1891 shall be deemed for all purposes to extend and to which this Order extends (in this Order called "the limits of the harbour") shall be all the waters below high-water mark between the Victoria Bridge at Sligo and a seaward limit represented by an imaginary line drawn from the southern extreme of Raghly Point thence to Wheat Rock and thence south (true) for a distance of about two nautical miles till the northern extreme of Killaspug Point bears east (true) and thence to Killaspug Point.

(2) The definition of the words "port" and "harbour" respectively contained in the Act of 1877 are hereby repealed and those words respectively shall whenever used in that Act and in this Order be read as including and shall include the limits of the harbour.

(3) Section 3 of the Order of 1891 shall be read and construed as if all the words following the word "comprise" were omitted therefrom and in lieu of those words the words "the limits of the harbour" were inserted.

Power to construct works.

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

Description of works.

7. The works authorised by this Order comprise—

- (A) The deepening widening or straightening or otherwise improving of the present channel in the port and harbour of Sligo;
- (B) The constructing and building of new training walls and the alteration of the existing training walls for the preservation of the said channel with such groynes and tidal outlets as may be necessary.

Power to deviate.

8. The Commissioners in constructing and carrying out any of the works authorised by this Order may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation shown on the plans deposited with reference to this Order and may with the like consent deviate vertically to any extent.

Power to erect cranes.

9. The Commissioners may provide erect work and maintain such cranes on the present and future quays or docks or on any other part of the property of the Commissioners as they shall deem advisable for the more convenient loading and unloading of ships or vessels and may demand and take for



the use of the cranes such reasonable charges as may from time to time be authorised by the byelaws for the time being in force. A.D. 1903.

Sligo.

*Additional Provisions as to Election of the Commissioners.*

10.—(1) No person shall be eligible for election as an elective Commissioner unless fourteen days at least before the day of election he shall have been nominated by an elector and his nomination shall have been seconded by another elector on a form of nomination paper supplied by the secretary to the Commissioners and the nomination paper shall have been delivered at the office of the Commissioners. The nomination paper shall before it is delivered be signed by the candidate for election or some person duly authorised by him in writing to consent to his nomination and it shall also be signed by the electors who respectively nominate and second the nomination of the candidate and it shall state whether the candidate is proposed for election as a representative of inhabitant householders or as a representative of the traders.

Nomination of candidates for election as elective Commissioners.

(2) No person shall be entitled to be nominated for election or to be elected as a representative both of inhabitant householders and of traders.

11. The Commissioners shall give public notice of the names of the candidates who have been duly nominated for election by affixing the same not less than seven days before the day fixed for each election to the door of the Commissioners' office and on such other conspicuous places as the Commissioners may direct. The notice shall distinguish the candidates nominated as representatives of inhabitant householders and those nominated as representatives of traders.

Publication of names of candidates.

12. If in any year no more persons are duly nominated as candidates for election as representatives of inhabitant householders or as representatives of traders respectively than the number of Commissioners to be elected as representatives of inhabitant householders or as representatives of traders respectively at such election then the candidate or candidates so nominated shall be deemed to be elected as commissioner or commissioners representative of inhabitant householders or of traders as the case may be and the returning officers shall make a return or returns to the Commissioners accordingly.

Where number of candidates does not exceed number of vacancies.

13.—(1) Section 16 of the Act of 1877 shall be read and construed as if the words "thirty-first day of July" had been substituted for the words "first day of September" in that section.

Date of electors' qualifications.

(2) Section 17 of the Act of 1877 shall be read and construed as if the words "entitled on the then last preceding thirty-first day of July" had been substituted for the words "entitled on such first day of September" where they occur in subsection (1) of that section.

*Supplemental Provisions as to Management.*

14. Section 67 of the Act of 1877 shall be construed as having empowered the Commissioners as from the commencement of that Act to work and enter into agreements with others for working the tramways or rails thereby authorised by such mechanical electrical or other means or appliances as they may think fit and to demand and take such reasonable

Power to work tramways.



A.D. 1903.

Sligo.

charges in respect of the use of the said tramways or rails as may from time to time be authorised by the byelaws for the time being in force and to provide such stables buildings carriages waggons trucks horses harness engines machinery apparatus steam cable electrical and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways or rails. Provided that nothing in the Act of 1877 or in this Order shall be deemed to have empowered or to empower the Commissioners to create or permit a nuisance or (without the consent of the Board of Trade having been first obtained) to use the tramways or rails for passenger traffic. Provided also that the Commissioners shall not provide or use or allow to be provided or used any electrical plant or appliance or work or allow the said tramways or rails to be worked by electrical power in such a manner as to interfere with telegraphic communication by means of any telegraphic lines of the Postmaster-General or with telephonic communication by means of any apparatus of the National Telephone Company Limited other than apparatus in or upon the property of the Commissioners. Provided that nothing in this section shall give the National Telephone Company Limited any rights to over or upon the property of the Commissioners other than the rights to which the said company are entitled under the agreements existing between the company and the Commissioners at the date of the passing of the Act confirming this Order and provided that nothing in this section shall prejudice or affect the rights of the Commissioners under such agreements or any of them.

Agreements as  
to working or  
letting tram-  
ways.

15. The Commissioners may with the consent of the Board of Trade from time to time but subject to the provisions of this Order enter into and fulfil contracts and agreements with any company or person authorised to enter into such contracts or agreements with respect to—

- (A) The construction of any tramways or rails authorised by the Act of 1877;
- (B) The working running over letting on hire use maintenance and management by the contracting parties or either of them of the tramways or rails authorised by the Act of 1877 or any part or parts thereof or of any adjoining tramway or railway of which such company or person is owner or lessee or over which such company or person has running powers and which can be worked along with the tramways or rails authorised by the Act of 1877;
- (C) The supply by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways or rails of the contracting parties of carriages waggons trucks plant and machinery necessary for the purposes of the agreement;
- (D) The appointment and removal of officers and servants;
- (E) The payments to be made and the conditions to be performed with respect to such working letting on hire use maintenance and management;
- (F) The interchange accommodation conveyance transmission and delivery of traffic coming from or destined for the contracting parties respectively;



- (G) The fixing payment collection division and apportionment of the tolls rates charges receipts and revenues arising from such traffic; A.D. 1903.
- (H) The sums or considerations whether annual or in gross and the rents payments allowances rebates and drawbacks to be paid made or allowed by either of the contracting parties to the other of them for or on account of any of the matters to which the contract or agreement may relate; Sligo.
- (I) The exercise of all such other powers as may be found desirable in reference to the purposes aforesaid or any of them.

*Rates.*

16. Where any goods or articles shipped or unshipped received or delivered within the port and harbour of Sligo are less in quantity than the quantity according to which the rates leviable by the Commissioners are fixed under the Third Schedule to the Act of 1877 and Part II. of the Schedule to the Order of 1891 and the sum chargeable on such goods or articles according to the said rates would amount to a fraction of a penny the Commissioners shall be entitled notwithstanding the rates authorised by the Third Schedule to the Act of 1877 and Part II. of the Schedule to the Order of 1891 to demand and receive in respect of such goods or articles as aforesaid the sum of not less than one penny in each case. When fractional parts of one penny to be reckoned as one penny.

17. In lieu of and substitution for the rate authorised by the Act of 1877 to be levied on coals the Commissioners shall be entitled to demand recover and receive in respect of all coals which shall be shipped or unshipped received or delivered within the port and harbour of Sligo any sums not exceeding the rate of twopence for every ton of such coals so shipped or unshipped received or delivered as aforesaid. Amendment of rate on coals.

18.—(1) The "rateable tonnage" of steam vessels (other than steam tugs) shall for the purposes of this Order mean such proportion not exceeding fifty per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage. Meaning of rateable tonnage.

(2) The "rateable tonnage" of steam tugs shall for the purposes of this Order mean such proportion not exceeding eighteen per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

19. The Commissioners shall by public advertisement in the Shipping Gazette and also in some newspaper published and circulating in the town of Sligo give one month's notice of the proportion of gross tonnage from time to time determined on by them as constituting the rateable tonnage of steam vessels and steam tugs respectively. Advertisements.

20. Subject to the provisions of the next succeeding section of this Order from and after the commencement of this Order such of the rates collectable recoverable or leviable by the Commissioners in respect of steam vessels and steam tugs respectively as were previously to the commencement of this Order calculated by reference to the register tonnage of such steam Calculation of rates.

A.D. 1903.

Sligo.Exemption of  
certain vessels.

vessels and steam tugs respectively shall be calculated by reference to the rateable tonnage of such steam vessels and steam tugs respectively.

21. The provisions of the last preceding section of this Order shall not apply to steam vessels or steam tugs the register tonnage of which is greater than their rateable tonnage.

Harbour light  
dues.

22.—(1) So long as the Commissioners maintain and repair the existing lighthouses buoys and beacons which are now under their control and such other lighthouses buoys and beacons as may from time to time (with the consent of the Commissioners of Irish Lights) be constructed erected or placed by them within or for the purposes of the harbour of Sligo and light and keep lighted those lighthouses during such hours between sunset and sunrise as may be necessary having regard to the season of the year the Commissioners may demand recover and receive in respect of every vessel entering the harbour of Sligo as and for harbour light dues any sum not exceeding one farthing per ton of its rateable or register tonnage for each and every time that such vessel enters the harbour and every such sum of money shall be paid by the master or other person having charge of the vessel so entering the harbour to the person or persons appointed by the Commissioners for receiving and collecting the same.

(2) The expression "lighthouse" and "buoys and beacons" in this section shall have the meanings assigned to them respectively by the Merchant Shipping Act 1894 and the Commissioners shall be a local lighthouse authority within the meaning and for the purposes of that Act.

*Byelaws.*Additional  
byelaws.

23.—(1) In addition to the powers contained in the Act of 1877 and any Act incorporated therewith and without prejudice to any of those powers the Commissioners may subject to the provisions of the Act of 1877 and this Order make byelaws for all or any of the following purposes (that is to say):—

For preventing and removing obstructions or impediments in or on the docks quays piers landing-stages sheds warehouses river channel walls and works of the Commissioners and the roads and accesses thereto respectively ;

For regulating the use of and the moving of carriages waggons trucks animals goods and articles along the quays piers landing-stages tramways rails or other property of the Commissioners ;

For regulating the conduct of the owners masters and crews of vessels propelled by steam with respect to the rate of speed at which they may proceed within the port and harbour of Sligo and for requiring such vessels to stop or slow their engines at such times and places as the Commissioners may require and for regulating the embarkation or disembarkation of passengers ;

For fixing the rents tolls duties charges and other payments to be made for the use of and generally for regulating the use of the quays docks piers landing-stages sheds warehouses depôts carriages waggons trucks vessels barges machinery plant cranes and appliances or labour



- belonging to or supplied and provided by the Commissioners and the tramways or rails authorised by the Act of 1877 and this Order ;
- For regulating the towing of vessels within the port and harbour the size and number of vessels to be towed in one train or by one or more towing vessels the speed at which towing vessels shall proceed the order and manner in which the towage shall be given and the duties and conduct of all persons employed in or upon towing vessels ;
- For fixing the rates to be charged for the hire and use of towing vessels belonging to the Commissioners ;
- For regulating the times and manner of and the places for payment of the dues payable to the Commissioners ;
- For berthing and removing vessels lying in or at any part of the port and harbour or the quays piers or docks and regulating the conduct and behaviour of boatmen stevedores lumpers jobbers and others employed at or resorting to the quays piers landing-stages or docks whether in the employment of the Commissioners or not ;
- For regulating the ballasting of vessels within the port and harbour and the order and manner in which they shall be supplied with ballast and the discharging and removal or disposal of ballast ;
- For preventing the exhibiting or placing in or upon any of the quays docks piers or landing-stages of any goods for sale other than such goods as the Commissioners think fit to be permitted to be sold there and other than perishable articles landed on the quays docks or piers and sold within forty-eight hours of their being landed.

A.D. 1903.

Sligo.

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

(3) No byelaw made under this section shall come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

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

#### *Finance.*

24. The Commissioners may in addition to any moneys they are authorised to borrow under any Act relating to Sligo Harbour borrow at interest on the security of the rates dues and revenues coming to their hands by virtue of any previous Act the Order of 1891 or this Order (other than harbour light dues) any sum not exceeding in the whole one hundred thousand pounds and may mortgage such rates dues and revenues (other than as aforesaid) to secure the repayment of the sums so borrowed with interest accordingly and the provisions of the Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the Commissioners shall subject to the provisions of this Order apply to the said sum of one hundred thousand pounds Provided that all mortgages or bonds of the Commissioners now in force shall during the continuance thereof have priority over any mortgage or other security created by virtue of this Order.

Additional  
powers of  
borrowing.

A.D. 1903.

*Sligo.*Application  
of borrowed  
moneys.

25. All moneys borrowed under the authority of this Order shall be applied—

- (1) For any purpose of the Act of 1877 remaining unfulfilled ;
- (2) For the several purposes authorised by this Order to which capital is properly applicable ;
- (3) For the equipment maintenance and improvement of the port and harbour of Sligo.

Protection of  
lenders of  
money to Com-  
missioners.

26. A person lending money to the Commissioners shall not be bound to require any further or other evidence of the power of the Commissioners to borrow the money lent by such person than such as is afforded by a certificate signed by the Secretary to the Commissioners and countersigned by at least two of the Commissioners that the Commissioners are not exceeding the powers of borrowing by this Order conferred on them and by an inspection of the Register of Mortgages by section 76 of the Commissioners Clauses Act 1847 required to be kept nor shall he be bound to see to the application or be answerable for any loss misapplication or non-application of such money or any part thereof.

Sinking fund.

27. The Commissioners shall every year appropriate and set apart out of the surplus income (if any) remaining after payment of (1) the interest on all mortgages and bonds for the time being outstanding and having priority over mortgages or securities created by virtue of this Order and (2) any money required to be set apart under the Act of 1877 or any earlier Act, as and by way of sinking fund and (3) the interest on any moneys borrowed under this Order such a sum as will be sufficient to pay off the whole of the principal moneys borrowed under this Order within fifty years after the date when those moneys are respectively borrowed.

Power to re-  
borrow.

28. If the Commissioners pay off any part of the money borrowed by them under this Order otherwise than by means of a sinking fund they may reborrow the same and so on from time to time.

*Life-Saving Apparatus.*Provision of  
life-saving  
apparatus.

29.—(1) The Commissioners shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier and build on that site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

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

Apparatus for  
saving life may  
be attached to  
pier.

30. 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 and without payment attach or cause to be attached to any part of the pier quay or works spars and other apparatus for saving life and may also either in course of using or exercising the apparatus for saving life fire rockets over the pier quay and works.



A.D. 1903.

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*Sligo.*Life-buoys to  
be kept.

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

*Miscellaneous Provisions.*

32. The Commissioners shall in addition to the powers conferred by section 37, 38 and 39 of the Harbours, Docks and Piers Clauses Act 1847 have power when any goods are shipped or are intended to be shipped on board of or are unshipped or are intended to be unshipped from any ship or vessel within the port and harbour of Sligo to enter upon such ship or vessel and by their collector or any other person or persons acting under their authority to inspect the original manifest or bill of lading of the cargo and to take copies of or extracts from such portion or portions thereof as relate to the goods shipped or intended to be shipped or unshipped or intended to be unshipped within the port and harbour of Sligo.

Power to in-  
spect manifest.

33. Notwithstanding the provisions of section 39 of the Harbours Docks and Piers Clauses Act 1847 it shall be the duty of the owner of every ship or vessel on board of which any goods shall have been shipped while it is lying within the port and harbour of Sligo to deliver to the collector of the Commissioners either before the said ship or vessel leaves or with the consent of the Commissioners at the latest within two days after the said ship or vessel shall have left the said port and harbour a true account signed by him or his agent in Sligo or the master of such ship or vessel of the kinds quantities and weights of the goods which shall have been shipped on board such ship or vessel while lying within the said port and harbour and the owner of such ship or vessel as aforesaid who shall fail to deliver such account as aforesaid or shall deliver a false account of such goods shall for every such offence be liable to a penalty not exceeding ten pounds. Provided always that an account delivered and signed as aforesaid shall be deemed to be a true account if it be a correct copy of any account or particulars of the goods shipped as herein-before mentioned which may have been delivered by the shipper of the said goods to the owner of the said ship or vessel or his agent in Sligo or the master of the said ship or vessel.

Owner of  
vessel to give  
an account of  
goods shipped.

34. Section 8 of the Summary Jurisdiction (Ireland) Act 1851 is hereby incorporated with this Order and shall be read and construed as if the word "place" in the said section had been therein defined as comprising "any quay pier or landing-stage dock shed channel wall beacon or other property of the Sligo Harbour Commissioners or any waste or unoccupied land within the port and harbour of Sligo" and as if the words "the Sligo Harbour Commissioners" had been substituted for the words "the owner" where they occur in the said section.

Incorporation  
of section 8 of  
Summary  
Jurisdiction  
(Ireland) Act  
1851.

35. Section 72 of the Towns Improvement (Ireland) Act 1854 is hereby incorporated with this Order and shall be read and have effect as if the words "any quays piers landing-stages docks sheds and other property of the Sligo Harbour Commissioners or any waste or unoccupied land within the port and harbour of Sligo" had been substituted for the words "any street"

Incorporation  
of section 72  
of Towns  
Improvement  
(Ireland) Act  
1854.

A.D. 1903.

Sligo.

whenever they occur in the said section and as if the words "to the obstruction annoyance or danger of the residents or passengers" had been deleted from the said section. And any person or persons appointed by the Commissioners in writing to act as constable or constables on the property of the Commissioners shall be deemed to be and shall have the powers of a constable appointed by virtue of the said Act.

Exemption of  
Government  
departments.

36. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with the Act of 1877 and this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government department specially named in those sections.

Recovery of  
penalties.

37. All penalties recoverable under the Act of 1877 the Order of 1891 and this Order shall be recovered and applied as penalties are recoverable and applicable under the Harbours Docks and Piers Clauses Act 1847 and for all purposes of that Act the Act of 1877 the Order of 1891 and this Order shall be deemed to be the Special Act.

Harbours  
Clauses Act not  
incorporated  
further than in  
Act of 1877.

38. The Harbours Docks and Piers Clauses Act 1847 is not incorporated in this Order further or otherwise than it is incorporated in the Act of 1877.

Costs of Order.

39. All costs charges and expenses preliminary to and of and incidental to the preparing applying for and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Commissioners.

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## LIMERICK HARBOUR.

*Limerick.*

*Provisional Order for altering for the purposes of rating the method of calculating the register tonnage of steam vessels and steam tugs using the Harbour of Limerick the charging and levying of harbour light dues and for other purposes.*

Short title.

1. This Order may be cited as the Limerick Harbour Order 1903 and shall be construed as one with the Limerick Harbour Act 1867 (in this Order referred to as "the Act of 1867") and the Limerick Harbour Act 1888 (in this Order referred to as "the Act of 1888").

Interpretation.

2. In this Order the following expressions have the meanings hereby assigned to them (that is to say):—

"The Commissioners" means the Limerick Harbour Commissioners for the time being;

"The harbour" means the port and harbour of Limerick and the River Shannon included within the jurisdiction of the Commissioners as defined by the Acts recited in the Act of 1888 or any of them together with the quays piers jetties tidal basins and other works connected therewith but does not include Wellesley Bridge or the approaches thereto or the Swivel Bridge and the other works connected therewith or the several piers and harbours in the estuary of the River Shannon now or at the time of the passing of the Act



of 1867 and the Act of 1888 respectively vested in the Commissioners of Public Works ;

A.D. 1903.

*Limerick.*

“Home trade vessel” means a steam or other vessel being a home trade ship as defined by the Merchant Shipping Act 1894 which carries general merchandise and belongs to an owner or owners whose vessels use the harbour once at least in every fortnight.

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

Commence-  
ment of Order.

4.—(1) The “rateable tonnage” of steam vessels (other than steam tugs) shall for the purposes of this Order mean such proportion not exceeding fifty per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

Meaning of  
rateable  
tonnage.

(2) The “rateable tonnage” of steam tugs other than those exclusively employed for towing vessels within the harbour shall for the purposes of this Order mean such proportion not exceeding eighteen per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

5. The Commissioners shall by public advertisement in the Shipping Gazette and also in some newspaper published or circulating in the city of Limerick give one calendar month’s notice of the proportion of gross tonnage from time to time determined on by them as constituting the rateable tonnage of steam vessels and steam tugs respectively.

Advertise-  
ments.

6. Subject to the provisions of Section 7 of this Order from and after the commencement of this Order such of the rates collectable recoverable or leviable by the Commissioners in respect of steam vessels and steam tugs respectively as were previously to the commencement of this Order calculated by reference to the register tonnage of such steam vessels and steam tugs respectively shall be calculated by reference to the rateable tonnage of such steam vessels and steam tugs respectively.

Calculation of  
rates.

7. The provisions of Sections 4 5 and 6 of this Order shall not apply to steam vessels or steam tugs the register tonnage of which is greater than their rateable tonnage or to any home trade vessel.

Exception of  
certain vessels.

8.—(1) So long as the Commissioners shall maintain and repair the existing lighthouses buoys and beacons and such other lighthouses buoys and beacons as may from time to time (with the consent of the Commissioners of Irish Lights) be constructed erected or placed within or for the purposes of the harbour of Limerick and shall light and keep lighted those lighthouses during such hours between sunset and sunrise as may be necessary having regard to the season of the year the Commissioners may demand recover and receive in respect of all vessels entering the harbour as and for harbour light dues any sum not exceeding the following rates (that is to say) in respect of vessels (other than steam tugs and home trade vessels) not exceeding one halfpenny per ton of their rateable or register tonnage and in respect of

Harbour light  
dues.

A.D. 1903. home trade vessels not exceeding one-eighth of a penny per ton of their net register tonnage.

*Limerick.*

(2) The expressions "lighthouse" and "buoys and beacons" in this section shall have the meanings assigned to them respectively by the Merchant Shipping Act 1894 and the Commissioners shall be a local lighthouse authority within the meaning and for the purposes of that Act.

Application of certain sections of Harbours Docks and Piers Clauses Act 1847. 10 & 11 Vict. c. 27.

9. Sections 49 and 50 of the Harbours Docks and Piers Clauses Act 1847 shall apply to the accounts of the Commissioners.

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

10.—(1) The Commissioners within one month after sending to the Clerk of the Peace a copy of the annual account in abstract shall send a copy of it to the Board of Trade and Section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

(2) If the Commissioners refuse or neglect to comply with this section they shall for each refusal or neglect be liable to a penalty not exceeding twenty pounds.

Adjustment of rates.

11.—(1) The rates to be received by the Commissioners shall be adjusted by them in such a manner that as far as possible the income of the harbour shall be sufficient and not more than sufficient for the purposes of the harbour.

(2) If at any time it appears to the Board of Trade from the annual account to be sent to them under this Order that the clear annual income derived from the rates leviable by the Commissioners on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of the harbour the Board may if they think fit reduce the maximum rates leviable by the Commissioners to such sums as shall be sufficient to provide the amount aforesaid and may at any time raise those rates again.

(3) Provided that the rates so adjusted shall at no time exceed the maximum rates leviable by the Commissioners under the Act or Acts of Parliament relating to the harbour as amended by this Order.

#### *Life-saving Apparatus.*

Sections of Harbours Docks and Piers Clauses Act excepted.

12. Sections 16 to 19 inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Commissioners shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the pier and build on that site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

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

Apparatus for saving life may be attached to pier.

13. 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 and without payment attach or cause to be attached to any part of the pier quay or works spars and other apparatus for saving life and may also either



in course of using or exercising the apparatus for saving life fire rockets over the pier quay and works.

A.D. 1903.

*Limerick.*

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

Life-buoys to be kept.

*Costs.*

15. All costs charges and expenses of and incident to the preparation and obtaining of this Order or otherwise incurred in relation thereto shall be paid by the Commissioners out of any of their funds.

Costs of Order.

### DUNDALK HARBOUR.

*Provisional Order for altering for the purposes of rating the method of calculating the register tonnage of steam vessels and steam tugs respectively entering using or touching at the Harbour of Dundalk and for other purposes.*

*Dundalk.*

1. This Order may be cited as the Dundalk Harbour Order 1903.

Short title.

2. In this Order the expression "the Commissioners" means the Commissioners for the time being nominated by or elected pursuant to and acting in execution of the Dundalk Harbour and Port Act 1855 and the expression "the harbour" means the Port and Harbour of Dundalk.

Interpretation.

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

Commencement of Order.

4.—(1) The "rateable tonnage" of steam vessels (other than steam tugs) shall for the purposes of this Order mean such proportion not exceeding fifty per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

Meaning of rateable tonnage.

(2) The "rateable tonnage" on steam tugs shall for the purposes of this Order mean such proportion not exceeding eighteen per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

5. The Commissioners shall by public advertisement in the Shipping Gazette and also in some newspaper published or circulating in the Town of Dundalk give one calendar month's notice of the proportion of gross tonnage from time to time determined on by them as constituting the rateable tonnage of steam vessels and steam tugs respectively.

Advertisements.

6. Subject to the provisions of section 7 of this Order from and after the commencement of this Order such of the rates tolls or duties collectable recoverable or leviable by the Commissioners in respect of steam vessels and steam tugs respectively as were previously to the commencement of this Order

Calculation of rates.

A.D. 1903.

*Dundalk.*Exception of  
certain steam  
vessels or  
steam tugs.Application of  
certain sections  
of Harbours  
Docks and Piers  
Clauses Act 1847.  
10. & 11 Vict. c. 27.Annual ac-  
count to be  
sent to Board  
of Trade.25 & 26 Vict.  
c. 19.Adjustment of  
rates.

Costs of Order.

calculated by reference to the "register tonnage" of such steam vessels and steam tugs respectively shall be calculated by reference to the "rateable tonnage" of such steam vessels and steam tugs respectively.

7. The provisions of section 6 of this Order shall not apply to steam vessels or steam tugs the register tonnage of which is greater than their rateable tonnage.

8. Sections 49 and 50 of the Harbours Docks and Piers Clauses Act 1847 shall apply to the accounts of the Commissioners.

9.—(1) The Commissioners within one month after sending to the Clerk of the Peace a copy of the annual account in abstract shall send a copy of it to the Board of Trade and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account.

(2) If the Commissioners refuse or neglect to comply with this section they shall for each refusal or neglect be liable to a penalty not exceeding twenty pounds.

10.—(1) The rates to be received by the Commissioners shall be adjusted by them in such a manner that as far as possible the income of the harbour shall be sufficient and not more than sufficient for the purposes of the harbour.

(2) If at any time it appears to the Board of Trade from the annual account to be sent to them under this Order that 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 exceeds the amount sufficient for the purposes of the harbour the Board may if they think fit reduce the maximum rates leviable by the Commissioners to such sums as shall be sufficient to provide the amount aforesaid and may at any time raise those rates again.

(3) Provided that the rates so adjusted shall at no time exceed the maximum rates leviable by the Commissioners under the Act or Acts of Parliament relating to the harbour as amended by this Order.

11. All costs charges and expenses of and incident to the preparation and obtaining of this Order or otherwise incurred in relation thereto shall be paid by the Commissioners out of any of their funds.

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